U. S. Congress

UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 77th CONGRESS
FIRST SESSION

VOLUME 87—PART 6

JULY 3, 1941 TO AUGUST 11, 1941

(PAGES 5807 TO 6992)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1941

DEPOSITED BY THE
UNITED STATES OF AMERICA
JUN 16 '42

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 77th CONGRESS, FIRST SESSION

SENATE

THURSDAY, JULY 3, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, our Heavenly Father, whose Holy Spirit beareth witness with our spirit that we are the children of God: By the same Spirit inspire, we beseech Thee, in each and every one of us a deepening sense of divine sonship wherein we shall know all men as brothers because they are children of our Heavenly Father.

In particular, O Lord, we invoke Thine especial blessing upon all those who bear responsibility of government, that they, knowing whose ministers they are, may above all things seek Thy honor and glory, committing our Nation only to such policies and courses as may find favor in Thy sight; that they and we, drawing nearer to Thee, may serve faithfully in Thy Kingdom as heirs of God and joint-heirs with Christ, in whose Name we offer this our prayer. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, June 30, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION AND BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President nad approved and signed the following joint resolution and acts:

On June 26, 1941:

S. J. Res 65. Joint resolution to permit travel by a ship of Canadian registry between American ports.

On June 30, 1941:

S. 239. An act to provide for the discharge or retirement of enlisted men of the Regular Army and of the Philippine Scouts in certain cases; and

S. 1471. An act to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes.

SENATOR FROM MISSISSIPPI—CREDENTIALS

The VICE PRESIDENT laid before the Senate the formal credentials of JAMES OLIVER EASTLAND, appointed by the Governor of Mississippi a Senator from that State until the vacancy in the office of Senator caused by the death of Hon. Pat Harrison is filled by election, as provided by law, which were read and ordered to be filed. (The oath of office was administered to Mr. EASTLAND and he took his seat in the Senate on the 30th ultimo.)

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

During adjournment of the Senate the following message was received from the House of Representatives under authority of the order of the 30th ultimo:

That the House had passed without amendment the bill (S 1304) granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across the Tug Fork of Big Sandy River near Nolan, Mingo County, W. Va.; and

That the House had agreed to the amendments of the Senate to the bill (H. R. 3857) authorizing the construction of a crypt for the remains of Gutzon Borglum.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED DURING ADJOURNMENT

Under authority of the order of the 30th ultimo, the Vice President, during adjournment of the Senate, signed the following enrolled bills and joint resolution, which had been signed previously by the Speaker of the House of Representatives:

H. R. 531. An act to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes";

H. R. 2074. An act to amend section 353 (b) of the Communications Act of 1934, as amended;

H. R 2475. An act to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy;

H. R. 3191. An act to amend the act entitled "An act to make unlawful the transportation of convict-made goods in interstate commerce, and for other purposes," approved October 14, 1940;

H. R. 3857. An act authorizing the construction of a crypt for the remains of Gutzon and Mary Borglum;

H. R. 4224. An act relating to the manning of certain vessels of 500 gross tons and less;

H. R. 4225. An act relating to the manning of certain sail vessels;

H. R. 4258. An act to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States;

H. R. 4359. An act authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Lizzie Smith;

H. R. 4658. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 4841. An act to establish a National Archives Trust Fund Board, and for other purposes;

H. R. 4903. An act to authorize the Secretary of the Treasury to exchange certain land owned by the United States for a site for a road right-of-way needed for access to the Coast Guard Light Station Reservation, Au Sable, Mich.;

H. R. 4988. An act to amend section 2 of the act of August 27, 1935, as amended;

H. R. 5166. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes; and

H. J. Res. 22. Joint resolution authorizing the Secretary of War to convey certain lands to the State of West Virginia.

ORDER FOR RECESS TO MONDAY

Mr. HILL. I ask unanimous consent that when the Senate completes its business today it stand in recess until 12 o'clock noon on Monday next.

The VICE PRESIDENT. Without objection, it is so ordered.

FLOOD CONTROL (H. DOC. NO. 301)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Commerce and ordered to be printed.

(For message above referred to see p. 5817.)

NOTICE OF HEARINGS ON FLOOD-CONTROL BILL

Mr. OVERTON. Mr. President, as chairman of the Subcommittee on Flood Control of the Committee on Commerce, I wish to give notice that hearings will be held on House bill 4911, which is the omnibus flood-control bill, on Tuesday, July 15. I expect that the hearings will not last longer than 2 days and will be completed on July 16.

Mr. McNARY. May I ask the Senator if the hearings will be held in the room of the Senate Committee on Commerce?

Mr. OVERTON. The hearings will be held in the room of the Senate Committee on Commerce. The first witnesses will be General Schley, General Tyler, and Major Reber, of the Engineer Corps.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. OVERTON. Certainly.

Mr. STEWART. I wish to ask a question of the Senator from Louisiana with reference to the flood-control bill. I

did not understand on what day the hearings would begin.

Mr. OVERTON. The hearings will begin on Tuesday, July 15.

Mr. STEWART. The Senator has reference to the flood-control bill which has just come over from the House of Representatives?

Mr. OVERTON. Yes, sir.

Mr. STEWART. I am interested in the Tennessee items of that bill, and I was not certain whether the Senator had reference to the bill which has passed the House.

Mr. OVERTON. I have reference to the bill known as the omnibus flood-control bill, which passed the House a few days ago and came over to the Senate.

CLAIM OF BRITISH GOVERNMENT ON BEHALF OF STOKER JOHN BAILEY, OF H. M. S. "ORION" (H. DOC. NO. 302)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Claims and ordered to be printed:

To the Congress of the United States:

I enclose a report received from the Acting Secretary of State requesting the transmission to the present Congress of a recommendation that the Congress authorize an appropriation in the sum of $3,000 in order to effect a settlement of a claim of the British Government on behalf of Stoker John Bailey, of H. M. S. *Orion*, arising as a consequence of injuries inflicted on the latter by John Ittner, AMM2c, United States Navy, at Seattle, Wash., on July 16, 1939.

I commend to the favorable consideration of the Congress the recommendation of the Acting Secretary of State, in which I concur.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 3, 1941.*

[Enclosure: Report.]

TRIBUTE TO THE LATE SENATOR HARRISON BY THE AMERICAN SUGAR CANE LEAGUE

Mr. BILBO. I present a resolution adopted by the American Sugar Cane League, New Orleans, La., paying tribute to the late Senator Harrison, of Mississippi, and expressing condolences on his death.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Whereas the community for which the American Sugar Cane League is spokesman feels sorrow and distress because of the death of Senator PAT HARRISON of Mississippi, and

Whereas the passing of a close neighbor so distinguished as Senator HARRISON, who for 30 years maintained, in the highest legislative chamber of the United States, a reputation for ability and for honesty of purpose surpassed by none, deserves from us a public expression of our sense of loss, therefore, be it

Resolved, That the American Sugar Cane League now voices to all who were Senator Harrison's colleagues in the Congress of the United States, to all the citizens of the State of Mississippi which he so ably and faithfully represented, and to the public of the United States at large, the respect which the members of our organization feel for the distinguished dead. We recognize his unfailing courage, his keen and active mind, his conscientiousness, his loyalty to his constituents, whose welfare was ever uppermost in his thoughts, and his consideration, to whatever extent he felt he could consistently exercise it, of the need and aspirations of the residents of other States, and be it further

Resolved, That we now gratefully acknowledge the aid and assistance given by Senator Harrison on many occasions to projects and undertakings in Louisiana involving various aspects of rural advancement to which, as a graduate of Louisiana State University, he was in a position to give comprehensive sympathy; and be it further

Resolved, That to the bereaved family of Senator Harrison, we offer our condolences and our deepest sympathy and the Secretary of the American Sugar Cane League is hereby directed to send a copy of these resolutions to the family of Senator Harrison, to the Members of the Mississippi delegation in Senate and House of Representatives at Washington and to the President and Vice President of the United States.

(The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was ordered to lie on the table.)

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AWARDS OF CONTRACTS FOR THE ARMY

Two letters from the Secretary of War, reporting, pursuant to law, relative to divisions of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder under authority of law; to the Committee on Military Affairs.

AWARDS OF CONTRACTS FOR THE NAVY

A letter from the Secretary of the Navy reporting pursuant to law, relative to divisions of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder under authority of law; to the Committee on Naval Affairs.

INSPECTION OF PLANTS AND PLANT PRODUCTS FOR EXPORT

A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to provide for the inspection and certification of plants and plant products for export to meet sanitary requirements of foreign countries, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

APRIL REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, submitting, pursuant to law, a report of the activities and expenditures of the Corporation for the month of April 1941, including statement of loan and other authorizations made during the month, etc. (with accompanying papers); to the Committee on Banking and Currency.

USELESS PAPERS IN THE WAR DEPARTMENT

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the War Department, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Department.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Missouri; to the Committee on Public Lands and Surveys:

"House Resolution 176

"Whereas a national emergency exists wherein the public are threatened with gasless Sundays and heatless Wednesdays; and

"Whereas there are 19,000,000,000 barrels of oil in the ground throughout the United States; and

"Whereas a number of the oil-producing States have limited the production of oil to a demand below the actual demand for petroleum products; and

"Whereas the Congress of the United States has aided these production-control schemes of the various oil-producing States by enactment of the Connally Act, the Interstate Compact Act, and other measures; and

"Whereas the Department of the Interior has aided in this limitation on the production of oil through the issuance of monthly forecast of demand: Therefore be it

"*Resolved by the house of representatives*, That the Legislature of the State of Missouri implore the oil-producing States, the Department of the Interior, and the Congress of the United States to repeal and withdraw any limitations upon the production of oil during the present unlimited emergency; and be it further

"*Resolved*, That a copy of this resolution be forwarded to the President of the United States, the Vice President of the United States, the Secretary of State of the United States, the Secretary of the Interior of the United States, and the Speaker of the House of Representatives of the Congress of the United States, and to each Member of the Missouri delegation in the Congress of the United States."

A resolution of the Liquor Authority of the State of New York, protesting against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and to provide for the suppression of vice in the vicinity of military camps and naval establishments, insofar as it relates to the sale or possession of alcoholic beverages; to the table.

By Mr. CAPPER:

Memorials of sundry citizens of Cedar Vale, Emporia, Sedan, and Wauneta, in the State of Kansas, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Petitions of sundry citizens of Burns, Blue Mound, Hardtner, Hutchinson, Liberal, Lyndon, Mulvane, Ogallah, and Sylvia, in the State of Kansas, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

By Mr. JOHNSON of California:

A joint resolution of the Legislature of California; to the Committee on Commerce:

"Assembly Joint Resolution 33

"Joint resolution relative to the extension of flood-control works in the Los Angeles River and the construction of such works in the San Fernando Valley

"Whereas recent storms have resulted in a recurrence of serious floods in the San Fernando Valley in California; and

"Whereas such floods will continue to occur annually unless adequate works are constructed to control the flow of storm waters; and

"Whereas such floods constitute a serious menace to the health, safety, and welfare and further interfere with the operation of numerous defense industry plants in the San Fernando Valley and vicinity thereof; and

"Whereas such floods and their consequences can be avoided by the carrying out of plans for the construction of flood-control works, including the straightening, rectification, and deepening of a portion of the Los Angeles River channel and the construction of works and a channel or channels extending from the Los Angeles River to the San Fernando Reservoirs and the Hansen Dam: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the President and Congress of the United States are hereby respectfully memorialized to include the foregoing flood-control works and rectification of the Los Angeles River channel in connection therewith as one of the Federal construction projects, and that Federal moneys be appropriated in sums sufficient to provide therefor at the earliest possible time; and be it further

"Resolved, That the chief clerk of the assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, to each Senator or Member of the House of Representatives from California, and that the Senators and Representatives from California are hereby respectfully requested to urge such action."

Two joint resolutions of the Legislature of California; to the Committee on Finance:

"Assembly Joint Resolution 49

"Joint resolution relative to real-estate brokers and salesmen

"Whereas real-estate brokers and salesmen are not exempt from taxation under the Federal Social Security Act and are therefore subjected to tax by the California Unemployment Insurance Act; and

"Whereas it is administratively difficult to determine the amount of benefits a real-estate broker and salesman is entitled to have under the Unemployment Insurance Act of this State; and

"Whereas it is the desire of the Legislature of the State of California to exempt real-estate brokers and salesmen entirely from the contribution and benefit provisions of the Unemployment Insurance Act of this State; and

"Whereas this is not possible unless and until proper amendments are made in the Federal Unemployment Tax Act provisions: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Congress of the United States is hereby memorialized to make the necessary amendments to the Federal Unemployment Tax Act in order that the State of California may make amendments in the Unemployment Insurance Act of this State granting an exemption from the contribution and benefit provisions of the State act to real-estate brokers and salesmen; and be it further

"Resolved, That copies of this resolution shall immediately be dispatched by the chief clerk of the assembly to the Senators and Representatives in Congress from the State of California."

"Assembly Joint Resolution 55

"Joint resolution memorializing Congress to enact legislation on social security and old-age pensions

"Whereas under the present Social Security Act there are many inequalities due to the varying rates of old-age assistance paid in the different States, and such differences in payments have caused much dislocation and confusion among our senior citizens; and

"Whereas many elderly people migrate to the States paying the higher rates of assistance, which increases the tax burden in such States in order to meet the expense of caring for such large numbers of elderly people during the period they must reside in such States to qualify for old-age assistance; and

"Whereas many different State laws are being constantly changed and thereby add to the inconvenience, expense, and confusion: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the legislature of this State hereby endorses the following recommendations of the congressional Subcommittee on Social Security and Old Age Pensions of the House Conference on Unemployment and respectfully request the President and the Congress of the United States of America to take the necessary steps at once to enact legislation to put them into effect.

"This committee believes that the establishment of an old-age pension program which will not only protect against want and insecurity for the older people of America, but will also be means of maintaining a balance between the power to produce and their power to consume is vital to the welfare of the United States.

"While the committee believes major emphasis should probably be placed upon old-age pensions, it recognizes the absolute necessity of continuing and extending the program of aid to dependent children, widowed mothers, the blind, and the disabled. We believe that it is not our function to endorse any bill but, instead, to recommend a general policy to be adopted; and be it further

"Resolved, That the chief clerk of the assembly send copies of this resolution to the President, Vice President, to the Speaker of the House of Representatives of the United States of America, and to the Senators and Congressmen from California in the Congress of the United States; and be it further

"Resolved, That the Senators and Congressmen from California in the Congress of the United States are respectfully requested to urge the legislation set forth in this resolution."

A joint resolution of the Legislature of California, memorializing Congress to enact legislation requiring agencies of the Federal Government to comply with California minimum-price laws for milk; to the Committee on Agriculture and Forestry. (See resolution printed in full when laid before the Senate by the Vice President on the 28th ultimo.)

A joint resolution of the Legislature of California, memorializing the President and Congress to provide for the dredging of Bodega Bay and to reestablish harbor facilities thereat; to the Committee on Commerce. (See resolution printed in full when laid before the Senate by the Vice President on the 28th ultimo.)

A joint resolution of the Legislature of California memorializing the President and Congress to abolish tax-exempt bonds; to the Committee on Finance. (See resolution printed in full when laid before the Senate by the Vice President on the 28th ultimo.)

A joint resolution of the Legislature of California, relative to the proposed merit system for county welfare activities; to the Committee on Finance. (See resolution printed in full when laid before the Senate by the Vice President on the 28th ultimo.)

A joint resolution of the Legislature of California, memorializing the President and Congress, and the United States officials having jurisdiction of the matter in connection with the removal of brush and debris in the area to be flooded by the Shasta Dam; to the Committee on Irrigation and Reclamation. (See resolution printed in full when laid before the Senate by the Vice President on the 28th ultimo.)

A joint resolution of the Legislature of California, memorializing Congress to appropriate $38,750,000 for the Central Valley project, as recommended by the President; to the Committee on Irrigation and Reclamation. (See resolution printed in full when laid before the Senate by the Vice President on the 28th ultimo.)

A joint resolution of the Legislature of California, relative to the investigation by the Joint Committee on Water Problems of water service from Shasta Reservoir to the area lying south of the Pit River, and memorializing Congress to investigate and make provision for serving water to this land; to the Committee on Irrigation and Reclamation. (See resolution printed in full when laid before the Senate by the Vice President on the 28th ultimo.)

A joint resolution of the Legislature of California, memorializing the President, the Congress, and the Solicitor General with respect to the assertion of any pretended Federal claim to the submerged lands of the State of California; to the Committee on the Judiciary. (See resolution printed in full when laid before the Senate by the Vice President on the 28th ultimo.)

A joint resolution of the Legislature of California, relative to national-defense highways; to the Committee on Post Offices and Post Roads. (See resolution printed in full when laid before the Senate by the Vice President on the 28th ultimo.)

ANALYSIS OF PENDING LABOR LEGISLATION BY ECONOMISTS AND POLITICAL SCIENTISTS

The VICE PRESIDENT laid before the Senate an analysis of certain labor legislation now pending before Congress by economists and political scientists, which, with the accompanying paper, was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

AMHERST, MASS., *June 26, 1941.*

To the President of the Senate and Members of the Congress of the United States:

The undersigned economists and political scientists submit herewith an analysis of certain labor legislation now pending before the Congress. We appreciate that the panorama is so rapidly shifting that many of the provisions in the bills which we have analyzed may already have been deleted.

It is, however, our feeling that the principles underlying this letter should be carefully weighed by the Congress. In substance we are urging that voluntarianism and cooperation lie at the basis of our democratic institutions and that in the employment of compulsion there resides the acceptance of a repugnant totalitarian principle. We urge you not to accept any measure which will substitute the doubtful benefits of compulsion for voluntary democratic action between organized labor and employers.

We do not contend that the existing legislation is perfect. We do hold that the National Labor Relations Board has established an enviable record among governmental agencies and that, instead of destructive legislation, the present need is to expedite the handling of discrimination cases through the Labor Board and to secure a better coordination of mediation and conciliation machinery.

Due to the pressure of events our committee has not specifically analyzed the proposals embodied in S. 1524, which is now pending before the House in a new draft. Our comment with regard to the Vinson bill and the Ball bill has, however, a direct bearing upon the new proposal. In our letter we urge "that the right to strike still remains the basis for free trade-unionism as a bulwark against totalitarianism."

Dr. John B. Andrews, New York City; Prof. Robert R. R. Brooks, Williams; Prof. Emily Brown, Vassar; Prof. Dorothy W. Douglas, Smith; Prof. James A. Estey, Purdue; Prof. Mildred Fairchild, Bryn Mawr; Prof. John A. Fitch, Columbia; Prof. Carl J. Friedrich, Harvard; Prof. George H. Groat, Vermont; Prof. William Haber, Michigan; Prof. Malcolm Keir, Dartmouth; Prof. W. N. Leonard, University of Connecticut; Prof. Max Lerner, Williams; Prof. Mabel A. Magee, Wells; Prof. Mabel Newcomer, Vassar; Prof. Carl Raushenbush, New York; Prof. Albion G. Taylor, College of William and Mary; Prof. Norman Ware, Wesleyan; Prof. Colston E. Warne, Amherst; Dean Gordon S. Watkins, University of California at Los Angeles; Prof. Elizabeth F. Baker, Barnard; Prof. Simon Kuznets, Pennsylvania; Prof. A. M. Schlesinger, Harvard; Rev. James F. Cronin, St. Mary's Seminary; Prof. Eleanor Pancoast, Goucher; Prof. Hartley W. Cross, Springfield; Prof. Marjorie Dilley, Connecticut; Prof. E. E. Agger, Rutgers; and Prof. Neal E. Miller, Yale.

Sincerely yours,

COLSTON E. WARNE.

To the President of the Senate and the Speaker of the House of Representatives:

This letter comes to you from professors of economics and political science whose professional work has led them to give constant consideration to the labor problem. We are writing you to voice our hope that Congress will not be stampeded into legislation which will undermine the position of trade-unionism as an essential element in our democratic society.

During the past 10 years a broadened conception of the meaning of democracy has been written into American law. Collective bargaining between organized employers and employees has been encouraged by governmental action. Despite misrepresentation and attempts at nullification by amendment, the Norris-LaGuardia Act of 1932 and the National Labor Relations Act of 1935 have stood the court test of constitutionality, and have brought to American workers improved living standards through joint negotiation, and, what is more precious, freedom to develop their own organizations without interference and coercion from employers. The new legislation has not been perfect, but on the whole it has been sound and has been wisely administered. The National Labor Relations Board has, in the eyes of those who have followed its work closely, established an enviable record among governmental agencies. We now have in America a representative trade-union movement of more than 10,000,000 workers.

The stresses involved in our rapidly expanding national-defense program have brought to the fore in recent months the question of whether labor is making wise use of its newly acquired status. Abetted by a press which, with few exceptions, has been hostile to organized labor, legislators have in the heat of emotional agitation contended that defense strikers should be hanged or that stringent legislation should be adopted to curb labor.

We have analyzed two of the bills introduced into Congress which represent the sort of legislation to which Congress is being asked to give serious consideration: The Vinson bill (H. R. 4319) and the Ball bill (S. 683). It is our considered judgment that the public welfare would not be served by the passage of such measures. We do not contend that existing laws are entirely adequate or that the machinery for Federal handling of industrial disputes could not be improved and the work expedited. We do, however, hold that the legislative approach represented in these two bills is unsound. We are afraid that the emergency may impel Members of Congress to vote for measures such as these which are but the latest in a long series of efforts to emasculate the National Labor Relations Act, to render collective bargaining ineffective, and to return to a situation where the employer is the absolute dictator of industrial relations.

We should urge the public to recall that the right to strike still remains the basis for free trade unionism as a bulwark against totalitarianism. Both the Vinson bill and the Ball bill seek to curtail this liberty. The Vinson bill would do its work openly and with the maximum of obvious repression, the Ball bill more subtly. Either one would render labor helpless to develop genuine collective bargaining.

Both bills apply to national-defense contractors and define the term so broadly as to include most of industry. Both bills substantially widen the duties of the National Defense Mediation Board. The Vinson bill would even give the Board charge of many National Labor Relations Act discrimination cases. The Vinson bill imposes direct heavy penalties of $5,000 fine and a year's imprisonment for violations; the Ball bill depends for its enforcement upon injunctive procedure through the Federal courts, backed by the courts' power of imprisonment for contempt.

The Vinson bill contains four main provisions: (1) A compulsory "cooling-off" period of 25 days, during which strikes and lockouts would be prohibited. (2) A freezing of existing open, preferential, and all-union (closed) shops, with a prohibition against the setting up of preferential or all-union shops in newly organized plants. (3) The denial of the right of workers "in the exercise of their rights guaranteed under the National Labor Relations Act" to employ "coercive measures of any kind to induce individuals to join their organizations or to induce employers to bargain or deal therewith." (Under this provision a strike for union recognition might well be held coercive by a conservative judiciary.) (4) A prohibition against the employment of persons who, the employer has "reasonable cause to believe," have ever been Communists or held subversive beliefs or have ever distributed Communist or otherwise subversive literature, a prohibition against the reinstatement of these suspected persons by the Labor Relations Board in discrimination cases, a provision that hearing of any such cases on appeal shall be by the Mediation Board and not by the Labor Relations Board, and, finally, the provision that any back pay for workers cleared of subversion charges shall be paid, not by the employer concerned but by the United States Government. (Under this provision unionists could with impunity be accused of subversive beliefs. There would be no penalty upon the employer for bringing false accusations, and innumerable cases could clog the docket of the Mediation Board.)

The Ball bill concentrates upon the single objective of limiting the freedom to strike. It says nothing of coercion, subversion, or open and closed shop. It merely provides a "cooling-off" period, in this case of 50 days, and, it will be recalled, omits any express penalty provision but leaves its enforcement to the courts. On the face of it, therefore, the Ball bill appears relatively moderate.

Several points, however, need to be noted. First, the waiting period is present and is twice as long as in the Vinson bill. During this period it is quite evident that a recalcitrant employer would be tempted to refuse genuine collective bargaining with his employees, secure in the knowledge that meanwhile they could not strike. During this period he, on the other hand, could build a favorable public opinion by publicity, "citizens committees' and even "back-to-work movements," to be put into operation immediately upon the expiration of the 50-day period. He would moreover be tempted to discharge union leaders during this time, knowing that his workers would be unable to strike for their leaders' reinstatement. By the time such discrimination cases had cleared through labor-board and court machinery to a favorable decision, the workers' organization might be broken. Second, by express provision, the Norris-LaGuardia Act is made inapplicable to injunctions issued under the Ball bill. Thus labor would lose at one stroke the protection secured by years of protest against judicial abuses of the injunctive process.

Both of these measures are objectionable not only because they constitute an attempt to substitute the doubtful benefits of compulsion for voluntary democratic action between organized labor and employers, but also because they would not even establish the genuine industrial peace which they claim as their object. Far from causing the contestants in the field of industrial relations to "cool off," such laws would be likely to increase friction and produce a wave of strikes.

Workers, schooled in the belief that voluntarism and cooperation lie at the basis of our democratic institutions, would find in this compulsion the acceptance of a repugnant totalitarian principle. It would be too much to expect that they would easily throw aside the freedom upon which they have come to feel thir economic security rests.

It should moreover be recalled that voluntary "cooling-off" periods are already extremely common in American collective bargaining practice. Where unions have been well established, custom and the collective contract in practically every case provide for a period of extensive discussion of the terms of a new contract or of any changes in an existing contract. Where disagreements persist and strikes or lockouts finally occur, several months have usually elapsed. These fields would be affected relatively little by the "cooling-off" legislation, save in the important respect that the atmosphere surrounding the negotiations would be one of compulsion and unrest.

In unorganized or partially organized industries, the situation would be much more serious. Here the "cooling-off" period of the Vinson bill or the Ball bill would give the employer many strategic advantages. Since it would be clear that any lawful strike action must be deferred, autocratic employers could find ample ways and means of blocking genuine collective bargaining. The weight of the Government would be thrown against the maintenance of the principles of free and effective self-organization laid down in the National Labor Relations Act.

Instead of such destructive legislation, the great present need, in our opinion, is to expedite the handling of discrimination cases through the National Labor Relations Board and to secure a better coordination of our mediation and conciliation machinery. The legislation to accomplish these ends may best come from the committees in the Senate and House which have been dealing with labor matters and have demonstrated their knowledge of the complex character of industrial relations and the need to insure the continuation of the spirit of voluntary cooperation, upon which our system rests.

COMMITTEE REPORTS FILED DURING ADJOURNMENT

Under authority of the order of the 30th ultimo,

On July 1, 1941, the following reports of committees were submitted:

By Mr. WALSH, from the Committee on Finance:

H. R. 4158. An act to amend sections 3341, 3351, and 3361 of the Internal Revenue Code and section 309 (a) of the Tariff Act of 1930, and to repeal section 2907 of the Internal Revenue Code; without amendment (Rept. No. 499).

By Mr. CONNALLY, from the Committee on Finance:

H. J. Res. 173. Joint resolution to amend further the amended joint resolution, approved August 16, 1937 (50 Stat. 668), concerning the importation of articles for exhibition at the New York World's Fair, to permit transfer of liability for duty on articles so imported, and to further amend the amended joint resolution approved May 18, 1937 (50 Stat. 187), concerning the importation of articles for exhibition at the Golden Gate International Exposition, to permit transfer of liability for duty on articles so imported, and for other purposes; without amendment (Rept. No. 500).

By Mr. BURTON, from the Committee on the Judiciary:

H. J. Res. 63. Joint resolution requesting the President to proclaim February 11, 1942, as Edison Day, in commemoration of the birthday of Thomas Alva Edison; without amendment (Rept. No. 501).

EXECUTIVE REPORTS OF COMMITTEES FILED DURING ADJOURNMENT

Under authority of the order of the 30th ultimo,

The following favorable committee reports of nominations were filed:

On July 1, 1941:

By Mr. GEORGE, from the Committee on Finance:

Surgeon Henry A. Rasmussen to be senior surgeon in the United States Public Health Service, to rank as such from June 15, 1941.

On July 2, 1941:

By Mr. McKELLAR from the Committee on Post Offices and Post Roads:

Several postmasters.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMAS of Utah, from the Committee on Pensions:

H. R. 1094. An act to grant pension for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes; without amendment (Rept. No. 502).

By Mr. MEAD, from the Committee on Civil Service:

H. R. 1073. An act to amend the Classification Act of 1923, as amended; with amendments (Rept. No. 503).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1712. A bill to assure conservation of and to permit the fullest utilization of the salmon fisheries of the Pacific, and for other purposes; to the Committee on Commerce.

By Mr. THOMAS of Utah:

S. 1713. A bill to amend Public Law No. 718, Seventy-fifth Congress, approved June 25, 1938; to the Committee on Education and Labor.

By Mr. GUFFEY:

S. 1714. A bill to reenact section 3 of the act of March 19, 1918, for the purpose of providing daylight-saving time between the last Sunday in March and the last Sunday in October in each year; to the Committee on Interstate Commerce.

(Mr. ELLENDER introduced Senate bill 1715, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. McCARRAN introduced Senate bills 1716, 1717, and 1718, which were referred to the Committee on Commerce, and appear under a separate heading.)

(Mr. STEWART introduced Senate bills 1719 and 1720, which were referred to the Committee on Immigration, and appear under a separate heading.)

DEVELOPMENT OF AVIATION

Mr. McCARRAN. I introduce three bills having to do with aviation. One of the bills proposes to authorize the advance training in aeronautics of technical personnel for the Civil Aeronautics Administration.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bill (S. 1716) authorizing the advanced training in aeronautics of technical personnel of the Civil Aeronautics Administration was read twice by its title and referred to the Committee on Commerce.

Mr. McCARRAN. The second bill is to promote safety in the development of air commerce by regulating the lighting of airports and other landing areas.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1717) to promote safety in the development of air commerce by regulating the lighting of airports and other landing areas was read twice by its title and referred to the Committee on Commerce.

Mr. McCARRAN. The third bill is to provide for the training of air-traffic-control-tower operators.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1718) to provide for the training of air-traffic-control-tower operators was read twice by its title and referred to the Committee on Commerce.

CONTROL OF ALIENS—PREVENTION OF SABOTAGE

Mr. STEWART. Mr. President, I shall send to the desk in a moment two bills which I desire to introduce this morning. I first wish to make a brief statement about them.

The first bill is one entitled "A bill to protect national-defense industries from possible sabotage and espionage by aliens." The bill provides that hereafter no alien shall be employed in any factory or plant which manufactures defense material of any kind. There is a provision, however, that the Secretary of War and the Secretary of the Navy shall have discretionary authority to waive the provisions of the law in certain cases.

The bill is presented with the idea of correcting a condition, which I understand exists at this time, namely, that there is no provision of law prohibiting the employment of aliens in defense industries except a statute which applies only to airplane factories.

I also wish to introduce a bill entitled "A bill to provide for the incarceration of dangerous aliens, and for the detention of deportable aliens pending their deportation." The bill would set up what is known as an Alien Control Board, comprised of seven members, all of whom shall be appointed by the President, with the advice and consent of the Senate. Two members of the Board shall be appointed from the general public, and one member shall be appointed from each of the following executive departments of the Government: The Department of State, the Department of Justice, the War Department, the Navy Department, and one from the Federal Bureau of Investigation, making up a Board consisting of seven members.

The act provides that the members of the Board shall serve at the will of the President, and that the members appointed from the general public shall receive a salary of $8,000 annually, but that the members who are selected from the executive departments mentioned shall receive no pay in addition to that which they already receive. It is provided that the member who comes from the Department of State shall be the chairman of the Board.

The bill gives to the Board the power to order the incarceration of all aliens in the United States during the existence of the present unlimited national emergency declared by the President on May 27, 1941, in the interest of national defense. It provides that citizens of countries in the Western Hemisphere shall be considered exempt from the provisions of the act, unless in some particular case the presence of such an alien in this country is not in the interest of national defense. The Board will have complete authority over this whole question.

The War Department will be charged with the responsibility of the enforcement of the act; that is, with the responsibility of guarding the aliens who shall be incarcerated and held in camps to be selected.

Mr. President, I have given some thought to this matter, and to the idea of introducing the bill, about which I am very much in earnest. It is not for the purpose of undertaking to start an alien hunt, or anything of the sort, such as there was about 1920 or 1921, but I think it must appear to almost everyone who has made any study at all of international affairs that conditions throughout the world are progressively, and rapidly, if I may say so, becoming worse.

I believe that ahead of America are perhaps some rather dark days. I think it is time we turned our attention definitely toward the question of the presence in this country of 5,000,000 aliens. We have seen the map of Europe completely changed by the operations of a Nazi Government which has boasted of the presence in each of the countries they have conquered of what is referred to as a "fifth column." If America is likely to be approaching the brink of danger—and many of us are afraid of this—then certainly the nucleus of a "fifth column" army is present in the group of 4,741,971 aliens who registered here last year, and the 200,000 who did not register.

In that connection, Mr. President, I call attention to a report by the Alien Registration Division of the Department of Justice, which, as I recall, was filed about February of this year, referred to as an "interim report." Perhaps some excerpts from the report have already been placed in the RECORD. The report shows that there were registered, up to December 1940, the total number of aliens I mentioned a moment ago, namely, 4,741,971. A break-down is presented, showing the number in each of the States. In the State of New York, the largest State of the Union from the standpoint of population, there is the startling number of 1,212,622 aliens. In the State of Texas,

which is a border State, touching on Mexico, there are 204,000 in the State of California more than half a million and so on.

The concentration of aliens seems to be in industrial centers, in States such as Illinois, Michigan, New York, New Jersey, and other large centers in the industrial East, in the centers where there are being manufactured the defense materials which are essential for the protection of America.

Recently, perhaps just a day or two ago, we read a story in the newspapers to the effect that the Federal Bureau of Investigation had swooped down, as the headline in one of the papers expressed it, upon 29 aliens, and had arrested them, because the Bureau had evidence that this group of aliens were conspiring to commit acts of sabotage against the United States Government. The only surprising thing about the matter to me is the fact that only 29 were arrested. The State Department, the Department of Justice, and others, those which are constantly in touch with the situation, know of the presence of spies in this country. They have advice and information which is not known to the general public, which reveals plans of foreign governments that have been casting envious eyes toward the Western Hemisphere, plans that concern acts of sabotage, the spreading of propaganda, and so forth. I have discussed with officials of various departments some of these things which are not perhaps known to the general public. In spite of the fact that the public in the United States is kept pretty well informed of such matters, there are a great many things which, if divulged, would bring a more complete and earnest realization on the part of most of us of the importance of such legislation as is presented in the bills I am introducing.

It is not my purpose or intention to enlarge at this time on the statement I am making, and I conclude by saying that I am deeply in earnest about the matter, and I think the time has come, at least is approaching, when we must pay less attention to the "hardship cases," as we have been prone to call them when we speak of aliens or the immigration question, and pay attention to the things which are certainly and definitely essential to the welfare of our country and our peace.

The VICE PRESIDENT. The bills introduced by the Senator from Tennessee will be received and appropriately referred.

The bills were each read twice by their titles and referred to the Committee on Immigration, as follows:

S. 1719. A bill to protect national-defense industries from possible sabotage and espionage by aliens; and

S. 1720. A bill to provide for the incarceration of dangerous aliens, and for the detention of deportable aliens pending their deportation.

FEDERAL PAYMENTS FOR OLD-AGE ASSISTANCE

Mr. ELLENDER. Mr. President, on January 6 I introduced Senate bill 161, to amend the Social Security Act to provide for a larger Federal payment to the States for old-age assistance. The bill was referred to the Finance Committee. Reports on the bill were furnished to the Finance Committee by the Treasury Department and the Federal Security Agency. I ask unanimous consent that those reports be incorporated in the RECORD as part of my remarks.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

FEDERAL SECURITY AGENCY,
Washington, April 29, 1941.

MY DEAR MR. CHAIRMAN: Reference is made to your letter of January 9, 1941, requesting a report on S. 161, "A bill to amend the Social Security Act to provide for a larger Federal payment to the States for old-age assistance."

This bill would change the formula for Federal matching of old-age assistance payments from the present basis of 50 percent of expenditures, exclusive of amounts paid with respect to any individual in excess of $40 per month, to the sum of the following:

"(1) Seventy-five percent of amounts expended, not counting so much of any expenditures with respect to any individual for any month as exceeds $30; and

"(2) Fifty percent of so much of such expenditures with respect to any individual for any month as exceeds $30, not counting so much of any expenditure with respect to any individual for any month which exceeds $45."

It is the apparent purpose of this bill to provide more adequately for the Nation's needy aged. This Agency fully recognizes the problems which have arisen because old-age assistance payments in many States have not been adequate to meet the actual needs of recipients, and it is believed that the Federal Government should assist those States with relatively low economic capacity to pay more adequate old-age assistance. It is thought that this assistance could best be extended by supplementing the present 50-percent matching funds with grants of special Federal aid to the poorer States.

It is true that S. 161 would assist the States with low economic capacity to make more adequate old-age assistance payments, but it would achieve this result through a formula which would also provide additional Federal funds for States not in need of additional Federal funds for this purpose. That is, this bill would treat all States alike, rather than using Federal funds to equalize differences resulting from variations in the economic capacities of the States.

Another difficulty with the formula used in S. 161 is that it would encourage the States to make awards below $30, since the awards made in excess of that amount would attract a smaller proportion of Federal funds. With a given amount of State and local funds more Federal money could be obtained by increasing the case load than by increasing the amounts of individual payments. While it is important to increase the case loads in many States, it is also generally important to increase the amounts of assistance. I do not believe that the Federal-grant formula should be weighted in a manner which would encourage the use of funds for one of these purposes in preference to the other. As a matter of fact, individuals whose needs are in excess of $30 are in a worse position than those whose needs are less than $30, and it would seem to be somewhat discriminatory to discourage larger payments to those whose needs are greater.

It is noted that S. 161 would provide no change in the present provision for a 5-percent addendum to the Federal grant which may be used either for administration or for assistance, or both. It is recommended that the Federal grant for administration of old-age assistance be changed from the present 5-percent addendum basis to 50 percent of the cost of proper and efficient administration, which is already the basis for Federal grants with respect to costs of administration under aid to the blind and aid to dependent children.

Enactment of S. 161 is not recommended.

This Agency is advised by the Bureau of the Budget that enactment of this bill would not be in accord with the program of the President.

Sincerely yours,

PAUL V. McNUTT,
Administrator.

Hon. PAT HARRISON,
Chairman, Committee on Finance,
United States Senate,
Washington, D. C.

MAY 1, 1941.

MY DEAR MR. CHAIRMAN: Further reference is made to your letter of January 9, 1941, requesting a statement of the views of this Department with regard to S. 161, to amend the Social Security Act to provide for a larger Federal payment to the States for old-age assistance.

The Social Security Act, approved August 14, 1935, provided that the Federal Government and the States would contribute toward expenditures for old-age assistance on an equal matching basis up to $30 a month for each recipient. The Social Security Act amendments, approved August 10, 1939, increased the limit of the equal matching basis to $40 a month for each recipient.

During the fiscal years 1936 to 1940, inclusive, the following amounts were expended for grants to States for old-age assistance:

As shown in Budget:

1936	$24,653,594
1937	124,584,988
1938	185,724,988
1939	210,159,949
1940	227,632,904

Under S. 161 the Federal Government would bear three-fourths of the expense of old-age assistance up to $30 a month for each individual and one-half of such expense from $30 a month to $45 a month per individual.

The Federal Government is now paying for old-age assistance at the rate of approximately $10 a month for each recipient. It is obvious, therefore, that the enactment of S. 161 would place large additional financial burdens upon the Treasury, and, in view of the present budgetary position of the Government, it is believed that this phase of the bill should be given consideration in the light of the substantial sums which are currently being appropriated for payment of grants to States under the Social Security Act and the obligations which have already been assumed requiring payments in future years.

Since the bill primarily concerns matters which do not come under the administration of the Treasury Department, your committee, if it has not already done so, may wish to secure the views thereon of the Federal Security Agency, which appears to be primarily concerned.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this report to your committee.

Very truly yours,

D. W. BELL,
Acting Secretary of the Treasury.

Hon. PAT HARRISON,
Chairman, Committee on Finance,
United States Senate.

Mr. ELLENDER. In order to conform to some of the requirements of the Federal Security Agency, I have prepared a bill which I desire to introduce at this time for proper reference. It is my understanding that a minimum of $7.50 per person per month has been advocated

by the Agency. I have provided for a $15-per-month minimum. I realize that such a sum is grossly inadequate, but I believe it is well to be practical and not to ask for much more than I expect to obtain. I also ask that the bill be printed in the RECORD at this point.

There being no objection, the bill (S. 1715) to amend the Social Security Act with respect to Federal grants to States for old-age assistance was read the first time by its title, the second time at length, and referred to the Committee on Finance, as follows:

Be it enacted, etc., That section 3 (a) of the Social Security Act, as amended, is amended to read as follows:

"SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing January 1, 1942, (1) an amount, which shall be used exclusively as old-age assistance, equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan with respect to each needy individual who at the time of such expenditure is 65 years of age or older and is not an inmate of a public institution, not counting so much of such expenditure with respect to any individual for any month as exceeds $40: *Provided*, That if, in any State, the individual average monthly amount paid in any quarter from State sources as old-age assistance to individuals receiving such assistance in such State is not less than the individual average monthly amount paid from State sources as old-age assistance to individuals receiving such assistance in such State during the first 6 months of 1941, the minimum amount to be paid by the Secretary of the Treasury to such State for such quarter shall be an amount equal to the product of $15 multiplied by the total number of payments for old-age assistance during such quarter, not counting more than one payment per individual with respect to any month in such quarter; and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Board for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance or both, and for no other purposes. As used in this subsection, the term 'individual average monthly amount' with respect to any month in any quarter means an amount equal to one-third of the amount paid from State sources as old-age assistance during such quarter divided by the number of individuals receiving such assistance during such month, and the term 'State sources' means sources other than Federal."

SEC. 2. (a) Paragraph (1) of subsection (b) of such section 3 is amended by striking out, in the third line thereof, "clause (1) of"; by striking out, in the sixth line thereof, the word "clause" and inserting in lieu thereof the word "subsection"; and by striking out, in the ninth line thereof, the word "one-half" and inserting in lieu thereof the words "the State's share."

(b) Paragraph (2) of such subsection is amended by striking out, in the fifth and sixth lines thereof, "clause (1) of."

(c) Paragraph (3) of such subsection is amended by striking out ", increased by 5 percent."

SEC. 3. The amendments made by this act shall take effect on January 1, 1942.

Mr. ELLENDER. Mr. President, in brief the bill provides that the Federal Government shall contribute: (1) One-half of the administrative expenses incurred by each State in connection with old-age assistance; (2) one-half of the expenditures for old-age assistance up to $40 per month per individual; and (3) a minimum payment in an amount equal to the product of $15 multiplied by the total number of payments for old-age assistance during the quarter, in the case of any State that pays from State sources an individual average monthly amount not less than the individual average monthly amount paid from State sources during the first 6 months of 1941. So in low-income States which keep their contributions from State sources equal to the average paid during the first 6 months of this year, a minimum Federal payment would be made. This provision would result in a larger Federal payment being made to those States whose average payments for old-age assistance is less than $30.

In other words, if a State has contributed as much as $5 per month per person, as its share for the past 6 months, the Federal Government will make available to the pensioners of such State a minimum of $15. Each pensioner would thereafter receive a total of $20 per month. No matter how low the average payment has been in a State, a Federal contribution of $15 would be paid under my bill. As I have previously indicated, the amount fixed is much too small, but it is twice as much as has been recommended by the Federal Security Agency. I feel confident that with such a modest request we should experience little difficulty in passing the bill.

FUNERAL EXPENSES OF THE LATE SENATOR HOUSTON

Mr. CONNALLY submitted the following resolution (S. Res. 140), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Andrew Jackson Houston, late a Senator from the State of Texas, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

FEDERAL REGULATION OF THE SIZES AND WEIGHT OF COMMERCIAL MOTOR VEHICLES

Mr. McNARY submitted the following resolution (S. Res. 141), which was referred to the Committee on Interstate Commerce:

Resolved, That the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the need for and advisability of Federal regulation of the sizes and weight of commercial motor vehicles. The committee shall report to the Senate, at the earliest practicable date, the results of its investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistants, to utilize such services, information, facilities, and personnel of the departments and agencies of the Government, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $———, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

ADDRESS BY SENATOR DANAHER ON A CURIOUS ASPECT OF THE KELLOGG-BRIAND PACT

[Mr. McNARY asked and obtained leave to have printed in the RECORD an address delivered by Senator DANAHER before the Institute of Public Affairs at the University of Virginia, July 2, 1941, on the subject A Curious Aspect of the Kellogg-Briand Pact, which appears in the Appendix.]

TRIBUTE TO THE LATE SENATOR HARRISON BY HORACE C. CARLISLE

[Mr. BILBO asked and obtained leave to have printed in the RECORD a poem written by Horace C. Carlisle, paying tribute to the late Senator Harrison, of Mississippi, which appears in the Appendix.]

STATEMENT BY HON. WILLIAM S. CULBERTSON BEFORE COMMITTEE FOR RECIPROCITY INFORMATION

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a statement of Hon. William S. Culbertson before the Committee for Reciprocity Information on June 24, 1941, which appears in the Appendix.]

WAR-SENTIMENT POLL BY REPRESENTATIVE FISH

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article from the Poughkeepsie Eagle-News of June 30 entitled "Quiz for Fish," which appears in the Appendix.]

STRIKES IN DEFENSE INDUSTRIES

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from a previous day which will be read.

The Chief Clerk read the concurrent resolution (S. Con. Res. 12), submitted by Mr. BYRD on May 26, relative to strikes in defense industries.

Mr. HILL. Mr. President, I ask that the resolution go over without prejudice.

The VICE PRESIDENT. The resolution will be passed over without prejudice.

The routine morning business is closed.

FOURTH OF JULY ACCIDENT TOLL

Mr. ANDREWS. Mr. President, according to statistics during this holiday week end more than a thousand Americans are destined to die and more than 100,000 are destined to become seriously injured because of accidents of one kind or another. Also there will be a loss of approximately $40,000,000 worth of property.

I have in my hand an editorial from the Florida Times-Union which is so apropos, and discusses the matter in such a forceful way that I ask unanimous consent to have the editorial read from the desk, in order that a permanent record may be made of what is occurring

and that perhaps the useless destruction of life through carelessness and overzealousness for amusement may be lessened.

The VICE PRESIDENT. Without objection, the editorial will be read.

The legislative clerk read as follows:

[From the Florida Times-Union]

HUNDREDS ARE DOOMED

If Americans were told that an enemy would invade this country July 4 and kill 1,000 persons, wound more than 100,000 others, and damage property to the extent of $40,000,000, they would rise up in arms and call upon their Government to repel the expected attack.

Yet, figuratively, an enemy that may take an even larger toll is awaiting the toll of the bell marking the beginning of the July 4 week end to assign his legions to carelessness, recklessness, and indifference to American highways, where they are expected to claim one of the longest lists of victims in history. Those interested in whom the victims are to be will get a pretty good idea by studying past records.

More than likely the loss of life during the July 4 week end this year will be the heaviest in history, for the biggest traffic jam is predicted by the National Safety Council. During the 3-day period beginning Friday, July 4, and ending Sunday, July 6, it is estimated that more than 30,000,000 motor vehicles will travel 4,000,000,000 miles over the highways.

Full-time defense production means well-supplied purses whose owners will spend generously to fill their gas tanks and to satisfy other whims and desires. Among the traveling motorists will be relatives and friends by the thousands going to visit the young men in uniform. They will add to the usual thousands on annual vacation.

Most of those traveling in automobiles will drive carefully, determined to reach their destination, see their friends or relatives, and return home in safety. But their success in doing so will depend upon ability to dodge cars whose drivers lose whatever sense of proportion they possess once they get behind a steering wheel.

Thirty national organizations have joined the Safety Council this year in a campaign to reduce the July Fourth holiday toll on the highway, on the beach, in the home, and from fireworks. These same groups worked together in July 1940, and succeeded in effecting a decrease for the only month in the last 19 in the accident toll. Nevertheless, 9,000 persons were killed in all types of accidents during that month, and more than 900,000 others were injured, while the economic loss was estimated at $300,000,000. Traffic accidents alone took 2,790 lives.

The Safety Council makes the pertinent observation that there is no rhyme or reason to this wholesale slaughter, and suggests that it must be stopped. But it is not stopped. The American people go right on, year after year, celebrating the birth of the Nation's independence with an orgy of carelessness.

The slaughter can be stopped, of course. It can be done by the exercise of caution and common sense, but it is not likely to be. There is little likelihood that this year will be different with those who cause the accidents—those who, when they smell gasoline, get in a hurry, turn such thoughts as they have upon themselves, and crave an opportunity to show off.

About the best the sensible drivers can do is drive carefully and pray that they will get through the Fourth alive.

ATTITUDE OF SECRETARY KNOX TOWARD WAR

Mr. CLARK of Missouri. Mr. President, a little more than a year ago, in his frantic effort to induce the Senate to confirm his nomination as Secretary of the Navy, Secretary Knox deliberately misstated before the Naval Affairs Committee his position with regard to the entrance of the United States into the war. I am convinced that, except for that deception, the nomination of Colonel Knox to be Secretary of the Navy could not have been confirmed. If he had told the truth, his confirmation would have been impossible.

In the course of his testimony before the Naval Affairs Committee Secretary Knox also denied statements which had been attributed to him in a column written by Mrs. Helen Essary. Mrs. Essary not being in the city at that time, it was impossible for her to appear and testify as to the correctness of the quotation which she gave from Colonel Knox.

Now that Colonel Knox has removed the mask and shown his true face as the most persistent and bloodthirsty warmonger in the United States, it seems to me to be proper to include in the RECORD at this point an article from the Washington Times-Herald of this morning, written by Mrs. Helen Essary. The country can now judge whether Mrs. Essary or Colonel Knox was telling the truth at that time. I ask unanimous consent that that portion of the article having to do with these matters be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Times-Herald of July 3, 1941]

Between the stirrings-up of air, when the heat smothers like a blanket wrung out of hot water, I think of nothing, of nothing but heat. Now again comes round the flash of reviving draft and I know in the twirl of the fan's motor that—

Of all people, I hate most those sleek old creatures, those sleek, idle creatures, those safe, snide creatures who knowing that war will not affect them personally, say: "We must delay no longer. We must go to war. We must begin the shooting." And this brings me to the Secretary of the Navy, Frank Knox, who has just sounded that clarion call to other men to risk their lives so that this country might "Clear the Atlantic! Clear the Atlantic!"

This is the same Frank Knox who, once he got appointed to the Cabinet of a Democratic President, began steadily shouting for war. It is also the same Frank Knox who told the Senate Naval Affairs Committee, passing on his desirability as a Cabinet member, that I had not told the truth when I printed in this column that he wanted to send both men and money to Europe.

Sending men to Europe was the farthest from his noble thoughts, the then Colonel Knox testified. He said quite clearly that my word was not to be trusted. Was it to be trusted? The Colonel has since proved how bloodthirsty he is and how crazy he is to involve this United States into the horrors of destruction and murder.

I also hate people who say, "I know this to be a fact, but I can't honorably tell you the source of my information." By such a route I was given this story: Herbert Hoover knows beyond the faintest doubt that Hess did carry a peace plan to England. He told his plan to Churchill. It went like this:

"Racially and fundamentally, the English and Germans are alike. Germany and England both realize now that each other is a worthy foe. * * * Germany and England should be fighting as allies, not as foes. Therefore let Hitler join you in whipping Russia and in restoring order and peace to Europe. Only we together can do it."

According to Herbert Hoover, Churchill was greatly impressed with the Hess plan. He repeated it to President Roosevelt, who said no Hitler program can be trusted. England must not make any sort of a peace until the Nazis are destroyed completely.

It would not seem at the moment that the Nazis are in danger of being destroyed completely. When they have finished their little walk through Russia they will likely propose a peace that England will find almost impossible to consider. At this hour on history's calendar the United States will step in and begin the shooting. That's my Hoover story.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 1304) granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across the Tug Fork of Big Sandy River near Nolan, Mingo County, W. Va., and it was signed by the Vice President.

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT, as in executive session, laid before the Senate a message from the President of the United States submitting a nomination in the Diplomatic and Foreign Service, which was referred to the Committee on Foreign Relations.

(For nomination this day received, see the end of Senate proceedings.)

RECESS TO MONDAY

Mr. HILL. Mr. President, in compliance with the order adopted by the Senate a few moments ago, I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 12 o'clock and 31 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Monday, July 7, 1941, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate July 3, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Coldwell S. Johnston, of Nevada, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 3, 1941

The House met at 12 o'clock noon.

The Reverend Jacob Simpson Payton, D. D., the executive secretary of the Methodist Commission on Camp Activities, Washington, D. C., offered the following prayer:

God of the Nations, in whom our fathers trusted and were not discomfited, we bring to Thee our praise and adoration and the offering of grateful hearts. In anticipation of the morrow we pause

briefly to review the unfailing mercies of Thy providential care.

For the founding fathers who laid deep and broad the foundations of our Government, for those who through toil and sacrifice have advanced and preserved our liberties, for the faithful of all generations who have supplicated the throne of grace for the welfare of the Republic, and for the devoted labors of all who in our day frame our legislation and safeguard our rights, we give Thee thanks.

Deliver us, O Lord, from all sinister influences that would cause us to undervalue our national blessings, and from all distractions that would call us from keeping vigil over our costly heritage. Thou who art the Author of our liberties, supply these Thy servants, and the citizenry they represent with such an ample measure of reliance upon Thee, and with such solicitude for the destiny of America, that justice may be enthroned in all our institutions, and that Thy reign may be made glorious throughout the land. This we pray in the name of Jesus, our Saviour. Amen.

The Journal of the proceedings of Monday, June 30, 1941, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On June 26, 1941:

H. R. 673. An act for the relief of Roche, Connell & Laub Construction Co.; and

H. R. 3234. An act for the relief of Mrs. Lawrence Chlebeck.

On June 28, 1941:

H. R. 4276. An act making appropriations for the Department of State, the Department of Commerce, the Department of Justice, and the Federal Judiciary for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 4545. An act to provide for the acquisition and equipment of public works made necessary by the defense program;

H. R. 4590. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes; and

H. R. 4693. An act to amend the National Housing Act, and for other purposes;

On June 30, 1941:

H. R. 4646. An act to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; and

H. R. 4965. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1942, and for other purposes;

On July 1, 1941:

H. J. Res. 193. Joint resolution making appropriations for work relief and relief for the fiscal year ending June 30, 1942;

H. R. 3735. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 4756. An act making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 4926. An act making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 4972. An act to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes;

H. R. 5049. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1942, and for other purposes; and

H. R. 5052. An act to amend the District of Columbia Unemployment Compensation Act to regulate the use of administration expenses, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Baldridge, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 2308. An act to ratify a lease entered into by certain Mission Indians of California;

H. R. 3537. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. R. 4473. An act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes;

H. R. 4823. An act providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat;

H. R. 4887. An act to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties; and

H. J. Res. 139. Joint resolution to provide suitable vessels for the use of certain State nautical schools, and for other purposes.

The message also announced that the Senate had passed bills and joint resolution of the following titles, in which the concurrence of the House is requested:

S. 173. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940;

S. 271. An act authorizing the Arapahoe and Cheyenne Indians or any band thereof to submit their claims against the United States to the Court of Claims, and for other purposes;

S. 294. An act to authorize an appropriation for payment to the Middle Rio Grande Conservancy District of construction costs assessed against certain lands within such district acquired by the United States for the benefit of certain Indians in the State of New Mexico;

S. 337. An act to provide for a permanent postage rate of 1½ cents per pound on books;

S. 485. An act conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi;

S. 599. An act to amend section 17 of the Federal Highway Act;

S. 753. An act conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes;

S. 799. An act to prevent the making of photographs and sketches of naval reservations, naval vessels, and other naval property, and for other purposes;

S. 852. An act to provide for the acquisition of certain lands for and the addition thereof to the Deschutes National Forest, in The State of Oregon;

S. 1116. An act authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States;

S. 1117. An act authorizing a suit in the Court of Claims of the United States against the United States by certain members of the Wisconsin Band of Pottawatomie Indians;

S. 1154. An act conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States;

S. 1358. An act to amend section 1 of the act entitled "An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes," approved February 11, 1936;

S. 1397. An act to provide for the exemption from military service of certain aliens residing in the United States;

S. 1480. An act to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended;

S. 1585. An act to increase the number of midshipmen allowed at the United States Naval Academy from the District of Columbia;

S. 1586. An act to authorize the Secretary of the Navy to accept for the United States Naval Academy such gifts and bequests as he may see fit;

S. 1589. An act to prohibit payment of money allowance for subsistence and rental to retired officers of the Navy or Marine Corps for any period when not employed on active duty;

S. 1602. An act to amend section 333 of the Revised Statutes, as amended (U. S. C., title 12, sec. 14), and for other purposes;

S. 1605. An act to amend the act approved March 5, 1940, entitled "An act to facilitate the procurement of aircraft for the national defense";

S. 1619. An act for the relief of the Bell Grocery Co.;

S. 1625. An act to amend an act entitled "An act to authorize an appropriation for roads on Indian reservations";

S. 1626. An act to reserve a certain part of the public land in California for the benefit of the Rincon Band of Mission Indians; and

S. J. Res. 2. Joint resolution to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807).

SWEARING IN OF MEMBER

The SPEAKER laid before the House the following communication from the Clerk of the House:

JULY 3, 1941.

The Honorable the SPEAKER, HOUSE OF REPRESENTATIVES.

DEAR SIR: The certificate of election in due form of law of Hon. CARTER MANASCO as a Representative-elect to the Seventy-seventh Congress from the Seventh Congressional District of Alabama to fill the vacancy caused by the resignation of Hon. Walter W. Bankhead is on file in this office.

Yours very truly,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

Hon. CARTER MANASCO appeared at the bar of the House and took the oath of office as prescribed by law.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Speaker, this occasion is so unusual that I have seen fit to make this request to proceed for 1 minute in order to call the attention of the House to the gentleman whom we all know and love and whom the people of the Seventh District of Alabama have seen fit to honor with the seat previously occupied and adorned by the late lamented Speaker of this House, the Honorable William B. Bankhead.

That great district has always been represented transcendentally from the standpoint of ability and integrity, from the standpoint of diligence and honor; but we who know CARTER MANASCO, as we do, confidently predict for him the continuance of the glory of the representation of that great district.

We congratulate the Seventh District of Alabama upon having a man to represent them who is so abundantly experienced in legislation, both State and National. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DITTER] may extend his own remarks and include certain excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FISH] may extend his remarks in the RECORD and include certain tables.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COURTNEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an address delivered by Hon. W. E. Kelly, of the Post Office Department, at the dedication of a Federal building recently at Columbia, in my district, and also to include my introductory remarks made at that time.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MESSAGE FROM THE SENATE

The SPEAKER laid before the House the following communication from the Clerk of the House:

JULY 3, 1941.

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEAR SIR: Pursuant to the special order agreed to on June 30, 1941, the Clerk of the House on July 1 received from the Secretary of the Senate the following message.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

A message from the Senate received during the adjournment of the House announced that the Senate had passed, without amendment, bills and a joint resolution of the House of the following titles:

H. R. 531. An act to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes";

H. R. 2074. An act to amend section 353 (b) of the Communications Act of 1934, as amended;

H. R. 2475. An act to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy;

H. R. 3191. An act to amend the act entitled "An act to make unlawful the transportation of convict-made goods in interstate commerce, and for other purposes," approved October 14, 1940;

H. R. 4224. An act relating to the manning of certain vessels of 500 gross tons and less;

H. R. 4225. An act relating to the manning of certain sail vessels;

H. R. 4258. An act to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States;

H. R. 4359. An act authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Lizzie Smith;

H. R. 4658. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 4841. An act to establish a National Archives Trust Fund Board, and for other purposes;

H. R. 4903. An act to authorize the Secretary of the Treasury to exchange certain land owned by the United States for a site for a road right-of-way needed for access to the Coast Guard Light Station Reservation, Au Sable, Mich.;

H. R. 4988. An act to amend section 2 of the act of August 27, 1935, as amended; and

H. J. Res. 22. Joint resolution authorizing the Secretary of War to convey certain lands to the State of West Virginia.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5166) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes"; and that the Senate agree to the amendment of the House to the amendment of the Senate No. 28 to said bill.

SOLUTION OF THE DEFENSE PROGRAM

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, the farmers of California have just about solved the defense program.

Permit me to read the following resolution:

Whereas former aggressor Russia is now the victim of aggressor Nazi Germany in a great battle for world domination by two totalitarian and barbaric philosophies; and

Whereas in this international emergency our President has announced the policy of all aid this country can spare for Russia: Now therefore be it

Resolved, The Associated Farmers of California favor all possible aid to Russia to the extent of placing all Nazis in concentration camps and sending to Moscow all Communists in the United States; and be it further

Resolved, That the people of the United States be called upon to make the sacrifice of giving up the saboteurs and subversive strike agitators even in our vital defense industries for this worthy purpose and express our humanitarian instincts to the ultimate degree of sending Russia our parlor pinks without any selfish thoughts of priorities for American schools and universities.

[Here the gavel fell.]

ENROLLED BILLS SIGNED

The SPEAKER. The Clerk will read the following statement.

The Clerk read as follows:

The Chair desires to announce that pursuant to the authority granted him he did sign the following enrolled bills and joint resolution of the House on the dates shown:

On July 1, 1941:

H. R. 5166. The Second Deficiency Appropriation Act.

On July 2, 1941:

H. R. 531. An act to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes";

H. R. 2074. An act to amend section 353 (b) of the Communications Act of 1934 as amended;

H. R. 2475. An act to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy;

H. R. 3191. An act to amend the act entitled "An act to make unlawful the transportation of convict-made goods in interstate commerce, and for other purposes," approved October 14, 1940;

H. R. 3857. An act authorizing the construction of a crypt for the remains of Gutzon and Mary Borglum;

H. R. 4224. An act relating to the manning of certain vessels of 500 gross tons and less;

H. R. 4225. An act relating to the manning of certain sail vessels;

H. R. 4258. An act to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States;

H. R. 4359. An act authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Lizzie Smith;

H. R. 4841. An act to establish a National Archives Trust Fund Board, and for other purposes;

H. R. 4658 An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 4903. An act to authorize the Secretary of the Treasury to exchange certain land owned by the United States for a site for a road right-of-way needed for access to the Coast Guard Light Station Reservation, Au Sable, Mich.;

H. R. 4988. An act to amend section 2 of the act of August 27, 1935, as amended; and

H. J. Res. 22. Joint resolution authorizing the Secretary of War to convey certain lands to the State of West Virginia.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 302)

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk, and, together with the accompanying papers, referred to the Committee on Foreign Affairs, and ordered printed:

To the Congress of the United States:

I enclose a report received from the Acting Secretary of State requesting the transmission to the present Congress of a recommendation that the Congress authorize an appropriation in the sum of $3,000 in order to effect a settlement of a claim of the British Government on behalf of Stoker John Bailey, of H. M. S. *Orion*, arising as a consequence of injuries inflicted on the latter by John Ittner, AMM2c, United States Navy, at Seattle, Wash., on July 16, 1939.

I commend to the favorable consideration of the Congress the recommendation of the Acting Secretary of State, in which I concur.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 3, 1941.*

[Enclosure: Report.]

COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES—THE FLOOD CONTROL BILL, H. R. 4911 (H. DOC. NO. 301)

The SPEAKER. The Chair lays before the House the following letter from the President of the United States for the information of the House:

THE WHITE HOUSE,
Washington, July 3, 1941.

MY DEAR MR. SPEAKER: The flood-control bill, H. R. 4911, as passed by the House of Representatives on June 20, 1941, and as now before the Senate, contains four provisions to which I would like to direct your attention.

While the House debate on the bill recognized, as we all must recognize in these times, that initiation of new construction projects without defense values should be deferred until the end of the present international emergency, this understanding for the need of such deferment of nondefense activities is not fully reflected in the language of the bill; and I accordingly recommend that consideration be given to the desirability of amending the bill so as to restrict new construction work to projects having important defense values. A special review now is being made of the projects in the bill for the purpose of determining the relation of each one for the plans of the defense agencies.

The bill also authorizes additional examinations and surveys for flood control. I believe that these surveys, which should not be allowed to lag, could be correlated more effectively in the future if the authority of the Corps of Engineers to revise and extend the type of basin surveys first authorized in the River and Harbor Act of January 21, 1927, could be broadened somewhat and if provision could be made at the same time for the active participation of other Federal agencies concerned with multiple-purpose aspects of the surveys.

The bill further authorizes an appropriation of $5,000,000 to the Department of Agriculture for works of improvement. I favor continuing Federal participation in that work, but it would be in the interest of sound budgetary policy if (a) the authorization were to be made for such sums as may be necessary, rather than for a specified amount, and (b) the funds so appropriated were to be available only for work which the Department of Agriculture is not authorized to undertake in connection with its regular programs for land improvement under the appropriations.

Suggested drafts of amendments which would accomplish these three changes are being forwarded to the President of the Senate, and I am enclosing copies for your consideration. One other provision of the bill, that authorizing flood-protection works at Chattanooga, Tenn., and Rossville, Ga., seems to me objectionable. The construction of those works properly is a function of the Tennessee Valley Authority and should be undertaken by the Authority when warranted by budgetary consideration.

On the whole, the House Committee on Flood Control is to be complimented for its work in preparing the bill and in making forward-looking provisions for multiple-use development and for guaranties of local cooperation. I hope that consideration may be given to further improvements along the four lines which I have suggested.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

The SPEAKER,
The House of Representatives.

The SPEAKER. The communication and accompanying papers are referred to the Committee on Flood Control.

EXTENSION OF REMARKS

Mr. WOLCOTT. Mr. Speaker, on behalf of my esteemed colleague, the gentleman from Michigan [Mr. WOODRUFF], I ask that he be allowed to extend his remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. WOLCOTT asked and was given permission to extend his own remarks in the RECORD.)

Mr. ELLIOTT of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a report of the University of California College of Agriculture concerning the lemon industry.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. RUSSELL addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that my remarks may appear in the Appendix of the RECORD and that I may include therein a telegram from certain farmers in my district and also a telegram from the National Cotton Industry of Memphis, Tenn.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRIORITIES IN MARINE TRANSPORTATION—CONFERENCE REPORT

Mr. BLAND submitted a conference report and statement on the bill (H. R. 4700) to provide for priorities in transportation by marine vessels in the interest of national defense, and for other purposes, for printing under the rule.

EXTENSION OF REMARKS

Mr. BISHOP. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix on two subjects: First, to extend an address delivered by myself at the Kansas Bankers' Association; and, second, an article from the Topeka Daily Capital by Cliff Stratton, the Washington correspondent of that paper.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter and post card from a voter in the Fourth Congressional District of Washington.

The SPEAKER. Without objection, it is so ordered.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to extend my remarks and include therein an address I delivered on Memorial Day at the Old Chatham Cemetery in the city of New York.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. DICKSTEIN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial which appeared in the San Francisco Call-Bulletin entitled "Letter From a Soldier."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address of Governor Ratner at the Conference of Governors in Boston, Mass., on July 1.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRICE FIXING AND PARITY

Mr. CAMP. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CAMP. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. If there is no objection that may be done today because there is no legislative program.

There was no objection.

Mr. CAMP. Mr. Speaker, when I recognize that in connection with our national-defense program some system of controlling prices of commodities necessary therein, as well as for the daily sustenance of the people of this country, may become essential, yet so long as cotton, cottonseed, wheat, corn, and other agricultural commodities are selling under a proper parity with nonagricultural commodities and with the wages now being paid to labor, I contend that price fixation when applied to cotton, cottonseed, or any other basic agricultural product is not only unnecessary, but is unfair, inequitable, and diametrically opposed to all the efforts of this Congress of the past 10 years to restore to the farmers of this country something like a normal income. I contend that price fixing in this field will never be essential until the price levels of these agricultural commodities reach a parity with nonagricultural commodities, and with the wages paid to labor.

This Congress for 10 years has worked harder on the problem of restoring equitable prices for farm products than on any other of the many troublesome questions before it. Billions of dollars have been appropriated to subsidize the farmer's income, foreign markets bought by subsidy, and costly reciprocal trade agreements with other countries entered into, all in the effort to raise the price of the basic agricultural products to normal levels.

Yet, Mr. Speaker, all this carefully planned work of our national legislative branch and of Secretary Hull and his department, is now in my humble opinion, being jeopardized by Mr. Leon Henderson, Administrator of the Office of Price Administration and Civilian Supply, in his action threatening drastic reductions in prices of cotton and cottonseed, as well as other basic agricultural commodities. I believe, and many of the best authorities in the land agree, that the recent decline in the markets of the prices of wheat, corn, and cotton were due directly to his action in fixing ceiling prices.

The price of cotton dropped over $2 per bale, which based on a 12,000,000-bale crop means a loss of $24,000,000 to the cotton farmers of America. Bear in mind the fact that the Bureau of Economics on May 15 determined the parity price of wheat to be $1.149 per bushel, while the parity price of cotton is 16.12 cents per pound, and that of corn 83½ cents per bushel. On June 28, the day after Mr. Henderson issued his statement, the price of cotton dropped from 15.03 cents per pound to 14.50 cents, wheat dropped from $1.06½ per bushel to $1.03½ and corn declined from 74¾ cents per bushel to 73⅝ cents and prices of soybeans and lard dropped still more.

I am unable to find any authority, either statutory or constitutional, for Mr. Henderson to fix prices of agricultural commodities.

If and when the prices of these commodities go beyond a proper parity, and it becomes necessary to prevent unwarranted inflation or to protect the consuming public, and price-fixing in this field becomes essential, it seems to me proper price levels should be determined only by appropriate conferences with real representatives of farmers, processors, and consumers of these products, and price levels be fixed with due regard to all.

Such arbitrary price-fixing as is being done does not, to my way of thinking, protect anyone, not even the consuming public, but results in lower prices to the farmer, paralyzes agriculture, and means ultimately a lowered consumption of agricultural raw materials.

The commodity markets are tense and nervous. All conditions affecting supply, demand, and consumption outlook affect them fully and quickly. The statement carried by the press that—

> The Government today established maximum prices on six leading types of cotton cloth—39 cents a pound for print cloth, card broadcloth, and tobacco cloth; 30 cents, 32 cents, and 33½ cents a pound for three classes of sheets; 54 cents a pound for combed broadcloths—

was the solar-plexus blow that stopped the rise to parity of cotton prices. Fixing the price on manufactured products or byproducts of these agricultural commodities has the same effect as fixing the price of the commodity itself. Nothing should be done to stop the rise or to lower the prices of basic agricultural commodities so long as such prices are below parity, because until these prices reach parity the farmers who produce these commodities are not receiving a living income. Parity prices are fixed so that farmers can buy what they need on an equality with other men. Parity prices are necessary for farmers to furnish themselves and families with proper clothing, supplies, and implements.

The order of Mr. Henderson also has the effect of voiding contracts made in good faith between buyers and sellers, for the order reads, "regardless of any existing commitment."

Mr. Speaker, I contend that when and if price fixation becomes necessary, it should be done only under legislation that is equitable to farmers, processors, and consumers alike.

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article entitled "The Church and Labor."

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Sentinel, of Osceola, Iowa, concerning the death of Commander Abbott and his companions on the *O–9*.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. LECOMPTE]?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address I made over station WINX on Tuesday.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. LECOMPTE]?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article relating to our Latin-American trade.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. CLEVENGER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. WICKERSHAM]?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker and gentlemen of the House, I am interested in the farmers of the Seventh Congressional District of Oklahoma. The estimated yield of wheat in the United States has decreased from the 1st of June to the 16th of June approximately 12,000,000 bushels. The larger portion of this decrease is in my area and in parts of two other Oklahoma districts.

I am today introducing a resolution providing an amendment to the farm bill which calls for a waiver of the 49 cents penalty wherein the total 1941 wheat crop is less than the acreage allotment times the average normal yield per acre. I am introducing an amendment providing that the extremely low-grade wheat may be considered as feed and not considered as wheat.

When this comes up I would appreciate your consideration.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two brief articles dealing with the testimony at the hearings before the Rivers and Harbors Committee on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BEITER]?

Mr. RANKIN of Mississippi. Mr. Speaker, reserving the right to object, just what testimony does the gentleman refer to?

Mr. BEITER. The testimony of Mr. Chauncey J. Hamlin, of the Niagara Frontier Planning Board.

Mr. RANKIN of Mississippi. He is opposed to this?

Mr. BEITER. I gather he is.

Mr. RANKIN of Mississippi. I gathered that, too.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BEITER]?

There was no objection.

A NATIONAL COMMISSION ON TAXATION IN THE UNITED STATES TO STUDY FEDERAL, STATE, AND LOCAL TAXATION

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and

to include a short bill I have introduced—H. R. 5196—to establish a Commission on Taxation in the United States.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. ANGELL. Mr. Speaker, the power to tax is the power to destroy. The mounting Federal debt, which it is estimated will reach $100,000,000,000 by the time the national-defense program is completed, makes necessary a reexamination of the entire tax structures of Federal, State, and local taxation so that they may be revamped and coordinated in order to provide for an equitable distribution of taxation based on the ability to pay and at the same time preserving private enterprise. Our first line of defense, both in peace and in war, is a sound fiscal policy. Governments such as ours can only be supported by taxation. Mr. Roosevelt truly said in October 1932:

> Taxes are paid in the sweat of every man who labors because they are a burden on production and can be paid only by production. If excessive, they are reflected in idle factories, tax-sold farms, and hence in hordes of the hungry tramping the streets and seeking jobs in vain. Our workers may never see a tax bill, but they pay in deductions from wages, in increased cost of what they buy, or—as now—in broad cessation of employment. There is not an unemployed man, there is not a struggling farmer, whose interest in this subject is not direct and vital.

All students of our fiscal affairs realize that the preservation of our republican form of government and the capitalistic system depend upon our ability to secure through taxation revenues sufficient to serve us and retire our public debt and meet the running expenses of the Government; and at the same time keep private industry off of the rocks of bankruptcy. For 10 years our average deficit has approximated three and one-half billion dollars each year. The public debt on June 30, 1941, was $48,961,000,000 and the deficit for the fiscal year ending on that date was $6,047,929,292. Under the new revenue bill just approved by the Ways and Means Committee it is estimated that additional revenues of $3,464,400,000 will be raised, which, together with revenues under existing laws, will bring to the Federal Treasury a total of $9,402,000,000 for the year ending June 30, 1942. It will leave a deficit in excess of $10,000,000,000.

We all realize that we must provide for our national defense, notwithstanding the immense increase in our public debt. When the war ends—which it will some day—we must then stop, look, and listen, and overhaul our economic structure and laws governing taxation, Federal, State, and local, so as to prevent a collapse of our financial house. We have learned through bitter experience that we cannot spend ourselves into prosperity. We must put our house in order and make provision to meet our public obligations, provide for essential expenses of government and ultimately to live within our income.

The per capita public debt has increased from $131 in 1931 to $369 in 1941. The interest on this public debt will soon be a billion and a half dollars a year—more than the total cost of government a few years ago. In 1913 only 6.4 percent of the total national income was required for Federal, State, and local taxes; in 1930, 14.2 percent was required for such taxes; and, in 1938, 23.6 percent of the total income of the American people was handed over to the tax collectors. Approximately one-fourth of the time of everyone who labors in the United States is spent in working for the tax collectors.

In 1913, 1.9 percent of the national income went for Federal taxes; in 1930, 4.8 percent was required; but in 1938 it had increased to 10.9 percent. State and local taxes in 1938 had increased to 12.7 percent. Notwithstanding these staggering tax levies, we have created an average deficit each year of over $3,000,000,000.

America is blessed with natural resources exceeding those of any nation on earth. We have three-fourths of the monetary gold of the world. We have the machinery, the raw material, the manpower, and ability to keep America the most prosperous nation on earth, and the one continuing to offer to its citizens the greatest opportunities for liberty and prosperity. When the post-war period comes, however, we will be faced by a challenge requiring the combined efforts of all loyal American citizens in order to save our American way of life and prevent financial collapse.

That we may take time by the forelock and begin now to lay our plans to meet this great emergency that will confront us with the closing of the war, I have introduced H. R. 5196, which has for its purpose the establishment of a commission on taxation in the United States. I hope that it will have the serious consideration of the Members of the Congress so that a program, as outlined in this bill, may be put into effect. The National Conference of Real Estate Taxpayers, in their convention held April 25 and 26, 1941, unanimously passed a resolution urging the enactment of such legislation. This resolution and other data bearing upon this question are included in my remarks appearing in the Appendix of the CONGRESSIONAL RECORD on page A1949.

Under leave heretofore granted, I include this bill in the extension of my remarks. The bill reads as follows:

Be it enacted, etc., That there is hereby established a commission, to be known as the Commission on Taxation in the United States.

SEC. 2. The Commission is authorized and directed to compile, analyze, and report upon the facts in relation to—

(a) The overlapping, conflict, and pyramiding of the intergovernmental tax structure among the tax-levying units of the Federal, State, and local governments.

(b) The financial interrelations of our three levels of government—Federal, State, and local—including the problems of Federal grants-in-aid to State governments and State grants to local governments, and the possible reallocation of functions among these three levels of government.

(c) The economic and social effects of the present tax structure upon home and farm ownership; upon the financial stability of Federal, State, and local government; and upon the general public welfare.

(d) The effects of the present tax structure upon the basic patterns of urban and agrarian land use, and the relationship of taxation to a sound public land policy.

SEC. 3. The Commission is further authorized and directed to recommend a program to integrate and unify the entire tax structure of the Nation upon a pattern or policy of economic and social concepts consonant with the modern democratic principles of the Nation.

SEC. 4. The Commission shall be composed of 14 members, as follows: Two Members of the United States Senate, to be appointed by the President of the Senate; two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; ten members to be appointed by the President of the United States, one each from the following governmental and economic groups: United States Treasury Department, State government, local government, home ownership, agriculture, labor, manufacturing, urban real estate, commerce, and education. The President shall designate one of the members named by him to serve as Chairman of the Commission. Members of the Commission shall serve without compensation.

SEC. 5. The Commission, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to subpena witnesses, to sit and act at such times and places during the life of the Commission as it shall designate; to employ an executive secretary; and to employ such experts and clerical, stenographic, and other assistants as it may deem necessary (without regard to the civil-service laws, but subject to the Classification Act of 1923, as amended). The Commission may utilize the services, information facilities, and personnel of the various departments and agencies of the Federal Government.

SEC. 6. The Commission shall report to the President of the United States and to both Houses of the Congress in January 1943.

SEC. 7. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $500,000, or so much thereof as may be necessary, to carry out the provisions of this act.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution adopted by the Iowa Press Women.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. CUNNINGHAM]?

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech given by the Secretary of Agriculture on wheat farmers and the battle for democracy.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOOK]?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address by the Secretary of Agriculture on farm cooperatives' stake in democracy.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOOK]?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Baton Rouge (La.) People's Weekly.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. SANDERS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that on Thursday next, after disposition of business on the Speaker's desk, at the conclusion of the legislative business in order for the day, and after any orders heretofore entered, I may be permitted to address the House for 40 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. BOGGS]?

There was no objection.

EXTENSION OF REMARKS

Mr. CARLSON. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Kansas [Mr. LAMBERTSON] may be permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. CARLSON]?

There was no objection.

Mr. GILCHRIST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a talk I made last Wednesday over WINX, a radio station in Washington, which speech is entitled "Iowa Farmers Subsidize Consumers."

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GILCHRIST]?

There was no objection.

(Mr. MILLS of Louisiana asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the power development of the proposed St. Lawrence inland waterway and to include therein short extracts from the testimony before the Committee on Rivers and Harbors.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

Mr. BEITER. Reserving the right to object, Mr. Speaker, what is the article the gentleman wishes to place in the RECORD?

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

PERMISSION TO ADDRESS THE HOUSE

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any other special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

KEEP OUT OF WAR

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, as we approach the annual celebration of our own independence as a nation, we have been startled by the recent utterances of the Honorable Frank Knox, Secretary of the Navy, in which he stated, in substance, "Now is the time to engage in a shooting war." In other words, the Secretary of the Navy wants our Nation to become involved in this war at once.

I am convinced that the people of this Nation do not want any part in this European war. They want to keep out of it. We did not make this war, and we did not take any part in its making. The people of our country want to save the boys who would have to participate in the fighting in the event of our involvement in it. I am confident the sound judgment of the Members of the House will cause them to revolt against any proposed declaration of war. The Secretary of the Navy, from his past utterances, has been an interventionist throughout, and he has merely confirmed his position when he advocates our immediate entrance in a shooting war. Let us use our better judgment and let us keep our country out of this war.

Mr. Speaker, while Russia and Germany are now engaged in a terrific struggle, and in their war two very distinct and independent philosophies of government are pitted against each other—it is nazi-ism against communism—there is no choice between the two. We seriously view that war and the implications which may follow: No one can visualize the victor at the moment. But we do know that the spread of nazi-ism or communism throughout the whole of continental Europe and the islands would be tragic indeed. Those philosophies of government destroy both liberty and freedom and make mere slaves of the people; they involve the substitution of a dictator, who rules with an iron hand, for the will and the determination of the people. These philosophies of government must not obtain, but they must walk the gangplank into the sphere of antiquity and discard. They must never prevail here.

Mr. Speaker, in these days when war hysteria is prevalent everywhere, the people of our Nation should think calmly and seriously before taking any step or steps which might lead us into this war. We must keep our Nation free from any involvement in it if possible. In the spirit of our annual celebration tomorrow, let us reconsecrate and rededicate ourselves to the task of keeping our Nation free from any involvement in this war. Let us think of our own country first.

EXTENSION OF REMARKS

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain short excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. TOLAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Hartford (Conn.) Courant.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects, and in each to include certain articles.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain remarks of four of our colleagues over a radio station last Monday evening.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from South Dakota [Mr. CASE] is recognized for 15 minutes.

FOUR STEPS TO UNITY

Mr. CASE of South Dakota. Mr. Speaker, I am aware that few speeches in the House of Representatives register, here or elsewhere. Nothing, perhaps, is more futile than an attempt to voice one's faith on the 3d day of July with so many Members away to join citizens in their home communities in the observance of the Nation's birthday anniversary, tomorrow. For those of us, however, who are prevented by distance or other causes from returning home, it seems not inappropriate to give a few minutes thought today to the state of the Nation.

For those of us who are members of the minority party—though I speak wholly on my own initiative and only for myself—times like these lay a double responsibility. We have the responsibility of loyalty; we also have the responsibility of questioning. The English have a word for it—"His Majesty's loyal opposition." This dual responsibility grows out of the fact that the only test of truth is its ability to stand. One of my old teachers was fond of this phrase: "The integrity of an idea." An idea that could survive examination and reexamination was a good idea, he told us.

The theme for the Nation's birthday tomorrow is "national unity." It is my purpose to speak of national unity with respect to four fields of national endeavor, today. They are: Aid to other nations, production of defense articles, organization of the national defense, and working for peace.

The common difficulty that people have when they talk of unity is that each of us thinks there would be unity if everyone else would only agree with me. The unity most of us have in mind, I presume, is that expressed by the person who said:

"We two shall be one and I shall be the one." Probably I shall not escape from that error in some of my remarks today, but I hope to suggest some of the things that can contribute to national unity.

AID TO OTHER NATIONS

Substantial unity supports production of defense articles for other democracies when they can be spared from what is needed to equip our outlying posts and to train our men in service. Substantial unity supports aid to Britain, but an attempt to link arms with communistic Russia does not appeal to the American people.

Churchill's quick logic is natural for England. Britain is at war with Germany. Hard pressed, she must welcome aid from any quarter. This turn of events, however, changes the base on which our aid to Britain was pledged. Our aid was to be given to encourage the survival of the four freedoms in the earth. Do they flourish more in Russia than in Germany? Today is there more freedom of religion in Russia, where communism denies the existence of God and abolishes Sunday, than in Germany, where churches are open, even though there may be an attempt to have the pulpits preach honor for the state and pray for the head of the state as almost the head of the church? Is no church better than a state church? Today, is the system of private property overthrown in Germany or in Russia? Today, is the institution of the family more protected in Russia or in Germany?

These questions suggest the difficulties of achieving a national unity based upon all-out aid for Russia. The truth is that between the Third International of Russia and the Horst Wessel, Germany's song of world conquest, the people of the United States approve neither one. For years we have been told that communism was not an ordinary political party but an international conspiracy, aiming at world revolution. Our appropriation bills carry riders denying the use of funds to pay the salary of any Government workers who belong to a society advocating the overthrow of the Government by force or violence. Does anyone seriously think that national unity can be achieved on a proposal to send defense articles to go to Communist Russia, whose disciples are denied pay from the funds that furnish the defense articles?

Personally, I think the march on Moscow will destroy Hitler as it did Napoleon. England will blast his bases. Peoples he has swallowed will torment him internally. Russia will exhaust his energies before he can use her oil and wheat. We will rejoice, of course, as free peoples always rejoice in the overthrow of bullies and tyrants, but, Mr. Speaker, any attempt to make heroes out of "the fellow travelers" who have been boring from positions of influence in this Government will produce neither enthusiasm nor unity. There will be no cheers in America when bombers made in the United States of America blast the homes of the people of Finland we wanted to save a year ago.

For these trades and intrigues, familiar to Europe for a thousand years, are foreign to the nature of America. Our meddling in the Balkans has created a situation for which the day of reckoning is yet to come. Why further "interweave our destiny with that of any part of Europe, entangling our peace and prosperity in the toils of European ambition, rivalship, interest, humor or caprice?" (Washington). Demaree Bess tells us that the Jugoslav leaders sacrificed the present and staked the future of their country upon pledges given them by the American representatives that the American people would bring about the defeat of Germany. He says in the Saturday Evening Post of May 24, 1941:

> The Americans who gave those pledges were fully aware that thousands of miles separated the United States from the Balkans. They knew that we hadn't yet been able to make sufficient munitions for our own defense and the war needs of Britain. They knew that we hadn't yet built sufficient ships in which to carry munitions, but they knew also that the Serbs possessed an almost mystical faith in the power and benevolence of the American people. They used that faith to persuade the Serb leaders to transform their country into a battleground in the Anglo-German war.

Mr. Speaker, national unity can never be produced by that kind of a foreign policy. The American people do not want on their hands the blood of the Yugoslavian nation nor the tragedy that came to Greece. There is only one safe guide for a foreign policy that seeks a united America. It is that which was enunciated by Monroe when he said that the governments of other countries were their own concern and that the government de facto was the government we recognize. The needling of revolutions, the promiscuous promise of aid, the encouragement of wars, the underwriting of dynasties or dictators in the Old World are the things that destroy national unity today. There can be national unity on foreign policy today if the keystone of that policy is the preservation of the independence of the United States, declared by brave men 165 years ago tomorrow.

PRODUCTION OF DEFENSE ARTICLES

The second field in which national unity is important is that of the production of defense articles. The only people in this country who have been opposed to expediting the production of defense articles are those whose sympathies were with some foreign power.

The obstructions to production have come from two sources—red tape and racketeers. Under red tape I include selfishness and inertia on the part of Government bureaucrats, who have successfully resisted the creation of a unified direction of the national production effort with power to act. Under racketeers I include the profit-counting persons, whether industrialists or labor leaders, who have tied up production.

Mr. Speaker, united support for the production program will come when everyone knows that no favorites are being played. The father and the mother, however, who have seen their boy taken away to learn to use a gun at $21 a month cannot understand this talk of an unlimited emergency when someone else's boy is getting more than that for a 40-hour week, is permitted to strike and delay the production of the gun. You can orate and resolute and fireside chat until you are black in the face, but there will always be something synthetic in the emergency appeal while these conditions exist.

Let me put this straight. The right to bargain collectively is accepted as a right of labor in normal times. That includes the right to strike, of course. But whenever the state of the Nation is such that an emergency calls for taking a million young men away from their homes, away from their plans, away from their dreams, and putting them into Army training for a year with a liability for 10 years of reserve duty on top of that, that emergency destroys the right to stop production whether on the part of employer or employee, in plants producing needed defense articles. And whenever the National Defense Mediation Board, or a properly constituted department of defense supply, says that further stoppage of work in a defense plant is critically impeding the defense program, there is no right on the part of any men to stop or delay production further. Their proper compensation and their conditions of employment or factory use are subjects that can be handled in due time by authorities properly constituted.

On such a basis, Mr. Speaker, you can achieve national unity in the production of defense articles.

ORGANIZATION OF THE NATIONAL DEFENSE

The third field in which national unity can be improved is by a reorganization of our national-defense agencies. Several thoughtful proposals have been made. I am working on one such bill which I propose to introduce early next week on this subject.

If there is one thing on which the present war has convinced the people, it is that the nation that commands the air controls the tides of the war. Hardly less in firmness of conviction is the belief that modern war is a war of hard-hitting, fast-moving machines. And the public is not convinced that the full strength of our armed forces is properly organized to achieve the maximum results in these fields. The papers are full of demands for a separate air force which the recent shake-up in the Army does not meet. The people want a central direction of the air forces of Army and Navy.

Similarly, those who have gone into the matter of our procurement are convinced that vast sums are being wasted by the lack of a coordinated purchasing program. The public is certainly confused when it hears from one agency that we have enough aluminum and from another that we have not, from one agency that we are short on power and from another that we have plenty, from one source that we must save on gasoline and from another that there is an adequate supply.

This confusion grows out of an uncoordinated approach. We need some agency to see the whole problem and to have at its command the full picture of need and of supply. Economy and efficiency should result. It is just as important to the taxpayer to save a billion dollars in defense expenditures as to save it in nondefense items.

The plan I have in mind calls, first, for a central department of defense, headed by one man with cabinet rank. The department of defense will have four subdivisions, a secretary for each. There would be a secretary for land forces—the Army; a secretary for sea forces—the Navy; a secretary for air forces—a merger of all aviation units; a secretary for supply—a merger of all procurement and production activities connected with the defense program.

The proposal I have in mind may not be the answer, but, Mr. Speaker, some definite action is needed to achieve the national confidence in our defense organization which is necessary for national unity. My proposal will be dropped in the hopper as a contribution toward that end.

WORKING FOR PEACE

The fourth field in which action is needed, if we are to achieve national unity, is that of working for peace.

All history is a mockery if its lessons have not told us that when wars are over the peace has to be won. We have been told—the American people have been told—again and again and yet again—that the program of the administration was a program of aid short of war. Two days ago, however, we were advised that the President no longer said he believed that we could avoid war—he merely hoped that we could.

Mr. Speaker, St. Paul, in his epistle to the Hebrews, said, "Faith is the substance of things hoped for—the evidence of things not seen." And "faith without works is dead." If we want to avoid war, we must work to avoid war. If we want peace, we must work for peace.

And the people of America, Mr. Speaker, now, as at the time Warren Harding said it at the grave of the Unknown Soldier, "want more of peace and none of war." And we must work for peace. We must try to obtain peace.

I am not one who thinks the President wants to get us into war; he has had too many chances to put us there. He is driven, however, driven and harassed and cornered by selfish interests that see only a wreck of their personal investments abroad or who are so driven by their hatred of Hitler that they demand all America redeem their interests and their feelings regardless of the cost. He is moved, as are we all, by the ruthless bombing of civilians, by the barbarity of total war.

I do not like Hitler's persecutions and his pogroms. I do not like Stalin's conspiracies and his purges. I do not know what the future holds but we have the lamp of the past. We know that the boundary lines in Europe have been rewritten every 20 years. We know that one war will be called a holy war, the next a crusade. We know the last war was waged to save the world for democracy, to get rid of the Kaiser and German imperialism, and that out of it we got Hitler, Stalin, and Mussolini with nazi-ism, communism, and fascism. That should have cured us of the idea that we could inscribe boundaries or prescribe forms of government. Washington warned us:

> There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

We cannot, today, however, dismiss our connection with the present war for already we have contributed to its prolongation. Its widening tides rock every shore. We now have a responsibility for trying to get it stopped if we really hope to avoid getting into it ourselves. If men hope to avoid war, they must try to avoid war.

On the basis recently announced by Anthony Eden, there is a hope for peace. He said:

> We have no motive or self-interest prompting us to economic exploitation either of Germany or of the rest of Europe. * * * No escape can be found for the curse which has been lying on Europe except by creating and preserving economic health in every country.

Repeated and insistent reports suggest that Germany has proposed terms which are not unacceptable to England, terms that include the withdrawal from Syria, Norway, Denmark, Greece, and Holland, settlement with Belgium and France on terms mutually acceptable, and disposition of Poland, Czechoslovakia and Yugoslavia at the conference table.

The only attention given such reports in official circles apparently is to say "Who can trust Hitler?" It should be obvious that these proposals are not promises but suggestions for concrete action. There is an easy way to test them. Let mutual acts of performance be called for. If one step succeeds, take another and then another.

That is the road to national unity, Mr. Speaker, leadership in bringing the world to peace. And with all the earnestness of which I am capable, I say let the President lead the world to peace and he will have won for himself and his administration a unity and an affection as great, as leadership into war would be disastrous to his fame, his party, and possibly his country.

There will be no glory in leading the Nation into a war it does not want.

Mr. Speaker, every Member of this House from the time he heard his first Fourth of July speech until he took his oath of office here, has hoped that he might contribute something substantial to the country he loves. Every one of us has hoped that if, in his time of service the country passed through a crisis, he might do his part well and nobly. Everyone of us has hoped that he would measure up to the responsibility of his time.

There is a demand today for national unity. "Passion may strain, but it must not break our bonds of affection." It is my earnest prayer that each one of us may prove his fitness to serve in this time by contributing to the adoption of those measures which will create true national unity.

ALLOCATION OF RADIO TIME

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McGRANERY. Mr. Speaker, on May 27 the gentleman from Kansas [Mr. LAMBERTSON] received unanimous consent to address the House, and I now read from the RECORD his statements:

> Mr. LAMBERTSON. Mr. Speaker, it is noteworthy that Col. Charles A. Lindbergh is getting under the hide of the war crowd. An attempt is being made to overshadow his Philadelphia speech for Thursday night with a LaGuardia meeting for tomorrow—Wednesday—night.
>
> Dr. Leon Levy, the president of WCAU, Philadelphia, denied time on the radio to Lindbergh. Samuel R. Rosenbaum, the head of WFIL, also denied him time. David Stern, of the Philadelphia Record, is one of the main sponsors of the LaGuardia meeting Moe Annenberg, of the Philadelphia Inquirer, who is serving time in jail, is one of the promoters of the war crowd in Philadelphia.
>
> The two men who have helped write the President's speech for tonight are Judge Rosenman and Editor Sulzburger.

You can readily see that these statements leave grave innuendoes and an inference that certain of these gentlemen associated with each other in an effort to deny time on the radio to Mr. Lindbergh. Particularly does this inference apply to Dr. Leon Levy, president of WCAU, and Mr. Samuel R. Rosenbaum, president of WFIL, broadcasting stations in my city of Philadelphia.

Let me say to you that I have known these gentlemen for many years and they are men of high standing in our community, with a deep sense of responsibility. Their patriotism and Americanism is beyond question. I am quite sure that the gentleman from Kansas does not know either of them, and he has demonstrated little knowledge of the fact concerned as to what transpired in connection with the so-called Lindbergh meeting at Philadelphia.

The facts are that station WFIL, of which Mr. Rosenbaum is president, carried the meeting over its wires free of any cost to the Lindbergh group. Mr. Pennypacker, who arranged this so-called Lindbergh meeting, was most grateful for the cooperation he had received from Mr. Rosenbaum. Dr. Leon Levy, president of WCAU, had made the same offer, to carry the meeting free of any cost.

Mr. Rosenbaum, of WFIL, had some correspondence with the gentleman from Kansas [Mr. LAMBERTSON], in which he pointed out to him the error contained in his remarks. The gentleman from Kansas refused to correct the improper implications contained in his statements and I, therefore, ask unanimous consent to include at this point in my remarks correspondence between the gentleman from Kansas [Mr. LAMBERTSON] and Mr. Samuel R. Rosenbaum.

Mr. MICHENER. Reserving the right to object, Mr. Speaker, did the gentleman advise the gentleman from Kansas that he was going to discuss him today and ask unanimous consent to include in his remarks a part of the personal correspondence of the gentleman from Kansas?

Mr. McGRANERY. I saw no reason to before I came on the floor and I see no reason to now. This is correspondence between the two. It speaks for itself. Ordinarily, I would have called the

gentleman and told him what I was going to do but in his letter of June 24 he told Mr. Rosenbaum to publish the correspondence and he stated further that he may put them all in the CONGRESSIONAL RECORD himself.

Mr. MICHENER. I was just following the custom. I shall not object.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McGRANERY. The correspondence speaks for itself and, in my opinion, demonstrates a spirit of fairness and patience on the part of Mr. Rosenbaum, which is exemplary, but I regret to say, notwithstanding this, the gentleman from Kansas [Mr. LAMBERTSON] persisted in refusing to correct the record—which compels me to take this time to do so in the interest of justice and fair play.

The correspondence is as follows:

PHILADELPHIA, *May 31, 1941.*

WILLIAM PURNELL LAMBERTSON,
House of Representatives Office Building, Washington, D. C.:

You are reported in CONGRESSIONAL RECORD, page 4449, as stating that as head of WFIL I denied time to Charles Lindbergh. This is not true. Fact is that instead of selling him time I offered him time free, and he accepted it and used it, and WFIL broadcast his speech on equal terms in every respect with facilities offered the other side. No doubt you will rectify the incorrect statement you made.

SAMUEL R. ROSENBAUM.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 3, 1941.

Mr. SAMUEL R. ROSENBAUM,
% Radio Station WFIL,
Philadelphia, Pa.

DEAR MR. ROSENBAUM: Your wire has been received. I am glad to know that I was mistaken. I thing I followed the press notices, though, and they must have been mistaken. I believe my statement referred to the denial of the time for advertising the meeting. I was in Philadelphia the night of the meeting and I heard that his speech was carried over your station. If I was wrong in my original statement against press releases I shall correct it.

Sincerely,

W. P. LAMBERTSON.

WFIL BROADCASTING CO.,
Philadelphia, Pa., June 4, 1941.

The Honorable W. P. LAMBERTSON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: I do not claim any particular virtue for broadcasting Colonel Lindbergh's speech. I think it was only the proper thing to do. I am one of those who believe that freedom of utterance by radio is one of the fundamental American liberties. It so happens I did not agree with the colonel, and I knew that when I offered him the time.

So come along now and be a good sportsman and admit there are some radio stations that feel they have an obligation to give both sides fair play, and we think we are one of them.

However, I am really not trying to get a free ad from you, so I leave it to you to do it in your own way and in your own time. In fact, I would rather claim the credit for radio as an industry than for myself for my own station.

Cordially yours,

SAMUEL R. ROSENBAUM, *President.*

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 5, 1941.

Mr. SAMUEL R. ROSENBAUM,
President, WFIL Broadcasting Co.,
Philadelphia, Pa.

DEAR MR. ROSENBAUM: I think it was fine of you to broadcast Lindbergh's speech, even if you differed with it, but it wouldn't be much of America if you did't do that. I don't have this quite clear, but still I think I was right in my first criticism when your station and another one denied the announcement of the advertising preliminary to the Lindbergh meeting. I think you were quoted as saying that you were out of town; but it was true, I believe, that your station refused them advertising time. If I am wrong in that, please correct me.

Sincerely,

W. P. LAMBERTSON.

WFIL BROADCASTING CO.,
Philadelphia, Pa., June 11, 1941.

Hon. W. P. LAMBERTSON,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: I gather from your letter of June 5 you have some hesitation about accepting our assurance that there was no fair basis for your use of my name in your criticism. This, I think, is ungenerous on your part.

On page 4449 of the CONGRESSIONAL RECORD you said: "Samuel R. Rosenbaum, the head of WFIL, also denied him time." This is definitely not true. On the contrary, I gave the Lindbergh meeting, free of charge, not only the actual broadcast of the speech, including the time and the cost of wire lines for the pick-up, but also preliminary announcements free of charge in advance of the meeting calling attention to it.

The Lindbergh meeting was treated on exactly the same terms in every respect as the LaGuardia meeting with regard to both preliminary spot announcements and the broadcasting of the speech.

Therefore it is true that I refused to sell either the time or the announcements, but I gave them both free of charge.

Do you think this justifies the statement you made? You say to me I would not be much of an American if I didn't do what I did. I am sure you are equally as good an American and will correct a wrong impression to which you have given utterance, now that you have the facts.

Again I say I do not claim special or personal credit for myself or my station; I am sure every other station would have handled the matter in the same way if asked to; it just happens that I thought of it first. I agree with you it was the right thing to do.

Faithfully yours,

SAMUEL R. ROSENBAUM,
President.

WFIL BROADCASTING CO.,
Philadelphia, Pa., June 18, 1941.

Hon. W. P. LAMBERTSON,
House of Representatives,
Washington, D. C.

DEAR MR. LAMBERTSON: I have received no reply from you to my last letter giving you full and factual reply to your inquiry. I do not think it is quite fair of you to let the matter drop in this way.

I would appreciate hearing from you as to whether you will say or do something to correct the misstatement which you probably made without intention, or whether you would prefer that I give out my correspondence with you. For the latter course, I would prefer to have your permission.

Faithfully yours,

SAMUEL R. ROSENBAUM,
President.

WFIL BROADCASTING CO.,
Philadelphia, Pa. June 23, 1941.

Hon. W. P. LAMBERTSON,
House of Representatives,
Washington, D. C.

DEAR MR. LAMBERTSON: With regret I conclude from your failure to reply to my last letter that you choose to ignore it. Therefore, I feel at liberty to give out our correspondence.

Congressman, if you were born a bigot, that is your misfortune. It is worse to be a poor sportsman. That is a shortcoming I hope Americans will never condone.

Yours,

SAMUEL R. ROSENBAUM,
President.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 23, 1941.

Mr. SAMUEL R. ROSENBAUM,
WFIL Broadcasting Co.,
Philadelphia, Pa.

DEAR MR. ROSENBAUM: I have your last letter of June 18; I want to call your attention to the fact that you never denied that your station refused to advertise the Lindbergh meeting. That you never denied.

Your refusal was the first thing that brought you publicity and my criticism.

Sincerely,

W. P. LAMBERTSON.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 24, 1941.

Mr. SAMUEL R. ROSENBAUM,
President, WFIL Broadcasting Co.,
Philadelphia, Pa.

DEAR MR. ROSENBAUM: I guess our letters crossed yesterday. You got a little dirty in this one today. Maybe you didn't want to answer that question of mine about your station's denying Lindbergh publicity. When public sentiment got so strong that you thought you had to broadcast the speech, you accepted it to cover up your bigotry. In the first instance you weren't man enough to stand up and take the blame—you said you were out of town.

Print this along with your other letters. I may put them all in the CONGRESSIONAL RECORD myself.

Sincerely,

W. P. LAMBERTSON.

WFIL BROADCASTING CO.,
Philadelphia, Pa., June 24, 1941.

Hon. W. P. LAMBERTSON,
House of Representatives,
Washington, D. C.

DEAR MR. LAMBERTSON: Your letter of June 23d shows that you possess neither fairness nor good sportsmanship.

You say I never denied that WFIL refused to advertise the Lindbergh meeting. I have denied it, and I do deny it.

If you will read my letter of June 11 you will see I denied it to you, and your repetition of the statement that WFIL refused to advertise the Lindbergh meeting is a willful, stubborn, and malicious or ignorant, blind, and stupid distortion, misstatement, falsity, and perversion.

I assert that you are abusing and crawling behind your congressional immunity. I invite you to come out from behind it and acknowledge like a man and an American, if you are one, that you have made a mistake or worse.

As I wrote you yesterday, I now feel at liberty to give out our correspondence.

Yours,

SAMUEL R. ROSENBAUM,
President.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. McGRANERY. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. It seems to me to be very regrettable that the gentleman from Kansas refused to correct what obviously is an injustice not only to the gentlemen to whom the gentleman has referred but also to the citizens of a great State of the Union. It seems to me the remarks of the gentleman from Kansas at that time were intended to promote disunity at a time when we should have every effort made to promote unity and not stir up emotions which are perhaps engendered by racial feelings.

Mr. McGRANERY. I thank the gentleman for his contribution.

The vicious innuendos contained in the remarks of the gentleman from Kansas are what prompted me to make this statement.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 4 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, on February 17, 1941, I introduced in the House a bill known as H. R. 3397. The simple purpose of this bill was to carry out the promise made to the men of the National Guard and the selective-service men when they were called into service.

I believe it is safe to say that every Member of this Congress believed when we passed the National Guard bill and the Selective Service Act that we were extending to these men all the benefits provided for under all Federal laws for injury, disability, and death in training and service of their country.

However, later developments have proven that there was a loophole in this action, and that instead of giving all the benefits provided for under law the Congress inadvertently omitted the 6 months' death-gratuity pay given to the men and officers of the Regular Army. This is provided for under the act of December 17, 1919, and provides that when any officer or enlisted man of the Regular Army dies in line of duty his dependent is entitled to an amount of money equal to 6 months' pay. The act excludes any but members of the Regular Army from such benefits.

While the National Guard and Selective Service Acts provided that they "shall be in all respects entitled to receive the same pensions, compensation, retirement pay, and hospital benefits" as are those in the Regular Army, the rulings of the Comptroller General, the courts, and the Judge Advocate General of the Army hold that the 6-month gratuity death pay is not within the provisions of the law. This is because the gratuity benefits are not paid to the soldier but to his beneficiary.

The inequities of such a situation are obvious. Those men who leave civilian life to serve their country in this crisis, in whatever branch of the service, are entitled to at least as much consideration and protection for their dependents as are the Regular components of the service.

One particularly glaring inequity of the situation might be this: Two brothers might be called under the Selective Service Act. One perhaps could be assigned to a Regular Army unit and the other to a National Guard unit. The one who, by chance, was assigned to the Regular Army would become, under the act, entitled to the protection of his dependents through the 6-month gratuity pay in case he died in service. The other, assigned to the National Guard, would be denied this.

Since the Military Affairs Committee of the House has failed to act on this important legislation, the Senate has already considered and passed S. 1060, in almost the identical language of my bill, and that legislation is now before the House Military Affairs Committee.

No one can doubt that this legislation, already passed by the Senate, would pass the House on unanimous consent if the Military Affairs Committee will report it favorably. It has a favorable report from the Secretary of War, and I know of no objection to its passage.

I also realize the tremendous pressure that has been placed upon the House Military Affairs Committee through emergency legislation in this crisis. But I believe firmly that this is emergency legislation also, and that the House should correct at the earliest possible date this situation.

In the light of legislation soon to be considered by the House for the continuing service of the National Guard in Federal service beyond their 1-year period, I certainly feel that this body should at this time pass S. 1060 before considering future acts.

The wording of the bill is simple and merely provides that these benefits, provided for in the act of August 30, 1935, as amended by section 5 of the act of April 3, 1939, and by the act of July 25, 1939, be amended by adding the following: "including for their dependents the benefits of the act of December 17, 1919, as amended."

I have endeavored to make a careful check with the Veterans' Bureau and with the Judge Advocate General's Department of the Army to determine if this will put all members of our armed services on a par in benefits guaranteed to them under the law. They advise me that with this slight correction all inequities now existing will be corrected and that those men who give their lives in this crisis will secure for their dependents at least a small measure of help for those they leave behind.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I had a special order for July 1. The House was not in session and I therefore ask unanimous consent that on Tuesday next, after the disposition of business on the Speaker's desk, following the legislative program of the day, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were signed by the Speaker during the adjournment of the House:

H. R. 531. An act to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes";

H. R. 2074. An act to amend section 353 (b) of the Communications Act of 1934, as amended;

H. R. 2475. An act to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy;

H. R. 3191. An act to amend the act entitled "An act to make unlawful the transportation of convict-made goods in interstate commerce, and for other purposes," approved October 14, 1940;

H. R. 3857. An act authorizing the construction of a crypt for the remains of Gutzon and Mary Borglum;

H. R. 4224. An act relating to the manning of certain vessels of 500 gross tons and less;

H. R. 4225. An act relating to the manning of certain sail vessels;

H. R. 4258. An act to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States;

H. R. 4359. An act authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Lizzie Smith;

H. R. 4658. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 4841. An act to establish a National Archives Trust Fund Board, and for other purposes;

H. R. 4903. An act to authorize the Secretary of the Treasury to exchange certain land owned by the United States for a site for a road right-of-way needed for access to the Coast Guard Light Station Reservation, Au Sable, Mich.;

H. R. 4988. An act to amend section 2 of the act of August 27, 1935, as amended;

H. R. 5166. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes; and

H. J. Res. 22. Joint resolution authorizing the Secretary of War to convey certain lands to the State of West Virginia.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1304. An act granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across the Tug Fork of Big Sandy River near Nolan, Mingo County, W. Va.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, bills

and a joint resolution of the House of the following titles:

On July 1, 1941:

H. R. 5166. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes.

On July 3, 1941:

H. R. 531. An act to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes";

H. R. 2074. An act to amend section 353 (b) of the Communications Act of 1934, as amended;

H. R. 2475. An act to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy;

H. R. 3191. An act to amend the act entitled "An act to make unlawful the transportation of convict-made goods in interstate commerce, and for other purposes," approved October 14, 1940;

H. R. 3857. An act authorizing the construction of a crypt for the remains of Gutzon and Mary Borglum;

H. R. 4224. An act relating to the manning of certain vessels of 500 gross tons and less;

H. R. 4225. An act relating to the manning of certain sail vessels;

H. R. 4258. An act to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States;

H. R. 4359. An act authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Lizzie Smith:

H. R. 4658. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 4841. An act to establish a National Archives Trust Fund Board, and for other purposes;

H. R. 4903. An act to authorize the Secretary of the Treasury to exchange certain land owned by the United States for a site for a road right-of-way needed for access to the Coast Guard Light Station Reservation, Au Sable, Mich.;

H. R. 4988. An act to amend section 2 of the act of August 27, 1935, as amended; and

H. J. Res. 22. Joint resolution authorizing the Secretary of War to convey certain lands to the State of West Virginia.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, at 12 o'clock and 59 minutes p. m., the House adjourned to meet (in accordance with its previous order) on Monday, July 7, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings at 10 a. m., on the following dates, on the bills named:

Tuesday, July 8, 1941:

H. R. 84. To extend the benefits of the United States Public Health Service to fishermen, and for other purposes.

H. R. 5051. To extend the benefits of the United States Public Health Service to fishermen, and for other purposes.

H. R. 5130. To extend the benefits of the United States Public Health Service to fishermen, and for other purposes.

Tuesday, July 15, 1941:

H. R. 3361. To provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of this committee at 10:30 a. m. Wednesday, July 9, 1941, for the consideration of private bills.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 2472, entitled "A bill to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who became disabled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes," and H. R. 3257, entitled "A bill to increase and equalize the pensions of those persons disabled as the result of service in the Army, Navy, Marine Corps, and Coast Guard." The hearings will be held Thursday, July 10, 1941, at 10:30 a. m., in room 247, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

697. A letter from the Chairman, Board of Governors, Federal Reserve System, transmitting the Twenty-seventh Annual Report covering operations during the calendar year 1940; to the Committee on Banking and Currency.

698. A letter from the Secretary of War, transmitting a report of contracts awarded under the act of March 5, 1940; to the Committee on Military Affairs.

699. A letter from the Secretary of War, transmitting a report of contracts awarded under the act of March 5, 1940; to the Committee on Military Affairs.

700. A letter from the Secretary of the Navy, transmitting a report of contracts awarded under the act of March 5, 1940; to the Committee on Military Affairs.

701. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 29, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of channel from Puget Sound into Lake Crockett, Wash., with a view to determining if it is advisable to improve the area known as Keystone Harbor in any way, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 29, 1940 (H. Doc. No. 303); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

702. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 31, 1941, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Yaquina River and tributaries, Oregon, authorized by the Flood Control Act approved June 22, 1936, and by act approved July 1, 1935 (H. Doc. No. 304); to the Committee on Flood Control and ordered to be printed, with two illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLAND: Committee of conference on the disagreeing votes of the two Houses. H. R. 4700. A bill to provide for priorities in transportation by merchant vessels in the interests of national defense; without amendment (Rept. No. 895). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 5095. A bill to set aside certain lands in Oklahoma for the Cheyenne-Arapaho Tribes of Indians; without amendment (Rept. No. 896). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 4261. A bill for the acquisition of Indian lands for the Central Valley project, and for other purposes; without amendment (Rept. No. 897). Referred to the Committee of the Whole House on the state of the Union

Mr. BURCH: Committee on the Post Office and Post Roads. H. R. 965. A bill to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof; with amendment (Rept. No. 898). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURCH: Committee on the Post Office and Post Roads. H. R. 4210. A bill to adjust the salaries of rural letter carriers; with amendment (Rept. No. 899). Referred to the Committee of the Whole House on the state of the Union.

Mr. FORAND: Committee on the Post Office and Post Roads. H. R. 2077. A bill relating to the classification of substitute driver-mechanic in the Postal Service; without amendment (Rept. No. 900). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLEBERG: Committee on Agriculture. H. R. 5204. A bill authorizing the charging of fees for brand inspection under the Packers and Stockyards Act, 1921, as amended; with amendment (Rept. No. 901). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GWYNNE:

H. R. 5229. A bill to permit the United States to be made a party defendant in certain cases; to the Committee on the Judiciary.

By Mr. JONKMAN:

H. R. 5230. A bill to amend section 216 of part II of the Interstate Commerce Act, as amended, to give shippers the right to designate the routing of shipments by motor vehicle in certain cases; to the Committee on Interstate and Foreign Commerce.

By Mr. KOPPLEMANN:

H. R. 5231. A bill to protect cooperative associations of producers of dairy products against unfair methods of competition and unfair and deceptive acts or practices in commerce or which affect commerce; to authorize cooperative associations of producers of dairy products to bargain jointly for the more effective marketing of their products; to authorize cooperative associations of producers of dairy products to organize and become members of milk producers' bargaining agencies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Mr. RANKIN of Mississippi:

H. R. 5232. A bill to provide for a quinquennial census of industry and business and for the collection of current statistics

by the Bureau of the Census; to the Committee on the Census.

By Mr. SHAFER of Michigan:

H. R. 5233 (by request). A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to assist persons in military service to pay storage charges on household goods and personal effects placed in storage by reason of such military service; to the Committee on Military Affairs.

By Mr. SUMNERS of Texas:

H. R. 5234. A bill to amend the Judicial Code in respect to the jurisdiction of the Court of Claims in certain cases; to the Committee on the Judiciary.

H. R. 5235. A bill making applicable to all lands or premises subject to the partial, concurrent, or exclusive jurisdiction of the United States, the law of the State within the exterior boundaries of which such land or premises is situated, pertaining to the recovery of damages for injury or death by wrongful act or omission; to the Committee on the Judiciary.

By Mr. BUCKLER of Minnesota:

H. R. 5236. A bill granting pensions and increase of pensions to certain soldiers, sailors, and marines who served in the Pulajane and Moro campaigns and other uprisings in the Philippine Islands from July 16, 1903, to December 31, 1913, and for other purposes; to the Committee on Pensions.

By Mr. ANDERSON of New Mexico:

H. R. 5237. A bill granting the consent of Congress to an amendment to the Constitution of the State of New Mexico, providing a method for executing leases for grazing and agricultural purposes on lands granted or confirmed to the State of New Mexico by the act of Congress approved June 20, 1910; to the Committee on the Public Lands.

By Mr. SAUTHOFF:

H. J. Res. 205. Joint resolution to make available to Members of Congress testimony and records of proceedings in the trial by court martial of the late Gen. William Mitchell; to the Committee on Military Affairs.

By Mr. COX:

H. Res. 258. Resolution directing the Attorney General to transmit to the House of Representatives certain data in the possession of the Department of Justice relating to subversive activities on the part of persons holding office under the United States; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Missouri, memorializing the President and the Congress of the United States to consider their House Resolution No. 176, relative to the limitations upon the production of oil during the present unlimited emergency; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARTER:

H. R. 5238. A bill for the relief of Willard Whiting; to the Committee on Claims.

By Mr. CLUETT:

H. R. 5239. A bill granting an increase of pension to Elizabeth Yates; to the Committee on Invalid Pensions.

By Mr. WEST:

H. R. 5240. A bill for the relief of the estate of Emet B. Huntsman; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1575. By Mr. BEAM: Resolution adopted by the City Council of Chicago, Ill., relative to the St. Lawrence seaway project; to the Committee on Rivers and Harbors.

1576. By Mr. JARRETT: Petition of Thelma Smith, secretary of the Church Society, and other members of the Methodist Church, of Mercer, Pa., urging passage of Senate bill 860 and House bill 2475; to the Committee on Military Affairs.

1577. Also, petition of Della M. Ewings and other residents of Warren County, Pa., urging passage of House bill 2475; to the Committee on Military Affairs.

1578. Also, petition of Mrs. Norman K. Beals, of Franklin, Pa., urging passage of Senate bill 860 and House bill 2475; to the Committee on Military Affairs.

1579. By Mr. LUTHER A. JOHNSON: Memorial of Dr. Frank L. Wear, president, Trinity University, Waxahachie, Tex., favoring Senate bill 1504; to the Committee on Military Affairs.

1580. By Mr. KRAMER: Petition of the California State Federation of Federal Employees Union, assembled in Santa Monica, Calif., endorsing House bill 3487, a measure providing for optional retirement after 30 years of service or at the age of 60 years for their employees; to the Committee on the Civil Service.

1581. By Mr. MUNDT: Petition of sundry citizens of Huron City and Brown County, S. Dak., asking Congress to favorably consider House bill 1036, known as the Townsend National Recovery Act; to the Committee on Ways and Means.

1582. Also, petition of certain citizens of the city of Aberdeen and of Brown County, S. Dak., asking Congress to favorably consider House bill 1036, known as the Townsend National Recovery Act; to the Committee on Ways and Means.

1583. Also, petition of certain citizens of the city of Pierre and Hughes County, S. Dak., asking Congress to favorably consider House bill 1036, known as the Townsend National Recovery Act; to the Committee on Ways and Means.

1584. By Mr. ROLPH: Senate Joint Resolution No. 25 of the State of California, relative to proposed merit system for county welfare activities; to the Committee on Ways and Means.

1585. By Mr. WOLCOTT: Petition of Charles R. Stevens and 10 others, opposing House bill 3852; to the Committee on the District of Columbia.

1586. By the SPEAKER: Petition of the State of New York Liquor Authority, New York, petitioning consideration of their resolution with reference to Senate bill 860, relative to the sale of alcoholic liquors; to the Committee on Military Affairs.

SENATE

MONDAY, JULY 7, 1941

(Legislative day of Thursday, July 3, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, delivered the following prayer:

Almighty and most gracious God, who didst give this fair Land to our fathers, and of their sons hast fashioned a mighty Nation: Vouchsafe, we beseech Thee, to prosper with Thy blessing her every endeavor for Thy Kingdom, and to continue Thy merciful protection upon her, that the people of America, mindful of Thy gracious providence, may show forth their thankfulness in a loving obedience to Thy laws.

And grant, O Heavenly Father, that those who serve our Nation here may set Thy Holy Will ever before them, doing that which is well pleasing in Thy sight, and persevering in Thy service until the end. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, July 3, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on July 3, 1941, the President had approved and signed the following acts:

S. 178. An act authorizing the Secretary of the Interior to issue oil and gas leases on certain lands; and

S. 1246. An act to amend section 2 of the act of April 3, 1939 (53 Stat. 556), so as to make its provisions applicable to personnel of all components of the Army of the United States.

LAWS OF PUERTO RICO

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying document, referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Puerto Rico, and for other purposes," I transmit herewith certified copies of laws enacted by the first regular session of the fifteenth Legislature of Puerto Rico, February 10 to April 15, 1941.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 7, 1941.*

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

REPORT OF THE FEDERAL RESERVE SYSTEM

A letter from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Twenty-seventh Annual Report of the Board of Governors of the Federal Reserve System covering operations for the year 1940 (with an accompanying report); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

Petitions of sundry citizens of the United States praying that the United States keep

out of foreign war; to the Committee on Foreign Relations.

Letters in the nature of petitions from several citizens of the United States, praying that the United States keep out of foreign war and refuse to extend armed aid to Russia; to the Committee on Foreign Relations.

A postal card from Hyman Water, of New York City, N. Y., relative to amendment of the selective-service law; to the Committee on Military Affairs.

A letter in the nature of a memorial from Mrs. R. Bright, of Louisville, Ky., remonstrating against the induction of young men of 18 years of age into the Army; to the Committee on Military Affairs.

A resolution adopted by Americans of Japanese ancestry in mass meeting assembled under the auspices of the Oahu Citizens' Committee for Home Defense, Honolulu, T. H., reaffirming their unreserved loyalty to the United States of America (with accompanying papers); to the Committee on Military Affairs.

A letter in the nature of a petition from Mrs. Elma Knight, widow of Moses Knight, of Lebanon, Mo., praying for the enactment of legislation granting her a pension; to the Committee on Pensions.

Petitions of sundry citizens of the States of Iowa, Missouri, Nebraska, and Texas, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

By Mr. TYDINGS:

Petitions of sundry citizens of the State of Maryland and the District of Columbia, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

By Mr. NORRIS:

A memorial of sundry citizens of Scotts Bluff County, Nebr., remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A petition of sundry citizens of Scotts Bluff County, Nebr., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

A memorial of sundry citizens of Dodge City, Kans., remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Petitions of sundry citizens of McPherson, Plains, Topeka, Washington, and Wichita, in the State of Kansas, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

By Mr. VANDENBERG:

A petition of sundry citizens of Schoolcraft County, Mich., praying for the enactment of the bill (S. 1131) to safeguard and protect the public interest through the creation of conditions under which the remaining uncut stands of timber of the hemlock hardwood types in the northern parts of the States of Michigan and Wisconsin can be conserved and utilized in orderly and constructive ways which will perpetuate the economic and social potentialities of the forest resources and establish the best practicable balance between the current needs and future requirements of the people, industries, and communities of the regions in which such forest resources are situated and of the remainder of the United States, and for other purposes; to the Committee on Agriculture and Forestry.

A resolution of the Board of Supervisors of Gogebic County, Mich., favoring the enactment of legislation looking toward the construction of the Au Train Canal connecting Lake Superior and Lake Michigan; to the Committee on Commerce.

Resolutions of the board of directors of the Michigan Real Estate Association; the Exchange Club, of Pontiac; the Detroit-Strathmoor Kiwanis Club, of Detroit; the Lincoln Park Exchange Club, of Lincoln Park; the Strathmoor Business Association, of Detroit; and the Belgian-American Businessmen's Association, of Detroit, all in the State of Michigan, favoring the enactment of legislation for the development of the St. Lawrence River; to the Committee on Commerce.

A petition of sundry citizens of Detroit, Mich., praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

A memorial of sundry citizens of Detroit, Mich., remonstrating against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTION OF SENATE OF CALIFORNIA—SEPARATE INCOME-TAX RETURNS BY SPOUSES IN REFERENCE TO COMMUNITY INCOME

Mr. JOHNSON of California. I ask leave to have printed in the RECORD and appropriately referred Resolution No. 148, adopted by the Senate of the Legislature of the State of California, relating to the proposed new tax law.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, under the rule, as follows:

Senate Resolution 148

Resolution relative to memorializing the President and Congress against the passage of legislation to prohibit the filing of separate income-tax returns by spouses in reference to community income

Whereas there is now pending before the Congress of the United States a bill to prohibit a wife from filing a separate income-tax return on her share of community-property income and taking the credits and deductions thereon to which she is now legally entitled; and

Whereas this represents a fundamental change in our Federal income-tax policy and in the States where community-property laws are in effect would contravene the well-established principle that a wife has a vested right in community property equal to that of her husband; and

Whereas the change contemplated would result in a disproportionate increase in the taxes of those persons affected throughout the country, including California; would constitute a very material increase over the increase imposed on taxpayers in non-community-property States; and would disregard the fact that the taxpayers of this State are carrying one of the largest per capita tax loads in the Nation; and

Whereas to make this change at the present time would be to place an unconscionable burden upon the citizens of California who have been carrying their full share of the normal costs of Government and the national-defense program: Now, therefore, be it

Resolved by the Senate of the State of California, That the people of the State of California hereby register an emphatic protest against the passage of the bill now pending in Congress to which this resolution relates; and be it further

Resolved, That the secretary of the senate forward a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Member of the House of Representatives from California in the Congress of the United States.

WHEAT-LOAN QUOTA PLAN

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter written by me to Willard R. Brown, of Emmett, Kans., with respect to the injustice which has been done to a large number of Kansas wheat growers through the imposition of the marketing penalty of 49 cents per bushel as part of the wheat-loan-quota program for the present wheat-marketing year. I am in favor of prompt action to correct this unfortunate situation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 3, 1941.

WILLARD R. BROWN,
Emmett, Kans.

FRIEND BROWN: I have read with deep and sympathetic interest your letter in regard to the injustice done to you as a wheat grower through imposition of the marketing penalty as part of the wheat-loan quota program for the present wheat-marketing year.

I am very sorry that the wheat-marketing quota and penalty in many instances are working serious hardships on wheat growers. I think the 49-cent penalty is an injustice to wheat growers, because they were not informed of the rule at planting time.

Congressman ED REES, of Kansas, has introduced a bill to restore the 15-cent penalty on this year's crop. I think that under the circumstances this is a fair proposition. It will have my support.

I have called the attention of the Department of Agriculture to these numerous complaints I have received and have urged that some kind of an adjustment be worked out for the benefit of the growers who did not have information in time to protect themselves against what seems like too severe a penalty. I am also bringing the matter to the attention of the Senate Committee on Agriculture and will see whether anything can be done in behalf of growers like yourself.

It is true, as you say, that the crop had been planted—was practically ready for harvest—before full information was given by the Government as to the terms of the program. That is a good reason why there should be an adjustment of some kind.

I think several of the regulations issued by the Department before, and especially after, the referendum were unfair. This Congress had nothing to do with these, however.

It is fortunate that the program is for 1 year only. We don't have to take it again next year if we don't want it.

Under the new loan quota act passed this spring by the Congress, wheat growers were given a choice of two courses of action for this one marketing year:

1. Have the Government sustain wheat market prices by making loans at 85 percent of parity (98 cents a bushel average farm-loan value), growers to take marketing quotas, including penalty of one-half loan value (49 cents a bushel) on wheat produced on acreages in excess of allotted acreages; or

2. Go through the marketing year without either price-sustaining loans or marketing quotas and penalties.

The decision was left to farmers growing wheat normally on 15 or more acres; smaller acreages are not subject to quotas, nor were these farmers entitled to vote in the referendum.

I presume that the 4-to-1 majority in favor of the loans and quotas cast May 31 was the result of growers as a whole feeling that the price effect of the loans would considerably more than offset the losses from penalties on excess wheat.

The wheat situation is something like this, according to my best information: Prospective United States wheat crop, 1941, is 900,000,000 bushels. Carry-over is about 400,000,000 bushels. Total marketable supply for marketing year 1941–42 is around 1,300,000,000 bushels; no foreign market in sight. Argentina has surplus wheat. Canada had enough wheat on hand without counting this year's crop to supply herself and Britain for 2½ years.

The United States market for this 1,300,000,000 bushels of marketable wheat is about 650,000,000 bushels. A decade ago, with not so large a surplus—and with some export market, not much—wheat on Kansas farms dropped to 23 cents a bushel when the support of the Farm Board loans was withdrawn.

I am assuming this is the reason why the wheat growers in the referendum voted 4 to 1 in favor of loans and quotas as the lesser of the two evils confronting wheat growers this year.

Like you—like all of us, I guess—I wish that everyone could grow as much wheat as his land would stand, and sell it at a fair price. I don't like a farm program based on scarcity. I don't know anyone that does. The whole system of scarcity production is very repugnant to me—always has been.

But you know as well as I do—probably better—that you must produce wheat for profit or ultimately go out of business, and when there is a huge surplus of wheat on hand, or in sight, you know that price of wheat goes down—sometimes down and down and down. We faced that situation in the late twenties and the early thirties. We face it again today—have faced it for some time. The price has been sustained by Government loans. In 1930, under the Farm Board, the price was sustained by Government loans, without any attempt to control production or marketing. The crash that followed when the Farm Board loans were withdrawn was very disastrous. Not very many seriously propose that we do the Farm Board over again. We are going to have to work this wheat problem out by trial and error—if we can work it out at all.

A word about the changes in loan value and penalty:

If marketing quotas had been in effect the past marketing year, loan value was 64 cents and penalty would have been 15 cents—the penalty 49 cents below the loan value. Under the present act, in effect for 1 year only, the loan value is 98 cents, the penalty 49 cents—penalty again 49 cents below loan value.

In closing, let me assure you I am anxious to do everything I possibly can to help the wheat growers of Kansas. I realize that conditions have not been favorable to our wheat producers for several years. I want to see them get fair prices for every bushel they produce, and I promise you my best efforts in that kind of a program.

Cordially yours,

ARTHUR CAPPER.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TYDINGS, from the Committee on Territories and Insular Affairs:

H. R. 93. A bill to authorize the Legislature of the Territory of Alaska to create a public corporate authority to understake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes; without amendment (Rept. No. 504).

By Mr. MEAD, from the Committee on Civil Service:

H. R. 1618. A bill to amend the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; without amendment (Rept. No. 505).

By Mr. SCHWARTZ, from the Committee on Pensions:

S. 138. A bill granting a pension to Mary Jane Blackman; without amendment (Rept. No. 506);

H. R. 439. A bill granting a pension to Martha Pace; without amendment (Rept. No. 509); and

H. R. 1268. A bill to repeal the provision of law granting a pension to Elizabeth Lively; without amendment (Rept. No. 510).

By Mr. SCHWARTZ, from the Committee on Claims:

S. 1667. A bill for the relief of Mike Chetkovich; without amendment (Rept. No. 507);

S. 1709. A bill conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgment upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. and W. Motor Lines, Inc.; without amendment (Rept. No. 508).

By Mr. SCHWARTZ, from the Committee on Mines and Mining:

H. R. 3019. A bill to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917 (40 Stat. 385); with amendments (Rept. No. 511).

By Mr. MALONEY, from the Committee on Immigration:

S. 1071. A bill authorizing the naturalization of Nasli M. Heeramaneck; with an amendment (Rept. No. 512);

S. 816. A bill for the relief of John Horvath; without amendment (Rept. No. 514);

S. 1161. A bill for the relief of Cecilia Pitt; without amendment (Rept. No. 515);

S. 1216. A bill for the relief of Henry (Heinz) Gabriel; without amendment (Rept. No. 516);

H. R. 814. A bill for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil; without amendment (Rept. No. 513); and

H. R. 1577. A bill for the relief of Severiana Maria Rodrigues de Caceres; her sister, Irene Hernandez de Texada; and the latter's daughter, Irene Hernandez de Texada; without amendment (Rept. No. 517).

By Mr. HERRING, from the Committee on Immigration:

S. 314. A bill for the relief of certain Basque aliens; without amendment (Rept. No. 518); and

S. 867. A bill for the relief of Antonio or Anthony Maurin; without amendment (Rept. No. 519).

By Mr. BURTON, from the Committee on Immigration:

S. 1099. A bill for the relief of Leslie Charteris (Leslie Charles Bowyer Yin) and Patricia Ann Charteris; with an amendment (Rept. No. 520).

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on July 3, 1941, that committee presented to the President of the United States the enrolled bill (S. 1304) granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across the Tug Fork of Big Sandy River, near Nolan, Mingo County, W. Va.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MEAD:

S. 1721. A bill for the relief of Joseph T. Kemmerer; to the Committee on Claims.

By Mr. ANDREWS:

S. 1722. A bill for the extension of admiralty jurisdiction; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 1723. A bill to provide for the establishment of a Federal toll road board and commissions authorized to construct, maintain, and operate toll roads, bridges, tunnels, and other facilities required for the development of a practical system of toll roads integrated with free highways throughout the United States, to provide for the construction of such roads and other facilities as self-liquidating projects in whole or in part; to provide for the financing of the construction of these roads with Federal or other grants, by the use of surplus or other labor, and by the sale of bonds; to authorize the issuance of such toll road revenue bonds and the collection of tolls by the commission; to provide for the construction of such roads and other facilities as may be necessary for the defense of the country and which can also be utilized for the peacetime movement of vehicular traffic; to the Committee on Post Offices and Post Roads.

By Mr. RUSSELL:

S. 1724. A bill for the relief of Mrs. Clifford D. Barber; to the Committee on Claims.

By Mr. WHEELER:

S. 1725. A bill to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.; to the Committee on Indian Affairs.

By Mr. HERRING:

S. 1726. A bill to define the jurisdiction of the Federal Bureau of Investigation with respect to certain crimes against the United States and the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Mr. WALSH:

S. 1727. A bill authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes; to the Committee on Naval Affairs.

ADMISSION AND NATURALIZATION OF ALIENS

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Salina Journal, published at Salina, Kans., written by its editor, Roy F. Bailey. I have known Mr. Bailey for many years. He is one of the outstanding Kansas editors, and his views on any subject are worthy of serious consideration.

In this editorial Mr. Bailey calls attention to something that has been disturbing me for some time—the comparative ease with which an alien, once in the United States, can become a citizen of

the United States. It takes an American-born citizen, as Mr. Bailey points out, 21 years to obtain full citizenship rights. An alien has to reside here only 5 years. And it is becoming apparent that too many of them retain their allegiance to the foreign country from whence they came, despite their formal oath of allegiance to the United States.

I am not prepared to say at this moment what action we should take in this matter, but I do say that the entire matter of admission of aliens, and especially their naturalization, should be carefully reexamined in the light of present world conditions.

In a letter to myself, Mr. Bailey offers a suggestion which I believe is practical and worth careful study by the Congress. Mr. Bailey proposes the following:

What I have in mind is that the law should be changed so that after 5 years the alien should be given temporary papers that could be revoked at any time during the next 5 or 10 years—and, so far as I am concerned, 10 would be better than 5. That is about the same theory that the churches use when they accept converts and put them on probation.

Mr. President, I send the editorial to the desk, and ask unanimous consent that it be printed at this point in the RECORD as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AMERICAN "CITIZENS"

Arrest by the Federal Bureau of Investigation of 32 persons on espionage charges brings sharply to public attention again the necessity of more stringent regulations governing the admission of foreign-born to American citizenship. Twenty-two of the persons arrested by the F. B. I. were German-born, only two were natives of the United States. But al' except two of the foreign-born were naturalized American citizens, and these two had taken out naturalization papers. J. Edgar Hoover, in discussing the arrested, pointed out that the spies acted under instruction from their homeland secret-service leaders to seek citizenship immediately.

The citizenship aspect of this round-up of spies, the biggest in recent United States history, is rather startling. Evidently the ring has been in the process of organization for some time, as 5 years are required to gain citizenship. Also revealed is the fact that a relatively large group of persons have been actively engaged in espionage work against the United States under the protection cloak of citizenship. Undoubtedly there are many others.

But to the average native-born American there is another disturbing angle. It requires 2. years for a native-born person to reach the age at which he can enjoy the full rights of American citizenship. Those are 21 years of education and training in the principles of this democratic Government. A foreign-born person can have the same rights and privileges by living here only 5 years and answering a rather simple list of questions. He does not even have to have more than a casual acquaintance with the English language, and no understanding whatsoever of the full significance of the traditions upon which this Nation is founded.

Many of these persons are in the end good citizens, but the leniency with which the United States grants citizenship invites bad citizens as well and also "fifth column" immigrants who are planted in the United States by foreign nations for the purpose of undermining the American Government.

FOURTH OF JULY ADDRESS BY THE PRESIDENT

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by the President of the United States on July 4 at Hyde Park, and in connection therewith an editorial from the Washington Evening Star, which appear in the Appendix.]

MEMORIAL RESOLUTIONS OF ARKANSAS BAR ASSOCIATION ON THE LATE SENATOR ROBINSON

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the memorial resolutions adopted by the Arkansas Bar Association and presented to the Supreme Court of Arkansas on June 30, 1941, by J. F. Loughborough, which appear in the Appendix.]

SALUTE TO KANSAS—ADDRESS BY SENATOR CAPPER

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address delivered by him on the 3d instant entitled "Salute to Kansas," which appears in the Appendix.]

FOURTH OF JULY ADDRESS BY SENATOR BAILEY AT ASHEVILLE, N. C.

[Mr. VAN NUYS asked and obtained leave to have printed in the RECORD an address entitled "Our Republic: It Must Be Preserved," delivered by Senator BAILEY at Asheville, N. C., July 4, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR PEPPER ON HITLER AND AMERICAN DEMOCRACY

[Mr. PEPPER asked and obtained leave to have printed in the Appendix an address delivered by him on July 4, 1941, at Buffalo, N. Y., on the subject Shall Hitler Destroy Democracy in America? which appears in the Appendix.]

ADDRESS BY SENATOR GUFFEY AT MANHEIM, PA.

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by him on July 5, 1941, on the occasion of the bicentennial celebration of Manheim, Pa., which appears in the Appendix.]

FLAG DAY ADDRESS BY SENATOR McFARLAND

[Mr. PEPPER asked and obtained leave to have printed in the Appendix a Flag Day address delivered by Senator MCFARLAND at Miami, Fla., June 14, 1941, which appears in the Appendix.]

ADDRESS BY THE POLISH AMBASSADOR AT THE PADEREWSKI TESTIMONIAL SERVICES

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD the address of His Excellency Mr. Jan Ciechanowski, Polish Ambassador to the United States, at the Paderewski testimonial services, which appears in the Appendix.]

ADDRESS BY ASSOCIATE JUSTICE DOUGLAS AT SAN FRANCISCO, CALIF.

[Mr. VAN NUYS asked and obtained leave to have printed in the RECORD an address delivered by Hon. William O. Douglas, Associate Justice of the Supreme Court of the United States before the Commonwealth Club at San Francisco, Calif., on June 20, 1941, which appears in the Appendix.]

INDEPENDENCE DAY ADDRESS BY ATTORNEY GENERAL JACKSON

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address delivered by Attorney General Jackson in connection with the Independence Day celebration at Washington, D. C., July 4, 1941, which appears in the Appendix.]

ADDRESS BY EDWARD H. FOLEY, JR., ON CONSTITUTIONAL POWERS OF THE PRESIDENT

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by Edward H. Foley, Jr., general counsel for the Treasury Department, on some aspects of the constitutional power of the President, before the New York Bar Association, Saranac Inn, N. Y., June 27, 1941.]

AMERICANS REDEDICATE THEMSELVES—ADDRESS BY COL. CHARLES H. RUTHERFORD

[Mr. McFARLAND asked and obtained leave to have printed in the RECORD an address delivered July 3, 1941, by Col. Charles H. Rutherford, civilian aide to the Secretary of War, on the subject Americans Rededicate Themselves, which appears in the Appendix.]

AWAKE AMERICA—ADDRESS BY FRED B. TOWNSEND

[Mr. McFARLAND asked and obtained leave to have printed in the RECORD an address delivered on July 3, 1941, by Fred B. Townsend, vice chairman of the Arizona division of the Committee to Defend America, the subject of the address being Awake America, which appears in the Appendix.]

TIME AND T. V. A.—ARTICLE BY ERNEST L. MEYER

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an article by Ernest L. Meyer, entitled "Time and T. V. A.," published in the Progressive of June 28, 1941, which appears in the Appendix.]

FARM COOPERATIVES

[Mr. NORRIS asked and obtained leave to have printed in the RECORD a letter from M. D. Lincoln, secretary of the Ohio Farm Bureau Federation, at Columbus, Ohio, relative to the operation of the farmers' cooperative organizations, which appears in the Appendix.]

LESSON FOR AMERICA—ARTICLE BY PAUL G. HOFFMAN

[Mr. VAN NUYS asked and obtained leave to have printed in the Appendix an article by Paul G. Hoffman, president, Studebaker Corporation, entitled "Lesson for America," published in the Pathfinder of July 5, 1941, which appears in the Appendix.]

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, I am informed that at the last meeting of the Senate it was the understanding that today, at once, following the routine business, the Senate would go into executive session to consider the nomination of Robert H. Jackson to be a member of the Supreme Court of the United States. Therefore I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. TYDINGS, from the Committee on Territories and Insular Affairs:

Jose M. Gallardo, of Puerto Rico, to be commissioner of education of Puerto Rico. (Reappointment.)

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

The VICE PRESIDENT. If there be no further reports of committee, the clerk will state the nominations on the calendar.

ASSOCIATE JUSTICE, SUPREME COURT OF THE UNITED STATES—ROBERT H. JACKSON

The legislative clerk read the nomination of Robert H. Jackson, of New York, to be Associate Justice of the Supreme Court of the United States.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to this nomination?

Mr. TYDINGS. Mr. President, it is perfectly obvious that there is not a quorum in the Chamber. I am reluctant to ask for a quorum, because I am afraid that perhaps one would not be disclosed, and I have no disposition to employ dilatory tactics in the consideration of this nomination.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McNARY. I think the able Senator is entitled to a quorum; I think there is one in the city; and I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Radcliffe
Andrews	George	Reed
Austin	Gerry	Russell
Barkley	Glass	Schwartz
Bone	Guffey	Smathers
Brooks	Gurney	Spencer
Burton	Herring	Stewart
Butler	Hill	Taft
Byrd	Johnson, Calif.	Thomas, Idaho
Byrnes	Lucas	Thomas, Okla.
Capper	McCarran	Thomas, Utah
Caraway	McFarland	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Mead	Van Nuys
Connally	Norris	Walsh
Danaher	Nye	Wheeler
Davis	O'Mahoney	White
Downey	Overton	
Eastland	Pepper	

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senators from North Carolina [Mr. BAILEY and Mr. REYNOLDS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Nevada [Mr. BUNKER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Iowa [Mr. GILLETTE], the Senator from Rhode Island [Mr. GREEN], the Senator from New Mexico [Mr. HATCH], the Senator from Arizona [Mr. HAYDEN], the Senators from Delaware [Mr. HUGHES and Mr. TUNNELL], the Senator from Colorado [Mr. JOHNSON], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. LEE], the Senator from Connecticut [Mr. MALONEY], the Senator from New York [Mr. MEAD], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

Mr. AUSTIN. The Senator from Vermont [Mr. AIKEN], the Senator from Minnesota [Mr. BALL], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from Maine [Mr. BREWSTER], the Senator from Wisconsin [Mr. WILEY], the Senator from Indiana [Mr. WILLIS], and the Senator from New Jersey [Mr. BARBOUR] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent because of the serious illness of his mother.

The Senator from Oregon [Mr. HOLMAN] is absent on public business.

The VICE PRESIDENT. Fifty-eight Senators have answered to their names. A quorum is present.

The question is, Will the Senate advise and consent to the nomination of Robert H. Jackson to be Associate Justice of the Supreme Court of the United States?

Mr. TYDINGS. Mr. President, I should be very much obliged to my colleagues if I might have their undivided attention. I shall not talk exceptionally long unless there be unforeseen interruptions. However, I deem this a matter of such importance that I feel that the Senate should know the complete case, and I shall attempt to relate it.

Opposing one who is nominated for high office such as membership on the Supreme Court of the United States, is not a pleasant task. No man can find pleasure in standing on the floor of the Senate and opposing the confirmation of one nominated to sit on the Supreme Court. I am getting no pleasure out of it. I am approaching the matter merely from a sense of duty, of public obligation, believing it is my duty, with the knowledge of the facts I have, to call to the attention of the Senate of the United States the question of the fitness of Mr. Jackson for this high office.

There is one thing which we can carry with us all through this investigation; there is one thing which stands out in the whole controversy like a lighthouse, and that is that we are agreed on the facts. There is no disputing the facts in the case. The facts I am about to relate are admitted by Mr. Jackson. Therefore, there is not presented by me for the consideration of the Senate a set of facts which are disputed by Mr. Jackson. He has admitted, both in writing and in testimony before the Committee on the Judiciary, that the things I shall relate are the true facts.

What are the facts? Briefly, they are as follows: In the summer of 1939 Messrs. Drew Pearson and Robert Allen, speaking on a Nation-wide radio hook-up, delivered a broadcast, in which broadcast they made reference in the most lurid statements to the criminal conditions in the State of Louisiana. Then coming on down the line, they brought the name of Senator TYDINGS, of Maryland, into the controversy, in the particular language I shall read, which I ask the Senate to remember carefully throughout my remarks. This is the portion of the broadcast I want my colleagues to remember in the light of the other circumstances which I shall reveal.

BOB—

Meaning Robert Allen—

and don't forget Senator TYDINGS, of Maryland, Drew.

DREW. That's right, Bob. Senator TYDINGS has promised us a poke in the eye. I'd forgotten.

ANNOUNCER. Well, what's the Senator sore about?

DREW. Well, we suddenly became interested in checking up on Government works and discovered that the Senator had put through a very interesting little deal. Just to help keep the W. P. A. workers busy, he had them build a road and yacht basin on his private estate.

I read that last sentence again:

Well, we suddenly became interested in checking up on Government works and discovered that the Senator had put through a very interesting little deal. Just to help keep the W. P. A. workers busy, he had them build a road and yacht basin on his private estate.

In other words, Senator TYDINGS used the funds of the Government of the United States for his own private purposes. That is thievery; that is larceny, if you please. I was charged with stealing funds from the unemployed and using them to improve my own property. The word "estate" was used in the broadcast because that made me a little bit more well to do than the word "property," and the idea was to make it as bad as it could be made.

I immediately called up the broadcasting station, for the broadcast had been carried on some 20 stations throughout America, and I understand it was rebroadcast an hour or two later with the reference to me deleted. I do not know whether that is true.

I let the matter drift along until I learned that one of the persons engaged in this broadcast, Robert Allen, had written a letter to Colonel Harrington. The occasion for the letter to Colonel Harrington by Mr. Allen was upon the following circumstance: When I called the attention of those in control of the broadcasting to the fact that the report was, of course, a lie, they immediately got in touch with Colonel Harrington, the head of the W. P. A., and Colonel Harrington wrote to the ones in charge of the broadcasting that this charge had been frequently made by Pearson before, that it had been thoroughly investigated by the W. P. A., and that never had a cent of Government money been spent on the property of Senator TYDINGS. He gave that to Mr. Carlton Smith, the vice president of the National Broadcasting Co., and Mr. Smith put that statement on the radio the week following.

When that happened Mr. Allen then sat himself down and wrote Colonel Harrington a letter in which he took the colonel to task for exonerating me. Let me read the letter from Mr. Allen to Colonel Harrington:

DEAR COLONEL: Your letter to Senator TYDINGS and the National Broadcasting Co. was certainly a gracious action. Of course, we had it coming to us. It was very fitting that we, who had defended and fought for W. P. A. from its inception, should be kicked in the teeth by the W. P. A. Administrator in the interests of a man who has done nothing but heap fire and brimstone on W. P. A. and vote to gut it.

We particularly appreciate your action because you didn't even have the decency to get in touch with us about it or to be frank about it and the real facts of the case. When I was an officer in the Army some years ago, it was the custom for an officer to be a gentleman as well as an officer, but, apparently, times have changed.

Very truly yours,

ROBERT S. ALLEN.

In other words, Mr. Allen was peeved with Colonel Harrington because he, forsooth, had spoken out to prove the statement of Pearson to be an outrageous, unjustifiable, and bold-faced lie, and Mr. Allen said:

What kind of a [illegible] are you to exonerate Senator TYDINGS? You ought to have left the public under the impression that he used the money appropriated for the poor and the unemployed to improve his own private property.

When I heard of that letter, which was express malice—and Senators who are lawyers know the difference between express and implied malice—it occurred to me that the time for action had come, and so I called up Mr. Pine, who was then the district attorney in Washington, first having looked up the law to see what my rights were, and I found that Congress in all its majesty—not the Senate, not the House, not the President, but the House and the Senate and the President together—had enacted a law dealing with such happenings. The law is as follows:

Libel: Whoever publishes a libel shall be punished by a fine not exceeding $1,000 or imprisonment for a term not exceeding 5 years, or both.

That is the law of the United States, Senators, passed by your predecessors in this Chamber and in the Chamber down the hall, and signed, if you please, by the President of the United States.

So having that remedy, and knowing that there was not a scintilla of truth in this libelous statement, I went to the district attorney to exercise my right as a citizen, and asked for the privilege of going before the grand jury of the District of Columbia and asking for a criminal indictment, not only because a libel had been uttered, but because it had been maliciously uttered, and I have the documentary proof in the facsimile letter, the photostat, from Robert S. Allen to prove it.

I know that Senators usually do not adopt that course. It is not pleasant to get into public controversies. The easiest way is to let it go off your back like water. But I thought that when lies—and that is all they were; known to be lies by the utterers—were maliciously uttered, as differentiated from chance remarks written in heat or in passion, the time had come to call a halt. Here let me say, parenthetically, that I am holding the broadcast of Pearson and Allen in my hand, and I want to get down in front where all Senators can see it. These many typewritten pages [indicating] constituted the broadcast. Do not think it was struck off on the spur of the moment. It bristles with corrections made in pen and ink, many corrections, words changed here and there, sentences eliminated, new words put in, but no change in the statement that Senator TYDINGS had stolen Federal funds and used them to improve his own property.

That was not written in the heat of the moment. That was written deliberately in the cold, staccato tone of the typewriter, and then reread for corrections, and copies of it distributed in the National Broadcasting Co.'s office. So do not think this is some chance remark or some rapid bit of writing that was done without due consideration.

When I went to Mr. Pine with this situation he immediately said:

All right, Senator, we will proceed with it.

He said:

I would like the F. B. I. to investigate it if you do not object.

Well—

I said—

I do not see why you want the F. B. I. to investigate it. The W. P. A. have investigated it, but if you feel that the F. B. I. is necessary to your preparation of this case, go ahead and have them investigate it.

And, so Mr. Jackson testifies, the request came up to him as to whether the F. B. I. could be employed, and Mr. Jackson approved the investigation by the F. B. I. He told them to go to it. Representatives of the F. B. I. came to my office, and I turned over to them everything I could think of pertaining to every road that was ever built on my property, gave them all the checks for materials, for contractors, and for what not that had worked on that road. They took them and went all over Philadelphia, where I had bought the tar, and all over my whole county investigating these things. My telephone would ring and a good friend would say, "Do you know, Senator, the F. B. I. are here in Harford County investigating you?" I said, "No, my friend; they are not investigating me. I am asking them to investigate a road matter, and they came to you in the course of that. Oh, I did not know that." From Philadelphia I was called up. "Do you know that the F. B. I. are investigating you?"

How would you, Mr. President, like to be called up by the people in your community and told that the F. B. I. was investigating you, and have them tell each other that Senator JOHNSON, or Senator NORRIS, or Senator AUSTIN, or Senator MCNARY was being investigated by the F. B. I.?

The F. B. I. finally finished their investigation, and what Colonel Harrington had said, namely, that there was not an iota of truth in the charge of Pearson and Allen, the F. B. I. also said. They said:

There has never been a dollar of public money spent on the property of Senator TYDINGS.

Then I thought we would go ahead again. In the meantime Mr. Pine had been promoted to the Federal bench; so I went to see Mr. Curran, the new District Attorney, and incidentally, I shall go again to see him before long, for this matter is not going to stop here on the floor of the Senate today. I went to see Mr. Curran. Mr. Curran said:

Senator, you have a good case and I am all ready to proceed.

That sounded good.

But—

He said—

I have a letter from the Attorney General's Department.

And he pulled open a drawer and read the letter, which is in the RECORD, in which letter the Attorney General ordered him in effect to dismiss the case, although I had not yet had the privilege of appearing before the grand jury. The Attorney General told him to close the case, after he had approved the investigation.

Do Senators think Attorney General Jackson, who says he knew of the investigation and approved it, and knew of the letter closing the case and approved it, acted spontaneously? Why, Senators, if you have a nose on your face or a head on your shoulders, you must know he was reached. More than that by his fiat he set aside the law of the United States of America, passed by the Senate, passed by the House, signed by the President. He said:

Yes, it is true—I have his letter here—you were charged with using public funds on your private estate. Yes, it is true that after Colonel Harrington, the head of the W. P. A., said that was a lie, Mr. Allen showed his malice by giving Colonel Harrington a calldown for telling the truth. Yes, it is true that I then had the F. B. I. investigate this matter, Senator, and your connection with your own property, and they exonerated you. Yes; that is all true; and it is likewise true there is a statute, which you have cited, pertaining to libel, and this case is libel, but just the same, I have ordered the District Attorney not to prosecute it.

Those are the facts. I am not here asking for vindication. I am only a symbol, Mr. President. I have no personal antagonism in the sense it might be assumed I have against Mr. Jackson. I am again only a symbol. I am here trying to uphold a principle, which is the only difference at this very hour between the United States of America and Germany. Ours is a government of laws. Theirs is a government of men. That is why we have appropriated billions and billions of dollars. That is why we have thousands of men in the training camps, because we are determined, we say, to keep this a government of laws and not let it become a government of men. Yet Mr. Jackson by his ipse dixit, by his fiat, wipes out the entire act of Congress, and denies a citizen the right which the law passed in solemn form by the two Houses and signed by the President, gives him.

Mr. BONE. Mr. President, will the Senator yield to me for a question?

Mr. TYDINGS. I yield.

Mr. BONE. I note on page 54 of the document on our desks, in the letter of the Attorney General, he states that this provision respecting libel is in the District of Columbia Code of Laws, and that there are no Federal statutes covering the subject. This statement causes me some confusion. Was it the Senator's idea that the Federal statute applied outside the District?

Mr. TYDINGS. No. This is a bit of special pleading by Mr. Jackson. Mr. Jackson says there is no Federal statute, meaning thereby, of course, that the States make their own libel laws, as the Senator knows; but for the District of Columbia, where there is no State government, the Congress makes the criminal laws. Congress defines the different crimes and penalties therefor, and among them is the provision with respect to libel. Mr. Jackson has no more authority to set it aside than he has to set aside the statute against murder, the statute against arson, the statute against manslaughter, or the statute against rape. They are all in the Criminal Code. He cannot set them aside. His duty is to enforce them.

This broadcast, as I have proved, was deliberate. It was coldly calculated. It was no chance remark. It was made from a manuscript with many corrections in pen and ink. Then the indelible seal of malice was put upon it when Mr. Allen asked Colonel Harrington what he meant by telling the truth and proving that the statements of Pearson and Allen were lies.

I have already read the act of Congress. I digress at this point to ask, Does any Senator doubt that that is the act of Congress; that it is the law of the United States and of the District of Columbia, in which we are living? No Senator will rise and say that that is not the criminal law of this jurisdiction.

What are Mr. Jackson's excuses as to why he wrote the letter to which I have referred? Let us see what a great Supreme Court Justice Mr. Jackson would make with the philosophy which he boldly expresses in his letter. This is his testimony before the committee as to why he told Mr. Curran not to prosecute the case:

Now, I suggested to Senator TYDINGS that he prosecute the case himself; that I did not feel that the Department should enter into feuds which might come up between any Senator or administrative officer and any columnists; that he was at perfect liberty to institute a civil action, and if there was a malicious misstatement, he could get punitive damages for any injury suffered, and if he did not collect after that, then he might have body execution.

In other words, if I should hold up the Senator from Nebraska [Mr. NORRIS] at the point of a gun and rob him of $50——

Mr. NORRIS. That would be impossible. [Laughter.]

Mr. TYDINGS. Well, $25. If I should hold him up in a dark alley and take his money away from him, he should not go to the police or the district attorney to have the criminal apprehended. What he should do would be to sue the robber and get his money back. If he could not obtain damages, he ought to take a club and beat the robber over the head. Is not that an exact analogy? If the father of a family is murdered, the wife, instead of having the criminal law enforced, should enter suit against the robber to recover damages for the loss of her husband's services.

Let me read on. That is only the preface. Mr. Jackson is attempting to tell me what remedy I should employ. Who is Mr. Jackson? I have been taking care of myself for 51 years without either his legal or personal help, and, God willing, I think I shall be able to get along for a considerable time in the future without any of his expedient opinions.

This is what he next says:

Senator TYDINGS said that he did not intend to spend his own money in prosecuting this case and that he had others that he wanted instituted after this one was over—

That is true; and I do not think Jackson can stop me, because he has no more right to interfere with the processes of justice than has the King of Timbuctoo. Yet he has done just that. In Tammany Hall such procedure is known as "getting to the court." We can put men in high places and "doll them up" with high-sounding titles; but the truth is that this case was stopped by the interference of the Attorney General, who conceded every fact which I stated. He had already ordered an investigation of the case before I knew anything about it. Why in the world did he want to have the F. B. I. investigate the case if he did not intend to try it? Why submit the Senator from Texas [Mr. CONNALLY], for example, to the humiliation of having F. B. I. agents delve into his affairs, as it was necessary to delve into mine when a road on my place was in question, and submit him to indignity all over his State if, when the thing is proved to be just as he represents it to be, the same man is going to interfere and say, "That makes no difference. It is true that I ordered the investigation. It is just as you said it was in the beginning, but we are not going to prosecute the case."

Here is a choice bit. This comes from Mount Olympus itself. However, the mount is standing on its head. [Laughter.]

He then claimed that his case was different because he was a United States Senator. There is no such exception in the statute—

Mark that—

there is no such exception in the statute, and what he virtually wanted me to do was to amend the statute to apply only to cases where a Senator was involved and where certain kinds of offenses are charged, and I pointed out that that would involve a course of distinguishing between different kinds of libel which would be impossible for us to pursue.

Let us go back over that:

There is no exception in the statute—

Then why did not Jackson allow me to have it enforced? The statute applies to Senators, to colored people, to W. P. A. workers, to bankers, to millionaires, and to everybody else. All I said to Jackson was this:

Not only am I charged with misappropriating public funds, but the Senate of the United States is charged with having a Member who has done so; and I owe a duty to the Senate to exonerate it, as well as myself, of the charge; and that is an added reason in these times, when the integrity of public officials ought to be always above reproach.

Let us see what he says next:

At least it involved the investigation of matters outside of the District—

Mark this well, Senators—

and, of course, it was apparent on the face of it that a very important question of policy was involved and it seemed to me that we should not pas on it without the facts, and therefore the investigation was made to get the facts. But in disposing of this case, I did not dispose of it on the technical phase, I disposed of it on the general policy.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CLARK of Missouri. Is not the fact that the Senator from Maryland was a Senator the very gist of the libel? The libel was that the Senator from Maryland had used his official position to bring about certain things for his own private advantage. That was the very gist of the libel.

Mr. TYDINGS. Of course.

Mr. CLARK of Missouri. So far as any exception in the law of libel is concerned, the fact that that was the gist of the libel makes the Senator's position as a United States Senator the center of the whole charge.

Mr. TYDINGS. The Senator is correct.

Mr. CLARK of Missouri. Also let me ask the Senator if it is not true that the charge is not only a charge against the Senator from Maryland, but also a charge against the administrator of the W. P. A., because both are accused of a crime, which in my State is libel per se. As I understand, Colonel Harrington is said by Mr. Allen to be not a gentleman, because he refused to remain silent under the charge that he himself had committed a crime.

Mr. TYDINGS. That is true.

Senators may vote for Mr. Jackson, but I ask them, on their word of honor, on their conscience, and on their manhood, Is there any Member of this body who will condone the action of Robert Jackson? If so, let him rise. That is a pretty sweeping statement. Of course, no Senator can condone it. In cold print Pearson and Allen wrote this damnable charge that a Member of this body used funds appropriated for the poor not for the poor, not for the unemployed, but to build a yacht basin, a luxury, and a road on his private property. They did it not in the heat of passion, but in the cold quiet of the room in which the radio broadcast was prepared.

Then, after their charge was proved to be a lie from beginning to end, they had the effrontery to sit down again and say, in black and white, "Even if it was a lie, what kind of a fellow are you, Colonel Harrington, to prove its untruth? Why do you not let Senator TYDINGS labor under the aspersion that he did use the funds? If you do not deny it, there is only his word against ours."

Jackson knew all that. Did I go to see Jackson to ask him to prosecute this case? Of course I did not, although he

attempts to put me in the position of having asked him to prosecute the case. I never thought about Jackson until I went to see Mr. Curran, who told me to come to see him. He pulled out of his drawer a letter which Mr. Jackson said was sent with his approval, telling Mr. Curran not to prosecute the case.

I went to see Jackson, not to get him to prosecute the case, but I went to ask him not to interfere with the processes of justice. I went to beg of him to give me the right which Congress had given me, and which nobody could take away from me, but which he did take away from me. He denied me the right which Senators now doing me the honor to listen had given me, either in person or through their predecessors—namely, that if I were criminally libeled I could go to the court and have an indictment brought. For the spreading of rumors in a whispering campaign is not a crime against an individual; it is a crime against society. It is the tactics of the Gestapo—the Ogpu, if you please, in foreign countries—and that is the kind of campaign which Drew Pearson has tried, in his nefarious manner, to conduct against me; and I propose to bring him to book, for this time there could be no excuse based on the facts.

But let me read a little further. Listen to this:

> I sent down to Mr. Hugh Fisher, however, for a memorandum on the general subject of libel and the history of libel in the Department. I authorized the investigation as Mr. Pine requested because obviously if we came to the conclusion we could not prosecute and Senator TYDINGS was in a position to say that we would not even get the facts of the case.

He says, "Yes; I ordered the F. B. I. to do it because, you see, if I did not order the F. B. I. to investigate at Mr. Pine's request, Senator TYDINGS could say, 'Well, they would not even investigate the case.'" But what a tissue of apparent fraud that is; because after the case was investigated and it was proven to be exactly as I represented it, Mr. Jackson then, in the face of the F. B. I. exoneration as well as Colonel Harrington's exoneration, sent down his letter saying, "Do not prosecute this case."

I ask again: Is there one Senator, just one, on the floor of the Senate, who will say that Robert Jackson acted with the dignity that becomes the great office of the Attorney General of the United States of America? I do not hear any Senator reply to that question.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BURTON. Far be it from me, Mr. President, to take a part in the controversy; but I did sit as a member of the subcommittee of the Committee on the Judiciary and hear the testimony. I did feel, as a member of the committee, that in my best judgment the nomination of Attorney General Jackson should be confirmed, and I did feel that the statement which he made in his letter was one which should not be allowed simply to pass in this matter as indicating a lack of dignity on the part of the Attorney General, but indicated one of the reasons which prompted him in making his decision. I am rising under these circumstances merely because I do not wish my position to be misunderstood. I have the highest regard for the Senator from Maryland. I appreciate exactly his position in this matter, and the reason why he is doing what he does, and I have regard for him in doing it. But in justice to myself as a member of the committee I think it is appropriate to be said that the Attorney General, in making his explanation, made the simple statement in his letter that for a generation it had been the policy of the Attorney General's Office that there should not be a prosecution under this criminal libel statute for this kind of an offense, it being the policy of the office of Attorney General of the United States that the office of the United States Attorney General would not be used for the prosecution of such controversies because to do so would bring in a great many personalities and controversies; that such a matter would not be prosecuted unless it was found to affect a special public interest, as he put it, a matter of great public concern; or a matter, as the Senator from Maryland suggested, of the clear crime of taking money from a Senator, or a disturbance of some kind, in which case, of course, they would prosecute.

The prosecuting attorney, being charged, as he is charged, with the great responsibility of deciding under the laws of the United States, the laws under which he is serving, whether a case should be prosecuted, owes a duty to himself, his community, and the Constitution to decide whether the case should be prosecuted.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BURTON. Yes.

Mr. TYDINGS. Then, why did the Attorney General have the case investigated?

Mr. BURTON. I assume the question was referred to him by the district attorney's office whether the F. B. I. should investigate the case. A report was made pointing out that it was quite true that under the circumstances the road was not built across the Senator's estate, and the yacht basin was not built on the Senator's estate, but that the road was very close to the Senator's estate, and the yacht basin was built very close to the Senator's estate. Therefore, he had to decide the question whether under the circumstances it would be appropriate to prosecute a case in which, under the circumstances, a jury might very well find that the charges might have arisen because of a misunderstanding.

Therefore, as so often happens, the prosecuting officer, under his duty to the public, had to decide whether he should prosecute under those circumstances; and it seems to me to be appropriate to rise, rather than to remain silent, and state, as I did do in the subcommittee, that in my judgment the Attorney General was within his rights when he declined to prosecute, and in stating the grounds as he did state them under the circumstances.

Mr. TYDINGS. I thank the Senator for his dissertation, but let me point out to him that his whole premise is not well founded. The Attorney General has no more right to set aside an act of Congress, no matter what he may think about it, than I have to set it aside. Indeed, the learned Chief Justice of the United States, Mr. Justice Stone, has said on frequent occasions on the bench that it is the duty of all law-enforcement officers, as well as of the Federal courts, to try to uphold the spirit and the letter of the laws passed by the Federal Congress, rather than to tear them down; they must go to every extreme they reasonably can to find that the act, first, is constitutional; and once it is adopted, no matter what they may think about it—they may think it is bad, they may think it is impracticable, they may think it is ill-advised—it is the duty of the Federal officers to carry out their oath, which is to uphold the Constitution of the United States and the laws of the United States.

Mr. Jackson, by his statement that a road was built near my place, in my opinion, lays himself wide open to additional criticism.

Is there a Senator in this body, is there a Representative in the other House, is there a citizen of the United States, who has not had some W. P. A. activity near his home? Did I have anything to do with the building of the road? I did not ask for it. Did I have anything to do with the building of the harbor basin? I was not even a citizen of Havre de Grace; I had no vote in the election. I was not even there on election day. I never asked a soul in the whole town to vote for it. I had no more to do with it than did the Senator from Ohio; and, forsooth, what difference does it make if there was a harbor basin built there by a vote of the people of the city of Havre de Grace, or a road constructed here by a vote of the county commissioners of Harford County? What does that have to do with criminal libel? It would not have been criminal libel if Pearson had said that Senator TYDINGS had a road built near his place.

The charge here is that I used the funds of the United States of America to build a road on my private estate. With all due respect to my friend from Ohio, that is the silliest reasoning I have ever heard in support of this man's action. I am charged with using Federal funds to improve my own private property. Those are Pearson's words—"on his private property." The Senator from Ohio cannot read that into this case, and Jackson cannot read it in; but it shows how impoverished Jackson was in facts and truth and logic and conscience and decency when he tried to justify his actions on so tenuous a thread as that on which the Senator from Ohio has indicated he relied.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. TYDINGS. In a moment I will yield to the Senator. Let me impress upon him that the charge here is that I used Federal money, not to build a road outside my property, but to build it on my property. Not only was that charge made, but when it was said to be

untrue by Colonel Harrington, Mr. Allen said:

What do you mean by exonerating Senator TYDINGS? You should have let him labor under the aspersion and let the public be under the impression that he took Federal funds to improve his own property.

Oh, Senators, I am only a symbol in this case. Whether Mr. Jackson goes on the bench or stays off the bench I shall not be unhappy. I have no personal animosity toward him, in the human sense. Frankly, I am disappointed in the man. I never before saw him so naked as I saw him in this case, so devoid of manhood, so lacking in integrity, so wanting in judicial temperament. That is what I discovered, and I felt it my duty to bring that to the Senate of the United States not on hearsay but out of his own mouth.

I do not need any exoneration. I have been exonerated by Colonel Harrington, I have been exonerated by the F. B. I., I have been exonerated by the broadcasting company, I have been exonerated by General Jackson. In all America there is no one left now to say that Senator TYDINGS ever used a dollar of W. P. A. money to improve his own property, although in the last campaign such a statement was sent to the house of every voter in Maryland. My good friend Drew Pearson took $18,000 of his own good money to see that it was put in everybody's house—that and other lies. That is the reason why I wanted to tell Mr. Pearson that if he had the guts of a louse I would meet him in the court room and face him there.

But what does he do? He runs to cover. He hides behind the administration and tries to make the matter a political issue because I have not voted for all the measures which have been proposed. Instead of standing up and fighting like a man, he dives like a groundhog; like a skunk he runs into a hole in the ground; and he cannot take it.

Oh, I know Senators do not like this kind of controversy. I know they are almost ready to stand for anything. But, Mr. President, I am not. My days of standing for such things are over. I think I have a service to render to America, to clean out this nest of polecats and liars that have been parading under the guise of free speech.

Only the other day I heard the President from the rostrum at the other end of the Capitol talk about the "four freedoms." In his lifetime he wanted to assure not only for the American Nation but for all the world freedom of speech and of the press, freedom of religion, freedom from want and freedom from fear. Let us start right here in the Senate of the United States. What freedom is there in representative government if lies can be condoned and repeated and reiterated, if men do not stand up and check them so that the integrity of the Senate of the United States and the courts and of the House of Representatives will be something that is substantial and real and not merely a hollow mockery? What are we today doing in the training camps and in the factories and shipyards? We are making men into soldiers and sailors and having other men make all kinds of equipment. We are spending billions of dollars to do what? So that civil liberty may live, for the only difference between Hitler and the United States of America is that in this country civil liberties, not merely some of them but all of them, stand. That is why we are preparing today; we are preparing to defend civil liberties, realizing that life is nothing unless there are civil liberties for the citizen.

Who steals my purse steals trash;
* * * * *
But he that filches from me my good name
Robs me of that which not enriches him
And makes me poor indeed.

That is what Pearson and Allen tried to steal. Where are they now? I have brought all the facts out into the light of day. Where are the skunks now? Down in their hole where they ought to be and where the company suits them.

Mr. BURTON. Mr. President, if the Senator from Maryland will yield, I should like to state that I would not have interrupted him and would not have taken any part in the debate except that he asked anyone who had a difference of opinion with him to rise, and so I rose.

Mr. TYDINGS. That is correct. One Senator rose among all those who are present.

Mr. BURTON. I wish to say to the Senator that the statement which impressed me particularly and which I wish to read into the RECORD was by Attorney General Jackson, who said, referring to the libel statute of the District of Columbia:

The very breadth of these provisions would justify innumerable cases if the criminal processes were to be invoked in the case of all violations.

Mr. TYDINGS. I am sorry I cannot yield to the Senator, because he is taking up something that I am just coming to:

The very breadth—

Says the Attorney General of this statute—

would justify innumerable cases.

Congress passed the law, and what right has he to say what cases shall be tried and what cases shall not be tried if the Statutes of the United States of America are contravened?

Mr. BURTON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BURTON. As a prosecuting officer he has the responsibility of determining what cases shall be prosecuted and what cases shall not be prosecuted.

Mr. TYDINGS. When Mr. Curran, the district attorney of the District of Columbia, told me I had a good case, and he was ready to proceed, what right had Attorney General Jackson to interfere in the prosecution of the case? What does the Senator say to that?

Mr. BURTON. I think that they jointly have the responsibility——

Mr. TYDINGS. They have no joint responsibility at all. They are both charged with upholding the Constitution and laws of the United States of America.

Mr. BURTON. That is true, but a prosecuting officer, under the laws of the United States of America, has the responsibility of exercising his discretion in accordance with his best lights.

May I continue to state the reason for my rising in response to the Senator's question? The Attorney General proceeded to say:

The very breadth of these provisions would justify innumerable cases if the criminal processes were to be invoked in the case of all violations. Yet this criminal section of the District of Columbia Code has not been used for substantially a generation to punish the publisher of a libel.

Mr. TYDINGS. Let me interrupt the Senator to ask why should it not be invoked in the case of a violation? Would it not be invoked against larceny in case of violation? Would it not be invoked against burglary? What difference is there between one criminal law and another? Why should it not be invoked in the case of criminal libel?

Mr. BURTON. There may be a question as to whether libel can be proven.

Mr. TYDINGS. Was it not proven here? Was it not substantiated in the letter from Robert Allen to Colonel Harrington, saying, "You are a nice individual; you come along and say I told a lie about Senator TYDINGS; you should not have done that; you are not a gentleman when you act that way."

Mr. BURTON. If the Senator from Maryland will yield, again referring to the basis of my having risen, on that particular point, since the Senator has asked me, I will now quote this paragraph from the memorandum sent to the Attorney General by O. John Rogge, Assistant Attorney General, in which he said:

Assuming merely for the purposes of this memorandum that the statement attributed to Mr. Pearson constitutes libel rather than slander, it is felt that at best it is merely a technical violation and that the chance of maintaining a successful prosecution is extremely doubtful. The investigative report clearly demonstrates that although neither the road nor the yacht basin were built upon the property owned by Senator TYDINGS, nevertheless the surrounding circumstances are such that a jury would more than likely reach the conclusion that for all practical purposes the aforementioned projects were mainly for the Senator's benefit, and therefore would return a verdict of acquittal.

For the reasons stated, it is recommended that no prosecution be instituted.

I have not read the F. B. I. report, but I do point out that there is a discretion in the prosecutor. He has to decide on that type of question.

Mr. TYDINGS. I knew the Senator was a gentleman, but I never knew he was so gullible a gentleman as he has proven himself to be this morning. Let me analyze the last paragraph; then I will yield to the Senator again. First, there is no denial that the words were that a road and yacht basin were built with Federal money on my private estate. The Senator concedes that, does he not?

Mr. BURTON. I think that is perfectly clear.

Mr. TYDINGS. Very well. Then there is no doubt in the world that no public funds were ever used for such a

purpose. The Senator will concede that, will he not?

Mr. BURTON. I think that is perfectly clear, so far as I know the facts.

Mr. TYDINGS. The Senator will likewise concede, will he not, that the F. B. I., Mr Jackson, Mr. Rogge, and Colonel Harrington all testified that there was no use of W. P. A. funds that ever benefited my property? The Senator will agree to that, will he not?

Mr. BURTON. I am not on cross-examination, but the paragraph I have read speaks for itself.

Mr. TYDINGS. Just a moment. The Senator suggests, on the basis of that paragraph, that there could not be a conviction. Why could there not be a conviction? When the statement is made that Senator TYDINGS stole the money of the Government to build a road on his private property, and that statement is proved to be an outrageous lie, as it has been proved, as the Senator admits, what would prevent a conviction, particularly when there is express malice in writing by Mr. Allen?

Mr. BURTON. I am not reading the paragraph to indicate my opinion, having never read the F. B. I. report, but I am reading it to point out that the Government officer charged with examining the reports, and charged with performing a duty, has a discretion, and, in his opinion, there is grave doubt as to whether a conviction in a criminal court for libel could be maintained under the circumstances of the case. That is what he said.

Mr. TYDINGS. Let us see what he says. This is the last paragraph in Mr. Rogge's letter to Mr. Curran, which was sent out with Attorney General Jackson's approval:

> Assuming, merely for the purpose of this memorandum, that the statement attributed to Mr. Pearson constitutes libel rather than slander—

It must have constituted libel if for no other reason than that any written defamation of character is libel, and even broadcasting of such defamation is today construed by the courts as publication on a wider scale and as constituting libel. But even if that were not so, here is a libel, and Mr. Jackson does not have to assume anything. There it is in Pearson's own handwriting. Now, let us go a little further.

Mr. CLARK of Missouri. Mr. President——

Mr. TYDINGS. I hope the Senator will wait for a moment; I will yield to him later. So that part of the Senator's reasoning is not founded on fact. What else does Mr. Rogge say?

> It is felt that at best it is merely a technical violation and that the chance of maintaining a successful prosecution is extremely doubtful.

Is it a technical violation to accuse a Senator of larceny? Is it a technical violation to say of a man that he steals the Government's money. May I ask my friend from Ohio to give me one illustration of a case of libel naming an exact utterance which he thinks would come under the statute. Can he name one?

Mr. BURTON. I am not prosecuting the Senator.

Mr. TYDINGS. Of course, I know that; but the Senator has taken a position, and I ask him, if he says this does not constitute a violation of the statute, can he give me one illustration of a statement that would violate it?

Mr. BURTON. What I am pointing out is that the issue here is, not whether there is a good case or a poor case but whether the case could be prosecuted; and I am pointing out that the Attorney General and the district attorney have responsibility under the law to exercise discretion as to whether to prosecute.

Mr. TYDINGS. Please do not make me cry; do not try to make me think that the Attorney General's responsibility gave him any worry in this case. Please do not bring me to tears. A child could see through this. How does the Senator suppose the great office of Attorney General ever got translated down to a little district court? How does he suppose all this long rigamarole ever got into one district attorney's hands? Does Mr. Jackson go into such matters in Ohio?

Mr. BURTON. Of course, the Attorney General exercises a close supervision.

Mr. TYDINGS. Please do not break my heart. The Senator is breaking my heart. I can see Mr. Jackson now sitting up there, with the perspiration streaming down his cheeks, saying, "This responsibility is killing me; I simply cannot employ this criminal law in this case. Oh, I know it is not true, but he might get free. The courts might not convict Pearson. That would be awful. We must not try until we are absolutely certain we can convict." Oh, do not make me cry, Senator.

Mr. BURTON. The Senator is himself a lawyer of long experience, and I am sure he realizes that there is a discretion——

Mr. TYDINGS. I am a lawyer of long experience; and let me say to the Senator from Ohio that this is the most elementary case I ever saw in my life. It is pure libel. It is proven to be libel. It is open and shut. The malice in the case does not have to be proven by collateral facts, but it is direct, as exhibited by Mr. Allen's letter. The Attorney General thinks it is, too, and he has the case investigated. Mr. Pine is all ready to try it; Mr. Curran is all ready to try it. He says, "He has a good case." And Mr. Jackson's weasel-worded letter comes through and says, "I hereby instruct you to close the case." Oh, Senator, do not make me cry!

Mr. BURTON. I merely rose in response to the Senator's question.

Mr. TYDINGS. The Senator may have been taken in, but there is not a member of the committee who agrees with what he is saying. I am not going to say they do not feel they could vote for Mr. Jackson in spite of what he did, but I observed the questions one or two members of the committee asked, and if I am any judge of human nature and of the spoken word, they said by those questions, "We are going to vote for you anyhow, but the less said about this thing the better."

Mr. BURTON. If the Senator will yield a moment, I am speaking only for myself——

Mr. TYDINGS. The Senator is entitled to his point of view, but I am trying to convince him that his point of view is not well taken.

Mr. BURTON. Let me say that I am only speaking for the reason that the Senator from Maryland attempted to put words in my mouth. That is why I rose to state my point of view.

Mr. TYDINGS. I did not put the words in the Senator's mouth; Mr. Jackson put them there. [Laughter.]

Let me say to the Senator there is no doubt in my mind that if this case had resulted in an indictment, and it were tried before any jury of reasonable men, there would not be any question about the outcome. Here is as palpable, bold, open-faced, calculated a piece of deliberate libel and slander as I ever saw in my life. And after it was proven to be libel, the culprit had the effrontery to write to the head of the W. P. A. and say, "What do you mean by exonerating Senator TYDINGS? You are a devil of a fellow. You ought to have helped us to keep him under this cloud." That is the purport of the Allen letter.

Am I to be told that is the kind of man the Senate is to confirm as a member of the Supreme Court of the United States? It was only a few months ago that Mr. Jackson, testifying before a committee of this body, said, "One reason why I am for the Supreme Court reorganization bill is that the Constitution and the laws are what the judges on the Supreme Bench say they are, and we ought to have new judges." And what does Mr. Jackson do when he gets into a position of authority? He says, "Notwithstanding what acts of Congress provide, I am going to modify them, I am going to wipe them out, I am going to have a veto greater than that of the President, greater than that of the Congress." Congress passed the act; the Senate passed it and it went to the House, the House passed it and it went to the President, and he signed it. But Mr. Jackson rises up in all his majesty, greater than the House, and the Senate, and the President, and what does he do? He repeals the act of Congress. There is not a case of libel of which one can conceive which could be tried under this statute, if this case is not covered.

Mr. Jackson likewise said that some of his predecessors had taken the same position he took. That is absolutely untrue. There is not a shred of testimony cited, nor is there any in being, of a case where the Attorney General of the United States ever wrote to a district attorney who was attempting to enforce this statute, and told him to close the case. But one would assume, from what the Senator from Ohio read, that there had been numerous cases in which Mr. Jackson's predecessors had written to district attorneys and told them to close a case.

The idea of suing in a civil action a man who has robbed one of $25! "Do not have him arrested, but sue him civilly." What is the difference between the filthy lucre represented by $25, and an attempt to rob a man of his good

name? I would much rather lose the money.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. OVERTON. To whom was the instruction given to close the files of the case?

Mr. TYDINGS. It was given to the United States attorney for the District of Columbia, who told me I had a good case, and that he was ready to proceed.

Mr. OVERTON. Did the Senator ever have an opportunity to appear before the grand jury?

Mr. TYDINGS. No, I did not, because what was the use of appearing before the grand jury under circumstances similar to those under which I would have had to go, when the district attorney told me he was going to carry out the instructions, that it was a close question, but he felt he must comply with the Attorney General's instructions. And I know he goes in and out of the jury room, and I know the United States marshal picks out the juries, and I know when I am playing cards with a cold deck.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CLARK of Missouri. I have been very much interested in the repeated statement of the Senator from Ohio that there is a discretion in the prosecuting officer—as undoubtedly there is. But I should like to ask the Senator from Ohio, or the Senator from Maryland, or anyone else, how Mr. O. John Rogge got to be the prosecuting officer who had the discretion? The discretion is in the district attorney, who is under oath. As a matter of fact, I do not believe that, even in spite of the supervisory power granted the Attorney General, the Attorney General of the United States has any right to instruct a district attorney, sworn on his own oath, not to perform his duty. But certainly there was no discretion of any sort in Mr. O. John Rogge, who I understand has since been removed from office. The discretion, if any, was in the United States attorney for the District of Columbia, and in my opinion, it was an act of oppression for the Attorney General to try to instruct the district attorney not to prosecute a case in which the district attorney told the Senator from Maryland he believed he had a good case.

Mr. TYDINGS. The Senator is correct; and we should be trying Jackson under impeachment charges, rather than considering his confirmation for a position on the Supreme Court. There is no doubt in my mind that if Jackson can set aside one criminal statute, he can set them all aside, and can read into them or out of them words which suit him to be in or out.

Mr. President, this law is as Congress passed it. It is the solemn law of the land. It is the Attorney General's duty to try to get behind the law, to enforce it, to interpret it liberally. The Chief Justice of the United States has said that is the duty of all Federal law officials.

As I have stated, this is not a personal matter. In my opinion, I have proven Pearson and Allen to be two of the most consummate liars God ever put on earth. I have had a witness to accentuate that statement in the person of Colonel Harrington. I have had the F. B. I. prove it; I have had the Attorney General of the United States prove it; I have had two district attorneys prove it. I do not need any vindication. What I am wondering is, what kind of a judiciary are we to have if men who pursue this sort of course sit on the highest court in the land.

As I review the history of democracy, I find it started away back in Greece from one little innovation. Solon was called upon to revise the laws of ancient Greece, and for the first time in all their history he permitted the people to vote for the judges who should sit in judgment when they were charged with crimes or misdemeanors. That was a privilege he gave to the people, the first time the great masses had had any voice in their government. They were to have the right to select their judges, because justice should have its springs from the bottom, not be regulated from the top. That was the very beginning of democracy, and it spread and continued to spread. Civil liberties grew up under codes of law for the conduct of men as a result of that beginning.

Congress has appropriated billions of dollars to exalt the individual, to keep him free, to establish all over the earth the four freedoms—freedom of speech and press, freedom of religion, freedom from want, freedom from fear; and what is there left of democracy when the courts can be reached, when the law-enforcement officials have not the guts, in the face of a few hostile newspaper columnists, to stand up and carry out their oaths to uphold the Constitution and the laws of the United States? That is what this case amounts to.

I feel sorry for Jackson, a man who had a great opportunity but missed it, who has not the stuff, Senators, who is too expedient. His opinions are tissues of weasel words. He is an excuse hunter. He is not a man who takes it head-on. If Jackson can set aside this law, then our whole criminal procedure is out of joint, our whole criminal procedure is obsolete.

Mr. President, I have said all I intend to say. I shall be glad to respond to any question. Senators may vote for the confirmation of Jackson. Some of them will; perhaps a majority will. I have discharged my duty. I have shown that he has not the character, that he has not the integrity, that he has not the judicial temperament to fit him to sit on the highest court in the world, the Supreme Court of the United States. I have shown that he is expedient, I have shown that he tries to wiggle out of his duty rather than to discharge it. I have his vindication that the charge was libelous, his own organization proved it to be libelous, and yet in the face of that he sent word to the United States Attorney for the District of Columbia not to prosecute the case.

Where are the four freedoms? Where is the freedom of speech and of the press, when man can debase it? Freedom of the press and freedom of speech do not mean license. Freedom of speech does not give a man the right to stand up in a crowded picture theater and yell "Fire" merely because he has vocal cords. He cannot do that in the guise of the freedom of the press. Freedom of the press is the privilege of printing the truth. Whenever malicious untruth is printed it has no more the trappings of the freedom of the press than has suppression of the freedom of the press.

So, Mr. President, I have discharged my duty. I have brought the facts home, and they are facts. No one has challenged any of the facts in the committee, not even Mr. Jackson, not even the F. B. I. For 25 or 30 days Drew Pearson published this story over the State of Maryland in one form or another. I am meeting him now openly, here on the floor of the Senate, and have the satisfaction of proving him a consummate and despicable liar.

Mr. O'MAHONEY obtained the floor.

Mr. BURTON. Mr. President, will the Senator yield to me?

Mr. O'MAHONEY. I yield to the Senator from Ohio.

Mr. BURTON. It is not my purpose to make a statement at length. I merely wish to place in the RECORD the statement I heretofore tried to place in the RECORD, but was unable to. The statement is contained in a letter from Attorney General Jackson to Hon. MILLARD E. TYDINGS, which is dated June 11, 1940. It appears on page 55 of the hearings before a subcommittee of the Committee on the Judiciary of the Senate, of which I was a member. The statement contained in the letter from Attorney General Jackson is as follows:

> The very breadth of these provisions—

referring to libel statutes—

> would justify innumerable cases if the criminal processes were to be invoked in the case of all violations. Yet this criminal section of the District of Columbia Code has not been used for substantially a generation to punish the publisher of a libel. As I told you recently, instances have arisen in which members of the executive, the legislative, and the judicial departments have been libeled and a literal interpretation of the statute would have justified prosecution. Such complaints have been considered, but my predecessors in this office have not attempted to invoke the criminal process because there is open to any person aggrieved a civil action for libel in which punitive damages may be obtained if justified.
>
> I do not feel that the policy heretofore adhered to with reference to criminal libel cases should be changed. If each case which is a probable libel is to be taken up, the journalist responsible indicated—

That is a misprint evidently for "indicted"—

> the journalist responsible indicted, and obliged to defend himself, even though successfully, against the power of the Government, journalism may become a dangerous profession.

I may say in parenthesis I do not subscribe to that comment of the Attorney General made at that point.

Mr. TYDINGS. Mr. President, I am glad the Senator does not subscribe to what is so apparently——

Mr. BURTON. I continue to read from Attorney General Jackson's letter:

> This Department would be flooded with demands for criminal prosecutions for all manner of statements, many of which proceedings

would be technically justified, and, of course, to take up the case of one would require that we take up the case of all. You have told me that you have other cases that you would also want prosecuted after this one. To use the power of the Government in a campaign of this kind would, in my opinion, discredit the law-enforcement agencies if unsuccessful, and, if successful, would constitute embarrassment not consistent with our support of freedom of the press. That this freedom is sometimes abused does not lessen the necessity for its protection.

For these reasons I must adhere to the established policy of declining to prosecute criminal libel cases where there is open to the individual a civil remedy and where there has been no breach of the peace or other public injury done by the libel.

Mr. President, I may add simply one statement. Of course, I do not condone the statement made by Pearson and Allen with regard to the Senator from Maryland in the slightest degree or in any manner whatsoever.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4700) to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES—ROBERT H. JACKSON

The Senate resumed the consideration of the nomination of Robert H. Jackson, of New York, to be an Associate Justice of the Supreme Court of the United States.

Mr. MEAD. Mr. President, I make the point of order that a quorum is not present.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Radcliffe
Andrews	George	Rosier
Austin	Gerry	Russell
Barkley	Glass	Schwartz
Bone	Guffey	Smathers
Brooks	Gurney	Spencer
Burton	Herring	Stewart
Butler	Hill	Taft
Byrd	Johnson, Calif.	Thomas, Idaho
Byrnes	Lucas	Thomas, Okla.
Capper	McCarran	Thomas, Utah
Caraway	McFarland	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Mead	Van Nuys
Connally	Norris	Walsh
Danaher	Nye	Wheeler
Davis	O'Mahoney	White
Downey	Overton	
Eastland	Pepper	

The PRESIDING OFFICER. Fifty-eight Senators having answered to their names, a quorum is present.

Mr. O'MAHONEY. Mr. President, the issue which is before the Senate today in connection with the nomination of Hon. Robert H. Jackson to be a member of the Supreme Court is not at all the truth or falsity of the charges which were made against the senior Senator from Maryland in the broadcast of Messrs. Pearson and Allen. I think the members of the Judiciary Committee as a whole—and in particular the members of the subcommittee which considered this case—appreciate the feelings of the Senator from Maryland. I think I am safe in saying that it was the feeling of every member of the subcommittee that the resentment which the Senator from Maryland felt with respect to the charges made against him was altogether justified. Opportunity was granted during the hearings to bring out the facts. The members of the subcommittee were anxious that the Senator from Maryland should have the opportunity fully and completely to spread upon the record the story of the charges in his own words.

Toward the close of the hearings the Senator from Wyoming said:

Senator O'MAHONEY. Mr. Chairman, may I suggest that the issue before the committee is not the truth or falsity of any of these charges—these charges that were made here—but I think the record which has been established here now demonstrates beyond question, not only the testimony of Senator TYDINGS, but also the testimony of the Attorney General, that no W. P. A. expenditures were made upon the property of Senator TYDINGS.

Senator TYDINGS. At any time.

Attorney General JACKSON. Right.

A few moments later the Senator from New Mexico [Mr. HATCH], who was chairman of the subcommittee, made this remark:

Senator HATCH. I think Senator O'MAHONEY has correctly stated the situation. I might say to both Attorney General Jackson and Senator TYDINGS, I am quite sure that the committee is not going to enter into a discussion as to these particular facts, and I think they are all shown to us to be just as you have stated, Senator TYDINGS.

Senator TYDINGS. Thank you.

Senator HATCH. The only issue for us to determine is whether General Jackson's decision of policy is such that it would prevent or show that he is an unfit person to be a Justice of the Supreme Court of the United States.

I think that the committee will decide upon the laying down of that policy.

Mr. President, that was the view of the entire committee. It was the view, without dissent, of the subcommittee; and when the subcommittee presented to the full committee its recommendation that a favorable report be rendered upon the nomination of Mr. Jackson, there was no dissent from that recommendation, and the chairman of the full committee was unanimously instructed to present a favorable report.

I say this because I sympathize with the Senator from Maryland in what I believe to be his warranted resentment at the charge which was made against him. But, Mr. President, the members of the committee know, and every other Senator knows, that at one time or another every person in public life finds himself laid open to unfounded charges. It is one of the unfortunate phases of political life that those who are candidates for office or those who are holding office constantly find themselves misrepresented and maligned by their opponents. This is particularly true when for any reason passion rises high, or resentment takes away a part, at least, of men's judgment in passing upon matters in which they themselves are vitally interested.

I am inclined to believe that today we have seen an illustration of that in the address of the Senator from Maryland. In coming to the climax of his attack upon the Attorney General the Senator from Maryland made the statement that the Attorney General was "reached," which, of course, is only a charge that for some improper reason the Attorney General of the United States rendered this decision. There is no testimony before the committee or before the Senate upon which such a conclusion can be based. Moreover, there is testimony—the testimony of the Attorney General—to show definitely that there is no basis for such a statement. Mr. Jackson began the presentation of his evidence to the subcommittee in these words:

Attorney General JACKSON. Mr. Chairman and gentlemen of the committee: I have no interest, and have never had any interest in the feud between Senator TYDINGS and Drew Pearson. Neither Mr. Pearson nor Mr. Allen nor any attorney representing either of them ever discussed this case with me directly or indirectly.

With the utmost sympathy for the position in which the Senator from Maryland finds himself, appreciating thoroughly how his feelings rose because he was clearly misrepresented through the length and breadth of the land, nevertheless, it seems to me, as the Senator from New Mexico [Mr. HATCH] said in closing the hearings, that the question is not whether the charges were true or false, but whether, in exercising his judgment of policy upon the matter, the Attorney General committed an action which unfits him for the high office of Justice of the Supreme Court. The unanimous decision of the committee was that such was not the case, and that the action of the Attorney General, involving the report made to the local district attorney, and his letter to Senator TYDINGS was not an abuse of discretion.

I think it should be pointed out that Mr. Jackson became Attorney General of the United States on the 18th of January 1940. The charges in the broadcast to which the Senator from Maryland has referred were made in July 1939. It was before the end of the month of January, less than 2 weeks after he assumed the duties of Attorney General, that Mr. Jackson received a memorandum from Mr. Hoover, the head of the F. B. I., with respect to the request of the then United States Attorney for the District of Columbia for an F. B. I. investigation of this matter.

The Senator from Maryland told the committee, as he has told the Senate, that when he presented his case to Mr. Pine, the United States attorney, Mr. Pine in turn submitted the matter to the F. B. I.

Mr. President, I say this again with the effort to be clear and fair. No member of the committee—least of all I—would

utter a single word to give anybody ground for feeling that for one moment we had considered that there was any basis for the charge that was made against the Senator from Maryland. That, Mr. President, is not the issue. The issue here is whether the action of the Attorney General was justified.

Senators have heard the Senator from Maryland relate the content of the broadcast. They have heard him relate the fact that the National Broadcasting Co. made a retraction. They have heard him relate the fact—and it was a fact—that the head of the W. P. A. acknowledged that no representations had been made by the Senator from Maryland. But what was the question which was presented to the Department of Justice? The question was, What type of evidence will go before a jury that will sit on a case of this kind?

So there was read into the record the report signed by Mr. Rogge, sent to the Attorney General on the 15th of May 1940, as a result of the investigation by the F. B. I. The report or memorandum reads as follows:

On July 25, 1939, Drew Pearson and Robert S. Allen appeared on a radio program sponsored by the Ralston Cereal Co. through the Gardner Advertising Agency, both of St. Louis, Mo. During the broadcast the following statement was made by Mr. Pearson:

"Well, we suddenly became interested in checking up on Government works and discovered that the Senator (TYDINGS) had put through a very interesting little deal. Just to help keep the Work Projects Administration workers busy, he had them build a road and yacht basin on his private property."

The program was carried over a 28-station N. B. C. hook-up. On a repeat broadcast the same night over a different hook-up, the above quotation was deleted by N. B. C. at the request of Senator TYDINGS.

On August 8, 1939, a full retraction was made by the N. B. C. This retraction was approved by the Senator.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Gladly.

Mr. TYDINGS. I did not take issue when that statement was made, but I never approved any retraction. On three or four different occasions the National Broadcasting Co. came to me with what they proposed to utter, and I told them that the only retraction that would satisfy me would be a retraction by the persons who had made the false statement in the beginning and that any retraction must be their responsibility. So when Mr. Jackson said that I approved the retraction he meant to state the fact, but he was misinformed.

Mr. O'MAHONEY. This is a statement by Mr. Rogge.

Mr. TYDINGS. I never talked with Mr. Rogge, and he is drawing slightly on his imagination.

Of course, the matter is unimportant. I merely want to make the correction.

Mr. O'MAHONEY. My feeling was that this represented the understanding of the National Broadcasting Co. Apparently the Senator from Maryland did have a conversation with the National Broadcasting Co. with respect to the broadcast; and as a result of the conversation the National Broadcasting Co. in the rebroadcast that evening brought about a deletion of the reference to the Senator from Maryland.

Mr. TYDINGS. I will say to the Senator that I did not hear the broadcast. I prefer more elegant news commentators. But one of whom I am very fond—a distant relative—did hear it, and he called me up and told me it had been uttered that evening. I then called the National Broadcasting Co. on the telephone, told them that I had not heard the exact words, but told them what I understood to be the purport of the utterance in respect to me, and told them that the statement was absolutely untrue and that I wanted to serve notice on them that it was untrue in case it might be uttered again. I did not ask them to take it off. I did not threaten them. I simply served notice that it was untrue; and they, of their own volition, deleted it from the subsequent broadcast.

Subsequent to that, Mr. Carlton Smith, the vice president of the National Broadcasting Co., took up the matter with Colonel Harrington; and that is how Colonel Harrington got in it. The National Broadcasting Co. found that they had laid themselves open to damages for libel against me, so they took up the matter with Colonel Harrington, and he immediately denied the truth of the statement.

Mr. Smith, of the National Broadcasting Co., brought Colonel Harrington's statement to me and asked me if that would be satisfactory. I said:

Mr. Smith, I will not approve or disapprove anything you bring here. That is your responsibility. The only persons whom I want to retract the statement are Pearson and Allen, the ones who uttered it. They uttered it on your station, and only their retraction on your station will satisfy me.

Mr. BONE. Did they retract it?

Mr. TYDINGS. No; they never did retract it.

Mr. O'MAHONEY. Mr. President, I take it, from what the Senator from Maryland has said and from all that has transpired in the case, that the Senator's chief interest was in a retraction by the authors of the statement made against him, but the reference which caused him to interrupt me merely had to do with the impression which apparently he conveyed to the National Broadcasting Co., that, so far as they were concerned, the deletion was satisfactory to the Senator from Maryland.

Mr. TYDINGS. No; I went out of my way specifically to tell the National Broadcasting Co., particularly Mr. Smith, that I would not approve any of the various statements which he wrote, which were about half a dozen.

Mr. O'MAHONEY. The Senator from Maryland was preserving his rights.

Mr. TYDINGS. Yes. I do not think the point is material. I raised it, not that it makes any difference, and heretofore I have let it go by, but because I thought this would be a good opportunity to correct the misunderstanding.

Mr. O'MAHONEY. But in any event the Senator has never brought suit against the National Broadcasting Co. for the publication of the libel?

Mr. TYDINGS. That is correct.

Mr. O'MAHONEY. Proceeding with the statement:

Investigation by the Federal Bureau of Investigation disclosed that neither the yacht basin nor the road referred to by Mr. Pearson were actually built on the Senator's property, but that the Work Projects Administration had constructed a yacht basin adjacent to Tydings' city property at Havre de Grace as part of a city park improvement and had improved a county road approximately seven-tenths of a mile long leading from the Baltimore-Philadelphia Highway to TYDINGS' country home known as Oakington in Hartford County, Md.

It is not my purpose now, Mr. President, to read the entire memorandum. All of it is available to the Members of the Senate as a part of the record of the subcommittee hearings. But it is clear from what I have read that a road was built by the W. P. A. and a yacht basin was constructed.

Lest there be any misunderstanding, let me say promptly that no member of the committee had the slightest feeling that the Senator from Maryland had in any way profited from the construction of the yacht basin or that he had promoted it. As a matter of fact, after the statement had been presented to the committee the Senator from Maryland requested an opportunity to offer some rebuttal, and, of course, the opportunity was granted to him.

In the presentation of his rebuttal I think we find the very heart of the case. The Senator from Maryland had this to say—and what I am about to read will be found on page 63 of the record of the hearings. The Senator from Maryland was engaged in a colloquy with the Attorney General:

Senator TYDINGS. If you will look up that matter, you will find that that was a project—

That is, the W. P. A. project—

before the election—

The election being a bond election in the town of Havre de Grace or in the county—

that was greatly discussed and you will likewise, if you will consult the people in that vicinity, find that I advised against the building of the harbor basin, that I did not vote in the election, and was not in Havre de Grace that day to vote either for or against it. You will likewise find that I had my property tremendously damaged, for my property adjoins the city park—that is where I used to live, not where I was living at the time of this occurrence—and in digging out the marsh in the front of the city park and pumping it, the man who lives on the other side of the highway, Mr. Maxer, who has that property, sued the city for damages and recovered $5,000. It was not piled up in front of his place to the extent that it was of mine, but I never sued the city, although my property was ruined by the building of the harbor basin; and if you will go up and look at the place now, what used to be clear water in the city of Havre de Grace is now nothing but a great marsh of cattails as high as you can reach, as a result of the yacht basin.

As I say, my neighbor, Mr. Maxer, on the other side, sued the city for $5,000 damages for injury caused by the harbor basin.

To this statement Attorney General Jackson responded as follows:

Attorney General JACKSON. I do not undertake to dispute what you say; I do not know the facts. All I said is, Senator, that I don't

think the fighting out of that kind of grievance is a task for the Department of Justice, and that is what I said in my letter.

Senator TYDINGS. What type of case do you think would be the kind to be investigated and prosecuted under the statute?

Attorney General JACKSON. I think it would be a case, for example, wherein a breach of the peace resulted.

Senator TYDINGS. A breach of the peace first?

Attorney General JACKSON. I think there should be something which showed a public interest, but I think almost invariably—it is very difficult for me to think of a case which should not be prosecuted in the civil court, and particularly so where the person entitled to redress has ample means to prosecute it.

Mr. President, the subcommittee felt that there was the very gist of the case. The very fact that the Senator from Maryland in pursuing his attack upon the Attorney General in this matter found it incumbent upon him, after the Attorney General had responded and had showed the committee what was before the Department of Justice and what was before him at the time when his decision of policy was made—the very fact, I say, that after those representations had been made the Senator from Maryland found it incumbent upon him to defend himself, indicates in all probability what would have transpired in a court of justice.

Mr. BONE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Washington.

Mr. BONE. Is it the suggestion of the Attorney General that of necessity there would have had to be a breach of the peace before the United States attorney would have acted? In that event, of course, the Senator from Maryland would not have exhausted all his remedies, but he should have indulged in fisticuffs.

I assume that that is the one thing which could be implied in that statement. I have never understood that there had to be violence or a threat of violence in order to invoke the law.

Mr. O'MAHONEY. Let me interrupt the Senator from Washington.

Mr. BONE. What else would be a breach of the peace?

Mr O'MAHONEY. Let me say to the Senator from Washington, and also the Senator from Maryland, once again, that the issue here is not the truth or falsity of the attack made upon the Senator from Maryland—every member of the committee agrees that there was no basis for the attack—neither is the issue before the Senate whether the Attorney General correctly exercised his discretion. The problem here is whether there was such an abuse of discretion and abuse of action as to justify the committee and the Senate in saying, "This man is not fitted to be a justice of the Supreme Court of the United States." The judgment of the subcommittee which heard the evidence and the judgment of the full committee, was that the case presented does not sustain the charge that the Attorney General is lacking in those qualities which are desirable in a member of the Supreme Court.

Mr. TYDINGS. Mr. President——

Mr. O'MAHONEY. I yield to the Senator.

Mr. TYDINGS. The Senator just finished reading the concluding paragraph from Attorney General Jackson's testimony. I read it again.

Attorney General JACKSON. I think there should be something which showed a public interest—

Meaning when libel should lie. I should like to know what more there could be of a public interest than to have a Senator of the United States charged with misappropriation of Government funds. Certainly if that is not public interest, I should like to know what is public interest. But let me read further.

Mr. O'MAHONEY. Let me interrupt the Senator to say that actually the libel—let me call it such—did not actually charge the misappropriation of public funds.

Mr. TYDINGS. I should like to know what it did charge, then. It said I used W. P. A. funds to build a road on my private estate.

Mr. O'MAHONEY. Not at all. That is the inference which the Senator from Maryland has chosen to draw.

Mr. TYDINGS. What did it mean?

Mr. O'MAHONEY. Of course, columnists are very skillful in the use of language; they know how to get around the corner of a barn. Let me read the language to which the Senator has taken objection and which he himself put in the RECORD:

Well, we suddenly became interested in checking up on Government works and discovered that the Senator had put through a very interesting little deal. Just to help keep the Work Projects Administration workers busy, he had them build a road and yacht basin on his private estate.

Mr. TYDINGS. If the Work Projects Administration built a road on my private property, is not that a matter of public interest?

Mr. O'MAHONEY. Of course, that is not the argument the Senator was about to make.

Mr. TYDINGS. That is the argument I am making now. I am asking the Senator if that is not a matter of public interest?

Mr. O'MAHONEY. The Senator was making a stronger argument than that, based on the charge of misappropriation by the Senator of public funds.

I said the language itself might be open to various interpretations upon that point. If a lawyer as capable and clever as the Senator from Maryland were defending Messrs. Pearson and Allen in a case of this kind he would be able to draw another inference from those words.

Mr. TYDINGS. Do not let the Senator put wings on me because I am going to stay here on the floor; I am not going to fly away on the wings of his flattery. I rose to point out to the Senator that the concluding paragraph of Attorney General Jackson reads as follows:

Attorney General JACKSON. I think there should be something which showed a public interest, but I think almost invariably—it is very difficult for me to think of a case which should not be prosecuted in the civil court, and particularly so where the person entitled to redress has ample means to prosecute it.

What does the Attorney General say?

It is very difficult for me to think of a case which should not be prosecuted in the civil court.

In other words, even though there is a criminal libel, even though the statute defines libel as a crime, the offended person should go into the civil courts and should not have the remedy which the Congress provides. He says—

I think there should be something which showed a public interest.

If I had actually, as charged, used public money to build a road or a harbor facing on my private estate, I would have been in such a position that I could have been indicted, and properly so I think. The indictment of a Member of the United States Senate for the misappropriation of Government funds would be a matter of very serious public interest. That the public at the time was not familiar with the facts does not detract one bit from the seriousness of the libel or from the weight of the offense. There are thousands of people who heard that remark who never heard the retraction, and who may believe today that a Member of the United States Senate used the funds of the Government to build a road on his private estate. The Senator knows that would be a matter of serious public interest. He knows that if the charge had been true, I could have been put in the penitentiary, and he cannot say that that is not a matter of serious public interest. It cannot be said that I should have answered that charge in the civil court. I sought to answer it where the Congress said I had a right to answer it, in the criminal court of the District Court of the United States of America.

Mr. O'MAHONEY. Once again the Senator is assuming something which is beside the point. As a matter of fact, his argument demonstrates the basis upon which the Attorney General wrote his letter saying that cases of this kind should not be prosecuted. There is not a Member of this body who does not know that the columns of columnists are filled from day to day with libel against men in public life, from the President of the United States down. Charges without the slightest foundation are hurled almost from day to day. Only a few weeks ago we saw a Member of this body rise in his place and heard him denounce another columnist for the unwarranted statements, as he charged, which had been made against him. If the position of the Senator from Maryland is correct, then, it is incumbent upon the United States attorney for the District of Columbia to prosecute, under the criminal libel law, every charge of this kind that is made, and if that were done, Mr. President, it would only bring about the result which the Attorney General pointed out, namely, that the office of United States Attorney would scarcely have time to do anything else.

Mr. TYDINGS. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from Maryland.

Mr. TYDINGS. I do not agree with the conclusion the Senator from Wyoming has just stated that the court would be filled with such cases.

Mr. O'MAHONEY. That was the conclusion of the Attorney General.

Mr. TYDINGS. That is what the Attorney General says, but in 40 years there has not been a single criminal case brought under the statute in question.

Mr. O'MAHONEY. That may be so because of the statement made by the Attorney General in his letter, that it has been the policy of the Department of Justice not to favor such suits over a long period.

Mr. TYDINGS. That is not true, either.

Mr. O'MAHONEY. That is the statement which is made.

Mr. TYDINGS. The Attorney General told me that his predecessor, former Attorney General Cummings, was charged with having his expenses paid on a trip to Europe and back by a personal friend for whom he had done some kind act or to whom he had thrown some business—I do not know what it was—but, at any rate, Attorney General Cummings decided not to prosecute. I asked the Attorney General, when I talked with him in his office, were there any other cases, and he said he did not know of any others.

Mr. O'MAHONEY. Before the Senator proceeds, let me again call his attention and the attention of those who are good enough to listen to the fact that the argument the Senator is making does not go to the issue here, namely, whether by his action in refusing to accede to the line of policy which the Senator from Maryland demanded the Attorney General committed an act which would indicate a lack of character necessary in a Justice of the Supreme Court. The feeling of the committee was that that was not the case.

Mr. TYDINGS. Of course, I disagree with the Senator.

Mr. O'MAHONEY. I know that. The Senator has made it amply clear that he disagrees.

Mr. TYDINGS. The Attorney General brings in all the facts—that there was a road constructed half a mile away from my property, that there was a harbor basin built from which I benefited; and when I attempted to show I had nothing to do with either project and did not benefit by the harbor project, the Senator said I was defending myself. I did not bring these matters into the testimony; the Attorney General brought them in, and he brought them in for the purpose of obscuring the real issue, which was that he did not want to have this case go to the grand jury. I did not go to him and ask him for his help. He injected himself into the case. I went to him and asked him to let the processes of justice function. He got into the case. I never said a word to the Attorney General. I went to the district attorney and he said:

> TYDINGS, you have a good case; I am ready to proceed with it, but the Attorney General has just written me this letter telling me to close the case.

Mr. OVERTON. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. OVERTON. With reference to the statement just made by the Senator from Maryland, what does the record show as to why the Attorney General of the United States intervened in this case? Was he requested to do so by the United States district attorney for the District of Columbia?

Mr. O'MAHONEY. Yes; he was.

Mr. OVERTON. That is how he first came in?

Mr. O'MAHONEY. Yes.

Mr. TYDINGS. I wish the Senator would read the particular testimony where the district attorney asked the Attorney General to intervene. As a matter of fact, I talked to the district attorney, and it appears he did not ask him to intervene. But in that testimony the district attorney stated—and I so testified—that about 3 weeks before he received the letter from the Attorney General's Department Mr. Drew Pearson's attorney had come to the district attorney's office and asked him if Senator TYDINGS was not asking for the right to come before the grand jury, and it was 3 weeks after Mr. Pearson's attorney learned that I was coming before the grand jury that I actually went down to go before them, and found that in the meantime the Attorney General had sent the letter instructing him to close the case.

Mr. O'MAHONEY. Mr. President, the testimony before the committee presented by the Senator from Maryland was that he first drew this matter to the attention of Mr. Pine——

Mr. TYDINGS. That is correct.

Mr. O'MAHONEY. And that Mr. Pine called in the F. B. I.——

Mr. TYDINGS. That is correct.

Mr. OVERTON. And the Senator says that the F. B. I. did not report to Pine, but reported to the Attorney General. Why was it that the F. B. I. reported to the Attorney General instead of reporting to the local district attorney?

Mr. O'MAHONEY. That was not brought out; but I will say to the Senator that it seems to me the obvious reason was that when a request comes in to the Department of Justice for an investigation by the F. B. I., it would in the normal course of procedure go to the head of the Department for approval or disapproval. As I pointed out a little while ago, Mr. Jackson became Attorney General on January 18, 1940, and the case was first called to his attention in less than 2 weeks thereafter. It had already been in the Department.

Mr. OVERTON. By whom was it called to the Attorney General's attention?

Mr. O'MAHONEY. By Mr. Rogge.

Mr. OVERTON. He was Assistant Attorney General?

Mr. TYDINGS. He was assistant.

Mr. OVERTON. Who called Mr. Rogge's attention to the case?

Mr. O'MAHONEY. That was prior to the entrance of Mr. Jackson into the position of Attorney General.

Mr. OVERTON. What I am trying to ascertain is why the Attorney General's Office intervened in this prosecution in the District of Columbia. Did he do it of his own volition, or was it a matter officially put up to the Attorney General's Office?

Mr. O'MAHONEY. Let me read the testimony of Mr. Jackson in response to my question, as found on page 58 of the hearings. I propounded the following question to the Attorney General, referring to Mr. Pine:

> Did you give him the order for the investigation?
>
> Attorney General JACKSON. I did. I sent down to Mr. Hugh Fisher, however, for a memorandum on the general subject of libel and the history of libel in the Department. I authorized the investigation as Mr. Pine requested because, obviously, if we came to the conclusion we could not prosecute and Senator TYDINGS was in a position to say that we would not even get the facts of the case, he might have a legitimate grievance. So, we got the facts.

Mr. TYDINGS. Mr. President, will the Senator yield at that point?

Mr. O'MAHONEY. The Senator from Louisiana may not have finished.

Mr. OVERTON. It does not appear to me yet why the Attorney General intervened. According to the testimony the Senator has just read, the statement of Attorney General Jackson, he said:

> I sent down to Mr. Hugh Fisher, however, for a memorandum on the general subject of libel and the history of libel in the Department—

And so forth. Why did he do it?

Mr. O'MAHONEY. In the preceding paragraph the Senator will find the testimony of the Attorney General to this effect:

> I think the record shows here that the first time the case came to my attention was a letter from David A. Pine to J. Edgar Hoover, January 24, 1940, requesting the investigation and requesting particularly answers to a long list of questions which the district attorney appended. That was brought to my attention by Mr. Hoover in a memorandum of January 27, 1940, in which he said:
>
> "Mr. Pine, United States attorney, requests appropriate investigation to be made into the facts of Senator TYDING's complaint. I am calling this matter to your attention for instructions as to what action you desire me to take.

Mr. OVERTON. That answers the question.

Mr. TYDINGS. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. TYDINGS. The Senator read from page 58. The Senator has been very fair in this case, and I appreciate it, and do not wish to transgress on his time——

Mr. O'MAHONEY. All my time is the Senator's time.

Mr. TYDINGS. I dislike to insult the Senator's great intellect——

Mr. O'MAHONEY. I hope the Senator will not put wings on me. [Laughter.]

Mr. TYDINGS. I think they are deserved wings; there is no flattery in that statement. The Attorney General testified:

> I authorized the investigation as Mr. Pine requested, because obviously if we came to the conclusion we could not prosecute and Senator TYDINGS was in a position to say that we would not even get the facts of the case, he might have a legitimate grievance.

There was nothing in the world Mr. Jackson could find from that investigation except the things I represented to him before the investigation started. He could not find the situation was any worse than I had told him it was. He found it was exactly as I represented it. If Mr. Jackson was sincere in this statement, he should have said, "Senator, even if the facts, upon investigation, are shown to be exactly as you represent them, I will ask the district attorney not to prosecute the case." That would have been the fair, the logical, the decent thing for him to have done. He should have said to me, "If you want to go through with this, I will go through with it, but if the facts are exactly as you represent them, I will instruct the district attorney not to prosecute the case." But instead of that he gets out of his investigation by this statement:

> I authorized the investigation as Mr. Pine requested because obviously if we came to the conclusion we could not prosecute and Senator TYDINGS was in a position to say that we would not even get the facts of the case, he might have a legitimate grievance.

I do not think that needs any additional comment. If Mr. Jackson was not going to prosecute upon the facts as I represented them, he should have said so in the beginning, or he should have said, "Unless the facts against these culprits are worse than you have represented them, I do not think we should go any further with it." But what Mr. Jackson did was to authorize the investigation, and when all I had said was proven to be true, then for the first time he turned coat and ran away from the case.

Mr. O'MAHONEY. Mr. President, I shall not trespass further upon the time of the Senate, except to say that it must be perfectly clear that the committee could not undertake to convince the Senator from Maryland that the Attorney General should not have brought this case, or that the Attorney General was exercising sound discretion when he decided against bringing the case. In the Senator's mind there can be a legitimate ground for believing that this case should have been prosecuted. The position of the committee was, however, that there was also a completely legitimate basis for the conclusion of the Attorney General that it would be unwise to initiate cases of this kind, and the committee was of the opinion that in exercising that discretion, in adopting that policy, he did not commit an act which justified the subcommittee or the full committee in reporting to the Senate that the Attorney General was not suited for the Supreme Court of the United States.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. TYDINGS. Will the Senator point out to me wherein the Attorney General of the United States has any discretion, where cases are within the law, of saying what the district attorneys in the various jurisdictions shall or shall not do? My conception of the law, as I remembered it, was that the ultimate decision was with the district attorney. He is the enforcement officer of the Government. The Attorney General is the administrative officer of the Government. The district attorney is specifically sworn to enforce the law. The Attorney General has a dual capacity, not so much as an enforcement agent, as an administrative agent. I do not believe the Attorney General has any more right to intervene in a case similar to this than he would have to intercede in a case of prosecution for murder.

Mr. O'MAHONEY. Of course, the Senator's position is quite clear, and I understand the reason which impels him to reach that conclusion. But it is also a matter of common knowledge that United States attorneys through the length and breadth of the land, every day decide whether to prosecute particular cases; they decide in their offices every day, as a matter of course, whether they shall undertake to present one set of facts or another set of facts to a grand jury. Even after indictments are brought in, they frequently are called upon to decide whether they shall proceed with the trial of a case or shall dismiss the case. That is a part of the job of the district attorney, and it is perfectly obvious that unless United States attorneys followed that procedure, every single time a citizen of the United States felt that his rights were affected and brought a complaint there would be no possibility of using discretion, and the courts of the United States would be clogged with cases which in many instances would have no chance whatsoever of being prosecuted to a successful conclusion. If it be said that the United States attorney in every district is himself the judge of what should or should not be done, let us not forget that the Congress of the United States has passed numerous statutes which have increased the responsibility of the Department of Justice and of the F. B. I. in criminal matters. We have passed statute after statute to broaden the investigatory powers of the F. B. I., and United States attorneys all over the country are constantly turning to the Department of Justice in Washington for advice and for help, and Congress has always regarded that as a very salutary proceeding. So we cannot complain if a United States attorney in the District of Columbia should seek to take advantage of the policy which was laid down by the Congress.

Let it also be remembered that this is a case which was brought up under a statute of the District of Columbia, and that in the District, in the Capital of the Nation, there are congregated various agencies which are continually disseminating information and making charges, warranted and unwarranted, about activities of the Government and those who are connected with it.

Mr. President, it all comes down to the simple fact whether, in outlining his policy, the Attorney General adopted a course of action which disqualifies him for the highest court in the land. The decision of the Atorney General was set forth in his letter to the Senator from Maryland. It has already been read by the distinguished Senator from Ohio [Mr. BURTON], who was an able and diligent member of the subcommittee. Let me read it again:

> A literal interpretation of the District of Columbia Code, therefore, would bring every written statement of such character into the field of criminal prosecution.
>
> The very breadth of these provisions would justify innumerable cases if the criminal processes were to be invoked in the case of all violations. Yet this criminal section of the District of Columbia Code has not been used for substantially a generation to punish the publisher of a libel. As I told you recently, instances have arisen in which members of the executive, the legislative, and the judicial departments have been libeled and a literal interpretation of the statute would have justified prosecution. Such complaints have been considered, but my predecessors in this office have not attempted to invoke the criminal process because there is open to any person aggrieved a civil action for libel in which punitive damages may be obtained if justified.

Mr. President, in the light of all that was said, it was the unanimous judgment of the subcommittee and the unanimous judgment of the full committee that nothing was brought before the committee which justified us in saying that the Attorney General of the United States, by his action in this case, was not qualified for the office, and therefore the committee recommended the confirmation of his nomination.

DISPATCH OF NAVAL FORCES TO ICELAND
(H. DOC. NO. 307)

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). As in legislative session, the Chair lays before the Senate a message from the President of the United States, which the clerk will read.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Radcliffe
Andrews	George	Rosier
Austin	Gerry	Russell
Barkley	Glass	Schwartz
Bone	Guffey	Smathers
Brooks	Gurney	Spencer
Burton	Herring	Stewart
Butler	Hill	Taft
Byrd	Johnson, Calif.	Thomas, Idaho
Byrnes	Lucas	Thomas, Okla.
Capper	McCarran	Thomas, Utah
Caraway	McFarland	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Mead	Van Nuys
Connally	Norris	Walsh
Danaher	Nye	Wheeler
Davis	O'Mahoney	White
Downey	Overton	
Eastland	Pepper	

The PRESIDING OFFICER. Fifty-eight Senators having answered to their names, a quorum is present.

The clerk will read the message of the President.

The legislative clerk read as follows:

To the Congress of the United States:

I am transmitting herewith for the information of the Congress a message I received from the Prime Minister of Iceland on July 1, and the reply I addressed on the same day to the Prime Minister of Iceland in response to this message.

In accordance with the understanding so reached, forces of the United States Navy have today arrived in Iceland in order to supplement, and eventually to replace, the British forces which have

until now been stationed in Iceland in order to insure the adequate defense of that country.

As I stated in my message to the Congress of September 3 last regarding the acquisition of certain naval and air bases from Great Britain in exchange for certain overage destroyers, considerations of safety from overseas attack are fundamental.

The United States cannot permit the occupation by Germany of strategic outposts in the Atlantic to be used as air or naval bases for eventual attack against the Western Hemisphere. We have no desire to see any change in the present sovereignty of those regions. Assurance that such outposts in our defense frontier remain in friendly hands is the very foundation of our national security and of the national security of every one of the independent nations of the New World.

For the same reason substantial forces of the United States have now been sent to the bases acquired last year from Great Britain in Trinidad and in British Guiana in the south in order to forestall any pincers movement undertaken by Germany against the Western Hemisphere. It is essential that Germany should not be able successfully to employ such tactics through sudden seizure of strategic points in the South Atlantic and in the North Atlantic.

The occupation of Iceland by Germany would constitute a serious threat in three dimensions:

The threat against Greenland and the northern portion of the North American Continent, including the islands which lie off it.

The threat against all shipping in the North Atlantic.

The threat against the steady flow of munitions to Britain—which is a matter of broad policy clearly approved by the Congress.

It is, therefore, imperative that the approaches between the Americas and those strategic outposts, the safety of which this country regards as essential to its national security and which it must therefore defend, shall remain open and free from all hostile activity or threat thereof.

As Commander in Chief I have consequently issued orders to the Navy that all necessary steps be taken to insure the safety of communications in the approaches between Iceland and the United States, as well as on the seas between the United States and all other strategic outposts.

This Government will insure the adequate defense of Iceland with full recognition of the independence of Iceland as a sovereign state.

In my message to the Prime Minister of Iceland I have given the people of Iceland the assurance that the American forces sent there would in no way interfere with the internal and domestic affairs of that country, and that immediately upon the termination of the present international emergency all American forces will be at once withdrawn, leaving the people of Iceland and their Government in full and sovereign control of their own territory.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 7, 1941.*

Mr. BARKLEY. I ask that the accompanying documents be read.

The PRESIDING OFFICER. The clerk will read as requested.

The accompanying documents were read, as follows:

MESSAGE SENT BY THE PRIME MINISTER OF ICELAND TO THE PRESIDENT OF THE UNITED STATES

In a conversation of June 24, the British Minister explained that British forces in Iceland are required elsewhere. At the same time he stressed the immense importance of adequate defense of Iceland. He also called my attention to the declaration of the President of the United States to the effect that he must take all necessary measures to insure the safety of the Western Hemisphere—one of the President's measures is to assist in the defense of Iceland—and that the President is therefore prepared to send here immediately United States troops to supplement and eventually to replace the British force here. But that he does not consider that he can take this course except at the invitation of the Iceland government.

After careful consideration of all the circumstances the Iceland government, in view of the present state of affairs, admit that this measure is in accordance with the interest of Iceland, and therefore are ready to entrust the protection of Iceland to United States on the following conditions:

1. United States promise to withdraw all their military forces, land, air, and sea, from Iceland immediately on conclusion of present war.

2. United States further promise to recognize the absolute independence and sovereignty of Iceland and to exercise their best efforts with those powers which will negotiate the peace treaty at the conclusion of the present war in order that such treaty shall likewise recognize the absolute independence and sovereignty of Iceland.

3. United States promise not to interfere with government of Iceland neither while their armed forces remain in this country nor afterward.

4. United States promise to organize the defense of the country in such a way as to insure the greatest possible safety for the inhabitants themselves and assure that they suffer minimum disturbance from military activities; these activities being carried out in consultation with Iceland authorities as far as possible. Also because of small population of Iceland and consequent danger to nation from presence of a numerous army, great care must be taken that only picked troops are sent here. Military authorities should be also instructed to keep in mind that Icelanders have been unarmed for centuries and are entirely unaccustomed to military discipline, and conduct of troops toward the inhabitants of the country should be ordered accordingly.

5. United States undertake defense of the country without expense to Iceland and promise compensation for all damage occasioned to the inhabitants by their military activities.

6. United States promise to further interests of Iceland in every way in their power, including that of supplying the country with sufficient necessities, of securing necessary shipping to and from the country and of making in other respects favorable commercial and trade agreements with it.

7. Iceland Government expects that declaration made by President in this connection will be in agreement with these promises on the part of Iceland, and Government would much appreciate its being given the opportunity of being cognizant with wording of this declaration before it is published.

8. On the part of Iceland it is considered obvious that if United States undertake defense of the country it must be strong enough to meet every eventuality and particularly in the beginning it is expected that as far as possible effort will be made to prevent any special danger in connection with changeover. Iceland Government lays special stress on there being sufficient airplanes for defensive purposes wherever they are required and they can be used as soon as decision is made for United States to undertake the defense of the country.

This decision is made on the part of Iceland as an absolutely free and sovereign state and it is considered as a matter of course that United States will from the beginning recognize this legal status of the country, both states immediately exchanging diplomatic representatives.

MESSAGE SENT BY THE PRESIDENT OF THE UNITED STATES IN RESPONSE TO A MESSAGE FROM THE PRIME MINISTER OF ICELAND

I have received your message in which you have informed me that after careful consideration of all the circumstances the Iceland Government, in view of the present state of affairs, admits that the sending to Iceland of United States troops to supplement and eventually to replace the present British forces there would be in accordance with the interests of Iceland and that, therefore, the Iceland Government is ready to entrust the protection of Iceland to the United States on the following considerations:

1. United States promise to withdraw all their military forces—land, air, and sea—from Iceland immediately on conclusion of present war.

2. United States further promise to recognize the absolute independence and sovereignty of Iceland and to exercise their best efforts with those powers which will negotiate the peace treaty at the conclusion of the present war in order that such treaty shall likewise recognize the absolute independence and sovereignty of Iceland.

3. United States promise not to interfere with Government of Iceland neither while their armed forces remain in this country nor afterward.

4. United States promise to organize the defense of the country in such a way as to insure the greatest possible safety for the inhabitants themselves and assure that they suffer minimum disturbance from military activities, these activities being carried out in consultation with Iceland authorities as far as possible. Also because of small population of Iceland and consequent danger to nation from presence of a numerous army, great care must be taken that only picked troops are sent here. Military authorities should be also instructed to keep in mind that Icelanders have been unarmed for centuries and are entirely unaccustomed to military discipline and conduct of troops toward the inhabitants of the country should be ordered accordingly.

5. United States undertake defense of the country without expense to Iceland and promise compensation for all damage occasioned to the inhabitants by their military activities.

6. United States promise to further interests of Iceland in every way in their power, including that of supplying the country with sufficient necessities, of securing necessary shipping to and from the country, and of making in other respects favorable commercial and trade agreements with it.

7. Iceland Government expect that declaration made by President in this connection will be in agreement with these promises on the part of Iceland, and Government would much appreciate its being given the opportunity of being cognizant with wording of this declaration before it is published.

8. On the part of Iceland it is considered obvious that if United States undertake defense of the country it must be strong enough to meet every eventuality and particularly in the beginning it is expected that, as far as possible, efforts will be made

to prevent any special danger in connection with change-over. Iceland Government lays special stress on there being sufficient airplanes for defensive purposes wherever they are required, and they can be used as soon as decision is made for United States to undertake the defense of the country.

You further state that this decision is made on the part of Iceland as an absolutely free and sovereign state and that it is considered as a matter of course that the United States will from the beginning recognize the legal status of Iceland, both states immediately exchanging diplomatic representatives.

I take pleasure in confirming to you hereby that the conditions set forth in your communication now under acknowledgment are fully acceptable to the Government of the United States and that these conditions will be observed in the relations between the United States and Iceland. I may further say that it will give me pleasure to request of the Congress its agreement in order that diplomatic representatives may be exchanged between our two countries.

It is the announced policy of the Government of the United States to undertake to join with the other nations of the Western Hemisphere in the defense of the New World against any attempt at aggression. In the opinion of this Government, it is imperative that the integrity and independence of Iceland should be preserved because of the fact that any occupation of Iceland by a power whose only too clearly apparent plans for world conquest include the domination of the peoples of the New World would at once directly menace the security of the entire Western Hemisphere.

It is for that reason that in response to your message, the Government of the United States will send immediately troops to supplement and eventually to replace the British forces now there.

The steps so taken by the Government of the United States are taken in full recognition of the sovereignty and independence of Iceland and with the clear understanding that American military or naval forces sent to Iceland will in nowise interfere in the slightest degree with the internal and domestic affairs of the Icelandic people; and with the further understanding that immediately upon the termination of the present international emergency, all such military and naval forces will be at once withdrawn, leaving the people of Iceland and their government in full sovereign control of their own territory.

The people of Iceland hold a proud position among the democracies of the world, with a historic tradition of freedom and of individual liberty which is more than a thousand years old. It is, therefore, all the more appropriate that in response to your message, the Government of the United States, while undertaking this defensive measure for the preservation of the independence and security of the democracies of the New World, should at the same time be afforded the privilege of cooperating in this manner with your Government in the defense of the historic democracy of Iceland.

I am communicating this message, for their information, to the governments of all of the other nations of the Western Hemisphere.

The PRESIDING OFFICER. The message from the President, with the accompanying documents, will be referred to the Committee on Foreign Relations and printed.

ASSOCIATE JUSTICE, SUPREME COURT OF THE UNITED STATES—ROBERT H. JACKSON

The Senate resumed the consideration of the nomination of Robert H. Jackson, of New York, to be an Associate Justice of the Supreme Court of the United States.

Mr. MEAD. Mr. President, I desire but a few brief moments to explain my attitude in connection with the pending nomination. I shall not enter into any discussion of the relative merits of the questions which have been raised. They have been presented to the Senate by the able and distinguished Senator from Maryland [Mr. TYDINGS] and by the able and equally distinguished Senator from Wyoming [Mr. O'MAHONEY].

I have a high regard for the personal and political integrity of the Senator from Maryland. I regret that any controversy has arisen; but, in my judgment, it will be treated by lawyers of the Senate and by lawyers on the committee better than I could possibly hope to do.

Mr. President, as a neighbor and friend of the present Attorney General, I wish to leave with the Senate a statement of the attitude, feeling, and opinion prevalent in our State with regard to his standing as a lawyer and as a citizen.

As everyone who has read the record of Robert Jackson knows, he epitomizes the opportunity which can be found only in the democratic way of life which we have cherished and developed as a tradition of our own America. Bob Jackson came up the hard way. He was born in a small, obscure community in northwestern Pennsylvania, and he later came to live in southwestern New York. Some persons are of the impression that he came to Washington and was advanced rapidly as a result of having influential friends; but I say to the Senate that in his life as a student and in his activities at the bar in his native city Bob Jackson's rise was as notable, creditable, and extraordinary in his every endeavor as it has been here in Washington in the official life of the Nation.

Bob Jackson had native ability. Bob Jackson had sound, fundamental training. Bob Jackson was gifted beyond the average man; and he proved himself a leader and a barrister of note in every legal case that came to his attention.

In one year as a law student at Albany College, Bob Jackson raced far ahead of his class and absorbed in that 1 year a complete 2-year course of training. Before he was admitted to the bar, and by special consent of the court, he won a notable victory which stamped him in his home community as a "comer" in the legal profession.

The people of western New York have come to appreciate Bob Jackson. In their estimation he has one of the best legal minds developed in the entire State in a generation. His standing, integrity, and opinion are universally respected. He has been honored by his native city, by the State of New York, and by the Government of the United States. He has risen to prominence in legal societies and associations, and has taken his place with men such as Elihu Root. In my judgment, Mr. President, the nomination of the present Attorney General to be an Associate Justice of the Supreme Court will be acclaimed as one of the best appointments made by the present President of the United States. That is the comment to be found in the press of the day in every section of the country, irrespective of the political affiliations of the newspapers.

I have before me, Mr. President, a very small collection of clippings taken at random from the press of the country, commenting upon the nomination by the President of the United States of the present Attorney General. The Times, of Chicago, Ill., an independent newspaper, among other things makes this observation:

> The two new Justices are distinguished and able. Justice Jackson's record as Solicitor General and later as head of the Justice Department is one of the most brilliant in the history of those offices.

From the Mankato, Minn., Free Press, an independent newspaper, commenting at length concerning the abilities of this candidate, comes this statement:

> The youngest of the appointees (Mr. Jackson), promises to be a jurist who will grow in judgment and in influence with the passage of years.

I read from the Journal, an independent organ of Flint, Mich.:

> Attorney General Jackson is one of the bright young men who have risen under President Roosevelt. His critics have recognized him as having a brilliant legal mind even though taking exception to much of the doctrine he has advocated.

The Brooklyn Eagle, of Brooklyn, N. Y., commenting on all the appointees, has this to say about Attorney General Jackson:

> Of an active, aggressive cast of mind, which often aroused the ire of those of opposing beliefs, Attorney General Jackson can be depended upon to bring energy and resolution to the Court.

From the Register, an Independent Democratic newspaper of Springfield, Ill., I read:

> Mr. Jackson is known as an able lawyer, of sound training and background, and a record of constructive achievement in the exacting post he has held.

In the Journal, a Democratic newspaper of Atlanta, Ga., we find this statement applying to the applicant for confirmation:

> But his advancement has been rapid and well earned. As Attorney General, Solicitor General, and, since January 1940, Attorney General of the United States, he has made a solid as well as a brilliant record.

From the Tennesseean, of Nashville, Tenn., I read:

> Attorney General Robert H. Jackson and Senator James F. Byrnes will round out the Court. Both men have ability and energy. Both have been helpers in the New Deal cause. They are pleasing and popular figures who will make their best contribution to the course of justice.

In the Journal of Dayton, Ohio, independent Republican, this comment is offered:

> Senator JAMES F. BYRNES, of South Carolina, and Attorney General Robert H. Jackson, of New York. Both are able men, the Attorney General being regarded as one of the most brilliant minds of the New Deal.

From the Bee, an independent newspaper of Sacramento, Calif.:

Since going to Washington in 1933 his reputation—

Referring to Attorney General Jackson—

as a lawyer has risen steadily. When Solicitor General it was his duty to present the Government's arguments in all important cases before the Supreme Court. And even when he did not agree with him, Chief Justice Hughes complimented him often on his able presentation and strong supporting briefs.

From the Vindicator, an independent Democratic newspaper, of Youngstown, Ohio:

Mr. Jackson properly has opposed "the idea that the Federal Government must be a helpless bystander while economic wrongs go unchecked * * *." Mr. Jackson's practical legal ability is unquestioned.

The Union, a Republican newspaper of San Diego, Calif., commenting upon Attorney General Jackson, offers this comment:

His trust-busting activities and his frequently expressed desire to bring labor unions into the scope of legislation regulating monopolies, have indicated a sincerity of purpose and a desire for fair treatment of all branches of society that have played an important part in increasing his judicial stature.

From the Times, an independent Republican newspaper, of Watertown, N. Y., in an editorial devoted entirely to Robert H. Jackson, I read this very brief statement:

Mr. Robert H. Jackson should make a valuable addition to the Supreme Court of the United States. He has been one of the most vigorous, one of the best-balanced of the new dealers.

Mr. President, speaking as his neighbor, and as a representative in the Senate from his State, I wish to say that I believe Robert H. Jackson will make an outstanding member of the Supreme Court of the United States. I believe that he has lived a life and enjoyed an experience that admirably fit him for that responsibility. He realizes the opportunities which characterize our democratic way of life. He knows the difficulties that beset small individual independent enterprises; and he is a very capable advocate of the cause of the individual, of the cause of independent business, and he will be always eager to keep the door of opportunity open. He believes in private enterprise and the profit system, but he opposes all those who, claiming to be advocates of private enterprise, would, by reason of their concentration of great power, deprive and deny the opportunity which he wants to keep alive in America.

His neighbors and his friends think well of him. His political enemies have come to admire and respect him. He has won his way at the bar of our State. I believe it is the judgment of our people that Bob Jackson has one of the best legal minds ever sent to Washington to serve in a position of trust and responsibility. They are proud of him, and they believe the Nation will be proud of him after they have opportunity to appraise his service on the Supreme Court of the United States.

Mr. TYDINGS. Mr. President, if no other Senator desires to be heard on this matter, there is no disposition on my part to go over the ground which has already been covered. I felt I had a duty to perform and I tried to perform it. I should like, however, about 5 minutes more to make a few additional observations.

I think the Senator from Wyoming [Mr. O'MAHONEY] drew the issue very accurately when he said that, so far as the Senate is concerned, the issue is not whether the statement of Pearson and Allen is true or false, but whether the conduct of the Attorney General of the United States was all that it should be in the premises. I think that represents pretty clearly the issue before the Senate, and, so far as I am concerned, much as I regret to do so, I am forced to resolve that issue against the Attorney General.

Briefly, in about 4 minutes, I should like to make this closing statement.

The act of Congress provides as follows as to libel and the penalty therefor for the District of Columbia:

Libel: Whoever publishes a libel shall be punished by fine not exceeding a thousand dollars or imprisonment for a term not exceeding 5 years, or both.

That is the law of the United States of America. What Pearson and Allen said about the senior Senator from Maryland, Senator TYDINGS, was clearly libelous. I do not think there is a man in the world who would say that a false statement of the appropriation of public money by anyone for use on his own private property could be anything else but a libel. In my opinion, it is equivalent to charging a Senator with larceny, the misappropriation of funds, or the stealing of funds which he uses for his own personal benefit.

That being so, it seems to me that the very least the Attorney General of the United States could do would be to mind his own business. He had no more right to write to the district attorney, who was ready and willing to prosecute the case, than I would have to write to the district attorney. General Jackson said that he did not know all the facts in the case; he was willing to take the statement I made as to the facts. It is perfectly apparent to me that he did not know all the facts; yet he recited all the alleged facts in a memorandum which he put in the record.

I feel that the Attorney General in this case has virtually repealed or abrogated an act of Congress. There is no doubt in my mind at all that the action of the Attorney General of the United States is equivalent in the instant case to the repeal of a congressional statute. There is no other interpretation whatsoever that can be put upon his action, and the fact that he uses language to excuse himself, and employs the kind of reasoning he does, convinces me all the more that, whatever his talents may be, they are not sufficient to warrant giving him a position upon the Supreme Court of the United States of America.

He has no more right to set aside one act of Congress simply by virtue of the fact that he is Attorney General of the United States than he has the right to set aside any other act of Congress because he is Attorney General of the United States. That is what he has done. Pearson and Allen prepared that statement, not in passion, not in heat, but deliberately, calculatingly, and coldbloodedly on the typewriter, and then uttered it, in the face of a report by W. P. A. that it was not true, in the face of an F. B. I. report that the statement of Pearson and Allen was not true, and of the Attorney General himself that it was not true. The fact that Pearson and Allen did not retract their false statement stamps it as having been malicious, and shows a deliberate design to smear and besmirch the character of a Member of the United States Senate.

I have no doubt that if these facts were presented to a jury, the fact that these men did not retract their statement, the fact that they relied on silence, and the fact that Allen wrote Colonel Harrington a letter condemning him for telling the truth, would before any jury in Christendom result in conviction.

I am convinced that, either subconsciously or consciously, one of the mainsprings of the judicial temperament, so-called, of Mr. Jackson is political expediency. I am convinced that self-promotion is more important to him than a meticulous performance of the duties of his office. I am convinced that in the instant case Jackson was not upholding the Constitution and the laws of the United States, which he had taken an oath to uphold and enforce. I am convinced for all these reasons that it was my duty to present the case to the Senate of the United States as I have presented it. I have made my position clear, that Jackson will be promoted to the Supreme bench without a vote for confirmation on my part.

Mr. O'MAHONEY. Mr. President, it had not been my intention to say anything more about this issue, but I feel, in order that the record of the subcommittee which handled this matter and the record of the Committee on the Judiciary may be made quite clear, that it is appropriate for me to add another word.

Let it be remembered that the criminal libel statute applies to all alike, and not only to persons who are in the public service. It applies to those who are in civil life and I concede that the primary purpose of legislatures, here and elsewhere, in enacting a statute of this kind, is to protect the person in private life from criminal libel.

We all know that the courts have uniformly recognized a greater latitude in the expression of opinion or the making of charges with respect to public officials than they have with respect to persons who are in private life alone. This question was presented to the Attorney General by the Senator from Maryland, in a case in which his own personal integrity was deeply touched.

Mr. TYDINGS. Will the Senator permit me to interrupt?

Mr. O'MAHONEY. Certainly.

Mr. TYDINGS. I did not present this to the Attorney General. I hope the Senator will not put me in that position. I went to the Attorney General because he had interfered with the district attorney.

Mr. O'MAHONEY. I will modify the statement. It was presented to the Department of Justice by the Senator from Maryland, because he was deeply touched, and I think properly touched, by the experience he had been compelled to undergo. But the question presented to the Attorney General was whether a statute of the District of Columbia should be enforced in a case of this kind, and in his letter to the Senator from Maryland he said:

> You have told me that you have other cases that you would also want prosecuted after this one. To use the power of the Government in a campaign of this kind would, in my opinion, discredit the law-enforcement agencies if unsuccessful, and, if successful, would constitute embarrassment not consistent with our support of freedom of the press. That this freedom is sometimes abused does not lessen the necessity for its protection.

Those are the words of the Attorney General, and I think a careful and dispassionate consideration of them will lead most persons to believe that they represent the correct attitude toward matters of this kind.

Let it not be forgotten that if it were possible for Senators of the United States and Members of the House of Representatives and other officials of the Government to go to the United States attorney for the District of Columbia and to the Department of Justice in every instance in which they believed they had been maligned, let me say, and libeled by the press, and to secure criminal prosecutions in such cases, a dangerous weapon might easily be forged, as the Attorney General has pointed out, to suppress the freedom of speech which is so essential to the maintenance of our form of government.

Mr. President, that was the feeling of the committee in recommending the confirmation of this nomination. The question here, as I stated earlier in the day, is not whether the charges made were true or false, but whether there was an abuse of discretion. The committee felt that there was none.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk read the nomination of Henry A. Rasmussen to be senior surgeon, United States Public Health Service.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk read sundry nominations of postmasters.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the executive calendar.

AMENDMENT OF TENNESSEE VALLEY AUTHORITY ACT—CONFERENCE REPORT

Mr. BARKLEY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to.

Mr. NORRIS submitted the following report:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2097) to amend the Tennessee Valley Authority Act as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:
>
> That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows: In lieu of the language proposed to be inserted by the Senate amendment, insert the following:
>
> By striking therefrom subsection (k) of section 4 and inserting in lieu thereof a new subsection (k), as follows:
>
> "(k) Shall have power in the name of the United States—
>
> "(a) to convey by deed, lease, or otherwise, any real property in the possession of or under the control of the Corporation to any person or persons, for the purpose of recreation or use as a summer residence, or for the operation on such premises of pleasure resorts for boating, fishing, bathing, or any similar purpose;
>
> "(b) to convey by deed, lease, or otherwise, the possession and control of any such real property to any corporation, partnership, person, or persons for the purpose of erecting thereon docks and buildings for shipping purposes or the manufacture or storage thereon of products for the purpose of trading or shipping in transportation: *Provided*, That no transfer authorized herein in (b) shall be made without the approval of Congress; *And provided further*, That said Corporation, without further action of Congress, shall have power to convey by deed, lease, or otherwise, to the Ingalls Shipbuilding Corporation, a tract or tracts of land at or near Decatur, Alabama, and to the Commercial Barge Lines, Inc., a tract or tracts of land at or near Guntersville, Alabama;
>
> "(c) to transfer any part of the possession and control of the real estate now in possession of and under the control of said Corporation to any other department, agency, or instrumentality of the United States: *Provided, however*, That no land shall be conveyed, leased, or transferred, upon which there is located any permanent dam, hydroelectric power plant, or munitions plant heretofore or hereafter built by or for the United States or for the Authority, except that this prohibition shall not apply to the transfer of Nitrate Plant Numbered 1, at Muscle Shoals, Alabama, or to Waco Quarry: *And provided further*, That no transfer authorized herein in (a) or (c), except leases for terms of less than twenty years, shall be made without the approval of the President of the United States, if the property to be conveyed exceeds $500 in value; and
>
> "(d) to convey by warranty deed, or otherwise, lands, easements, and rights-of-way to States, counties, municipalities, school districts, railroad companies, telephone, telegraph, water, and power companies, where any such conveyance is necessary in order to replace any such lands, easements, or rights-of-way to be flooded or destroyed as the result of the construction of any dam or reservoir now under construction by the Corporation, or subsequently authorized by Congress, and easements and rights-of-way upon which are located transmission or distribution lines. The Corporation shall also have power to convey or lease Nitrate Plant Numbered 1, at Muscle Shoals, Alabama, and Waco Quarry, with the approval of the War Department and the President."
>
> And the Senate agree to the same.
>
> E. D. SMITH,
> G. W. NORRIS,
> ELMER THOMAS,
> CHAS. L. MCNARY,
> *Managers on the part of the Senate.*
>
> A. J. MAY,
> R. E. THOMASON,
> DOW W. HARTER,
> DEWEY SHORT,
> CHARLES R. CLASON,
> *Managers on the part of the House.*

Mr. NORRIS. Mr. President, I do not wish to conflict with any agreement which has been made, but I should like to have the conference report agreed to.

Mr. BARKLEY. I do not think it would interfere with any agreement.

Mr. McNARY. Mr. President, personally I do not think the consideration of the conference report would interfere with the understanding we had last week when the Senator from South Carolina [Mr. BYRNES] was acting for the leader of the Democratic Party in the Senate. I think the Senator from Nebraska should ask unanimous consent, in order to give any Senator who may so desire an opportunity to object. Otherwise, I think it is perfectly proper to bring up the conference report.

Mr. NORRIS. Mr. President, I would not bring it up if I thought any one now absent would object. It is a conference report which was once agreed to in the Senate.

The VICE PRESIDENT. Is there objection to considering the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. NORRIS. Mr. President, the report is in practically the same form in which it was agreed to once in the Senate and was rejected by the House.

Mr. DANAHER. Mr. President, may not the RECORD show what the conference report deals with?

Mr. NORRIS. It is the same conference report about which the Senator from Connecticut made some inquiries when it was before the Senate a few days ago, when I think his questions were satisfactorily answered. The bill makes a slight amendment in the T. V. A. Act. I shall be glad to explain it in detail if the Senator desires, but I do not wish to take up the time of the Senate.

Mr. DANAHER. I thank the Senator from Nebraska. Until the last moment, so far as I know, the letters "T. V. A." had not been mentioned in connection with the report, and I had no idea what the conference report dealt with. I thank the Senator from Nebraska.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

PRIORITIES IN NATIONAL-DEFENSE TRANSPORTATION BY MERCHANT VESSELS—CONFERENCE REPORT

Mr. RADCLIFFE submitted the following report:

> The committee of conference on the disagreeing votes of the two Houses on the

amendments of the Senate to the bill (H. R. 4700) to provide priorities in transportation by merchant vessels in the interests of national defense, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, and 8, and agree to the same.

GEORGE L. RADCLIFFE,
CHAS. L. MCNARY,
Managers on the part of the Senate.

S. O. BLAND,
ROBERT RAMSPECK,
J. J. MANSFIELD,
RICHARD J. WELCH,
FRANCIS D. CULKIN
Managers on the part of the House.

The report was agreed to.

S. R. BRACKIN—REFERENCE OF BILL TO THE COURT OF CLAIMS

Mr. HILL. Mr. President, some time ago I introduced a bill for the relief of one S. R. Brackin, calling for the payment of $346.20, the claim growing out of the collection of a tax. I afterward submitted a resolution to refer the bill to the Court of Claims under the act of March 3, 1911. If the bill shall be referred to the Court of Claims by the Senate, that court will make a finding of facts and report the matter back to the Congress. I ask unanimous consent for the present consideration of the resolution.

The resolution (S. Res. 136) was considered and agreed to as follows:

Resolved, That the bill (S. 1628) for the relief of S. R. Brackin, now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

AUTHORIZATION FOR REPORTS FROM COMMITTEE ON APPROPRIATIONS AND THE RECEIVING OF COMMUNICATIONS

Mr. BARKLEY. Mr. President, I ask unanimous consent that during the recess or adjournment of the Senate following today's session, the Committee on Appropriations be authorized to report bills or resolutions, and that the Secretary of the Senate be authorized to receive communications from the House of Representatives.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

CONTROL OF STRIKES IN DEFENSE INDUSTRIES

Mr. BYRD. Mr. President, strikes in defense industries are continuing. I present for insertion in the body of the RECORD statements which I have received from the War Department and the Navy Department with respect to the number of strikes existing in defense industries as of July 5. The statements show that as of July 5 there were 24 strikes affecting War Department contracts, and as of the same date there were 19 strikes affecting Navy Department contracts. Of these, only 6 are duplicated, showing that without the duplications there were actually 37 strikes in existence affecting defense contracts for both the War and Navy Departments, exclusive of contracts let by the Maritime Commission.

The VICE PRESIDENT. Without objection, the statements will be printed in the RECORD.

The statements are as follows:

On Thursday, July 3, there were 24 strikes affecting War Department procurement with approximately 12,000 workers idle, as follows:

Company	Number idle	Union	Strike began—	War Department interest
American Potash & Chemical, Trona, Calif. (about 500men returned to work July 2, 1941.)	[1]500	Congress of Industrial Organizations	Mar. 19, 1941	Borax and boric acid (Both on priorities critical list.)
American Wire Division of Electric Auto-Lite Co., Port Huron, Mich.	650	American Federation of Labor	June 30, 1941	Ignition cable for airplanes; wire for Navy bombers, Quartermaster Corps vehicles, and tanks.
Bramhall Deane Co., New York City	20	do	July 2, 1941	Sterilizing equipment for Medical Corps.
Cleveland Brass Co., Cleveland, Ohio	150	Congress of Industrial Organizations	May 27, 1941	Indirect source of supply for Ordnance—brass.
Duquesne Light Co., Pittsburgh, Pa.	(2)	American Federation of Labor	July 2, 1941	2 construction projects—power stations in Pittsburgh area—Brunot Island generating station and Wierton, Pa.
De Long Hook & Eye Co., Philadelphia, Pa.	297	Independent	do	Hooks and eyes for Quartermaster Corps.
Federal Manufacturing Co., Brooklyn, N. Y.	40	American Federation of Labor	do	Steam tables for Quartermaster Corps.
Goodrich Electric Co., Chicago, Ill.	150	Congress of Industrial Organizations	June 28, 1941	Reflectors for Denver Ordnance Plant.
Jefferson Barracks, St. Louis, Mo.	1,850	American Federation of Labor	July 1, 1941	Construction of Army barracks—now completely halted.
Keasby-Mattison Co., Ambler, Pa.	1,000	American Federation of Labor and Congress of Industrial Organizations.	June 25, 1941	Reported 75 percent of plant's production goes to Army for building material and to Navy for battleship insulation.
McLaren Sportswear Ltd., Inc., Phillipsburgh, N. J.	[2]100	Congress of Industrial Organizations	do	Trousers for Quartermaster Corps.
Mechanical Foundries, Inc., Vernon (Los Angeles), Calif.	70	American Federation of Labor	June 27, 1941	Subcontracts for Air Corps.
Missouri Rolling Mill, St. Louis, Mo.	550	do	June 25, 1941	Indirect source of supply—steel.
Nasco Awning, Inc., Brooklyn, N. Y.	60	Congress of Industrial Organizations	June 30, 1941	Leggings for Quartermaster Corps.
New Jersey Galvanizing Co., Newark, N. J.	35	do	May 23, 1941	Iron frames for Fort Monmouth project. Also subcontractor for Signal Corps.
New Orleans Clothing Manufacturers (5 plants), New Orleans, La.	50	do	June 25, 1941	Quartermaster Corps contracts for trousers. (Only 2 New Orleans plants, Rex Manufacturing Co. and Louisiana Pants, have War Department contracts.)
Ohio Brass Co., Barberton, Ohio	500	do	June 7, 1941	Pin-type insulators for Kingsbury Ordnance Plant.
Oliver Farm Equipment Co., Battle Creek, Mich.	450	American Federation of Labor	June 17, 1941	Machined parts for manufacture of gun carriages.
Premier Worsted Co., Bridgeton, R. I.	240	American Federation of Labor, Congress of Industrial Organizations, and independent.	June 24, 1941	Quartermaster Corps contracts for serge cloth.
Puro Feather and Down Co., Brooklyn, N. Y.	45	American Federation of Labor and Congress of Industrial Organizations.	June 19, 1941	Pillows for Quartermaster Corps.
G. F. Richter Manufacturing Co., Inc., Glendale, Long Island, N. Y.	150	Congress of Industrial Organizations	June 26, 1941	Surgical instruments for Medical Corps. Vitally important.
United States Gypsum Co., Chicago, Ill. (14 plants).	5,000	do	do	Material for defense construction
Vincent McCall, Kenosha, Wis.	200	do	July 2, 1941	75,000 cots for Quartermaster Corps.
Western Leather, Milwaukee, Wis.	(2)	American Federation of Labor	June 23, 1941	Quartermaster Corps subcontracts.

[1] Out of 1,000. [2] Unascertained number. [3] Out of 200.

New strikes reported July 3, 1941: De Long Hook & Eye Co., Philadelphia, Pa.; Federal Manufacturing Co., Brooklyn, N. Y.; Vincent McCall, Kenosha, Wis.

Cases where men have returned to work: Dayton Steel Foundry, Dayton, Ohio; Gager Lime, Sherwood, Tenn.; Hussey (C. G.) Co., Pittsburgh, Pa.; Savanna Ordnance Plant, Savanna, Ill.; Tanen Shirt Co., Shamokin, Pa.

Cases to be carried no longer: Ryerson (Jos. P.), Detroit, Mich. (deliveries being made despite picketing); Standard Knitting Mills, Knoxville, Tenn. (Quartermaster Corps contracts proceeding O. K.).

DEPARTMENT OF THE NAVY,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, July 5, 1941.

Memorandum for the Assistant Secretary of the Navy.

Subject: Strikes on naval defense contracts.

There are listed below strikes which were in effect during the week ending July 5, 1941, in plants having naval defense contracts. More complete information may be obtained from the Shore Establishments Division, room 2026, branch 3812, where information as to discrepancies noticed, or as to urgency of contracts in the plants listed, should be sent.

Man-days lost on national-defense work in plants at which naval defense contracts have been involved have accumulated in the first 6 months of 1941 to a total of between 1,500,000 and 2,000,000. The estimated lost time for the month of June was in excess of 200,000 man-days. The estimated number of

man-days lost during the past week was approximately 10,000.

The following cases have been settled during the week:

Canister Co., Phillipsburg, N. J.: Began June 7, ended June 26. Status: 300 involved.

Curtiss-Wright Aircraft Corporation, Robertson, Mo.: Began June 25, ended July 1. Status: 6 men involved.

Dow Chemical Co., Midland, Mich.: Began June 27, ended June 28. Status: 1,000 employees involved.

Foundries (11), St. Louis, Mo.: Began May 22, ended June 27.

Karp Metal Box Co., Brooklyn, N. Y.: Began June 5, ended June 30 (date of return to work as reported). Status: 35 involved.

Lone Star Cement Co., Birmingham, Ala.: Began May 29, ended July 1.

Morgan Bros. Co., Pittsburgh, Pa.: Began June 19, ended June 23.

Wilson Jones Co., Chicago, Ill., and Elizabeth, N. J.: Began May 15, ended July 1. Status: 1,200 involved.

The following cases are still open:

Atlantic Metal Products Co., Long Island City, N. Y.: Began May 13. Status: Included in situation listed under Metal Covered Door & Buck Association, Bronx, N. Y.

Bright Star Battery Co., Lakeview, N. J.: Began June 6. Status: No change.

Electric Auto Lite Corp., Port Huron, Mich: Began June 30. Status: 645 involved. Operating at possibly 50 percent capacity.

Food Machinery Corp, Peerless Pump Division, Los Angeles, Calif. Reported July 3. Status: Not determined.

Hussey, C. G., Co., Pittsburgh, Pa.: Began June 19. Status: 700 men involved. Agreement reached July 3 subject to membership ratification.

Keasbey-Mattison Co., Ambler, Pa.: Began June 25. Status: 1,000 involved. Jurisdictional dispute between A. F. of L. and C. I. O. Complete stoppage of work. Consent election agreed to. Effort being made to resume production pending election and to remove finished materials.

Kennedy Valve Co., Elmira, N. Y.: Began May 15. Status: 500 involved. No change in status.

Lumber Mills, Tacoma, Wash.: Began May 10. Status: At least 80 percent of employees have returned to work. This strike situation will be dropped from future reports.

Metal Covered Door & Buck Association, Bronx, N. Y.: Began May 13. Status: O. P. M. has been requested to investigate collective bargaining negotiations.

National Steel Corp., Ecorse, Mich.: Began June 24. Status: 9,000 (?) employees involved. Prospect of early settlement favorable.

New York Handkerchief Mfg. Co., Chicago, Ill.: Began May 23. Status: 135 employees involved. No change in status.

Ryerson, Jos. T., Steel Co., Detroit, Mich.: Began June 15. Status: No change in status.

Seneca Wire & Manufacturing Co., Fostoria, Ohio: Began May 25. Status: Six hundred involved. Possibility of obtaining materials on subcontracts (stapling wire for brooms and deck brushes).

World Steel Products Co., New York, N. Y.: Began May 13. Status: Included in situation listed under Metal Covered Door & Buck Association, Bronx, N. Y.

Listed below are companies in which strikes are pending but information relative to naval defense contracts not yet available:

Dayton Steel Foundry Co., Dayton, Ohio: July 1, 1941.

Goodrich Electric Co., Chicago, Ill.: June 30, 1941.

Missouri Rolling Mills, St. Louis, Mo.: June 24, 1941.

New Orleans Clothing Manufacturers, New Orleans, La.: June 28, 1941.

Western Leather Co., Milwaukee, Wis.: June 23, 1941.

C. W. FISHER,
Captain, United States Navy,
Director of Shore Establishments.
L. M. ATKINS,
Captain, United States Navy,
By direction.

Mr. BYRD. Mr. President, many of these strikes have not as yet been certified to the National Mediation Board for settlement and this, again, emphasizes to me the need for a change in the position of Secretary of Labor, something I have repeatedly called to the attention of the Senate and to the country.

I am proud of the fact that only one strike in defense industries has occurred in Virginia, and this of very short duration. Virginia has been practically free of strikes in defense industries, notwithstanding that there are many industries in Virginia doing defense work. It is a matter of great gratification to me to pay this tribute to the workingmen of Virginia who appreciate fully their responsibilities in this hour of the Nation's peril, and who are working wholeheartedly to prepare this country and to expedite aid to Great Britain.

Mr. President, I ask unanimous consent to insert in the RECORD a letter received from Mr. W. W. Patterson, of the W. W. Patterson Co., of Pittsburgh, together with a copy of a letter written by Lt. Richard P. Brown, of the War Department Ordnance Department located at Pittsburgh, in which Lieutenant Brown appeals to the business agent of Local Union 249 at Pittsburgh to release a quantity of iron bars consigned to the Carnegie Illinois Steel Corporation, so that this material may be used in fulfillment of a defense contract.

It is a most remarkable situation that the War Department must make a personal appeal to a labor union to permit the hauling of necessary defense material, of which the acceptance for transportation has been refused.

The VICE PRESIDENT. Without objection, the letters will be printed in the RECORD.

The letters are as follows:

W. W. PATTERSON CO.,
Pittsburgh, Pa., June 30, 1941.

Senator HARRY BYRD,
United States Senate, Washington, D. C.

DEAR SENATOR: In reply to your letter of June 28, wish to say you have my permission to use the letter from the War Department any way you see fit.

On account of the congestion caused by this strike, the railroad has never been able to locate this material, and as the strike was settled at least temporarily, I have no need for the letter. I am, therefore, sending you this original.

You will note in this letter it referred to some iron bars used on an order for Carnegie-Illinois Steel Corporation, and steamboat ratchets for Gulf Oil Corporation. I had been informed by a trucking company that had signed with the union that they would not be allowed to pick up two shipments at once, even though they weighed less than 100 pounds each.

This same trucker told me he went to the station to pick some boxes of food weighing about 50 pounds or 60 pounds, and had used a large truck. The strikers said a truck of that size required a helper, and he had to go back from the station to get a helper.

These are only some of the incidents.

With best wishes, I am

Yours very truly,
W. W. PATTERSON, Jr.

WAR DEPARTMENT,
PITTSBURGH ORDNANCE DISTRICT,
Pittsburgh, Pa., June 14, 1941.

BUSINESS AGENT, LOCAL 249,
Plaza Building, Pittsburgh, Pa.

DEAR SIR: The W. W. Patterson Co., 54 Water Street, this city, is desirous of securing the release of a quantity of iron bars consigned to Carnegie-Illinois Steel Corporation; likewise, they are desirous of securing the release of 18 steamboat ratchets consigned to Gulf Oil.

This material is used in fulfillment of defense contracts, and your cooperation in securing the release of this material will be appreciated.

Very truly yours,
RICHARD P. BROWN,
First Lieutenant, Ordnance Department.

LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, I have been asked by a number of Senators what the program is for the remainder of the week so far as I can foresee it. I have asked and obtained consent of the Senate that the Appropriations Committee may submit reports during the adjournment of the Senate. The object of that is to allow the committee to report an appropriation bill involving the T. V. A. which the committee is now considering. I think we can dispose of that bill Thursday without much difficulty. It may be desirable also to call the calendar on Thursday. So far as I can perceive, that is about all we have this week. If that shall be so, we will adjourn from Thursday until Monday next. We are taking an adjournment today until Thursday of this week, so Senators may govern themselves accordingly.

CONSTRUCTION OF PUBLIC WORKS BY THE NAVY

Mr. WALSH. Mr. President, I ask unanimous consent for the present consideration of a bill which, I am sure, will not be contested. The bill is H. R. 4839, Calendar No. 460. There are other naval bills on the calendar which I shall not ask the Senate to consider at this time because some explanation must be made of them.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 4839) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

Mr. WALSH. I will say to the Senate that this is merely an authorization bill, and that most of the items are already included in the naval appropriation bill. I am sure there can be no objection to the present consideration of the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 4839) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, was considered, ordered to a

third reading, read the third time, and passed.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. I move that the Senate adjourn until Thursday next.

The motion was agreed to; and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until Thursday, July 10, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, July 7 (legislative day of July 3), 1941:

FEDERAL TRADE COMMISSIONER

Garland S. Ferguson, Jr., of North Carolina, to be a Federal Trade Commissioner for a term of 7 years from September 26, 1941. (Reappointment.)

COLLECTOR OF INTERNAL REVENUE

Edward H. Birmingham, of Sioux City, Iowa, to be collector of internal revenue for the district of Iowa, in place of Charles D. Huston.

APPOINTMENTS IN THE REGULAR ARMY

TO BE FIRST LIEUTENANTS, MEDICAL CORPS, WITH RANK FROM DATE OF APPOINTMENT

Abram Salmon Benenson
Robert Jacob Brotchner
Clarence Raymond Brown
William John Brown
Angel Antonio Cardona
Adolph David Casciano
Edwin Stow Chapman
James Park Dewar, Jr.
Ivan Charles Dimmick, Jr.
Hugh Beauregard Disharoon
Jack Leslie Doughtie
Donald Harry Earl
John Ficicchy, Jr.
Wright Addison Gates
Lucio Ernest Gatto
David Gold
Stephen Lawrence Gumport
Robert Morris Hardaway 3d
Joseph Raymond Henry
Thomas Shetrond Hershey
Courtland Stillings Jones, Jr.
Irving Richard Lyman
Walter Henrik Moursund, Jr.
Henry Stoddert Parker
John Sugden Paul
Raymond Lancing Pendleton
Kenneth Eugene Pletcher
John Sidney Rice
Walter Albra Ricker, Jr.
Harold Leslie Robinson
Joe Dulaney Schutz
Edward Norton Schwartz
Julian Marlow Sether
Other Franklin Speaker
Matthew Anthony Surrell, Jr.
Carl Frederick Tessmer
William Gregory Thalmann, Jr.
Frank Henry Thone
Edward Henry Vogel, Jr.
Weldon Joseph Walker
James Hadley Wells
Charles Fore Wilkinson, Jr.
George Howard Wood
Otto Albert Wurl

TO BE SECOND LIEUTENANTS, COAST ARTILLERY CORPS, WITH RANK FROM DATE OF APPOINTMENT

Andrew John Ball
William Victor Downer, Jr.
Thomas Bennett Mechling
Joseph Theodore Materi
William Warren Neely

CONFIRMATIONS

Executive nominations confirmed by the Senate July 7 (legislative day of July 3), 1941:

SUPREME COURT OF THE UNITED STATES

Robert H. Jackson to be an Associate Justice of the Supreme Court of the United States.

UNITED STATES PUBLIC HEALTH SERVICE

Henry A. Rasmussen to be a senior surgeon in the United States Public Health Service.

POSTMASTERS

OKLAHOMA

J. Woodrow Wright, Adair.
Forrest Thomas, Jr., Healdton.
Roy L. Knecht, Heavener.
Lafayette F. George, Henryetta.
John S. Keller, Lexington.
Ernest B. Willis, Noble.
Robert H. Greenlee, Stonewall.
William H. Wester, Tuttle.

SOUTH DAKOTA

William C. McCaffrey, Alexandria.
Carl L. Freiwald, Big Stone City.

TEXAS

Tod E. Lawson, Annona.
Louise W. Fisher, Burton.
John H. Parrish, Denison.
Rudolph R. Kubena, Fayetteville.
Thomas H. McCarty, Lawn.
Charlie L. Smith, Rising Star.
Jennie L. Murphy, Roaring Springs.
Carlos S. Baker, Sr., Stockdale.
Willis Walker, Turkey.
Carlyle B. Moore, Van Alstyne.
John J. Dutton, Vanderbilt.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 7, 1941

The House met at 12 o'clock noon.

Rev. John R. Edwards, D. D., district superintendent of the Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, we come to Thee in worship that Thy name may be hallowed in all our thoughts and Thy will in all our doings. Through fellowship with a true and loving God we cannot lose faith in mankind, which is Thy creation. Help us to follow Thy teachings in daily counsels with Thy gracious spirit expressed in righteousness, justice, and loving kindness. Look graciously upon Thy servants who are here in positions of public trust and upon all others serving under great responsibility. May our Nation be led by Thy unerring counsel in these times of great difficulty and perplexity. May the world learn speedily in thought and practice the lessons of true and permanent brotherhood. All this we ask to Thy glory. Amen.

The Journal of the proceedings of Thursday, July 3, 1941, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on July 3, 1941, the President approved and signed bills of the House of the following titles:

H. R. 4988. An act to amend section 2 of the act of August 27, 1935, as amended; and

H. R. 5166. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for prior fiscal years; to provide supplemental appropriations for the fiscal year ending June 30, 1942; and for other purposes.

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial by the Reverend Dr. James H. Cotter, which was published in the Irish World, on the subject Thoughts on the International Situation. Dr. Cotter lives at Ironton, Ohio, and is an author.

The SPEAKER. Is there objection?

There was no objection.

Mr. SWEENEY. Also, Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD upon the life and death of the former President of the Polish Republic, Ignace Jan Paderewski.

The SPEAKER. Is there objection?

There was no objection.

THEATER ADMISSION CHARGES TO SOLDIERS

Mr. COX. Mr. Speaker, I understand that the amusement people plan to reduce admission charges for all soldiers in uniform. I understand also that the Ways and Means Committee proposes to relieve soldiers in uniform from the taxes on admission charges. I have offered a resolution to make that effective now during the pendency of the consideration of the tax bill which the committee will report.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. CROWTHER. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article by David Lawrence on Nelson A. Rockefeller's important task as Coordinator of Commercial and Cultural Relations Between the American Republics, which appeared in the Washington Evening Star of Friday, July 4, 1941.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that on Thursday next, after all legislative business has been concluded and any other special orders, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial appearing in the Osakis Review.

The SPEAKER. Is there objection?

There was no objection.

THE POWER TO TAX

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks to include two editorials from the Liberty magazine.

The SPEAKER. Is there objection?

There was no objection.

[Mr. SMITH of Washington addressed the House. His remarks appear in the Appendix of the RECORD.]

RESALES IN SOUTH AMERICA BY BRITAIN OF CERTAIN GOODS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I noted yesterday in the New York Times, in an article, that our exporters charge British resales and assert that English sell steel and other lease-lend goods to Latin America. The Congress has declared the policy of helping England short of war, but Congress did not say that England could resell in territories, which should be our own markets, the goods and materials which we are furnishing England under the provisions of the lease-lend bill. I am opposed to such double dealing and chicanery, and this charge should be investigated by the Congress.

The Congress passed the Lease Lend Act and implemented it by passing an appropriation for $7,000,000,000 for the purpose of furnishing Britain with needed war materials. It is unthinkable that the English exporters should commit such reprehensible acts at the expense of the American taxpayer. There is little doubt that England will ever pay for any of the war materials she is receiving from this country, and then for her to take those goods which cost her nothing and for which she has been begging to help save her existence and resell those goods or any part of them is stooping to a practice beneath the cheapest double-dealing and double-crossing that is capable of being imagined. Moreover, if such is the case it proves that our emotions have run away with our senses and providing England with materials at the expense of the American taxpayer that they do not need.

LEAVE TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that tomorrow, after the disposition of business on the Speaker's table, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks on the life of Ignace Jan Paderewski and include two short editorials.

The SPEAKER. Is there objection?

There was no objection.

THE LATE HONORABLE HUBERT F. FISHER

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and I also ask unanimous consent to extend my remarks in the RECORD and include an editorial and a short article on the life of Hon. Hubert F. Fisher.

The SPEAKER. Without objection, the requests of the gentleman from Tennessee are granted.

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, it is my sad duty to notify the House of the death of Hon. Hubert Frederick Fisher, Sr., who served as a Member of the House of Representatives from 1917 to 1931. He represented the Tenth Congressional District of Tennessee, which I now have the honor to represent as the Ninth District of that State.

He died suddenly in the city of New York, while on a visit to Princeton University, attending a reunion of his class of 1901. He had expected to visit his son, Adrian S. Fisher, who is now assistant to the Assistant Secretary of State.

Before coming to Congress he had been United States district attorney for the western district of Tennessee, having been appointed by the late President Woodrow Wilson, who was a member of the Princeton faculty when Mr. Fisher was a student there and whom he knew personally.

In his younger days he was an outstanding football player at Princeton. On coming to Memphis in 1904, he became associated with the firm of Carroll & McKellar, of which the senior Senator K. D. MCKELLAR, of Memphis, was then a junior member. When Senator MCKELLAR entered the Senate the firm continued with Mr. Fisher as a junior member.

During his long service in this House he was a member of the Military Affairs Committee and was a strong advocate of the Muscle Shoals bill.

I have been heartened by the splendid reputation he left here and the tribute paid by so many of his colleagues for his industry and usefulness as a Representative. He served with distinction, and a host of friends will mourn his passing.

EXTENSION OF REMARKS

Mr. WEISS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include a resolution, without the signatures, of a number of farmers in Noble County, Okla.

The SPEAKER. Is there objection?

There was no objection.

MARKETING QUOTAS FOR WHEAT

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RIZLEY addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, this 1 minute which I am taking is to speak on the same subject as that to which the gentleman from Oklahoma [Mr. RIZLEY] has just directed your attention and further to solicit your support for a bill I have introduced to correct this injustice. I would like to have the attention of the Members from the Midwest, particularly those interested in raising wheat.

In the latter part of May we passed a bill which provided for increased penalties from 15 cents a bushel to 49 cents a bushel on what is called excess wheat. This legislation is manifestly unfair for the reason that the law provided that when wheat was planted and up until the time it was harvested the penalty under the law was 15 cents a bushel. Then Congress, in May 1941, amended the law providing for a loan of 96 cents a bushel for wheat under the quota, but at the same time provided a penalty which amounts to 49 cents a bushel against wheat that was not under the quota, and then made it retroactive. I am asking to return that 15 cents a bushel. I am also asking for an immediate hearing on this bill before the Committee on Agriculture. I think it is only fair to the farmers of this country that my bill be passed by this Congress just as soon as it may be done.

[Here the gavel fell.]

KEEP OUR BOYS OUT OF EUROPE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

LAWS FOR PUERTO RICO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with the accompanying papers, referred to the Committee on Insular Affairs:

To the Congress of the United States:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Puerto Rico, and for other purposes," I transmit herewith certified copies of laws enacted by the first regular session of the Fifteenth Legislature of Puerto Rico, February 10 to April 15, 1941.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 7, 1941.*

GREETINGS FROM ARGENTINA

The SPEAKER laid before the House the following communication from the President of the United States, which was read by the Clerk:

BUENOS AIRES, *July 4.*

SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF NORTH AMERICA,

Washington, D. C.:

The Chamber of Deputies of Argentina resolved in its session today, by unanimous vote

of its members, to send a message of sympathy to the people and Congress of the great American Nation as a mark of respect on the occasion of the glorious anniversary of the declaration of its independence, which established in the task of government of free nations an immortal pattern for the nations of America. Greetings to the Speaker (President), with my highest regards.

JOSE LUIS CANTILO,
President of the Chamber of Deputies of the Argentine Nation.
CARLOS G. BONORINO,
D. ZAVALLA CARBO,
Secretaries.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday may be dispensed with this week.

The SPEAKER. Is there objection?

There was no objection.

THE CONGRESSIONAL RECORD FOR ARMY CAMPS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, today I have introduced a bill to expand the free circulation of the CONGRESSIONAL RECORD to include the libraries of all post, camp, and station facilities of the United States Military Establishment, as well as the libraries of the general Army hospitals and those of the Veterans' Administration facilities, and certain other libraries.

It seems to me that the boys who are training themselves to defend America are manifesting an unusual interest in the activities of the Government these days, and that we can contribute to their general knowledge and information by making available to these citizens the CONGRESSIONAL RECORD, carrying with it the information they desire to know about their affairs, about the defense of the Nation, and about the general conduct of Government. I think that, above all other citizens, the boys who are training themselves for military service these days are entitled to know what is going on here in Washington.

My resolution also includes all public libraries and 4-year high schools on the free-circulation list of the CONGRESSIONAL RECORD. If Government in this Republic is to be kept in close harmony with the desires of the people, it is important that its citizens in all communities have access to the "diary of Government," which is reported in the CONGRESSIONAL RECORD. I urge your support for my bill in this connection.

CONTROLLING THE PRICE OF WHEAT

Mr. PACE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PACE. Mr. Speaker, two distinguished Members have complained this morning about the increase of the tax on wheat from 15 cents to 48 cents. With the supply of wheat at about 1,250,000,000 bushels, or an admitted surplus of about 500,000,000 bushels, it is recognized that if it were not for the Government program wheat today would be selling for 40 or 50 cents a bushel. Congress, while increasing the tax on excess wheat from 15 cents to 48 or 49 cents—an increase of 33 cents—at the same time increased the loan value of wheat by exactly the same amount—both were increased approximately 33 cents—so that the position of the producer has not changed one iota. Instead of getting a loan of 64 cents he now gets a loan of about 97 cents. In justice, therefore, when you speak of the increase of 33 cents in the tax, you ought to explain also about the increase in the price of wheat.

[Here the gavel fell.]

EXTENSION OF REMARKS

Miss RANKIN of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Washington Daily News of July 3.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

PLUMAS NATIONAL FOREST, CALIF.

The Clerk called the first bill on the Consent Calendar, H. R. 1595, to authorize the addition of certain lands to the Plumas National Forest, Calif.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CHANGING TIME OF APPOINTMENT OF PRESIDENTIAL ELECTORS, ETC.

The Clerk called the next bill, H. R. 145, to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

BRIDGE ACROSS MISSISSIPPI RIVER AT DUBUQUE, IOWA

The Clerk called the next bill, H. R. 2811, to extend the times for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., under authority of the act approved July 18, 1939, as amended, and for other purposes.

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

HULAH DAM AND RESERVOIR PROJECT, OKLAHOMA

The Clerk called the next bill, H. R. 3936, in aid of the construction of the Hulah Dam and Reservoir project, Oklahoma.

Mr. WOLCOTT. Mr. Speaker, there seems to be some controversy in the minds of certain Members concerning this bill. I therefore ask unanimous consent that it may be passed over without prejudice.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Michigan?

There was no objection.

DISPOSITION OF PERSONAL PROPERTY OF CERTAIN DECEASED PATIENTS OR MEMBERS OF UNITED STATES VETERANS' ADMINISTRATION FACILITIES

The Clerk called the next bill, H. R. 4692, relating to the disposition of personal property of deceased patients or members of United States Veterans' Administration facilities.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved June 25, 1910 (36 Stat. 736, 24 U. S. C. 136), be amended to read as follows:

"SECTION 1. Effective 90 days after the approval of this act, whenever any veteran (admitted as a veteran) shall die while a member or patient in any facility, or any hospital while being furnished care or treatment therein by the Veterans' Administration, and shall not leave surviving him any spouse, next of kin, or heirs entitled, under the laws of his domicile, to his personal property as to which he dies intestate, all such property, including money and choses in action, owned by said decedent at the time of death and not disposed of by will or otherwise, shall immediately vest in and become the property of the United States as trustee for the sole use and benefit of the General Post Fund, a trust fund prescribed by section 20 (b) (45) of Public Law No. 473 of the Seventy-third Congress (31 U. S. C. 725s).

"The foregoing provisions are conditions precedent to the initial, and also to the further furnishing of care or treatment by the Veterans' Administration in a facility or hospital. The acceptance of care or treatment by any veteran admitted as such to any Veterans' Administration facility or hospital after 90 days from the date of approval of this act, and as well the continued acceptance of care or treatment furnished by the Veterans' Administration after said 90 days by any veteran who is then receiving the same shall constitute an acceptance of the provisions and conditions of this act and have the effect of an assignment, effective at his death, of such assets in accordance with and subject to the terms and provisions of this act and the regulations issued in accordance with and pursuant thereto. Said act of June 25, 1910, shall be and remain in effect during such 90-day period except as modified by sections 3 to 10 of this enactment, which sections shall be effective upon approval of this enactment.

"SEC. 2. The fact of death of the veteran (admitted as such) in a facility or hospital,

while being furnished care or treatment therein by the Veterans' Administration, leaving no spouse, next of kin, or heirs, shall give rise to a conclusive presumption of a valid contract for the disposition in accordance with this act, but subject to its conditions, of all property described in section 1 of this act owned by said decedent at death and as to which he dies intestate.

"SEC. 3. Any assets heretofore or hereafter accruing to the benefit of the said General Post Fund, other than money, but including jewelry and other personal effects, may be sold at the times and places and in the manner prescribed by regulations to be issued by the Administrator of Veterans' Affairs. Upon receipt of the purchase price he is authorized to deliver at the place of sale said property sold, and upon request to execute and deliver appropriate assignments or other conveyances thereof in the name of the United States, which shall pass to the purchaser such title as decedent had at date of death. The net proceeds after paying any proper sales expenses as determined by the Administrator of Veterans' Affairs shall forthwith be paid to the Treasurer of the United States to the credit of said General Post Fund; and may be disbursed as other moneys in said fund by the Division of Disbursements, Treasury Department, upon order of said Administrator: *Provided*, That articles of personal adornment which are obviously of sentimental value shall be retained and not sold or otherwise disposed of until the expiration of 5 years from the date of death of the veteran, without a claim therefor, unless for sanitary or other proper reasons it is deemed unsafe to retain same, in which event they may be destroyed forthwith. Any other articles coming into possession of the Administrator of Veterans' Affairs or his representatives by virtue of this act which, under regulations to be promulgated by said Administrator, are determined to be unsalable may be destroyed forthwith or at the time prescribed by regulations, or may be used for the purposes for which disbursements might properly be made from said fund, or if not usable, otherwise disposed of in accordance with regulations.

"SEC. 4. Disbursements from the General Post Fund shall be made by the Division of Disbursements, Treasury Department, upon the order and within the discretion of the Administrator of Veterans' Affairs for the benefit of members and patients while being supplied care or treatment by the Veterans' Administration in any facility or hospital, and this authority is not limited to facilities or hospitals under direct administrative control of the Veterans' Administration: *Provided, however*, That there shall be paid out of the assets of the decedent so far as may be the valid claims of creditors against his estate that would be legally payable therefrom in the absence of this act and without the benefit of any exemption statute, and which may be presented to the Veterans' Administration within 1 year from the date of death, or within the time, to the person, and in the manner required or permitted by the law of the State wherein administration, if any, is had upon the estate of the deceased veteran; and also the proper expenses and costs of administration, if any: *And provided further*, That if the decedent's estate be insolvent the distribution to creditors shall be in accordance with the laws of his domicile, and the preferences and priorities prescribed thereby shall govern, subject to any applicable law of the United States.

"SEC. 5. The remainder of such assets or their proceeds shall become assets of the United States as trustee for said post fund and disposed of in accordance with this act. If there be administration upon the decedent's estate such assets, other than money, upon claim therefor within the time required by law, shall be by the administrator of the estate delivered to the Administrator of Veterans' Affairs or his authorized representative, as upon final distribution; and upon the same claim there shall be paid to the Treasurer of the United States for credit to said post fund any such money available for final distribution. In the absence of administration, any money, chose in action, or other property of the deceased veteran held by any person shall be paid or transferred to the Administrator of Veterans' Affairs upon demand by him or his duly authorized representative, who shall deliver itemized receipt therefor. Such payment or transfer shall constitute a complete acquittance of the transferor with respect to any claims by any administrator, creditor, or next of kin of such decedent.

"SEC. 6. If necessary to obtain such assets the Administrator of Veterans' Affairs, through his authorized attorneys, may bring and prosecute appropriate actions at law or other legal proceedings, the costs and expenses thereof to be paid as other administrative expenses of the Veterans' Administration.

"SEC. 7. Notwithstanding the crediting to said post fund of the assets, or proceeds thereof, of any decedent, whether upon determination by a court or the Veterans' Administration pursuant to the provisions of section 1 hereof, any person claiming a right to such assets may within 5 years after the death of the decedent file a claim or behalf of himself and any others claiming with the Administrator of Veterans' Affairs who, upon receipt of due proof that any person was at date of death of the veteran entitled to his personal property, or a part thereof, under the laws of the State of domicile of the decedent, may pay out of the Post Fund, but not to exceed the net amount credited thereto from said decedent's estate less any necessary expenses, the amount to which such person, or persons, was or were so entitled, and upon similar claim any assets of the decedent which shall not have been disposed of shall be delivered in kind to the parties legally entitled thereto: *Provided*, That if any person so entitled be under legal disability at the date of death of such decedent said 5-year period of limitation shall run from the termination or removal of legal disability. In the event of doubt as to entitlement the Administrator of Veterans' Affairs may cause administration or other appropriate proceedings to be instituted in any court having jurisdiction. In determining questions of fact or law involved in the adjudication of claims made under this section no judgment, decree, or order entered in any action at law, suit in equity, or other legal proceeding of any character purporting to determine entitlement to said assets or any part thereof, shall be binding upon the United States or the Administrator of Veterans' Affairs or determinative of any fact or question involving entitlement to any such property or the proceeds thereof, or any part of said Post Fund, unless the Administrator of Veterans' Affairs has been seasonably served with notice and permitted to become a party to such suit or proceeding if he make request therefor within 30 days after such notice. Notice may be served in person or by registered mail upon said Administrator of Veterans' Affairs, or upon his authorized attorney in the State wherein the action or proceedings may be pending: *Provided, however*, That notice may be waived by the Administrator of Veterans' Affairs or by his authorized attorney, in which event the finding, judgment, or decree shall have the same effect as if said Administrator were a party and served with notice. Any necessary court costs or expenses if authorized by the Administrator may be paid as are other administrative expenses of the Veterans' Administration.

"SEC. 8. The Administrator of Veterans' Affairs shall prescribe a form of application for hospital treatment and domiciliary care, which shall include notice of the provisions of this act. Within 90 days after approval hereof similar notice shall be given to each veteran then receiving care in any facility or hospital as described in this act: *Provided, however*, That this requirement shall be met by posting of said notice with a copy of the prescribed form in a prominent place in each building wherein patients or members are housed.

"SEC. 9. Moneys in the General Post Fund not required for current disbursement may be invested and reinvested by the Secretary of the Treasury in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

"SEC. 10. Any provision of law in conflict with this act is modified accordingly, but nothing herein shall be construed to repeal or modify Public Law No. 262, approved August 12, 1935 (49 Stat. 607; 38 U. S. C. 450), or any amendments thereto, or Public Law No. 734, approved June 25, 1938 (52 Stat. 1189; 38 U. S. C. 16).

"SEC. 11. The Administrator of Veterans' Affairs shall have power to issue rules or regulations necessary or appropriate to carry out the purposes of this act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE OF PENSION TO CERTAIN WORLD WAR VETERANS

The Clerk called the next bill, H. R. 4845, to increase the rate of pension to World War veterans from $30 to $40 per month, to grant such rate at age 65, and for other purposes.

Mr. KEAN. Mr. Speaker, reserving the right to object, I have a letter from the Veterans' Administration in which they state that in 20 years this will cost $518,000,000 a year; that in the year 1962 it will cost $520,464,000. It seems to me this ought not to be on the Consent Calendar.

Mr. Speaker, I ask unanimous consent to include the letter from the Veterans' Administration at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The letter referred to follows:

VETERANS' ADMINISTRATION,
Washington, July 3, 1941.

HON. ROBERT W. KEAN,
House of Representatives,
Washington, D. C.

MY DEAR MR. KEAN: In compliance with your verbal request, there is enclosed a copy of a statement showing the approximate cost of paying an age pension of $40 per month to World War veterans who have attained the age of 65 years and who are not permanently and totally disabled, based on requirements contained in H. R. 4845, Seventy-seventh Congress.

In making this estimate it has been assumed that all men who have attained the age of 70 years will be rated permanent and total, and, in addition, the present experience has been applied as to men between the ages of 65 and 69 who are rated permanent and total or who are receiving compensation less than $40 a month. This group has been deducted from the number who would be expected to receive age pensions.

Very truly yours,

EDWARD E. ODOM, *Solicitor.*

Estimated cost of paying an age pension of $40 per month to World War veterans who have attained the age of 65 years and who are not permanently and totally disabled, based on requirements contained in H. R. 4845, 77th Cong.

Year	Annual cost	
	Number	Amount
1942	14,600	$7,008,000
1943	17,500	8,400,000
1944	21,000	10,080,000
1945	25,200	12,096,000
1946	28,400	13,632,000
1947	32,800	15,744,000
1948	37,600	18,048,000
1949	43,300	20,784,000
1950	50,400	24,192,000
1951	64,900	31,152,000
1952	133,100	63,888,000
1953	213,300	102,384,000
1954	309,100	148,368,000
1955	414,100	198,768,000
1956	521,200	250,176,000
1957	607,000	291,360,000
1958	706,600	339,168,000
1959	816,900	392,112,000
1960	941,500	451,920,000
1961	1,079,800	518,304,000
1962	1,084,300	520,464,000
1963	966,800	464,064,000
1964	816,100	391,728,000
1965	610,700	293,136,000
1966	354,700	170,256,000
1967	187,700	90,096,000
1968	106,500	51,120,000
1969	39,500	18,960,000
1970	4,700	2,256,000
1971	600	288,000
1972	100	48,000
1973	23	11,040
1974	1	480

Veterans' Administration, Budget and Statistics, July 2, 1941.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I object.

The SPEAKER pro tempore. Three objections are necessary to strike this bill from the calendar. Is there further objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 1 (f), part III, Veterans Regulation No. 1 (a), as amended, is hereby amended to read:

"I (f) The amount of pension payable under the terms of part III shall be $40 monthly: *Provided*, That—".

SEC. 2. Veterans Regulation No. 1 (a), as amended, part III, paragraph I, is amended by adding thereto a new subparagraph (i), to read as follows:

"(i) Any veteran 65 years of age or over who meets the service requirements of part III and subject to the income limitation therein shall be entitled to receive a pension of $40 per month."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FISH HATCHERY AT CLARK FORK, IDAHO

The Clerk called the next bill H. R. 3466, to authorize the Department of the Interior to accept title to the fish hatchery at Clark Fork, Idaho.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Bureau of Fisheries, Department of the Interior, be authorized to accept the 20 acres of land with the buildings thereon presented by the Bonner County Sportsman Association, which land is located in section 27, township 28 north, range 2 east, Boise meridian, in Bonner County, Idaho.

SEC. 2. That $35,000 be appropriated for the purchase of additional land, construction of additional buildings, ponds, water-supply lines, and other appurtenances that may be needed to establish a fish cultural station by the Bureau of Fisheries, Department of the Interior, at Clark Fork, Idaho.

SEC. 3. That the positions of superintendent, foreman, and three apprentice fish culturists be created for the supervision of said fish cultural station under the Bureau of Fisheries, Department of the Interior, located at Clark Fork, Bonner County, State of Idaho, as above set forth.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

Mr. BLAND. Mr. Speaker, I offer a substitute amendment for the committee amendment. I ask unanimous consent that the committee amendment be not reported and that the substitute amendment be reported in lieu thereof.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the gentleman explain the effect of his substitute amendment?

Mr. BLAND. It only differs so far as clarification is concerned. In the original amendment it said that they shall take title from that association. This goes on and authorizes them to take title provided it is approved by the Attorney General. There is no substantial difference between the two.

Mr. WOLCOTT. The amount is left the same?

Mr. BLAND. The amount is the same.

The SPEAKER pro tempore. The Clerk will report the substitute amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. BLAND: Beginning in line 3, page 1, strike out all after the enacting clause and insert in lieu of the amendment proposed by the committee the following:

"That the Fish and Wildlife Service, Department of the Interior, is hereby authorized to accept the 20 acres of land with the buildings thereon located in section 27, township 28 north, range 2 east, Boise meridian, in Bonner County, Idaho, known as the Clark Fork fish hatchery: *Provided*, That the donor shall furnish, free of all expenses to the Government, all requisite abstracts, official certifications, and evidences of title that the Attorney General may deem necessary.

"SEC. 2. That $15,000 is hereby authorized to be appropriated for the construction of additional buildings, ponds, water-supply lines, and other appurtenances that may be needed for further development of said hatchery.

"SEC. 3. That there is hereby authorized to be appropriated, from time to time, in addition to the appropriation authorized by section 2 of this act, such amounts as may be necessary for the maintenance and efficient operation of said hatchery, including personnel for the operation thereof."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia that the substitute amendment he has offered be considered in lieu of the committee amendment as printed in the pending bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, as I heard the amendment read, there was no limitation upon the amount which is authorized to be appropriated.

Mr. BLAND. In that respect the amendment agrees with the preceding amendment that $15,000 is authorized. It is covered by section 2:

That $15,000 is hereby authorized to be appropriated for the construction of additional buildings, ponds, water supplies, and other appurtenances that may be needed for further development of said hatchery.

Mr. WOLCOTT. Is that included in the gentleman's substitute amendment?

Mr. BLAND. That is included in the substitute amendment.

Mr. WOLCOTT. I did not hear that.

Mr. BLAND. That is section 2 of the substitute amendment. Section 3 of the substitute amendment is practically the same, authorizing other appropriations to be made.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

The substitute amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUNDRY MATTERS AFFECTING MILITARY ESTABLISHMENT

The Clerk called the next bill, H. R. 4476, providing for sundry matters affecting the Military Establishment.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, this might be a very meritorious matter, but it does change existing law and procedure in respect to the Army and Army personnel in at least 16 instances. I do not think that bills of this nature and of this importance should in the first place be put on the Consent Calendar. Surely they should not be enacted by unanimous consent without some discussion. For this reason, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

INTER-AMERICAN HIGHWAY

The Clerk called the next bill, S. 1544, to provide for cooperation with Central American republics in the construction of the inter-American highway.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, this bill authorizes an appropriation of $20,000,000. The subject of an inter-American highway has been before the Congress for some time and is probably a very meritorious proposal. Personally, I would have no objection to the construction of it nor to our participation in the construction of an inter-American highway. In fact, I am very much in favor of it. However, some months ago we on this side gave notice that bills authorizing large sums of money would be objected to, or at least unanimous consent would be requested

to pass them over without prejudice. Under the circumstances I think perhaps we should have no discussion under this procedure, and I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

Mr. BLOOM. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, in view of the action of the gentleman from New York [Mr. BLOOM], I am forced to object.

Mr. BLOOM. Mr. Speaker, on account of the statement made by the gentleman I think I should be entitled to say that if the gentleman from Michigan wants any information that is not in the report and if he will ask me for this information I shall be glad to give it to him.

Mr. WOLCOTT. Mr. Speaker, I may say to the gentleman that I personally have a great deal of information on this highway, but I am not egotistical enough to think that I am the only Member of this House who must be satisfied on the Consent Calendar. Any bill authorizing $20,000,000 should not be on this calendar, to begin with, and surely it should not be passed by unanimous consent without some discussion so that we can justify the authorization of $20,000,000 to the taxpayers of this Nation. I shall continue to object to this bill as long as it stays on the Consent Calendar.

Mr. HOFFMAN. Mr. Speaker, I object, too.

Mr. CLEVENGER. I object, Mr. Speaker.

ALLOWANCES FOR RENTAL QUARTERS OF CERTAIN NAVAL OFFICERS STATIONED IN THE CANAL ZONE

The Clerk called the next bill, S. 874, relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, it seems to me that this bill does in a roundabout way that which might be done directly; at least, if we amended the act which authorizes the renting of quarters by these officers, there probably would be no objection to it. However, to make it a policy to give blanket authority to reimburse the officers for the difference between what the allowance amounts to now and what they actually have to pay deserves a little more consideration, I believe, than we are able to give it on the Consent Calendar.

For that reason, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

UNITED STATES BUILDING POLICE

The Clerk called the next bill, H. R. 1409, designating building guards employed in buildings under the jurisdiction of the Federal Works Agency as United States Building Police, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COOPERATIVE AGRICULTURAL EXTENSION WORK

The Clerk called the next bill, S. 1200, to authorize additional appropriations to provide for the further development of agricultural extension work.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Reserving the right to object, Mr. Speaker, this is a bill that increases the authorization for extension work, Department of Agriculture, from $300,000 to $555,000. There is nothing in the report that indicates that the Department of Agriculture has asked for this additional money, there is no letter from the Department of Agriculture, and there is no letter from the Bureau of the Budget passing on this increase.

We hear Members get up on the floor every day complaining about the normal expenditures of the Government, demanding reductions in view of the great appropriations for national defense. Every time one of these bills passes the normal expenditures of the Government increase, because if a bill of this character passes and an amendment is offered on an appropriation bill, it will carry by a two-thirds vote. It is not temporary; it is a permanent increase.

Just a few days ago you reduced the appropriation for W. P. A.; you reduced the appropriation for the C. C. C.; you reduced the appropriation for the National Youth Administration; you went right down the line and reduced all of those appropriations in the general relief bill; but on the normal expenditures in the other appropriation bills, try and find any kind of a reduction that amounts to anything. Your reduction on the relief bill was approximately 40 percent, but try to find any 40-percent, 30-percent, 20-percent, or even 10-percent reduction in the other appropriation bills. You just cannot do it. As to agriculture, that probably was a record bill.

A bill of this character has no business to pass at this time. You have an Extension Service that has been serving the country and it has been increasing all along. Therefore this bill is not going to pass by unanimous consent. I realize it is popular and probably I am only delaying the final hour, but I am going to object.

Mr. FULMER. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from South Carolina, the chairman of the Agriculture Committee. The gentleman is a new chairman, but in the short time he has served in that capacity he certainly has done very well in securing the passage of bills that cost plenty of money.

Mr. FULMER. May I say to the gentleman that the appropriation has already been made; it has been passed by the Congress. The reason for this bill is that from 25 to 27 States, because of the transfer of population into other States, will be short of these funds. This bill simply provides the proper addition and carries out the provisions of the act with respect to an appropriation that was carried in an appropriation bill that has been passed by the Congress and signed by the President of the United States.

Mr. COCHRAN. I say to the gentleman that it is not a sound way to legislate, when you increase an appropriation over and above the authorization. If I had known at the time that item was in that appropriation bill and had been increased, I should not have permitted it if I could have prevented it. They should have stayed within the authorization. This simply creates more jobs. I know that I looked in the back of the report for changes in existing law, for limitations, and for appropriations that were not authorized, and I did not find that item in the back of the report. Undoubtedly it was put on in the Senate. It was bad judgment to increase that appropriation above the authorization in an appropriation bill. I believe that the chairman of the Committee on Agriculture should have risen on this floor and protected his own committee, even if it did mean an increase, and not have permitted such action.

Mr. Speaker, I object to the consideration of this bill.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman reserve his objection?

Mr. COCHRAN. I reserve the objection, Mr. Speaker.

Mr. LUTHER A. JOHNSON. May I say to the gentleman from Missouri that I believe he is to be commended and I follow his leadership frequently in the saving of funds, as he well knows, but I am sure that if he knew the background of this bill and the need there is for it he would not object.

This is the situation: In the census which was taken recently there was disclosed a reshifting of population which requires a readjustment and, as a result, States like my own, where some of the population was shifted, will be deprived of this very valuable work if this bill is not passed. I believe that if the gentleman knew all about the situation he would certainly not object. I appreciate the gentleman's position, of course, and believe he is to be commended. I believe he has saved the people a lot of money, but I hope this time he will not object to the consideration of this bill.

Mr. COCHRAN. I looked up the extension service at one time and I may say that not only in one county but in other counties in the State of the gentleman from South Carolina [Mr. FULMER] who is now chairman of the Committee on Agriculture, I found that there were six or seven county agents. What are they doing? They can only be in each other's way.

When I was a member of the Economy Committee the question came up of reducing this appropriation. We investigated the situation and found that in

South Carolina at that time you had six or seven county representatives of the Department of Agriculture. That is how I know it.

Mr. FULMER. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from South Carolina.

Mr. FULMER. I can state to the gentleman that South Carolina will not get a dime out of this money, but the gentleman's State will because of the shift of population from his State. If this bill is not passed, you simply leave it to the Department of Agriculture to distribute the money that has already been appropriated in such manner as to prohibit the gentleman's State——

Mr. COCHRAN. Let them distribute it under the law as it now stands, and you will save the taxpayers money. This will give them more money, more agents.

Mr. FULMER. That is exactly the purpose of the bill.

Mr. COCHRAN. But here you intend to increase it, and you do not need that. It is true some will suffer and others will benefit. You have more crops now than you need to have. You have a surplus of everything, and you are passing legislation here every month to take care of the surplus. With such a condition, why spend more of the taxpayers' money when it is not necessary. What do the extension agents do except show them how to raise more? It is provided in the organic law of the Department of Agriculture that it is for the purpose of showing the farmer how to raise more and better crops, and that is what we make the appropriation for; and then you come in here with more appropriations, and for what? To cut down the yield, plow under or conserve soil, and pay for it. Still, as I said, the organic law is for the purpose of showing them how to raise more and better crops.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. COFFEE of Nebraska. I want to call to the attention of the gentleman from Missouri that when the agricultural appropriation bill was before the House this item was not in it because the census returns had not yet been made available. The increase was placed in the bill in the Senate and after the census returns had shown the necessity for this. The appropriation has already been made.

Mr. COCHRAN. Is the gentleman for this appropriation?

Mr. COFFEE of Nebraska. This is not an appropriation; it is an authorization.

Mr. COCHRAN. Is the gentleman for this authorization?

Mr. COFFEE of Nebraska. Yes.

Mr. COCHRAN. The gentleman is for this authorization?

Mr. COFFEE of Nebraska. I am.

Mr. COCHRAN. I am going to save the gentleman from his extravagance. The gentleman has taken this floor and fought every kind of increase in appropriations, and now he comes along and is for this increase in this appropriation; and I am going to protect him and try and help him maintain his record.

Mr. COFFEE of Nebraska. I am for it because the State of Nebraska would be benefited, just as 21 other States would be benefited.

Mr. COCHRAN. Just like lots of letters I receive. Cut appropriations, they say, cut to the bone; but in this instance, speaking of something they are interested in, they say this money is needed; it will deprive our State of this worthy service, so do not reduce it.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman.

Mr. RUSSELL. If this bill is not passed, the extension farms and experimental stations of the Government will lie idle for the next few years, and the gentleman does not want that to occur.

Mr. COCHRAN. You can go along with the appropriations you have had all along and the farms and the experimental stations are not going to lie idle. You increase the number if the authorization passes.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. PACE. The gentleman recognizes, of course, with regard to the increase of appropriations, that most of the departments of the Government must have an increase in appropriations commensurate with the increase in the population of the Nation. This appropriation is purely for that purpose. It is to maintain the extension service in keeping with the normal increase in the population of the Nation. There has been a shift in the population from the gentleman's State and from my State, according to the census, and this is simply to take care of the increases, and I rather believe it is untimely now to jeopardize the extension service, which certainly renders a greater service than teaching the farmer how to produce. The greatest service the extension work is rendering today is in marketing that which the farmer produces, and the farmer certainly needs that assistance.

Mr. COCHRAN. I will say that the farmers certainly need that assistance, and there is no doubt about that; but throughout all these years, if you can show me where the extension service has marketed the crops of the farmers to their advantage, I will increase it twice this amount, but neither the gentleman nor anyone else can show that. That is what I have said dozens of times—market the produce so the farmer gets a greater part of what the consumer pays and the farmer will want no help from the Government. They do a lot of talking to the farmer over the fence. The extension service is a great organization and I know a lot about it, and do not let anybody tell you that I do not. Although I live in a city, I have made a study of this extension service and I know something about how it operates. I can also tell you I personally have had farmers point out an extension agent, tell me who he was, and say, "That fellow gets more in a month than I get in a year."

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. LUTHER A. JOHNSON. The trouble about my friend is that he has a prejudiced view of this extension work. He thinks they simply go down the road and stop and talk at the fence corners to the farmers. That is the way they may do in the city of St. Louis, but I want to tell my friend that if he will go into the Sixth Congressional District of Texas and go around with the extension agents and see what they are doing, he will then be willing for this bill to go through; and I think he ought to be willing for it to go through in view of the fact that so many Members from various States whom he knows to be good friends of his, one of them the gentleman from Nebraska [Mr. COFFEE], say this bill ought to go through. I think the gentleman ought to reverse his judgment and soften his heart and not object at this time, and I plead with him as one who has followed his leadership in the past to withhold his decision and not press his objection, in view of the fact we have already appropriated this money and this bill simply allocates the appropriation so justice will be done and his State of Missouri and my State of Texas will get what they are entitled to. I know the gentleman wants to do the right thing, and I know that if he knew the facts he would not object to this bill, because he would not want to do any State an injustice, especially a State like the State of Missouri or a State like the State of Texas, or his friends who have been pleading with him from these various States. So I submit the case, and I hope that the gentleman will, this time, not object.

Mr. COCHRAN. Mr. Speaker, I cannot let this bill go by at this time by unanimous consent. The gentleman from Texas [Mr. LUTHER A. JOHNSON] has made a plea, and I have heard every word that he said this time. All Members know this is a bad way to legislate—pass an appropriation first and an authorization thereafter. True, the bill will pass in the end. I know that. But I feel if we do not object to this procedure it will be duplicated.

In way of apology to our distinguished friend the gentleman from Pennsylvania [Mr. RICH], if we follow the policy of the gentleman from Georgia [Mr. PACE], who says that we must keep increasing the appropriations as the population increases, where are we going to get the money? I ask the gentleman from Georgia that question. When the people get their tax bills under the new law next year they will not appreciate the continual increase in normal expenditures.

Mr. FULMER. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Yes.

Mr. FULMER. Mr. Speaker, now that the appropriation has been made, and because of the appeal made by these people to the gentleman from Missouri, does the gentleman still object, and will he force us to go to the Rules Committee for a rule and go through all of that procedure, which can be easily done, whereas in 1 minute we can pass this bill if the gentleman will withdraw his objection? This is a Senate bill.

Mr. COCHRAN. All right; it is a Senate bill, but let me ask the gentleman whether the Department of Agriculture asked for this legislation.

Mr. FULMER. Yes.

Mr. COCHRAN. Then, where is their letter?

Mr. FULMER. If it is not in the bill I understand there was a letter addressed to the Speaker.

Mr. COCHRAN. Where is the letter asking for this appropriation, and where is its clearance through the Budget Bureau?

Mr. FULMER. It is a letter addressed to the Speaker.

Mr. COCHRAN. Look at the report. It is not in there. The letter to the Speaker should be in the report. It was referred to the gentleman's committee if it ever reached the Speaker. Regardless of that, simply because a department wants to expand, which they all do, why should we, in such times as we are now experiencing, raise normal appropriations simply because they are popular? How you did bear down on the relief appropriations. This money would take care of thousands of W. P. A. workers who now lose their jobs or thousands of boys and girls in the National Youth Administration or save some of your C. C. C. camps which have been closed. You know agriculture does not need any help now. The farmer can raise more than he is allowed to raise. He needs no one to show him, especially at this period. What is involved here is jobs.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Yes.

Mr. HOPE. The gentleman is aware, I am sure, that a great many additional burdens have been placed on the extension service during the last few years by reason of the various Government programs, and in view of that I do not think it is at all unreasonable that the appropriations for that service should be increased. In addition to that, it has happened that by reason of the formula which was in existence previous to the enactment of this act, there has been a shift in population and that will result in many States being deprived of funds if the present formula be retained in effect. These county agents are operating in counties as county units. There are just as many counties in the State of Kansas, just as many in the State of Missouri and in the State of Texas, notwithstanding the fact that there has been some shift in their populations, which under the formula has reduced the amount of money that will go to those States. If this money is not advanced, it means that the county agents in some States will be dismissed. In other words, there will be a number of the county agents in my own State and in the gentleman's State who will be dismissed because of that fact at a time when they are needed more than ever.

Mr. COCHRAN. The gentleman knows that the extension service and the experimental service in the past have done such wonderful work that they have increased production to such an extent that it has brought down the price so much that the Treasury has to reimburse the farmer now. So I ask the gentleman not to bring it down any lower by increasing the value of these services. Therefore I object to this bill being considered by unanimous consent.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Certainly, to my good and able friend from Mississippi.

Mr. COLMER. I will say to my friend that in the first place I have deep sympathy with the gentleman's desire to cooperate with our friend the gentleman from Pennsylvania [Mr. RICH].

I have great sympathy with the gentleman in his joining with the gentleman from Pennsylvania in trying to save money, but the gentleman knows from his long legislative experience that he is not getting anywhere with this proposition. We are just going to take it up later on and consume a lot more time. This thing will come back. They have had unanimous reports on it.

Mr. COCHRAN. The gentleman is 100-percent right; all I am doing is delaying consideration, but by so doing I am in hopes that appropriations will not be voted before authorized. Let me ask, Where are the reports?

Mr. COLMER. From the committee.

Mr. COCHRAN. Oh, you can get any kind of a report out of the Committee on Agriculture in either House in favor of increasing appropriations affecting agriculture.

Mr. COLMER. The gentleman knows as a matter of fact and as a matter of legislative strategy that he is just postponing what he regards as the evil day, but which we think is a good day.

Mr. COCHRAN. I know you have the votes. I concede that; but if we continue to bring such matters to the attention of the people, who are going to have to put up three and a half billion dollars in additional taxes, there will be a reaction some day, and the only way you can get reaction is to call attention to what Congress is doing. Every time there is a call of the Private Calendar or the Consent Calendar, laws are passed that continually increase appropriations which the taxpayers must pay. Let us call a halt while we are holding up the people for such tremendous amounts for defense purposes.

Mr. COLMER. I think the gentleman has made a good job of calling it to the attention of the House.

Mr. ANGELL. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is demanded. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, I object to the present consideration of the bill.

BOISE-SALMON-TARGHEE NATIONAL FOREST LANDS

The Clerk called the next bill, H. R. 4733, to add certain lands to the Boise National Forest, the Salmon National Forest, and the Targhee National Forest in the State of Idaho.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to have the gentlemen interested in this bill explain what they want to do with this land that is being added to the national forests.

Mr. FULMER. Mr. Speaker, I will state for the information of the gentleman that this bill proposes to add certain small areas to certain national forests in the State of Idaho. There is no money requested to do this. It is simply to round out these national areas so that they can be properly administered with the administration of the various national forests of the country.

Mr. RICH. How much land will they add to each of these forests?

Mr. FULMER. There will be about 900 acres in all. It is all in that area where it would round out these national forests.

Mr. RICH. Where are they going to get this land?

Mr. FULMER. It is adjoining and mingled in with the various areas there.

Mr. RICH. It takes the land from the Interior Department and puts it in the Department of Agriculture. Is that it? Are they public lands?

Mr. FULMER. Yes; they are public lands.

Mr. RICH. You are taking it from one department and placing it in another?

Mr. FULMER. Yes; so as to round out the proper administration rather than have it mixed up.

Mr. RICH. I would not have any objection to that, but I am going to object to every bill on the Consent Calendar that will require the purchase of additional land to round out these monuments. If permission is asked to put a bill through by unanimous consent, we are going to have it out on the floor of this House and we are not going to let them go through by unanimous consent. The only reason we let this go through is because it takes it from one department of the Government and places it in another, and the expense of making the transfer will not amount to anything as far as the Government is concerned.

The SPEAKER pro tempore. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, subject to valid existing rights, the following-described lands are hereby added to and made a part of the Boise National Forest in the State of Idaho, and shall hereafter be administered as an experimental forest subject to the laws and regulations relating to the national forests: Section 22; section 23, west half west half; section 26, west half, northwest quarter northwest quarter; section 27, north half northeast quarter, township 6 north, range 5 east, Boise base and meridian.

SEC. 2. For the purpose of protecting, improving, and utilizing forest, watershed, and other resources, the boundaries of the Salmon and Targhee National Forests, in the State of Idaho, are hereby extended to include the following-described lands, subject to all claims, entries, or filings, valid and subsisting at the date of this act and thereafter legally maintained; such lands to be subject hereafter to the laws and regulations applicable to national forests:

To the Salmon National Forest: All of unsurveyed fractional sections 25 and 26, township 13 north, range 29 east. Boise meridian; section 34, northwest quarter southwest

quarter, south half southwest quarter, lots 1, 2, 3, and 4; section 35, lot 1, township 14 north, range 32 east, Boise meridian.

To the Targhee National Forest: Section 36, lot 1, township 14 north, range 32 east, Boise meridian.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent that the address I made a short time ago may be printed in the Appendix of the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CONSENT CALENDAR

PROHIBITING PROOF OF ACTS DONE BY AN INVENTOR IN FOREIGN COUNTRIES

The Clerk called the next bill, H. R. 2519, to prohibit proof of acts done by an inventor in foreign countries.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if there is anything in this bill that bears on the question of the time within which an inventor may apply for a patent in this country after having first applied in a foreign country? By way of example, I have a constituent who has made application for a patent in France and has done everything required by French law. His application has been pending since before the outbreak of war. Obviously, because of interference with administrative processes in France by the war, it has been impossible for him to comply with our laws requiring the filing of proof of compliance with the French law in order to protect his patent rights in this country. I am merely inquiring as to whether this bill has anything to do with that?

Mr. LANHAM. No; this bill does not concern that. This bill is simply to reconcile in the law a controversy that has arisen by reason of a case in the Supreme Court. The bill itself makes certain exception of cases in which applications have been filed abroad, and the Committee on Patents is considering further legislation in this regard. If the gentleman will read the report I think he will find that it is quite descriptive of the purpose of this particular measure. There has been no objection made to it from any source. It is not intended to preclude a citizen abroad from getting a patent also in this country. It is directed to those in foreign countries who are trying to interpose proof of acts—not proof of application for a patent, but proof of acts—that might interfere, especially in these times of national defense, with some invention that we have in this country. It is not designed to cover the situation to which the gentleman refers, where an application has been filed in a foreign country.

Mr. WILLIAM T. PHEIFFER. I did not rise for the purpose of objecting, but simply for the purpose of securing information.

Mr. LANHAM. I think the gentleman will find that the report sets out rather fully the intention, in view of a Supreme Court decision, to remove an ambiguity in the law.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4886 of the Revised Statutes (35 U. S. C. 31) be, and the same is hereby, amended by adding at the end thereof the following:

"In proceedings in the Patent Office and in the courts of the United States, an applicant for a patent, or patentee, shall not be permitted to establish his date of invention or discovery by reference to knowledge or use thereof, or other activity with respect thereto, in a country foreign to the United States, other than the filing in a foreign country of an application for a patent for the same invention or discovery which, in accordance with the provisions of section 4887 of the Revised Statutes, is entitled to have the same force and effect as it would have had if filed in this country on the date on which it was filed in such foreign country."

SEC. 2. This act shall take effect immediately and apply to all pending applications for patents and existing patents, except that its provisions shall not be effective to nullify any judicial finding of the validity of a patent heretofore made by a court of competent jurisdiction.

Mr. LANHAM. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 2, line 5, change the period at the end of the line to a colon and add the following: "*Provided*, That the phrase 'country foreign to the United States' shall not be construed to include any territory or area under the control or jurisdiction or in the possession of the United States acquired by lease or otherwise for military, naval, national-defense, or other purpose from a foreign country."

Mr. LANHAM. Mr. Speaker, I may say in explanation of this amendment that it is suggested by the War Department that with reference to inventions American citizens in these various bases we have acquired and over which we now have control should not be precluded from any rights under this law.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Texas?

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RINCON BAND OF MISSION INDIANS

The Clerk called the next bill, H. R. 4983, to reserve a certain part of the public land in California for the benefit of the Rincon Band of Mission Indians.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ROADS ON INDIAN RESERVATIONS

The Clerk called the next bill, H. R. 4937, to amend an act entitled "An Act to authorize an appropriation for roads on Indian reservations."

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, for a good many years now the Roads Committee of the House of Representatives has authorized appropriations for the construction of Indian trails, they have authorized appropriations of amounts agreeable to the President, the executive branch, and the Congress. On several occasions we have had some very bitter controversy as to the amount which should be spent for the construction of Indian trails. I find that although the Department of the Interior recommends this bill no amount is authorized. The bill contains a blanket authorization for the construction of trails within Indian reservations. This matter has been discussed for a good many years and has been the subject of a great many compromises. Almost every session for the last 7 years there has been some compromise in the amount we have authorized for Indian trails. I do not understand why the Department of the Interior recommends this bill when previous to this the executive departments have almost always been opposed to the Federal highway bill which is periodically reported out of the Roads Committee and passed by this House by an overwhelming majority.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. RICH. The appropriation bill for the current fiscal year carries several hundred thousand dollars for trails in Indian reservations. In that bill also we authorized the expenditure for trails in parks under the jurisdiction of the Interior Department of $2,400,000, and gave them authority to make contract authorization to the extent of $300,000 for the following year.

Mr. WOLCOTT. Those appropriations were undoubtedly made in consequence of the authorizations contained in the Federal highway bills which we periodically consider after weeks of hearings by the Roads Committee. Until the amount for the construction of roads and trails in Indian reservations is limited so it will not be wholly out of proportion to the amounts authorized to be expended in parks and on the Federal highway network itself, I must ask that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

UTE INDIAN CLAIMS

The Clerk called the next bill, S. 215, to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938.

Mr. COCHRAN. Mr. Speaker, reserving the right to object, and I shall not object, this jurisdictional bill is the first

one in years to which I have not objected, and I want to state why. It is the first jurisdictional bill that has come out of a Senate or House committee with the objections of the General Accounting Office and the Department of Justice recognized and the bill or resolution amended accordingly.

I serve notice that whenever legislation comes out in such form, as this bill has, amended as requested by the departments, I shall not object. I therefore withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938, is hereby amended by striking out the words "anything in any other acts of Congress to the contrary notwithstanding" and inserting in lieu thereof a period and the following: "Anything in any other acts of Congress to the contrary notwithstanding"; by striking out "range 35" wherever it appears in such section and inserting in lieu thereof the following: "township 35 north"; by striking out the word "of" following the word "ownership" appearing in the first proviso of the said section; and by striking out the word "constitutent" in section 1 and inserting in lieu the word "constituent."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AFFORD GREATER PROTECTION TO THE PURCHASER OF PATENT RIGHTS

The Clerk called the next bill, H. R. 3206, to afford greater protection to the purchaser of patent rights.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4898 of the Revised Statutes (35 U. S. C. 47) be, and the same is hereby, amended to read as follows:

"SEC. 4898. Every application for patent or patent or any interest therein shall be assignable in law by an instrument in writing, and the applicant, or patentee, or his assigns or legal representatives may in like manner grant and convey an exclusive right under his application for patent or patent to the whole or any specified part of the United States. An assignment, grant, or conveyance shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice unless it is recorded in the Patent Office within 3 months from the date thereof or prior to such subsequent purchase or mortgage.

"If any such assignment, grant, or conveyance of any application for patent or patent shall be acknowledged before any notary public of the several States or Territories or the District of Columbia, or any commissioner of any court of the United States for any district or Territory, or before any secretary of legation or consular officer authorized to administer oaths or perform notarial acts under section 1750 of the Revised Statutes (U. S. C., title 22, sec. 131) the certificate of such acknowledgment, under the hand and official seal of such notary or other officer, shall be prima facie evidence of the execution of such assignment, grant, or conveyance."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GOVERNMENT OF THE TERRITORY OF HAWAII

The Clerk called the next bill, H. R. 4813, to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (q) of section 73 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, is hereby further amended to read as follows:

"(q) All lands in the possession, use, and control of the Territory shall hereafter be managed by the commissioner, except such as shall be set aside for public purposes as hereinafter provided; all sales and other dispositions of such land shall be made by the commissioner or under his direction, for which purpose, if necessary, the land may be transferred to his department from any other department by direction of the Governor, and all patents and deeds of such land shall issue from the office of the commissioner, who shall countersign the same and keep a record thereof. Lands conveyed to the Territory in exchange for other lands that are subject to the land laws of Hawaii, as amended by this act, shall, except as otherwise provided, have the same status and be subject to such laws as if they had previously been public lands of Hawaii. All orders setting aside lands for forest or other public purposes, or withdrawing the same, shall be made by the Governor, and lands while so set aside for such purposes may be managed as may be provided by the laws of the Territory; the provisions of this paragraph may also be applied where the 'public purposes' are the uses and purposes of the United States, and lands while so set aside may be managed as may be provided by the laws of the United States. The commissioner is hereby authorized to perform any and all acts, prescribe forms of oaths, and, with the approval of the Governor and said board, make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this section and the land laws of Hawaii into full force and effect."

SEC. 2. This act shall take effect upon its approval.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FILLING VACANCY IN BOARD OF REGENTS—SMITHSONIAN INSTITUTION

The Clerk called the next business, House Joint Resolution 121, providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the death of R. Walton Moore, be filled by the appointment of Frederic C. Walcott, a citizen of Connecticut, for the statutory term of 6 years.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT PAY AND HOSPITALIZATION OF CERTAIN RESERVE OFFICERS

The Clerk called the next bill, H. R. 3484, to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Reserve officers, Army of the United States, who were called or ordered into the active military service by the Federal Government for extended military service in excess of 30 days on or subsequent to February 28, 1925, other than for service with the Civilian Conservation Corps, and who are now disabled from disease or injury contracted or received in line of duty while so employed, shall be deemed to have been in the active military service during such period and shall be in all respects entitled to receive the same retirement pay and hospital benefits as are now or may hereafter be provided by law or regulation for officers of corresponding grades and length of service of the Regular Army.

SEC. 2. That the duties, powers, and functions incident to the administration and payment of the benefits herein provided are hereby vested in the Veterans' Administration: *Provided*, That in the administration of the retirement provisions provided herein, the determination whether disability exists and whether such disability was incurred in line of duty shall be made by the Secretary of War, or by someone designated by him in the War Department, in the manner, and in accordance with the standards, provided by law or regulations for Regular Army personnel: *And provided further*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TIME FOR CONSTRUCTION OF BRIDGE ACROSS THE MISSISSIPPI RIVER AT OR NEAR HELENA, ARK.

The Clerk called the next bill, S. 961, to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., authorized to be built by the Arkansas-Mississippi Bridge Commission and its successors and assigns by an act of Congress, approved May 17, 1939, heretofore extended by an act of Congress, approved May 27, 1940, are hereby further extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

REVIVING AND REENACTING AN ACT AUTHORIZING THE CONSTRUCTION OF A TOLL BRIDGE ACROSS MISSISSIPPI RIVER AT CASSVILLE, WIS.

The Clerk called the next bill, S. 1147, to revive and reenact the act entitled "An act authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa," approved August 7, 1939.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved August 7, 1939, authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa, be, and is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within 1 year and completed within 3 years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

GRANTING CONSENT OF CONGRESS TO AN INTERSTATE COMPACT RELATING TO BRIDGES ACROSS LAKE CHAMPLAIN

The Clerk called the next business, House Joint Resolution 176, granting the consent of Congress to an agreement amending the original agreement entered into by the States of New York and Vermont relating to the creation of the Lake Champlain Bridge Commission.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the consent of Congress is hereby given to an amendatory agreement executed on April 4, 1941, by the commissioners duly appointed on the part of the States of New York and Vermont, amending an agreement entered into by such States on May 11, 1927, and consented to by the Congress by the joint resolution approved February 16, 1928, which amendatory agreement reads as follows:

"Whereas the States of New York and Vermont heretofore and on the 11th day of May 1927 entered into an agreement, or compact, duly authorized by law, creating the Lake Champlain bridge commission; and

"Whereas the legislatures of said States have authorized their respective commissioners to enter into an agreement, or compact, amending said existing agreement, or compact;

"Now, therefore, the said States of New York and Vermont do hereby enter into the following agreement, or compact, to wit:

"The agreement, or compact, heretofore made and entered into on the 11th day of May 1927 between the State of New York and the State of Vermont, pursuant to chapter 321 of the laws of New York, 1927, entitled 'An act authorizing designated authorities in behalf of the State of New York to enter into an agreement or compact with designated authorities of the State of Vermont for the creation of the Lake Champlain bridge commission, the establishment of the Lake Champlain bridge commission, and the defining of the powers and duties of such commission, and making an appropriation for such purposes,' and Act No. 139 of the public acts of Vermont, 1927, entitled 'An act ratifying a proposed agreement or compact between the State of Vermont and the State of New York relating to the creation of the Lake Champlain bridge commission and providing for carrying out the provisions of said agreement or compact,' as the same was amended by the agreement or compact entered into the 30th day of March 1935, by and under the authority of chapter 201 of the laws of New York, 1933, as amended by chapter 355 of the laws of New York, 1935, and by and under the authority of Act No. 209 of the public acts of Vermont, 1935, as amended by Act No. 210 of the public acts of Vermont, 1935, and as the same was further amended by the agreement or compact entered into the 1st day of April 1936 by and under the authority of chapter 73 of the laws of New York, 1936, as amended by chapter 219 of the laws of New York, 1936, and by and under the authority of Act No. 19 of the public acts of Vermont, special session, 1935 to 1936, is hereby amended by adding thereto the following articles:

"'ARTICLE XL

"'The Lake Champlain bridge commission shall have power and is hereby authorized to issue its negotiable bonds, for the purpose of refunding any of its bonds, now outstanding or hereafter issued, provided, however, that the aggregate principal amount of such bonds so issued to pay off and refund said bonds, shall not exceed the aggregate amount of the principal of the bonds so retired plus any premium required to be paid at the time of refunding the outstanding bonds in connection with the redemption of such outstanding bonds. In the exercise of the power to issue refunding bonds the commission may provide for the issuance of such bonds for the following purposes:

"'(a) to refund bonds issued in connection with the bridge known as the Lake Champlain Bridge, such refunding bonds to be payable from revenues applicable to the payment of the bonds refunded, or

"'(b) to refund bonds issued in connection with the bridge known as the Rouses Point Bridge, such refunding bonds to be payable from revenues applicable to the payment of the bonds refunded, or

"'(c) to refund all bonds then outstanding issued in connection with both of the aforesaid bridges, such refunding bonds to be payable from the combined revenues of such bridges or any other revenues of the commission applicable to the payment of its indebtedness.

"'ARTICLE XLI

"'Such commission shall have power and is hereby authorized to call for payment and to pay any of its bonds, in accordance with the terms under which said bonds were or are issued and for such purposes it may use any funds which it has or shall have in reserves and sinking fund and in investments at the time said bonds are called for payment notwithstanding any provision heretofore set forth in this or any previous agreement, or compact.

"'ARTICLE XLII

"'1. The bonds issued under authority of article 40 shall be authorized by resolution, or resolutions, of such commission and shall bear such date or dates, mature at such time or times on or before January 1, 1969, bear interest at such rate or rates not exceeding 5 percent per annum, payable semiannually, be in such denominations, be in such form, either coupon or registered, carry such registration or conversion privileges, be executed in such manner, be payable in such medium of payment at such place or places, and be subject to such terms of redemption as such resolution, or resolutions, may provide. Said bonds shall be sold at public sale for such price or prices as such commission shall determine, provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed 5 percent per annum.

"'2. Neither the members of such commission, nor any person executing said bonds, shall be liable personally on said bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

"'3. The bonds issued under the authority of article 40 shall constitute a first lien upon the property, tolls, and revenues pledged to secure the bonds which are refunded, and the said commission is hereby authorized to continue to fix, charge, and collect tolls for transit over the bridge or bridges in connection with which the bonds refunded were issued until the bonds issued under the authority of article 40 and interest thereon have been fully paid and discharged. Subject to the terms of any agreement made or to be made with holders of bonds issued by such commission under this agreement or compact, the bonds issued under the authority of article 40 shall be a lien upon the tolls and revenues of either of the bridges referred to as the Lake Champlain Bridge or the Rouses Point Bridge, or both, and in accordance with subdivision 4 of article 26 of the amendments to this agreement or compact any of such tolls and revenues which would otherwise have been payable into the State treasuries of the two States may be pledged to the payment of said bonds.

"'4. Said bonds shall not be a debt of the State of New York or of the State of Vermont, and neither State shall be liable thereon, nor shall they be payable out of any funds other than those of such commission.

"'5. Said bonds, and the interest thereon, shall be exempt from taxation, and said bonds are hereby made securities in which all State and municipal officers and bodies, all banks, bankers, trust companies, savings banks, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees, and other fiduciaries, and all other persons whatsoever, who are now or may hereafter be authorized to invest in bonds or other obligations of each of the said States, may properly and legally invest any funds, including capital, belonging to them or within their control, and said bonds are hereby made securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency for any purpose for which the deposit of bonds or other obligations of each of the said States is now or may hereafter be authorized.

"'6. Such commission shall have power, out of any funds available therefor, to purchase any bonds issued by it at a price not more than the redemption price thereof at the time of such purchase, with accrued interest.

"'ARTICLE XLIII

"'Such commission shall have the power to apply to the Congress of the United States, or any department of the United States, for consent or approval of this agreement or compact, as amended, but in the absence of such consent by Congress and until the same shall have been secured this agreement or compact, as amended, shall be binding upon the State of New York when ratified by it and the State of Vermont when ratified by it, without the consent of Congress, to cooperate for the purposes enumerated in this agreement or compact, and in the manner herein provided and for all purposes that it legally may be.'

"In witness whereof, by and under the authority of chapter 142 of the Laws of 1941 of the State of New York, and by and under the authority of Public Act Temporary No. 118 of the Acts and Resolves of 1941 of the General Assembly of the State of Vermont, we have signed this compact or agreement in duplicate this 4th day of April 1941."

SEC. 2. The right to alter, amend, or repeal this joint resolution is hereby expressly reserved.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUSTMENT OF TOLLS CHARGED IN MAINTENANCE AND OPERATION OF A TOLL BRIDGE ACROSS MISSOURI RIVER AT WASHINGTON, MO.

The Clerk called the next bill, H. R. 3625, to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mr. KEAN]?

There was no objection.

EXTENSION OF TIME FOR CONSTRUCTION OF BRIDGE ACROSS COLUMBIA RIVER AT ASTORIA, OREG.

The Clerk called the next bill, H. R. 3972, to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. There seems to be a similar Senate bill on the table. Without objection, the Senate bill will be substituted for the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg., authorized to be built by the Oregon-Washington Bridge Board of Trustees by an act of Congress approved June 13, 1934, as amended, as heretofore extended by acts of Congress approved August 30, 1935, January 27, 1936, August 5, 1937, May 26, 1938, August 5, 1939, and December 16, 1940, are further extended 1 and 3 years, respectively, from June 13, 1941.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 3972) was laid on the table.

EXTENSION OF TIME FOR CONSTRUCTION OF BRIDGE ACROSS OHIO RIVER AT MAUCKPORT, IND.

The Clerk called the next bill, H. R. 4052, to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ohio River, at or near Mauckport, Harrison County, Ind., authorized to be built by the Indiana State Toll Bridge Commission by an act of Congress approved August 7, 1939, and extended 1 and 3 years, respectively, from August 7, 1940, are hereby extended 1 and 3 years, respectively, from August 7, 1941.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 7, strike out "and extended 1 and 3 years, respectively, from August 7, 1940, are hereby" and insert "heretofore extended by an act of Congress approved May 27, 1940, are hereby further."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TIME FOR CONSTRUCTION OF BRIDGES ACROSS MONONGAHELA RIVER IN ALLEGHENY COUNTY, PA.

The Clerk called the next bill, H. R. 4085, to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge in Allegheny County, Pa., across the Monongahela River at a point suitable to navigation from the borough of Dravosburg, in Allegheny County, Pa., to a point at or adjacent to the dividing line between the city of McKeesport, Pa., and the borough of Glassport, Pa., and a bridge across the Monongahela River at a point suitable to navigation from the borough of Rankin, Pa., to the borough of Whitaker, Pa., construction of which bridges was authorized by an act of Congress approved July 25, 1939, and heretofore extended by an act of Congress approved August 9, 1940, be, and it is hereby, further extended 1 and 3 years, respectively, from July 25, 1941.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 6, strike out "it is" and insert "are."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE ST. LAWRENCE RIVER, OGDENSBURG, N. Y.

The Clerk called the next bill, H. R. 4150, to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., authorized to be built by the St. Lawrence Bridge Commission and its successors and assigns, by an act of Congress approved June 14, 1933, and heretofore extended by acts of Congress approved June 8, 1934, May 28, 1935, April 11, 1936, August 12, 1937, April 26, 1939, and June 8, 1940, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

That so much of section 4 of the act of June 14, 1933 (48 Stat. 141), which reads as follows: "The bridge constructed under the authority of this act shall be deemed an instrumentality of international commerce, authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith, and the income derived therefrom, shall be exempt from all Federal, State, municipal, and local taxation," is repealed, and in lieu thereof the following language is substituted in said section 4, to wit: "The bridge hereby authorized, or the income therefrom, shall be subject to Federal, State, municipal, or local taxation only to the extent that a like structure, or the income therefrom, owned and operated by a public authority or public agency of the State of New York, shall be subject to taxation. The bonds or obligations of the Commission from time to time outstanding, and the income derived therefrom shall be subject to taxation in the hands of the holders thereof."

The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 7, after "1933", insert "as amended."

Page 2, line 2, after "hereby", insert "further."

Page 2, strike out all of lines 4 to 21, inclusive.

Page 2, at the beginning of line 22, insert "Sec. 2."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE SANTEE RIVER, LENEUDES FERRY, S. C.

The Clerk called the next bill, H. R. 4231, granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River, at or near Leneudes Ferry, S. C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the South Carolina State highway department to construct, maintain, and operate a free bridge across the Santee River at a point suitable to the interest of navigation, at or near Leneudes Ferry, between Jamestown and Andrews, S. C., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE WABASH RIVER, MOUNT VERNON, POSEY COUNTY, IND.

The Clerk called the next bill, H. R. 4306, to extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a toll bridge across the Wabash River, at or near Mount Vernon, Posey County, Ind., authorized to be built by the Indiana State Toll Bridge Commission, by an act of Congress approved October 9, 1940, are hereby extended 1 and 3 years, respectively, from October 9, 1941.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE TUG FORK OF THE BIG SANDY RIVER, NOLAN, W. VA.

The Clerk called the next bill, H. R. 4315, to legalize the construction by the Big Creek Bridge Co., of a bridge across the Tug Fork of the Big Sandy River at Nolan, W. Va.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, I wonder if some member of the Subcommittee on Interstate and Foreign Commerce will explain what the policy of the committee now is in respect to tolls? Heretofore we have shown the authority to determine the amount of tolls and the period of amortization, but I notice from the last two authorizations for the construction of toll bridges that the bills are silent on that matter. I wonder if we have at least determined that we have no authorization over the amortization of the payments or the collection of tolls.

In the absence of any explanation, I believe we may assume that the policy of the committee has been materially changed, and, for one, I am glad of it.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Big Creek Bridge Co., Consolidated, its successors and assigns, to complete construction of a bridge and approaches thereto across the Tug Fork of the Big Sandy River, at Nolan, W. Va., and to maintain and operate said bridge as a lawful structure, subject to the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The Big Creek Bridge Co., Consolidated, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under authority contained in the act of March 23, 1906.

SEC. 3. After the completion of such bridges, as determined by the Secretary of War, either the State of West Virginia, the State of Kentucky, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation, or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 5 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include goodwill, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 percent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 4. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 5. The Big Creek Bridge Co., Consolidated, its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the Highway Departments of the States of West Virginia and Kentucky, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within 3 years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Big Creek Bridge Co., Consolidated, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 6. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Big Creek Bridge Co., Consolidated, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 7. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 3, line 4, after "exceed", change "10" to "5."

Page 3, line 11, after "section", change "4" to "3."

Page 5, line 1, after "section", change "4" to "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER, FLORENCE STATION, OMAHA, NEBR.

The Clerk called the next bill, H. R. 4642, authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

BRIDGES ACROSS THE NEW RIVER AT BLUFF CITY AND EGGLESTON, VA.

The Clerk called the next bill, H. R. 4732, granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free highway bridges and approaches thereto across the New River, at points suitable to the interest of navigation, one at Bluff City, Giles County, Va., and the other at Eggleston, Giles County, Va., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAILROAD RIGHT-OF-WAY IN ALASKA

The Clerk called the next bill, S. 1289, authorizing the Copper River & Northwestern Railway Co. to convey to the United States its right-of-way and other railroad properties in Alaska, for use as a public highway, tramroad, or tramway, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Copper River & Northwestern Railway Co., or any of its successors in interest or assigns, is hereby authorized to give and convey to the United States of America (1) all or any portion of

its railroad right-of-way acquired under grants made by Congress or otherwise, including station and terminal grounds and lands used as sites for railroad structures or purposes of any kind, and (2) equipment, including telephone and telegraph poles and lines, ties, rails, rolling stock, bridges, buildings, and other properties in Alaska used in connection with the construction, maintenance, and operation of the railroad.

SEC. 2. The Secretary of the Interior is hereby authorized and empowered to accept, on behalf of the United States and without cost to the United States, gifts and conveyances of said properties to be used, operated, and maintained, as far as may be practicable or necessary, as a public highway, tramroad, or tramway under the provisions of the act of June 30, 1932 (47 Stat. 446), notwithstanding anything within any act to the contrary.

SEC. 3. The provisions of the act of March 8, 1922 (42 Stat. 414), shall not affect the right-of-way, or any portion thereof, or any other lands or properties donated, granted, or conveyed to the United States pursuant to the authorization contained in this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATION OF THE FEDERAL RECLAMATION LAWS

The Clerk called the next bill, H. R. 4854, to facilitate and simplify the administration of the Federal reclamation laws and the act of August 11, 1939, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, there seems to be some controversy about this bill. I wonder if the gentleman from Montana can explain it.

Mr. O'CONNOR. I may say to the gentleman from Michigan that this is a bill that has for its purpose the facilitating and simplifying of the administration of the Federal reclamation laws. It gives the Secretary of the Interior the authority to delegate certain powers to the Commissioner of Reclamation.

There are many minor details of the work that have to be done, and it is impossible for the Secretary of the Interior to give his time to them. The Bureau of Reclamation is really better fitted to carry out these details than the Department of the Interior. For instance, reading from the report, the present practice in the appraisal of lands needed for reclamation and water-conservation projects prior to purchase well illustrates the desirability of the proposed legislation. The law now seems to require departmental approval of the price to be paid for any piece of land, no matter how small its value.

A further illustration of the desirability for authority to delegate the power to take final action is found in connection with the approval of relocation contracts in connection with project construction. Many of these contracts involve the payment of only small sums of money or the doing of only rather routine construction work. Should delegation in any particular field prove unsatisfactory, the proposed legislation is such that the situation could be remedied by resumption of the duties by that head.

So there is so much detail work to be done by the Secretary of the Interior and he wants to give authority to the Commissioner of Reclamation to exercise the Secretary's duties with reference to those small details.

Mr. WOLCOTT. I understand from the explanation of the gentleman that it is not intended that questions of policy will be delegated to assistants?

Mr. O'CONNOR. No; it does not change the policy at all. It is simply administrative.

Mr. WOLCOTT. In view of the gentleman's explanation, I withdraw my reservation of objection, Mr. Speaker.

Mr. O'CONNOR. I thank the gentleman.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of facilitating and simplifying the administration of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388 and acts amendatory thereof or supplementary thereto) and the act of August 11, 1939 (53 Stat. 1418), as amended, the Secretary of the Interior is hereby authorized to delegate, from time to time and to the extent and under such regulations as he deems proper, his powers and duties under said laws to the Commissioner of Reclamation or other officers of the Bureau of Reclamation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN L. SAVAGE

The Clerk called the next bill, S. 1488, to amend an act entitled "An act authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India," approved June 29, 1940 (Public, No. 678, 76th Cong., 3d sess.), is hereby amended by striking out the words "State of New South Wales, Australia," and by inserting in lieu thereof the words "Commonwealth of Australia."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT MISSOULA MILITARY RESERVATION, MONT.

The Clerk called the next bill, S. 198, to authorize the Secretary of War to exchange certain land located within the Fort Missoula Military Reservation, Mont., for certain land owned by the Missoula Chamber of Commerce, of Missoula, Mont.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized to transfer, subject to such conditions, covenants, reservations, and exceptions as he shall prescribe, to the Missoula Chamber of Commerce, of Missoula, Mont., all right, title, and interest of the United States in and to a parcel of land, described in subsection (a) of this act, located within the boundaries of the Fort Missoula Military Reservation, Mont., in exchange for title to certain land, described in subsection (b) of this act, from the Missoula Chamber of Commerce, of Missoula, Mont.

(a) The following-described land, located in section 31, township 13 north, range 19 west, Montana principal meridian, containing ninety-one and fifty-two one-hundredths acres, more or less: Beginning at a point on the south section line of section 31, township 13 north, range 19 west, fifty-nine and eight-tenths feet east of the south quarter corner of said section 31; said section line also being a part of the third standard parallel north of the Montana principal meridian; thence north fifty-one degrees ten minutes east a distance of one thousand nine hundred seventy-six and nine-tenths feet; thence north fifty-seven degrees forty-three minutes west a distance of one thousand eight hundred fifty and three-tenths feet; thence south thirty-one degrees thirty minutes west a distance of six hundred sixty-two and nine-tenths feet; thence south seventy-seven degrees forty-six minutes west a distance of one thousand seventy-five and seven-tenths feet; thence south thirty-six degrees fourteen minutes west a distance of four hundred ninety and eight-tenths feet; thence south thirty-eight degrees nine minutes east a distance of two hundred ninety-six and eight-tenths feet; thence south twenty-eight degrees eighteen minutes east a distance of four hundred fifteen and three-tenths feet; thence south sixty-six degrees twenty-four minutes east a distance of two hundred ninety and one-tenth feet; thence south fifty-four degrees twenty minutes east a distance of two hundred sixty-four and seven-tenths feet; thence south thirty-three degrees seventeen minutes east a distance of two hundred eleven and one-tenth feet; thence east along south section line of said section 31, township 13 north, range 19 west, a distance of seven hundred forty-four and one-tenth feet to the point of beginning.

(b) The following-described land, containing four hundred acres, more or less: The west half of the northeast quarter and the west half of section 8, township 12 north, range 20 west, Montana principal meridian.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ABLE SEAMEN ON SEAGOING BARGES

The Clerk called the next bill, H. R. 4946, relating to the manning of certain seagoing barges.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any provision of section 13 of the act of March 4, 1915, as amended (U. S. C., 1934 ed., Supp. V., title 46, sec. 672), every person may be rated as an able seaman for the purpose of serving on seagoing barges who is 19 years of age and upward, and who has had at least 12 months of service on deck at sea or on the Great Lakes or on the bays and sounds connected directly with the seas.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

PROTECTION OF WALRUSES IN ALASKA

The Clerk called the next bill, H. R. 1606, for the protection of walruses in the Territory of Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whoever, within the Territory of Alaska or in or on any of the waters thereof, shall take, possess, sell, barter, purchase, or export, at any time or in any manner, any walrus, alive or dead, or any part thereof, except as hereinafter in this section provided, shall be fined not more than $500 or imprisoned not more than 6 months, or both: *Provided*, That walruses may be taken at any time by natives for food and clothing for themselves and by miners or explorers or any other person when in need of food and other food is not available, and the skins, hides, tusks, or ivory of walruses so taken may be possessed, sold, bartered, or purchased in the Territory and said tusks or ivory, when carved or otherwise manufactured or processed in the Territory, may be exported therefrom: *Provided further*, That the Secretary of the Interior is authorized to permit the taking, possession, and export of walruses or parts thereof for scientific or educational purposes under special permits to be issued by him under such restrictions and conditions as he shall prescribe.

SEC. 2. That it shall be the duty of all marshals and deputy marshals, collectors and deputy collectors of customs, officers of the Coast Guard, and law-enforcement officers of the Fish and Wildlife Service, and the Alaska Game Commission of the Department of the Interior to enforce this act, and they shall have, with respect to such enforcement, all the powers and authority conferred by the second paragraph of section 5 of the Alaska Game Law of January 13, 1925 (43 Stat. 739), as amended by the acts of February 14, 1931, and June 25, 1938 (46 Stat. 1111 and 52 Stat. 1169, respectively), upon the officers therein mentioned; and all guns, traps, nets, boats, dogs, sleds, implements, or other paraphernalia used in or in aid of a violation of this act, and any walrus, or part thereof, taken, possessed, sold, bartered, purchased, or exported contrary to this act, shall be seized by the officers authorized to enforce this act, and upon conviction of the offender or upon judgment of a court of the United States that the same were being used or were taken, possessed, sold, bartered, purchased, or exported contrary to the provisions of this act, shall be forfeited to the United States and disposed of as directed by the court having jurisdiction, and if sold the proceeds of sale, less any expenses incurred in and about the seizure and forfeiture thereof, shall be deposited in the Treasury to the credit of miscellaneous receipts.

SEC. 3. That as used in this act "whoever" includes individuals, associations, partnerships, and corporations; "take" includes also pursue, hunt, shoot, wound, kill, capture, trap, or willfully molest or disturb; "export" means transportation or offering for transportation from the Territory of Alaska or any of the waters thereof to any place outside said Territory or waters; and "natives" means Eskimos, Aleuts, and other aborigines of one-half or more Eskimo, Aleut, or other aboriginal blood.

SEC. 4. That all other acts or parts of acts insofar as they relate to walruses in the Territory of Alaska or in or on any of the waters thereof are hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF CERTAIN PUBLIC WORKS BY THE SECRETARY OF WAR

The Clerk called the next bill, H. R. 5146, to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, as I understand, this bill adds to existing law the right to acquire land upon which to construct certain buildings and increases the amount by $1,000,000.

Mr. THOMASON. That is correct and this is in connection with the Army Medical Library, which is regarded as one of the most valuable in the world.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938, is hereby amended to read as follows: "That the Secretary of War is hereby authorized to construct in the District of Columbia a building with the utilities, accessories, and appurtenances thereto to replace the present Army Medical Library and Museum Building now located in the District of Columbia, and to purchase a suitable site: *Provided*, That the advice of the National Capital Park and Planning Commission as to the selection of the site be requested before construction herein authorized shall begin: *Provided further*, That the total cost of the construction and acquisition of a suitable site hereby authorized shall not exceed the sum of $4,750,000."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAINTAINING THE CORPS OF CADETS AT THE UNITED STATES MILITARY ACADEMY AT AUTHORIZED STRENGTH

The Clerk called the next bill, S. 1447, making provision for maintaining the Corps of Cadets of the United States Military Academy at authorized strength.

Mr. PACE. Mr. Speaker, reserving the right to object, I understand the gentleman from Texas [Mr. THOMASON] has a legal interpretation on this bill and I wonder if the gentleman would not insert it in the RECORD at this point.

Mr. THOMASON. I will be very happy to ask unanimous consent to insert in the RECORD at this point a note of interpretation that was sent to me by the War Department, construing some of the terms of this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The matter referred to follows:

NOTES ON S. 1447 (WEST POINT BILL)

In considering S. 1447 the House of Representatives believed the following changes would be appropriate:

(1) The words deleted by this change are deemed superfluous. Since an appointment of a cadet is authorized at any time during the year prior to the time of his admission, these is no apparent reason for the deleted words.

(2) The words "qualified alternates" were substituted for the words "eligible applicants" so as to assure that the appointments made by the Secretary of War to fill the vacancies in the number of cadets each year would be made from among the qualified alternates nominated by the Members of Congress. The change made here was deemed necessary in order to retain language in the bill which would carry out the apparent desires of the Senate as indicated by the language stricken from the measure by change (3). This change precludes consideration of any Presidential candidate who may have passed the required examination but who failed to secure an appointment because of his standing on the list of candidates.

(3) The words "shall be in addition to all other appointments authorized by law, and without prejudice thereto" were substituted for the words "for a Member of Congress from any State may be filled only by the appointment of a person who is a qualified alternate candidate from such State" in order to assure that the rights of the individual Member of Congress to maintain his quota of cadets at the academy at all times would not be jeopardized by any appointments made by the Secretary of War. In this connection the bill as passed by the Senate would authorize the Secretary of War to fill the vacancies at the academy by appointing qualified alternates from the State in which the vacancy occurred. Such vacancy would thus be lost to the individual Member of Congress concerned. The bill in this respect as passed by the House of Representatives would authorize the Secretary of War to make appointments equal in number to the existing vacancies but without prejudice to such vacancies. The cadets thus appointed would be extra numbers, and the individual Member of Congress, though denied the privilege of filling his vacancy that year would carry such vacancy over and fill it the next year.

The words "and fairly apportioned from year to year among the States" added to the measure by change (4) is to assure that the appointments of extra numbers by the Secretary of War shall be apportioned among the States in an equitable manner.

The words "appointments made under subsection (b) shall be as fairly apportioned as is practicable, from year to year, among the States from which such appointments may be made" were deleted by change (5) as being superfluous in view of change (4).

The words "(1) the term 'Member of Congress' means Senator, Representative, Delegate in Congress, or Resident Commissioner from Puerto Rico" were deleted by change (6) as being superfluous in view of change (3).

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, does the opinion touch upon the question of preserving the authority which Members of Congress and the Senate, as well as the President, have now with respect to the allocation of cadets?

Mr. THOMASON. I do not think it has anything to do with Presidential appointments. I may say that when the bill came to the House Military Affairs Committee from the Senate almost unanimous objection was made to the bill, but as the bill is now presented to the House it had the unanimous vote of the committee and no Senator or Congressman loses any of his rights, and none of the appointments that will be made will be prejudicial to any rights he now has.

Mr. WOLCOTT. As I understand, the bill in its effect accomplishes about the same purpose as a bill we passed last year

with respect to the Naval Academy in that about 150 alternates who had qualified were admitted, even though their principals had qualified, and they were not debited against the allotment which each Member has at the academy. Is that right?

Mr. THOMASON. The purpose to be accomplished is exactly the same, but the procedure is a little different.

Mr. WOLCOTT. That is as I understand it.

Mr. THOMASON. No Member of the House or of the Senate loses any of the rights he now has.

Mr. BEITER. Mr. Speaker, further reserving the right to object, is this the bill that authorizes the Secretary of War to make the appointment to the Military Academy if the Member of Congress fails to make the appointment?

Mr. THOMASON. No; it does this: There are now approximately 180 vacancies at West Point under the quota, and this provides that the academic board of the Military Academy may select from qualified alternates a number sufficient to fill the vacancies, but without any prejudice whatever to the rights of any Senator or Congressman to go ahead with his regular appointments.

Mr. BEITER. The qualified alternates are the qualified alternates named by the Members?

Mr. THOMASON. That is right.

Mr. BEITER. Suppose the alternates do not qualify, what happens then?

Mr. THOMASON. The right of the Member of Congress has not been affected. If there are sufficient qualified alternates over the country, the academic board at the Military Academy will go ahead and recommend to the Secretary of War and the places will be filled, giving fair and just distribution among the States.

Mr. BEITER. As a concrete example, suppose that my principal and all of my alternates should fail, would I then receive another appointment?

Mr. THOMASON. The gentleman's rights would not be affected in the slightest. Your appointment would ride over to the next year.

Mr. BEAM. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. Yes.

Mr. BEAM. What relationship to the geographical sections will be given in this selection?

Mr. THOMASON. The bill provides that the War Department would in the exercise of its discretion try to make just distribution among the States, and they so testified before the committee, and the committee thinks the War Department would make equitable distribution.

Mr. BEAM. And in relation to a Congressman having a principal and two alternates?

Mr. THOMASON. In that connection I will say that under this bill each Congressman will have three alternates instead of two, as at present.

Mr. BEAM. Suppose he has, in the event the principal fails to qualify an alternate failing to report, does the Secretary make another selection?

Mr. THOMASON. Oh, no; he does not. He does not make it from the gentleman's district or out of your quota, but if some of the gentleman's colleagues from the State of Illinois have qualified alternates, the Secretary of War, acting on the recommendation of the academic board, can fill existing vacancies. It does not affect the gentleman's right in the slightest. In fact, he might be lucky and thus enable one more boy from his district to enter the academy, provided he has a qualified alternate.

Mr. CHAPMAN. Will that be charged up to the Congressman?

Mr. THOMASON. It will not be. If the gentleman will read the bill he will observe in lines 16 and 17, on page 2, that these appointments shall be in addition to all other appointments authorized by law and without prejudice thereto.

Mr. BEAM. Mr. Speaker, although I appreciate the contribution that the gentleman from Texas has made, under the circumstances I shall object to the bill.

The SPEAKER. Is there objection?

Mr. BEAM. Mr. Speaker, I object.

INSTRUCTION AT NAVAL ACADEMY OF CITIZENS FROM THE AMERICAN REPUBLICS

The Clerk called the bill (S. 207) to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American republics (other than the United States) to receive instruction at the United States Naval Academy at Annapolis, Md. Not more than 3 persons from any of such republics shall receive instruction under authority of this act at the same time. The persons receiving instruction under authority of this act shall receive the same pay, allowances, and emoluments, to be paid from the same appropriations, and, subject to such exceptions as may be determined by the Secretary of the Navy, shall be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as midshipmen at the Naval Academy appointed from the United States; but such persons shall not be entitled to appointment to any office or position in the United States Navy by reason of their graduation from the Naval Academy.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

GRANTING CERTAIN RIGHTS TO CITY OF VANCOUVER, WASH.

The Clerk called the bill (H. R. 3933) to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to grant to the city of Vancouver, Wash., easements for rights-of-way for street or public-highway purposes over such roads on the Vancouver Barracks Military Reservation, Wash., as the Secretary of War may designate, and subject to such conditions, restrictions, and reservations as the Secretary of War may impose for the protection of the reservation, with the right of the city of Vancouver to surface, pave, illuminate, lay mains, conduits, and culverts, and to make other improvements necessary for public purposes on said rights-of-way: *Provided*, That the city of Vancouver shall perform at its own cost and expense such work as the Secretary of War may require for the protection of or to prevent interference with the use of any which may be affected by the use and maintenance of said rights-of-way by the city of Vancouver.

SEC. 2. There is hereby granted to the State of Washington a retrocession of jurisdiction over such rights-of-way as may be granted hereunder by the Secretary of War to the city of Vancouver, subject to all of the conditions, restrictions, and reservations as may be contained in the grant.

SEC. 3. Whenever the city of Vancouver shall cease to occupy and use the land and premises for highway purposes as authorized herein then the same and all jurisdiction thereover shall revert to the United States.

SEC. 4. The retrocession of jurisdiction granted shall not become effective until the State of Washington shall by legislative action accept such retrocession of jurisdiction.

With the following committee amendment:

Page 2, line 6, after the word "any", insert, "underground or other improvements on said reservation."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DESIGNATING BUILDING GUARDS AS UNITED STATES BUILDING POLICE

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to return to Calender 166, H. R. 1409, designating building guards employed in buildings under the jurisdiction of the Federal Works Agency as United States building police, and for other purposes.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the building guards providing service in any buildings in the District of Columbia, under the jurisdiction of the Federal Works Agency, shall hereafter be known as United States Building Police and shall have the same powers and shall perform the same kind of duties as the United States Park Police and the Metropolitan Police of the District of Columbia: *Provided*, That the jurisdiction and policing power of such United States Building Police shall be restricted to the public buildings, grounds, and other areas under the control of the Federal Works Agency.

The annual salaries of the United States Building Police, without reference to the Classification Act of March 4, 1923, as amended, shall be as follows:

Chief inspector: $3,500 for the first year, with an increase of $100 for each following year of satisfactory service until a maximum of $4,000 per annum has been attained.

Inspector: $2,700 for the first year, with an increase of $100 for each following year of

satisfactory service until a maximum of $3,100 per annum has been attained.

Fire marshal: $2,800 for the first year, with an increase of $100 for each following year of satisfactory service until a maximum of $3,200 per annum has been attained

Assistant fire marshal: $2,300 for the first year, with an increase of $100 for each following year of satisfactory service until a maximum of $2,700 per annum has been attained.

Investigators: $2,300 for the first year, with an increase of $100 for each following year of satisfactory service until a maximum of $2,700 per annum has been attained.

Captain: $2,300 for the first year, with an increase of $100 for each following year of satisfactory service until a maximum of $2,700 per annum has been attained.

Lieutenant: $1,900 for the first year, with an increase of $100 for each following year of satisfactory service until a maximum of $2,300 per annum has been attained.

Sergeant: $1,700 for the first year, with an increase of $100 for each following year of satisfactory service until a maximum of $2,100 per annum has been attained.

Private: $1,500 for the first year, with an increase of $100 for each following year of satisfactory service until a maximum of $1,900 per annum has been attained.

No private shall be promoted to a higher grade unless he shall have served satisfactorily for a period of at least 1 year.

The members of the United States Building Police force shall be instructed in their duties through appropriate training courses and furnished with uniforms and such other equipment as may be necessary for the proper performance of their duties, including badges, arms, ammunition, masks, etc., and other articles of clothing shall be furnished at cost.

The Administrator of the Federal Works Agency is authorized and directed to make, modify, and enforce necessary rules and regulations for the proper government, conduct, discipline, and good name of the said United States Building Police force. No person shall be removed from the said United States Building Police force except upon written charges preferred against him in the name of the officer in charge of his duly authorized representative, to a trial board or boards which shall be established to hear such cases by the Administrator of the Federal Works Agency, said board or boards to be similar to the trial board provided by law for the Metropolitan Police of the District of Columbia.

Nothing herein contained shall operate to deprive the members of the United States Building Police force from any benefits arising from the act of May 22, 1920, as amended, entitled "An act for the retirement of employees in the classified civil service and for other purposes."

That to provide for the increased salaries and compensation of the United States Building Police, so much as is necessary is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to supplement the amounts which have heretofore been appropriated for the payment of the salaries of the building guards in the buildings in the District of Columbia under the jurisdiction of the Federal Works Agency.

No portion of the appropriation authorized under this act shall be used to pay any compensation to any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States through force or violence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRANDING AND MARKING, INSPECTION OF LIVESTOCK

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 5204, authorizing the charging of fees for brand inspection under the Packers and Stockyards Act, 1921, as amended. The reason for this request is because this bill has not been on the calendar a sufficient length of time to warrant its consideration today.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. As I understand the bill has the approval of the entire Agricultural Committee.

Mr. KLEBERG. Yes; and the Department of Agriculture requests it.

Mr. MICHENER. Will the gentleman please explain the bill?

Mr. KLEBERG. In 1929 the late Senator Kendrick introduced what is known as section 231 of title VII to the Packers and Stockyards Act, as a rider on the appropriation bill for the Department of Agriculture. While this section is numbered 231 in the United States act, it carries several numbers, since it has been reenacted every 2 years since 1929 in each of the appropriation bills. The bill generally provides that the Secretary of Agriculture be authorized whenever necessity exists to allow the collection at public stockyards of a reasonable fee for inspection of brands on animals passing through such stockyards in order to determine ownership of such animals.

The original rider has never been changed since its enactment in 1929. It has been reenacted in exactly the same language, and this rider is very indefinite and incomplete, since it sets up neither standards, rules, nor regulations for the guidance of the Secretary of Agriculture and is, in addition, as the gentleman will, of course, know from his wide experience as a Member of this House and his knowledge of the rules, as a rider to an appropriation bill, concurrently subject to a point of order each year it comes up. The Texas and Southwestern Cattle Raisers Association which, by the way, by membership is the largest cattle organization in the United States, has been unable to take advantage of the provisions of the bill, because if it did, carrying on inspections involving the shipment of cattle from the State of Texas to the many markets to which Texas cattle are shipped, it would be forced to increase its inspection force by great numbers and if, forsooth, the amendment might be knocked out by a point of order, the association would be left with an excess over and above, for instance, the $93,000 which it spent last year for inspection service. Sixty-four thousand dollars of this was expended for the inspection and recovery of animals that did not belong to members of that association.

Several of the livestock organizations of the United States are working under this provision. Nebraska, Wyoming, and Idaho organizations are all working under this, but being smaller organizations and conducting only stock yard investigations, they are in a position to avail themselves of it, despite the fact that it might be knocked out, whereas the Texas organization and some of the others, such as the Kansas City Livestock Association, are not in position to avail themselves of it.

This bill costs no money. It reenacts the present law. The only changes in the bill from the present law provide clarifying limitations and an authorization which requires that application must first be made to the Secretary by any association desiring to conduct inspection in the public yards, and this application must carry with it a filing of tariffs, which must be reasonable; and, in conclusion, the bill provides that any tariff or application may be annulled by the Secretary of Agriculture and that his order shall not be subject to review.

Does that explain the bill to the gentleman?

Mr. MICHENER. Yes. Without going into details, do I understand this to be the situation—that an appropriation bill down through the years since 1929 has carried the law in the form of a rider?

Mr. KLEBERG. That is right.

Mr. MICHENER. And that matter should originally have come before the Committee on Agriculture?

Mr. KLEBERG. That is correct.

Mr. MICHENER. Now the Committee on Agriculture has given consideration, as a legislative committee, to the advisability of this particular law?

Mr. KLEBERG. That is correct.

Mr. MICHENER. And is recommending it as permanent law?

Mr. KLEBERG. The gentleman is correct.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

Mr. LEWIS. Mr. Speaker, reserving the right to object, and I shall not object, what is the attitude of the stockmen of Colorado? I am not familiar with this particular piece of legislation.

Mr. KLEBERG. My understanding concerning that is this—in view of the fact that I have been forced to be absent, due to very important business with the select committee investigating airplane crashes, I have been forced to rely on the information which I have from an association of which the Colorado association is a member, the American National Livestock Association. That association is in accord with this piece of legislation throughout.

Mr. LEWIS. There is no objection in Colorado and elsewhere in the cattle-raising country of the West?

Mr. KLEBERG. There could be no possible objection from an honest cowman. There are a good many cow thieves still in the country, and each and every one of them would object to the provisions of this bill.

Mr. LEWIS. I think all of the cowmen in Colorado are of the honest variety.

Mr. KLEBERG. I am satisfied they are.

Mr. LEWIS. We in Colorado are glad to do anything to get rid of the cow thieves and cattle rustlers.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title III of the Packers and Stockyards Act, 1921, as amended, is amended by adding at the end thereof the following new section:

"SEC. —. (a) The Secretary may, upon written application made to him, and if he deems it necessary, authorize the charging and collection, at any stockyard subject to the provisions of this act, by any department or agency or any State in which branding or marking or both branding and marking livestock as a means of establishing ownership prevails by custom or statute, or by a duly organized livestock association of any such State, of a reasonable and nondiscriminatory fee for the inspection of brands, marks, and other identifying characteristics of livestock originating in or shipped from such State, for the purpose of determining the ownership of such livestock. No charge shall be made under any such authorization until the authorized department, agency, or association has registered as a market agency. No more than one such authorization shall be issued with respect to such inspection of livestock originating in or shipped from any one State. If more than one such application is filed with respect to such inspection of livestock originating in or shipped from any one State, the Secretary shall issue such authorization to the applicant deemed by him best qualified to perform the proposed service, on the basis of (1) experience, (2) financial responsibility, (3) extent and efficiency of organization, (4) possession of necessary records, and (5) any other factor relating to the ability of the applicant to perform the proposed service. The Secretary may receive and consider the recommendations of the commissioner, secretary, or director of agriculture, or other appropriate officer or agency of a State as to the qualifications of any applicant in such State. The decision of the Secretary as to the applicant best qualified shall be final.

"(b) The provisions of this title relating to the filing, publication, approval, modification, and suspension of any rate or charge for any stockyard service shall apply with respect to charges authorized to be made under this section.

"(c) Charges authorized to be made under this section shall be collected by the market agency or other person receiving and disbursing the funds received from the sale of livestock with respect to the inspection of which such charge is made, and paid by it to the department, agency, or association performing such service.

"(d) The Secretary may, if he deems it to be in the public interest, suspend, and, after hearing, revoke any authorization and registration issued under the provisions of this section or any similar authorization and registration issued under any other provision of law. The order of the Secretary suspending or revoking any such authorization and registration shall not be subject to review."

With the following committee amendment:

On page 1, line 9, strike out the words "or any" and insert in lieu thereof the words "of any."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEASE BY CERTAIN MISSION INDIANS OF CALIFORNIA

Mr. ROGERS of Oklahoma. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2308) to ratify a lease entered into by certain Mission Indians of California, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 7, line 13, after "reservation", insert ", and distributed in per capita payments as authorized by section 2 of the act of August 25, 1937, Public, No. 375, Seventy-fifth Congress."

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

CONSTRUCTION OF COAST GUARD CUTTERS

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4887) to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

SEC. 2. The President is authorized and empowered, in the interest of the national defense, through the Commandant of the Coast Guard, to purchase, charter, requisition the use of, or the possession of, for the use of the Coast Guard in the training of Coast Guard cadets and merchant marine personnel, any foreign vessel designed as a merchant marine training ship, which is lying idle in waters within the jurisdiction of the United States: *Provided*, That the provisions of the act of Congress approved June 6, 1941 (Public, No. 101, 77th Cong.), except the third and fourth provisos of section 1 thereof, applicable to foreign merchant vessels shall be applicable to any foreign vessel acquired under this section.

Line 9, strike out "2" and insert "3."

Amend the title so as to read: "An act to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, is this a unanimous report from the conferees?

Mr. BLAND. This is not a conference report. The gentleman was misled by my conversation with him a few minutes ago. This is a bill that is pending at the desk with reference to the construction of Coast Guard cutters. No change was made in the bill as it passed the House, but there was added another section, which would authorize the purchase, charter, or requisition the use of training ships by the Coast Guard Academy.

The situation is this: That there is at Jacksonville, Fla., the Danish training ship *Danmark* that was especially constructed for the purpose of training. When the Board of Visitors, among whose membership are included many members of the gentleman's own party, and some appointed from the House, considered this at their last meeting, it was the unanimous report of the Board of Visitors to the Coast Guard Academy that steps should be taken to acquire this particular ship for the purpose of the Coast Guard Academy.

The Treasury authorities have had the matter up with the Minister from Denmark. It seems that authority is needed to acquire this ship.

The Coast Guard officials tell me that the acquisition of a training vessel for the Coast Guard Academy is made all the more necessary by the fact that the Coast Guard cutters formerly utilized for cadet training cannot be diverted from their naval and other duties during the present emergency.

This is a sailing ship, a three-masted square-rigged auxiliary sailing ship, and it will suit the purpose of the Coast Guard Academy very well. It is needed.

I may say in addition that I took this safeguard or precaution of bringing up in a regular session of the Committee on the Merchant Marine and Fisheries the question whether I should move to concur in this amendment. I was authorized by the committee without objection from either side to move to concur in this amendment.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "An act to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties, and for other purposes."

COMPENSATION OF CERTAIN FORMER EMPLOYEES OF RAILWAY MAIL SERVICE

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3367) relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937, for immediate consideration.

The SPEAKER. The Chair calls attention to the fact that this bill has never been reported by any committee. It was referred to the Committee on the Post Office and Post Roads.

Mr. SWEENEY. Mr. Speaker, I withdraw the request. I find upon further investigation that there is no report on the bill.

EXTENSION OF REMARKS

Mr. COLMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting therein a brief talk made by the Chairman of the

United States Maritime Commission, Rear Admiral Emory S. Land.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill (H. R. 8545) for the relief of World War veterans.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MERRITT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made by the former Postmaster General James A. Farley.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MOSER. Mr. Speaker, I ask unanimous consent to extend my own remarks in two particulars: First, to include an Independence Day address by the Attorney General of the United States; and, second, to include a very apropos article by Westbrook Pegler and a brief comment from the Washington Star on Independence Day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Alabama [Mr. HOBBS] may extend his own remarks in the RECORD and include therein a poem by Mr. Horace C. Carlisle.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an article by Owen L. Scott appearing in the Sunday Star and containing an excellent analysis of the foreign situation as it affects the United States.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects, in one extension to include a brief article by the president of the City National Bank of Fort Smith, Ark., and in the other to include a brief article by Irving Brant, of St. Louis.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ROBSION of Kentucky. Mr. Speaker, I have been heretofore granted the right to speak today for 20 minutes under special order of the House. However, I do not have at hand certain information I desire, therefore I will not use the time. I ask unanimous consent that I may be granted the same time to address the House on Monday next after disposition of business on the Speaker's table and at the conclusion of any special orders heretofore made.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. ROBSION]?

There was no objection.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

PRIORITIES IN TRANSPORTATION BY MERCHANT VESSELS IN THE INTEREST OF NATIONAL DEFENSE

Mr. BLAND. Mr. Speaker, I call up the conference report on the bill (H. R. 4700) to provide for priorities in transportation by merchant vessels in the interest of national defense, and for other purposes, and I ask unanimous consent that the statement be read in lieu of the conference report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4700) to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, and 8, and agree to the same.

S. O. BLAND,
ROBERT RAMSPECK,
J. J. MANSFIELD,
RICHARD J. WELCH,
FRANCIS D. CULKIN,
Managers on the part of the House.

GEORGE L. RADCLIFFE,
CHARLES L. MCNARY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4700) to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: The first sentence of the first section of the House bill vested authority in the President to authorize the United States Maritime Commission to issue warrants under the bill during the emergency declared by the President on September 8, 1939, to exist but not after June 30, 1943.

The Senate amendment substitutes the date (May 27, 1941) of the President's proclamation of an unlimited national emergency for the date (September 8, 1939) of the proclamation of limited national emergency. The House recedes.

Amendment No. 2: Section 2 of the House bill among other things authorized the Maritime Commission in the issuance of warrants under the legislation to include conditions with respect to the maximum rate of charter hire or equivalent.

The Senate amendment modifies this provision to prescribe the customary regulatory standard of "fair and reasonable" for guidance of the Commission in the determination and prescription in connection with the warrants of maximum charter hire and maximum freight rates. The House recedes.

Amendment No. 3: The second sentence of section 2 of the House bill prohibited the Commission from requiring, under the Act, the owner or charterer of a vessel to relinquish the manning, storing, and other activities in respect of his vessel to any other person or persons.

The Senate amendment added to this list of activities in respect of a vessel which the owner could not be required to relinquish, the activities of managing and operating the vessel, and inserted the phrase "whenever practicable in the judgment of the Commission" in qualification of these restrictions on the administration of the Act. The Senate recedes.

Amendment No. 4: The first sentence of section 3 of the House bill provided for certain priorities for warrant-holding vessels in respect of facilities for loading, discharging, lighterage or storage of cargoes, bunkering, and repair of vessels.

The Senate amendment expressly includes the towing of vessels. The House recedes.

Amendment No. 5: The last sentence of section 3 of the House bill sets forth the persons subject to section 3 in respect of granting priorities to vessels.

The Senate amendment expressly modifies the term "persons" to cover persons in the United States, including the Philippine Islands and the Canal Zone. The House recedes.

Amendment No. 6: Section 4 of the House bill declared that the policy of the Commission in issuing warrants under the act should be to give priority for importation of strategic and critical materials and to collaborate with defense agencies for procuring materials as requested by them. It further provided that vessels which on January 1, 1941, were engaged primarily in coastwise transportation of coal for national defense and domestic consumption be granted warrants only so long as they continue in the same service as of said date.

The Senate amendment modified section 4 to direct that the policy of the Commission be to make "fair and reasonable provision for priorities with respect to (1) the importation of substantial quantities of strategic and critical materials, (2) the transportation of substantial quantities of materials when such transportation is requested by any defense agency, and (3) the transportation in the foreign or domestic commerce of the United States of substantial quantities of materials deemed by the Commission to be essential to the defense of the United States."

The Senate amendment to section 4 of the House bill retained the sentence authorizing warrants for coastwise colliers only if they continue in the same service as on January 1, 1941, but added a clause or proviso at the end thereof to take care of the case where the owner of a collier, after January 1, 1941, and before June 15, 1941, entirely withdrew it from operation as a collier and became principally engaged in the transportation of defense materials as a permanent proposition and not as a temporary, partial, incidental, or seasonal operation, or otherwise with an intent to return to the former service as a collier. Under the proviso the Maritime Commission in the case of such a vessel is

authorized to warrant the vessel under the general provisions of section 2. The House recedes.

Amendments Nos. 7 and 8: Section 6 of the House bill prescribed penalties for violation of the act and designated the courts to have jurisdiction over offenses committed under the act.

The Senate amendments add a reference to the proper courts of the Philippine Islands so that there will be no question as to the jurisdiction of these courts over offenses against the act within the Philippine Islands. The House recedes.

S. O. BLAND,
ROBERT RAMSPECK,
J. J. MANSFIELD,
RICHARD J. WELCH,
FRANCIS D. CULKIN,
Managers on the part of the House.

Mr. BLAND. Mr. Speaker, this report has the unanimous support of all the conferees. In addition to that, one of the members of my committee, the gentleman from Maine [Mr. OLIVER] was very much interested in one of the amendments. I asked him to accompany me to the conference and participate in the deliberations of the conference committee. I filed the conference report which has his entire approval, but he wired me, requesting me not to bring up the report today. I presumed he wanted to make a statement in reference to it. I told him it was so important that I would like to take it up today, although I would defer to his request, of course; that if he had any statement he would like to have incorporated in the RECORD I should be delighted to see that it was incorporated. I have received a letter from him in which he sets out his understanding of one of the amendments, which is entirely agreeable to me, and I know was the intent of the conferees. I ask unanimous consent to include that letter as a part of my remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. SPARKMAN). Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

The letter referred to follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 5, 1941.

Hon. S. O. BLAND,
Chairman, Committee on the Merchant Marine and Fisheries, House of Representatives. Washington, D. C.

DEAR JUDGE BLAND: I regret that it is not possible for me to return to Washington before Tuesday, July 8. Because I fully appreciate the urgent need for expediting as much as possible the conference report on the highly important shipping priorities and warrants bill, I shall not ask you to postpone final action on this legislation, but do request herewith that this statement of mine be made a part of the record:

"Senate amendment No. 6 to section No. 4 has considerably disturbed coal consumers of the New England area, as well as every one of us who fully appreciates the vital importance of New England industry to the defense production of the Nation. But, in view of the assurances extended by the maritime officials and the expressed viewpoint of the House and Senate conferees that this amendatory language only applies to one vessel which, occupied in the coal-carrying fleet prior to and on January 1, 1941, had prior to June 15, 1941, permanently abandoned coal transportation, those of us who have thought that these coal carriers serving the New England area should be frozen in this service if they desire to obtain warrants under the authority of this act believe that we should yield with respect to this one vessel. We are, therefore, willing and pleased to go along with the Senate amendment with the understanding that the Commission is fully cognizant of the intention and our understanding of the intention of this amendatory phraseology to section No. 4. The conference report and the accompanying statement fully sustains our understanding that the Senate amendment No. 6 applies only to one vessel."

Thanking you for such cooperation as you may be able to extend to the above request, and with kind personal regards, I am,

Sincerely yours,
JAMES C. OLIVER, M. C.

Mr. BLAND. Mr. Speaker, there is no material difference. There were really only two problems before the conference committee.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a recent speech by Charles A. Lindbergh.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho [Mr. DWORSHAK]?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a commencement address recently made by Mr. Justice Frankfurter, of the United States Supreme Court.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HILL of Washington, for 2 weeks, on account of business.

PERMISSION TO ADDRESS THE HOUSE

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to include as a part of my remarks a statement issued by the President of the United States.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

There was no objection.

DENIAL OF CIVIL-SERVICE STATUS TO EMPLOYEES OF FARM SECURITY ADMINISTRATION

Mr. RAMSPECK. Mr. Speaker, on June 30 the House had before it a Senate amendment to the second deficiency bill in the form of a rider denying civil-service status to employees of the Farm Security Administration. The statement was made on the floor by the gentleman from New York [Mr. TABER] that the putting of these employees under civil service would cost an additional $8,000,000. In response to an interrogatory by myself he said that someone from the White House had given the information to the Senate committee.

I do not think there is any doubt about the fact that the gentleman who sponsored this amendment and sold it to the Senate left the impression that he was representing the White House, which at the time I thought was a mistake, but I had no facts upon which to make a statement, therefore I did not discuss that matter at the time.

The President, in signing the second deficiency bill, has issued a statement making it very plain that he knew nothing about this rider, that it did not have his endorsement or approval, and he has condemned it in no uncertain language. He has asked the Congress to repeal it promptly. He also pointed out the fact that putting these employees under civil service would not entail any additional cost for salaries, as I stated on the floor during the debate. I am going to include the President's statement in my remarks. Personally, I am sorry the President did not veto that bill because only in that way could he have made his position as emphatic as it ought to have been made under the circumstances existing with regard to that particular amendment.

Mr. Speaker, the statement of the President of the United States on this subject follows:

STATEMENT BY THE PRESIDENT

The Second Deficiency Appropriation Act, H. R. 5166, contains a provision to which I am inalterably opposed. This is the paragraph which reads as follows: "No part of the appropriations contained in the Department of Agriculture Appropriation Act, 1942, under the heading 'Loans, grants, and rural rehabilitation,' shall be available to pay the compensation of any person appointed in accordance with the civil-service laws."

This will have the effect of preventing use of the civil-service system in connection with the employment of the bulk of the employees of the Farm Security Administration, Department of Agriculture. It will have the effect of prohibiting recruiting from civil-service registers. It will prevent bringing in after noncompetitive examinations of persons now employed in the Farm Security Administration and it will prevent application of the Retirement Act and other civil-service laws to a devoted body of public servants.

In signing Executive Order No. 8743 extending the classified civil service pursuant to authority vested in me by the Ramspeck Act, I said:

"During my years in office, I have signed a number of Executive orders extending the classified civil service. Three years ago I went as far as it was legally possible to go at that time by covering into civil service all positions not definitely excluded by statute and not policy determining in character. I could not cover in numerous positions which had been exempted from civil service by specific congressional enactments.

"In the last year, however, two events of profound significance in terms of improvement in government have occurred. The Congress last November passed the Ramspeck Act, which removed numerous prohibitions against extending civil service to thousands of positions. It is under the authority of this act that today's order is issued. In February, 'The President's Committee on Civil Service Improvement,' which I appointed 2 years ago with Mr. Justice Reed as chairman, made its final report to me. I have previously

transmitted this report to Congress by special message. In substance this Executive order accepts and, indeed, implements the recommentions of that Committee."

In that statement I also said:

"For the first time in the history of this Government the greatest possible opportunities are now open for the development of a broad merit system which will further encourage men and women of outstanding ability to enter the Government under conditions which will offer them fair and equal opportunities to build satisfactory careers.

"The requirements of today and those of the future are so great that the services of the best minds in the Nation must be secured if governmental affairs are to be conducted in the manner demanded by modern conditions and at the high level of ability which a democratic government owes to the people of the United States."

My position is unchanged. I believe that the position of most Members of Congress in supporting the Ramspeck Act is unchanged. Representations that the cost of administering the Farm Security Administration as a result of bringing its employees under civil service will be increased are untrue; indeed, the cost to the people of the United States both in terms of dollars and cents and in terms of the quality of service will be infinitely greater unless it is brought under civil service.

It is my earnest hope that Congress will take prompt action to repeal this rider so as to make it possible to extend civil service after appropriate examinations to employees of the Farm Security Administration at the earliest possible opportunity. My position in this is clear. At this time, when the load of this Government is greater than at any time in its history, it is of the utmost importance that we shut out all considerations of caprice or favoritism or worse in the selection of the Government's workers in the interest of better Government service.

RECESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the House stand in recess for 20 minutes. I understand an important message is coming from the President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection; accordingly (at 1 o'clock and 54 minutes p. m.) the House stood in recess until 2:14 o'clock p. m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 14 minutes p. m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

SENDING OF ARMED FORCES OF THE UNITED STATES TO ICELAND—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 307)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am transmitting herewith for the information of the Congress a message I received from the Prime Minister of Iceland on July 1 and the reply I addressed on the same day to the Prime Minister of Iceland in response to this message.

In accordance with the understanding so reached, forces of the United States Navy have today arrived in Iceland in order to supplement, and eventually to replace, the British forces which have until now been stationed in Iceland in order to insure the adequate defense of that country.

As I stated in my message to the Congress of September 3 last regarding the acquisition of certain naval and air bases from Great Britain in exchange for certain over-age destroyers, considerations of safety from overseas attack are fundamental.

The United States cannot permit the occupation by Germany of strategic outposts in the Atlantic to be used as air or naval bases for eventual attack against the Western Hemisphere. We have no desire to see any change in the present sovereignty of those regions. Assurance that such outposts in our defense frontier remain in friendly hands is the very foundation of our national security and of the national security of every one of the independent nations of the New World.

For the same reason substantial forces of the United States have now been sent to the bases acquired last year from Great Britain in Trinidad and in British Guiana in the south in order to forestall any pincers movement undertaken by Germany against the Western Hemisphere. It is essential that Germany should not be able successfully to employ such tactics through sudden seizure of strategic points in the South Atlantic and in the North Atlantic.

The occupation of Iceland by Germany would constitute a serious threat in three dimensions:

The threat against Greenland and the northern portion of the North American Continent, including the islands which lie off it.

The threat against all shipping in the North Atlantic.

The threat against the steady flow of munitions to Britain, which is a matter of broad policy clearly approved by the Congress.

It is therefore imperative that the approaches between the Americas and those strategic outposts, the safety of which this country regards as essential to its national security, and which it must therefore defend, shall remain open and free from all hostile activity or threat thereof.

As Commander in Chief I have consequently issued orders to the Navy that all necessary steps be taken to insure the safety of communications in the approaches between Iceland and the United States, as well as on the seas between the United States and all other strategic outposts.

This Government will insure the adequate defense of Iceland with full recognition of the independence of Iceland as a sovereign state.

In my message to the Prime Minister of Iceland I have given the people of Iceland the assurance that the American forces sent there would in no way interfere with the internal and domestic affairs of that country, and that immediately upon the termination of the present international emergency all American forces will be at once withdrawn, leaving the people of Iceland and their Government in full and sovereign control of their own territory.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 7, 1941.*

The SPEAKER laid before the House the following communication:

MESSAGE SENT BY THE PRIME MINISTER OF ICELAND TO THE PRESIDENT OF THE UNITED STATES

In a conversation of June 24, the British Minister explained that British forces in Iceland are required elsewhere. At the same time he stressed the immense importance of adequate defense of Iceland. He also called my attention to the declaration of the President of the United States to the effect that he must take all necessary measures to insure the safety of the Western Hemisphere—one of the President's measures is to assist in the defense of Iceland—and that the President is therefore prepared to send here immediately United States troops to supplement and eventually to replace the British force here; but that he does not consider that he can take this course except at the invitation of the Iceland Government.

After careful consideration of all the circumstances the Iceland Government, in view of the present state of affairs, admit that this measure is in accordance with the interest of Iceland, and therefore are ready to entrust the protection of Iceland to United States on the following conditions:

1. United States promise to withdraw all their military forces—land, air, and sea—from Iceland immediately on conclusion of present war.

2. United States further promise to recognize the absolute independence and sovereignty of Iceland and to exercise their best efforts with those powers which will negotiate the peace treaty at the conclusion of the present war in order that such treaty shall likewise recognize the absolute independence and sovereignty of Iceland.

3. United States promise not to interfere with Government of Iceland neither while their armed forces remain in this country nor afterward.

4. United States promise to organize the defense of the country in such a way as to ensure the greatest possible safety for the inhabitants themselves and assure that they suffer minimum disturbance from military activities, these activities being carried out in consultation with Iceland authorities as far as possible. Also because of small population of Iceland and consequent danger to nation from presence of a numerous army, great care must be taken that only picked troops are sent here. Military authorities should be also instructed to keep in mind that Icelanders have been unarmed for centuries and are entirely unaccustomed to military discipline and conduct of troops toward the inhabitants of the country should be ordered accordingly.

5. United States undertake defense of the country without expense to Iceland and promise compensation for all damage occasioned to the inhabitants by their military activities.

6. United States promise to further interests of Iceland in every way in their power, including that of supplying the country with sufficient necessities, of securing necessary shipping to and from the country and of making in other respects favorable commercial and trade agreements with it.

7. Iceland Government expects that declaration made by President in this connection will be in agreement with these promises on the part of Iceland, and Government would

much appreciate its being given the opportunity of being cognizant with wording of this declaration before it is published.

8. On the part of Iceland it is considered obvious that if United States undertake defense of the country it must be strong enough to meet every eventuality, and particularly in the beginning it is expected that as far as possible efforts will be made to prevent any special danger in connection with change-over. Iceland Government lays special stress on there being sufficient airplanes for defensive purposes wherever they are required and they can be used as soon as decision is made for United States to undertake the defense of the country.

This decision is made on the part of Iceland as an absolutely free and sovereign state, and it is considered as a matter of course that United States will from the beginning recognize this legal status of the country, both states immediately exchanging diplomatic representatives.

The SPEAKER laid before the House the following communication:

MESSAGE SENT BY THE PRESIDENT OF THE UNITED STATES IN RESPONSE TO A MESSAGE FROM THE PRIME MINISTER OF ICELAND

I have received your message in which you have informed me that, after careful consideration of all the circumstances, the Iceland Government, in view of the present state of affairs, admits that the sending to Iceland of United States troops to supplement and eventually to replace the present British forces there would be in accordance with the interests of Iceland, and that therefore the Iceland Government is ready to entrust the protection of Iceland to the United States on the following considerations:

1. United States promise to withdraw all their military forces—land, air, and sea—from Iceland immediately on conclusion of present war.

2. United States further promise to recognize the absolute independence and sovereignty of Iceland and to exercise their best efforts with those powers which will negotiate the peace treaty at the conclusion of the present war in order that such treaty shall likewise recognize the absolute independence and sovereignty of Iceland.

3. United States promise not to interfere with Government of Iceland, neither while their armed forces remain in this country nor afterward.

4. United States promise to organize the defense of the country in such a way as to insure the greatest possible safety for the inhabitants themselves and assure that they suffer minimum disturbance from military activities—these activities being carried out in consultation with Iceland authorities as far as possible; also, because of small population of Iceland and consequent danger to nation from presence of a numerous army, great care must be taken that only picked troops are sent here. Military authorities should be also instructed to keep in mind that Icelanders have been unarmed for centuries and are entirely unaccustomed to military discipline and conduct of troops toward the inhabitants of the country should be ordered accordingly.

5. United States undertake defense of the country without expense to Iceland and promise compensation for all damage occasioned to the inhabitants by their military activities.

6. United States promise to further interests of Iceland in every way in their power, including that of supplying the country with sufficient necessities, of securing necessary shipping to and from the country, and of making in other respects favorable commercial and trade agreements with it.

7. Iceland Government expect that declaration made by President in this connection will be in agreement with these promises on the part of Iceland, and Government would much appreciate its being given the opportunity of being cognizant with wording of this declaration before it is published.

8. On the part of Iceland it is considered obvious that if United States undertake defense of the country it must be strong enough to meet every eventuality and particularly in the beginning it is expected that as far as possible efforts will be made to prevent any special danger in connection with change-over. Iceland Government lays special stress on there being sufficient airplanes for defensive purposes wherever they are required and they can be used as soon as decision is made for United States to undertake the defense of the country.

You further state that this decision is made on the part of Iceland as an absolutely free and sovereign state and that it is considered as a matter of course that the United States will from the beginning recognize the legal status of Iceland, both states immediately exchanging diplomatic representatives.

I take pleasure in confirming to you hereby that the conditions set forth in your communication now under acknowledgment are fully acceptable to the Government of the United States and that these conditions will be observed in the relations between the United States and Iceland. I may further say that it will give me pleasure to request of the Congress its agreement in order that diplomatic representatives may be exchanged between our two countries.

It is the announced policy of the Government of the United States to undertake to join with the other nations of the Western Hemisphere in the defense of the New World against any attempt at aggression. In the opinion of this Government, it is imperative that the integrity and independence of Iceland should be preserved because of the fact that any occupation of Iceland by a power whose only too clearly apparent plans for world conquest include the domination of the peoples of the New World would at once directly menace the security of the entire Western Hemisphere.

It is for that reason that in response to your message, the Government of the United States will send immediately troops to supplement and eventually to replace the British forces now there.

The steps so taken by the Government of the United States are taken in full recognition of the sovereignty and independence of Iceland and with the clear understanding that American military or naval forces sent to Iceland will in no wise interfere in the slightest degree with the internal and domestic affairs of the Icelandic people; and with the further understanding that immediately upon the termination of the present international emergency, all such military and naval forces will be at once withdrawn leaving the people of Iceland and their Government in full sovereign control of their own territory.

The people of Iceland hold a proud position among the democracies of the world, with a historic tradition of freedom and of individual liberty which is more than a thousand years old. It is, therefore, all the more appropriate that in response to your message, the Government of the United States, while undertaking this defensive measure for the preservation of the independence and security of the democracies of the New World should at the same time be afforded the privilege of cooperating in this manner with your Government in the defense of the historic democracy of Iceland.

I am communicating this message, for their information, to the governments of all of the other nations of the Western Hemisphere.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 34 minutes p. m.) the House adjourned until tomorrow, Tuesday, July 8, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings at 10 a. m., on the following dates, on the bills named:

Tuesday, July 8, 1941:

H. R. 84. To extend the benefits of the United States Public Health Service to fishermen, and for other purposes.

H. R. 5051. To extend the benefits of the United States Public Health Service to fishermen, and for other purposes.

H. R. 5130. To extend the benefits of the United States Public Health Service to fishermen, and for other purposes.

Tuesday, July 15, 1941:

H. R. 3361. To provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Wednesday, July 9, 1941, for consideration of H. R. 5211.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 2472, entitled "A bill to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who became disabled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes," and H. R. 3257, entitled "A bill to increase and equalize the pensions of those persons disabled as the result of service in the Army, Navy, Marine Corps, and Coast Guard." The hearings will be held Thursday, July 10, 1941, at 10:30 a. m., in room 247, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Thursday, July 10, 1941, for consideration of H. R. 5249 (natural gas).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

703. A letter from the Secretary of War, transmitting a statement showing expenditures authorized under the several appropriations therein consolidated and the expenditures made thereunder as of June 15, 1941; to the Committee on Appropriations.

704. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance-manufacturing facilities and for other purposes; to the Committee on Naval Affairs.

705. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to provide for the extension of banking facilities at military reservations

and at navy yards and stations, and for other purposes; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAINES: Committee on the Post Office and Post Roads. H. R. 2075. A bill to extend to custodial-service employees employed by the Post Office Department certain benefits applicable to postal employees; without amendment (Rept. No. 902). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURCH: Committee on the Post Office and Post Roads. H. R. 3932. A bill to standardize the working year for postal employees; without amendment (Rept. No. 903). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H. R. 5241. A bill to promote the increased consumption of fresh fruits and vegetables; to facilitate the distribution of these commodities; and to promote the grade labeling of containers of these commodities; to the Committee on Agriculture.

By Mr. COX:

H. R. 5242. A bill to exempt from the admissions tax members of the armed forces of the United States in uniform; to the Committee on Ways and Means.

By Mr. MUNDT:

H. R. 5243. A bill to make available copies of the daily edition of the CONGRESSIONAL RECORD to certain libraries and schools; to the Committee on Printing.

By Mr. RIZLEY:

H. R. 5244. A bill to restore to 15 cents per bushel the penalty on excess marketings of wheat under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. HÉBERT:

H. R. 5245. A bill making unlawful certain practices in connection with elections and primary elections at which candidates for Federal office are to be voted for; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. REES of Kansas:

H. R. 5246. A bill to provide that the feeding of wheat to poultry or livestock shall not constitute marketing of such wheat for the purpose of marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. STEFAN:

H. R. 5247. A bill to revive and reenact the act entitled "An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.," approved June 8, 1940; to the Committee on Interstate and Foreign Commerce.

By Mr. TINKHAM:

H. R. 5248. A bill to prohibit lend-lease aid to the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. LEA:

H. R. 5249. A bill to amend section 7 of the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

By Mr. TRAYNOR:

H. R. 5250. A bill to create Wilmington, Del., bridge authority, define its powers and duties, and authorize it to construct, maintain, and operate a bridge across or a tunnel under the Delaware River at or near Wilmington, Del.; to the Committee on Interstate and Foreign Commerce.

By Mr. WEISS:

H. J. Res. 206. Joint resolution to provide for physical examinations of disabled war veterans for purposes of civil-service examinations; to the Committee on the Civil Service.

H. J. Res. 207. Joint resolution redistricting congressional representatives of the several States; to the Committee on the Census.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their assembly house resolutions Nos. 281 and 305, relative to the completion of a highway between Great Falls, Mont., and Fairbanks, Alaska; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their senate resolution No. 148, relative to filing of separate income-tax returns by spouses in reference to community income; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SULLIVAN:

H. R. 5251. A Bill conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Jennie Polete, Clara Hodges, and August Douez; to the Committee on Claims.

By Mr. THOMAS of Texas:

H. R. 5252. A bill for the relief of the estate of Martha G. Allison; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1587. By Mr. COFFEE of Washington: Petition of the Men's Class of Mason Methodist Church, E. O. Bratrud, chairman of legislative committee, Tacoma, Wash., pointing out that shipment of war supplies to Axis Powers and their affiliates is contrary to common sense and is calculated to create disunity and destroy morale among the American people; that such sales of war supplies make ridiculous our vaunted friendship for democracies; that such practice is hypocritical and illogical and therefore urging that House Concurrent Resolution 30, by Mr. COFFEE of Washington, be promptly reported out favorably by the Committee on Rules and quickly passed by Congress to the end that an appropriate investigation be had of such practices, exposing the nature and extent to which such sales are carried on and suggest appropriate legislative remedies therefor; to the Committee on Rules.

1588. By Mr. LYNCH: Petition of the New York State Liquor Authority, New York, N. Y., opposing the enactment of Senate bill 860, insofar as it relates to the sale or possession of alcoholic beverages; to the Committee on Military Affairs.

1589. By Mr. MERRITT: Resolution of the Property Owners Association of Middle Village, N. Y., that this organization is opposed to the passage of House bills 6 and 1019; to the Committee on Ways and Means.

1590. By Mr. JOSEPH L. PFEIFER: Petition of the New York Holstein-Friesian Association, Inc., Ithaca, N. Y., concerning the present farm-labor shortage; to the Committee on Agriculture.

1591. Also, petition of the Chamber of Commerce of the State of New York, opposing the enactment of Senate bill 937 and House bill 3582, to amend section 204 of the Sugar Act of 1937; to the Committee on Agriculture.

1592. By Miss RANKIN of Montana: Resolution signed by Gov. Sam C. Ford as chairman and Mr. Albert H. Kruse as secretary of the Montana Preparedness and Advisory Commission, urging upon the national-defense agencies in Washington, that determine priorities, the importance of completing the installation of power units at Fort Peck, Mont., that will supply the needed power for defense production and that all fabricated steel machinery and equipment for completion of the power plant at Fort Peck be given the status of defense priorities without delay; to the Committee on Military Affairs.

1593. Also, petition of 15 residents of Philipsburg and other towns in Granite County, Mont., protesting against the enactment of Senate bill 983 or House bill 3852, particularly against the provisions thereof making possible a compulsory observance of a specific religious day by barbers of the District of Columbia; to the Committee on the District of Columbia.

1594. By Mr. ROLPH: Senate Resolution No. 148 of the State of California relative to memorializing the President and Congress against the passage of legislation to prohibit the filing of separate income-tax returns by spouses in reference to community income; to the Committee on Ways and Means.

1595. By Mr. SHAFER of Michigan: Petition of the National Star Route Mail Carriers Association, petitioning the Seventy-seventh Congress to enact House bill 4164, a bill to establish a fair rate of pay for each star route; to the Committee on the Post Office and Post Roads.

1596. By the SPEAKER: Petition of the Provisional Department of Hawaii Veterans of Foreign Wars of the United States, Territory of Hawaii, petitioning consideration of their resolution with reference to legislation so that all persons taken into custody on charges of sabotage or assisting in an act of sabotage be tried by a military tribunal; to the Committee on Military Affairs.

1597. Also, petition of the Master Barbers Association, No. 12, De Kalb, Ill., petitioning consideration of their resolution with reference to the general-welfare bill (H. R. 1410); to the Committee on Ways and Means.

1598. Also, petition of the Oregon State Federation of Labor, Portland, Oreg., petitioning consideration of their resolution with reference to legislation to bargain with labor, known as the Columbia Power Administration; to the Committee on Rivers and Harbors.

1599. Also, petition of the Grand Lodge Knights of Pythias, Domain of Indiana, Indianapolis, petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 8, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Oh, come Thou wisdom from on high and cause us in Thy way to go. What treasure there will be for the human

soul, purged from the flesh, enlarged, and blessed of all the hidden wealth that is in Thy name. In this varied life, quivering with mysteries and trembling with silent and unexpected power, we pray for the directive presence of the Almighty One. Humanity is Thine, not because it is worthy, not for what it has done, nor for any reason we can give, but because Thou art God; Thy infinitely holy nature is to love and nourish imperfection, to forgive transgression and sin. We rejoice that Thy heart is the sanctuary of the love that never dies, with its irresistible pressure ever whispering of the eternal goodness.

Heavenly Father, arrest our thoughts as we are on the river of time. With faith and confidence in Thee may we ever own the favoring gale. Another Member has left us, faithful to his public trust; Heavenly Father, we pray for the Divine Presence to abide with the family circle, and Thine shall be the praise. In our dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 4839. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 2097. An act to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k); and

H. R. 4700. An act to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the War Department.

AMENDMENT OF TENNESSEE VALLEY AUTHORITY ACT—CONFERENCE REPORT

Mr. SPARKMAN submitted a conference report and statement on the bill (H. R. 2097) to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k).

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. GILLIE (at the request of Mr. GRANT of Indiana), for 1 month, on account of tour of duty in Army at Fort Bliss, Tex.

To Mr. RUTHERFORD (at the request of Mr. GRAHAM), indefinitely, on account of illness.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 173. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940; to the Committee on Military Affairs.

S. 294. An act to authorize an appropriation for payment to the Middle Rio Grande Conservancy District of construction costs assessed against certain lands within such district acquired by the United States for the benefit of certain Indians in the State of New Mexico; to the Committee on Indian Affairs.

S. 337. An act to provide for a permanent postage rate of 1½ cents per pound on books; to the Committee on the Post Office and Post Roads.

S. 485. An act conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi; to the Committee on Indian Affairs.

S. 599. An act to amend section 17 of the Federal Highway Act; to the Committee on Roads.

S. 753. An act conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

S. 799. An act to prevent the making of photographs and sketches of naval reservations, naval vessels, and other naval property, and for other purposes; to the Committee on Naval Affairs.

S. 852. An act to provide for the acquisition of certain lands for and the addition thereof to the Deschutes National Forest in the State of Oregon; to the Committee on Agriculture.

S. 1116. An act authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States; to the Committee on Indian Affairs.

S. 1117. An act authorizing a suit in the Court of Claims of the United States against the United States by certain members of the Wisconsin Band of Pottawatomie Indians; to the Committeee on Indian Affairs.

S. 1154. An act conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States; to the Committee on Indian Affairs.

S. 1358. An act to amend section 1 of the act entitled "An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes," approved February 11, 1936; to the Committee on Indian Affairs.

S. 1397. An act to provide for the exemption from military service of certain aliens residing in the United States; to the Committee on Military Affairs.

S. 1480. An act to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended; to the Committee on the Public Lands.

S. 1585. An act to increase the number of midshipmen allowed at the United States Naval Academy from the District of Columbia; to the Committee on Naval Affairs.

S. 1586. An act to authorize the Secretary of the Navy to accept for the United States Naval Academy such gifts and bequests as he may see fit; to the Committee on Naval Affairs.

S. 1589. An act to prohibit payment of money allowance for subsistence and rental to retired officers of the Navy or Marine Corps for any period when not employed on active duty; to the Committee on Naval Affairs.

S. 1602. An act to amend section 333 of the Revised Statutes, as amended (U. S. C., title 12, sec. 14), and for other purposes; to the Committee on Banking and Currency.

S. 1605. An act to amend the act approved March 5, 1940, entitled "An act to facilitate the procurement of aircraft for the national defense"; to the Committee on Military Affairs.

S. 1619. An act for the relief of the Bell Grocery Co.; to the Committee on Claims.

S. J. Res. 2. Joint resolution to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807); to the Committee on Indian Affairs.

THE LATE HONORABLE MARTIN A. BRENNAN

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I rise today to announce to this body the passing of a former Member, the Honorable Martin A. Brennan, of Bloomington, Ill., who served for two terms as Congressman at Large from the State of Illinois.

Martin, as many of us familiarly knew him, was born in Bloomington, Ill., spent his entire life there, and passed away on Friday, July 4, 1941.

After his graduation from Illinois Wesleyan Law School and after starting off on a law career he became actively interested in politics in the Democratic Party.

From 1913 to 1917 he served as presiding judge of the Illinois Court of Claims, being appointed to this office by Gov. Edward F. Dunne.

In 1921 he was elected as State representative in the General Assembly of Illinois and served in such capacity for two terms.

In 1928 he very actively supported the candidacy of Al Smith for President.

In 1932 and again in 1934 he was elected to the House of Representatives, serving with distinction and honor. After 4 years of such service he did not seek reelection, but returned to Bloomington and the private practice of law.

Martin Brennan was a fine gentleman, a distinguished lawyer, and able legislator. He served his country well.

THE LATE STEPHEN BOLLES

Mr. JOHNS. Mr. Speaker, I rise at this time to announce the death of one of my colleagues from Wisconsin, the Honorable STEPHEN BOLLES. Mr. BOLLES passed on this morning at 15 minutes of 7. He had been in ill health, as the Members know, for a considerable length of time, but no one thought it was as serious as it proved to be this morning when he had a heart attack and passed

on. Your speaker has known Mr. BOLLES for a great many years—about 18 in all. He has led, as you all know, a very active life as a newspaperman and for 20 years was editor of the Janesville Gazette in Wisconsin, a daily newspaper that grew greatly in size during the time he was handling its affairs. In his earlier life he had worked on numerous newspapers throughout the country and has held many offices of distinction during his lifetime. As you know, he has been serving his second term in the Congress.

As I think of STEVE BOLLES, I think of this poem entitled "Life," which is composed of the sayings of a number of American and English poets:

Why all this toil for triumphs of an hour?
Life's a short summer—man is a flower
By turns we catch the fatal breath and die;
The cradle and the tomb, alas, so nigh.
To be is better than not to be,
Though all man's life may seem a tragedy;
But light cares speak when mighty griefs are dumb,
The bottom is but shallow whence they come,
Thy fate is the common fate of all,
Unmingled joys can here no man befall;
Nature to each allots his proper sphere,
Fortune makes folly her peculiar care,
Custom does often reason overrule,
And throw a cruel sunshine on a fool.
Live well: How long or short permit to heaven.
They who forgive most shall be most forgiven,
Sin may be clasped so close we cannot see its face,
Vile intercourse where virtue has no place.
Then keep each passion down, however dear,
Thou pendulum betwixt a smile and tear.
Her sensual snares let faithless pleasure lay,
With craft and skill to ruin and betray.
Soar not too high to fall, but stoop to rise;
We masters grow of all that we despise.
Ah! then, renounce that impious self-esteem,
Riches have wings and grandeur is a dream.
Think not ambition wise because 'tis brave,
The paths of glory lead but to the grave.
What is ambition? 'Tis a glorious cheat,
Only destructive to the brave and great.
What's all the gaudy glitter of a crown?
The way to bliss lies not on beds of down.
How long we live, not years but actions tell;
That man lives twice who lives the first life well.
Make, then, while you may, your God your friend,
Whom Christians worship, yet not comprehend.
The trust that's given guard, and to yourself be just,
For live how we may, yet die we must.

Mr. Speaker, I yield to my colleague the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Speaker, it came to me as a distinct shock this morning when I went to attend a meeting of a subcommittee of the Committee on the District of Columbia to hear of the passing of an old friend, STEVE BOLLES. I had known STEVE about 20 years, for my wife came from his city. I have many friends and relatives there and was a frequent visitor to Janesville and on those occasions I would meet and talk with STEVE BOLLES. He was a charming and an interesting gentleman who had been engaged in newspaper work all over the country for a number of years and had many interesting experiences to tell. In our political views we differed frequently on both State and national issues, and yet we discussed these matters without any feeling, without rancor, and without bitterness, for STEVE BOLLES was always a gentleman. I know that his community, which values him very highly, his congressional district which for years has looked upon him as an outstanding leader, his State which has known him as a champion of clean government over many years, will all feel his loss keenly. In municipal affairs, in State problems, and in the work here relating to our national difficulties STEVE BOLLES took an active and ardent interest. He was an outstanding citizen, clean, high-minded, and only interested in the welfare of his community, his State, and his country. We all deplore the passing of STEVE BOLLES.

Mr. JOHNS. Mr. Speaker, I yield to my colleague from Wisconsin [Mr. THILL].

Mr. THILL. Mr. Speaker, it was with deep personal sorrow that I received the message that our colleague, STEPHEN BOLLES, had passed to his great reward. It was my good fortune to know STEPHEN BOLLES and to gain knowledge from his great counsel. Our deceased colleague was a man of great erudition and his knowledge of philology and twentieth century history was rarely surpassed by any man. His devotion to a legislative cause was great and he would leave no stone unturned to gain the facts necessary to present such a cause in the best manner.

The interest of STEPHEN BOLLES centered not only upon national affairs but also upon his beloved State of Wisconsin. The welfare of the people of Wisconsin, and particularly those of his district, was his foremost concern. We all remember his speeches on behalf of the dairy farmer. These speeches, as well as the others he made on the floor of the House, carried an underlying strain of dry humor, which was expressive of the character of STEPHEN BOLLES. He would never give up any fight, and this was particularly true of his fight against ill health. Physicians had despaired of his life years ago, but it was the courage and mental vigor of STEPHEN BOLLES that carried him on for many years until his regrettable death.

Mr. Speaker, we all regret the passing of a lovable soul and a great statesman, who brought to the Halls of Congress wisdom, fortitude, and knowledge, which embellished the records of this great body.

Mr. JOHNS. Mr. Speaker, I yield now to the gentleman from Wisconsin [Mr. STEVENSON].

Mr. STEVENSON. Mr. Speaker, as one of the youngest members of the Wisconsin delegation in point of service in this great House of Representatives, I became acquainted with the oldest member of our delegation as soon as I came to Washington. It grieves me greatly at this moment to have to acknowledge the passing of a great man, our friend and fellow colleague, STEPHEN BOLLES. As a neophyte in Congress I went to Mr. BOLLES for counsel almost daily while he was here. I went to visit him while he was at the hospital during his illness this past winter, and at all times I found our friend ready to counsel and give the advice that I needed. He was always jolly, never pessimistic, always ready to work for the good of our Nation. STEPHEN BOLLES was a constitutionalist. He stood foursquare for our Constitution, for the Bill of Rights, and for everything to be considered by a Congressman in the interests of the common people. For that I admired STEPHEN BOLLES, always asked his counsel when things of moment and of a serious nature were to be determined here in the House. I had not known Mr. BOLLES very long, but in the short space of time that I had the privilege of his acquaintance, meeting him and dining with him and visiting with him in his home, I grew to know him as an older brother. I shall revere his memory and always think of him as a stanch friend, as a fighter, as a man of courage. Although his shoulders carried almost three score and ten years of the cares of this world, his spirit was that of a very young and spirted fighter. With the rest of my colleagues I mourn his passing and feel deep sympathy for his wife in the loss of this great soul, whose place in these halls will be for all of us a refreshing spring of pleasant memories, who will be missed in his home, in his city, in his newspaper world, and in the realm of politics.

STEVE BOLLES was a Nature lover. He liked to commune with the hills, the streams, the woods, and to rest in meditation and in contemplation of the wonders of her valleys. The sun, the moon, and stars were his friends, and from them he learned the truths of immortality and the beauties of eternal life. And so, if STEPHEN BOLLES could speak to us at this hour, he would say in the words of the poet immortal:

Yet not to thine eternal resting place
Shalt thou retire alone, nor couldst thou wish
Couch more magnificent. Thou shalt lie down
With patriarchs of the infant world—with kings,
The powerful of the earth—the wise, the good,
Fair forms, and hoary seers of ages past,
All in one mighty sepulcher. The hills
Rockribbed and ancient as the sun—the vales
Stretching in pensive quietness between;
The venerable woods—rivers that move
In majesty, and the complaining brooks
That make the meadows green; and, poured round all,
Old ocean's gray and melancholy waste—
Are but the solemn decorations all
Of the great tomb of man. The golden sun,
The planets, all the infinite host of heaven,
Are shining on the sad abodes of death,
Through the still lapse of ages. All that tread
The globe are but a handful to the tribes
That slumber in its bosom.
So live, that when thy summons comes to join
The innumerable caravan, which moves
To that mysterious realm, where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry slave at night,
Scourged to his dungeon, but, sustained and soothed
By an unfaltering trust, approach thy grave,
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams.

Mr. JOHNS. Mr. Speaker, I yield to my colleague the gentleman from Wisconsin [Mr. WASIELEWSKI].

Mr. WASIELEWSKI. Mr. Speaker, I did not have the privilege of knowing Congressman BOLLES personally for a very long time, inasmuch as he was confined to his bed when I first came to

Washington, and only recently returned to the House. However, from the two or three contacts that I have had with him since his return to duty I had grown to like him a great deal, and I have felt as though I had known him for many years. He was a very fatherly sort of man, one whom you would immediately grow to like, one to whom you would immediately feel inclined to turn for counsel. The State of Wisconsin and the Nation loses a fine gentleman and an able statesman in the death of STEPHEN BOLLES.

Mr. JOHNS. Mr. Speaker, I yield to my colleague from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker, in expressing a tribute to STEPHEN BOLLES I speak as a personal friend and also as the chairman of the Committee of the District of Columbia, upon which he so ably served.

I have known few men in this body with whom I had a closer understanding, or for whom I had a greater fondness. We counseled together many times about issues which came before us and about specific legislation in which we both had a keen interest and desired to act upon properly and with justice.

On the District of Columbia Committee his advice was sought and his full experience was helpful. I think his attention to District of Columbia affairs is exemplified by the fact of his presence 1 week ago yesterday at a meeting of that committee. I felt then that he was not well enough to be present, but he was there, not physically strong but mentally alert and able to assist in the deliberations of that body. He was especially interested in the National Capital of certain persons whom he felt had been overlooked from the standpoint of health and of welfare. At the time of his death he was very active on two subcommittees of the District of Columbia Committee. He was working especially for the improvement of safety regulations of the men and women who dwell here and was attempting to formulate a plan for the installation of fire escapes and other safety devices.

When a newspaperman is preparing his copy and is under the pressure of the dead line he has to type quickly, and the boy comes by his desk and tears short sheets off the typewriter, and he keeps writing away. When the story is finished there is a signature which he places at the conclusion which shows that he has concluded that article. That is "30." Of course "30" has been written for STEVE BOLLES; "30" not only to a very fine newspaperman, to a very splendid character, but also to an individual who brought high credit to his own constituency and to the office which he held. He leaves to all of us who knew him intimately and who regarded him highly a sense of keen loss and a hallowed place in our memories.

Mr. JOHNS. Mr. Speaker, I yield to my colleague from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, I had not heard of the death of STEPHEN BOLLES until I came to the floor. Somehow it seems to me that the House of Representatives has become suddenly lonely, because STEVE BOLLES, in the few years I have known him here, has come to be a part of the picture, and it does not seem quite right without him here.

Long before I ever had any thought of coming to Congress, I had heard of STEPHEN BOLLES in the newspaper world and had come to respect him. When I met him here, it was with the thought that here was a man who had made his name and had made a place in the world for himself before he came to Congress. Some of us, I suppose, would hardly ever be heard of if it were not for the fact that we came to the House of Representatives; but as long as 40 years ago STEPHEN BOLLES was a name that was respected throughout the newspaper world. He was the editor and publisher of papers in Erie, Pa., Toledo, Ohio, and Rochester and Buffalo, N. Y., before he became identified throughout the country as publisher of the Janesville (Wis.) Gazette.

He was a cosmopolitan man. He had seen a great deal of the world. At several world fairs he had been superintendent of sections dealing with the graphic arts and with the newspaper fraternity. He had seen men in high places; he had seen men in low places. He had seen men in the height of triumph, and he had seen them in defeat. It is said of him that he had reported personally more national political conventions than any other man in public life today. All of this experience had given an appreciation of events and people that one seldom finds. He knew what was important and what was trivial; he knew what was sincere and what was sham. Withal, I believe he brought with him to Congress that spirit of service to his community and to the people that we always like to think associates itself with the highest expression of ideals in the newspaper world.

As one of the newspaper fraternity as well as a colleague in Congress, I want to express my sense of personal loss in his passing and my appreciation of the life that he lived.

Mr. JOHNS. Mr. Speaker, I yield to my colleague from Michigan [Mr. LESINSKI].

Mr. LESINSKI. Mr. Speaker, I was deeply shocked when I learned of the passing of my good friend and colleague, STEPHEN BOLLES. He was the ranking minority member of the Committee on Invalid Pensions, of which I have the honor to be chairman. He was faithful and regular in attendance at committee meetings, and because of his broad knowledge of the problems of our veterans and their dependents, his wise counsel and untiring efforts will be sorely missed by the members of the committee. The committee has lost a valuable member and the veterans a true and sympathetic friend. His long and useful career is one of which his family and friends can be justly proud, and we, his fellow members on the committee, mourn his passing.

Mr. JOHNS. Mr. Speaker, I offer a resolution, which is at the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows (H. Res. 259):

Resolved, That the House has heard with profound sorrow of the death of Hon. STEPHEN BOLLES, a Representative from the State of Wisconsin.

Resolved, That a committee of four Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints the following funeral committee: Mr. GEHRMANN, Mr. HULL, Mr. SAUTHOFF, and Mr. JOHNS.

The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

Accordingly (at 12 o'clock and 30 minutes p. m.) the House adjourned until tomorrow, Wednesday, July 9, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Wednesday, July 9, 1941, for consideration of H. R. 5211.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 2472, entitled "A bill to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who became disabled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes," and H. R. 3257, entitled "A bill to increase and equalize the pensions of those persons disabled as the result of service in the Army, Navy, Marine Corps, and Coast Guard." The hearings will be held Thursday, July 10, 1941, at 10:30 a. m., in room 247, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Thursday, July 10, 1941. Business to be considered: Hearings on natural gas, H. R. 5249.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing at 10 a. m., on the following bill:

Tuesday, July 15, 1941:

H. R. 3361. To provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

706. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill for the relief of G. F. Allen, Chief Disbursing Officer, Treasury Department, and for other purposes; to the Committee on Claims.

707. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes; to the Committee on Naval Affairs.

708. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States District Court for the Northern District of California; to the Committee on the Disposition of Executive Papers.

709. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Work Projects Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

710. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Work Projects Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

711. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of motion-picture film by the Social Security Board, Federal Security Agency; to the Committee on the Disposition of Executive Papers.

712. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Board of Governors of the Federal Reserve System; to the Committee on the Disposition of Executive Papers.

713. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Federal Home Loan Bank Board, Federal Loan Agency; to the Committee on the Disposition of Executive Papers.

714. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States Civil Service Commission; to the Committee on the Disposition of Executive Papers.

715. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States Civil Service Commission; to the Committee on the Disposition of Executive Papers.

716. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States Civil Service Commission; to the Committee on the Disposition of Executive Papers.

717. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States Civil Service Commission; to the Committee on the Disposition of Executive Papers.

718. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of Labor; to the Committee on the Disposition of Executive Papers.

719. A letter from the Archivist of the United States, transmitting recommendation for disposition of lists of papers by the Department of Agriculture; to the Committee on the Disposition of Executive Papers.

720 A letter from the Archivist of the United States, transmitting recommendation for disposition of lists of papers by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

721. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

722. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

723. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

724. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

725. A letter from the Archivist of the United States transmitting recommendation for disposition of a list of papers by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

726. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Navy; to the Committee on the Disposition of Executive Papers.

727. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States attorney for the northern district of Alabama, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

728. A letter from the Archivist of the United States, transmitting recommendation for disposition by the United States marshal for the middle district of Tennessee, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

729. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of motion-picture films by the Department of Justice; to the Committee on the Disposition of Executive Papers.

730. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of Justice; to the Committee on the Disposition of Executive Papers.

731. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States marshal for the eastern district of Pennsylvania, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

732. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States attorney for the eastern district of Louisiana, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

733. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States marshal for the district of Nevada, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

734. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States marshal for the western district of Wisconsin, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

735. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States marshal for the eastern district of Kentucky, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

736. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States marshal for the District of Columbia, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

737. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of War; to the Committee on the Disposition of Executive Papers.

738. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

739. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

740. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

741. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee of conference on the disagreeing votes of the two Houses. H. R. 2097. A bill to amend the Tennessee Valley Authority Act, as amended; without amendment (Rept. No. 913). Referred to the Committee of the Whole House on the state of the Union.

Mr. SWEENEY: Committee on the Post Office and Post Roads. H. R. 3367. A bill relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937; without amendment (Rept. No. 914). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on Claims. H. R. 733. A bill for the relief of Ryoichi Sumida; with amendment (Rept. No. 904). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 1700. A bill for the relief of Anna and Fred Aebi; with amendment (Rept. No. 905). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 2372. A bill for the relief of Paul E. Cook; with amendment (Rept. No. 906). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 2782. A bill for the relief of Charles H. Dougherty, Sr.; with amendment (Rept. No. 907). Referred to the Committee of the Whole House.

Mr. RUSSELL: Committee on Claims. H. R. 3030. A bill for the relief of Gertrude Ricketts; with amendment (Rept. No. 908). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 3943. A bill for the relief of Mr. and Mrs. J. W. Johns; without amendment (Rept. No. 909). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 4019. A bill for the relief of John J. Jenkins; without amendment (Rept. No. 910). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 4198. A bill for the relief of John King; with amendment (Rept. No. 911). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 4803. A bill for the relief of Capt. Franklin R. Sibert; with amendment (Rept. No. 912). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LECOMPTE:

H. R. 5253. A bill to provide for the erection of a memorial to the memory of the crew of the U. S. S. *O–9;* to the Committee on the Library.

By Mr. WICKERSHAM:

H. R. 5254. A bill to amend Public Law 74 of the Seventy-seventh Congress, relating to wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. BENNETT:

H. R. 5255 (by request). A bill providing for the incorporation of the American Society; to the Committee on the Judiciary.

By Mr. VINSON of Georgia:

H. R. 5256. A bill authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes; to the Committee on Naval Affairs.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 9, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou whose feet have climbed life's hill, make us men of vision, guide and confirm our wills to a deep sense of responsibility which we owe our country. Imbue us plenteously with the spirit of patience, with fortitude and courage, that we may fulfill to the uttermost our obligations. We pray Thee to give us a vision of our supreme tasks, redeeming us from the thralldom of fear, from prejudice, and from all envy. Grant that we may have access to Thee as our inspiration and illumination for all misunderstanding, beholding that which lies before us, for those who are to come after, and bestowing a mantle upon those who may suffer the pangs of injustice. We rejoice that we have in Thee the source and the disclosure by which freemen can emerge from ignorance and vagrancy to knowledge and virtue.

Heavenly Father, accept the poverty of our gratitude, and as Thou hast been faithful to Thy people in every age, inspire us to be defenders of the weak, protectors of the oppressed, and the might of a great rock in a weary world. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE SUBMARINE *O–9*

Mr. VINSON of Georgia. Mr. Speaker, I submit a privileged report from the Naval Affairs Committee on House Resolution 250.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Secretary of the Navy is hereby directed to inform the House of Representatives at the earliest practicable date—

1. The original date of the commissioning of submarine *O–9* and the cost thereof.

2. The date of the reconditioning of the said submarine *O–9* and the cost thereof.

3. What service was performed by the said submarine *O–9* during World War I and subsequently.

4. Such information as may be on file in the Navy Department showing condition of said submarine *O–9* as to require its repair and reconditioning for efficient service as an undersea vessel.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the letter from the Secretary of the Navy be read in lieu of the report.

The SPEAKER. Without objection, it is so ordered.

The Clerk read as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, July 5, 1941.

The CHAIRMAN,
Committee on Naval Affairs,
House of Representatives,
Washington, D. C.

MY DEAR MR. CHAIRMAN: House Resolution 250 "requesting the Secretary of the Navy to supply Congress with all data on submarine *O–9*" was referred to the Navy Department by your committee with request for reply.

The information requested in the resolution is as follows:

1. The original date of the commissioning of the submarine *O–9* and the cost thereof. The submarine *O–9* was originally commissioned July 27, 1918. The contract cost of hull and machinery was $598,554.20.

2. The date of recommissioning of the said submarine *O–9* and the cost thereof. The submarine *O–9* was recommissioned April 14, 1941, and completed its recommissioning overhaul May 31, 1941. The total cost of the reconditioning of the *O–9* was approximately $483,603. This figure is subject to slight changes due to incomplete returns and possible slight adjustments.

3. What service was performed by the said submarine *O–9* during World War No. 1 and subsequent? The submarine *O–9* was placed in commission at the Navy Yard, Boston, Mass., July 27, 1918. She was reported ready to go on patrol September 7, 1918. Instead, after the usual fitting out and trials, she underwent intensive training and torpedo firing at Cold Spring Inlet and New London, Conn. On November 2, 1918, she sailed in company with other submarines of her division from Newport, R. I., and arrived at Ponta Delgada, Azores, November 16. In view of the armistice having been signed, the submarine took on provisions, stores, fuel, etc., and sailed for the United States November 21, 1918, stopping at Bermuda en route to Charleston, S. C.

In February 1919 the *O–9* proceeded to winter maneuvers at Guantanamo Bay, Cuba, calling en route at Savannah, Ga., and Key West, Fla. She returned to New York in April, and in August 1919 was transferred from the Atlantic Fleet to submarine base, New London, Conn. She remained attached to New London, conducting the usual exercises, torpedo firing, submerged training, engineering runs, etc., including the regular docking periods and overhauls, a cruise to Bermuda, special short trips for recruiting, a cruise with her division to Cuban waters and St. Thomas, V. I., early in 1922.

In October 1922 her location was changed to submarine base, Coco Solo, C. Z. She remained there engaged in routine submarine operations until April 8, 1929, when she returned to New London, Conn. From there she operated as a unit of the submarine school until February 1931, when she proceeded to Philadelphia and was placed out of commission at the latter place June 25, 1931. The *O–9* remained out of commission at Philadelphia Navy Yard until April 14, 1941, when she was recommissioned.

4. Such information as may be on file in the Navy Department, showing the condition of the said submarine *O–9* as to require its repair and reconditioning for service as an undersea vessel.

There is voluminous information on file in the Navy Department setting forth in detail the material condition of the *O–9* prior to its reconditioning, such as the report of material inspection of that vessel held January 15–16, 1940, by the Board of Inspection and Survey. During the recommissioning overhaul of the *O–9* there was no curtailment of funds, time, effort, and tests in its reconditioning. In addition, all accepted modern improvements essential for the safe and efficient operation of a submarine that could be adopted were incorporated in the *O–9*. During the recommissioning of the eight vessels of the *O* class, the best test results were obtained on the *O–9*. Upon completion of the recommissioning overhaul on May 31, 1941, the *O–9*, from all official reports, appears to have been in a satisfactory material condition to perform efficient and reliable service as an undersea vessel. Following completion of the recommissioning overhaul, the *O–9* proceeded to New London, Conn., where she was engaged for 5 weeks in post recommissioning trials and training. She conducted intensive diving exercises in preparation for full readiness for service. One of the tests to be conducted was the deep-submergence test, and it was while conducting such test that the ship was lost.

The following excerpts from a recent report of Rear Admiral R. S. Edwards, United States Navy, commander of submarines, Atlantic, bearing on this subject, is quoted below:

"Commanding officer reports the existence of minor leaks during initial dive. This leakage has been usual in recommissioned submarines. In fact, leaks usually exist in any submarine after an extensive overhaul. They are of no significance. In the case of the *O–9* it is understood that leakage was restored to normal (there are always a few trickles around periscope and shafting) during the shallow-water diving trials.

"20 (a). *O–9* was in good condition when she made her last dive. She had experienced the minor troubles usual in recommissioning vessels, but, so far as is known, there was nothing to indicate that she was not in safe condition. Her state of training was considered satisfactory for submerged operations.

"(b) Results of deep-submergence tests of the seven other vessels of the *O* class show no indication of inability to withstand pressure. *O–8* developed a hull leak at 100 feet, which is being investigated, but it was not of sufficient consequence to deter the commanding officer from going down to 200 feet to complete the test."

No commitment is made with respect to the relationship of this report to the program of the President.

Sincerely yours,

JAMES FORRESTAL,
Acting.

Mr. VINSON of Georgia. Mr. Speaker, the resolution that has just been submitted to the House calls for information in regard to the sinking of the submarine *O–9*. The information in the Secretary's letter contains answers to all the inquiries made in the resolution.

Mr. Speaker, I move that the resolution lie on the table.

The motion was agreed to.

TOLL BRIDGE ACROSS MISSOURI RIVER AT WASHINGTON, MO.

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3625) to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.

Mr. MICHENER. Mr. Speaker, reserving the right to object, as I recall, this bill was on the Consent Calendar last Monday.

Mr. CANNON of Missouri. That is correct.

Mr. MICHENER. Will the gentleman explain what development has transpired since that time to cause him to call it up?

Mr. CANNON of Missouri. Mr. Speaker, this is a bill unanimously reported by the Committee on Interstate and Foreign Commerce. It provides for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River—the only toll bridge across the Missouri River within the boundaries of the State. The bridge was erected at a total cost of $664,000 and this bill deals with the refunding of the $239,000 in outstanding 4-percent bonds still due and unpaid, to be refunded at 3¼ percent. After liquidation of the bonded indebtedness, the bridge is to be maintained and operated free of tolls. The bill was on the Consent Calendar but was objected to when called last Monday. The objection has since been withdrawn, and members on both sides of the committee approve of the consideration of the bill at this time. We are anxious to dispose of it today in order to permit prompt action on refunding negotiations now pending.

Mr. MICHENER. I see the gentleman from New Jersey [Mr. KEAN] present, who I think objected to the bill. I yield to him at this time.

Mr. KEAN. Mr. Speaker, I may say that the gentleman from Missouri explained the bill to me and it is perfectly satisfactory.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the event that the city of Washington, Mo., shall issue toll-bridge revenue-refunding bonds for the purpose of refunding or redeeming its outstanding 4-percent toll-bridge revenue bonds dated July 1, 1934, which were issued to provide funds for the construction of the bridge authorized by the act of Congress approved June 15, 1933, entitled "An act granting the consent of Congress to the city of Washington, Mo., to construct, maintain, and operate a toll bridge across the Missouri River at or near Washington, Mo.," or in the event that said city shall extend the maturity date or dates of said outstanding bonds, the rates of toll to be charged for the use of said bridge shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating said bridge and its approaches under economical management and to provide a fund sufficient to pay the principal and interest and the redemption premium, if any, of such toll-bridge revenue-refunding bonds, or of said outstanding bonds, as soon as possible under reasonable charges, but within a period of not exceeding 20 years from the date of approval of this act, and such tolls shall be continued until such payments shall have been made. After such bonds and the interest thereon shall have been paid, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the expenditures for maintaining, repairing, and operating said bridge, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks on the bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address I delivered to the Ohio State convention of the Fraternal Order of Eagles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. SWEENEY addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. RANKIN of Mississippi rose.

The SPEAKER. The Chair will recognize the gentleman later.

Mr. RANKIN of Mississippi. I just want to answer his demagogy about the Negroes in this country.

AMENDMENT TO TENNESSEE VALLEY AUTHORITY ACT, AS AMENDED

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (H. R. 2097) to amend the Tennessee Valley Authority Act, as amended, and ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2097) to amend the Tennessee Valley Authority Act, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows: In lieu of the language proposed to be inserted by the Senate amendment, insert the following:

"By striking therefrom subsection (k) of section 4 and inserting in lieu thereof a new subsection (k), as follows:

"'(k) Shall have power in the name of the United States—

"'(a) to convey by deed, lease, or otherwise, any real property in the possession of or under the control of the Corporation to any person or persons, for the purpose of recreation or use as a summer residence, or for the operation on such premises of pleasure resorts for boating, fishing, bathing, or any similar purpose;

"'(b) to convey by deed, lease, or otherwise, the possession and control of any such real property to any corporation, partnership, person, or persons for the purpose of erecting thereon docks and buildings for shipping purposes or the manufacture or storage thereon of products for the purpose of trading or shipping in transportation: *Provided*, That no transfer authorized herein in (b) shall be made without the approval of Congress: *And provided further*, That said Corporation, without further action of Congress, shall have power to convey by deed, lease, or otherwise, to the Ingalls Shipbuilding Corporation, a tract or tracts of land at or near Decatur, Alabama, and to the Commercial Barge Lines, Inc., a tract or tracts of land at or near Guntersville, Alabama;

"'(c) to transfer any part of the possession and control of the real estate now in possession of and under the control of said Corporation to any other department, agency, or instrumentality of the United States: *Provided, however*, That no land shall be conveyed, leased, or transferred, upon which there is located any permanent dam, hydroelectric power plant, or munitions plant heretofore or hereafter built by or for the United States or for the Authority, except that this prohibition shall not apply to the transfer of Nitrate Plant Numbered 1, at Muscle Shoals, Alabama, or to Waco Quarry: *And provided further*, That no transfer authorized herein in (a) or (c), except leases for terms of less than twenty years, shall be made without the approval of the President of the United States, if the property to be conveyed exceeds $500 in value; and

"'(d) to convey by warranty deed, or otherwise, lands, easements, and rights-of-way to States, counties, municipalities, school districts, railroad companies, telephone, telegraph, water, and power companies, where any such conveyance is necessary in order to replace any such lands, easements, or rights-of-way to be flooded or destroyed as the result of the construction of any dam or reservoir now under construction by the Corporation, or subsequently authorized by Congress, and easements and rights-of-way upon which are located transmission or distribution lines. The Corporation shall also have power to

convey or lease Nitrate Plant Numbered 1, at Muscle Shoals, Alabama, and Waco Quarry, with the approval of the War Department and the President.'"

And the Senate agree to the same.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
DEWEY SHORT,
CHARLES R. CLAYSON,
Managers on the part of the House.

E. D. SMITH,
G. W. NORRIS,
ELMER THOMAS,
CHAS. L. MCNARY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2097) amending the Tennessee Valley Act submit the following detailed statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

By the language of the House bill authority would have been granted to the Tennessee Valley Authority to make certain specific conveyances of real estate. The Senate struck out the House language and by its amendment would have given authority to the Tennessee Valley Authority under certain limitations to convey real estate generally.

The conference agreement accepts the Senate language as to real estate to be used for recreation purposes. It then authorizes certain specific conveyances, but as to all other transfers of real estate requires the Tennessee Valley Authority to return to Congress for approval.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
DEWEY SHORT,
CHARLES R. CLASON,
Managers on the part of the House.

Mr. MICHENER. Will the gentleman yield?

Mr. MAY. I yield to the gentleman.

Mr. MICHENER. Is this a unanimous report?

Mr. MAY. It is a unanimous report of the conferees.

Mr. MICHENER. How about members of the Military Affairs Committee?

Mr. MAY. The main principle contended for by the Military Affairs Committee has been maintained in the report. That is to say, on all future conveyances the Tennessee Valley Authority is required to come back to the Congress for permission to make sales and for its approval.

Mr. MICHENER. May I ask the gentleman from New York [Mr. ANDREWS], the ranking minority member, to tell us what he thinks about this?

Mr. ANDREWS. This is a unanimous conference report agreed to by the gentleman from Missouri [Mr. SHORT] and the gentleman from Massachusetts [Mr. CLASON].

Mr. RICH. Will the gentleman yield?

Mr. MAY. I yield to the gentleman.

Mr. RICH. What attitude is being taken by the House in reference to having the accounts of the Tennessee Valley Authority audited by the Comptroller General?

Mr. MAY. The House committee has had hearings on that matter and the report of that committee will be presented in a day or two, as soon as we get through with the urgent business that is now pending on the calendar.

Mr. RICH. Then we can expect that the House committee will recommend that the Tennessee Valley Authority be audited by the Comptroller General, the same as all other governmental functions?

Mr. MAY. With certain limitations as to some particular matters, they will be under the control of the Comptroller General.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT TO COMMITTEES

Mr. COOPER. Mr. Speaker, I offer a privileged resolution, and ask for its immediate consideration.

The Clerk read as follows (H. Res. 260):

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives, to wit:

Patents: CLYDE T. ELLIS, Arkansas; JOHN F SULLIVAN, Missouri.

Public Buildings and Grounds: CARTER MANASCO, Alabama.

Civil Service: CARTER MANASCO, Alabama.

Expenditures in the Executive Departments: CARTER MANASCO, Alabama.

The resolution was agreed to.

INVESTIGATION BY RIVERS AND HARBORS COMMITTEE OF ST. LAWRENCE WATERWAY PROJECT

Mr. SABATH. Mr. Speaker, I call up House Resolution 248, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Rivers and Harbors Committee of the House of Representatives is authorized and directed to conduct an investigation and survey of the St. Lawrence waterway project.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation, together with such recommendations as are deemed desirable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee or any members thereof may administer oaths to witnesses.

Mr. SABATH. Mr. Speaker, the Rivers and Harbors Committee has been holding hearings for several weeks on this matter. Some time ago that committee came to the conclusion that it would be helpful to its members if they could make an inspection of the St. Lawrence waterway project. By unanimous consent of the members of that committee, they asked that they be given the power to subpena witnesses and to make a personal study of the proposed great waterway that will be of such great aid to our Nation. I do not suppose there is any opposition, and there should not be, because there is a unanimous report based on a unanimous committee request. I believe this great Committee on Rivers and Harbors should have the privilege of making this inspection and investigation.

Mr. RICH. Will the gentleman yield?

Mr. SABATH. Is it the purpose of the gentleman to inquire about this bill?

Mr. RICH. Yes.

Mr. SABATH. Then I yield to the gentleman.

Mr. RICH. Has not the Congress made investigations heretofore of the St. Lawrence waterway?

Mr. SABATH. I do not think that the members of the Committee on Rivers and Harbors have made visits to the sites. It has held many hearings and heard many witnesses. The members want to be positive and sure before they take any definite and permanent action. Personally, I feel that such is not necessary, because the need for this project is very obvious. In fact, it should have been started years ago. However, I feel that before the committee takes real action on it it is entitled to make a personal inspection and then confirm the need and feasibility of this proposal.

Mr. RICH. If the committee is going to make an investigation, and the gentleman believes the project should have been started years ago, he is not going to in any way try to influence the committee in its investigations, is he?

Mr. SABATH. The gentleman knows that I never try to improperly influence any committee or any Member; I only present the facts as I see them to the best of my ability. I regret, however, that I cannot make this as clear as I should like to make it to the gentleman from Pennsylvania.

Mr. RICH. We want the committee that is appointed by the House to get the facts and not be influenced by anyone in the House and especially by somebody at 1600 Pennsylvania Avenue.

Mr. SABATH. I may say to the gentleman that this is not a special committee; the resolution merely authorizes the Committee on Rivers and Harbors, which has jurisdiction of the matter, to make a personal investigation at the site of this proposed waterway.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. DINGELL. I believe that when the committee reports even the most skeptical will be impressed by the facts themselves. There will be no need whatever for any influence on the part of the chairman of the committee.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. TABER. Does this resolution provide for subpenaing witnesses, or does it refer simply to an inspection trip?

Mr. SABATH. It gives the committee power to subpena witnesses and obtain information from the departments and elsewhere.

Mr. TABER. Are we going to have an investigation traveling all over the country on this matter?

Mr. SABATH. Not all over the country. This just refers to the St. Lawrence project. I have the word of a gentleman in whom the House has complete confidence, the able chairman of the great Committee on Rivers and Harbors, the gentleman from Texas [Mr. MANSFIELD], that this personal investigation may not cost more than $1,500 or $2,000. I believe the members of that committee should be allowed to make a personal inspection to help them in the discharge of the responsibility attaching to them in connection with this important and necessary project.

Mr. TABER. Should every Member of the House go up there to look it over, I wonder? It is a nice time of year, you know.

Mr. DONDERO. If the gentleman will yield, may I say to my good friend from New York that there is no intention of anyone's going to view this project except members of the Committee on Rivers and Harbors.

Mr. SABATH. That is what the resolution provides for, and that is all. This is not a proposed junket; it is to be a personal inspection, to get real, first-hand information of the sites in question.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. KRAMER Mr. Speaker, I offer a privileged resolution from the Committee on Accounts.

The Clerk read as follows (H. Res. 261):

Resolved, That the expenses of conducting the investigation and survey authorized by House Resolution 248 of the present Congress, incurred by the Committee on Rivers and Harbors, not to exceed $2,500, including expenditures for the employment of clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee conducting such investigation and study or any part thereof, signed by the chairman of the committee and approved by the Committee on Accounts, and the head of each executive department is hereby requested to detail to said committee such number of legal and expert assistants and investigators as said committee may from time to time deem necessary.

SEC. 2. That the official committee reporters shall be used at all hearings held in the District of Columbia.

The resolution was agreed to.

TEMPORARY APPOINTMENT OR ADVANCEMENT OF CERTAIN PERSONNEL OF THE NAVY AND MARINE CORPS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4473) authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 23, after "for", insert "consideration for."

Page 3, line 2, strike out all after "President" down to and including "filled" in line 5.

Page 8, line 19, after "apply", insert "to."

Page 8, line 24, after "Navy", insert "and Marine Corps."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MICHENER. Reserving the right to object, Mr. Speaker, will the gentleman explain the amendments?

Mr. VINSON of Georgia. Mr. Speaker, I shall state to the House the purpose of the amendments.

Only one amendment of any importance was acted on by the Senate, when it struck out what is known as the Ditter amendment, offered by the gentleman from Pennsylvania when the bill was before the House. This morning the Committee on Naval Affairs had a hearing and the naval officers testified, and as a result of the hearing the Committee on Naval Affairs agreed to the Senate's striking out the amendment offered by our distinguished colleague from Pennsylvania [Mr. DITTER].

Mr. COX. What was that amendment?

Mr. VINSON of Georgia. The amendment provides—

that no temporary promotions shall be made in any staff corps of the Navy until the authorized number of permanent officers in each grade or rank has been filled.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Pennsylvania.

Mr. DITTER. Do I correctly understand that the gentleman from Georgia is sympathetic to the intent of the amendment that was struck out by the Senate, and that if further careful legislation along the same line and having the same purposes in mind is considered by the Committee on Naval Affairs, it will be carefully considered by the gentleman and probably have a favorable reaction?

Mr. VINSON of Georgia. In reply to the gentleman from Pennsylvania let me state, as the gentleman will recall, that I supported his amendment most heartily when it was offered. I am thoroughly in accord with the principle and the objective of the amendment. However, after the hearing this morning, the majority of the Committee on Naval Affairs felt to the contrary, and I am carrying out the wishes of the Committee on Naval Affairs.

Mr. DITTER. Am I correct in telling the House that the supply corps is the one case in which there are a number of billets that have not been filled by selection, that the selection system we presently have has not provided a flow of promotions in the supply corps, and that the men who have borne the brunt of the battle during past times when things were not as favorable face the possibility of temporary appointees' going over their heads during the present emergency?

Mr. VINSON of Georgia. There are fifty-some-odd vacancies in the supply corps that have not been filled by the selection system, and this means that officers who have been passed over will probably stay where they are and officers of junior rank will be given temporary promotion provided they are found in the staff corps qualified to do the work.

Mr. DITTER. And under ordinary circumstances the selection boards should have acted with respect to these Supply Corps officers that have not been promoted.

Mr. VINSON of Georgia. I am satisfied in my own mind that if the Supply Corps officers had met the requirements exacted of them by the selection board they would have been promoted, but, on the other hand, the selection board was probably too strict in its requirements and therefore a great many officers in the Supply Corps who should have been promoted were not promoted.

Mr. DITTER. If the gentleman will yield further, I feel confident that the gentleman will agree with me that the House should know that the Supply Corps officers are the business administrative officers of the Navy and that at times their rigid enforcement of business principles invites the antipathy and the antagonism of some of the line officers.

Mr. VINSON of Georgia. That probably happens sometimes.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. COX. I would just like to say to the gentleman that in my judgment the secret of the gentleman's remarkable success in handling legislation is the complete frankness with which he always expresses himself.

Mr. VINSON of Georgia. I thank the gentleman.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. DINGELL. Some time ago I wrote a letter to the gentleman with regard to complaints which I have been receiving from Marine and Naval Reserve officers with regard to discriminations in promotions. It seems that the old guard in the Navy has presumed to advance, over the heads of some of the Naval Reserve and Marine officers, younger or junior officers and has disregarded the claims of the officers in that particular group.

Mr. VINSON of Georgia. May I say to the gentleman that this bill deals with that very subject matter, and we are trying to do what is fair and right and equitable and just with respect to the Reserve officers. This does not only apply to the Regular Navy, it applies to the Reserves. They are eligible for temporary promotion, and I may say that all the reserve associations have testified that they heartily endorse this bill.

Mr. DINGELL. And it is to be entirely on merit.

Mr. VINSON of Georgia. On merit; yes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RANK OF OFFICERS PERFORMING SPECIAL OR UNUSUAL DUTY OR COMMANDING SPECIAL NAVAL UNITS AFLOAT

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4823) providing for the rank of officers ordered

to perform special or unusual duty, and of commanders of special naval units afloat, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out all after "212)", over to and including "serving" in line 1, on page 2, and insert "naval officers, not to exceed a total of nine at any one time, designated by the President to perform special or unusual duty, or to command naval units afloat organized for the purpose of performing a special or unusual mission may, within the discretion of the President, have the rank, pay, and all allowances of a vice admiral while so serving."

Mr. MICHENER. Mr. Speaker, reserving the right to object, this is a very important matter and requires an explanation, because if we are going to do away with the law as it now is and permit the President to appoint temporary vice admirals to make trips around the country, the Congress ought to understand it fully.

Mr. VINSON of Georgia. When the bill passed the House it authorized an unlimited number of vice admirals to be appointed. Under the law as it exists today there are only 3 vice admirals authorized. In the bill we passed there was no limitation on the number. When the bill was considered in the Senate, the Senate Naval Affairs Committee inserted an amendment that the number should not exceed 9 additional vice admirals, making the total number of vice admirals 12. However, these vice admirals are not to be permanent. They are merely temporary vice admirals. This is the whole purport of the amendment.

Mr. MICHENER. In other words, the amendment sets a limit of nine?

Mr. VINSON of Georgia. That is right.

Mr. MICHENER. On what was originally an unlimited number, as provided by the original bill?

Mr. VINSON of Georgia. That is correct. I think the Senate amendment is an improvement over the House bill as presented to the House, because we know that there cannot be more than 12 temporary vice admirals, whereas under the House bill there could have been an unlimited number. This is an improvement over the bill as passed by the House.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONSTRUCTION OF CERTAIN PUBLIC WORKS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3537) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 2, after line 5, insert:

"The provisions of section 8 (a) of the act approved June 28, 1940 (Public, No. 671, 76th Cong.) shall be applicable to the foregoing projects."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. Will the gentleman please explain the bill?

Mr. VINSON of Georgia. Mr. Speaker, this bill has relation to the establishment of bases for lighter-than-air craft. When the bill was before the House, being considered by the House, an amendment was offered by the gentleman from New Jersey [Mr. SUTPHIN] to require competitive bids on the awarding of the contracts for the construction of these three bases—one in Boston, Mass.; one in Norfolk, Va.; and one in the Cape Hatteras area. The Senate struck that out. The Committee on Naval Affairs this morning had Admiral Moreell and other officials before it, and they stated that to require competitive bids on these particular projects would entail a delay of approximately 6 months, and the program of the Department is to have the construction of the airships and of the buildings go along hand-in-hand. For that reason the Committee on Naval Affairs has recommended that the House concur in the Senate amendment.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. DITTER. These particular stations are for lighter-than-air craft?

Mr. VINSON of Georgia. Yes.

Mr. DITTER. And those lighter-than-air craft are under construction at this time?

Mr. VINSON of Georgia. Oh, yes; they are building six now.

Mr. DITTER. Will the gentleman give the House the benefit of his opinion as to the time when these lighter-than-air craft will be completed?

Mr. VINSON of Georgia. I yield to the gentleman from New York [Mr. COLE].

Mr. COLE of New York. Mr. Speaker, all six now on order will be delivered by December of this year, and after the first of next year the remainder will be delivered at the rate of one a month.

Mr. VINSON of Georgia. That is correct.

Mr. DITTER. And the amendment the gentleman refers to was offered by our colleague the gentleman from New Jersey [Mr. SUTPHIN]?

Mr. VINSON of Georgia. Yes.

Mr. DITTER. And was that the amendment that was brought about because of the similiarity of the estimates of the Bureau of Yards and Docks on those two sites?

Mr. VINSON of Georgia. I do not think it was brought about on account of that.

Mr. DITTER. Those were the two cases where dollar for dollar the estimates ran the same?

Mr. VINSON of Georgia. That is correct.

Mr. DITTER. Even though the conditions might have varied considerably?

Mr. VINSON of Georgia. Yes.

Mr. DITTER. And to prevent the possibility of lax administration in construction, the gentleman from New Jersey offered his amendment?

Mr. VINSON of Georgia. That is correct, but the gentleman from Pennsylvania [Mr. DITTER] and his subcommittee will have to appropriate the money to carry out this authorization.

Mr. DITTER. That is passing the buck, because once an authorization is made, the Committee on Appropriations is almost bound to appropriate the money.

Mr. VINSON of Georgia. I think the gentleman is correct.

Mr. DITTER. I think we should close the door now, rather than hereafter.

Mr. SUTPHIN. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. SUTPHIN. This amendment would compel the Bureau of Yards and Docks to award the construction contracts on a competitive basis, and not on a negotiated basis. Time certainly is not of the essence, when we have months and months to provide facilities.

Mr. DITTER. Will the gentleman from Georgia yield to me so that I may ask the gentleman from New Jersey a question?

Mr. VINSON of Georgia. No. One minute. In reply to the gentleman from New Jersey [Mr. SUTPHIN], the admiral testified to the contrary.

Mr. SUTPHIN. And Captain Rosendahl this morning testified that present facilities will house these ships.

Mr. MICHENER. Mr. Speaker, I reserve the right to object. May I have the attention of the gentleman from New Jersey?

Mr. SUTPHIN. Certainly.

Mr. MICHENER. This was the gentleman's amendment, and it has been stricken out by the Senate.

Mr. SUTPHIN. That is correct.

Mr. MICHENER. And the attempt is here made to concur in the Senate amendment by the unanimous consent of the House.

Mr. SUTPHIN. That is correct.

Mr. MICHENER. If the gentleman does not object.

Mr. SUTPHIN. I shall object.

Mr. MICHENER. All the gentleman needs to do is to object.

Mr. SUTPHIN. I intend to object.

Mr. MICHENER. Well, I suggest the gentleman do it.

The SPEAKER. Is there objection?

Mr. SUTPHIN. Mr. Speaker, I object.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3537) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and ask for a conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Chair appointed the following conferees: Mr. VINSON of Georgia, Mr. DREWRY, and Mr. COLE of New York.

COMPENSATION OF FORMER EMPLOYEES OF RAILWAY MAIL SERVICE

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 3367) relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MAY. Mr. Speaker, reserving the right to object, I would like to ascertain if there are any more of these requests because it was understood several days ago that the bill on the calendar relating to the Selective Service and Training Act would have precedence today.

The SPEAKER. There is one thing that has not been taken away from the Chair, and that is the power of recognition.

The gentleman from Ohio [Mr. SWEENEY] asks unanimous consent for the present consideration of the bill which the Clerk has just reported. Is there objection?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. SWEENEY. Mr. Speaker, this bill comes from the Committee on the Post Office and Post Roads with a unanimous report. It is a bill introduced by the distinguished majority leader. It was introduced last year and passed the House unanimously, but failed of consideration in the other body. It seeks to correct an injustice done to one individual who was employed in the Railway Mail Division.

Some years ago there was an investigation in this Department that had to do with the lack of discipline in the Department, and this individual resigned during the investigation because of the hostility of the man conducting the investigation, and was out of employment for a number of years. She was restored to her position as stenographer when it was discovered she was absolutely innocent of any wrongdoing. Meantime the Congress had changed the law to prohibit an individual from advancing to grade 4. If this lady had been permitted to remain in her position, she would have been promoted to grade 4.

This bill has the support of our entire committee and it is merely to correct an injustice done to a worthy employee.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the thirteenth paragraph of section 7 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (U. S. C., title 39, sec. 621), as amended, is amended by inserting before the period at the end thereof a colon and the following new proviso: "*And provided further*, That former employees of the Railway Mail Service reinstated to stenographic positions prior to August 14, 1937, may be promoted successively to their grade at the time of separation from the service, but not to a higher grade than grade 4."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRODUCTION OF SMOKELESS POWDER

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. PATMAN addressed the House. His remarks appear in the Appendix of the RECORD.]

TRANSPORTATION FOR DRAFTEES

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, about a month ago I introduced a bill to raise the pay of the enlisted men from $21 to $42 a month. Today I am sponsoring a somewhat similar bill to further improve the lot of the boys in the training camps. It provides for transportation home during furloughs for all those coming under the Selective Service Act of 1940.

I submit this to the House and I urge that it take into consideration that the highways are being choked with men thumbing and bumming their way home, that it is absolutely necessary to do something in order to help these men get back home so that they can see their parents.

I ask the support of all those genuinely interested in giving real aid to the "forgotten man" of our great national-defense program, namely, the boy in military training. It is high time the country and the Congress awoke to the barren economic situation our soldiers are finding themselves in. Forced into service with meager compensation, witnessing their $21 a month salaries diminished further by deductions for laundry and other incidentals, many of these men are compelled to remain in camp when they could be on furlough. Is it not just and right, then, in view of their inability to raise money to travel, that they should be transported at Uncle Sam's expense to their homes in order to briefly visit the loved ones they have left behind them?

THE A. A. A. PROGRAM

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, since 1933, the distinguishing characteristic of the Roosevelt administration has been its adherence to the principle of double-crossing everybody who came in contact with it.

The latest victim of the double cross is the wheat farmer. In New York State last fall at planting time, there was no quota applicable to the wheat farmer. Since that time, between planting and harvest, alleged quotas have been established by the Department and an attempt is being made to collect a fine of 49 cents a bushel on every bushel he has raised over the new quota which has been placed on him about a month ago, and 9 months after his wheat was planted.

The Roosevelt administration does not seem to be happy unless it is double crossing somebody. The farmer should realize just what they are doing to him.

EXTENSION OF REMARKS

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to have printed in the RECORD eulogies by Rev. Alexander Syski and Rev. F. X. Swietlik delivered during the interment of the remains of the late Ignace Jan Paderewski at Arlington National Cemetery.

The SPEAKER. Is there objection?

There was no objection.

Mr. CAPOZZOLI. Mr. Speaker, I ask unanimous consent to extend my remarks and to include two addresses, one delivered by Admiral Andrews and one by General Phillips on July 2, 1941.

The SPEAKER. Is there objection?

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Milwaukee Journal of Sunday, July 6, 1941.

The SPEAKER. Is there objection?

There was no objection.

THE LATE HONORABLE STEPHEN BOLLES

Mr. GEHRMANN. Mr. Speaker I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I did not have an opportunity to say anything on yesterday with reference to my colleague the late STEPHEN BOLLES. I take this minute to say something in memory of a colleague whom I held very dear. I have known STEVE BOLLES for 20 years. While I was a member of the Wisconsin State Legislature since 1925 he visited us quite often and I learned to admire STEVE then. While we served in the Congress together, I became even more attached to him, even though we did not always vote the same.

Today we are returning all that is mortal of our colleague the Honorable STEPHEN BOLLES, to his home in Wisconsin—the State he has claimed so long and served so well.

When we lose a friend we all search for an earthly memento of him to preserve and cherish. Transient things like the warm clasp of a hand, a cheery smile, must be held by a memory that clouds with time. I am fortunate for he left with me a token.

A few short days ago we were visiting during a lull in activity here on the floor. We were talking of the strain of serving during this critical period, and of the criticism that comes from divergent factions—not always just. STEVE BOLLES' long years of training as an editor served him well, he always had a ready answer.

He opened his wallet and handed me a small white sheet of paper which held this typewritten message:

From STEPHEN BOLLES, M. C., Wisconsin:

I am only one,
But I am one;
I can't do everything,
But I can do something;
And what I can do,
And what I ought to do
By the grace of God, I will do.
—*Edward Everett Hale.*

This was his creed; he lived by it and up to it. This was the epitome of his whole philosophy—it is my token.

EXTENSION OF REMARKS

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short letter to my constituents, together with a ballad.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BISHOP. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter that appeared in today's Washington Post to the President of the United States from a patriotic American citizen.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a brief resolution adopted by the Associated Master Plumbers of the State of Tennessee.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BARRY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein several extracts from a speech on peace and war made by a prominent attorney in my district.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Hudson Dispatch, of Union City, N. J.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. OSMERS addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution passed by the common council of the city of Plattsburg, N. Y., regarding the St. Lawrence seaway.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOPE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. HOPE addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution adopted by the Liquor Authority of the State of New York; and, further, a communication from the Department of Law of the State of New York concerning matters of taxation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by the Most Reverend Joseph P. Hurley, bishop of St. Augustine, delivered over the Columbia System networks July 6.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address I delivered on July 3, 1941, before the Townsend national convention at Buffalo, N. Y.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address I delivered on the village green of St. Paul's Church, located at Mount Vernon, N. Y., on July 4, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FITZPATRICK. Also, Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter I received from Mr. Peter Redmond, 557 Palmer Road, Yonkers, N. Y., commending the commanding officer and his staff at Fort Devens, Mass., for their courtesy to him when his brother, a draftee assigned to Fort Devens, was suddenly stricken with a serious illness.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including an editorial from the Montgomery (Md.) Independent, and also by inserting a short letter and a brief article by Merell Dougherty.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a copy of an address.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from New Jersey [Mr. THOMAS] may be permitted to extend his own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. CANFIELD]?

There was no objection.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by Dr. Clifford E. Barbour, of Knoxville, Tenn.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. JENNINGS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

[Mr. RICH addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an address I delivered on the subject of the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. VAN ZANDT]?

There was no objection.

(Mr. THOMAS F. FORD asked and was given permission to extend his own remarks in the RECORD.)

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech I delivered before the convention of the Townsend Clubs at Buffalo, N. Y., last week.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent for two extensions of my remarks—one an extension of my own remarks and the other to include an article appearing in the St. Louis Post Dispatch.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial appearing in the Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CASEY]?

There was no objection.

Mr. TOLAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Union, of San Diego, Calif.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. TOLAN]?

There was no objection.

Mr. IZAC. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. IZAC]?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. THILL]?

There was no objection.

ACUTE MISERY AT CAMP FORREST

Mr. BENDER. Mr. Speaker, I ask unaimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BENDER]?

There was no objection.

Mr. BENDER. Mr. Speaker, I am very glad to see that our drive for the United Service Organizations is moving along splendidly. From my conversations with our boys back home on furlough, I fully recognize the importance and the seriousness of our recreation problem at every camp.

But this week end I learned of another problem no less vital to our forces. This time it is not a problem of morale. It is a problem of elementary physical health.

At Camp Forrest, Tenn., I am informed, a serious new illness of almost epidemic proportions has broken out. I call it "dust-bowl throat." Scores of men are finding the fine red dust of Camp Forrest a pretty poor initiation into Army life. They are living in acute misery; and the worst of the entire situation is the fact that it is entirely unnecessary.

I am calling this matter to the attention of Congress and the Army authorities. Not a single day should go by before this problem is tackled and solved. It will do the boys at Camp Forrest no good to have beautiful recreation facilities if they can enjoy them only from a hospital window.

EXTENSION OF REMARKS

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include part of a letter that I have received from a correspondent.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. COX]?

There was no objection.

(Mr. LEAVY asked and was given permission to extend his own remarks in the RECORD.)

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio address I delivered last Saturday.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SMITH]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SMITH]?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, the wheat farmers throughout the country are rising up in a mighty protest against the wheat-penalty law. I have never seen anything like it. Overnight they are forming a national organization to make effective their protest.

I feel it is the high duty of this Congress to give immediate consideration to the bill which I have introduced for the repeal of the wheat-penalty provision. I am asking that the Agriculture Committee give immediate consideration to this bill.

EXTENSION OF REMARKS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the American Guardian, and also an address I delivered on Independence Day.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of the wheat marketing quotas, and to include therein a few excerpts from the debate upon that subject when the bill was passed in the House on April 29.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Leon Henderson, Administrator of the Office of Price Administration and Civilian Supply, giving some assurance to the livestock producers that no price ceiling will be placed on livestock products.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Mr. Pierre van Paassen at New York on June 25 at the rally organized by the committee for a Jewish army.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on three separate subjects, and to include in two of those extensions newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, let me suggest this proposal to the House. Can you imagine a contingent of 350 healthy, vigorous young American boys in the United States Army, marching by a golf course where some girls are playing golf in shorts—a contingent so devoid of the buoyancy and effervescence that makes the American a great soldier that someone out of that contingent would not say, "Hi, girls," or some equally typical salutation; yet precisely because of that conduct, a battalion in the Thirty-fifth Division at Memphis was disciplined to walk 15 miles in 97° temperature by General Ben "King" Lear.

I do not know whether public funds are to be expended so that grouchy, golfing old generals will develop a lot of "sour puss" soldiers, but for my part I will take the other kind of soldiers whose youthful effervescence is in the best tradition of America. They can take that kind of discipline; but I think it is in poor form and ill grace for an Army commander to seek to stifle that spirit of youth.

[Here the gavel fell.]

DEFERMENT OF MEN BY AGE GROUPS UNDER THE SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 243, and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the act (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, and all points of order against said act are hereby waived.

That after general debate, which shall be confined to the act and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Military Affairs, the act shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on Military Affairs now in the act, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the act to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the act or committee substitute. The previous question shall be considered as ordered on the act and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. Speaker, I now yield 3 minutes to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Speaker, I am opposed to the adoption of this rule because it makes in order the consideration of a bill, S. 1524, against which I propose to vote. I am going to vote against the bill because I believe that many of the provisions are unconstitutional and would be an invasion of States' rights. We planned to amend the Selective Service Act by changing the age limit from 36 to 28 and I believe every Member of the House is now willing and ready to support such a change. The Committee on Military Affairs decided they would do something more than change the age limit and added a few new sections to the bill. We find that these new sections have organized labor up in arms because labor properly feels that the social gains, made in the last few years, may be adversely affected. The President has assured labor on many occasions that he will do everything humanly possible to retain these gains, the present emergency notwithstanding. Certainly the House of Representatives should not do anything that might destroy the accomplishments of labor in the field of wages, hours, and improved working conditions by passing a bill such as S. 1524. This bill would sanction the liberal use of the Army to break a strike where some national-defense article is involved and where questionable practices are supposed to be employed by the workers. The language of the bill is entirely too vague.

This bill also invades an entirely new field and proposes many debatable practices.

I do not believe labor should strike in times of national emergency unless for very serious reasons and I do not expect any decent labor organization will do so now or in the future. The members of the labor group are intensely loyal and patriotic. Many of the men and women at whom this bill is aimed are the parents of boys now serving in the Army and Navy, and they are most desirous of having this country succeed in all its undertakings. This bill tries to do by indirection things that we are not now able to do directly; that is, to substitute Federal supervision for State supervision to maintain peace and order.

The proposed amendments to this bill should be taken up separately and treated on their individual merits. In my opinion the tacking of many highly controversial amendments to a bill having general approval is not the proper way to legislate. It is bad procedure and makes for confusion and dissatisfaction with our work.

There is ample existing laws to meet any emergency in the field of labor unrest. Labor is strongly opposed to the substitute bill reported by the Committee on Military Affairs. The President has not asked for it and as far as I can learn it is unacceptable to the thinking Members of this House.

I hope the rule and the bill in its present form will be defeated.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Speaker, I can add just a few words to what my colleague the gentleman from New York [Mr. MARTIN J. KENNEDY] said. I believe this is a step in the wrong direction. Such far-reaching proposals should be considered more carefully, which was not done in the case of this bill.

The history of this bill begins in the Senate, where in its first form it was tacked on to the Selective Service Act without hearings and without advance notice. From there it went to this House, where the Military Affairs Committee added further severe clauses, and passed it by unanimous vote—again without public hearings.

To begin with, this bill destroys the right to strike, by the process of allowing the President to seize and operate any plant where a strike, no matter what the cause, may take place. In addition, this bill allows the President to designate those employees who may be refused employment in a seized plant, to deprive them of their rights under the Wagner Act, and to set up a national blacklist. Furthermore, the Connally-May bill imposes a drastic criminal penalty on strikers who may be convicted of using threats to keep strike-breakers from entering a struck plant. In the eyes of a court unfriendly to strikers or to organized labor this penalty—5 years in prison and a $5,000 fine—could be assessed against almost any worker engaged in picketing—which is also a fundamental American right.

If this bill is passed it will seriously curtail the rights of millions of American men and women who must work for their living. It will seriously invade, and even destroy, their constitutional right to assemble, to speak freely, and to petition for the redress of grievances. This bill affects adversely the lives of millions of workingmen and women. It takes away the cherished rights that have made this country a democracy. The entire organized labor movement is fighting it.

Congress is elected by the men and women this bill will affect. Congress will be false to its trust if this bill is enacted into law, for it will be saying to them "You cannot organize to better your conditions and the living standards of your families. You must submit all your grievances to compulsory arbitration. You must forget that collective bargaining was once the law of the land. You must not strike, no matter what the provocation. You must not picket, though this right has been upheld to you by the highest court in the Nation. You must blindly, unquestionably accept whatever wages and living conditions your employers choose to hand out to you. If you question these edicts, the armed forces of the United States will be used against you."

As the elected Representative of the people of my community, I refuse to lend my vote and my name to dictation of this nature. I take my position with the millions of American workers, organized and unorganized, with the millions of fair-minded citizens in all walks of life who demand that labor's basic rights to organize, to bargain collectively, to assemble, and to petition for the redress of grievances be retained.

We are in a period of great national emergency. We are preparing to meet the threat to our freedom as rapidly and as effectively as we can. To rob the major portion of our own people of the very freedom we seek to protect is more than short-sighted—it is a surrender to dictatorship in itself.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, this is one of the most important measures, I believe, that has come before the Congress at this session. It affects the lives and the future of millions of young men who are subject to the draft. It affects the lives and the future of millions of Americans who now, fortunately, have the opportunity of working, something which they did not have for many years.

Personally, I think the Military Affairs Committee should have brought in two separate measures. I think they should have brought in one measure relative to the age of draftees and another with respect to the matter of handling strikes.

The gentleman from New York [Mr. MARTIN J. KENNEDY] mentioned that under this bill men engaged in labor cannot strike. I have been advised contrary to that view. Personally I believe in collective bargaining. I also believe men should have the right to strike. No one should be forced to work against their will—neither should men be forced to remain idle against their will.

I am going to support the May bill because I have made a promise to many of my constituents, as have most Members of the House, that I stand for a lowering of the age limit of draftees from 36 to 28 years. I fear if I should vote against this May bill I would not have the opportunity of voting to reduce that age limit, and in order to keep the promise which I have made, and which unquestionably most of the Members of this House have made, I am going to vote for this resolution, and I would ask those of you who have made that promise with respect to lowering the draft age how you can go before your people if you vote against this measure and then try to explain the proposition to them.

Mr. SWEENEY. Mr. Speaker, will the gentleman yield there?

Mr. ALLEN of Illinois. I yield.

Mr. SWEENEY. I think I can explain that by bringing in a separate bill to deal with the military situation and not tie it up with labor, and if this Congress has courage, it will do that.

Mr. ALLEN of Illinois. I might also add, Mr. Speaker, the Military Affairs Committee unanimously reported this bill, as stated before the Rules Committee, and there was very little criticism of it at that time.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. MARCANTONIO. Cannot the problem be solved by voting down the rule and then coming in here with a bill regarding the lowering of the draft age and another bill with regard to the strike situation?

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. MICHENER. Cannot the problem be solved by bringing the whole matter before the House as provided in this rule and then, if a majority of the House so votes, strike out the labor provision—the rule permits the House to register its will. We can have a square, clean-cut vote on the draft provision as well as the labor provisions of the bill. So when you vote against this rule you are voting against the draft provision.

Mr. ALLEN. That is correct.

Mr. MAY Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the distinguished and able chairman of the Military Affairs Committee.

Mr. MAY. The gentleman, of course, understands that the bill that is presented here is simply to amend section 9 and section 5 (e) of the Selective Training and Service Act. In addition to that, it was shown by the Under Secretary of War that he preferred that it be taken up in this way because the Senate had already acted on such a measure and sent over amendments to both of these sections, and the Military Affairs Committee, in order to expedite the matter, put in amendments on both the subject of deferment of men and also the labor question.

Mr. ALLEN of Illinois. I thank the gentleman.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman.

Mr. REED of New York. I agree heartily with what the gentleman has had to say with regard to voting against the provision with respect to the draftees. On the other hand, I have always felt it was not the part of wisdom under our form of government to enact drastic and coercive measures against any large segment of the population. I think when we begin to coerce a large segment of the population of the country we are starting on a totalitarian regime, and it is just an entering wedge. So I agree with the gentleman that the bill should be divided to give us an opportunity to keep our promise to the people.

Mr. ALLEN of Illinois. I think this will limit coercion.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Does not the whole thing simply add up to this? When we take up the actual consideration of this bill we will consider what has been called section 5 by itself, and when we come to the consideration of section 2 at the top of page 5, a motion to strike out would bring the matter directly before the House, and if that motion prevails then that proposition is separated from the provision with respect to the 28-year provision, and the provisions with respect to labor go out of the bill.

Mr. ALLEN of Illinois. I thank the gentleman for his contribution.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I wish to ask the gentleman about the language in the bill in lines 17 to 24, on page 5, and lines 1 to 9, on page 6. As I understand this language of the bill, it does not in any way prohibit any man working in a factory from striking or prohibit any union from striking, but the bill, as I understand it, simply further authorizes the President to use the Army in defending Mr. A, B, or C, who voluntarily returns to work where a stoppage has occurred. Is not that the gentleman's understanding of the bill?

Mr. ALLEN of Illinois. It is.

Mr. CRAWFORD. Does not the President have the power to do that at this very time, as illustrated in the California strikes?

Mr. ALLEN of Illinois. I think the gentleman is absolutely correct. I believe this bill is more limited in what it provides than what the President did in California. My opinion is that he went ahead there without any legislation, and men who were working in that plant did not know whether they were working for the Government or whether they would receive their pay or who from or anything else. This would simplify that, and it makes clear to labor and to labor leaders and to Members of Congress at least how far the Government can go in regard to handling strikes. Also, Mr. Speaker, I do not believe labor has anything to fear because of this. If I were a labor leader, knowing that men who have been out of employment for some time and who want to go to work could go in to work under certain limited regulations I do not think that under such circumstances they would have anything to fear, and I say in conclusion that while we are sending these drafted boys all over the country and sending troops to Iceland, why should not everyone be a patriot in this time of crisis? The great majority of labor are honest, dependable, and patriotic. I do not believe they have reason to fear this bill.

The SPEAKER pro tempore (Mr. BEAM). The gentleman from Illinois has consumed 9 minutes.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and to proceed out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, yesterday President Roosevelt threw off the mask of hypocrisy, national defense, behind which he has been hiding for so long and disclosed himself as a foe of constitutional government and an advocate of an offensive war and of another American expeditionary force.

He knows, for he has many times said, that democracy, as he terms it, cannot exist unless the will of the people be supreme.

He knows that our forefathers established here in America a republic with equality, liberty, and freedom guaranteed by a constitution.

For long, by words, he has posed as the champion of the people, of a constitutional government. Of late he expressed his desire and his determination to carry the four freedoms—freedom of speech and expression, freedom of every person to worship God in his own way, freedom from want, and freedom from fear to all the world; but here in America he has betrayed our people, for he has denied to them the form of government, the rights guaranteed by the Constitution, and which he has three times taken a solemn oath that he would with God's help uphold and defend.

Franklin D. Roosevelt knows that he has no authority to declare war. He knows that he has no authority to make war. He knows that the power to declare and to make war rests solely in the hands of the people's representatives—the Congress.

Mr. PATRICK. Mr. Speaker, will the gentleman yield;

Mr. HOFFMAN. I decline to yield.

Mr. PATRICK. Mr. Speaker, will the gentleman from Michigan yield to me?

Mr. HOFFMAN. Mr. Speaker, I decline to yield to the potato peeler from the White House. Nevertheless, on yesterday he announced that in order to defend this country, he claimed, he had, and he would exercise, the right to send our Army and Navy, our soldiers and our sailors to fight at any point in the world—wherever he might deem that course would be necessary to our national defense.

Franklin D. Roosevelt has violated his solemn promise repeatedly made that he would not send your boys into a foreign war.

Talking all the time about national defense, he has surreptitiously been preparing for and is now carrying on an offensive war.

Congress not having declared war, by sending our soldiers to foreign soil, our sailors to attack another nation, with which we are not at war, on the high seas, he has shown his utter disregard for his oath of office, for the Constitution of his country, and his contempt for the will of the people. He is using the same degree of authority, which he so bitterly condemns, when used by Hitler.

Mr. PATRICK. Mr. Speaker, will the gentleman yield to me?

The SPEAKER pro tempore. Does the gentleman from Michigan yield to the gentleman from Alabama?

Mr. HOFFMAN. Mr. Speaker, I stated a moment ago—and I think the gentleman heard me—that I decline to yield, and I wish he would not interrupt me.

The SPEAKER pro tempore. The gentleman from Michigan declines to yield.

Mr. HOFFMAN. Mr. Speaker, Franklin D. Roosevelt was elected by some 27,000,000 Americans who had faith in him; who evidently believed in his honesty; who thought him to be a loyal, patriotic citizen. He won their confidence, and I challenge him now to test that confidence by calling a special election throughout the Nation and to give the people, his fellow citizens—those whom he claims have confidence in him—the opportunity to say, before we become hopelessly involved in this war of his making, whether they still have faith in him; whether they are willing longer to trust their destiny in his hands,

Congress is in session. It can provide by a simple resolution for a poll of the Nation—a straw vote, if you wish to term it that—so that the will of the people may be ascertained and prevail.

If on such a test our people—shown by all polls to be overwhelmingly against war—now approve of sending an expeditionary force across the sea, as the President is already doing, of our Navy attacking ships of another navy wherever found, then those who oppose such a course will, because of their loyalty and their patriotism, join with him and make whatever sacrifices may be necessary to successfully carry on such a war.

Let me repeat—the President has violated his promises; he has violated his oath of office; he has violated the provisions of the Constitution; he has betrayed the people. He is, as a dictator, making war; and if he is sincere, if he is patriotic, if he believes in loyalty to the Constitution, if he has faith in his own honesty of purpose, he will not hesitate for one moment to accept the challenge to submit the issue for a decision by the people.

Mr. SMITH of Virginia. Mr. Speaker, I yield 10 minutes to the chairman of the Committee on Rules the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, the statements and accusations of the gentleman from Michigan [Mr. HOFFMAN] are unfair, unjust, and unwarranted. The country, I know recognizes and appreciates the great service that Franklin D. Roosevelt has rendered the Nation, and I honestly believe if the proposition of the gentleman from Michigan should be carried out and a special election held, President Roosevelt would receive a still greater majority of the American people than he did even in the preceding election.

Now, as to the rule: I agree with my colleague, the gentleman from Illinois [Mr. ALLEN] and all of the others who have interrogated him, that there should have been a separate bill brought in, and for that reason and for other reasons which I shall give I feel that the House should vote down this rule.

I ask that I be permitted in an orderly way to state the reasons why this action should be taken. The rule is most unusual and is not of my making. It makes in order a bill with a misleading title, and the report accompanying the bill has failed to comply with the Ramseyer Act. The title of the bill reads as follows:

To authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940.

If the bill confined itself to that sole purpose, I know that every Member would support it, because it reduces the age limit from 25 years to 28 years, which I favor, and we all would favor such a bill if it should be brought in.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I cannot yield now. Such a bill can be passed in 15 minutes in the House, because everyone who has taken the floor so far is in favor of such a bill, and that is what this bill should have done, and nothing more.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Not at this time.

For some unknown reason, nothing in the title indicates that it contains the most drastic and unwarranted labor provisions which, unfortunately, have been advocated by a small group of Members. To my mind, it is a more drastic bill, if that is possible, than the so-called Vinson antistrike bill, which has been labeled a "labor-baiting bill."

I regret that the Committee on Military Affairs has permitted itself to be imposed upon by a few gentlemen who, unfortunately, at various times of late have been trying to force down the throat of Congress most unfair anti-labor-organization legislation that would be most detrimental to national defense, and which, if enacted, would emulate the actions of the royalists and the reactionaries of France under the leadership of Daladier and Laval, which caused general discord and resentment on the part of labor, and which to a great extent brought about the downfall of that unfortunate country.

These very gentlemen will claim that this bill merely approves the action taken by the President in the North American Aviation Co. strike in California. Consequently, if he had the power in that case, this legislation is not necessary.

The gentlemen who are trying to force this legislation will also point to the delay in our national-defense program. Personally, I feel that with many of them, or at least some of them, their utmost aims are to destroy organized labor and to eliminate collective bargaining and the closed shop.

They will further point to the provision in the bill and say that it does not restrict strikes, but this provision is meaningless because there are provisions in the bill which make it a felony to stop work and provides a penalty of $5,000 and a sentence of 5 years, or both.

The House on several occasions, by a tremendous majority, has gone on record against the same or similar provisions which are contained in this bill, but the proponents still persist, hoping to catch the Members napping.

Mr. Speaker, having the interest of my country at heart, I was opposed to the granting of this rule, because if it passed and the bill was made in order for consideration it would unnecessarily tend to place the Members in an embarrassing position by forcing them to vote on many ridiculous amendments which would be and could be offered.

In that connection, may I ask the chairman of the Committee on Military Affairs, Who are the proponents of this uncalled-for and unwarranted proposal; who seek and urge this legislation?

Mr. Speaker, I feel that the President, the Secretary of War, the Secretary of the Navy, Mr. Knudsen, Director General of the Office of Production Management, the United States Chamber of Commerce, and the National Manufacturers Association do not seek the passage of this legislation. On the contrary, they are fearful that the proposed legislation, instead of aiding, might hinder and delay our national-defense program.

The proponents of this legislation feel that we must protect the several millions of our boys in the armed forces, but they fail to state that a great majority of these boys are the sons of or are themselves members of organized labor. I venture to say that in the event we are involved, which I hope the President will succeed in avoiding, it will be found that only a few of the sons of industrialists will be in actual service, and most of them will be reposing as aides in officers' offices. I feel that the most resourceful Nazi, Fascist, Communist, pacifist, or appeaser could not devise a shrewder scheme to create discord in our midst than the advocates of this bill.

As I have stated on this floor many times, and as I have expressed to the labor leaders of this country in no uncertain terms, there is no justification for strikes at this time. However, the gentlemen who are clamoring for this legislation state they do so because they are interested in preventing strikes and assaults upon strikebreakers. They criticize the strikes and attacks upon strikebreakers by strikers and attempt to make the country believe that the strikes are caused by jurisdictional strife in the unions and by unreasonable demands on the part of labor.

Mr. Speaker, I charge they do not place the responsibility for these strikes in 9 out of 10 cases where it properly belongs, namely, to the few corporations that have willfully refused and ignored the laws we have passed which require collective bargaining.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. SABATH. Such as the Bethlehem Steel Co., the International Harvester Co., the Ford Co., and the Allis-Chalmers Co., and a number of other companies.

To create prejudice against organized labor, the gentleman from Michigan distributed photographs on the floor of the House, which I believe were nicely prepared. That was done to create prejudice in the minds of the membership. Personally I want to make it clear that I am against force and violence, but an unbiased investigation will show that most of the violence is done by certain corporations through their hired sluggers and strikebreakers, as has been proven in the case of the Republic Steel Co. and in other cases where many innocent wage earners were killed and maimed.

Now, have the gentlemen advocating this legislation called attention to or attacked the recent farmers' milk strike in New England, whereby milk was prevented from being delivered to the children of New York and whereby officers of the law have been murdered? Not a word about that, nor do they call attention to the increasing profits of corporations which have doubled and trebled in the last 2 and 3 years. Have they increased the wages of the men who have made these profits possible? No. Have they given their employees a decent and livable wage to support themselves and their families? No. I say that if these corporations have increased their profits, then labor is justly entitled to a fair wage and the corporations should not be allowed to "hog" these tremendous profits

for the benefit of their highly paid executives who receive from $50,000 to $500,000 annually as salaries and for their affluent and rich stockholders in the way of increased dividends.

Mr. Speaker, I call the attention of the House to the fact that England has not passed any antistrike legislation. That country has met labor on fair and equal ground and today they have labor's 100-percent cooperation. They saw and realized the result of labor agitation in France that caused real delay in defense preparation. It was a contributing factor, together with the disturbing propaganda of subversive elements that preyed on labor and in other ways demoralized conditions, that brought about the downfall of that country. I appeal to the membership of this House to defeat the rule for the consideration of this bill. I charge it is unnecessary legislation. I ask for unity and that we have faith in our National Mediation Board that has so effectively cooperated in bringing about adjustment of differences between capital and labor. Let us be fair to labor that is cooperating and will continue to cooperate in our national-defense program.

Mr. Speaker, every American who has the interest of our country at heart, and that applies to labor as well as capital, should lay aside the attaining of self-benefits and should do nothing that might be a comfort and an aid to the enemies of democratic form of government.

In conclusion, Mr. Speaker, I repeat, this rule should be defeated. Let us bring in a bill, without these restrictive labor provisions, that will provide for reducing the draft-age limit from 35 to 28 years. Without question it will pass within 15 minutes. [Applause.]

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Speaker, I yield 8 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Speaker, is not this leadership in the time of our country's stress. How ashamed and humiliated the people of the country must be.

The opposition to the labor provision of this bill is the sorriest exhibition of feather legs and soft feet that I ever witnessed. I have wondered and I am now wondering when, if ever, men in public life will put their country's good above their own selfish political welfare. Gentlemen will conjure up every imaginable sort of excuse for opposing this bill, but the real reason for their deep and anxious concern is labor's opposition to the measure.

Labor insists that it must continue to strike until industrial democracy has become an accomplished fact. Tell me, Mr. Speaker, what is industrial democracy? Is it industrial democracy to strike against the young boys drafted into the Army to soldier for their country? Is the seizing and holding of plants for causes over which ownership and management have absolutely no control industrial democracy? Is the striking against the Government, against national defense, against America? Is the confiscation of private property mutiny? and sabotage industrial democracy? Tell me, what is industrial democracy? Is the sale of permits to work on defense jobs at prices running in some instances as high as $1,500 industrial democracy? And what would you call treason and anarchy?

Mr. Speaker, a short while ago I was on a visit back home. On the way to my office one morning I saw a little group assembled at the railway station. I stopped and engaged in conversation with some whom I knew. I learned that the draft board of my county had been busy. Some of the boys of the neighborhood were being sent away. In the group I saw a little country woman, her hair done in a knot on top of her head, just as I had seen my mother do hers, long, long years ago. She was holding a big wholesome looking boy by the hand. I approached her and asked her: "Is this your fine son?" She said, "Yes, this is Jim. He is all I have. His father was in the last war but died when Jim was a baby." She said, "They tell me that a Mr. Hitler is making war against all the world and that Mr. Roosevelt needs the boys to help defend our country and I am sending Jim. He is glad he is going and I am glad for him to go." About that time the train rolled up and the boys got on. Before she parted with Jim she pulled him down and kissed him and said: "Jim, don't forget to pray; and, remember, son, mother will be praying for you." As the train rolled away and I saw that little woman watching as it departed, the tears began to roll down her cheeks, and there came to my lips the prayer, or oath, just as you would have it: "Please, God, damn the man who would strike against Jim and the cause for which he goes to prepare to serve, and maybe to fight and die, and against the love, the pride, and the patriotism of his mother and all their kind, for they are the best that America has to offer."

Mr. Speaker, I am for this bill. I am for it because of all of the "Jims" we are sending to the Army, and their mothers and loved ones left behind. I am for it because it is for my country's good. We ought to pass it, and I hope the membership of this House in the consciousness of their individual responsibility will be able to shake themselves free of this political terror that has descended upon them, and meet the issue as brave, patriotic, honest men.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman yields back one-half minute.

Mr. ALLEN of Illinois. Mr. Speaker, I yield one-half minute to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, this bill S. 1524, now before the House, contains two separate and distinct questions.

First, shall men be deferred from training and service who have on the 1st of July this year and on the 1st of July of any subsequent year attained their twenty-eighth anniversary of the day of their birth? I am satisfied that there is very little if any opposition to that provision. We all believe that this is a proper, sound, and wise amendment to the Selective Service Act. If this were the only provision in the bill, I am satisfied that the vote would be unanimous in favor of it, but such is not the case.

Sections 2 and 3 contain amendments which are wholly outside the subject of military training.

These two sections refer entirely to labor questions, and in my opinion have no place in a military bill. They are subjects wholly and distinctly apart from each other. But, under the rule by which this legislation comes before the House, the two questions are not separated. The vote must be for both or against both, unless amended.

I am in favor and would support the provision to defer men who have arrived at their twenty-eighth birthday.

I am unwilling, however, to support and vote for the amendments proposed in sections 2 and 3 of the bill which deals with strikes and labor questions. A vast majority of American labor is as loyal as any other group of our people. They desire and are eager to do their part in the Nation's effort to defend itself. That there are now and there have been subversive elements in organized labor cannot be denied. They are also present in other segments of our population, although not so well known. The vast majority of American labor, organized and unorganized, is loyal and patriotic to the Nation; it, of its own accord, is conscious of its responsibility to weed out and control the dangerous elements in its own group, and I am satisfied that an honest and sincere effort is now in progress on the part of labor to do so.

Sections 2 and 3 of this bill simply add to the vast and sweeping powers now held by the President over the lives and destiny of our people. He has been granted and now holds more power than any other President of the United States in peacetime or war. In my judgment the provisions of this bill relating to strikes and labor are not needed and are not necessary. The two questions should be divided.

For the reasons stated, I cannot support this bill in its present form and shall vote against it.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, it is my opinion that no single act of the President of the United States during this session of Congress has so reassured the country and done as much general good in the administration of the defense program as his action in the North American plant in California. The amendments to section 9 of the Selective Service Act, which are before us here for consideration, merely uphold his hand in that action, merely strengthen the power of his own Mediation Board which he set up, but withholds from him the right to entirely take over any plant, and, therefore, leaves labor in the position it wishes to be left in, so that the provisions of no labor acts now law may be washed out or removed. It has nothing to do with labor's right to strike; it safeguards for labor all provisions in that respect, but it does give the President certain powers to keep the defense program moving.

Section 2 of the bill amends section 9 of the Selective Training and Service Act of 1940 on the subject of industrial production and the use of industrial plants and facilities by providing that the refusal of any employer connected with any labor dispute, of whatever character, to utilize existing Government conciliation

and mediation facilities in an effort to settle such dispute, shall constitute and be construed as a refusal to cooperate with the rearmament program under the original section 9 of the Selective Training and Service Act of 1940.

Following section 2 of the bill, your committee inserted two new sections, known as sections 9a and 9b. Section 9a authorizes the President, in the event of a stoppage of production, through subversive influences or otherwise, which does not constitute a refusal under section 2 hereof, if he finds it in the public interest, to order any plant or industry which has been shut down or obstructed to resume production immediately and gives him the right and power to police the plant, through the heads of the War and Navy Departments, and to enforce his order to resume production, and at the same time afford protection to all persons engaged in the operation of such plant or industry who voluntarily desire to work in such plant or industry. However, the authority thus granted to the President to order resumption of production by plant or industry is limited to the time during which a national emergency exists or in time of war.

It is further provided in that section that the authority of the President shall not in any case be construed to authorize him to seize or operate any plant or industry or to give the employees, including management, in such plant or industry the status of Government employees.

Section 9a contains a further provision which your committee deem of vital importance, viz, it prohibits the allowance to any person who is separated from, or refused employment in, any such plant, by reason of the order or action by the President, to be allowed or claim compensation or wages against the employer for time lost. It was the intention of your committee that this provision should operate against those employees, regardless of their relation or position in such industry, who willfully and deliberately obstruct and interfere with production as well as the right of those who wish to work. In short, the committee do not believe that one who commits a wrong should be permitted to take advantage of his own wrongful act and at the same time be paid for loss of work during such time.

Section 9b relates to and protects those employees in any industry or plant who wish to work and makes it unlawful to prevent them from working, either by threats, force, or violence, and at the same time recognizes the right of any person or organization to strike or to engage in peaceful picketing. It then defines what is meant by the phrase "defense plant," and denounces any violation of the provisions of the section as sabotage, and provides a penalty of a fine of not more than $5,000 or imprisonment of not more than 5 years or both.

Your committee has had a difficult task, but has endeavored, without prejudice or favor or fear, to do its whole duty, to the country, to our national-defense establishment, and to the people as a whole, and we thus present this bill in the honest belief and hope that the Congress will speedily enact it into law.

This bill emanates from the administration through the War Department to the Military Affairs Committee; and while there may be some opposition by minority groups, if there is one bill that will pass the Congress in this session that will give a great majority of the people confidence in this crisis it is the amendment to the Selective Service Act in section 9 which upholds the President's hand in what he does.

I want to see this rule passed. I want to see the bill passed. I want to see it go to the President's desk for his approval.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, may I inquire how the time stands?

The SPEAKER pro tempore. The gentleman from Illinois has 11½ minutes remaining; the gentleman from Virginia 9.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 8 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I think this rule should be adopted so we can consider this bill and act on it. With some parts of it I am very much in accord. With others I am not. I have served here some little time, and it has been my observation that it is not very often that we get a bill that has only one single proposition in it. If there is any part of this bill that should be stricken out or that needs clarification, it is within the power of the House, acting in the Committee of the Whole, to make such changes as are deemed desirable and necessary.

This bill is of different parts. The first part has to do with reduction to the age of 28 of young men to be taken into the Army. One of the reasons why I opposed the Selective Service Act originally was that I thought the upper age limit was too high. Experience has borne out that view. Clearly that part of the bill should be adopted.

Section 2 of this bill proposes to amend section 9 of the original act. I have heard it contended in some places that that particular section grants a tremendously increased authority to the Government to seize plants. As a matter of fact, it only provides that where an employer involved in a labor dispute refuses to use the conciliation and mediation services of the Government, such refusal shall be construed under the act as a refusal to cooperate. Personally, I think that employers should use those mediation and conciliation services where they are available and if they refuse to avail themselves of the right to use these services they should be answerable under the provisions of the act.

In reference to the so-called labor provisions of the act, this just represents another effort to deal with the problem that has recently become acute, the problem of stoppages in defense industries. It has caused great concern all over the country. You have felt it and I have felt it. As has happened with all of the suggestions that have been made, these proposals have encountered opposition.

My stand in respect to the fundamental rights of labor are well known. I stand for collective bargaining and the right of employees to organize. I stand for the right of labor to strike, and no person in his right mind would stand up and contend that we ought to have forced labor, that we ought to enslave labor and I would not be for any bill that would do that.

Mr. Speaker, beyond all that this is just another manifestation of an over-all general problem involving the proper relationship of Government to labor relations in industry generally, an over-all problem that should have received the attention of the administration and the Congress ere this. As a matter of fact, the House did give some attention to that over-all problem in the last Congress when it adopted some amendments to the so-called Wagner Act. The democratic process was not completed in the other body and they were never adopted.

The necessity at the moment is emphasized by the fact that we are making strenuous efforts to arm ourselves for national defense. However, I still believe that a clarification of our labor policies generally, the labor policies of the Government, would do as much or more to clear up the difficulties that we have had as would be accomplished by any action. Failure of the administration and those responsible for affirmative action to clarify the labor policies and actions of the Government is to be lamented by everybody. And such action should even now be taken. It is indeed regretable that in these critical times troops should be necessary in any industrial or labor difficulty.

There are certain parts of this bill that have to do with violence in labor disputes. There is no one who will stand in his place and condone willful violence in connection with labor disputes and the unlawful destruction and seizure of property. Yet an agency of the Government has been condoning violence; yes, putting a premium on violence, and so far the Congress has done nothing about it.

Mr. Speaker, at this point I ask unanimous consent to revise and extend my own remarks and to include a short editorial recently appearing in the Washington News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HALLECK. Mr. Speaker, the editorial is as follows:

A PREMIUM UPON VIOLENCE

In 1939 there was a strike, accompanied by violence, at a meat-packing plant in Camden, N. J. Nonstrikers were beaten and rocks and sticks were hurled. After the dispute was settled the National Labor Relations Board ordered the company to reinstate all of the 185 employees involved. The company did not rehire 50 of the strikers, and the N. L. R. B. held it guilty of an unfair labor practice.

Now, the three-man United States Circuit Court of Appeals at Chicago has overruled the Labor Board, asserting that employees who commit unlawful acts during a strike automatically lose their rights under the Wagner Act. The opinion, by Judge J. Earl Major, conceded the right of workers to strike "for good cause, or for no cause," but insisted that the strike must be conducted in a lawful manner.

When a strike is lawfully conducted, it continued, the striker retains his status as an employee and is protected by the Wagner Act. But resort to violence forfeits the striker's protection and leaves the employer free

to refuse to rehire him, and to hire someone else in his place.

"The Board's conclusion (that all strikers must be rehired despite unprovoked violence during the dispute) places a premium upon violence and unlawful conduct attending the strike," the court held.

That is sound and sensible doctrine. Unfortunately, there is no assurance that the Supreme Court will agree to it. The Wagner Act, as interpreted and administered by the Labor Board, has encouraged irresponsible and illegal conduct by union leaders and members. This is the result of punishing employers—as employers should be punished if they break the law—but refuse even to recognize that labor also can be guilty of unlawful conduct.

The law should protect labor only when labor is honest and law-abiding. The permanent, certain way to accomplish that is by revision of the Wagner Act, making its intent so plain that the enforcing bureau cannot warp it to shield unlawful practices by labor. And that is a job for Congress.

Mr. Speaker, I would like to take a little time to talk about this bill if I may.

Section 3 adds two sections to the Selective Service Act, sections 9 (a) and 9 (b).

Section 9 (a) provides that where there is a stoppage in a defense industry by reason of subversive action or otherwise the President, if he thinks it necessary to the public welfare, may order that plant to resume production, may use the Army and the Navy to enforce that order and to protect the employees who want to go back into that plant to work. At the time I first saw this language I questioned it, and I think it should be clarified. An amendment should be adopted by the House clarifying this section for the reason that the language has been criticized, because, it is said, it provides for forced labor and enslaved labor, and if you look at it from one standpoint in interpreting it, if the President can order a plant to resume production and can use the Army and Navy to enforce that order, it might be urged with some force that he could use the Army and Navy to force men to work whether they wanted to or not. No one is for bayonets to break legitimate strikes or to enslave labor. But if they are necessary to restrain subversive and dangerously unlawful practices, then the President should have the unquestioned power to act. His is the responsibility.

I do not want involuntary servitude, or anything like it, and I would not be for that sort of legislation at all. But I am for the President having the discretionary authority during the emergency or in time of war in the public welfare to use the Army and the Navy to maintain law and order in the defense industries where there has been a break-down of law and order by reason of the inability of local police officers to control the situation, with the attendant stoppage of defense production. Who is there that can contend against that? That is just what the President did in the North American case. That is just what State Governors used to do with the State militia before it was inducted into the Federal service.

Should we permit in this country in this crisis a small minority of subversive employees, as they did in the North American plant in California, to use willful force and violence, and to engage in the unlawful destruction and seizure of property, to prevent the overwhelming majority of loyal workers from going into the plant and building the airplanes that this country so badly needs? It should be noted that this power is limited to the time of the emergency or to the time of war and is left entirely to the discretion of the President. I do not think it interferes with the right to strike. I am not for outlawing the right to strike. People in peacetimes ought to have the right to strike to better their conditions, if they want to better them, and think they should be bettered. But I am not for the use of willful violence and the unlawful destruction and seizure of property to sabotage the productive capacity of this country when that productive capacity is so badly needed.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. HALLECK. Mr. Speaker, there are two other paragraphs I would like to comment on. One of them provides that when the Government reopens one of these plants the employees in that plant shall not have the status of Government employees. They continue as the employees of the employer, and their rights as such continue. I think you are all for that. I do not want to play into the hands of the Communists, who would have the Government take over these plants and operate them under any pretext. I want them to be run by people who know how to run them. I do not want a bureaucrat standing alongside of every worker trying to tell him how to do his job.

There is one other provision. You remember in that North American strike the Army said to eight of those leaders who were classified as subversive: "You cannot come back to work in this plant."

Those leaders filed an action with the regional office of the Labor Board demanding their jobs back and back pay. I understand the Board has ruled they have no jurisdiction since the Army took over. Do you believe that when the Government steps into an employer's plant and says to certain men, "You are through; you cannot work in this plant," there ought to be any question about the liability of the employer to pay them for the time they are out of their employment because the Government said they could not longer work?

In criticism of this paragraph it has been urged that it would permit an employer to go ahead and discharge employees at will, and that thereupon their rights to reinstatement under the Labor Act would be destroyed. No one wants an employer to have such authority as that. Personally, I have been urging for some time that the Labor Act should be so amended as to take away from an employee who engages in willful violence and unlawful destruction and seizure of property in connection with a labor dispute the right to be reinstated by order of the Labor Board. But that proposition is not intended to be injected here, as I understand it. As I read this paragraph, it is sought only to protect an employer from a demand for back pay by an employee whose employment has terminated by direct action of the Government, acting through the President and the Army and Navy. And if that is the intention, then if the language on that score is not precise and definite, it should be and can be amended so that no other or different effect will result.

My time has practically expired, but I want to say just a word about the final paragraphs of this bill. Those are the provisions for criminal penalties. While my position against unrestrained and willful violence and unlawful destruction and seizure of property in connection with labor disputes is clear and well known, I am very fearful of the advisability of such drastic action as might be instituted under these paragraphs. The language used covers threats as well as acts. How effective or far reaching the enforcement of these paragraphs might be no one can tell. But one thing seems to me to be clear. Until the Congress is ready to say to an employer that he does not have to take back an employee who has resorted to willful violence, and thereby provides that deterrent to such unlawful action, it would seem a little farfetched to put the Government into the prosecuting to rather extreme penalties of those who engage in such unlawful conduct.

Mr. SMITH of Virginia. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. FLANNAGAN].

Mr. FLANNAGAN. Mr. Speaker, America, the land where the throes of colonial oppression gave birth to a nation of freedom, is today girding herself in the armor of Mars to protect that freedom from the ruthless hand of the dictators.

Among the freedoms that we cherish here in free America and are arming to protect are free enterprise and free labor. Will you, then, my colleagues, by your action today, take away from American enterprise and American labor, as this bill attempts to do, the very freedom we are striving to protect? If you do, then tell me this: Why arm to protect from the dictators that which we, as the representatives of the people, would destroy?

Let us face the real issue. I am afraid a great many Members have not grasped the significance of this bill. Not since the Continental Congress, after free debate, declared that the "United Colonies are, and of right ought to be, free and independent States" has the House been confronted with a greater issue. What is that issue? Let me answer in one word—freedom. Pass this bill and Hitler, without firing a shot, will have won a greater victory than Dunkirk, the fall of France, or the subjugation of Greece, because it will be the beginning of the collapse of the world's mightiest citadel of freedom—free America.

Our situation today is grave—the gravest that ever confronted our country. It calls for straight thinking and action along fundamental, well-established, democratic lines. We are not going to pull through if we lose our heads, and in a moment of madness or hysteria desert our democratic way and supplant freedom, reason, and cooperation with force, hysteria, and coercion. If we pull through, it will be in democratic harness. There is no other way, because Americans will work in no other harness. You need not think you can hitch American enterprise and American labor up to an army mule and drive them with an army bayonet. If

you try it, you will find that they will kick over the traces.

In this emergency what we need above everything else is unity—to unify our industrial forces, our laboring forces, and our agricultural forces, and all other forces into one mighty American force. To do this, forgetting race, creed, and class, and without force or compulsion, we have got to get together, pull together, work together, and stick together. Compulsion and force will never bring about a unification of our forces. And without unity—each segment of our population, freely and without compulsion, working and cooperating with the other—the outlook is gloomy, if not hopeless.

Let us face the facts in a commonsense way. We have embarked upon a gigantic program of national defense. We embarked upon this program to protect our freedom, our democracy. It is the greatest, the most ambitious program we ever embarked upon. As an incident to this huge national-defense program we embarked upon another program, that of giving all-out aid to Great Britain and the other democracies battling the dictators, and we embarked upon this second program, commonly known as the lend-lease program, upon the belief that in aiding those engaged in warfare against the dictators we were strengthening our own national defense and thus aiding ourselves. Both of these programs were adopted after full hearings, after free debate, in the regular American way. While there was some division over the lend-lease program, remember it was adopted in the American way and is now the American program. It matters not whether you were for it or against it, it is now your program, it is my program, it is the other fellow's program, and it is your duty, it is my duty, and it is the other fellow's duty to see that the program is carried out. That is the American way—divide and fight over the establishment of policies, but after they have been established, unite and fight to carry them out.

Now, the truth I am trying to convey to you is this: The program has been established in the American way, and the only way it can be successfully carried out is by following the American way of free enterprise and free labor.

Mr. Speaker, believing as I do, I cannot support those sections to S. 1524, commonly known as the Connally-May amendments to the Selective Training Service Act of 1940, that relate to employers and employees, because, in my opinion, they are destructive of our freedom, undemocratic, un-American, will generate strife instead of unity, and will slow down rather than speed up our defense program.

In considering the bill we should forget everything except our Americanism. Let us forget that we are prolabor, or proindustry, and only remember that we are pro-American. Now, what does this bill attempt to do? I am not going to analyze the bill, because, in my opinion, an analysis would serve no useful purpose. It is not the verbiage or phraseology of the bill to which I object, or this or that clause or phrase, but the vicious un-American principles that it would establish. Stripped of its involved and questionable phraseology, its recitals and ifs and ands, the bill in plain, understandable English authorizes the President to take over any plant or factory holding a defense order and run same by forced labor. It holds the Damocles sword over every industry in America holding a defense order and denies labor, as in incident to its bargaining power, the fundamental right to strike. In a fit of madness or war hysteria you are asked to substitute Government control for free enterprise and erase from the Constitution the thirteenth amendment, which prohibits involuntary servitude. And why are we asked to do these things? What excuse is being offered to motivate us to change the whole philosophy of our Government? Oh, on the assumption that there is such a conflict between capital and labor, that there are so many recalcitrant industries and so many ungovernable communistic labor organizations, that it is necessary to clothe the President with dictatorial powers in order for him to successfully carry forward our program of national defense. Did you ever hear of such a monstrous proposition? Hitlerize America in order to withstand being Hitlerized. Whose brain child is this monstrous proposal, any way? Certainly it did not emanate from the President. Has he ever communicated such a wish or desire to the Congress? Oh, no; not a word or syllable. Who then, jumped at the silly conclusion that our industrial labor relations are so chaotic that both industry and labor should be turned over to the Army for discipline?

Now, I challenge the conclusion arrived at by the sponsors of this bill that our industrial labor relations are in such a chaotic condition as to justify the Congress in enacting such drastic and far-reaching legislation.

Before arriving at conclusions with respect to our capital-labor situation, let us honestly and fearlessly look the situation right in the face, because there is no such thing as solving a problem unless you first understand the problem. As the present is but an outgrowth of what has gone before, as it is made up of the developments of the past, it is necessary that we have a clear picture in our minds of the past in order for us to understand the present. What is that picture? When I came to Congress some 10 years ago, what did I find? Oh, it is a sordid picture, but one we should review now and then if we are to understand the present. Rugged individualism—and it was and it had been pretty rugged when it came to labor—was still our national policy. Sweatshops, the mills that ground the ambition and vitality out of the young, and made widowhood, infirmity, and old age a nightmare to countless millions, dotted this land of liberty, freedom, and equality, like festering sores of smallpox. Down in the South where I hail from we were not only suffering from a low-wage complex, the lingering effects of bond labor, but were foolishly and insanely trying to capitalize on our outmoded labor system by holding out to the industrialist cheap labor and no unions as an inducement for removing his plant or factory South, as if we could ever industrialize the South and make it a decent place to live on pauper labor. Old-age pensions, unemployment insurance, aid to those suffering from physical handicaps or from whom cruel fate had taken the bread winner, the wage-and-hour laws, unfair labor practice laws, and collective bargaining were things we heard the "cranks" and "liberals," as we were wont to call those who entertained progressive and enlightened ideas, talk about, but, according to our rugged individualism, were things beyond the pale of duty of a free government to its citizens.

Then came the change. My colleagues, we have, whether you realize it or not, gone through a revolution. A peaceable revolution, thank God, but nevertheless a revolution as far reaching as if it had been brought about by bullets instead of brains. We revoluted back to fundamentals, to the teachings found in the Declaration of Independence, the Constitution, and the Holy Bible, epitomized in the truth that we are our brother's keeper. Without abolishing our system of free enterprise, we broadened and liberalized it so that not only the enterprise would be free but those who work for the enterprise would also be free.

We polished off some of the ruggedness in our rugged individualism, so that the ruggedness could not be used as a means of crushing, destroying, or preying upon the less rugged. These changes, as they affect labor, resulted in the abolition of the sweatshop, putting a ceiling over hours and a floor under wages, providing for sanitary and safe working conditions, providing against unfair labor practices, providing for unemployment compensation and assistance to the aged and infirm, and the right to organize and bargain collectively. Naturally these changes, fundamental in nature, brought about more or less friction during the period of readjustment. While capital as a whole showed a disposition to readjust itself to the new order, there were those among the industrialists who refused, or reluctantly agreed, to the policies adopted by the Congress to meet the demands of an enlightened public opinion. And while labor as a whole embraced its new freedom in a sane and sensible manner, there were those who let their enthusiasm carry them too far. This was but natural. Time has always been the oil required to take the creaks out of readjustments.

Then came the national emergency, and with it an urgent necessity for greater industrial production, and consequently a greater demand for labor. This in a way disrupted the slow and orderly process of adjustment and brought into the picture some ugly elements. Now, let us get the true picture, with respect to capital and labor, of what has happened since the advent of the national emergency. I want the public to have the whole picture. To begin with some of the industries went on a sit-down strike, the same kind of strike they had condemned, and rightly condemned, in labor, and their refusal to accept defense order until Congress granted them a 50-percent profit increase, free plants, and a tax-free profits law, held up the defense program for some 5 or 6 months,

and caused a greater delay in our defense program than all the strikes we have had put together. The general public knew very little about this because it was given very little publicity. Moreover, some of the industrialists tried to take advantage of the emergency as an excuse for their failure to recognize the bargaining rights of labor, thinking, no doubt, that they could get by with anything short of murder because they had a defense order. Then too, some of the industrialists, while demanding defense orders at a figure that would net an enormous profit, tried to hold on to all the profit, refusing to adjust their wage scales in line with the profits made. And, as strange as it may seem, certain of the daily press and labor baiters that cry to high heaven in the name of national defense whenever we have a strike, remained as silent as the tomb when these things were going on, which leads me to believe that some of them are not so much concerned about national defense as they are about kicking labor in the pants.

Now, on the other hand, labor is not wholly without fault. As was to be expected, labor, enjoying its new freedom, has been guilty of excesses. It acted foolishly—yes, insanely—in the sit-down strikes. To say the least, it acted unwisely in the jurisdictional strikes, which, in my opinion, cannot be defended. In charging unreasonable, in some cases unconscionable, membership fees, it converted a legitimate undertaking into more or less a racket, and in permitting Communists and others who preach subversive doctrines to work their serpentine way into some of their labor organizations it did more to alienate the good will of the general public than all of its other shortcomings put together.

Now, up to the present, in settling industrial labor disputes, we have been following the American way of voluntary labor procedures. Has it worked? What is the record up to the present? I am going to give you that record, because the American people are entitled to know the truth, and after you review it, I believe you will agree with me that it works. Here it is:

In the May 1941 Labor Review, gotten out by the United States Department of Labor, Bureau of Labor Statistics, page 1092, appears a table showing strikes in the United States, 1881 to 1940. A comparison of the strikes that occurred during the first World War and for a few years thereafter with the strikes during recent years, I believe, will clearly show the public that there is nothing alarming in our present situation. These figures cover all industries. Let me give you the figures:

Year	Number of—			Index (1935-39=100)			Percent of total workers involved in strikes
	Strikes	Workers involved	Man-days idle	Strikes	Workers involved	Man-days idle	
1916	3,789	1,599,917	(1)	132	142	----------	8.4
1917	4,450	1,227,254	(1)	155	109	----------	6.3
1918	3,353	1,239,989	(1)	117	110	----------	6.2
1919	3,630	4,160,348	(1)	127	370	----------	20.8
1920	3,411	1,463,054	(1)	119	130	----------	7.2
1921	2,385	1,099,247	(1)	83	98	----------	6.4
1922	1,112	1,612,562	(1)	39	143	----------	8.7
1935	2,014	1,117,213	15,456,337	70	99	91	5.2
1936	2,172	788,648	13,901,956	76	70	82	3.1
1937	4,740	1,860,621	28,424,857	166	165	168	7.2
1938	2,772	688,376	9,148,273	97	61	54	2.8
1939	2,613	1,170,902	17,812,219	91	104	105	4.7
1940	2,508	576,988	6,700,872	88	51	40	2.3

[1] No information.

From these figures it will be noted that strikes in 1940 involved 2.3 percent of total workers employed, while in the first year of the first World War the percentage ran 6.3 percent. It will be further observed that the figures show that in 1917 we had 4,450 strikes involving 1,222,254 workers, and in 1940 only 2,508 strikes involving 576,988 workers.

Reliable statisticians state that the available figures on 1940–41 strikes show, as to defense industries, this remarkable record: That the total time lost in defense industries through strikes amounts to less than one-half of 1 percent of the total time worked in defense industries. What do these figures mean? Why, they mean that in defense industries the present voluntary labor procedures, that is, through collective bargaining, the Conciliation Service and the Mediation Board, have been successful 99½ percent of the time. Truly a remarkable record.

Secretary Stimson recently issued a significant report on the $1,200,000,000 cantonment construction program of the War Department. The report shows that out of a total of 40,607,000 man-days worked, only 14,875 man-days were lost as a result of labor troubles. In terms of percentage this means that only three one-hundredths of 1 percent of the time was lost.

Let me give you a few more figures on strikes. The 1940 figures show that of the 2,508 strikes, an average of 230 workers were involved in each strike and that one-half of the strikes involved less than 50 workers each.

If you break down the statistics, you will find that in 1940 the causes bringing about strikes are as follows:

Cause	Number of strikes	Percent
All issues	2,493	100.0
Wages and hours	753	30.2
Union organizations	1,243	49.9
Jurisdictional disputes	77	3.1

Cause	Number of workers	Percent
All issues	573,364	100.0
Wages and hours	234,832	41.0
Union organizations	150,067	33.1
Jurisdictional disputes	8,087	1.4

Cause	Lost man-days	Percent
All issues	6,679,745	100.0
Wages and hours	3,092,929	46.3
Union organizations	2,727,448	40.8
Jurisdictional disputes	59,016	.9

Any realistic approach to the problem involves the causes bringing about the loss of man-days by strikes in production. What do the 1940 figures show? Only one-tenth of a day per worker was lost due to strikes. This compares with 5 days per worker lost through injuries and 8 days through sickness. Hence, you will see that the loss of man-days from injuries and sickness amounted to 130 times the man-days lost by reason of strikes.

There has been a great deal of talk as to what labor organizations were fomenting strikes. This only brings about more confusion, because internal labor dissension has certainly not worked in the interest of labor; but let the record for 1940 speak:

	Number	Percent
Strikes:		
Total	2,493	100.0
American Federation of Labor	1,541	61.9
Congress of Industrial Organizations	689	27.6
Workers involved:		
Total	573,364	100.0
American Federation of Labor	306,541	53.5
Congress of Industrial Organizations	222,858	38.9
Man-days lost:		
Total	6,679,745	100.0
American Federation of Labor	3,631,899	54.5
Congress of Industrial Organizations	2,668,149	39.9

Let us look a little further into the record before we take drastic action. What does the record further show? The figures of the Office of Production Management show, and these figures are in line with the figures cited above, that the greatest cause of defense strikes was the refusal of employers to grant collective-bargaining rights or maintain collective bargaining in good faith. Strikes in which collective bargaining and union recognition were the main issues accounted for 90 percent of the time lost in all important strikes. At least 75 percent of all time lost in defense strikes has been in four or five antiunion corporations. To name them would serve no useful purpose, because, I believe, the general public has them spotted. Another major contributing cause to strikes has been the wage scale. The enormous profits that many of the companies are making out of defense contracts have not been reflected in an increase in their wage scale. The aircraft industry whose profit has gone up from around 200 percent to around 1,300 percent still maintains a minimum wage of 50 cents an hour and an average wage of around 70 cents an hour. For instance, the North American Aviation Co., the strike in whose plant we all condemn, last year made a $7,000,000 profit on sales of around $37,000,000 dollars, which was a profit of $855 on each worker employed, still maintains a 50 cents an hour minimum wage. Let me show you how some of these profits, other than aviation profits, have increased. These figures

show the net profits for the first 3 months of 1940 and 1941, respectively.

Company	Net profits first 3 months 1941	Net profits first 3 months 1940	Per-cent change
American Telephone & Telegraph	$4,160,507	$1,134,611	267.0
Acme Steel	963,474	384,254	151.0
Allegheny Ludlum Steel Corporation	2,720,164	1,297,000	110.0
American Rolling Mill	3,599,241	1,005,194	259.4
Baldwin Locomotive	2,104,381	1,414,289	48.6
Crucible Steel	3,044,270	1,193,156	155.1
Colorado Fuel & Iron	1,141,756	564,927	102.0
Crosley Corporation	427,529	42,807	895.0
Superior Steel Corporation	228,364	84,009	172.0
United States Steel	36,559,995	17,113,995	113.5
Wheeling Steel	1,981,009	644,652	208.0
Yellow Truck	2,051,474	1,023,751	100.1

Is it unreasonable on the part of labor to ask that these profits be reflected in their wage scale? I know that public opinion will answer, "No."

Now, my colleagues, I have tried to give you, without bias or prejudice, the whole record; and, in view of the period of readjustment we have been going through, in the face of the record, do you not think that the American way of voluntary cooperation, rather than force and compulsion, is the proper procedure? Force and compulsion, the tools of the dictators, are the things we are spending billions of dollars to get rid of. It would be a tragedy if, in our effort to free others, we enslaved ourselves.

Oh, I know there is some house cleaning that needs to be done by both industry and labor. This house cleaning, however, if the house is to remain in order, must be done in the good old American way, voluntarily and not by force. Industry must realize that the days of rugged individualism are past, and see that its officials, down to the lowest foreman, are loyal, patriotic, decent, self-respecting Americans, in whom not only labor but the public in general will place confidence. It must not only observe the law giving labor the right to organize and bargain collectively but must maintain collective bargaining in good faith. It must observe and respect the other labor laws. It must show a better spirit of cooperation with labor. And it must give labor, in the way of an increase in its wage scale, a more equitable division of its profits. Labor must likewise see that its organizations, down to the smallest local union, are manned by loyal, patriotic, decent, self-respecting Americans, in whom not only the industrial leaders but the public in general will place confidence. It must get rid of sit-down and jurisdictional strikes, and see that exorbitant and unconscionable fees are not charged for membership. It must be fair and reasonable in its demands. And it must, in a bold and courageous manner, free itself from all subversive influences. There can be no quibbling or compromising when it comes to freeing their organizations of the enemies of American freedom. For labor to answer by saying it only took into its unions those who were working for the industries unionized, and that if it has in its unions Communists and Nazis, it inherited them from industry, while probably a good excuse for getting Communists and Nazis into its unions, is no excuse for keeping them in. Whenever one of these enemies of American freedom sticks his head up, labor should take his head off by expelling him from the union.

As I view the picture, I see strong signs pointing in the direction of this house cleaning. The action of Henry Ford and other great industrial leaders in at last recognizing labor's bargaining rights will do much to clear the atmosphere, and the voluntary raise of their wage scale by some of the industrialists is not only commendable but is creating a better feeling. The firm stand taken by the responsible labor leaders in the North American Aviation Co. case, and other cases where communistic influences were fermenting trouble, is a good sign, and another good omen is the stand taken by the responsible labor leaders in counseling their membership to refrain from all strikes that will interfere with national-defense production until the Conciliation Service and the Mediation Board have been given full opportunity to bring about a peaceful settlement. Mr. Chairman, the American way is not only at work but is working. We would, indeed, be foolish to do anything that will interfere with its processes. Public opinion—the greatest force in a democracy—is already in motion and will soon begin to crystallize. Ours should be the duty to see that that opinion is based upon facts and not hysteria because the experience of the past teaches that when the public has been in possession of the true facts its opinions have been not only just and righteous but have become the fixed policies of our Republic.

And so, my colleagues, while we see that neither the picture of capital nor labor is what it should be, "cracking down," as some of the labor baiters gleefully designate the provisions of the Connally-May bill, is not, in my opinion, the proper remedy. Oh, I know "cracking down" sounds warlike, and when we have, more or less, a warlike hysteria it is mighty easy to deceive ourselves into thinking it is the thing to do. But stop and think. It will not take much thinking, nor an unusual amount of common sense, to convince you that it is the wrong thing. The average American believes in fair play. Ninety-nine out of a hundred will treat you in about the same way you treat them. Yes; on the whole, they believe in the law and the prophets that "Whatsoever ye would that men should do to you, do ye even so to them," as long as there is mutuality of treatment, but no longer. We had as well realize that we have not grown in grace to the point where we turn the other cheek. Our spiritual development—and ours is the greatest to be found in the world—has not reached the cheek-turning point. As a people, we still have a tit-for-tat spirituality; slap me on the cheek and I will slap you on the cheek; "crack down" on me and I will "crack down" on you. So "cracking down" on industry and labor, as provided for in S. 1524, is not the remedy. It will only bring strife and ill-will, when what we need is unity and good will. We know what happened when England, during the first World War, made it a crime to strike. Why, on the day of the first conviction under the law thousands of Englishmen, although the war was at a most critical stage, went on a strike in protest. The English saw the error of their way and there were no more prosecutions. Daladier, when vested with dictatorial powers by the French, became hysterical and tried to outlaw strikes. Oh, you answer, he got rid of the strikes. Yes; he got rid of the strikes, but he paid a deadly price, for production bogged down, and France drove another nail in her national casket. My colleagues, no democracy ever has, or ever will, even in the case of an emergency, outlaw free enterprise and free labor and survive. Whenever a democracy reaches the point where it is necessary to run industry and work men at the point of a bayonet that democracy will perish, a victim of misguided judgment, pierced by its own bayonet.

The American way, in spite of the wild headlines that are daily flashed across some of our daily papers to the contrary, has held up, not only under recent legislation affecting capital and labor, but it has held up during the present emergency. Yes, the American system has worked, and worked in a way that is highly gratifying to all Americans who know the truth. Oh, I know we had an ugly situation at the plant of the North American Aviation Co., where a few communistic leaders defied not only the duly elected officials of their national organization but our National Government as well. The President wisely and courageously, and within constitutional bounds, met the situation in a manner befitting a great American leader, and not only the American people but the responsible labor leaders applauded that leadership. And even this dark cloud that appeared on our labor-industrial horizon turned out to have a silver lining. After the Government stepped in and corralled the handful of Communists that had engineered the trouble in an effort to sabotage our defense program, the employees gladly returned to work, clearly showing that there is nothing unpatriotic among the rank and file of labor. While I know that we still have a few ugly spots where, and there is no doubt about it, subversive influences are at work in an attempt to sabotage our defense program, we have no right to judge labor as a whole by those ugly spots, that are as ugly to 99 percent of labor as they are to 99 percent of our population, and indict the whole because of the acts of these few betrayers of labor. After 2,000 years I have never heard the Christian religion indicted because it had its Judas, nor have I heard the integrity or loyalty of Matthew, Mark, Luke, and John and the other apostles questioned because at one time, and in good faith, they fellowshipped Judas. The sensible thing to do is to get rid of the Judases. Of course, Judas of old relieved the disciples of this task by effectively removing himself from their company. And while I do not believe that any of these gutter rats that now infest a few of the labor unions will have the courage to remove themselves as effectively as did Judas, I do believe when the searchlight of public opinion is turned upon them that they

will take to cover, and if they do not that the responsible heads of our great labor organizations will take prompt and decisive action to bring about their removal.

Again I ask, What does the bill do? It is a bill of indictment containing two counts; the first count, which is found in section 2 of the bill, is an indictment against the whole of industry, and the second count, which is found in section 3 of the bill, is an indictment against the whole of labor. You who are so critical of labor and jealous of industry, remember, this bill indicts both. Edmund Burke, in his great speech on conciliation of America, said:

> I do not know the method of drawing up an indictment against a whole people.

And so I say I do not know the method of drawing up an indictment against the whole of industry or the whole of labor. Will you indict the whole of industry because occasionally you find a Weir; or the whole of labor because occasionally you find a Bridges? Will you, while trying to preserve freedom abroad, do that which might destroy freedom at home? Ah, my colleagues, you and I realize in our sober moments, as does every American, that at least 99 percent of labor and an equal percent of our industrialists are red-blooded, patriotic, loyal, God-fearing Americans. Then why indict the whole because of the acts of a few? Would it not be better to devote our thought and attention in bringing about a better understanding between industry and labor, endeavoring to get each to respect the rights of the other, and urging them to use the council table in the settlement of their disputes?

Mr. Speaker, the American workingmen and industrialists alike realize the seriousness of our situation. They are as patriotic as any segments of our population. And, be not deceived, they will acquit themselves in this emergency, like they have in every past emergency, like true Americans. Do not, I beseech thee, in an hour of madness take away from them by the passage of this vicious legislation the very Americanism that we are preparing to protect.

I am afraid that some of our Members, under the influence of high-pressure groups, have made commitments as to their vote on this bill. I hope I am mistaken. We should be careful about our commitments during these days of stress. As for me, I am not making any commitments covering the future. If in an unguarded moment I have made any—and I do not think I have—then I frankly admit that I made a mistake, and I hereby serve notice that I take them back; I retract them. While I am not ashamed of righting a mistake, I would be ashamed of knowingly living a mistake. Things are happening too fast, conditions are changing too rapidly, and the crisis is too grave to make commitments covering the future. The only thing we can do during this grave crisis is to keep our feet on the ground, ask ourselves the question, "What is best for America?" and, whatever the answer may be, execute that answer like true Americans.

Mr. Speaker, in concluding I cannot refrain from giving expression to my innermost thoughts on the crisis confronting us. I have thought this thing through. I have prayed this thing through. I know where I stand. I am sure of my ground. Here is my program: I am going to continue to strive for peace. I am going to continue to pray for peace. And while striving and praying for peace I am going to speak every word and commit every act necessary to strengthen our national defense and preserve the sovereignty and integrity of my country. This I have been trying to do today in opposing this un-American bill. And while I am striving for peace and praying for peace, let it be understood, I am not bartering for peace, because if peace is to be bought at the price of abandoning to a Hitler or any other dictator a single American sovereign right, surrendering a single American principle, or compromising a single American ideal, then, as for me, it will be war, and war to the hilt.

I hate war. I know if we become involved in this war what it will mean. It will mean sacrifice, economic loss, heartaches, suffering, agony, death. The very thought of it makes me shudder. But the horrors of war, as ugly and hideous as they may be, are not comparable to the horrors of an inglorious peace purchased at the price of dishonor and disgrace—at the price of a nation's soul. The nation that maintains white and spotless its honor and integrity, its soul, though in so doing it falls a momentary prey to a superior physical force, will rise again and live on, stronger and better for the sacrifice. But the nation that compromises its national honor and integrity, that sells its soul for peace, loses that for which it bargains, and, sooner or later, is reduced to serfdom and slavery.

America means everything to me. She means freedom, and liberty, and equality, and Christianity. And my duty, as I see my duty, no matter what the price, is to protect her and preserve her so she will mean the same thing to my children and my children's children.

Ah, my colleagues, America is not only worth living for, and putting the best you have in the living; she is not only worth fighting for, and putting the best you have in the fighting; but she is worth dying for, and putting the best you have in the dying. And the reason she is worth living, fighting, and dying for is because she is "the land of the free and the home of the brave." Let us, by voting down this vicious, un-American piece of legislation, do our part to keep her the land of the free.

While the storm clouds gather
  Far across the sea,
Let us swear allegiance
  To a land that's free;
Let us all be grateful
  For a land so fair,
As we raise our voices
  In a solemn prayer.

God bless America,
  Land that I love,
Stand beside her and guide her
  Through the night with a light from above;
From the mountains, to the prairies,
  To the oceans white with foam,
God bless America,
  My home sweet home.

Mr. SMITH of Virginia. Mr. Speaker, I yield 2½ minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, this House is being presented today with a most tricky rule. It is tricky in that it makes in order a piece of legislation which in its very first paragraph provides for the deferment of people who have attained the age of 28 or over. Then there is appended to that provision unrelated legislation which will establish in this country compulsory arbitration and regulation of industrial relations by the bayonet and by the use of the armed forces of the country. For all practical purposes, from every realistic standpoint, this proposed legislation will abolish the right to strike. I favor the reduction of the draft-age provision in the bill, but I am most definitely opposed to the antilabor provisions of the bill.

No matter what you say, no matter what apology you may make, you cannot get away from the proposition that on the final vote those who are in favor of the deferment and who are opposed to the antilabor provisions are put in the position of either voting against deferment or voting for the deferment and against labor.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from New York.

Mr. FITZPATRICK. If we had a chance to vote on the limit of 28 years of age, it would pass unanimously.

Mr. MARCANTONIO. It would pass unanimously; but we have attached this sweeping antilabor legislation to it. The criterion is, What opportunity have we on the final vote? The final vote is to be a vote either for or against deferment, tied up with a vote of either for or against this antilabor legislation, with no division of the two issues. I submit that that is a tricky way, and, with all due deference to the persons responsible, I think that this is a reprehensible manner by which you seek to destroy the democratic rights of the American people in the name of defending democracy anywhere else. You cannot defend democracy abroad if you strike it down in America.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, something has been said about the nature of this rule. The rule is slightly unusual in this respect. You are considering today a Senate bill with a House amendment which strikes out the whole of the Senate bill and substitutes the House amendment. In order that the House may consider that under the general rules of the House, it was necessary to have a special rule which would make in order the House amendment to the Senate bill and would make it in order as an original bill, because if it were not made in order as an original bill, the House would be deprived of an opportunity, which some of these gentlemen so enthusiastically seek, to amend it by striking out the labor provisions.

In order to be fair to the House and to give the House full opportunity to consider this bill under the general rules of the House, it was necessary to make this House amendment in order as an original bill. That is all the rule does. So the net result of the rule will be that

when the bill is read, the House amendment will be just as if it were an original bill, originating in the House.

Now, I want to talk about the bill itself. As this debate has proceeded, one thing has become obvious to those who have studied this bill, and that is that the gentlemen who have appeared in the Well of the House in opposition to this rule just could not possibly have read the bill. They have risen here and protested about taking away the right to strike; they have talked about this being a labor-baiting bill; they have talked about taking away the lawful gains that organized labor has made. They have not read the bill. Let us see what the bill does provide. I am going to read some of it to you. I know the House wants to be informed as to just what this bill does.

Gentlemen complain that the bill should have been referred to the Labor Committee.

In the first place, section 2 of this bill is an amendment to section 9 of the Selective Service Act. If it had been introduced as a separate bill, it would have had to have gone to the Committee on Military Affairs. It would not have gone to the Committee on Labor, which, unfortunately, has gone out of business and has not reported a single bill during this Congress. Under the rules of the House the Speaker would have been impelled to refer this bill to the Committee on Military Affairs.

Section 9 provides, first, that if there is a refusal on the part of an employer to abide by the mediation facilities offered, then that shall be such a refusal as is contemplated in the original Draft Act, which permits the Government to take over any manufacturing plant if there is a refusal on the part of the manufacturer to cooperate in the production of defense materials.

Section 3, under 9a, do you know what that does? All that does is that Congress puts its stamp of approval on the thing the President did in California in putting the military forces of the United States there to protect the right to work and to protect the production of that factory. Gentlemen may talk about that section as much as they want, but that is all it does. Read it yourself. All it does is affirm exactly what the President did and what every Member of this House approved. There is not a Member who will rise and say he is opposed to what the President did on that occasion. And if you vote against this provision, you will be repudiating the President's act.

Mr. BEAM. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. If I finish going over the bill, I shall be glad to yield.

Then, as the gentleman from Indiana has said, the section concludes by saying that when the Government has taken over a plant and has put some of the Communists out, saying to them, "You cannot work in this Government plant any more," then the Labor Board is gently told, "You cannot restore this man to his job and make the employer pay him back pay when the Government has fired him." That is absolutely all there is to that provision, and no one can read anything else into it.

Now we come to the crux of the bill, and here is what all the shouting is about. All the shouting about this bill is with respect to section 9 (b). And what does section 9 (b) do? Section 9 (b) says to the labor unions—

> You are the free and the equal of every other citizen of the United States. It is your privilege and it is your duty to abide by the law of this country.

It says that you shall not have a privilege not accorded to any other American citizen to obtain your ends by force and violence, but it says, in so many words, and I will read you the language of the bill at line 23—

> Nothing in this section shall limit the right of any person or organization to strike, or to engage in peaceful picketing.

All it does to the labor unions is to deny to them the special privilege of using a lead pipe to enforce their will upon other equally free and equal American citizens.

Now, who is against this? How many Members of this House are against this provision? And you have got to face this issue. How many Members of this House are willing to stand up and say, "I am opposed to saying that organized labor shall not use force and violence to attain its ends"? How many honest labor leaders who have the real welfare of the workingman of this country at heart will dare to get up here and say, "We favor violence"?

Now, you may talk about this for 4 hours, as you are going to do, but you cannot change the language of this section, and all that this section does, and all that anybody can make it do is to say that force and violence and coercion and intimidation in the defense industries of this country must cease, and that your Government and your Congress are going to see that it does cease.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. SMITH of Virginia) there were—ayes 97, noes 82.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 219, nays 148, not voting 65, as follows:

[Roll No. 87]

YEAS—219

Allen, Ill.	Bland	Chapman
Allen, La.	Boggs	Chenoweth
Andersen, H. Carl	Bonner	Chiperfield
Anderson, Calif.	Boren	Clark
Anderson, N. Mex.	Boykin	Clason
Andrews	Bradley, Mich.	Claypool
Arends	Brooks	Clevenger
Barden	Brown, Ga.	Coffee, Nebr.
Barnes	Brown, Ohio	Cole, Md.
Bates, Ky.	Bryson	Cole, N. Y.
Bates, Mass.	Bulwinkle	Colmer
Beckworth	Burch	Cooley
Bell	Burgin	Cooper
Bennett	Camp	Copeland
Blackney	Cannon, Mo.	Costello
	Carlson	Courtney
	Case, S. Dak.	Cox
Cravens	Jarrett	Reed, Ill.
Creal	Jensen	Reed, N. Y.
Curtis	Johnson, Calif.	Rees, Kans.
Davis, Ohio	Johnson, Ill.	Rich
Davis, Tenn.	Johnson, Luther A.	Richards
Dewey	Johnson, Lyndon B.	Rivers
Dirksen	Johnson, Okla.	Rizley
Disney	Jonkman	Robertson, N. Dak.
Ditter	Kefauver	Robertson, Va.
Domengeaux	Kilburn	Rockefeller
Dondero	Kilday	Rodgers, Pa.
Doughton	Kinzer	Russell
Drewry	Kleberg	Sanders
Duncan	Kocialkowski	Satterfield
Durham	Kramer	Shafer, Mich.
Dworshak	Kunkel	Sheppard
Eaton	Lambertson	Short
Edmiston	Lanham	Sikes
Elliott, Calif.	Lea	Simpson
Ellis	LeCompte	Smith, Conn.
Elston	Lewis	Smith, Maine
Engel	McCormack	Smith, Ohio
Faddis	McGehee	Smith, Va.
Fellows	McLaughlin	South
Folger	McMillan	Sparkman
Ford, Miss.	Mahon	Steagall
Fulmer	Manasco	Stearns, N. H.
Gamble	Mansfield	Stefan
Gathings	Martin, Iowa	Stratton
Gibson	May	Sumner, Ill.
Gifford	Michener	Taber
Gore	Mills, Ark.	Talle
Gossett	Mills, La.	Tarver
Graham	Mitchell	Taylor
Grant, Ala.	Monroney	Terry
Green	Moser	Thomas, Tex.
Gregory	Mott	Thomason
Guyer, Kans.	Mundt	Treadway
Gwynne	Norrell	Vincent, Ky.
Hall, Edwin Arthur	O'Brien, N. Y.	Vinson, Ga.
Hall, Leonard W.	Oliver	Vorys, Ohio
Halleck	O'Neal	Wadsworth
Hancock	Pace	Ward
Hare	Paddock	Weaver
Harness	Patman	West
Harris, Ark.	Patton	Wheat
Harris, Va.	Pearson	Whelchel
Hébert	Peterson, Fla.	Whittington
Heidinger	Peterson, Ga.	Wickersham
Hendricks	Pierce	Wigglesworth
Hess	Ploeser	Williams
Hill, Colo.	Poage	Winter
Hinshaw	Priest	Woodruff, Mich.
Hoffman	Ramspeck	Woodrum, Va.
Hope	Randolph	Worley
Howell	Rankin, Miss.	Youngdahl
Jarman	Reece, Tenn.	

NAYS—148

Angell	Geyer, Calif.	Merritt
Baldwin	Gilchrist	Meyer, Md.
Barry	Granger	Murdock
Baumhart	Grant, Ind.	Myers, Pa.
Beam	Haines	Norton
Beiter	Hart	O'Brien, Mich.
Bender	Harter	O'Connor
Bishop	Healey	O'Leary
Bloom	Heffernan	Osmers
Boland	Holbrock	O'Toole
Bradley, Pa.	Holmes	Patrick
Butler	Hook	Pfeifer, Joseph L.
Byron	Hull	Pheiffer, William T.
Canfield	Hunter	Pittenger
Capozzoli	Imhoff	Powers
Casey, Mass.	Izac	Rabaut
Coffee, Wash.	Jackson	Ramsay
Connery	Jacobsen	Rankin, Mont.
Crawford	Jenkins, Ohio	Robinson, Utah
Crosser	Jennings	Robsion, Ky.
Crowther	Johns	Rogers, Mass.
Cullen	Johnson, Ind.	Rogers, Okla.
Cunningham	Johnson, W. Va.	Rolph
D'Alesandro	Kean	Sabath
Delaney	Kee	Sacks
Dickstein	Kelley, Pa.	Sauthoff
Dingell	Kelly, Ill.	Scanlon
Douglas	Kennedy, Martin J.	Schuetz
Downs	Kennedy, Michael J.	Schulte
Eberharter	Keogh	Scott
Elliot, Mass.	Kirwan	Secrest
Englebright	Landis	Shanley
Fenton	Larrabee	Shannon
Fitzgerald	Leavy	Smith, Pa.
Fitzpatrick	Lesinski	Smith, Wash.
Flaherty	Ludlow	Smith, W. Va.
Flannagan	Lynch	Somers, N. Y.
Flannery	McArdle	Spence
Fogarty	McGregor	Springer
Forand	McIntyre	Stevenson
Ford, Thomas F.	McKeough	Sullivan
Gale	Maciejewski	Sutphin
Gavagan	Maciora	Sweeney
Gearhart	Marcantonio	Thill
Gehrmann		
Gerlach		

Thom	Voorhis, Calif.	Wilson
Tibbott	Walter	Wolcott
Tolan	Weiss	Wright
Traynor	Welch	Young
Van Zandt	Wene	

NOT VOTING—65

Andresen, August H.	Ford, Leland M.	O'Day
Arnold	Gillie	O'Hara
Boehne	Harrington	Plauché
Bolton	Hartley	Plumley
Buck	Hill, Wash.	Romjue
Buckler, Minn.	Hobbs	Rutherford
Buckley, N. Y.	Houston	Sasscer
Burdick	Jenks, N. H.	Schaefer, Ill.
Byrne	Jones	Scrugham
Cannon, Fla.	Keefe	Sheridan
Carter	Kerr	Snyder
Cartwright	Knutson	Starnes, Ala.
Celler	Kopplemann	Sumners, Tex.
Cluett	McGranery	Tenerowicz
Cochran	McLean	Thomas, N. J.
Collins	Maas	Tinkham
Culkin	Magnuson	Vreeland
Day	Martin, Mass.	Wasielewski
Dies	Mason	White
Doxey	Murray	Wolfenden, Pa.
Fish	Nelson	Wolverton, N. J.
	Nichols	Zimmerman

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Plumley for, with Mr. Magnuson against.

Mr. Cannon of Florida for, with Mr. Hill of Washington against.

Until further notice:

Mr. Doxey with Mr. Martin of Massachusetts.

Mr. Boehne with Mrs. Bolton.

Mr. Hobbs with Mr. Keefe.

Mr. Cartwright with Mr. McLean.

Mr. Cochran with Mr. Wolfenden of Pennsylvania.

Mr. Kerr with Mr. Jones.

Mr. Starnes of Alabama with Mr. Wolverton of New Jersey.

Mr. Harrington with Mr. Gillie.

Mr. Byrne with Mr. Carter.

Mr. Nelson with Mr. August H. Andresen.

Mr. Sumners of Texas with Mr. Mason.

Mr. Zimmerman with Mr. Cluett.

Mr. Sheridan with Mr. Knutson.

Mr. Celler with Mr. Fish.

Mr. Collins with Mr. Rutherford.

Mr. Nichols with Mr. Vreeland.

Mr. Arnold with Mr. Murray.

Mr. Dies with Mr. Culkin.

Mr. Snyder with Mr. Maas.

Mr. Buck with Mr. O'Hare.

Mr. Buckley of New York with Mr. Tinkham.

Mr. McGranery with Mr. Jenks of New Hampshire.

Mr. Romjue with Mr. Thomas of New Jersey.

Mr. Houston with Mr. Day.

Mr. Plauché with Mr. Hartley.

Mr. Sasscer with Mr. Leland M. Ford.

Mr. Wasielewski with Mr. Schaefer of Illinois.

Mr. Tenerowicz with Mr. Burdick.

Mr. Kopplemann with Mrs. O'Day.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. MAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1524, to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1524, with Mr. BLAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Without objection, the first reading of the bill will be dispensed with.

There was no objection.

Mr. MAY. Mr. Chairman, may I make a brief statement for the information of the House, not, of course, to be taken out of my time for general debate?

The CHAIRMAN. It must be taken out of the gentleman's time.

Mr. MAY. Very well; I withdraw it.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. MAY. Yes, if it is not to be taken out of my time.

The CHAIRMAN. It will have to be taken out of the gentleman's time.

Mr. MAY. Mr. Chairman, notwithstanding the fact that it is to be taken out of my time I wish to say that I hope to conclude the general debate on this bill this evening, if possible. At that time I shall ask that the committee rise after we have read the enacting clause of the bill, and let the matter go over until tomorrow for reading under the 5-minute rule.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. MAY. I am sorry; I have not the time. I have very little time and I have yielded myself only 15 minutes.

I shall make first a brief statement of the provisions of the bill, preliminary to which I desire to state something of the legislative history of the measure. This bill is commonly referred to as the May bill. I do not claim authorship of it, and neither do I deny responsibility for any provision in it. I shall be happy to give it fatherhood if it is the will of the House that I should do so, and, further, I have no apology to make to any man or any group of men regardless of whom or where they are, for this legislation. This bill originated in the United States Senate as Senate 1524. It was debated rather at length in that body and then sent to the House, where it was by the Speaker referred to the House Military Affairs Committee. It consists of simply a few amendments to the Selective Service and Training Act of 1940.

The two particular sections of that act involved are section 5 (e) and section 9. Section 5 (e) is the section relating to Army personnel, providing for the enlistment or drafting of young men in this country for military service in time of peace. It fixes the maximum and the minimum ages for these requirements. Section 9 of the act of 1940 is the provision known as it was adopted as the Smith amendment, which is a provision relating to the control of industrial plants in our war efforts. That section as originally enacted in the original bill provided that where an industry or manufacturing plant refused to cooperate with the Government in the program of rearmament, the President might take it over and operate it for such time as was necessary to insure production.

What we do in the first section of this bill is to amend section 5 (e) relating to the drafting of men by providing that the age limit be reduced from 35 to 28 years, and that all men who arrive at the twenty-eighth anniversary of their birth by the 1st of July 1941, that is, the first day of this month, and the first day of each succeeding July thereafter shall be deferred. The only difference between the Senate provision on that subject and the House provision is that the Senate provision allowed the President to defer by groups or classes in his own discretion under such rules and regulations as he might adopt. The House Military Affairs Committee took a different view and decided that it was the province of the Congress to determine who should be in the military service, and who should not, and, therefore, we made it mandatory that all men who are eligible for induction into the service on the 1st of July 1941 and each July thereafter who have not been inducted and who have reached the age of 28 shall be deferred.

In section 9 we adopted two provisions. One is 9 (a), and that is a mere extension of what you might call the conscription of industry, and that is the way it was referred to when we voted it in this House. Under that section we had an additional provision added, that where an employer shall fail to utilize the existing facilities of mediation and conciliation as set up by the President, it shall be regarded and treated as a refusal under section 9. When we passed that section we wrote other provisions in relation to the stoppage of production in industries that have contracts with the War and Navy Departments.

Let me say here and now, and I hope nobody will forget this, that there is no man on the floor of this House, regardless of whether he be Democrat or Republican, regardless of whether he be from the North or the South, whether from the East or the West, who has any better record in voting to maintain the rights of labor than I have. But I have reached the conclusion that the welfare of my country is at stake and that we shall all make sacrifices alike. I do not think it is right to permit any group, regardless of who they are, to tie up our production in the face of disaster and imminent national peril. For that reason I am supporting unreservedly every provision of this bill. I do that for this season. I am going to make a statement and I am going to challenge any man on the floor of this House who wants to take issue with me to answer it. It is this, that if there ever was a bill presented to the American Congress that provided protection for labor, this is it, because this is a war of production and we are in it. This is a war for preparation and we are in it. If we fall down at the forge and at the factory and in the places of production in this country, we will fall down on the battlefield. For that reason this is a great measure for the protection not only of America, but for the protection of labor and labor's rights. It is said labor will not strike and if that be true then this bill will not hurt and cannot be invoked.

The bill in no sense interferes with the right of any man to strike. Likewise, it protects any man who wants to work. If there is anybody on the floor of this House who wants to take issue with me on that question, I welcome the issue because I regard the right to toil in this country—to produce bread to feed the mouths of a man's children—just as sacred as the right to quit work. Not

only that, this bill provides that they shall be protected in the right of peaceable picketing, and is there one here who will attempt to justify a resort to violence endangering both life and property? On the other hand, it denounces unlawful violence and assaults committed by any man, whether he be a laborer or an officer, a policeman, an army troop, or what not, in connection with any labor dispute. Are you opposed to that? Then, if so, when the roll is called you will have a chance to say so.

Therefore, I say to you that this bill is the greatest protection to labor in the history of all the world. I say it because America is today the last place upon the face of the earth where collective bargaining and the right to strike and the right to picket is maintained and preserved in statutory enactments. It is the last place on the face of the earth where men have freedom to work and the right to join any union they want to, or not to join any union at all. That right does not exist today in 19 European nations. That right has been abolished in whole throughout all of Europe, with the exception of one democracy that still fights, though they are yet unable to maintain it in full, but they are getting cooperation on every field of endeavor, in every factory in the British Isles because they are face to face with the bombs and the bombing planes of Hitler and Mussolini. We are coming to the time when we may be face to face with them. That is the reason I say that if Adolf Hitler or any other dictator ever gets control of America and ever handles the industrial problems of this country, lawyers, like you and I—Congressmen like us—will not be the toilers and labor's slaves of the future.

Mr. Hitler will lay his hands upon the skilled mechanic in the great industry and he will say, "Here is your job. Here is your clothing and your food." And he will not hand you out any embellished or lithographed menu card to select it from. You will eat what is given to you. You will wear what he furnishes. That is the issue in this country. That is the thing we are confronting today. As for my part, I am certain, I have no doubt whatever that the rank and file of the laboring people of America and 99 percent of the leadership are in favor of the preservation of our Republic, our way of life, our rights, and our liberties. But there is opposition that comes to some of the provisions of this bill. I am not going to say that it is political. I am not going to say that it is through any lack of courage on the part of my colleagues, because I do not believe in that kind of accusations, but I am going to say that the time has come in America when you must "choose this day whom ye will serve." The time has come in this country when the Congress of the United States is going to have today and tomorrow an opportunity to go on record as to whether they are in favor of going to the very bottom of the barrel to get the meal and bread for the defense of America or whether we are going to go to the battlefront unprepared and half equipped.

I take the further position, my fellow Americans, that if we have got the power to coerce and bring into the service of this country the blood and bone and tissue of our fellow citizens, we ought not hesitate to see to it that when the hour of peril comes, when they are face to face with the enemy, they have the guns they need and the uniforms to keep them warm and the blankets in winter when the snows fly, and the food to eat.

This act, amended by the House committee in its best judgment and voted out without objection, ought to be passed to make it possible that these young men shall be preserved and protected.

What does the bill do? It authorizes the President of the United States, when he finds that there is about to be a stoppage in the production in any industrial plant that has a contract for the production of war munitions and when—what?—"when he deems it in the general public interest" to take over the plant for operations to continue, that he may take it over for the purpose of policing it to see that violence is not resorted to, and to see that men who want to work are protected in their opportunity to work.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, if any Member thinks that is wrong, that it is wrong that the President should have this power to take over an industry for the purpose of policing it just because one or two men may object, that Member will have the opportunity to express himself by his vote; but let me tell you a few things. We hear it said the President already has power to do this. I think he has, and I think he exercised it wisely when he took over the plant in Inglewood, Calif., because I am told that not a single drop of blood was shed, not a bayonet was used, not a shot was fired; yet at the time he took it over there was terror, there was violence, there was fighting, there were assaults, and the whole operation of the plant had stopped. He brought peace and lucrative employment to thousands of honest workers and comfort to defenseless women and children. The management had lost control. The President took it over, exercising his power under the Constitution as Commander in Chief of the armed forces of this country, and he brought peace, quiet, and production within a few days. The Undersecretary of War, however, came before our committee and told us that the legal advisers of the President had raised the question that there was possible doubt of the President's right to do it, that the President wanted statutory authority to proceed. In other words, the lawyers on this floor know that the Constitution within itself is not self-executing but requires a statute to make it effective for certain. After we were told that the President desired the power to deal with these things we reported out this bill. I wonder where the labor leader is in this country, from one end of it to the other—search the North, search the East, search the West and the South, or the whole country from one end to the other, and not a single labor leader will tell you anything other than that if there is one man on the face of the earth he is willing to trust to enforce the law honestly and fearlessly it is Franklin D. Roosevelt, President of the United States. I am willing to trust him, I am willing to leave it to him; and I am telling you that so far as I am concerned, as long as I am chairman of the House Military Affairs Committee he is my Commander in Chief and I am going to follow the Commander just as far as I can unless conscience gets so that it is impossible for me to do so, especially in this dark hour of trial when the whole world is on fire and men's liberties and lives are being destroyed throughout the world.

Mr. Chairman, I am not going to take much more time. There is, however, one other provision to which I would like to call attention: The power and authority that is hereby vested in the President to take over plants may be exercised with respect to any such plant or industry only during the existence of a national emergency or in time of war. Is anybody opposed to that? If you are, you have a right and you will have the chance to vote against it; but if you do not give the power to the President, to whom will you give it? The commanding officer will act when he is up against the cannon, but in peacetime the legislature is the body that ought to grant the authority to make it possible for our Commander in Chief to lead the forces of this country and to maintain production in all of our great plants and industries; and do not forget ours is the greatest deliberative lawmaking body on the face of the earth.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield.

Mr. WALTER. Does the gentleman believe the constant threat of the use of the bayonet is conducive to the national unity so badly needed at this time?

Mr. MAY. I do not know of any constant threat of the use of the bayonet. I know of only one instance when the troops were called out, and that has been approved by everybody in this country, including the labor group and the labor leaders. Even they said that the only trouble they had in that plant came from a bunch of Communists—a small group of un-American subversive agents who are trying to destroy this country. I say that a man who does such subversive things is as guilty of treason as was Benedict Arnold.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. GEHRMANN].

Mr. GEHRMANN. Mr. Chairman, I am very sorry that circumstances prevent me from seeking more time for discussion of the pending bill, S. 1524. Because of the sudden death of my beloved colleague, STEPHEN BOLLES, yesterday and the fact that the Speaker has appointed me as one of the Members to accompany his body to his last resting place, I will not have time to go into detail about certain provisions of this bill.

In the short time I have I want to emphasize the fact that I do not believe that this is the way to legislate, that is, to pretend to amend the Selective Training Act of 1940, but hook antilabor legislation onto an innocent-appearing bill. I am more than glad to go on record in favor of lowering the age limit from 36 to 28 of

those subject to be drafted for military training. I was against compulsory military training, because I felt then, and I believe now, that we could have obtained all the young men needed, or as fast as we could provide necessary housing and equipment by the voluntary method for 1 year's training. I favored a lower age limit last year, and I believe now that, instead of 28, we should go down to 25. If we cannot reduce this below 28, I would still gladly support this amendment. But antilabor forces see an opportunity to smash organized labor by hooking what virtually amounts to an antistrike section to this bill. I do not believe that any fair-minded person would say that this bill amending the Selective Training Act is the proper way to change existing labor laws.

If it is necessary to amend labor laws, then legislation should be introduced and considered by the proper committee of the House where both sides could be heard, and then debated and voted either up or down by the Members without attempting to force something upon us by a method not related to the subject indicated by the title of the bill. The title of S. 1524 is as follows:

To authorize the deferment of men by age groups under the Selective Training and Service Act of 1940.

That is what the public believes to be involved and nothing else, because there is no indication in the language of the title that labor legislation is included in that bill. And that is the only reason why the antilabor sections have been added to this bill, because it is believed that they can force those of us that have always defended organized producers, be they in the factory, shop, office, or on the farm, to swallow this along with a very laudable conscription amendment.

As stated before, I will vote for this bill, providing the antilabor sections that have no business in this bill are stricken from it. If we are not successful in eliminating those sections, I will be compelled to vote against the bill. Not only does this bill subject individuals to 5 years' imprisonment, but it does impose a $5,000 fine besides. The language of this bill is so far reaching that it includes farmers as well as laborers if, in the opinion of the President, it is necessary to provide more and cheaper foodstuffs for national defense.

Please read section 9A of this bill and then ask those that favor this what could be done under its provision and who might be involved. It is so broad that no one, certainly not the farmers, are excluded from its provision. I quote only a small part of section 9A, which I am sure is all inclusive.

That in the event of the stoppage of production through subversive influences or otherwise, not constituting a refusal under the foregoing provisions of section 9 hereof, of any article or material which may be required for national defense, or which may be useful in connection therewith, in any plant or industry, the President, if he finds that the exercise of such power and authority is necessary or desirable in the public interest, shall order such plants or industry to resume production immediately.

Right now the organized farmers in the New York milk shed are on strike. They feel that since the milk trust has boosted the price of milk to the consumer to 16 cents per quart, they should have $3 a hundred, or just about 6 cents a quart. Since recent actions of the Department of Agriculture and Henderson's price-control efforts clearly show that they want farm prices to remain around parity prices, I am certain that should farmers attempt to increase prices this bill would provide the means of cracking down on them. I am also certain that the New York milk strike would not be tolerated. I am sure that certain large corporations in the manufacturing and distributing business see an opportunity to smash in one grand swoop all efforts of collective bargaining both in the city and on the farm.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. HULL].

Mr. HULL. Mr. Chairman, there is a common desire in the House to give full support to the first section of this bill to authorize the deferment from the Conscription Act of men 28 years of age or older. I am heartily in accord with that proposal and wish to vote for it. That such an age limit should have been provided in the Conscription Act at the time of its passage is plain in the light of the experience gained since its enactment.

There would be no difficulty in the passage of such an amendment by practically a unanimous vote at this time. But, because of general accord on that proposal, the committee has seen fit to attach further, sections 2 and 3, making a very different measure than that needed for deferment of the Conscription Act as to men of 28 years or more.

The added sections are supposed to embody a radical form of antistrike legislation such as has not hitherto been brought to this floor. They are at once ambiguous in their terms and of uncertain application. There have been numerous measures introduced with the idea of Federal control of strikes, and in the past year with particular relation to strikes in defense industries.

Strikes interfering with our defense program are universally deplored. Particularly in instances in which such strikes have been charged to the activities of Communists and other subversive agencies of foreign governments there has been widespread criticism. But to my mind there is serious question as to what would be the effect of such legislation as that proposed herein. In the past few weeks there has been great improvement in the situation as to strikes in the larger industries in particular. That improvement should be continued and not interfered with by the passage of ill-considered legislation which may have an opposite effect to that claimed by proponents of this bill.

The far-reaching consequences of the sections 2 and 3 are uncertain. How far the troops may be used as proposed is indefinite. In the State of New York there is a farmers' strike on at present. Farmers who have been obliged to accept about 4 cents per quart, or even less, for milk sold to consumers in New York City at from 16 to 18 cents per quart are asking a reasonable advance in the farm price of their product. The well-organized dairy monopolies whose control of milk sales and delivery in the metropolis is nearly absolute are opposing the demands of the dairy people. The farmers to the number of 50,000 or more have organized to combat the monopolies by withholding their milk from the markets. There have been some alleged cases of violence in which milk has been spilled and wasted, offenses which are fully covered by State laws, but in the main the action of thousands of farmers has been merely in exercising their privilege of not selling or delivering their milk.

Whether or not the uncertain language of sections 2 and 3 would include the farmers who are refusing to sell their milk at below cost-of-production prices I cannot say, but certain it is that such construction might be put upon it. Coupling such sweeping legislation with a bill designed merely to change the age requirement of draftees under the Conscription Act is both unfair and uncalled for. I am opposed to the so-called May-Connally amendments and my vote shall be so recorded.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, I favor the first part of this bill exempting young men over 28 years of age from the Selective Service Act. I, too, must go to Wisconsin this afternoon. If I were present, however, I would offer an amendment to this bill to apply this also to those men who are now 28 years of age and now in the service as well as to those others who are to be deferred.

I am against the second provision because there are a number of bills here in Congress that provide for taking care of this matter. To hook a good provision up with a bad one is a poor way of legislating in Congress, in my opinion.

Mr. ANDREWS. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Chairman—

The voice is Jacob's voice, but the hands are the hands of Esau. (Genesis 22.)

So, too, does this bill come to us with a fair face but a deceitful heart. Like a rouged and painted harlot, bedecked and bedizened in glittering tinsel, in purple and fine linen, giving off the perfumes of the Orient, with a smile on her lips and a cold gleam of calculation in her eye, she presents a fair exterior, but her heart is metallic and mercenary, and her body is rotten with venereal disease. We want none of her.

The first section relating to the draft is agreeable to most of us, but what follows is not. Yet if we want the first section, we must accept all the rest, which some of us will not do—most of us, I think. On the other hand, if we reject the evil portions of this bill, and most of it is evil, then we must reject the good in it. The evil outweighs the good, so the whole business must be rejected.

ANALYSIS OF SECTIONS

The original purpose of the bill was to reduce the draft age limit from 35 to 28 years. No doubt a majority of the Congress is in favor of that change. I am in favor of it. This is an amendment to section 5 (e) of the Selective

Training and Service Act of 1940, and is all contained in the first paragraph of the bill. Had the bill ended there, everything would have been satisfactory, and everyone would have been satisfied.

But the enemies of labor saw a wonderful opportunity to bomb labor and reduce it to a disorganized mass. So a legislative blitzkrieg was planned to wipe out the structure that labor had built over a long and difficult course of years. A well-organized campaign of tanks, bombers, submarines, parachutists, motorcycle squads, flame throwers, infantrymen, and artillery and sharpshooters is now on the march to mow down the house that labor built. The artful legislative saboteurs under the guise of friendship to labor have paved the way for this attack. But the real friends of labor are determined that "they shall not pass."

Section 2 of the bill gives the President the power to seize and operate defense plants, providing the owner does not utilize the existing Government conciliation and mediation facilities when a plant becomes involved in a labor dispute.

Section 3 of the bill has added section 9 (a) and section 9 (b).

President Green, of the A. F. of L., in his excellent analysis of the bill before us on page 2 gives us the following:

> Section 9 (a) of the proposed bill gives legislative authority to the President to compel the continuance of production by the use of armed troops in any situation where production of any article or material required or useful for national defense is stopped "through subversive influences or otherwise." While under section 9 (a) the President is not authorized to seize or operate any plant, or to give any persons employed in the plant the status of Government employees, he is authorized to order production resumed immediately and to call upon the Army and Navy to afford protection to all persons employed in the plant who desire to return to work therein.

This section confers on the President the powers to take over and operate plants under the protection of the military forces. This means "compulsory service and involuntary servitude." Boiled down to its simplest terms it says to labor at the point of a gun, "Get in and work, or else—."

It is not necessary for me to discuss the terms "subversive influences" and "force, violence, and threats thereof." The history of labor redounds with the distorted, perverted, and unfair definitions given at different times to these phrases by labor-hating judges. The first World War was full of them. I have known men to plead guilty and pay a fine because they could not afford long drawn-out litigation and knew that they had no chance in the trial court. Litigation is a pastime that only the rich can afford.

Farmers, pay attention. Under section 9 (b) a "defense plant" includes any plant, mine, building, or place engaged directly or indirectly in the production, distribution, storage, transportation, or repair of any defense article or material. That means milk, butter, cheese, fruits, vegetables, canned or otherwise, and practically everything in the line of food; also gasoline, which is a necessity for processing, distribution, and transportation of foods, materials, articles, and so forth. As this is written, the milk producers are on strike in New York State. Under this section each and every one of those farmers can be fined $5,000 or imprisoned for 5 years, or both, in case of conviction. And I regret to say that the first World War demonstrated that there were judges who handed out such sentences.

The friends of the farmer should join with the friends of labor to defeat this bill. If they will join hands in this struggle, I have no fears for the outcome. The farmer and the laborer are independent, because they are free. They cannot and never should be driven like dumb cattle. Our production management knows that and is not for this bill.

The American citizen is a free man. He is born free and surrenders that freedom only when he is too lazy and indifferent to maintain it. The American workman has been and is today the most inventive, the most productive in the world. He has gone at his work with a zest and enthusiasm that have achieved results, magnificent results; results that can challenge comparison with anyone, anywhere. Because free men are happy and buoyant, when trouble befalls them, they bounce back. They never stay down. They never take the count; they always come back. Shackle them and they lose it all. The fire of enthusiasm is quenched, the light of ambition is dead. Listless and lifeless, indifferent to results, their work would be neglected, for slaves the world over have no interest in what they are doing. They have no pride in achievement, no hope of fulfillment. They are not going anywhere. Their hopes and aspirations are dead. Their future lies behind them.

I would not value very highly the American man or woman who did not have heart enough to resist any effort to rob them of their birthright.

Let us try an experiment. We are all free and equal in this country. You and I are also engaged in defense work. We, too, are essential to national defense. Why not add a section to the effect that all Members of the Congress must report at their offices not later than 8 o'clock in the morning; that they shall remain in their offices, attending to their duties until committees meet; they shall be present at their respective committees until the House of Representatives convenes, when they shall assemble in the House for consideration of such business as may be brought to the attention of the House. The business of committees and of the House shall be done speedily and expeditiously, and any Member who fails to be present, unless excused for cause, and any Member who, being present, shall indulge in dilatory tactics, shall be guilty of sabotage and upon conviction shall be fined $5,000 or be imprisoned for 5 years or both and be dismissed from membership in the House without pay.

Let me present this picture. For the sake of the argument, let us say that all organized labor walks out and refuses to work. Can the Army and Navy tool these war industries and achieve any degree of production? No doubt we are all agreed that they could not. Furthermore, they do not want the job. The Army and Navy are trained for a different type of work and would not care to be diverted to something else.

Besides, this legislation is not needed. Secretary-Treasurer Meany, speaking from Washington on June 24 over a Columbia Broadcasting System hook-up, told the Nation that a study of the American Federation of Labor's defense record reveals that "only 1 man-day of work has been lost by an A. F. of L. strike for every 2,400 man-days of work performed" since the national-defense program got under way.

Conditions are steadily improving. Responsible labor leaders are bending their best efforts to intelligent cooperation. But that cooperation must be voluntary to get the results we want and need.

Subversive elements should be shipped out of the country. Stalin can use our Communists in his front-line trenches, and Hitler can do likewise with our Nazis; then we are rid of both of them. That is the way to legislate for that crowd. Bring in such a bill and we will pass it. This bill is a subterfuge to crack down on labor and wreck it if possible; at least, put it in its place.

All this bill lacks is an amendment containing two words. These two words should be placed at the beginning and end of the bill. Those words are, "Heil Hitler."

Mr. MAY. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield for a short observation?

Mr. THOMASON. I yield to the gentleman.

Mr. MARCANTONIO. The chairman of the Military Affairs Committee stated he is following the President with regard to this legislation. I hold here the New York Times of today's date. It states:

> President Roosevelt was reported tonight to have told legislative leaders that he is opposed to compulsory arbitration of labor disputes and to the May bill authorizing—

And so forth. I wonder if the gentleman still follows his Commander in Chief?

Mr. THOMASON. The gentleman from Kentucky can speak for himself.

Mr. Chairman, in the few minutes allotted to me I hope to shed more light and less heat on this very controversial subject than my good friend from Wisconsin who has just preceded me. What I say I hope to say dispassionately because it does seem to me that if there ever was a time in the history of this country that called for calm, deliberate judgment and a high order of patriotism, it is now.

At the outset may I say that I am opposed to the bill reported by the House committee. The record of the committee will disclose that I opposed it every step of the way in the committee. I think it unsound, loosely drawn, and unfair to labor. I do favor reasonable and fair legislation on this subject. I do not want to be misunderstood about that. So may I suggest at the outset of my remarks what I regard as the parliamentary situation. I am opposed to this bill as it comes from the House committee largely

because of several things that I think are absolutely unnecessary and some of which I regard as a direct slap at labor. This is no time for hysteria, but a time for unity and patriotism.

The gentleman who preceded me referred, indirectly at least, to his own labor record, which I believe justifies me in saying modestly that I think my record as a friend of labor will bear scrutiny, whether it be as a member of the Texas Legislature or speaker of its house of representatives in Texas, as mayor of my home city, or as a Member for 11 years of this body. I am willing to compare my record with any Member of this House as a friend of fair and just labor legislation.

I am one of those who say now and who said repeatedly in the committee when this bill was under consideration that I would not support those parts of this bill which appear in section 9a, referring to subversive influences without defining them. I am one of those who said that I oppose the language beginning in line 22 at the bottom of page 5 which states that—

> The President, if he finds that the exercise of such power and authority is necessary or desirable in the public interest, shall order such plant or industry to resume production immediately.

I am not for forced labor. I am not for compelling any man on earth to work against his will. Neither did I support that language in the same section which states, in lines 2 and 3 on page 6, that—

> The President shall have the power, through the heads of the War and Navy Departments, to enforce such order.

So I should just like to go on record at the beginning of my remarks by saying that I am opposed to the bill as it comes from the House committee, and I express the hope in the interest of orderly parliamentary procedure that the committee will vote down in its entirety the House bill. This will throw the situation back to a consideration of the Senate bill as it passed that body and will force the reading of the Senate bill for amendment. Then we can do as we like about amending the first section of the Senate bill so as to authorize the 28-year age limit, if you prefer that to the provisions of the Senate bill, and then go into a fair and deliberate discussion of the labor provisions.

I venture the assertion, without going back to look at the record, that the gentleman who preceded me voted for section 9 of the present selective-service law, because most of the ardent friends of labor actively supported the original section 9, which appears in the law today. This section was to the effect that if an industry refused to comply with the filling of orders for munitions and other articles necessary for national defense the President could take over that industry. The Senate bill is the complement of that section to cover failure as well as refusal.

I am for section 2 of the Senate bill because it does but one thing in the world, and that is to also make a failure of a munitions plant to produce just cause for the President to take it over, if necessary.

As I view this situation, in all fairness and without any feeling—this is the time to think in terms of our country above everything else, and if we adopt section 2 of the Senate bill it means that if there is a failure for any cause—whether it be a strike, labor trouble, or what not, the President can take it over if the necessity requires. That would be nothing but a ratification and approval of what the President of the United States did 3 weeks ago under the authority that perhaps he now has as Commander in Chief when he took over the North American plant in California. Have you heard anybody objecting to that? Do you know of any patriotic American who does not approve what was done at the North American plant in California? At any rate, you have heard of no serious trouble since then.

Some of the outstanding friends of labor in America, some of the great patriotic leaders of America, like Bill Green and others whom I might mention, said, in effect, if not in substance, that the trouble out there was caused by Communists, foreigners, aliens, and those guilty of subversive activities. When the Army stepped in there under the order of the President, order was immediately restored, and the plant has already been returned to its owners and normal production resumed. The present President is the greatest friend labor ever had in this country and laboring people know he will treat them fairly.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. Briefly.

Mr. MAY. The gentleman recalls very well that I questioned Under Secretary Patterson very closely on this matter, and that the Secretary in his answer said that the question was covered but they wanted a more specific answer.

Mr. THOMASON. May I say to my distinguished chairman that I am one of those who sat in the committee and that, as my interrogation of Under Secretary Patterson will disclose, I stated that I believe the President of the United States has that power and authority now; but since he saw fit to exercise it out there and it met with the approval of the American people, I wonder if the great American Congress does not have the nerve and the courage to say that it applauds it and approves it. This bill only confirms his action and authority and makes certain his power to act when an emergency arises.

Yes; I am a friend of labor, but as I see our present crisis grow more serious every hour, as I see the war clouds hanging lower and lower over this country every day, there is one thing I propose to do in this critical hour, and that is to put national defense, national unity, and patriotism above labor, industry, agriculture, or any other consideration, for I think we are facing the most serious situation in all recorded history.

There is nothing wrong, as I see it, with section 2 of the Senate bill. I am opposed to section 3 of the Senate bill. I sincerely hope that the Committee will vote down this House bill in its entirety for the simple reason that the parliamentary situation will be such that the Committee will then go back to a reading of the entire Senate bill. We can take the very first section of the Senate bill and amend it by freezing the age of selectees at 28 years under the Draft Act, and then we can take up a fair discussion of this plant-seizure proposal.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Indiana.

Mr. HARNESS. The gentleman said that under sections 2 and 3 of the so-called Connally bill which passed the Senate the President could do precisely what he did at the North American plant.

Will the gentleman tell the House what else the President can do under those sections other than what he did at the North American plant?

Mr. THOMASON. I must let my friend from Indiana answer that for himself.

Mr. HARNESS. I will be glad to tell the gentleman what I think the President could do under that legislation. I think he could take over all industry for any whim or pretext that he may give.

Mr. THOMASON. I do not agree with that.

Mr. HARNESS. And thereby destroy all rights of labor.

Mr. THOMASON. I do not want to destroy any rights of labor. I have fought and voted for years to protect and promote them. I would say that in time of any great emergency or in time of war the President has that authority, and ought to have it; but I call attention to the further fact that under the Senate bill, in section 2, because I think that covers the whole thing outside of deferment, in which I concur, but it ought to be noted that under the provisions of that section—

> Such power and authority may be exercised with respect to any such plant during the existence of the unlimited national emergency proclaimed by the President on May 27, 1941, or in time of war in which the United States is engaged, whenever the President finds, after investigation, that the national-defense program will be impeded or delayed by an existing or threatened failure of production at such plant as a result of a strike or threatened strike, or lock-out, or other cause.

This is No. 1. And No. 2 provides:

> That the exercise of such power and authority is necessary or desirable in the public interest.

No. 3 provides:

> If such existing or threatened failure of production is due primarily to a labor dispute, that either or both parties to such dispute have failed to utilize existing Government conciliation and mediation facilities in an effort to settle such dispute—

And so forth.

I hope you will bear in mind this situation. Under the Senate provision in section 2 the President does not have the authority to step in and take possession of the plant until there has been an effort to utilize the conciliation and mediation facilities of the United States Government, and I might say in passing that I think they are doing a fine job.

There is another provision that says the President shall only have power and

authority to do this during the emergency that was declared by him on May 27, 1941, or in case of war, but in furtherance of the entire proposition there is this language in the last sentence:

Provided, That with respect to any plant of which possession shall have been taken under the provisions of this paragraph, such plant shall be returned to its owners whenever the President determines that such plant will be privately operated in a manner consistent with the needs of the national defense.

I do know, Mr. Chairman, from observation following some travel over the country in the last few months, and from my reading of newspapers, and in conversation with my friends, in whom I have confidence, that there is no issue before the American people today in which they are so vitally concerned as in this question of production. While many thousands of man-hours have been lost already, and I am sure it is true in some cases strikes were justified, there is not a thing in this language that denies the right to strike. There is no man on the floor of this House who believes more strongly than I and who has evidenced that belief by his votes in legislative halls in the right of labor to strike or the right to bargain collectively or the right of peaceful picketing, but that is not the question here now. This is not a question of labor dealing with private employers in the production of nondefense articles. This is not a question of A. F. of L. or C. I. O. entering into a contract with some industry in your town which is not engaged in national-defense work. This is a question of a concern that is doing nothing but making national-defense weapons or articles, and not only that, but it is confined to the time of this emergency. It provides specifically that the President shall return the plant immediately when private production is resumed.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield the gentleman from Texas 2 additional minutes.

Mr. THOMASON. So I sincerely hope that this very meritorious bill will have the serious consideration that it deserves and that the House bill as reported by the House committee will be voted down, so we can amend the first section and give fair consideration to the other one.

I have great confidence in the rank and file of labor in this country. I know their sons in my section have gone to the Army and have rendered patriotic service. I do not believe they are opposed to reasonable and fair legislation on this subject when the boys are going at $21 a month and when the country is facing a crisis. I do not know, but I would fear, Mr. Chairman, what would happen if this House refused to pass any legislation on this subject. I would hate to predict that there will be more strikes than ever in the next few days, but I will say I would not be surprised. I think the country wants to know when we draft these boys and send them to the camps and pay them $21 a month, when we have appropriated more money for national defense than was appropriated ever before in peacetime in America, and when on next Monday week we are going to bring in the biggest tax bill that this old Capitol ever had written under its dome—I say it is time to let everybody participate in the program, labor, industry, and agriculture, and do the right thing by all our citizens in order to save this country and preserve our free institutions. If Hitler should ever get a foothold in the Western Hemisphere there will be no such thing as freedom and liberty. Labor will have lost all its gains and we will be living under a dictatorship. The present occupant of the White House can be trusted to treat labor fairly. He did not take advantage of labor in the North American case; he did them a favor. Communist and alien agitators were responsible for that situation and it only strengthened the faith and loyalty of the people in the great body of labor, which is always loyal and patriotic.

The Senate bill passed with only seven votes against it. If great friends of labor over the years, like Senators NORRIS, TAFT, MEAD, WHEELER, and many others, could vote for it, we should not hesitate. Let us kill the House bill and adopt section 2 of the Senate bill, which will meet the situation.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. FADDIS] 20 minutes.

Mr. FADDIS. Mr. Chairman, when the Committee on Military Affairs approached this subject we knew it to be a subject which was highly controversial, but we approached it with a sense of appreciation that here, at this hour of crisis which this Nation is facing, it was necessary for someone to rise to the occasion and have the courage to call a spade a spade and to write a piece of legislation which would protect American industry from interference by subversive influences in order that we might furnish for our rearmament program those essentials that we know to be so necessary if we are to equip an army to provide for the security of this Nation.

The first part of this legislation is based upon a request from the War Department and from General Hershey in charge of the administration of the Selective Service Act for a reduction in the age limits of those being inducted into service. They had found that men beyond the age of 28 years were undesirable in the service, and we were asked to reduce the age limit. That much we have done.

I have heard some talk that there is some dissatisfaction in the way your committee handled the reduction of the age limit, and there are those who believe this reduction should have been made retroactive; that those already in the service over the age of 28 years should be discharged if this legislation becomes law. I want to say to the members of the Committee, I hope you will carefully consider any amendments of that kind which may be offered. The evidence before our committee was to the effect that any such move would cause a great deal of confusion and a great deal of trouble among those who have been inducted under the provisions of the Selective Service Act and that it should not be put into effect.

A case reached my attention yesterday from the State of Pennsylvania. I am told there are quite a few cases very similar to it. I want to recite this case for the information of the members of the Committee. In the legislature at Harrisburg, Pa., there is a journal clerk by the name of Russell Marino. He served at one time as a member of the Pennsylvania Legislature. Now he is journal clerk. He is under 30 years of age, single, able-bodied, and able in every way to serve his Nation. He was called, under the provisions of the Selective Service Act, to report for duty in April. At that time he registered his objections to reporting for duty by saying he was a conscientious objector to war. Not only did he have a conscience that forbade him to serve in the combat branches, but also in the noncombat branches. He states in his objection that it is not because of any religious belief, but a personal conscientious reason that he has and that he should not be required to serve his Nation as your boys and my boys and other men's boys are required to do. He is journal clerk in the house of representatives at Harrisburg, Pa., a man who has several times taken the oath to serve his State and his Nation as a public official. Yet this man seems to have a conscience that tells him he should not serve his Nation in time of peril. This man has been deferred temporarily because of this, and I have been informed there are quite a few others who have been playing for time because they believe this 28-year age limitation would be put on, and they hope to be excluded from service because of this delay in induction into service. To allow these men to escape service would be unfair and undemocratic.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. CREAL. I take it that a majority of the gentleman's committee believe that the age 28 limit is better than age 35 limit.

Mr. FADDIS. Personally, if I had my way, I would not have changed it. I deferred, however, to the majority will of my committee and went along with it.

Mr. CREAL. I said the majority of the gentleman's committee. When the Senate bill was before us the World War age of 21 to 31 was proposed, but other Members, like myself, insisting on standing by the gentleman's committee, voted up to the age 40 and then for the compromise they brought in later of 35. The gentleman's committee, I believe, recommended 40 as the top age limit, did they not?

Mr. FADDIS. I was in favor of it at the time, at least, in favor of the registration, and if they wanted them to allow them to be called.

Mr. CREAL. The committee now reverses itself and says that we people who stood for 31 were right, that that age was plenty high enough, and even too high.

Mr. FADDIS. I take it that the committee after all has the right of reversing itself. You know it is said a wise man changes his mind, and I hope that may

apply to the House Committee on Military Affairs, if the occasion should demand.

Mr. CREAL. I understand then, the gentleman not having changed his, that he does not qualify.

Mr. FADDIS. I have not changed my mind on this subject.

Mr. CREAL. The gentleman's bill would take 40?

Mr. FADDIS. The present bill makes it 28.

Mr. CREAL. The gentleman would not qualify as being that kind of man who changed his mind.

Mr. FADDIS. I am not particularly speaking for myself. I am speaking for the committee as a whole. Certainly the committee has a right to change its mind, especially when those in charge of the administration of the Selective Service Act have requested it. Of course, they have a right to do so.

Mr. EDMISTON. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. EDMISTON. I may say in further answer to the gentleman from Kentucky, that General Hershey testified before our committee that the draft machinery was spending 90 percent of its time on and getting 10 percent of its recruits from men within the age limits of 28 to 36. In other words that group required 90 percent of the time but produced only 10 percent of the men.

Mr. CREAL. Mr. Chairman, will the gentleman yield further?

Mr. FADDIS. Very briefly.

Mr. CREAL. That is what certain of us said in the very beginning, yet we were told our arguments were bunk. The upper limit ought never to have exceeded 31 years. Now, I want to take this occasion just to say "I told you so," for whatever little satisfaction it gives; but why should we adhere to the Senate limitation of 31 to 35 where there is rank discrimination now, if its correction can be brought about?

Mr. FADDIS. I am glad to see that my friend from Kentucky gets some satisfaction from indulging in the practice of patting himself on the back.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. MAY. The original bill that the House Military Affairs Committee considered provided an upper age limit of 65 years and then reduced it to 40.

Mr. FADDIS. So much for the age limits which I do not believe is very controversial. I want to get down to the provisions of the bill that are really causing controversy on the floor of the House.

There has been a great deal of misinformation spread through the House Office Buildings regarding the terms of this bill. Individuals and organizations have called upon me in my office endeavoring to tell me what the terms of this legislation are, yet I had about as much to do with writing the terms of the legislation in question as any man on the committee. Notwithstanding that, people have called upon me with long printed lists of the things they say are in this legislation. After all there is nothing in this legislation except authority for the President to do exactly what he did do in the North American plant at Inglewood.

We wrote this legislation not upon any theory of what might happen in the future but having in mind the experience of what had already been done and with full knowledge of the general satisfaction such a move had produced throughout the United States. There was nothing theoretical about that. It had already been done and we believed it was the part of good wisdom to give the President legal authority in a legislative manner to do exactly that.

We also provided that in case any industry refused to cooperate with the Government in the defense program by refusing to accept the services of the boards already set up to adjust differences between industry and labor that these plants could be taken over. We followed it up with authority to the President to take over a strike-bound plant in order that he might run it and protect those who wished to work to produce commodities to be used in national defense; and then not wishing to bring before the House of Representatives any one-sided piece of legislation, not wishing to continue this practice of using industry as a whipping boy to punish subversive or recalcitrant elements in labor we decided that we would write a bill which was not lop-sided. We decided that what was sauce for the goose was also sauce for the gander and that if we had the power to regulate by legislation recalcitrant industry that in a time like this we also had the power to write legislation that would regulate recalcitrant labor; and that is exactly what we did.

As has been stated by the very able and distinguished chairman of this committee, the labor-regulating provisions of this bill are nothing more than policing regulations, and certainly no member of this committee is going to stand here in the well of the House and put himself on record as being in favor of violence on a picket line. If he is, I would like to stay here and listen to him do so. That is all we attempt to forbid in this legislation. We provide that the man who desires to work shall be protected. We also provide that the man who favors violence, who favors clubbing, stoning, shooting men, or turning over their automobiles when the men wish to work, shall be prevented from doing so, and we place a penalty upon such lawless acts.

I want to say, Mr. Chairman, that if we are to survive as a nation, we must survive as a nation in which law enforcement means something; we must survive as a nation wherein the rights of all the people in this Nation are protected, and not the rights of any minority. We cannot survive as a nation wherein any minority is accorded special privileges.

Why should any minority be allowed the privilege of clubbing and stoning men who desire to work, any more than you should have the right to club and stone men who desire to attend a church of their own choosing? Why should any minority have the right to prevent a man from going to work, any more than they should have the right to prevent a man from listening to a radio program or reading a newspaper of his own choice?

Nobody has any desire to interfere with the right of labor to strike. It is expressly written into this legislation that we do not intend to interfere with the right of labor to strike or to picket peacefully, but we do intend, if it lies within our power, to curb the right of violent picketing because violent picketing is an invasion of the rights of free men. The right of a man to work and earn a living for himself and his family is more basic, more fundamental, and more sacred than the right to interfere with a man who desires to work, and especially is this so at this time when it is necessary that we devote all of our energies to the manufacture of commodities for the use of our armed forces.

Let nobody tell you, Mr. Chairman, that these strikes have not seriously interfered with our rearmament program. Any man who tells you that is either intentionally misrepresenting the facts or he is utterly ignorant of what he is talking about. You only have to go down to a conference that the members of this committee and the members of other committees attend every 2 weeks and there look at the statistics presented to see what detriment these strikes have been to our national-defense program.

Mr. RANDOLPH. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. The discussion of the gentleman from Pennsylvania in reference to the loss to our Government in defense matériel by strikes now in progress and by those which have occurred in the past is highly important. Even in the month of June, when the situation is supposed to have been much improved, we find that approximately 600,000 man-hours were lost in turning our matériel going directly into contracts for the Army, not taking into consideration those of the Navy. It is my understanding that on July 5 there were 37 defense factories where work was stopped by strikes.

Mr. FADDIS. Yes; I believe that is true.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I am sure the gentleman heard the very able statement made by the gentleman from Texas [Mr. THOMASON], and also the one made by the gentleman from Indiana [Mr. HARNESS].

Mr. FADDIS. Yes; in part at least.

Mr. JENKINS of Ohio. The gentleman from Texas [Mr. THOMASON] opposes the action of the gentleman's committee, and he wants that stricken out and the Connally amendment restored on the basis that what the gentleman is arguing for is too drastically against labor. The gentleman from Indiana takes the other view. Now, both of these gentlemen cannot be right. They both cannot be defending labor and yet support directly opposite propositions. What is the difference between these two in a few words?

Mr. FADDIS. The difference between these two in a few words is that the provision presented to the House by the House committee undertakes to protect

the man who desires to work. That is exactly the difference.

Section 9 (a) of this bill provides:

That in the event of the stoppage of production through subversive influences or otherwise, not constituting a refusal under the foregoing provisions of section 9 hereof, of any article or material which may be required for national defense, or which may be useful in connection therewith, in any plant or industry, the President, if he finds that the exercise of such power and authority is necessary or desirable in the public interest, shall order such plant or industry to resume production immediately.

Then further on, we say in section 9 (b):

It shall be unlawful to prevent or to attempt to prevent, by force or violence or by threats thereof, any person from accepting or continuing in employment in any defense plant, or from entering or leaving any defense plant in the course of such employment. Nothing in this section shall limit the right of any person or organization to strike, or to engage in peaceful picketing.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HARNESS. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Indiana.

Mr. HARNESS. I want to make this further observation in answer to the question of the gentleman from Ohio. The so-called Connally bill that the gentleman from Texas [Mr. THOMASON] defends is purely and simply a seizure bill which grants power to the President of the United States to seize industry and take it over. As I said a few minutes ago, when you seize and take over a plant, you do not take just the four brick walls and the machinery therein. You must have the men to operate the plant and a seizure of industry is a draft of labor. This proposal that the gentleman is speaking for is designed to preserve and protect the rights of labor in that workers still have the right to strike, the right to picket, and all the rights that the labor laws give employees. When the Government takes over the plant it takes over labor and the employees become Government workers. They then cannot strike against the Government; they cannot bargain with the Government, and they therefore lose all labor rights. I would not willfully or knowingly support any legislation that would deprive labor of these fundamental rights.

Mr. FADDIS. The gentleman from Indiana is exactly right. As far as real, genuine protection to labor is concerned, this bill gives more genuine protection to labor than does the Connally bill. Furthermore, it gives more protection to the public interest and general welfare of the United States than does the Connally bill, because this bill has provisions in it which guarantee to the man who wants to work that he will be protected in that right to work. In no way does it disturb the constitutional right of labor in any manner, shape, or form, in no way does it disturb any of the so-called gains of labor unless those who want to maintain that it does so desire to include among the so-called gains of labor the right to picket violently and the right to club and stone and shoot men who wish to go to work where they do not desire them to work.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. FADDIS. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. Is it fair to say from the terms of this bill that if the Government under this law, should it become law, takes over a plant, and if any man or group of men employed in that industry so taken over do not want to work, they may leave the plant and there would be nothing in this bill forcing them to work, and in their stead the Government would have to hire other men? Further, under this bill the other men who want to work will be protected?

Mr. FADDIS. That is quite true. There is nothing in this bill that would force labor to work in any plant that the Government might take over or that the Government might undertake to run as the result of being strike-bound.

Mr. Chairman, the Committee on Military Affairs several years ago considered for several months a bill to take the profits out of war. We started consideration of that bill with the idea that in time of war the proper manner to proceed would be to conscript capital, industry, and labor. When we finally brought out the bill, we wiped out all of the conscripting provisions because the testimony before the committee convinced us without the slightest possibility of a doubt that that would be the poorest way to proceed, and that in time of war the proper and best and the most efficient management for capital, labor, and industry is their natural management.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Idaho.

Mr. DWORSHAK. Does the gentleman believe that the President had the authority and was justified in taking over the operation of the North American plant?

Mr. FADDIS. I certainly do.

Mr. DWORSHAK. Then did he not likewise have similar authority so that he might have intervened in the Allis-Chalmers strike and similar labor disturbances?

Mr. FADDIS. If those plants were contributing wholly to the national defense, yes; although the Allis-Chalmers plant was not contributing to the national defense to the same extent as in the case of the North American plant.

Mr. DWORSHAK. Was not that plant engaged in producing essential equipment for our Navy at the time?

Mr. FADDIS. Yes; but not entirely. My belief is that the general welfare and the security of the United States are paramount, above all other considerations, and that the President of the United States in time of crisis not only has the right but it is his duty to protect the public in that respect.

Mr. DWORSHAK. He ought to have that right. [Applause.]

[Here the gavel fell.]

Mr. ARENDS. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF of Michigan. Mr. Chairman, I believe any Member of the House who knows the chairman of the House Committee on Military Affairs, the gentleman from Kentucky [Mr. MAY] and the other members of that committee, can reach but one conclusion as regards the intent of the bill now before us. No one can challenge the fact that these fine Members of this House are attempting to give to the responsible authorities of this country the power to keep our national-defense industries going. You can reach no other conclusion than that.

As far as I have been able to learn by a careful reading of the bill, I find no challenge to the constitutional rights of labor. I find nothing that takes from labor any of the benefits and protection which have accrued to it down the years. I do find, however, provisions that will give to the administrative agencies of the Government the right to protect men in this country who desire to work when they have opportunities to do so, regardless of what someone else may think about it.

Mr. Chairman, every Member of the House should know something about the condition of our national defense. We all know, or should, at least, the pitiable state it finds itself in. There is no excuse today for any Member of this House being uninformed of the fact that the more than a million boys who have been called into the camps of the country through the draft are there without enough equipment with which to train them properly.

There is no excuse for any Member of this House not knowing that today we do not have on hand at this time enough antiaircraft guns to properly defend the cities of New York and Philadelphia. There is no excuse for any of us being unaware of the fact that our mechanized equipment is not sufficient and is not complete enough to thoroughly and fully equip one panzer division in our Army.

Mr. Chairman, what I shall now say, will, I hope, emphasize the necessity of doing something that will enable this Government to take the necessary steps to keep our national-defense industries going at top speed. The equipping of our own armed forces has been too long delayed. Let those responsible for the allocation of arms and equipment now being turned out by American industries take heed before it is too late and see to it that we in this country are given some measure of the protection we are so generously bestowing upon other peoples.

Mr. Chairman, the American people may expect from now on a continuing and increasing barrage of propaganda from British and American administration sources for the sending of an American Expeditionary Force overseas to fight the war for Britain as we did in 1918. Already the barrage has begun and it will continue with such a din as will be calculated to drown out any protests, any objections, or any attempt by congressional action to stop it. The inside powers that

be—British and American—appear to have decided that American boys are to be sent overseas to be mangled, gassed, bombed, and killed in foreign fields and alien trenches. The betrayal of the Unknown Soldier who lies in Arlington will soon be complete.

Solemn promises—the sort of promises the American people had every right to believe were sincere and would be kept—were made by both Mr. Roosevelt and Mr. Willkie before the last election, that America would be kept out of war; that American boys would not again be sent to die in Europe's age-old quarrels.

The developments of the last week, however, have shown the people these promises are not to be kept.

General Marshall, Chief of Staff of the Army, recommended that the solemn promises made by practically all spokesmen for the administration and the Congress be deliberately violated, and that the men in the National Guard, and the draftees, not only be kept in service for an undetermined length of time, but that the President be authorized to send them to fight anywhere in the world he may choose. The Chief of Staff, however, unlike the others, suggested that it be done in a constitutional manner. It is reported that a bill to that end will be sent up as another amendment to the draft act.

Mr. Roosevelt, in a surprise move, permits—or causes—his Secretary of the Navy, Frank Knox, to demand, in a speech in Boston, that the Navy be used to clear the Atlantic Ocean of German craft, surface, and submarine. That would mean, of course, a shooting war. This attitude of Mr. Knox was pointed out as being directly and flagrantly contradictory to his earnest and reiterated expressions before a Senate committee when he was seeking confirmation for his present Cabinet post. This does not seem to bother Mr. Knox or the administration.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. WOODRUFF of Michigan. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Secretary Knox was criticized for that speech, but it turned out later that he was speaking by the card, because that very thing was being done and had been accomplished; that is, sending our naval and air forces to Iceland.

Mr. WOODRUFF of Michigan. I believe it is conceded by anyone who has had to live with this administration during the past 8 years that no member of the Presidential Cabinet would dream of making a statement of that sort without the full knowledge, approval, and perhaps direction of the President. [Applause.]

Next came young Douglas Fairbanks, an indifferent and a not too successful motion-picture actor who was sent at public expense by the President to carry culture to South America, demanding in a radio broadcast that the Navy be sent into a shooting war. Somebody should get a gun for young Fairbanks—and he could find a lot of fighting in the England he so yearns to aid.

Next came President Roosevelt's surprise message to the Congress presenting another fait accompli—or, rather, a series of them—the landing of Marines on Iceland, and the sending of American boys to the other foreign bases, such as Trinidad. By this action the President not only took a further long step toward plunging the United States into a shooting war, but also he undertook to extend the Western Hemisphere to within 600 miles of the British shore.

Mr. Chairman, coincident with this revelation by the President of his bold act, and apparently timed to coincide with the announcement of the dispatch of American boys in force to far foreign bases, General Sir Claude Auchinleck, new commander in chief of the British forces in the middle east, who succeeded General Wavell, declared:

> I see as much need for American manpower in this war as in the last. In 12, 14, or 24 months this need certainly will arise.

Be it remembered that about two and a quarter million American doughboys were sent to the fields of France and the other foreign lands in the first World War.

This in defiance of Churchill's solemn promise recently that Britain did not want American manpower, only American machines and supplies of war.

And thus on both sides of the ocean the most solemn promises of the highest administrative officials and leaders are ruthlessly broken with a cynical disregard for the terrible damage such violation of the pledged word in high places must do to the confidence of our people in their established government.

It is now too apparent to longer be disregarded that step by step, just as fast as the British and American administrators believe the American people can be persuaded to submit, these promises are being broken, America is being taken into war. All this time politics, labor rackets, and communism are rampant in the national defense program, and American boys are being prepared for slaughter on battlefields overseas.

Gen. Hugh Johnson in one of his columns summed up this whole shameful picture in these words:

> Too much havoc is being made all over the world by violation of the promises by which men live. * * * The present crumbling of what we are pleased to call western civilization is wholly traceable to violations of good faith and honor, and in my reluctant opinion that is exactly what is being proposed here.

Mr. Chairman, it will be an indescribably heinous crime to send these American boys into the overseas wars without the equipment, the supplies, or even the training by which to defend themselves, let alone to win battles. Under any circumstances, in the light of every sane consideration, the first and foremost thing to be done is to purge Communists, Nazis, and all other subversionists and fifth columnists, labor racketeers, and politicians out of the national defense program and turn every energy to the building of an adequate defense, an adequate supply of training and fighting equipment for our own boys.

Let us change this policy of sending everything we manufacture overseas to soldiers of other countries when we do not have on hand the matériel with which to equip and train the soldiers of our own country. Every informed Member of Congress knows this is not being done, but that the lag in the national defense and in production of machines and supplies for our own Army have the military leaders themselves gravely worried.

Mr. Chairman, going into this war is not a blithe adventure for the glory of Hotspurs and Sir Lancelots. It is a deadly issue which involves the lives, the liberties, and the happiness of our people.

The American people should—they must—rise up in righteous indignation and make public officials, politicians, racketeering labor leaders, and all others realize the people will not continue to submit to such outrageous deceptions, broken promises, and maladministration of their Government. [Applause.]

Mr. MAY. Mr. Chairman, I yield the gentleman from California [Mr. SHEPPARD] such time as he may desire.

Mr. SHEPPARD. Mr. Chairman, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from California. [Mr. LEA].

Mr. LEA. Mr. Chairman, ordinarily our primary interest in labor disputes is only as to controversies between employer and employees. Today the Nation is mainly concerned as to the effect of such controversies on national defense.

Many decades ago the late Justice Holmes, while a member of a Massachusetts court, in a dissenting opinion in a labor controversy involving the right of labor to organize, said:

> On the one hand—
>
> Meaning the employer side—
>
> organization is patent and powerful. On the other—
>
> Meaning labor—
>
> organization is the necessary and desirable counterpart if the contest is to be waged in a fair and equal way.

Many years later, speaking in a decision of the Supreme Court of the United States, Justice Holmes said:

> I have no doubt that when the power of either capital or labor is exerted in such a way as to attack the life of the community, those who seek their private interest at such cost are public enemies and should be dealt with as such.

These two quotations recognize much of the philosophy of our law that should apply to the controversies between employer and employee.

Justice Holmes recognized the fact that such controversies are a part of our economic life and that they are contests; that there are two parties to the contest, employer and employees; that employers may be organized and powerful; that

labor must be organized and powerful to protect its interest; that contests between employer and employee should be conducted in a fair and equal way, which means with due regard to the rights of each; that when the power of either or both of these groups is exerted in such a way as to attack the life of the community the private interest of that group must be subjected to restraints for the protection of the public good.

The difficulties between employers and employees may be minimized, but never entirely eliminated. It is inevitable that their conflicting interests will, at times, result in differences and controversies. In the main, we leave the adjustment of these differences to the parties immediately concerned.

These conflicts may result in strikes. A strike is a crude method of settling differences. It partakes of the character of a jungle conflict. The decision depends too much on might and too little on right. It involves the loss of employment to labor, the shut-down of operations, the loss of profits to the employer, and varying degrees of injuries are suffered by that part of the public in no way responsible for the controversy. The strike is tolerated only because some method of protecting labor is necessary and because no better means of affording protection has been devised.

For lawmaking purposes we must assume that in any given strike either employer or employees, or both, may be either right or wrong. An employee or weak organization of employees may be defenseless against a powerful employer. On the other hand, an employer may be practically defenseless against a strongly organized labor group. In either case the stronger group is able to enforce its program, whether it be right or wrong, subject to numerous influences that may affect the ultimate settlement.

The difficulty of prudently interfering in these controversies, as well as the very convenience of the public, have made it desirable to leave their settlement, so far as practicable, to the parties themselves. We cannot ignore the fact, however, that the public has an interest for the protection of either group against injustice from the other group. In other words, conceding that employer and employee are engaged in a conflict of economic pressure, organized society does have an interest in seeing that the contest shall take place under fair rules of the game. Either side of the conflict has rights that deserve protection where the parties to the conflict are unable to give themselves that protection.

Beyond the interest of the parties to such a conflict, the Government has a duty to interest itself for the protection of the possible victims of such a conflict, who are not parties to the controversy. The innocent bystander, that part of the public in no way responsible for the conflict, has rights that must be protected.

When we are faced with the problem of strikes that interfere with defense and which action delays or handicaps preparation for national defense, the public has a right to be interested. The question arises, Which comes first, the right to strike, or the duty to prepare for National defense? The Nation cannot afford to permit either employers or employees to veto or delay necessary national defense.

We must necessarily recognize that a national emergency, or even war, should not relieve us of the duty of fairness to labor. The cost of national defense whether funds are expended to a contractor or directly to the Government, is a burden on the people of the United States. For a nation like ours a policy of fair wages to labor and fair profits to industry is the most effective course for securing efficient defense production. The Nation should see that labor is so reasonably compensated that strikes during a national emergency should be unnecessary in order to secure just conditions of employment.

For 25 years I have seen organized groups interested in many subjects send their representatives to Washington to influence legislation and the administration of the law of our country. Many of these groups have been actuated by commendable purposes. There has been something of merit in the demands of nearly all of these groups. I have sympathized with many of their efforts, but in all these 25 years I have never seen an organized group come to Washington to whom I would be willing to hand over the power to write or administer the laws that affect their own interests.

Human frailty and the human motives operate pretty much the same in every state of organized society. Human nature is such that men are not so constituted as to be relied upon to deal fairly and justly with the public when the power to enjoy special privileges is within the grasp of their own hands.

We are living in an age of organized groups with whom expert organization and propaganda have become a finesse. They have power to influence Government and its administration far out of proportion to their numbers. They have the zeal and effectiveness of the man who knows what he wants and knows how to go after it. Frequently, if not ordinarily, the public is unconscious of its interest in such controversies. The average man has an indifferent interest or, as a single citizen of a great Nation, considers his protest futile.

One of the most serious responsibilities of our membership at this time in the history of our country is to heed that silent, unorganized appeal for justice to the unrepresented in the affairs of this Nation.

For more than half a century Congress has recognized the necessity of protecting the public against the unjust use of the power of organized wealth. In various forms we have legislated for the protection of the public against the use of oppressive powers against the people of the Nation. Our antitrust laws and the regulation of public utilities and many other measures indicate the desire of Congress to protect the public welfare against these powerful influences.

Many months ago, when the necessity of the preparation for defense on a vast scale confronted the Nation, the President assured the country that none of the social gains of recent years were to be abandoned. Later, when troublesome strikes occurred to interfere with national defense, the President minimized the importance of the obstruction and expressed the view that it was trivial in comparison to the amount of labor involved. Time went on, and month after month strikes increased. In the meantime many labor groups apparently misinterpreted the attitude of the President. His words in their defense were interpreted as if he had said, "Go ahead, boys; it is all right."

To add to the difficulty of the problem, many prominent satellites of the administration minimized the injury done by strikes in delaying defense as of trivial importance. They had only words of platonic indifference to strikes that were making unemployment by millions of days. They had words of denunciation for those who protested against strike delays of national defense. Today the public sentiment of the Nation is incensed. National defense is embarrassed by the fact that an unfortunate situation that makes it necessary to legislate on this subject has come upon us not uninvited by some responsible men in government.

I am one of those who believe that the menace that faces our country is a very grave one. It is the cold-blooded, conscienceless action of the greatest military machine the world has known, deterred by no moral compunction, seeking to rob and enslave a world. The threat is not against a single group or class; it is against every citizen of this Republic. The call for national defense and the things that delay it mean as much to the employee as to the employer. A needless delay or handicap in preparation for defense may recoil upon the heads of those responsible as much as upon those who oppose these delays. In other words, the call to prepare for national defense is the call of America to its citizenship.

Speaking generally, this bill proposes certain provisions of law to minimize or eliminate delays in defense production. The employer who refuses to use the mediation facilities of the Government to settle labor disputes shall thereby warrant the Government in seeing that the plant is taken under control for continuance of production.

Where there is a stoppage of production through subversive influence or otherwise, the President may order such plant to resume production immediately. The President shall enforce his order through the War and Navy Departments and afford protection to all persons engaged in the operation of such plant who voluntarily desire to work.

The main point of this provision is that it provides for ending the stoppage of production. It does not permit national defense to be vetoed by employer or employees while they haggle over just or unjust, important or unimportant differences between them.

This section does not require any man to work against his will. He can work or not work as he chooses. If he attempts to prevent others who want to work from doing so, the Government will

afford protection against such interference with national defense.

The power thus given the President is limited to the national emergency or in time of war. When the Nation faces an emergency that requires the expenditure of billions of dollars and the straining of all its economic resources in preparing for the protection of its own life, is it asking too much of those who labor in its defense industries that they should defer their controversies or seek their peaceful solution, without holding up national defense? Is that asking too much of the employer? Is that asking too much of the employee?

This bill has a provision that makes it unlawful to prevent or attempt to prevent any person from working in a defense plant by force or violence, or threats of force and violence. If the employees do not want to work, they can refuse to work. That is their affair, but if they use force and violence to prevent others from helping the Nation prepare for defense that is the affair of the United States. Criminal violence, either through action of employer or employee, has no proper place in strike activities anywhere or any time.

This bill deals positively with strike evils in national defense.

It is regrettable that such legislation is necessary. From the standpoint of patriotism, I would not classify labor any differently from other groups of the country. They have that loyalty and the interest of the future of this country at heart that fortunately are common to good citizens of this Republic. The evils of this situation have been brought about without the approval of the great masses of union labor in this country. More unfortunately, some of these strikes have been aided, if not inspired, by disloyal and subversive labor leaders animated by their own selfish purposes, or by a desire to serve the enemies of our country. That cannot be charged to labor as a whole any more than the offenses of the citizens or any group can be charged to that group as a whole. That does emphasize the need of legislation.

Legislation to eliminate practices detrimental to the public, is not a reflection on any class. No class can be above the law, nor can we expect any class to be free of those who transgress the rights of others and the common interest of society. The necessary protection of the public must run against those who offend that security and not against the groups of which they happen to be members.

The record stands before us. It is a record of millions of hours of wasted labor in national defense.

The delay has been in providing equipment and war materials needed for the defense of this country and for the protection of those among us who may be called to battlefields in the defense of our flag.

Confronted with such a record of defense delay, what answer shall Congress make to the Nation? What answer shall we make to those called to the defense of our country? What answer shall we make in response to the call of our duty to provide for national defense?

We do not ask that labor shall not organize or not strike or not bargain collectively or not refuse to work. What we do ask of labor is that it shall refrain from interfering with, and delaying the necessary defense of its own country.

Mr. ARENDS. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. ELSTON].

Mr. ELSTON. Mr. Chairman, the bill before us today is the outgrowth of some of the most drastic and far-reaching legislation ever introduced in Congress. On the one hand bills were introduced which would have permitted the President, when he alone deemed it in the interest of national defense, to requisition and take over, either permanently or temporarily, property of any kind and character, whether real or personal, tangible or intangible. Under such proposed legislation the President would further have been permitted to use such property on such terms as he saw fit, to sell or otherwise dispose of the same, either temporarily or permanently, and to compensate the owners on such terms as he considered to be proper, although provision was made for an appeal to the courts in the event the owner was not satisfied with the price offered for his property. Such proposed legislation, if adopted, would have left nothing which any American citizen owned or had an interest in exempt from the edict of one man or the whim or caprice of his subordinates. Under these bills the President could seize any plant or business and sell the same to any person or country he saw fit, and then, under the same law, after paying the owner for his property, seize the cash or other consideration used in making payment.

It is difficult to understand how anyone retaining the slightest faith in our republican form of government could support such legislation, but the fact remains that the President himself, and men high in his administration and others, urged its adoption. In this connection I want to say that under date of June 5, 1941, I addressed letters to the Secretary of War, the Secretary of the Navy, and the Director General of the Office of Production Management, asking them to furnish me with the names of any persons, firms, or corporations, who had failed or refused to sell or transfer to the Government anything needed in the interest of national defense. From the Navy I have received no reply. The Director General of the Office of Production Management, although favoring a general requisition statute, states that generally speaking "American industry has cooperated wholeheartedly in the defense program." The Under Secretary of War cites a few isolated instances in which landowners refused to sell their land to the Government. He also calls attention to instances where the owner of an airplane refused to sell his airplane to the Government and the owner of a carload of borax refused to sell it when requested to do so. He refers to the cases in which owners of land have not been satisfied with the prices offered by the Government, which, of course, is not unusual. Before the Military Affairs Committee the testimony overwhelmingly was to the effect that industry has cooperated to the fullest extent. Section 9 of the Conscription Act, you will recall, now gives the President, through the War and Navy Departments, the right to seize any plant the owners of which refuse to fill any order for defense material at prices to be fixed by the Government. Although this act has been in effect since last September there is no case on record where the provisions of this section have had to be enforced. I cite these facts as indicating a total lack of justification of any drastic property-seizure legislation such as has been proposed. In the face of the splendid record of industry, passage of a general property-requisitioning statute at this time could only be construed as the giving of power to the President solely for the purpose of giving it and the taking of a long step toward the socialistic state.

An important feature of the bill before us today is that it does not permit the seizure of property. In this respect it very materially amends the Senate bill which not only permitted the taking over by the Government of plants engaged in national-defense work, but included plants which, in the opinion of the Secretaries of War or Navy, were capable of being readily transformed for the manufacture of materials needed in national defense. All that was necessary, under the Senate bill, to warrant the seizure of a plant, was a belief on the part of the President himself that the exercise of such authority was necessary or advisable in the public interest, or that the national-defense program might be impeded by a strike or threatened strike. Believing that no such unprecedented grant of power was warranted by anything which has occurred or is likely to occur, the Military Affairs Committee struck out this portion of the bill and substituted therefor section 9 (a).

On the other hand, we have also observed the introduction of bills to wholly outlaw strikes, to take from labor its most fundamental rights, and to impose upon labor the innocent as well as the guilty, shackles not justified by any circumstance or condition.

Faced with these extremes, both the Senate and the House Military Affairs Committees have attempted to solve the problem. The bill now in your hands represents the viewpoint of a majority of the House committee. Whether its version of what the law ought to be is preferable to what is known as the Connolly bill, as passed by the Senate and entirely stricken out by our committee, is for you to say. Many will contend that no legislation along this line is needed under existing conditions. Undoubtedly some of the more aggravating strikes which seriously interfered with the progress of the national-defense program were due to communistic influences. If, because of Russia's entrance into the war against the Axis Powers, these influences will no longer be a factor, time alone can tell.

Whether it is advisable that the question of draft deferment should be han-

died along with the other matters contained in this bill is a matter of opinion. They have been included together inasmuch as they involve amendments to the Conscription Act of 1940, that act having dealt not only with the selection of men for military and naval service but with Government seizure of plants refusing to cooperate with the Army and Navy Departments in the national-defense effort.

As we have been called upon during a consideration of this bill to compare it with the Connolly bill as passed by the Senate, and may later be required to attempt to reconcile in conference differences between the two Houses, assuming the House bill should pass, it is in order that we review both measures. I, of course, would not want to make the claim that the bill under consideration is perfect. As a matter of fact, I did not support all of its provisions in committee. I particularly want to comment upon those parts of the bills which deal with the subject of draft deferment. The Senate bill, you will note, provides that the President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service of men who have reached their twenty-eighth birthday on the 1st day of July of any year. When the bill was under consideration before the Military Affairs Committee I offered an amendment which struck out this discretionary power in the President and this amendment was adopted by the committee. The House bill now provides that men of 28 years and over shall be deferred until Congress declares otherwise and does not leave in the hands of the President the discretion to call such men into service whenever the President alone sees fit to do so. This I believe to be an exceedingly important change. If men should be deferred under Presidential order, they would never know when such order might be revoked or changed. This state of uncertainty not only is wholly unnecessary, but it would have a tendency to bring about an unstable condition in the country. It would constitute a serious handicap to those affected by it. Men would not be free to enter business or to undertake contractual responsibility requiring their services for any period of time. Employers would hesitate to employ such men, not knowing when they might be called away. Men would hesitate to become married, not wishing to have it appear that they might have married to escape military service. Business would suffer to an appreciable extent through the hesitancy on the part of many who might be called into the service to purchase a new home, an automobile, household furniture, or even clothing or other necessities of life.

In his testimony before the Military Affairs Committee, General Hershey said that there were approximately 5,000,000 registrants between the ages of 31 and 36. As there are about 1,000,000 men registered for each age year below 31, it follows that approximately 8,000,000 men above the age of 28 might be affected by this legislation. Even though many out of this number would not be qualified or would be deferred from service, they would virtually all be in a state of uncertainty until their status was finally determined. If this group is to be deferred, they should be deferred now and should not be subject to call for duty until Congress, by additional legislation, sees fit to call them. As only 21.5 percent of the men who have thus far been inducted are between the ages of 28 and 36, it is perfectly clear that only the most serious kind of emergency would require Congress to again bring this group within the provisions of the Conscription Act. War itself might not even require it. Canada and Australia are both at war, but nobody older than 27 has been drafted in Canada, and nobody older than 23 has been drafted in Australia.

There is still another very compelling reason why men over 28 should be deferred and not be subjected to call until Congress further acts, and that is the ever-increasing possibility that selectees may be compelled to remain in the service longer than the 1 year originally contemplated. While we do not know at this time that Congress will accede to the request of the President and General Marshall, there is the possibility that it may do so. As there is also the possibility that Congress might grant the request that selectees may be authorized to serve outside of the continental United States, the Western Hemisphere, and our possessions, there is still another reason for deferring men over 28, having in mind that the War and Navy Departments are of the opinion that the younger group is more adaptable to military service. For these reasons particularly, Congress should here and now decide to defer those who have reached their twenty-eighth birthday. By all means Congress, and Congress alone, should retain the power to decide when and if they should ever be called for service.

If men 28 years of age and over are to be deferred, it is only fair that those who fall within this age bracket and who have already been called into the service should be deferred from further duty. I offered in committee, and propose to offer from the floor, an amendment which will so defer them. Such an amendment would not only be fair to those who are now undergoing training, but would also pave the way for more rapid replacement with younger men. If men under 28 are preferred to those over that age, it follows as a matter of course that the younger men should begin their period of training as early as possible.

When General Hershey was before our committee, he indicated that he was opposed to this suggested amendment, but said that it was merely his opinion and that he did not seek to speak for the War Department. In this connection it is well to bear in mind the reasons of the War Department for wanting to call men in the future from the lower age brackets. The younger men more readily adapt themselves to military training from both the mental and physical standpoint, according to the testimony presented to us. Men in the older age brackets present more serious problems. To use General Hershey's own language, which appears on page 34 of the hearings:

> The flexibility and the learning quotient of the individual in the upper age group is not as great as in the younger age group.

I appreciate that it may be contended that there would be some disruption to the service to defer men already in the service. On the other hand, if younger men make the better soldiers and are more adaptable to training, the selective-service branch of the Army should be filled with such men at the earliest opportunity if the best results are to be obtained. As some hardship might be encountered in returning a selectee to civil life before the expiration of his year, provision should be made to allow him to remain in the service for the remainder of such year if he prefers. This would, no doubt, lessen the disruption of service, as many would choose to remain.

We are all interested, I am sure, in seeing to it that our armed forces are second to none in the world so far as quality and striking power are concerned. This could only be accomplished if the morale of the men in the service is high. We can readily appreciate the feelings of those men in the service who have reached their twenty-eighth year if they are kept on duty and all other men within the same age bracket are deferred. You may recall that when the Conscription Act was under consideration and an effort was being made by some Members to confine the bill to the younger men, the contention was made by the War Department itself that it would be undemocratic to expect the younger men to do all the training—that the morale of the men called for training and service would be much better if the law applied to men even up to 45. In this connection do not forget that the original Burke-Wadsworth bill called for the registration of all men between the ages of 21 and 45 for training and service in the land and naval forces, and for the registration of those between 18 and 21 and between 46 and 65 for home-defense service. If it was believed to be good for morale that men even up to 45 years of age should be accepted for training and service, it is difficult to understand why the same argument is not good now. May we not at this time wonder what is going to happen to the morale of those men 28 years and over who are in the service and who may have to remain there while all other men within the same age group are deferred?

While we are on the subject of morale, let me make this further observation, although it is not entirely pertinent to the subject under discussion. We learn from the press that we shall soon be called upon to enact legislation to keep in the service beyond 1 year those men who have been inducted under the Selective Service Act, and to permit their being sent out of the Western Hemisphere and our possessions. There may be sound reason for the request, but when we come to pass upon that question let us bear in mind that there are men on the floor today who voted for the Selective Service Act because they were

sold on the idea that the men to be inducted would not be required to serve beyond 1 year unless Congress itself should declare that the national interest is imperiled, and that their service would not be outside the Western Hemisphere or our own possessions. Those who were inducted under the act were likewise assured that in 1 year their period of training would be over. A considerable number volunteered to serve this 1-year period, believing it would be a good idea to get it over with early, and they arranged their business and personal affairs accordingly. What about the morale of these men should they now be told that their period of service is an indefinite one, and that they may be sent anywhere in the world? Let us not prejudge the question before we know the facts, but let us also bear in mind that faith in the Government itself and in those who make the laws is essential to good morale, and that morale is as important a factor so far as the armed forces of a nation are concerned as guns and tanks, airplanes and ammunition.

Mr. ARENDS. Mr. Chairman, I yield 12 minutes to the gentleman from New York [Mr BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in opposition to any so-called antistrike amendments to the Selective Service and Training Act of 1940, such as are contained in the bill now before us, or to the inclusion of any such amendments in any other bill or the passage of any legislation which directly or indirectly abrogates the inherent right of labor to strike. To prohibit strikes does not prevent them, as the recent experience of the English has shown. Such punishment attacks the symptom of labor trouble and not the cause.

It is high time that somebody spoke out and told the truth about this matter, so vital today to the progress and preservation of our Nation.

Does anyone in this House seriously believe that the delay in our defense program is entirely due to labor? Or if they so believe, that legislation such as is now proposed or bayonets such as recently were used will solve the problem?

In the first place this House knows, if the public does not know, that powers have already been granted to the Executive branch of the Government adequate to prevent any stoppage in the defense program, whether caused by labor or by management. The President has full power to act in this regard, as he so dramatically demonstrated the other day when he ordered the Army to take over the plant of the North American Aviation Co. in California. These powers were granted in the original Selective Service Act passed last year by this House, and they were reemphasized in the so-called lend-lease bill. In the meantime, due to apparent failure to properly administer the Labor Relations Act, defining the Government's policy as regards capital and labor, a mediation board was set up. And now, because the Executive branch, in the person of the Secretary of Labor, was dilatory in making use of this board, and because the President failed to appoint a responsible head or chairman to the Board, demands are made for further legislation. I ask you of what use is further legislation when the executive branch has failed to avail itself in its entirety of the legislation we have already passed? This House has done its duty long since so far as this problem is concerned. Are we now to reassume a responsibility which under the Constitution belongs properly to the President in a national emergency? I say to you that if today there are stoppages in vital defense industries the President has the power to act, as he has already proven. It is significant in this connection that the President has not publicly opposed this legislation. Does he intend by silence to "pass the buck" to Congress? His is the responsibility, and his the blame if any. You know this to be true and if the public does not yet know it, it is high time that the public did.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield.

Mr. CASEY of Massachusetts. In line with the gentleman's speech, I notice in the New York Times of today that President Roosevelt told legislative leaders that he is opposed to compulsory arbitration of labor disputes and to the May bill.

Mr. BALDWIN. I read that article and nowhere in the article is there any statement by the President, but only a reference to an alleged conference with legislative leaders.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I will be delighted to yield to the gentleman.

Mr. HARNESS. Can the gentleman cite any statute or any provision of the Constitution that would authorize the President to do what he did at the North American plant?

Mr. BALDWIN. In my opinion, yes, Mr. Chairman; but, if I may, I would prefer to finish my statement, as my time is limited.

There is more to this picture than just the legislative and executive side. We have declared a national policy on defense. For that policy to be successful—and it must be successful if this Nation is to survive as a free people—we need more than a passive national unity. We must have so burning a conviction as to the justice of our cause and so unanimous an enthusiasm for its ultimate success that no enemy within or without our borders will dare to stand up against us.

Now, I submit that we cannot legislate enthusiasm, and that on the basis of our own experience unnecessary, unwise, and unjust restrictive legislation, wherever applied, has produced but sullen acquiescence.

That the legislation here proposed is unnecessary seems to me self-evident. The President, as I have pointed out, already has the necessary powers.

That it is unwise is the considered opinion of all those whom I can find who have studied this particular problem, including your own Committee on Labor, of which I am a member. Does this House know that its own standing committee, set up to handle labor legislation, voted unanimously in formal meeting and after due consideration not to bring before you such labor legislation as is now brought before you by another committee? Does this House know that no opportunity was given the representatives of organized labor to testify before the committee of this House which did consider this basic labor legislation? Twenty renowned political economists, after study of such labor legislation, stated recently "that the right to strike still remains the basis for free trade unionism as a bulwark against totalitarianism." Although these amendments at one point specifically grant the right to strike, every other paragraph cancels out this right.

As for the injustice of these amendments, let us consider certain points too often forgotten and always too little emphasized.

For instance, what are the facts behind the now famous strike at the California plant of the North American Aviation Co.? This company, so far as I can ascertain, has had a major portion of our Government's aviation contracts. In 1940 its net profit, after deduction of taxes, was $7,090,336, which provided earnings per share of $2.06. The company pays a minimum of 50 cents an hour to its employees, as against 75 cents an hour paid by almost all other comparable aviation companies in America. Its employees struck for a slight raise in pay. And after all efforts to negotiate had proven futile, the problem was solved by bayonets. Or take the Bethlehem Steel Corporation, which has had, I believe, some strikes, and which, of course, is an important factor in our defense program. Their net income last year, after deduction for taxes, was $48,677,524, yielding $14.04 per share on stock outstanding.

But perhaps the following figures on five of the leading corporations in the country which are handling defense contracts will give more graphically than any generalization of mine the why and wherefore of certain labor unrest.

The net earnings given are for 1940, with the exception of Standard Oil of New Jersey, which is for 1939, the 1940 figures not yet being available; and the profits shown are after deductions of taxes.

The General Motors Corporation:	
Net earnings	$195,715,009
Earnings per share	$4.32
Workers employed	200,000
Average profit to the company per worker	$978
The American Telephone & Telegraph Co.:	
Net earnings	$188,344,032
Earnings per share	$10.08
Workers employed	260,000
Average profit to the company per worker	$725
The United States Steel Corporation:	
Net earnings	$102,181,321
Earnings per share	$8.84
Workers employed	260,000
Average profit to the company per worker	$393
The du Pont de Nemours Co.:	
Net earnings	$86,945,173
Earnings per share	$7.17
Workers employed	65,000
Average profit to the company per worker	$1,340

The Standard Oil Co. of New Jersey:	
Net earnings	$89,128,756
Earnings per share	$3.27
Workers employed	55,000
Average profit to the company per worker	$1,620

These figures, which are indicative of defense industry generally, provide, as I have said, the best key to present unrest in the ranks of labor. Labor feels that it is legitimately entitled to at least a small share of these profits, with which point of view I emphatically agree, and labor is warrantably fearful that under a smoke screen of legitimate emergency constant attempts will be made, as they have already been made, to deprive them of the protection achieved after years and years of blood and sweat, and toil. Surely, it would be unjust that the principles of the National Labor Relations Act should be suspended just when their recognition is most essential for industrial compatibility.

By all of this I do not mean to imply that management is unduly profiteering. Nor do I condone the obvious defects in the present American labor set-up.

But I do mean that at this crucial moment in American history when the great monument of our freedom and independence is threatened, there must be no division in the ranks. It never has been in this country; it never must be in this country; it never can be in this country capital or labor. If the system under which we have so long prospered is to survive, it must be capital and labor. And failure to recognize this vital fact will sooner or later so rock the foundations of our institutions that should they temporarily survive it would only be to crumble in our hands. I plead with you to defeat these amendments.

Mr. MAY. Mr. Chairman, I yield now to the gentleman from New York [Mr. LYNCH].

Mr. LYNCH. Mr. Chairman, I rise in opposition to sections 2 and 3 of this act.

In the discussion of these amendments it is natural that there should be a wide variance of opinion, such as usually characterizes the discussion of labor, where rural and urban people are involved. I think it is not going too far afield to say that despite protestations of love and affection for labor on the part of Representatives from rural districts, they have little real sympathy for labor unionism. To them the faults of labor are ever magnified; the merits of labor's cause are seldom recognized.

On the other hand, perhaps we from the cities are too partial to labor, either because we are sprung from the laboring class or have been so closely associated with labor that we are almost a part of it. Somewhere in between these divergent views is the line which undoubtedly marks the best interests of the country as a whole. To that line we should hew our course in this legislation which is before us, and it is to that line, I am sure, we of the Congress are striving to reach.

That there have been strikes that have impeded our national-defense program goes without question. That these strikes should be eliminated, as far as possible, is not subject to debate. The question, to my mind, however, is how greatly have our defense efforts been impeded and is the proposed method of elimination, which is the most drastic antilabor legislative effort ever made, one that will accomplish the desired effect.

We hear of the great number of strikes and the amount of man-hours lost. Industry publicizes the number of man-hours lost, but the actual loss in airplanes, or tanks, or war materials has never been furnished to my knowledge. In the consideration of this drastic legislation let us not be carried away by "man-hours," which might mean something or comparatively nothing. Let us get at the facts, and if we cannot get the facts, then do not pass this legislation. Frankly, I do not believe that this matter has been given sufficient consideration, for I am informed that no hearing has been had with respect to these amendments, and no opportunity has been given to organized labor to present its views. If I am in error in that statement, then I shall be glad to be corrected. If I am correct, then, without any intent to criticize the distinguished committee in charge of this bill, may I say that in my opinion these amendments are of such vital importance not only to the people of my district, but to the welfare of the entire country that I could not vote for them, with the knowledge that there had been no evidence before the committee to justify them, or if there were any evidence, such evidence was heard ex parte.

Organized labor is indebted to this country of ours; it has prospered beyond the fondest hope of the pioneers of trade unionism; it is not unmindful of these benefits. On the other hand, our country is indebted to organized labor, as through it the standard of living has been raised, the higher wages for which it has fought and attained has brought prosperity to the country at large; through it has largely been raised the standard of public health and safety in industry. It has, in effect, made the American way of life, for which the country is grateful.

Has organized labor proved itself disloyal? Is there reason to believe that any large percent of organized labor is so disloyal that any such legislation as this is required? I recall to your mind the eloquent words of the gentleman from Ohio [Mr. SWEENEY] when he spoke on the floor of the House the other day and defended the loyalty and patriotism of labor. Bear in mind his words that our Army and Navy are largely composed of the sons of the laboring class, and the fathers are just as loyal to their country as their sons. Many of these fathers served their country in the ranks or on the high seas in the last war and are now serving their country in defense industries. These men are not necessarily disloyal when they strike—with mounting cost of food, clothing, and housing. Take away their right to strike, as you virtually do in this bill despite its wording, and you destroy their only means of effecting collective bargaining. Take away their right to strike and you take away their only means of getting wage increases commensurate with the higher cost of living and with the profits of industry which they in large part create.

When it comes to taking away the rights of labor, I cannot help but recall the occasion last year when the distinguished gentleman from Georgia, the chairman of the Naval Affairs Committee [Mr. VINSON], came before this House and told us that industry would not bid on defense projects under the then existing law, and, upon his statement of the situation, this House raised the ceiling on naval contracts from $10,000 to $25,000 on which the 10-percent limitation of profit would not apply. I recall the apparent strike on the part of industry last summer until Congress made it possible to amortize construction costs over a short period of time, so that tax savings to these large corporations might be had, and to suspend the Vinson-Trammell Act with respect to limitation of profit on naval and airplane contracts. Let me say that, in my opinion, it was largely due to the resourcefulness and efforts of the distinguished chairman of the subcommittee on taxation, the gentleman from Tennessee [Mr. COOPER], that a way was found to get industry into production of defense material.

It apparently was not disloyal to refuse to bid until the 10-percent limitation on profits on contracts under $25,000 was lifted; it apparently was not disloyal to refuse to go into production until satisfactory tax deductions could be assured, but apparently it is disloyal for labor to use the only available weapon it has—the strike—to get a few cents more a day or a few more dollars a week.

I know that the strike at the North American aviation plant, the maritime strike on the west coast, the machinists' strike at the San Francisco shipyards, and the lumbermen's strike in Seattle have been cited as reasons for the enactment of this legislation. These are unfortunate incidents that have been so publicized as to reflect upon the patriotism of the great body of American labor. I do not know what merit, if any, there was to these strikes, but I cannot free myself of the conviction that the supine and stupid coddling and craven cringing in the past by the Department of Labor of "reds" and "pinks" are more than anything else responsible for the specter that has come back to haunt us. Because a few "red" leaders have control of a few labor unions is no valid reason, to my way of thinking, to brand as disloyal all American labor and to pass legislation such as is here before us. Labor itself is using the big stick, where formerly the Department of Labor gave loving taps.

Let us see what these amendments are, what they mean, and how much they are worth. To my mind, section 2 is a conglomeration of words which mean nothing and are worth less. The section is a stump speech, which apparently provides for the utilization by the employer of existing mediation and conciliation agencies and then leaves the pickets off the fence so that the employer may easily hurdle the provisions of the section.

I can well imagine an employer utilizing some of the "existing Government conciliation and mediation facilities" by appearing before some conciliator or mediator and then standing pat on his refusal

to come to terms with a union. Unless there is good faith in that utilization the whole section is worthless, and unless the mediator or conciliator has the right to determine whether the employer is acting in good faith, there is no purpose in having the section.

Now, let us examine section 3. In the event of a strike, regardless of its merits, it gives the President the power and authority to order the plant or industry to resume production immediately and through the heads of the War and Navy Departments to enforce such order. How is it intended that the President of the United States shall force resumption of production? I know that President Roosevelt would never exercise the full authority given under this bill, but it is wrong—dead wrong—to give the President the right to force a man at the point of a bayonet to leave his home and work under such conditions as the President might determine. Take an instance of a strike in a defense industry in New York where labor is highly organized. We have no fear of any great disorder—our police force handles such matters as mere routine. But though it be the finest police force in the world, it cannot compel the workers to go back on their jobs. How then is it intended by this bill to force them back to work, even though there be no disorder and though our police would have the situation well in hand? I can think of only one way for the Army or Navy to enforce the order of the President to resume operations immediately and I hope that time never comes, because when men in this country are driven to work at the point of a bayonet that is the end of our democracy. This legislation is thoroughly undemocratic, it is contrary to every American principle and if passed will break the morale of labor and bring disaster to the country.

Strikes cannot be settled by legislation; they must and should be settled on principles of equity and justice wherein labor and industry recognize not only their obligations to each other but to the public as well, especially in these times of national emergency. They can only be settled by employer and worker voluntarily sitting around the conference table, not dealing at arm's length or at sword's point, but as partners in a mutual enterprise. Let me give you an example of the cause of strikes. I read in the press last week the financial report of one of our large corporations which is an integral part of our national defense. Its profits for the first 5 months of 1940 were $13,957 and for the first 5 months of 1941 $1,189,378, after Federal income taxes and other deductions, but before Federal excess-profits taxes, and in addition a nonrecurring profit during the same 5 months of 1941 of $1,001,817, realized through the sale of capital assets. As far as I have been able to learn, despite these huge profits, that corporation has not voluntarily raised the wages of its employees during that period. If industry, after making provision for reasonable dividends, fair reserves for depreciation and taxes, would let labor share in the profits there would be few if any strikes in this country.

In the face of sections 2 and 3, what a mockery is the last sentence of this bill, "Nothing in this section shall limit the right of any person or organization to strike or to engage in peaceful picketing."

The amendments are vicious. They ought to be defeated.

Mr. MAY. Mr. Chairman, I yield 15 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, the remarks I make first I do without the knowledge of the chairman of our Committee on Military Affairs. I have had them in mind for some time, and this is an appropriate time to pay tribute to our chairman, which I think he deserves.

As everyone knows, I have not always agreed with him in legislation which has been presented to the committee for consideration and do not agree with him in reference to this bill, but I have none the less always respected his views and have appreciated his efforts and his outstanding ability. As the head of our committee, during the 5 years in which I have served on the Military Affairs Committee, he has worked untiringly for the defense of America. He has handled the work of the committee with a strong hand; and yet, at the same time, he has had an understanding attitude of the problems which confront even the youngest member of the group. With meetings almost daily and subcommittee meetings sandwiched in between, it has been a difficult job for all of us to keep up with the increasing work resulting from the tremendously expanding program of the Army. I have seen our chairman when he was worn out by long hours of fatiguing work on behalf of his constituents, come to the committee with all of the force and vigor of one just returned from a vacation; and I have seen him then set a high example of leadership and courage and loyalty in this important work. I can say without reservation that much of the legislation which now gives color and character to the national-defense program bears the stamp of his forceful genius and the imprint of his devoted and patriotic leadership.

Directing myself now to the terms of the bill, it deals with two general objects, one of which is to restrict the age limits of selectees in the future, and the other of which deals, of course, with the industrial problem. I shall speak at the present time with reference to the first feature of the bill which has been almost overlooked in the course of this controversy here today. I think it well that the House of Representatives have before it all of the available facts with reference to the manner in which the so-called draft or Selective Service and Training Act has worked during the 1 year in which it has been in operation in the United States. About a year ago in the history of this legislation there came to the Committee on Military Affairs representatives of the Army, interested in such legislation. The bill had already passed the Senate and had come to us for our consideration on this side of the Capitol. When the original draft bill in the World War was passed the age limit was set from 21 to 30 years for registration. Then Congress subsequently, when opposition developed, changed it so as to cover persons within the draft ages from 18 to 65.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. Yes.

Mr. WADSWORTH. I question the accuracy of the last statement the gentleman makes. I think the gentleman will find that the Congress in the summer of 1918 changed the draft law of the World War so as to register and subject to the draft all men between 18 and 45 and not 18 to 65.

Mr. BROOKS. I stand corrected. That is correct, and I thank my friend from New York who served in the United States Senate during the stirring days of 1917–18. But now, to come to the point I had in mind, when we brought this measure up the idea was to make it as comprehensive as possible rather than to begin by a restricted figure and then having to extend it later on. That being the case, the original act which passed covered from 21 to 35, inclusive, and now after it has been in service for about a year it has developed the thought and the need and the public desire that it be changed so as to restrict it to from 21 to 28 years. This is exactly the reverse experience of the World War, and yet it is important to know that the changing conditions and the changing time have brought about that demand. When this act was passed there were approximately 15,000,000 men within the draft ages of this act. These were roughly divided into three classes. The first class was from 21 to 25, and I am just arbitrarily dividing this into three classes. The second class was from 26 to 30, and the third class from 30 to 35, each one having approximately 5,000,000 persons within these class groups. In the age group from 30 to 35, inclusive, according to figures obtained from local draft boards throughout the country, 52 percent of the selectees were rejected because of physical reasons, while in the group between the ages of 21 to 25 only 24 percent were rejected for physical reasons. In the next group of 5,000,000 between 26 and 30 rejection of 36 percent was shown. So that if you take all the men within the class group from 27 to 36 you would find that approximately 50 percent of those men—every other one—are being rejected for physical reasons.

In addition to that, according to the testimony before our committee, we find that after a man passes the age of 25 he begins to take on obligations. He begins to get married. He begins to build homes. He begins to have families, and he begins to incur financial obligations of various sorts which bring upon him obligations and dependents. As a result of that, while we do not have definite figures on this particular feature, a great overwhelming number of men above that age have been deferred because of obligations and dependents.

Mr. PATRICK. And he also begins to take on fat, too, does he not?

Mr. BROOKS. The gentleman can address himself to that feature of this problem if he cares to. As a result of

that fact we are not surprised to find that between class groups of 31 to 36, inclusive, only 10.72 percent of those eligible for registration were actually accepted for service in the Army. In other words, as someone has properly said today, 90 percent of the work falls upon the draft boards with those in the higher age brackets, yet only 10 percent are produced for service in those groups.

I want to say something with reference to the numbers taken from each group. A chart in the record will indicate that age 22 has produced the greatest number of men for selective military training since the act took effect. Following that, age 23 is the next; age 21 comes third; and ages 24 and 25 on up to 36 follow in sequence. In the age of 22, which is the highest age group, we find 52,533 men up to April 1 included in the military service under this act. I have just obtained the figures for the month of April. We find that practically the same thing occurs for the month of April, when 108,204 men were inducted into service under this act.

According to the figures for April the age 22 group produced the greatest number of men for military service. That is, 16.2 percent of all taken in were 22 years of age. Age 21 is next, and produced 14.29 percent of the men for military service, although we find in prior statistics that age 23 came second. But other than that, the figures are proportionately about the same for the month of April as we found before that.

Mr. Chairman, I will not burden this Committee further with figures, but I want to say in conclusion a word on behalf of the draft boards which have been set up in every State of the Nation and which work on a most trying and difficult job. As a whole, they have worked tirelessly and patriotically on a new and untried peacetime program to give us the defense which the Nation demands in this crisis. With their daily work interrupted by constant demands upon their time and with their hearts close to the rank and file of our people, they have met the problems of a difficult job with courage and with loyalty have sought to solve them.

Mr. Chairman, anyone who continues to read the newspapers from day to day and to listen to the radios night after night is forced to the conclusion that the problem of national defense is more pressing today than ever in the history of the Nation. No comfort can we obtain from the European battles of the last few months. The conquest of Yugoslavia and Greece, coming on the heels of the collapse of some 10 to 12 nations under the fire of the German juggernaut, and the sinister invasion of Russia, all stand out to those of us who love America as giant warning fingers in the sky. Within the next few weeks, we will know whether the Soviet Union—communistic and subversive as it has been—is to be cataloged as another victim of unpreparedness in the face of Hitler's danger.

There is one sign in the history of these tragic times which cannot be ignored. It is written on every page and in every chapter of the history of the present day. It is read in the glow of the fires which light the heavens from the burning Russian villages at night, and no loyal American can live with his own conscience and ignore the demand for an all-out national defense.

In the past there may have been room for serious disagreement and dispute. At the present time, no such position is tenable. Absolute unity of purpose is necessary if we are to be fully armed, in men, in skill, training, and mechanism. Our people must be fully agreed that come what might, the Nation must defend itself, and to this purpose we must stand a united people, behind our Commander in Chief, in these most perilous hours of the Nation's history.

[Here the gavel fell.]

Mr. ARENDS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. PHEIFFER].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, it is my purpose to devote most of my time and discussion of this double-jointed bill, dealing with two topics, as unrelated as the poles, to that feature dealing with the maximum draft age, because, while I do not believe there is any question in the minds of any of us that the maximum draft age should be lowered to 28, the drafting of the men between 28 and 35 has caused great economic dislocation, personal hardship, and the blasting of many careers. Yet the question primarily goes a little bit further. I had intended, and I had even drafted an amendment practically the same as the amendment which I understand will be offered by my friend and colleague, the gentleman from Ohio [Mr. ELSTON], making the 28-year maximum provision retroactive so as to apply to those men now in camp, who, simply because of the luck of the draw, happened to have been inducted prior to the passage of this act. But lest I be accused of pussyfooting or side-stepping the highly controversial feature of this bill, namely, the labor situation, I do want to say just a few things about that feature of the bill.

There can be no doubt that all of us, every man and woman in the House of Representatives, are in accord on the proposition that labor, management, and the Government must work together as a team in the building of an unassailable defense for our country and that there is no room in the harness for a balky horse. The question is whether we are now justified in taking down the bars, in voting what in effect is martial law in running these plants, and thus saying to our working men that they are no more than cogs in the machinery. Why not appeal to them as we did in the first World War on the ground that they are a component part of our defense effort? I hold in my hand a badge that was issued to shipyard workers during the first World War. The man who wore that badge on the bib of his overalls was regarded as quite a guy and as really playing an important part in defending the country. And so it would be now. I am convinced that 95 percent of our American workmen would subscribe to the thesis that the man who fashions the gun and molds the bullet is just as important a part of our defense establishment as the man who shoulders the gun and fires the bullet. On April 2 of this year I introduced a concurrent resolution based on that thesis. It was House Concurrent Resolution 27. I have no illusions as to its fate. It is even now gathering a good layer of dust in the Committee on the Judiciary; but I say to you, Mr. Chairman, we should appeal to labor, to the man in overalls—not to the subversive elements, not to those slimy creatures who thrive on the fomenting of discord between labor and management, but we should appeal to the rank and file of the patriotic Americans in the ranks of labor who will respond to that appeal and who will make it unnecessary for us to send our troops in to take over these plants.

As my colleague and neighbor the gentleman from New York [Mr. BALDWIN] so aptly said, we must have labor and capital; we cannot have labor or capital. Verily, I believe we may compare the present labor situation to the well-known case of the rotten apple that spoils a whole barrel of apples. Let us take the rotten apples out of the labor barrel; and those rotten apples are the agitators, the Communists, the men, if you please, who desire to destroy our American form of society. Let us take them out of our labor barrel and we shall promptly note the difference. Then we shall have a community of interest between labor, management, and the Government, and we shall find ourselves in the happy state of building our national defense with the utmost unity.

We must continue to live with labor after this crisis is over. Labor is an important vertebra of the national spinal column. Let us go slow in saying to labor: "You are going to work under compulsion and at the point of a bayonet." Let us adopt means of reasoning, of appealing to their patriotism. That will be worth more than all the bayonets, teargas bombs, and armored cars in the country.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield.

Mr. CASEY of Massachusetts. I notice where Richard W. Miller, president of Vultee Aircraft, Inc., at a recent Fortune round-table conference said:

> I am not proposing any such damned foolishness as to legislate against strikes. I do not think labor will lose any of its gains; I think industry would be the loser if labor did.

That is right in line with what the gentleman is saying.

Mr. WILLIAM T. PHEIFFER. I thank the gentleman for his contribution. This is merely a proposition to give and take. Labor, management, and government must give and take during this critical period. If this happens we shall come through this emergency period with flying colors.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman spoke of those rotten apples in the barrel. How are we going to get them out?

Mr. WILLIAM T. PHEIFFER. My answer to that question would require considerably more time than I have this afternoon.

Mr. HOFFMAN. I beg the gentleman's pardon.

Mr. WILLIAM T. PHEIFFER. But I do believe, and I believe the gentleman from Michigan will agree with me, that it behooves labor itself to purge its ranks of the rotten apples in the barrel.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield to the gentleman from New York.

Mr. MARCANTONIO. I have been thinking of France in connection with national unity. France learned to her sorrow that an enslaved and shackled labor did not make for national unity. We hear pleas for democracy everywhere in the world. It seems to me we must not assail these democratic rights, for we cannot have national unity if we are going to have enslaved labor.

Mr. WILLIAM T. PHEIFFER. I thank the gentleman for his timely contribution. I now want to pass on. In connection with the first section of the bill it is only right and fair in the name of justice and fair play that it should be amended to make the age limit of 28 apply to men now in the service. Such an amendment will be offered when the bill is read tomorrow. They should be given the opportunity of leaving the Army, if they desire to avail themselves of that privilege. They should be treated the same as those men who have not yet been drafted although they have registered and are 28 and over. Why do I say this? Simply because the luck of the draw has put into our camps men between the ages of 28 and 35, men with thriving businesses, with professional careers just opening out before them, men with families, men past their prime from the physical standpoint. These men have gone to camp without a murmur. Why should we penalize them by making them serve out their year when we grant exemption from the draft to men in their same age group? Let me give you two or three concrete examples that have come to my attention, the facts of which I know to be authentic.

One young man, a promising young lawyer 32 years of age, was drafted on April 2 of this year. He did not have any associates. He merely had his own little law office, which he has had to close up. Of course, he could come back to that office now and successfully resume his practice. But by April 1942 or if he should be held in the Army beyond that time, pursuant to the proposal of General Marshall in his biennial report to the Secretary of War, his practice will have gone a glimmering, and he will have to start all over again from scratch. I also cite the cases of two of my constituents, also young lawyers, of the respective ages of 29 and 32, who were just finding their sea legs with one of the finest law firms of my nome city of New York when they were drafted late last spring and were sent down to Camp Blanding, Fla., where they are now serving uncomplainingly. Is it fair to these men that they should be required to indefinitely postpone their professional careers, while their fellows in the same age group are exempted from Army service? These three cases might be multiplied by 25,000, because I understand there are now approximately 75,000 men between the ages of 28 and 35 now in the draft army. I anticipate that the opponents of this amendment will say that to take this number of men out of units in training would result in disorganization and disruption of our training program. This is not so, because there is a wealth of younger material to take the place of these 75,000 men in the ranks, and they are only a small fraction of the men in training. But even if it were so, the resulting disorganization would not justify Congress in turning a deaf ear to that which is fair and right and just.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield to the gentleman from Ohio [Mr. HARTER], a member of the Military Affairs Committee, 10 minutes.

Mr. HARTER. Mr. Chairman, it is quite apparent from what has been said this afternoon that there is no more unanimity in the House than there was in the Military Affairs Committee when this bill was considered. I do want to set the record straight by stating that there was a strong minority which went on record upon several votes in the committee in opposition to the bill that has been brought here as the May bill. To the labor sections of this bill I am opposed.

It is needless for me to state my record on labor legislation. It speaks for itself. Since I have been a Member of this House for the past 9 years, I have supported all of those measures which have guaranteed to labor its fundamental rights. I think that a great majority of all labor in this country is just as patriotic as the membership of this body. They are true Americans. They decry the stoppages of production in defense plants just as much as we do. They are in favor of eradicating the subversive elements in their own ranks, and I am one of those who believes that through their efforts we will bring about a full 100-percent defense effort in this country.

I am sure that most of us realize the extreme need for unity at this time. We need a cooperative effort on the part of the Government, on the part of management, and on the part of labor. We are faced with an extreme national emergency. We have seen Hitler's Germany conquer nation after nation. He is now engaged in a titanic struggle with one of the great powers of the world, and if Russia is eliminated, England overcome, it is quite likely it may be that we will be next slated for attack.

I wonder if many of the Members have really studied the May amendment to S. 1524? I call your attention to section 3 of the amendment known as section 9 (a) to the Selective Training and Service Act of 1940. The language is that in the event of stoppage of production, and so forth, the President, if he finds that the exercise of such power and authority is necessary or desirable in the public interest, shall order such plant or industry to resume production immediately.

What is he going to do to bring about a resumption of production? What is a plant? It is an inanimate and an inarticulate body. A plant, Mr. Chairman, consists of a factory, a building usually, four walls, containing tools and machines, and, most important, it must have the necessary operators, management, and the workers themselves. Are we going through with this legislation vesting the President with authority to prod workers into starting production with bayonets? That is what that language means. That is the power that we are granting under this very drastic amendment. Is it surprising that all organized labor is united in its opposition to this bill?

I do not believe there is any need for the enactment of any part of this bill with the exception of section 1 relating to the deferment of men who are above the age of 28. We had an example of what could be done under the Constitution under the authority granted to the President as Commander in Chief in the strike at the North American Aviation Co. If we have any further clear-cut example of wrongful leadership in the ranks of labor or of subversive tendencies on the part of those who are in control of labor groups, there is nothing to prevent the President from stepping in again and bringing about a resumption of production as he did in that instance with the backing of a strong public opinion.

There have appeared before your Committee on Military Affairs from time to time representatives of industry and of management, those who have had wide experience in employer-employee relations, and nearly to a man they have said to the committee: "There is no need for mandatory strike legislation. Much more can be accomplished through conciliation, cooperation, and mediation rather than by coercion," and I say, Mr. Chairman, is that not the American way in which to decide problems of this kind?

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. HARTER. I yield to the gentleman briefly.

Mr. HEALEY. Is not that the position taken by the National Manufacturers' Asscciation, the Chamber of Commerce, and other business organizations?

Mr. HARTER. That is quite true. The president of the National Chamber of Commerce in a speech just a few days ago at Atlanta brought out very clearly that there should not be mandatory legislation upon the prevention of strikes.

Mr. MAY. Will the gentleman yield?

Mr. HARTER. I gladly yield to the gentleman from Kentucky, the chairman of my committee.

Mr. MAY. Does the gentleman from Ohio approve of what the President did in the North American incident out in California?

Mr. HARTER. Yes, I approve of that, because there was a necessity for it in that instance.

Mr. MAY. Does the gentleman believe the President of the United States would do anything other than the same

thing he did there if the necessity should arise again?

Mr. HARTER. I feel confident that the President would do that, and I believe that under the Constitution and under his authority as Commander in Chief he can do that now.

Mr. Chairman, may I say in regard to the proposed change in section 5 of the Selective Service and Training Act of 1940 that the House provisions with reference to that are, in my opinion, a vast improvement over the language contained in the Senate draft. Under the House bill the Congress declares that all men shall be deferred who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, first, are liable for such training and service; second, have not been inducted into the land or naval forces for such training and service, and third, have attained the twenty-eighth anniversary of the day of their birth.

Under the Senate bill, authority is vested in the President, under such rules and regulations as he may prescribe, to defer men above the age of 28. In other words, under the House provision deferment of those over 28 would be mandatory and under Senate language those who are above that age would be in a constant quandary and uncertainty as to whether they were to be deferred or whether they might be called into service.

A brief résumé of our experience with the Selective Service Act may not be amiss and gives support to our claim that Congress itself being responsible for the act should definitely defer those over 28 years of age. The Selective Training and Service Act of 1940 was passed last September and we are to consider today a proposed amendment growing out of some 9 months' experience under the act.

It will be remembered that it was passed only after extended hearings and discussion before the military committees of the Senate and House and following prolonged debate in both bodies. It was quite right that this procedure be followed. We embarked upon a military policy never practiced in the United States in peacetime. We deemed the emergency confronting the country to be of such moment that we must train a considerable number of our men in the art of modern warfare, so that they might form a reserve of at least partially trained soldiers with which to meet the growing threat to our national security. In view of what has transpired in the world in the last few months, including the subjugation of the entire Balkan Peninsula to German domination, the spread of the war to include Russia and with the possibility that we may be scorched by it, no one now hears a word of complaint of the action taken by the Congress in the enactment of the selective-service law. In the main it has functioned well. Our experiences under it indicate, however, that a certain change is very definitely needed and no doubt there will be others suggested as further experience dictates their necessity. When the law was first proposed it was suggested the entire manpower of the Nation between the ages of 18 and 65 be registered for military training and service. After fuller consideration the House passed a bill in which it provided that—

> Every male citizen and every male alien residing in the United States or its possessions, who has declared his intention to become a citizen, between the ages of 21 and 45 * * * shall be liable for training and service in the land and naval forces of the United States.

The Senate bill's language directed the registration for training and service of those between the ages of 21 and 31. It was agreed in conference and later ratified by the Senate and House that registration be required of all between the ages of 21 and 36.

Experience shows that only a highly developed industrial nation is capable of carrying on a modern war against a powerful industrialized foe. Not only are the implements and munitions of war of endless variety and kinds, but they must be produced in prodigious quantities and unfortunate as it is, they must be the product of the trained scientist as well as the laboratory and the work shop of the skilled artisan. Those who are to be trained to use these planes, tanks, mechanized equipment, guns of all sizes and calibers, intricate instruments of range finding and communication, must be of an age to most rapidly assimilate the information and training imparted to them and best able physically to stand the rigors of a modern campaign. Experience shows that men in the early twenties best answer these requirements. Furthermore, under the act we provided for the exemption of a limited number of persons who fall into certain classifications, such as officers and enlisted men of the Regular Army, Marine Corps, and Navy, cadets at the military and naval academies, Reserve officers, senior R. O. T. C. students, men who have served enlistment periods with honorable discharge from the military and naval forces of the Nation, ministers of the Gospel, divinity students, and the like, and we also provided broad deferments for those with dependents and those who are needed in industry and agriculture and vested the authority to make such determinations as to deferments in local boards, the membership of which could best investigate and have an appreciation of the problems of the registrants in their local communities.

The experience of these and the appellate boards, as well as that of General Hershey, Acting Director of Selective Service, and his staff in the several States and in Washington, demonstrate that only a relatively small percentage of those who are being inducted for training and service come from the higher-age groups. For instance, there are 33 percent of those registered in the group from 31 to 36 years of age, and the group has only supplied 10 percent of the selectees. On the other hand, from the group 25 years of age and under 66 percent of the inductees have come. Practical administration of the law has also brought out the fact that 24 percent of the registrants between the ages of 21 and 25 are rejected for physical reasons, 36 percent between the ages of 26 and 30, and 52 percent between 31 and 36. Then on the matter of dependency and the number of deferments that are granted for this reason, the percentage increases very rapidly after the middle twenties. The percentage is much greater in the upper-age groups. Many more men are married, more are confronted with the problem of aging parents than in the case of those in the early twenties. The same thing is true of skilled workmen. The skills tend to increase rapidly after the middle twenties.

Because of these factors, local boards have far more difficulties in the determination of individual cases in the upper age brackets than they do in the lower. A great many more borderline cases occur. It has been said that those above 30 years of age, while providing only 10 percent of the inductees, have given the local boards 90 percent of their headaches. The proposed amendment to section 5 (e) of the Selective Training and Service Act of 1940 in the bill before us, S. 1524, authorizes the deferment from training and service of all men who on the first day of July 1941 or the first day of July of any subsequent year have attained the 28th anniversary of the day of their birth. Recent figures show that of the approximate 640,000 trainees inducted under the Selective Service Act, about 120,000, or about 20 percent, are above 28 years of age, while nearly 80 percent are below that age. It is apparent from the experiences of the local boards that the vast majority of their problems and uncertainties as well as deferments arise among that group of selectees who are beyond the age of 28 years. It seems quite apparent then that it is wise to take cognizance of the experience that we have gained during the past months and revise the Selective Service Act, so that those may be inducted who are best physically and mentally equipped to receive the training, which will be given them, those who will be best able physically to endure the rigors of actual service.

We must remember that in this instance, we are dealing only with selective service, that we are not in any way changing the law with reference to voluntary enlistments in the Regular service, and this raises no bar to those in the higher-age brackets who are physically fit and mentally alert and who may wish to volunteer in the Regular Army.

In the light of our experience, we should adopt this amendment to section 5 of the Selective Training and Service Act of 1940.

As I said in the beginning it is my considered judgment, we would stir up trouble and promote discrimination if we adopt sections 2 and 3 of the May bill. Their adoption would engender bad feeling and would retard rather than help our national-defense efforts.

Labor is fast setting its own house in order and should be given every encouragement so that it may do a good job. If other instances arise where false or improper leaders of labor resist or ignore the orderly and legal processes for the settlement of labor disputes, which have

been provided, it may be expected that the Commander in Chief will not hesitate to take over the plant or plants in question and bring about resumption of production as he did on the west coast without harm to anyone.

Mr. MAY. Mr. Chairman, I yield 7 minutes to the gentleman from Maryland [Mr. COLE].

Mr. COLE of Maryland. Mr. Chairman, it is not surprising that in less than a year from the date of the passage of the Selective Service Act the need of very definite and far-reaching changes are advocated and admittedly advisable. Such was easily anticipated and expected. But we, the Congress, should be satisfied that all advisable changes by law are being made to effect improvements we know should be made in the basic law.

To begin with, we, by our votes last fall, set up for the first time in the history of this Republic a new and radical departure from the procedure of voluntary decision to supply the manpower of our Army. We did this solely under the guise and with the solemn assurance of law and repeated promises by administrative leaders that it was for the purpose of preparing the young men of our country for military service insofar as 1 year would provide, and not on foreign soil. As men directly responsible for this decision, we must not only see to it that no one—we care not who he may be—shall make a mockery of this obligation; but, of even greater importance, if such is possible, we must change the Draft Act in many respects in order to more definitely assure that only fair and honest administration of the act prevails.

It will not do for the ever-increasing volume of criticism and street-corner talk as to the ease with which some are being relieved of their responsibility under this act to continue. The basis for such remarks and reports must stop, and stop at the earliest possible time.

To me the most disgusting crime against our Nation is for one in authority to permit unjustifiably anyone to escape his fair responsibility under this act through favored and erroneous classification. Those responsible for influencing such decisions should be prosecuted, locked up, and the key thrown away.

We should not be required to lend our ears to such reports as these:

John Doe has been granted deferred classification due to the intercession by and influence of prominent friends, perchance as high as the judiciary, because his sick parent needs his companionship, when the sick parent is already ministered to by competent nurses and able members of his family.

John Doe has been granted deferred classification because his father owns a farm upon which he does not live, and on which the son never worked a day, but suddenly he finds, with approval of weak draft-board officials, a comfortable hiding place, for the present at least.

John Doe has been granted deferred classification because, after claiming that his great legal talent was indispensable to the administration of one phase of the national-defense program, and upon rejection of such a puny reason by competent local draft-board officials, he then presented a suddenly discovered minor physical defect, which, upon rejection, was granted an appeal by a single individual friend in the medical profession, leaving his local draft board without power of pursuing the case further.

John Doe has been granted deferred classification because he has an occasional attack of sinus, when hundreds similarly affected are in the service and other draft boards consider it an insult for such a claim to even be suggested.

John Doe has been granted deferred classification because some local public official has cowardly imposed his influence upon amiable draft-board officials to the effect that his unmatched, unsurpassed, and unexcelled ability as a draftsman is indispensable to the future existence of a great political subdivision of our Government.

John Doe has been granted deferred classification because some unpatriotic industrialist registers with the draft board, which board is trying to do a conscientious job, the request which he is privileged to make, that John, an employee for a short period, and who hardly knows a nut from a bolt, remain in the employment of his company to advance the defense contract they enjoy.

Mr. Chairman, the foregoing and many other cases can be cited not only by Members of this House but by people in general. For one, I am unwilling to ignore personal knowledge of such conduct or to have it supplied through the mails without exposing it in the forum where I think such exposure should take place.

For some misunderstandable reason there are those who privately, and through the encouragement of their friends, are trying to make the administration of the Selective Service Act a matter of ridicule. When failing in this, they are brazen enough to parade through the community their own escape from service as a minor violation of one of the most sacred statutes ever placed upon the statute books of this country. I am for exposing to the public this type of citizen in our midst and shaming him, if possible, into the privacy of his own contemptible conscience and association.

It is my belief that these fine men who are giving of their time without compensation through membership upon the draft boards throughout our country uniformly desire to do a good job, but without some changes in the existing law they are subject to situations which for the moment may not appear to be as serious as they develop later. I will be very much surprised if practically every member of the draft boards throughout the country would not welcome changes in the existing law such as I am advocating.

After much thought and consideration as to the best way to meet these situations, I am thoroughly convinced that the law should provide that the draft boards throughout the country shall be permitted to bring into their deliberation and activities the public in general, so they will have the opportunity of knowing what the public generally possesses of a helpful nature, and the public, at the same time will be permitted to know how this legislation is being administered. This can best be done through publicity of the decisions rendered by the local draft boards. It is my purpose to offer an amendment to the present law for that purpose, when the bill is read under the 5-minute rule, as follows:

Amendment proposed by Mr. COLE of Maryland to the committee amendment to S. 1524: page 4 after line 17, insert:

"Rules and regulations issued pursuant to this subsection shall include provisions requiring that there be posted in a conspicuous place at the office of each local board, and that there be published in such other manner as the President may determine, a list setting forth the names of those men who have been classified by such local board, together with a brief statement of the reasons for each such classification."

At the recent convention of the Veterans of Foreign Wars in Maryland, a resolution sponsored by Sergeant Klingelhofer's Post, No. 3148, of which I have the honor of being a member, was passed. The resolution is as follows:

Whereas selective-service local draft boards are encountering difficulties in classifying young men for service in the Army of the United States because of some moral financial family responsibilities; and

Whereas the present base pay of $21 per month is barely sufficient to provide necessities, and prevents any supplementary aid to the draftee's family, and experience has shown that various drafts boards have had to defer potential draftees because the base pay would not permit an allotment to the family: Be it therefore

Resolved, That the Veterans of Foreign Wars of the United States, Department of Maryland, regularly assembled at its annual encampment at Salisbury, Md. June 27, 28, and 29, 1941, go on record recommending that the base pay of draftees be increased to $30 per month, with the proviso that the draftee be permitted to make an allotment to his family, and that the Government supplement the allotment not to exceed $15 per month.

The foregoing possesses real merit and, I hope, at an early date, Congress will pass the necessary legislation to bring it about.

One of the leading citizens of Maryland, a real soldier, who is now rendering distinguished service with one of the draft boards, submitted to me additional reasons as to why the base pay of draftees should be raised as advocated by the Veterans of Foreign Wars for the Department of Maryland. He writes me as follows:

While technically for the first 4 months the draftee is a liability rather than an asset, as a practical proposition the difference in his pay for the first 4 months of $9 is not a very material sum from the standpoint of the Government and actually it results in a serious loss to the selectee. In the first place, he is suddenly removed from civil life, in which in the case of the average man he has been accustomed to more than $30 spending money, and second, he has much more occasion to spend money in the first 4 months of his service than he does thereafter.

While theoretically we give an inductee everything he needs from the time of his induction, actually this is not true. At the present time men have been put into cotton uniforms and have been issued two pairs of cotton trousers, etc. It is utterly impossible for a soldier to keep himself neat and clean

with such limited equipment in the way of uniforms, consequently just as soon as the new man learns this and he has sufficient funds, he buys himself additional trousers and shirts and although it is contemplated that two more pairs of trousers and shirts shall be issued to him by the Government, actually this has not been done for some unknown reason although the soldier can purchase them from civilian stores without difficulty. I know whereof I speak because I have purchased both trousers and shirts for soldiers at Fort Meade. Also there are many other items of personal equipment which every soldier needs and has that are required to be accumulated at the outset of his military career and it is somewhat unfortunate for him that at the time he needs to make his greatest amount of purchases he is drawing the smallest amount of pay that he will receive during his career. In the old days when soldiers had a large initial clothing allowance they procured at the start a full complement of everything they needed, which was charged against their credit under clothing allowance. Now they have no clothing allowance and everything is issued to them, but the issues are not complete by any means when they join up and that is the time they need them most. The hundreds of selectees that I have personally seen and in a sense inspected are an excellent bunch of men, way ahead of what we got in 1917, and you know as well as I do the advantage of starting a man out in his military career with not only teaching him about keeping himself neat and clean, but also giving him the wherewithal with which to do it.

Those of us who have had occasional association—and all Members of Congress have had some—with the new draft army, are well aware the argument presented in the foregoing letter possessed much truth. Let us do something about it and erase this silly provision in the existing law discriminating between the pay of a draftee upon his induction, and his pay 4 months thereafter.

The foregoing would make it easier for the draftee to make an allotment to his family or to be required mandatorily to make an allotment to dependents. There should be a provision in the present law such as obtained during 1917–18 whereby the soldier can be forced under proper circumstances to make a compulsory allotment.

I have had two concrete cases cited to me which seem to support very definitely the reason for the compulsory allotment being provided as part of the existing law. For instance in case A—

The actual contribution toward this support of the family has been less than $15 a month; however as the family is dependent in part for this $15, or whatever the sum is, the draft board has no alternative but to classify the man in No. A and thereby exempt him from service. This is particularly true where by court order the registrant is required to pay a small sum for the support of a bastard child or for alimony. In such a case he is not in any sense of the word maintaining a home but because of the court requirement there is no alternative for the draft board but to classify him in No. A. And it is no answer to say that the man can, if he desires, make the payment ordered out of his Army pay, because as a matter of fact, even though the board sends the man for induction, the very instant the examination at headquarters discloses that he is under a compulsory order to make payment he is rejected by the Federal authorities and the draft board is criticised for submitting him for induction.

To illustrate the situation, my own board has recently had one case in which by an order passed 7 years ago the registrant is required to pay $8 per month for the support of a bastard child until the child either dies or becomes 16 years of age, which is the requirement under the Maryland law. He has been making his payments regularly and could and would do so if he were inducted into the Army, but because of the fact there is no such thing as a compulsory allotment and there is no possibility of requiring it, the Federal authorities rejected him.

And in case B—

The man is under court order by a Massachusetts court to pay $12 per month alimony. He has been out of Massachusetts ever since the order was passed and actually has made no payments pursuant to it, nor can he be compelled to do so if he continues in civil life and stays out of Massachusetts, yet because of the order the Federal authorities rejected him for induction. If a compulsory allotment could be required the wife in Massachusetts would obviously be much better off financially than she is now.

Mr. Chairman, I am sure the splendid Committee on Military Affairs, from which the legislation now before us is reported will give consideration to the matters I have discussed. Insofar as it is possible for them to be covered by amendments at this time, I propose to attempt such a procedure when the bill is being read under the 5-minute rule. But as some suggested changes are admittedly not germane to the bill now before us, it is possible that they cannot be offered as amendments to the pending bill. In this event I hope the committee will in due time give consideration to including such changes in the later recommendation to the House.

[Here the gavel fell.]

Mr. COLE of Maryland. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include therein some additional references.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ARENDS. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana [Mr. LANDIS].

Mr. LANDIS. Mr. Chairman, there is a difference between the right to strike and the right to quit work. The right to strike will have no value if you take away the effect.

This bill will eliminate the effect of a strike and if nonunion members are allowed to work it will eliminate the right of a closed shop.

If you really want to curb the strikes in America, let us help labor rid their organizations of un-American officers.

PLACE AMERICANS ON GUARD

Real Americans must be placed on guard for the greatest test of moral, physical, and spiritual courage. America has no place for an individual who places any other flag, constitution, way of life, or any other ideals of Government above our own. If we are to preserve our liberty and continue to go forward we must have the right kind of leadership to meet the challenge from across the seas. We must gird ourselves to resist all attacks on the American way of life and also strengthen the foundation for our future.

On June 20 I introduced a bill entitled "To prohibit subversive individuals from representing employees for the purposes of the National Labor Relations Act."

As a member of the House Labor Committee, and also as one who has always given my full support to the cause of labor, I am certain that the real labor leaders and the rank and file of labor want to rid their organization of leaders who do not believe in our form of Government. The great groups of labor are not going to sit idly by and let a few un-Americans manage their labor organization and disrupt our national-defense program. They want to preserve the gains labor has made in the past.

At this point I would like to quote from the constitution of the United Mine Workers of America, page 48, article 14, section 2:

Any member accepting membership in the Industrial Workers of the World, the Working Class Union, the One Big Union, or any other dual organization not affiliated with the Congress of Industrial Organizations, or membership in the National Chamber of Commerce, or the Ku Klux Klan, or the Communist Party, shall be expelled from the United Mine Workers of America, and is permanently debarred from holding office in the United Mine Workers of America and no members of any such organizations shall be permitted to have membership in our union unless they forfeit their membership in the dual organization immediately upon securing membership in the United Mine Workers of America. Any member of the United Mine Workers of America who accepts office in any dual organization shall be permanently expelled from the United Mine Workers of America, unless reinstated by the International Executive Board.

Harmonious relations between industry and labor are vital not only to the employer and the employee but to the Nation as a whole. The success of every industry and the welfare of its employees depend upon harmony and teamwork.

Labor and capital are too far apart, due mostly to a misunderstanding of the interests and the problems of both the employer and the employee. Businessmen are usually too busy to stop and consider the problems of their employees. They are too busy filling orders, getting new orders, paying taxes, filing Government reports, and attending to other details.

The management should first seek a proper method for free exchange of ideas and negotiation between the employer and the employee. It should also employ the right kind of foreman and supervisors who can assist, understand, and appreciate the problems of the employees. A real foreman will lead his workers, not drive them.

With the proper procedure and teamwork, industry can give the men and women of America a measure of opportunity and security such as the world has never known. A better understanding between labor and capital will give us the much needed result, a full day's work for a full day's pay.

Higher income to the employee should be based on the regularity of employment and on the wage rates consistent with the conditions in the community. Increased wage rates will also depend upon profits, cost of living, and the workers' ability to increase production.

The American system of free competition and private enterprise is better than anything that has been offered as a substitute. Our system is not perfect, but it is responsive to the demands of progress and to the requirements of the common welfare. It has made mistakes, but it has not failed to correct its methods when the right remedy was found. If we are to continue to have American political and religious freedom, assurance to the common man that opportunity is rich and free, that each may go as far and climb as high as his abilities can carry him, we must fortify with hope and purpose the spirit of our people.

Whenever all groups in America accept the solemn responsibility of trying to build the economic phases of our democracy, we will begin to make progress. A nation, like a family, cannot exist unless there is mutual respect, confidence, and understanding. In our struggle for justice we should temper our desires with a sense of fairness for other groups. We must stand united for the future, and all can benefit if all will serve. We must seek to correct our problems in the American way of adjustment, arbitration, and with a live-and-help-live policy.

Our security will be attained by adding human liberties, not by subtracting from human rights. The imagination and skill of our scientists, engineers, and workers can be directed toward raising the living standards of all our people. With courage, leadership, vision, and sacrifice, democracy will advance toward new horizons filled with greater hope for all mankind.

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, I have a great deal of respect for the chairman of the Committee on Military Affairs, my good friend the gentleman from Kentucky [Mr. MAY]. I know he has had a great deal of serious work before that committee and that he has been working very earnestly for the defense program. I appreciate that, and I regret very much that I must criticize any part of the bill he has brought before the House. However, I find myself in complete disagreement with his bill from section 2 on. I am in complete agreement with section 1.

S. 1524 is supposed to be an act to authorize deferment of men by age group or groups under the Selective Service Act of 1940.

When you read the purpose of the act it is difficult to understand why it has been used to bait labor or as a vehicle for labor legislation. There is a committee in this House to consider labor legislation, but this committee is and has been completely ignored by referring bills to other committees that should have been sent to the Committee on Labor and in this instance by tacking an anti-strike rider to a very worthy bill. Are the authors of these amendments afraid to let the amendments be considered as amendments instead of as a rider? Are they fearful that they could not stand alone? Do they forget that the men in the camps are themselves workers who will be affected by this legislation? Is it fair to them to take advantage of their position to destroy the rights and privileges they have enjoyed and will enjoy when their service to their country is terminated?

Is it not a fact that the Mediation Board is now functioning so well that there is absolutely no necessity for legislation of this kind which will have the effect of destroying the morale of the workers who are giving their best to produce the implements so badly needed to protect our country in its defense effort? No Member of this House deplores the mistakes made by certain individuals in the labor organizations more than I do. They are responsible for alienating the affections of many friends of labor, but surely that is no good reason for punishing the honest, courageous, loyal men and women of America who are giving their best to the defense of their country. The disloyal, subversive element in labor should and will be eliminated by the workers themselves. Congress is appropriating huge sums of money for defense. Do not destroy our first line of defense by legislative shackles on the patriotic workers of America. You and I know that without the wholehearted support of labor, defense work would be hampered. We shall have that wholehearted support by playing fair with labor as we have with industry. Team work is essential to success. American democracy, not dictatorship, is our objective.

An act of Congress to do this is an insult to every decent worker in this country. I protest such methods, and I call upon my colleagues to defeat the amendments to this bill and vote on it as a Selective Service Act, not as a labor-baiting bill.

Mr. MAY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, pursuant to House Resolution 243, had come to no resolution thereon.

ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF THE DECLARATION OF ARGENTINE INDEPENDENCE

Mr. BLOOM. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution, which I send to the Clerk's desk.

The Clerk read the resolution (H. Res. 268), as follows:

Whereas the independence of the Republic of Argentina was declared on July 9, 1816; and

Whereas the Chamber of Deputies of Argentina on July 4, 1941, sent to the House of Representatives of the United States a cordial message on the occasion of the anniversary of the independence of the United States of America; and

Whereas the close relations of fraternity and amity which have always bound the Republic of Argentina and the United States have happily grown stronger through the years: Now, therefore, be it

Resolved, That the House of Representatives of the United States of America extends its most sincere greetings and felicitations to the Chamber of Deputies of the Republic of Argentina and to the people of the Republic of Argentina on the occasion of the celebration of the One Hundred and Twenty-fifth Anniversary of the Declaration of Argentine Independence, and expresses its profound appreciation for the message of the Argentine Chamber of Deputies on the occasion of the Anniversary of the Independence of the United States of America.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IGNACE JAN PADEREWSKI

Mr. BEITER. Mr. Speaker, I offer a resolution and ask unanimous consent for its immediate consideraton.

The Clerk read the resolution (H. Res. 269), as follows:

Resolved, That the House of Representatives of the United States of America has learned with profound sorrow of the death of Ignace Jan Paderewski, chairman of the National Council of the Republic of Poland, former President of the Council of Ministers of Poland, and world renowned pianist; a foremost champion of freedom and democratic ideals, restorer of Polish independence, spiritual leader and champion of the oppressed.

Resolved, That the House of Representatives sympathizes with the millions of Poles throughout the world on the loss of this outstanding leader of Polish freedom and independence who effected superlative gains in his own patriotic endeavors, who pleaded for the afflicted of all nations, and who manifested the greatest humanitarianism to the point of self-deprivation.

Resolved, That the Secretary of State be requested to communicate this expression of sentiment to the Honorable Jan Ciechanowski, Polish Ambassador at Washington.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BEITER. Mr. Speaker, on June 29 the world learned with sorrow of the death of a foremost statesman, humanitarian, idealist, and artist—Ignace Jan Paderewski. Here was a man who was idealistic in his cherished beliefs in democratic principles of freedom and liberty—a man loved by all liberty-loving men and women throughout the world. He sacrificed his life, his genius, and his wealth to aid the oppressed. Despite his fame as an artist, he was as simple and humble in his contacts with all men as any truly great man must be to win the love and affection of his compatriots.

The American people join with the people of Poland in mourning the death of Paderewski. They will remember him as a genius ranking with Liszt and Rubenstein, bringing joy and peace to the hearts of millions with his superb mastery of the piano. It is said that the American people recognized his genius long before the critics, and he contended that his great-

est successes were here in the United States. He felt at home here as nowhere else, and because he was always warmly received he held our country in affection and esteem.

At the outbreak of the first World War, Paderewski immediately set himself the task of laboring for the liberation of his country. He did much to enlist world support for the restoration of Poland. His simple words on the lecture platform endeared him to Americans everywhere. It was largely through his efforts that the fourteenth of Wilson's 14 points was devoted to Poland. Unofficial ambassador of a liberty-loving, oppressed peoples, Paderewski received official recognition through our Department of State on many occasions. He was representative of the Polish people at Washington during 1917 and 1918 and assisted in organizing the Polish Republic in 1918 and 1919. He was president of the Polish delegation to the Paris Peace Conference in 1919 and was the first Polish delegate of the Council of Ambassadors to the League of Nations in 1920. In addition, he was at one time Minister of Foreign Affairs for Poland, President of the Council of Ministers of the Republic of Poland, and at the time of his death served as Chairman of the National Council of the Republic of Poland.

Despite the worldly honors which were conferred upon this talented man, his greatest happiness came in contributing his time and resources to the needy of his own and other lands. To the American people Mr. Paderewski stands as a symbol of liberty. He will take his place in history with Pulaski and Kosciuszko, other Polish patriots who aided us so nobly in our own fight for freedom and liberty. His faith and courage will long remain in the hearts of Poland's sons.

We extend our heartfelt sympathy to the millions of Poles throughout the world and especially to those in his native land who are once again in need of liberation. May his great spirit guide them and serve to give them hope for the future.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE LATE STEPHEN BOLLES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was greatly shocked and saddened by the death of STEPHEN BOLLES. Everyone here yesterday who listened to the words of appreciation of him felt that while the mortal STEPHEN BOLLES had died his gentleness, his humor, his simplicity, his warm friendship, and his loyal patriotism still lived on and will live on. On everybody's lips was the expression, "I have lost a friend." He was a great philanthropist. Many honors came his way, but he never lost the human touch. He had faith in women and in their ability, and he did not hesitate to say so. He was their champion. Yes, indeed, women have lost a friend. Able, fearless; he was a great American. He loved his country and all its fine traditions. He fought to keep alive our free American form of government. In that fight he worked far beyond his strength, and the last thing I ever heard him say was, "I suppose I am working too hard, but I cannot let down. I have a duty to perform." He gave his life in the service of his country just as truly as did his son, who died as a result of World War service.

One of STEPHEN BOLLES' favorite quotations was from Edward Everett Hale:

> I am only one, but I am one. I cannot do everything, but I can do something, and what I can do, that I ought to do, and what I ought to do, by the grace of God, I will do.

STEPHEN BOLLES tried to do everything he ought to do. He quoted that statement publicly often because he felt it and lived by that maxim. One of his constituents who heard him use it said:

That is the soul of STEPHEN BOLLES.

EXTENSION OF REMARKS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Mrs. Roosevelt recently at the St. Paul Auditorium at St. Paul, Minn. This will take up more than the space usually allowed under the rules governing the printing of the RECORD, but I ask that it be printed regardless of that fact.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a news item from PM on the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

(Mr. MURDOCK asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on defense plants in the interior and to insert in connection therewith certain testimony before the Committee on Military Affairs of the House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. D'ALESANDRO, indefinitely, on account of illness.

To Mr. COCHRAN, indefinitely, on account of illness.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock a. m.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2097. An act to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4, and substituting therefor a new subsection (k);

H. R. 2308. An act to ratify a lease entered into by certain Mission Indians of California;

H. R. 4700. An act to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes;

H. R. 4839. A act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; and

H. R. 4887. An act to authorize the construction of Coast Guard cutters necessary in the interest of national defense, and for performance of Coast Guard duties, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 5 o'clock and 38 minutes p. m.) the House adjourned to meet, in accordance with its previous order, on Thursday, July 10, 1941, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Thursday, July 10, 1941, for consideration of H. R. 5211.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 2472, entitled "A bill to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who became disabled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes," and H. R. 3257, entitled "A bill to increase and equalize the pensions of those persons disabled as the result of service in the Army, Navy, Marine Corps, and Coast Guard." The hearings will be held Thursday, July 10, 1941, at 10:30 a. m., in room 247, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Thursday, July 10, 1941. Business to be considered: Hearings on natural gas, H. R. 5249.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing at 10 a. m., on the following bill:

Tuesday, July 15, 1941:

H. R. 3361. To provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

742. Under clause 2 of rule XXIV, a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to clarify title to certain lands acquired by the United States under authority of title II of the National Industrial Recovery Act of June 16, 1933, the Emergency Relief Appropriation Act of April 8, 1935, and section 55 of title I of the act of August 25, 1935, was taken from the Speaker's table and referred to the Committee on Indian Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 1047. A bill to amend an act of Congress entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928; without amendment (Rept. No. 916). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 4582. A bill to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia; with amendment (Rept. No. 917). Referred to the Committee of the Whole House on the state of the Union.

Mr. SCHULTE: Committee on the District of Columbia. H. R. 5202. A bill to create an Industrial Accident Prevention Board, to foster, promote, and develop the safety of wage earners of the District of Columbia; to define its powers and duties, and for other purposes; without amendment (Rept. No. 918). Referred to the Committee of the Whole House on the state of the Union.

Mr. KRAMER: Committee on Accounts. House Resolution 261. Resolution providing for expenses of investigation provided for in House Resolution 248; without amendment (Rept. No. 919). Referred to the House Calendar.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 920. Report on the disposition of records by the War Department. Ordered to be printed.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. VINSON of Georgia: Committee on Naval Affairs. House Resolution 250. A bill requesting the Secretary of the Navy to supply Congress with all data on submarine *O–9* (Rept. No. 915). Laid on the table.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 5257. A bill to authorize the payment of an indemnity to the British Government, for and on behalf of John Bailey, former stoker of H. M. S. *Orion*, in full and final settlement of a claim arising as a consequence of injuries inflicted by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939; to the Committee on Foreign Affairs.

By Mr. KRAMER:

H. R. 5258. A bill to simplify the practice in cases where a patent is or may be in part valid and in part invalid; to the Committee on Patents.

By Mr. MONRONEY:

H. R. 5259. A bill to confer jurisdiction in the United States courts in cases involving work-stoppage for illegitimate and nonlabor purposes; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. R. 5260. A bill to amend the District of Columbia Alley Dwelling Act, as amended; to the Committee on the District of Columbia.

By Mr. O'CONNOR:

H. R. 5261. A bill to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.; to the Committee on Indian Affairs.

By Mr. DIMOND:

H. R. 5262. A bill to provide for conveyance of lands to the town of Cordova, Alaska; to the Committee on the Territories.

By Mr. EDWIN ARTHUR HALL:

H. R. 5263. A bill providing for transportation home during furlough for persons inducted into the service under the provisions of the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

By Mr. HOOK:

H. R. 5264. A bill to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

By Mr. MARTIN J. KENNEDY:

H. R. 5265. A bill to provide for a permanent postage rate of 1½ cents per pound on books; to the Committee on the Post Office and Post Roads.

By Mr. KEOGH:

H. R. 5266. A bill to amend section 1 of the act of March 4, 1921, relating to the Arlington Memorial Amphitheater Commission; to the Committee on the Library.

By Mr. O'CONNOR:

H. R. 5267. A bill designating the 19th of April of each year as American Indian Day; to the Committee on the Judiciary.

By Mr. PATTON:

H. R. 5268. A bill to amend the Wages and Hours Act; to the Committee on Labor.

By Mr. WILLIAM T. PHEIFFER:

H. R. 5269. A bill authorizing the appropriation of funds for use by the New York City Tunnel Authority in making borings, soundings, and other preliminary surveys for the construction of a vehicular tunnel under the waters of New York Harbor, connecting the boroughs of Richmond and Brooklyn; to the Committee on Rivers and Harbors.

By Mr. SUMNERS of Texas:

H. R. 5270. A bill to amend the act reorganizing the Administration of Federal Prisons; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H. R. 5271. A bill to amend Public Law 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. D'ALESANDRO:

H. R. 5272. A bill to extend the provisions of the District of Columbia minimum-wage law to men; to the Committee on the District of Columbia.

By Mr. KILDAY:

H. R. 5273. A bill to allow as deductions for income-tax purposes expenses in connection with dealings in property and collecting income; to the Committee on Ways and Means.

By Mr. MOSER:

H. J. Res. 208. Joint resolution providing for the representation of the Government and people of the United States in the observance of the two-hundredth anniversary of the coming of Rev. Henry Melchior Muhlenberg to the American Colonies; to the Committee on the Library.

H. J. Res. 209. Joint resolution authorizing the director of the Census to furnish information for national-defense purposes; to the Committee on the Census.

By Mr. BLOOM:

H. Res. 262. Resolution for the consideration of S. 1544, a bill to provide for cooperation with Central American republics in the construction of the Inter-American Highway; to the Committee on Rules.

By Mr. CARTWRIGHT:

H. Res. 263. Resolution providing for the consideration of H. R. 5710, a bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; to the Committee on Rules.

By Mr. DOWNS:

H. Res. 264. Resolution to investigate the reported leasing of the Dupont Circle Apartments in the District of Columbia to the United States Government; to the Committee on Rules.

By Mr. HOFFMAN:

H. Res. 265. Resolution for referendum on war; to the Committee on Foreign Affairs.

By Mr. O'CONNOR:

H. Res. 266. Resolution to conduct an investigation; to th Committee on Rules.

By Mr. HUNTER:

H. Res. 267. Resolution to provide for an investigation of the opportunities for employment by the United States in Government defense work of older persons and persons physically handicapped; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEAM:

H. R 5274. A bill for the relief of Michael Leo Fitzpatrick; to the Committee on Claims.

By Mr. BLAND:

H. R. 5275. A bill for the relief of Weslie A. Coulter, Sr.; to the Committee on Claims.

By Mr. CLASON:

H. R. 5276. A bill for the relief of John C. Garand; to the Committee on Military Affairs.

By Mr. HEALEY:

H. R. 5277. A bill for the relief of James E. Forristall; to the Committee on Naval Affairs.

H. R. 5278. A bill for the relief of Neleus Eugene O'Sullivan; to the Committee on Naval Affairs.

By Mr. JONES:

H. R 5279. A bill granting a pension to Jennie E. Key; to the Committee on Invalid Pensions.

By Mr. McGEHEE:

H. R. 5280. A bill for the relief of G. F. Allen, Chief Disbursing Officer, Treasury Department, and for other purposes; to the Committee on Claims.

By Mr. O'BRIEN of Michigan:

H. R. 5281. A bill granting an increase of pension to Arminta B. Chestnut; to the Committee on Pensions.

By Mr. STEAGALL:

H. R. 5282. A bill for the relief of J. W. Daughtry; to the Committee on Claims.

By Mr. WEISS:

H. R. 5283. A bill for the relief of Mrs. Sebastian Eger; to the Committee on Claims.

By Mr. WHITE:

H. R. 5284. A bill granting a pension to Arthur Garfield Hudson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1600. By Mr. ANDERSON of California: Petition of the Religious Liberty Association,

opposing the enactment of Senate bill 983 or House bill 3852; to the Committee on the District of Columbia.

1601. By Mr. BUCK: Petition of sundry residents of St. Helena, Angwin, and Sanitarium, Napa County, Calif., protesting the enactment of Senate bill 983 or House bill 3852, bills to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

1602. By Mr. CANFIELD: Petition of Mrs. Ruth Roemer and 37 other residents of the Eighth Congressional District of New Jersey, urging the passage of the anti-poll-tax bill; to the Committee on the Judiciary.

1603. By Mr. CASE of South Dakota: Petition of Charles Abourezk, Jr., and 69 other residents of Mission, S. Dak., urging consideration of House bill 1036; to the Committee on Ways and Means.

1604. Also, petition of J. L. Ashton and 34 other residents of Edgemont, S. Dak., urging consideration and enactment of House bill 1036; to the Committee on Ways and Means.

1605. Also, petition of Michael Bielmaier and 70 other residents of Wall, S. Dak., urging consideration, this session, of House bill 1036; to the Committee on Ways and Means.

1606. Also, petition of John Termes, H. H. Johns, J. I. Munson, and 250 other residents, of Whitewood, S. Dak., urging consideration, this session, of House bill 1036; to the Committee on Ways and Means.

1607. Also, petition of Mrs. Leah Zeimet and 107 other residents of Pringle, S. Dak., urging consideration and enactment of House bill 1036; to the Committee on Ways and Means.

1608. Also, petition of Henry Oellrich and 360 other residents of Hot Springs, S. Dak., urging consideration and enactment of House bill 1036; to the Committee on Ways and Means.

1609. Also, petition of E. M. Sly and 370 other residents of Belle Fourche, S. Dak., urging consideration and enactment of House bill 1036; to the Committee on Ways and Means.

1610. Also, petition of V. R. Branson and 170 other residents of White River, S. Dak., urging consideration, this session, of House bill 1036; to the Committee on Ways and Means.

1611. By Mr. CLASON: Petition of the Hampshire-Franklin Holstein-Friesian Association, for proper deferment of employees on dairy farms in the interest of national defense; to the Committee on Military Affairs.

1612. By Mr. HOOK: Petition of Eino Lampinen and other citizens of Houghton County, Mich., protesting the unwarranted reduction of the quota of Work Projects Administration employees because of the lack of any increase of private employment, as Houghton County has not received any projects or increased business from the national-defense program; to the Committee on Ways and Means.

1613. By Mr. LUTHER A. JOHNSON: Memorial of B. H. Petty, E. L. Johnston, R. E. Johnson, Horace Johnston, and O. C. Brooks, of Whitney, Tex., opposing the St. Lawrence waterway project; to the Committee on Rivers and Harbors.

1614. Also, petition of Roy Ellis, H. W. Thomson, W. B. Mackey, John H. Ellis, Nelson Probasco, and Arnie G. Mosley, of Milford, Tex., opposing the St. Lawrence waterway project; to the Committee on Rivers and Harbors.

1615. By Mr. KEOGH: Petition of the New York Electrotypers' Union, No. 100, New York City, favoring the passage of the Flannery longevity bill (H. R. 1057); to the Committee on the Post Office and Post Roads.

1616. Also, petition of the New York State Liquor Authority, New York City, concerning Senate bill 860; to the Committee on Military Affairs.

1617. By Mr. JOSEPH L. PFEIFER: Petition of the New York Electrotypers' Union, New York City, urging support of the Flannery bill (H. R. 1057); to the Committee on the Post Office and Post Roads.

1618. Also, petition of the New York State League of Savings and Loan Associations, New York City, urging support of House bill 4685; to the Committee on Banking and Currency.

1619. By Mr. ROLPH: Senate Joint Resolution No. 26, of the State of California, relating to national-defense highways; to the Committee on Roads.

1620. By Mr. SCHAEFER of Illinois: Petition of East St. Louis, Ill., Townsend Club No. 1 (E. C. Ferguson, president; W. O. Mease, secretary; and Frank C. Smith, district counselor), pledging support to the President of the United States in the national-defense program and urging immediate enactment of legislation sponsored by the Townsend movement; to the Committee on Ways and Means.

1621. By Mr. SACKS: Resolution of Federal Post No. 152, American Legion, Department of Pennsylvania, favoring canceling of naturalization papers of persons found engaged in subversive activities, leading toward their deportation; to the Committee on Immigration and Naturalization.

1622. By Mr. MERRITT: Resolution of the Liquor Authority of the State of New York, stating that the authority is unalterably opposed to the enactment of Senate bill 860 insofar as it relates to the sale or possession of alcoholic beverages; to the Committee on Military Affairs.

SENATE

THURSDAY, JULY 10, 1941

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, our Heavenly Father, who in Thy Holy Word hast taught us to pray and labor for the coming of Thy Kingdom: Amid the changing order and tumult of our times, when the foundations of a new world are being laid, grant, we humbly beseech Thee, that the mind of Christ shall design them, the people of Christ lay them, and the love of Christ protect them, that Thy will may be done on earth as it is in Heaven. And that we may better serve Thee as a Nation, reform whatever is amiss in the temper and disposition of our souls, and give us the constant assistance of Thy Holy Spirit to restrain us effectually from all evil, to incite us to our duty, and to teach us our unity in Thee and Thy Heavenly Kingdom. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The VICE PRESIDENT. Without objection, the reading of the Journal of the proceedings of the calendar day of Monday, July 7, 1941, will be dispensed with, and the Journal will stand approved.

RESIGNATION OF SENATOR BYRNES, OF SOUTH CAROLINA

The VICE PRESIDENT. The Chair lays before the Senate the resignation of Hon. JAMES F. BYRNES as a Senator from the State of South Carolina, which will be read.

The legislative clerk read as follows:

UNITED STATES SENATE,
July 8, 1941.

Hon. HENRY A. WALLACE,
United States Senate, Washington, D. C.

DEAR MR. VICE PRESIDENT: I have today submitted to the Governor of South Carolina my resignation as United States Senator.

Respectfully,

JAMES F. BYRNES.

The VICE PRESIDENT. The letter will lie on the table.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on July 8, 1941, the President had approved and signed the following act:

S. 1304. An act granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across the Tug Fork of Big Sandy River near Nolan, Mingo County, W. Va.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. Stephen Bolles, late a Representative from the State of Wisconsin, and transmitted the resolutions of the House thereon.

The message informed the Senate that the Speaker had appointed Mr. GEHRMANN, Mr. HULL, Mr. SAUTHOFF, and Mr. JOHNS the committee on the part of the House to attend the funeral of the deceased Representative.

The message announced that the House had passed without amendment the following bills of the Senate:

S. 193. An act to authorize the Secretary of War to exchange certain land located within the Fort Missoula Military Reservation, Mont., for certain land owned by the Missoula Chamber of Commerce, of Missoula, Mont.;

S. 207. An act to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States;

S. 215. An act to amend the act entitled, "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938;

S. 961. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 1147. An act to revive and reenact the act entitled, "An act authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa," approved August 7, 1939;

S. 1226. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.;

S. 1289. An act authorizing the Copper River & Northwestern Railway Co. to convey to the United States its railroad right-of-way and other railroad properties in Alaska,

for use as a public highway, tramroad, or tramway, and for other purposes; and

S. 1488. An act to amend an act entitled, "An act authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.).

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 2308. An act to ratify a lease entered into by certain Mission Indians of California; and

H. R. 4823. An act providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 4473. An act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes; and

H. R. 4887. An act to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2097) to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k).

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3537) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON of GEORGIA, Mr. DREWRY, and Mr. COLE of New York were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1409. An act designating building guards employed in buildings under the jurisdiction of the Federal Works Agency as United States Building Police, and for other purposes;

H. R. 1606. An act for the protection of walruses in the Territory of Alaska;

H. R. 2519. An act to prohibit proof of acts done by an inventor in foreign countries;

H. R. 3206. An act to afford greater protection to the purchaser of patent rights;

H. R. 3367. An act relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937;

H. R 3466. An act to authorize the Department of the Interior to accept title to the fish hatchery at Clark Fork, Idaho;

H. R. 3484. An act to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty;

H. R 3625. An act to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.;

H. R. 3933. An act to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover;

H. R. 4052. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

H. R. 4085. An act to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.;

H. R. 4150. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 4231. An act granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River at or near Leneudes Ferry, S. C.;

H. R. 4306. An act to extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind.;

H. R. 4315. An act to legalize the construction by the Big Creek Bridge Co., Consolidated, of a bridge across the Tug Fork of the Big Sandy River at Nolan, W. Va.;

H. R. 4692. An act relating to the disposition of personal property of certain deceased patients or members of United States Veterans' Administration facilities;

H. R. 4732. An act granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia;

H. R. 4733. An act to add certain lands to the Boise National Forest, the Salmon National Forest, and the Targhee National Forest in the State of Idaho;

H. R. 4813. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended;

H. R. 4845. An act to increase the rate of pension to World War veterans from $30 to $40 per month, to grant such rate at age 65, and for other purposes;

H. R. 4854. An act to facilitate and simplify the administration of the Federal reclamation laws and the act of August 11, 1939, as amended;

H. R. 4946. An act relating to the manning of certain seagoing barges;

H. R. 5146. An act to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938;

H. R. 5204. An act authorizing the charging of fees for brand inspection under the Packers and Stockyards Act, 1921, as amended;

H. J. Res. 121. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 176. Joint resolution granting the consent of Congress to an agreement amending the original agreement entered into by the States of New York and Vermont relating to the creation of the Lake Champlain Bridge Commission.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 198. An act to authorize the Secretary of War to exchange certain land located within the Fort Missoula Military Reservation, Mont., for certain land owned by the Missoula Chamber of Commerce, of Missoula, Mont.;

S. 207. An act to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States;

S. 215. An act to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938;

S. 961. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 1147. An act to revive and reenact the act entitled "An act authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa," approved August 7, 1939;

S. 1226. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.;

S. 1289. An act authorizing the Copper River & Northwestern Railway Co. to convey to the United States its railroad right-of-way and other railroad properties in Alaska, for use as a public highway, tramroad, or tramway, and for other purposes;

S. 1488. An act to amend an act entitled "An act authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.);

H. R. 2097. An act to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k);

H. R. 2308. An act to ratify a lease entered into by certain Mission Indians of California;

H. R. 4700. An act to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes;

H. R. 4839. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; and

H. R. 4887. An act to authorize the construction of Coast Guard cutters necessary in the interest of national defence and for performance of Coast Guard duties, and for other purposes.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

G. F. ALLEN, CHIEF DISBURSING OFFICER, TREASURY DEPARTMENT

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation for the relief of G. F. Allen, Chief Disbursing Officer, Treasury Department, and for other purposes (with accompanying papers); to the Committee on Claims.

LANDS IN TRUST BY THE UNITED STATES FOR INDIAN USE

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to declare that the United States holds certain lands in trust for Indian use (with accompanying papers); to the Committee on Indian Affairs.

DISPOSITION OF EXECUTIVE PAPERS

Letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of the Treasury (4), War, Justice (10), Navy, Interior (6), Agriculture, and Labor, United States Civil Service Commission (4), Federal Home Loan Bank Board, Federal Loan Agency, Board of Governors of the Federal Reserve System, Social Security Board, Federal Security Agency, Work Projects Administration, Federal Works Agency (2), and the District Court for the Northern District of California, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

Petitions of sundry citizens of the United States, praying for the preservation of peace and that the United States keep out of foreign war; to the Committee on Foreign Relations.

The petition of Mrs. Ollie Schaeffer, of Fremont, Steuben County, Ind., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

Petitions of sundry citizens of the States of Iowa and Kentucky, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

A resolution of the Senate of California; to the Committee on Finance:

"Senate Resolution 148

"Resolution relative to memorializing the President and Congress against the passage of legislation to prohibit the filing of separate income-tax returns by spouses in reference to community income

"Whereas there is now pending before the Congress of the United States a bill to prohibit a wife from filing a separate income-tax return on her share of community property income and taking the credits and deductions thereon to which she is now legally entitled; and

"Whereas this represents a fundamental change in our Federal income-tax policy, and in the States where community property laws are in effect, would contravene the well-established principle that a wife has a vested right in community property equal to that of her husband; and

"Whereas the change contemplated would result in a disproportionate increase in the taxes of those persons affected throughout the country, including California, would constitute a very material increase over the increase imposed on taxpayers in noncommunity property States, and would disregard the fact that the taxpayers of this State are carrying one of the largest per capita tax loads in the Nation; and

"Whereas to make this change at the present time would be to place an unconscionable burden upon the citizens of California who have been carrying their full share of the normal costs of Government and the national-defense program: Now, therefore, be it

"*Resolved by the Senate of the State of California*, That the people of the State of California hereby register an emphatic protest against the passage of the bill now pending in Congress to which this resolution relates; and be it further

"*Resolved*, That the secretary of the senate forward a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Member of the House of Representatives from California in the Congress of the United States."

By Mr. JOHNSON of California:

A resolution of the Assembly of the State of California; to the Committee on Finance:

"House Resolution 281

"Resolution relative to memorializing the President and Congress against the passage of legislation to prohibit the filing of separate income-tax returns by spouses in reference to community income

"Whereas there is now pending before the Congress of the United States a bill to prohibit a wife from filing a separate income-tax return on her share of community property income and taking the credits and deductions thereon to which she is now legally entitled; and

"Whereas this represents a fundamental change in our Federal income-tax policy, and, in the States where community property laws are in effect, would contravene the well-established principle that a wife has a vested right in community property equal to that of her husband; and

"Whereas the change contemplated would result in a disproportionate increase in the taxes of those persons affected throughout the country, including California, would constitute a very material increase over the increase imposed on taxpayers in noncommunity property States, and would disregard the fact that the taxpayers of this State are carrying one of the largest per capita tax loads in the Nation; and

"Whereas to make this change at the present time would be to place an unconscionable burden upon the citizens of California, who have been carrying their full share of the normal costs of government and the national-defense program: Now, therefore, be it

"*Resolved by the Assembly of the State of California*, That the people of the State of California hereby register an emphatic protest against the passage of the bill now pending in Congress to which this resolution relates; and be it further

"*Resolved*, That the chief clerk of the assembly forward a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Member of the House of Representatives from California in the Congress of the United States."

(The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Finance.)

By Mr. JOHNSON of California:

A resolution of the Assembly of the State of California; to the Committee on Post Offices and Post Roads:

"House Resolution 305

"Whereas Alaska, as an outpost of our country, has been a veritable bonanza of wealth since the Yukon gold rush, and in later years has given evidence of being a great agricultural region; and

"Whereas in the changing military and economic conditions in Europe and Asia the peace of this endeared outpost is endangered; and

"Whereas, even were such dangers to Alaska to be providentially removed, it would still be imperative to bring this great Territory within rapid contact with the United States in order to facilitate colonization and exchange of products: Now, therefore, be it

"*Resolved*, That the members of the Assembly of the State of California memorialize the President and the Congress of the United States to continue to lend support to the completion of a highway between Great Falls, Mont., and Fairbanks, Alaska, via Calgary, Edmonton, and Dawson, and a choice of either the proposed coast route, the A route, or the B route between Seattle, Wash., and Fairbanks, Alaska, via Vancouver and Hazelton, British Columbia; and be it further

"*Resolved*, That we memorialize the President to recommend and the Congress to appropriate funds to complete an adequate set of highways for the common defense of Alaska in these perilous times and its greater development in the years ahead; and be it further

"*Resolved*, That the chief clerk of the assembly is instructed to transmit copies of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in the Congress of the United States."

(The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Post Offices and Post Roads.)

By Mr. WHEELER:

A memorial of sundry citizens of the State of Montana, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. TYDINGS:

Petitions of sundry citizens of the State of Maryland and the District of Columbia, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretary of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

CONTROL OF PRICES

Mr. WILEY. I present and ask unanimous consent to have printed in the RECORD and appropriately referred a letter addressed to me embodying resolutions adopted by the United Association of Office, Sales, and Technical Employees, of Milwaukee, Wis., relative to control of prices.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

UNITED ASSOCIATION OF OFFICE, SALES, AND TECHNICAL EMPLOYEES,
Milwaukee, Wis., June 26, 1941.

The Honorable ALEXANDER P. WILEY,
United States Senate, Washington, D. C.

DEAR SIR: The United Association of Office, Sales, and Technical Employees, a labor union of Milwaukee, Wis., representing 1,500 members, having collective bargaining agreements with the Milwaukee Gas Light Co., the Wisconsin Electric Power Co., and the Milwaukee Electric Railway & Transport Co., at a special meeting held June 18, 1941, adopted the following resolutions:

"Whereas the cost of living is rapidly increasing as shown by reports from the Bureau of Labor Statistics;

"*Resolved*, That steps be taken by the United States Government to control prices within reason;

"Resolved further, That consumer representatives be appointed to National and State defense councils; and

"Resolved further, That a copy of these resolutions be forwarded to His Excellency the President of the United States; to His Excellency the Governor of the State of Wisconsin; to the Honorable Robert M. La Follette, Jr., to the Honorable Alexander P. Wiley, United States Senators from the State of Wisconsin; to the Honorable Thaddeus B. Wasielewski and the Honorable Lewis D. Thill, Representatives in Congress from the Fourth and Fifth Districts, respectively, of the State of Wisconsin; and to the Honorable Leon Henderson, Federal Price Control Administrator."

Yours very respectfully,

U. A. O. S. T. E.,
ALFRED H. HANDRICH,
Representative.

ST. LAWRENCE RIVER DEVELOPMENT—RESOLUTION OF SOUTH MILWAUKEE LIONS CLUB

Mr. WILEY. I ask unanimous consent to have printed in the RECORD a short resolution sent to me by the Lions Club of South Milwaukee, Wis., relating to the construction of the St. Lawrence seaway.

The VICE PRESIDENT. Without objection, the resolution will be printed in the RECORD and appropriately referred.

The resolution was referred to the Committee on Commerce, as follows:

INTERNATIONAL LIONS CLUB,
South Milwaukee, Wis.

Whereas the construction of the St. Lawrence seaway, providing a direct outlet from the Great Lakes ports to the Atlantic Ocean, presently contemplated as an integral part of the national-defense program, is now closer to realization than at any time during the continuous struggle for its authorization; and

Whereas it is the opinion of this South Milwaukee Lions Club that the completion of the aforesaid seaway project, in addition to being of great aid to our national defense, would be of unlimited benefit, not only to the lake-shore region of Wisconsin but to the entire State of Wisconsin as well: Be it therefore

Resolved by the Lions Club of South Milwaukee, That our representatives in the Congress of the United States be, and they are hereby, requested to extend all efforts to obtain the authorization and construction of the aforesaid St. Lawrence seaway project, and more particularly to actively support the bill presently before Congress to provide for improvement of the Great Lakes and St. Lawrence Basin—H. R. 4927; be it further

Resolved, That certified copies of this resolution be sent to Hon. ROBERT M. LA FOLLETTE, Jr., and Hon. ALEXANDER WILEY, United States Senators from Wisconsin, and to the Representative in Congress from the Fourth Congressional District of Wisconsin, Hon. THAD WASIELEWSKI.

Adopted June 18, 1941.

JAMES F. CAVENEY,
Secretary.

Approved June 26, 1941.

DR. PAUL H. TRAEUMER,
President.

TAX ON GASOLINE—LETTER FROM WISCONSIN TREASURY DEPARTMENT

Mr. WILEY. I ask unanimous consent to have printed in the RECORD a letter addressed to Hon. ROBERT L. DOUGHTON, chairman of the House Ways and Means Committee, by the Treasury Department of the State of Wisconsin, under date of June 18, 1941, relative to the motor-fuel tax.

There being no objection, the letter was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
STATE OF WISCONSIN,
Madison, Wis., June 18, 1941.

Hon. ROBERT L. DOUGHTON,
Chairman, House Ways and Means Committee,
United States Congress,
Washington, D. C.

DEAR MR. DOUGHTON: It is my understanding from reports coming to me as director of the motor-fuel tax for the State of Wisconsin that the Ways and Means Committee of the House of Representatives at Washington will hold a hearing relative to the increase of 1 cent per gallon on gasoline in the near future.

The State of Wisconsin now has a 4-cent tax; the Federal tax is 1½ cents. If you add an additional 1 cent Federal tax, it will make the tax 6½ cents, which is more than the gasoline costs laid down here in Wisconsin; that is, including freight.

The State of Wisconsin is a great manufacturing and dairying State, the eastern part, the Fox River Valley, being devoted to manufacturing, and the southern and central part to agriculture, mainly dairying. The dairy industry in Wisconsin has had very hard sledding for a number of years; they are just commencing to get on their feet. Practically every farmer has one or more tractors, besides his car for family use, and he uses fully one-half of the gasoline that is imported into the State of Wisconsin. This increase of 1 cent tax would cost the State of Wisconsin about $3,400,000, and the farmers would be compelled to pay $1,700,000, or one-half.

The United States Department of Agriculture has just requested the people of the United States to curtail their consumption of cheese. This in itself is a great hardship in the State of Wisconsin, as we furnish a great part of the cheese that is made in the United States. If on top of this you add an additional tax of 1 cent per gallon on the gasoline that is used by these farmers in their equipment on the farms, you will take away practically all their profit and set them back to where they were before the times commenced to pick up.

What applies to the dairy industry also applies to the manufacturing interests in the State of Wisconsin. For the past 10 years they have been practically on the rocks, and have just commenced to put their men back on full time. The only increase in wages the men have had have been in those plants that have been fortunate enough to secure defense contracts from the United States Government. Your 1 cent additional tax would place a burden upon them and something they do not expect.

Now, as to the workers in the manufacturing plants. At least 25 percent of them have been on relief and are now just getting on their feet. They are obliged to use their cars in going to and from work, as they generally live on the outskirts of the city.

As to the State of Wisconsin itself, practically all the revenue derived from the gasoline tax, together with the revenue derived from license fees on cars and trucks, is appropriated to the highway commission, and they, acting under the law, apportion most of it to the counties, towns, cities, and villages for county roads and maintenance, the highway commission retaining enough for new construction to meet the demands of the United States Government.

If the United States Government starts to curtail the use of gasoline by private individuals and this additional tax goes through, I am afraid the State, after paying the allotments to the counties, cities, and villages, will not have enough money left to meet the requirements of the United States, and there will be no new roads built in the State of Wisconsin.

The object of this tax is to raise money for national defense, but I am afraid, taking everything into consideration, that it would be a detriment to the United States instead of an asset.

Very truly yours,

CHIEF ACCOUNTANT,
TREASURY DEPARTMENT.

SALE OF ALCOHOLIC LIQUORS IN VICINITY OF MILITARY CAMPS—MEMORIAL

Mr. TUNNELL. Mr. President, I present a memorial signed by sundry citizens of Delaware, remonstrating against the passage of Senate bill 860, which I should like to have printed in the RECORD without all the signatures and appropriately referred.

There being no objection, the memorial was ordered to lie on the table and to be printed in the RECORD without all the signatures attached thereto, as follows:

To the Congress of the United States:

Whereas certain bills (notably S. 860 and H. R. 4000) have been introduced into Congress to provide for the common defense in relation to the sale of alcoholic liquors to members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; and

Whereas military authorities now possess all necessary power to control the sale of alcoholic beverages to members of the land and naval forces; and

Whereas certain sections of these bills are, we believe, unconstitutional; and

Whereas the control of alcoholic beverages and the control of prostitution are unrelated, and therefore ought not to be combined in one piece of legislation; and

Whereas we believe the enactment of these bills into law would establish an unwise and dangerous precedent, and would be opposed to the general welfare of citizens of the several States and obstructive to the common defense of the United States:

We, the undersigned, citizens of Delaware, respectfully request that these bills be reported unfavorably.

D. L. DRAKE,
Georgetown, Del.
A. M. HUDSON,
Millsboro, Del.
(And other citizens.)

RESOLUTION OF BIRMINGHAM AERO CLUB—SEPARATE AIR FORCE FOR NATIONAL DEFENSE

Mr. McCARRAN. I send forward to have printed in the RECORD and appropriately referred a resolution adopted by the Aero Club, of Birmingham, Ala., sponsors of the national air carnival, in favor of a separate air force for the United States.

The VICE PRESIDENT. The resolution will be appropriately referred, and, without objection, printed in the RECORD.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas during the recent course of world events the war crises in other parts of the world have definitely proven the importance of air power to national defense; and

Whereas, at a meeting attended by numerous aviation leaders during the eleventh annual national air carnival held in Birmingham, Ala., June 7 and 8, 1941, a resolution was unanimously adopted calling for the immediate establishment of a separate unified air force in the interest of national defense: Now, therefore, be it

Resolved by the board of governors of the Birmingham Aero Club, sponsors of the

national air carnival, That, in our opinion, a separate unified air force in our country is absolutely necessary to the defense of the democracies of the world, and particularly to the Western Hemisphere; and be it further

Resolved, That we urgently request the President of the United States and the Congress to take immediate steps to create a separate unified air force; and be it still further

Resolved, That this resolution be forwarded to the President of the United States, and copies to the Congress, to the Governor of each State, and to the press.

Adopted June 9, 1941.

KATHRYN OLIVER,
Chairman of the Board.

COMMITTEE REPORT FILED DURING ADJOURNMENT

Under authority of the order of the 7th instant, on July 8, 1941, the following report of a committee was submitted:

By Mr. ADAMS, from the Committee on Appropriations:

H. J. Res. 194. Joint resolution making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942; with amendments (Rept. No. 521).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROZIER, from the Committee on Claims:

H. R. 3551. A bill for the relief of Lillian Korkemas and Rose Grazioli; without amendment (Rept. No. 536);

H. R. 3607. A bill for the relief of Anton Waytashek; without amendment (Rept. No. 537); and

H. R. 3774. A bill for the relief of Fred Spencer; with an amendment (Rept. No. 538).

By Mr. ROSIER (for Mr. ELLENDER), from the Committee on Claims:

S. 899. A bill for the relief of Ernest A. McNabb; with amendments (Rept. No. 524);

H. R. 1852. A bill for the relief of Fred Weybret, Jr., and others; with amendments (Rept. No. 525);

H. R. 1855. A bill for the relief of Laura McStay; with an amendment (Rept. No. 523); and

H. R. 3801. A bill for the relief of Mr. and Mrs. W. A. Batchelor; without amendment (Rept. No. 522).

By Mr. TUNNELL, from the Committee on Claims:

H. R. 3121. A bill for the relief of the Automatic Temperature Control Co., Inc.; with an amendment (Rept. No. 535).

By Mr. TUNNELL (for Mr. HUGHES), from the Committee on Claims:

S. 1429. A bill for the relief of William Corder; without amendment (Rept. No. 526);

H. R. 1359. A bill for the relief of Robert Edward Lee; with an amendment (Rept. No. 529);

H. R. 1746. A bill for the relief of Charles J. Schay; without amendment (Rept. No. 527); and

H. R. 2382. A bill for the relief of William Cromer; without amendment (Rept. No. 528).

By Mr. CAPPER, from the Committee on Claims:

H. R. 1702. A bill for the relief of Mary McCutcheon; without amendment (Rept. No. 530);

H. R. 2888. A bill for the relief of H. E. Buzby; without amendment (Rept. No. 531);

H. R. 3247. A bill for the relief of Mrs. O. B. Olson; without amendment (Rept. No. 532);

H. R. 3523. A bill for the relief of the Equitable Insurance Alliance, the Fidelity & Guaranty Fire Corporation, and the Hartford Fire Insurance Co.; without amendment (Rept. No. 533); and

H. R. 3802. A bill for the relief of Louis A. Schwan; with an amendment (Rept. No. 534).

By Mr. WALSH, from the Committee on Pensions:

H. R. 2855. A bill to provide for payment of pension to certain dependent parents notwithstanding remarriage, and for other purposes; without amendment (Rept. No. 539).

By Mr. REYNOLDS, from the Committee on Military Affairs:

S. J. Res. 88. Joint resolution to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army; with an amendment (Rept. No. 541).

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

S. 1642. A bill to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes; without amendment (Rept. No. 540).

By Mr. McFARLAND, from the Committee on Pensions:

S. 876. A bill granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection; with amendments (Rept. No. 542).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TUNNELL:

S. 1728. A bill to create Wilmington, Delaware Bridge Authority, define its powers and duties, and authorize it to construct, maintain, and operate a bridge across or a tunnel under the Delaware River at or near Wilmington, Del.; to the Committee on Commerce.

By Mr. KILGORE:

S. 1729. A bill granting a pension to Clara V. Crossland; to the Committee on Pensions.

Mr. TAFT. Mr. President, I introduce a bill proposing to amend the Agricultural Adjustment Act by reducing the marketing penalties on corn and wheat from 49 cents to 15 cents per bushel during the marketing year.

The VICE PRESIDENT. The bill will be received and appropriately referred.

By Mr. TAFT:

S. 1730. A bill to amend the Agricultural Adjustment Act of 1938, as amended by the joint resolution of May 26, 1941, by reducing the marketing penalties on wheat and corn; to the Committee on Agriculture and Forestry.

By Mr. WALSH:

S. 1731. A bill to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes; to the Committee on Naval Affairs.

By Mr. LUCAS:

S. 1732. A bill for the relief of Max Miller and Vera Caroline Miller, and others; to the Committee on Claims.

By Mr. MALONEY:

S. 1733. A bill for the relief of the East Coast Ship & Yacht Corporation, of Ncank, Conn.; to the Committee on Claims.

By Mr. ANDREWS:

S. 1734. A bill to amend the Railroad Retirement Act of 1937; to the Committee on Interstate Commerce.

By Mr. RUSSELL:

S. 1735. A bill to amend the Rural Electrification Act of 1936, as amended, by providing for loans by the Reconstruction Finance Corporation in aggregate amount not to exceed $100,000,000 in each fiscal year commencing with the fiscal year 1942; by prescribing the rate of interest and maturity of loans made under said act; and by authorizing the extension of the maturities of and the reduction of interest rates on loans heretofore made; to the Committee on Agriculture and Forestry.

By Mr. GEORGE:

S. 1736. A bill to authorize the payment of an indemnity to the British Government, for and on behalf of John Bailey, former stoker of H. M. S. *Orion,* in full and final settlement of a claim arising as a consequence of injuries inflicted by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939; to the Committee on Foreign Relations.

By Mr. BYRD:

S. 1737. A bill for the relief of Norman Carlin Brown, a minor; to the Committee on Claims.

By Mr. HILL:

S. 1738. A bill to amend the Second Deficiency Appropriation Act, 1941, approved July 3, 1941 (Public, No. 150, 77th Cong.); to the Committee on Civil Service.

(Mr. STEWART introduced S. J. Res. 90, which was referred to the Committee on Interstate Commerce, and appears under a separate heading.)

(Mr. REYNOLDS introduced S. J. Res. 91, 92, and 93, which were referred to the Committee on Military Affairs, and appear under a separate hearing.)

EQUALIZATION OF FREIGHT CHARGES FOR DEFENSE MATERIALS DURING THE EMERGENCY

Mr. STEWART. Mr. President, I introduce a joint resolution, which I ask to have printed in the RECORD and appropriately referred. At this moment I shall not take the time of the Senate to make any extended remarks upon the resolution. It deals with discriminations in freight rates throughout the country and, so far as I know, the action proposed in the joint resolution is a rather new idea.

As I say, I shall not take the time of the Senate at this moment to discuss the resolution. Later I shall elaborate somewhat my views upon it.

The VICE PRESIDENT. Without objection, the joint resolution of the Senator from Tennessee will be printed in the RECORD and appropriately referred.

The joint resolution (S. J. Res. 90) providing for payments for the purpose of equalizing, as between the different regions or territories of the United States, freight charges for the transportation of defense materials during the existing emergency, was read twice by its title and referred to the Committee on Interstate Commerce, as follows:

Whereas authentic reports indicate that those regions or territories of the United States that are being discriminated against in the matter of freight rates are also being discriminated against in the location of industries for the production of defense materials; and

Whereas such a discrimination is, from the standpoint of national defense and from the standpoint of the final effect upon the peacetime economy of the country, adverse to the general welfare and should be promptly corrected by action of the Congress: Therefore be it

Resolved, etc., That there are hereby authorized to be appropriated, from time to time, such sums as may be necessary for making the payments hereinafter provided for the purpose of equalizing, as between the different regions or territories of the United

States, freight charges for the transportation of defense materials during the existing emergency.

SEC. 2. (a) Any person who pays the freight charges for the transportation within the continental United States by common carrier, during the emergency declared by the President on May 27, 1941, of any defense materials, may file with the Interstate Commerce Commission (hereinafter referred to as the "Commission") a claim for an equalization payment with respect to such charges computed as provided in subsection (b). Any person who pays any such charges but does not bear the burden thereof may assign his rights with respect to such claim to the person by whom the burden of such charges is borne, and the person to whom such assignment is made shall succeed to all the rights under this joint resolution of the person by whom such charges were paid. Claims filed under this section shall be in such form, and shall be supported or accompanied by such data and proof, as may be required by the Commission.

(b) The amount of the equalization payment payable on account of any such claim with respect to any such freight charges shall be the amount by which the freight charges actually paid for the transportation of the defense materials exceed the amount which the Commission determines represents the freight charges which would have been payable for the transportation of the same materials for an equal distance at the average rate applicable for such distance within the freight-rate territory known as eastern or official territory. In case such materials could not have been transported within such territory for a distance equal to that for which freight charges were actually paid, the amount of the equalization payment shall be the amount by which the freight charges actually paid exceed the amount which the Commission determines represents the freight charges which would have been payable for the transportation of the same materials for an equal distance at rates computed on the basis most representative of the basis on which rates in such territory are computed.

(c) The Commission shall consider all claims filed with it under this section, and shall from time to time certify to the Treasurer of the United States the names of the persons whom it finds to be entitled to equalization payments, together with the amounts of such payments; and the Treasurer of the United States shall pay, out of any money appropriated for such purpose, to each such person the amount so certified to be payable to him. Determinations by the Commission of amounts payable under this section, and of the persons to whom such amounts are payable, shall be final and conclusive.

SEC. 3. For the purposes of this joint resolution—

(a) The term "defense material" shall be defined, from time to time, by the Commission, and shall be so defined with a view to including any article, equipment, or material to be used, by the United States or any other government or any person, principally for a purpose which directly promotes or is in the interest of the national defense of the United States.

(b) The term "person" includes any individual, partnership, corporation, association, or other organization.

SEC. 4. The Commission is authorized—

(a) To employ such clerical and other assistants and to make such expenditures as may be necessary for the purposes of this joint resolution.

(b) To delegate to such of its officers and employees as may be designated by the Commission any of its functions under this joint resolution.

(c) To make and issue such rules, regulations, and orders as may be necessary for carrying out the purposes of this joint resolution.

JOINT RESOLUTIONS INTRODUCED RELATING TO MILITARY AFFAIRS

Mr. REYNOLDS. Mr. President, yesterday there appeared before our Committee on Military Affairs the Chief of Staff of the United States Army, at which time a number of suggestions were made by General Marshall pertaining to the situation as it relates to the present Army and the Army of the future, based upon world conditions and national circumstances.

As the result of the suggestions made by General Marshall and of suggestions made after his departure by members of the Military Affairs Committee I now introduce, at the request of the members of the Military Affairs Committee, a joint resolution which provides that the President may employ all personnel ordered to active duty under Public, 96 and Public, 783 beyond the limits of the Western Hemisphere.

The VICE PRESIDENT. Without objection, the joint resolution will be received and referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 91) to further provide for the strengthening of the national defense by removing territorial restrictions on the use of the members and reserve components of the Army of the United States, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

Mr. REYNOLDS. Mr. President, furthermore, as a result of suggestions made by General Marshall, and at the request of the members of the Military Affairs Committee, I introduce another joint resolution which expressly provides for the retention in service of such number of selectees, without restriction under Public, 783—the Selective Service Act—to serve for such period beyond 12 months as the President may deem necessary in the interest of our national defense. Secondly, it provides that the provisions of Public, 783—the Selective Service Act—shall remain in full force until 6 months after the emergency shall have terminated. It provides that the Selective Service Training Act shall not expire prior to the original date set, May 15, 1945.

The VICE PRESIDENT. Without objection, the joint resolution will be received and referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 92) to further provide for the strengthening of the national defense by removing the restrictions on numbers and length of service of selectees, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

Mr. REYNOLDS. Mr. President, as a result of the suggestions of General Marshall, and at the request of the members of the Committee on Military Affairs, I introduce a joint resolution providing first to extend enlistments, appointments, and commissions of all components for the duration of the emergency declared by the President; second, to extend for such period beyond 12 months as may be deemed necessary all components called under Public Resolution 96, (a) the National Guard, (b) the Officers' Reserve Corps, (c) retired personnel of the Regular Army; third, to extend all provisions of Public Resolution 96 until 6 months after the termination of the emergency declared by the President; fourth, to authorize enlistments without specification of components for the duration of the emergency, plus 6 months.

The VICE PRESIDENT. The joint resolution will be received and referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 93) to further provide for the strengthening of the national defense by authorizing the retention in active military service of members and units of the reserve components of the Army of the United States, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H. R. 1409. An act designating building guards employed in buildings under the jurisdiction of the Federal Works Agency as United States Building Police and for other purposes; to the Committee on Public Buildings and Grounds.

H. R. 1606. An act for the protection of walruses in the Territory of Alaska; and

H. R. 4813. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; to the Committee on Territories and Insular Affairs.

H. R. 2519. An act to prohibit proof of acts done by an inventor in foreign countries; and

H. R. 3206. An act to afford greater protection of the purchaser of patent rights; to the Committee on Patents.

H. R. 3367. An act relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937; to the Committee on Post Offices and Post Roads.

H. R. 3466. An act to authorize the Department of the Interior to accept title to the fish hatchery at Clark Fork, Idaho;

H. R. 3625. An act to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.;

H. R. 4052. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

H. R. 4085. An act to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.;

H. R. 4150. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 4231. An act granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River, at or near Leneudes Ferry, S. C.;

H. R. 4306. An act to extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind.;

H. R. 4315. An act to legalize the construction by the Big Creek Bridge Co., Consolidated, of a bridge across the Tug Fork of the Big Sandy River at Nolan, W. Va.;

H. R. 4732. An act granting the consent of Congress to the department of highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia;

H. R. 4946. An act relating to the manning of certain seagoing barges; and

H. J. Res. 176. Joint resolution granting the consent of Congress to an agreement amending the original agreement entered into by the States of New York and Vermont relating to the creation of the Lake Champlain Bridge Commission; to the Committee on Commerce.

H. R. 3484. An act to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty;

H. R. 3933. An act to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover; and

H. R. 5146. An act to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938; to the Committee on Military Affairs.

H. R. 4692. An act relating to the disposition of personal property of certain deceased patients or members of United States Veterans' Administration facilities; and

H. R. 4845. An act to increase the rate of pension to World War veterans from $30 to $40 per month, to grant such rate at age 65, and for other purposes; to the Committee on Finance.

H. R. 4733. An act to add certain lands to the Boise National Forest, the Salmon National Forest, and the Targhee National Forest, in the State of Idaho; to the Committee on Public Lands and Surveys.

H. R. 4854. An act to facilitate and simplify the administration of the Federal reclamation laws and the act of August 11, 1939, as amended; to the Committee on Irrigation and Reclamation.

H. R. 5204. An act authorizing the charging of fees for brand inspection under the Packers' and Stockyards' Act, 1921, as amended; to the Committee on Agriculture and Forestry.

H. J. Res. 121. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; to the Committee on the Library.

AUSTIN L. TIERNEY—MOTION FOR RECONSIDERATION WITHDRAWN

Mr. MALONEY. Mr. President, on May 29 the Senator from Iowa [Mr. GILLETTE] entered a motion for the reconsideration of the vote by which the Senate had previously passed the bill (S. 1074) for the relief of Austin L. Tierney. I have been authorized by telegram by the Senator from Iowa, in his behalf, to ask unanimous consent that that motion may be withdrawn.

The VICE PRESIDENT. Without objection, it is so ordered.

INDEPENDENCE DAY ADDRESS BY SENATOR WALSH

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address delivered by him on July 4 in tribute to the United States Marine Corps, which appears in the Appendix.]

TRIBUTE TO PVT. LUKE QUINN, UNITED STATES MARINE CORPS, BY LT. JOHN S. OLDFIELD

[Mr. WALSH asked and obtained leave to have printed in the RECORD a tribute by Lt. John E. Oldfield, on the occasion of the dedication of a Marine memorial to Pvt. Luke Quinn, United States Marine Corps, at Harpers Ferry, which appears in the Appendix.]

ADDRESS BY SENATOR WILEY BEFORE TOWNSEND NATIONAL CONVENTION AT BUFFALO, N. Y.

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him on July 2 before the sixth Townsend national convention at Buffalo, N. Y., which appears in the Appendix.]

ADDRESS BY CHARLES M. THOMAS TO COLORED AMERICAN DRAFTEES

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD an address to colored American draftees, delivered by Charles M. Thomas, public-relations counsel, on July 4, 1941, in Washington, D. C., which appears in the Appendix.]

GIDDY MINDS AND FOREIGN QUARRELS—ARTICLE BY CHARLES A. BEARD

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD an article, entitled "Giddy Minds and Foreign Quarrels," written by Charles Austin Beard, which appears in the Appendix.]

MILITARY RECORD OF JEWISH-AMERICANS

[Mr. BARBOUR asked and obtained leave to have printed in the RECORD an editorial from the Jersey Journal of the issue of June 26, 1941, with reference to the military record of Americans of Jewish faith, which appears in the Appendix.]

ARTICLE BY WALTER LIPPMANN ON OCCUPATION OF ICELAND

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article by Walter Lippmann, entitled "Iceland and the Atlantic," which appears in the Appendix.]

NONDEFENSE SPENDING—FISCAL POLICIES

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial from the New York Times of July 9, entitled "Nondefense Spending," and one from the New York Journal of July 9, entitled "Fiscal Disaster," which appear in the Appendix.]

THE LATE REPRESENTATIVE BOLLES, OF WISCONSIN

Mr. WILEY. Mr. President, on Tuesday of this week a beloved Wisconsin colleague and an old friend, Representative STEPHEN BOLLES, of Wisconsin, passed on.

In deference to his memory I desire to say a few words in tribute to him as an individual and as a statesman.

Because of his distinguished service for over two decades as editor of the Janesville Daily Gazette at Janesville, Wis., the name of STEPHEN BOLLES has been almost a legend in Wisconsin. Indeed, for almost 45 years Mr. BOLLES has been affectionately known and respected throughout the newspaper world for his years of service as correspondent and managing editor of many newspapers throughout the country.

Throughout his active career he had given unsparingly of his service to countless civic and public endeavors.

In 1901 he was associated with the press department of the Pan American Exposition. He was chief of the graphic arts exhibit of the Universal Exposition at St. Louis in 1903.

He was president of the international jury of awards for graphic arts in that same exposition and was made an officier d'académie by the French Government.

He was director of publicity for the Jamestown Exposition in 1907.

He was awarded an honorary doctor of laws degree by Milton College, where he was a trustee for some 20 years.

He was also a trustee of the Janesville Public Library and a director of the Red Cross. He was chairman of the advisory board of the Salvation Army for 3 years.

He was president of the Janesville Chamber of Commerce. He was a member of the Grange and one of the best-loved members of the American Society of Newspaper Editors.

In recent years he was a Member of the Seventy-sixth and Seventy-seventh Congresses, where he made an outstanding and distinguished record.

His death is not only a distinct personal loss to members of the Wisconsin congressional delegation, who valued his counsel and his friendship, but is also a serious loss for Wisconsin.

STEPHEN BOLLES was a statesman.

During his years as a newspaper editor he consistently championed the cause of clean government. In his editorials on municipal affairs, the welfare of his community, State problems, and national difficulties STEPHEN BOLLES interpreted them through a rich maturity of the experiences of many years.

He had, moreover, an almost unparalleled grasp of twentieth-century history, and like every conscientious newspaperman, he was extremely conscientious and accurate in his presentation of factual information.

He brought this same approach to his legislative work, and his colleagues in the House respected him for his painstaking and conscientious preparation and for his deep concern for the welfare of Wisconsin interests. He was regarded as an authority on the problems of the dairy farmer.

Steve, as he was affectionately called by thousands, was a true friend. He possessed an unusual mind and a remarkable memory which served as a storehouse of valuable information upon which he could draw at will.

He was a student of government and an ardent believer in our American way of life.

He had a great reverence for the Constitution and for the Bill of Rights.

Steve was no demagog, however. Even his most penetrating comments on current affairs were tempered with the keenly incisive humor he had developed in his years as a newspaperman.

STEPHEN BOLLES was a man of courage, and the strength and the vigor with which he fought for his convictions belied his years.

He never compromised on those convictions, and he was willing to make any sacrifice to advance their consideration.

Just before his death, for example, he was extremely active on two subcommittees of the House at a time when his physician urged him to curtail his activities. He was faithful in his attendance to all of his official duties, and his mature counsel will be missed by his colleagues.

STEPHEN BOLLES brought to Congress an almost unparalleled background—the penetrating observation of a veteran

newspaperman. Along with that penetrating observation he brought to Congress a lofty sense of ideals and a sincere desire to be of service to his constituents and to the Nation.

While he spent only 2½ years in the Congress of the United States, yet during that period he had made his imprint as a straight thinker, whose years of writing had given him a colorful background through which to view world affairs today.

He was highly regarded by all of his associates in Congress. Wisconsin and the Nation, in his passing, have sustained a great loss.

It is difficult to believe that STEPHEN BOLLES has met his last "deadline," for—

Last night we talked of far-off things
Around our friendly fire,
Of ships, and seas, and wide adventurings,
Tonight he hath his heart's desire.

We speak of him with hushed and quiet voice,
We call him dead.
May it not be, adventure still his choice,
He journeys on instead?

PROPOSED SEPARATE AIR FORCE

Mr. McCARRAN. Mr. President, I send to the desk a very able article by Mr. Al Williams entitled "Public Demand Grows" and ask leave that the clerk may read it.

The VICE PRESIDENT. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

[From the Washington Daily News of June 14, 1941]

PUBLIC DEMAND GROWS

(By Al Williams)

Public demand for a separate, autonomous air force is growing. Numerous bills in Congress propose legislation to this end. This pressure for modernization of our national-defense system into a three-way set-up—Army, Navy, air—is soundly based on the records of air power's victories over land and sea elements. Standing against this tide are the reactionary political blocs in Congress and their counterparts in the Army and Navy.

The most successful air force in Europe's war is the German outfit, which is autonomous and upon which no land or sea commander dares to lay a hand. This air force was planned and organized and is commanded by experienced airmen, freed of interference by the older services.

Experienced airmen in England and in France were not free to employ their abilities or vision in the creation of an air force comparable to the German. Experienced American airmen are not free to turn their visions of American air power into a reality. They are hampered by the tight reins held by the entrenched powers in the Army, in the Navy, and in Congress.

Those who hold this power over our airmen are old men who know of air power only what they have been told or what they learned while riding as passengers in planes.

Why did the French dare to take part in a war when they lacked even the semblance of a real air force? Why did the British steadfastly refuse to recognize what was going to happen to trench warfare, or to sea-power machinery when attacked by a strong air force, until the disastrous results of actual combat showed them the ghastly light?

The answer is plain. The political, naval, and military leaders would not listen to their airmen. British Army and Navy leaders planned the selfsame army and naval forces as have been planned by our own Army and Navy leaders. The British Admiralty, aided and abetted by the British Army, has been fighting the semiautonomous Royal Air Force ever since the end of the first World War, seeking command of England's air power.

Royal Air Force people have told me repeatedly they had to devote about 80 percent of their energy to defending the autonomy of their own branch against the intrigues of the old services. They were never able to exercise the jurisdiction so vital to the development of a new weapon and the vast resources necessary to make it effective.

There's no mystery about how the Germans built their gigantic air power. Their formula is an imitation of the formula that made America great—pick the right men for a job and free these men from interference by those who are not experts at that job.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until Monday next at 12 o'clock noon.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

NOTIFICATION TO THE PRESIDENT OF CONFIRMATION OF NOMINATIONS

Mr. BARKLEY. I also ask unanimous consent, as in executive session, that the President be immediately notified of the confirmation of the nomination of Hon. Robert H. Jackson as an Associate Justice of the Supreme Court of the United States, and that the President also be notified of the confirmation of all other Executive appointments of which he has not heretofore been notified.

The VICE PRESIDENT. Without objection, and as in executive session, it is so ordered.

The morning business is closed.

ADDITIONAL APPROPRIATION FOR TENNESSEE VALLEY AUTHORITY

Mr. ADAMS. Mr. President, I move that the Senate proceed to the consideration of House Joint Resolution 194, making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942.

The VICE PRESIDENT. The question is on the motion of the Senator from Colorado.

The motion was agreed to; and the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Appropriations, with amendment.

Mr. ADAMS. Mr. President, I ask that in connection with a short explanation I shall make there may be incorporated in the RECORD the brief report of the Committee on Appropriations in reference to this measure. It will give some figures and some data relative to the joint resolution.

Mr. McNARY. Mr. President, I ask the Senator in charge of the bill if his request is that the report be printed in the RECORD?

Mr. ADAMS. It is.

Mr. McNARY. As a part of the Senator's remarks?

Mr. ADAMS. As a part of my remarks. The report is only about four pages long.

Mr. McNARY. Then the Senator will make a statement concerning the purposes of the joint resolution?

Mr. ADAMS. I shall do so.

The VICE PRESIDENT. Without objection, the report will be printed in the RECORD.

The report (No. 521) submitted by Mr. ADAMS on July 8, 1941, is as follows:

The Committee on Appropriations to whom was referred the joint resolution (H. J. Res. 194) entitled "Joint resolution making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942," reports the same to the Senate with amendments and recommends its immediate consideration and passage by the Senate.

The committee recommends the deletion of section 2 of the joint resolution which relates to the location of certain temporary buildings in or near the District of Columbia. The Second Deficiency Appropriation Act, 1941, as finally passed contained an item fixing the location of the temporary buildings, so the need for section 2 no longer exists.

The appropriation of $40,000,000 provided by this resolution for the Tennessee Valley Authority is in pursuance of an estimate submitted by the President in House Document No. 230 of the Seventy-seventh Congress, and provides in part for a projected development in the Tennessee Valley, the total cost of which will be $51,000,000. When complete the projects will provide 220,000 kilowatts of power of which 117,000 kilowatts will be continuous power.

The committee had the benefit of the testimony of the Under Secretary of War, Hon. Robert P. Patterson; W. L. Batt, Deputy Director of Production, Office of Production Management; David E. Lilienthal, Director of the Tennessee Valley Authority; Col. T. B. Parker, chief engineer, and other officials of the Authority, as to the urgent need for these additional facilities.

The necessity for this additional power development arises from the enlarged aluminum requirements to meet the expanded airplane program. This appropriation will only provide about one-half of the total amount of firm power required to operate at full capacity the aluminum plants now in existence in this area.

The aluminum facilities throughout the country now in operation and under construction will produce about 800,000,000 pounds of aluminum annually. It is the opinion of those whose responsibility it is to see that aluminum in sufficient quantities is available when needed to meet the requirements of the expanded airplane program that an additional 800,000,000 pounds annually will be required, making a total annual production of 1,600,000,000 pounds.

This appropriation will provide only in part for the immediate needs of existing facilities in the Tennessee Valley Authority.

The following is a brief description of the projects to be undertaken with the appropriation provided in this joint resolution:

"1. Chatuge project: The Chatuge project is proposed as a storage project at the present time, with provision for future power installation. It is located on the Hiwassee River 4 miles above the town of Hayesville, N. C., at the confluence with Shooting Creek. The drainage area is about 190 square miles, and the height of dam 150 feet. The dam will probably be constructed of rock and earth fill similar to Cherokee Dam, and its cost is estimated at $5,000,000. It will add about 25,000 kilowatts to the 1942 Tennessee Valley Authority system plus Apalachia by priming present secondary and dump power at an estimated cost of 1.8 mills per kilowatt-hour, which includes the cost of installing additional downstream generating capacity. If authorized at once it can be ready to store water in the spring of 1942.

"2. Nottely project: The Nottely project is at present proposed as a storage reservoir only, of about 200,000 acre-feet capacity, located on the Nottely River about 12 miles upstream from Ranger, N. C. The drainage area at the site is about 200 square miles.

Provision will be made for future power installation below the dam. The dam will probably be about 150 feet high, of combined rock and earth fill, similar to Cherokee Dam. It appears to offer no particular difficulties in construction. The flooded area of the reservoir is about 5,000 acres in extent, and consists chiefly of rough uncultivated lands. The storage will be used through about 1,000 feet of downstream head, including Apalachia and Kentucky. The cost is placed at $5,000,000 and the annual cost of power is 1.8 mills per kilowatt-hour, which reflects the cost of providing additional generating capacity downstream. It is estimated that it will add 25,000 continuous kilowatts to the 1942 system by priming present secondary and dump power. If authorized at once it can be ready to store water in the spring of 1942.

"3. Ocoee No. 3 project: The proposed Ocoee project is located on the Ocoee River between present Ocoee No. 2 plant and Blue Ridge Reservoir, both of which were acquired from the Tennessee Electric Power Co. It will develop about 300 feet of head by means of a dam 100 feet in height and a tunnel 12,000 feet in length. The power plant will be located on the upper end of present Ocoee No. 2 forebay, and will have an installed capacity of 27,000 kilowatts and add 18,000 continuous kilowatts to the 1942 Tennessee Valley Authority system. The project has a drainage area of 492 square miles and the flow is regulated by the Blue Ridge Reservoir of 183,000 acre-feet capacity. Under present conditions it is impossible to peak simultaneously both Blue Ridge and Ocoee No. 2 plants without wasting water. Consequently the construction of the Ocoee No. 3 project with the regulation afforded by its diversion dam will add the 20,000 kilowatt-capacity of Blue Ridge to the effective peak capacity of the Tennessee Valley Authority system, in addition to the 27,000 kilowatts to be installed at the Ocoee No. 3 plant. This project furnishes little additional storage for downstream regulation, and has little effect on the system secondary power. Its cost is estimated at $6,600,000 and the cost of continuous power at 1.6 mills per kilowatt-hour at the station switchboard. If authorized at once and delivery of equipment can be expedited this project can be ready by the fall of 1942.

"4. Apalachia project: The proposed Apalachia project, on the Hiwassee River below Hiwassee Dam, will develop an effective head of about 385 feet by means of a diversion dam about 110 feet in height and a tunnel 43,000 feet long. The power plant will have an installed capacity of 75,000 kilowatts, and the project will add 49,000 continuous kilowatts to the 1942 Tennessee Valley Authority system. Its capital cost is estimated at $20,000,000 and the cost of power at station switchboard at 1.6 mills per kilowatt-hour. It will furnish about 50,000 acre-feet of storage for down-river regulation and will increase the secondary power output of the present system. If authorized at once and delivery of equipment can be expedited, power from this project can be on the line in the fall of 1942.

"5. Downstream units: In order to effectively use the Nottely and Chatuge storage projects in the Tennessee Valley Authority system, it will be necessary to install a proper amount of additional capacity in vacant stalls in existing plants. The best locations have not been definitely established, but consideration is being given to a second unit at Hiwassee Dam and two additional units at Watts Bar Dam. It is estimated that about 118,000 kilowatts additional capacity will be required which will cost approximately $5,400,000.

"6. Transmission facilities: The addition of 220,000 kilowatts generating capacity to the Tennessee Valley Authority system will necessitate construction of additional transmission and distribution facilities. The actual physical connection of Ocoee No. 3 and Apalachia plants to the Tennessee Valley Authority system is comparatively simple. Ocoee No. 3 can be connected by a short tie line to Ocoee No. 2. The present Ocoee transmission system is old and needs considerable reconstruction in order to carry the augmented load. The Apalachia plant can be readily connected into the present Hiwassee plant, which has two outgoing 161 kilovolt lines of sufficient capacity to carry the load of both plants. A second circuit from Apalachia to Alcoa will probably be necessary if a second generating unit is installed at Hiwassee. Preliminary estimates indicate that the switching stations at Ocoee No. 3 and Apalachia, plus the extension of switching stations for the additional units in downstream plants, will cost around $3,200,000. The cost of the interconnecting lines, plus the lines and substations needed to market the power produced by this supplementary program, will be around $5,800,000, making a total of $9,000,000 for transmission facilities."

FINANCIAL REQUIREMENTS BY FISCAL YEARS

The following is a summary of financial requirements by fiscal years:

	Fiscal year 1942	Fiscal year 1943	Total
1 and 2. Chatuge and Nottely storage projects	$10,000,000		$10,000,000
3. Ocoee No. 3 project:			
Dam and reservoir	3,000,000	$868,000	3,868,000
Water conductors	1,500,000	482,000	1,982,000
Generating equipment	500,000	250,000	750,000
Total, Ocoee No. 3	5,000,000	1,600,000	6,600,000
4. Apalachia project:			
Dam and reservoir	8,400,000	1,400,000	9,800,000
Water conductors	6,500,000	2,192,000	8,692,000
Generating equipment	1,100,000	408,000	1,508,000
Total, Apalachia	16,000,000	4,000,000	20,000,000
5. Downstream units	4,000,000	1,400,000	5,400,000
Subtotal	35,000,000	7,000,000	42,000,000
6. Transmission facilities:			
Switchyards	2,000,000	1,200,000	3,200,000
Transmission lines and substations	3,000,000	2,800,000	5,800,000
Total, transmission facilities	5,000,000	4,000,000	9,000,000
Total, program	40,000,000	11,000,000	51,000,000

Mr. ADAMS. Mr. President, this measure provides for the appropriation of $40,000,000 for the construction of some four power units under the Tennessee Valley Authority, and contains two additional items for the purpose of making available existing units, and for providing transmission facilities.

Before the committee there was presented a statement from the War Department by Under Secretary Patterson, statements of representatives of the Air Corps and a representative of the Office of Production Management, and we also heard from the Tennessee Valley Authority. They all agreed that there is a great necessity for increased power in order that adequate supplies of aluminum may be provided for national-defense purposes.

We found a good deal of confusion regarding figures as to available power, as to localities, as to need for aluminum, and as to available supplies; but there was a unanimous agreement as to the necessity for additional power, and we were told that the power could be provided more speedily by the construction of these units under the Tennessee Valley Authority than from any other source. The units to be constructed will provide approximately 117,000 kilowatts of firm power; but the use that can be made of this power will result in firming up other power, and will enable the plants of the Aluminum Co. of America to be operated at full capacity, and will also permit certain other industries in the Tennessee Valley area to resume operations. At the present time the Aluminum Co.'s plant is being operated at full capacity, but the operation is at the cost of other plants having a lower priority. That is, the Aluminum Co. has either borrowed or taken other power, and it is essential that such power be replaced.

The committee unanimously recommended the passage of the joint resolution, which does not include features which have been included in other T. V. A. programs. There is no navigation or flood control in it. It is a straight power measure and the basic purpose is to produce power in order that, in turn, aluminum may be produced for the very greatly expanded airplane program.

That, in substance, is the outline of this program.

The VICE PRESIDENT. The clerk will state the first amendment reported by the committee.

The first amendment of the Committee on Appropriations was, at the end of section 2, on page 2, line 7, after "1942", to strike out "and shall be available immediately", so as to make the section read:

Resolved, etc., That the sum of $40,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, as an additional amount for the Tennessee Valley Authority Fund, fiscal year 1942, for (1) beginning construction of two additional hydroelectric projects and two additional storage projects on the Hiwassee River and its tributaries, (2) installing additional electric generating units in existing hydroelectric projects owned by the Authority, and (3) building the transmission facilities needed to connect these projects and units to the existing transmission system of the Authority and to deliver the power produced by these projects and units to the market; such sum to be available for the objects and subject to the conditions specified under the caption "Tennessee Valley Authority" in the Independent Offices Appropriation Act, 1942.

The amendment was agreed to.

The next amendment was, on page 2, beginning on line 9, to strike out section 2, as follows:

SEC. 2. The appropriation to the Public Buildings Administration of the Federal Works Agency for construction of temporary office buildings, contained in title III of the Fifth Supplemental National Defense Appropriation Act, 1941, is hereby amended by inserting the words "or near" after the words "on Government-owned land in."

Mr. ADAMS. Mr. President, a word of explanation as to section 2.

We had upon the floor of the Senate, and before the committee, a difference of opinion as to whether it should be required that certain defense buildings be constructed in the District of Columbia. That controversy, however, has been settled by amendments to other bills, so that the necessity for this provision, which was put in the joint resolution in the House to meet that situation no longer exists. Since this section is a duplication of provisions already enacted, therefore, it is not necessary.

AMERICAN OCCUPATION OF ICELAND

Mr. TAFT. Mr. President, on Monday the President of the United States notified the Senate that forces of the United States Navy had already arrived in Iceland in order to supplement, and eventually to replace, the British forces now stationed there. This action was taken in accordance with an understanding reached by the President with the Prime Minister of Iceland, frankly inspired however, according to the Prime Minister, by the British Minister to Iceland, who explained to him that British forces in Iceland were required elsewhere, and suggested that he apply to the United States for forces. The Prime Minister stressed the fact that the United States forces must be strong enough to meet every eventuality; and the President promised that the Government of the United States would immediately send troops, apparently including the United States Army as well as the Navy, to supplement, and eventually to replace, the British forces now there. Judging from the various press reports, it is likely that 80,000 American boys are in course of being sent to Iceland 2,400 miles from any American territory, and substantially a part of the continent of Europe.

In my opinion, the President has no legal or constitutional right to send American troops to Iceland. It is not an agreeable task for me to question the authority of the President to take any action which he has taken in the name of the Government of the United States; but I believe it would be most unfortunate if the Senate of the United States should acquiesce without protest in acts of the President which might nullify for all time the constitutional authority distinctly reserved to Congress to declare war. I can understand why the action of the President is approved by those who desire to go to war and do not care to submit to Congress the question whether we shall go to war; but I cannot understand the basis on which any sound legal foundation can be found for the President's action.

I desire to place on record my strenuous protest against the policy which is involving us in war without authority from Congress. I am convinced that if the question of war is submitted to the people by referendum, or if it is submitted to Congress, a great majority will speak for peace and aid to Britain, but against war. If I am mistaken, I am quite prepared to support without stint or qualification the wishes of the majority of the people declared by Congress; but I deny the right of the President to take us into war against the wishes of the men and the women and the children in the cities, in the towns, and on the farms of America.

There is, of course, no question that the Constitution confers the right to declare war only upon Congress. It has been frequently stated that the President has power to begin a war because he is Commander in Chief of the Army and Navy. It may well be true that the President has it within his power to make war without authority from Congress. Undoubtedly, since he is Commander in Chief of the Army and Navy, if he wants the Army or Navy to go anywhere in the world, they will obey him, and in this sense he may perhaps have it within his power today to begin war with Germany by ordering the Army to land on the German coast. But this does not mean that he has any legal or constitutional right to order an attack on Germany. The mere fact that power may be usurped is no evidence of legal right.

The President's legal powers are limited to the defense of the United States, and of its citizens, and of the property of its citizens. Of course, he has, without the approval of Congress, the right and duty to resist insurrection and invasion of the United States. If a nation makes or declares war on the United States, it is the President's duty to carry on that war. American forces have been landed many times in different countries, but as far as I know, except in the Veracruz case, they have always been landed to protect American life or American property. In the Veracruz case one House of Congress had already acted, and the other was in course of taking action to authorize the Veracruz landing. The Supreme Court has upheld that action on the theory that "under our system of government the citizen abroad is as much entitled to protection as the citizen at home." But the landing of troops in Iceland is not taken for the protection of American life or American property.

NOT DEFENSE OF THE UNITED STATES

It is contended by the President that the occupation of Iceland is defense of the United States. Iceland is sixteen hundred miles from Newfoundland, 2,400 miles from the United States. The landing of troops in Iceland is an act exactly equivalent to aggressive war. We are sending 80,000 American soldiers into the midst of a war zone, on foreign soil. Historically and geographically, Iceland is a part of Europe, and we are now intervening in Europe. We are now for the first time taking an active military part in the war between England and Germany. One of the great battles of the war, between the *Hood* and *Bismarck*, was fought off the coast of Iceland. Iceland is approximately as far from Newfoundland and the United States as is Ireland. It lies far north on the Arctic Circle. It is not even a stepping stone to Europe, except for planes with a very short range. It lies 600 miles north of Scotland and Ireland and only 700 miles from Norway.

The occupation of Iceland cannot by any reasonable stretch of the imagination be construed to be defense of the United States. Conceivably it could be considered defense of the shipping lanes to England and Ireland, but passage of American ships over those lanes is now forbidden by the Neutrality and Lease Lend Acts. It is not defense, because Germany is not attacking us, and we are at peace with Germany. Germany has made no hostile move in the direction of the United States. Even if Hitler made such an attack, he has no fleet with which he could possibly attack this country, so that the idea that we are defending ourselves from Germany by seizing Iceland is ridiculous. The German Fleet, on the 30th of last June, was about one-fourth of the size of the American Fleet; and today it is yet smaller. The fleets of Germany, Italy, and France together are probably smaller today—in view of their losses—than the American Fleet is today, and we know that a fleet, to attack across an ocean, must be twice the size of the defending fleet. Furthermore, the German, French, and Italian Fleets are not built for offensive warfare across an ocean. They have practically no airplane carriers, and their cruisers are largely built for the Mediterranean. It is said that over many years the Germans might build up a fleet large enough to attack the United States. But under the agreement with Iceland, we have promised to remove our entire forces from Iceland the moment the present war is ended.

No one has even suggested that Germany is going to attack this country without subduing England, and in my opinion there is today only a remote possibility of any such result. Furthermore, if Germany did control the entire Atlantic coast of Europe and the British Islands, Iceland would be a liability to us rather than an assistance to our defense. Under those improbable circumstances we might easily lose the entire force of 80,000 men whom we are sending to this remote outpost. They would be within easy reach of attack from Ireland or Scotland. We could not possibly send our fleet to the Arctic Circle to defend them because that fleet would have to remain in the Caribbean or on the Atlantic coast. The ships which we could spare would be inferior to the ships which could be summoned for attack, and would be three times as far from their base. I say that if Germany were in control of Europe and about to attack us, the most foolish and insane thing we could do would be to send 80,000 American soldiers to Iceland.

If the occupation of Iceland is defense, then any act the President cares to order is defense. If he can send troops to Iceland on this ground, he can certainly send troops to Ireland on this ground. He can send them to Scotland or Eng-

land. He can send them to Portugal. These countries are no further away from us than is Iceland, and now we have the additional reason that we have to defend our troops in Iceland. So we must go on and occupy Ireland and England in order to defend ourselves in Iceland. Weeks ago I heard on reliable authority that the United States was constructing a naval air base for Great Britain in Northern Ireland. Since I made the first draft of this speech, Mr. Willkie, after a call upon the President, announced that in his opinion we should establish military bases both in Northern Ireland and Scotland. The occupation of Ireland would relieve perhaps a half million British troops for service elsewhere, and put a half million American boys into the British Islands. Perhaps it was thought the Irish would be more willing to have an American Army in Northern Ireland than a British Army. A base in Ireland would be much more effective to protect shipping than a base in Iceland. Every argument that has been used for the occupation of Iceland applies to Ireland and England and Portugal.

It would be a tremendous stretching of the Constitution to say that without authority from Congress the President of the United States can send hundreds of thousands of American soldiers to Europe when a war is raging over that entire continent, and the presence of American troops would inevitably lead to war. The President cannot make aggressive war. Neither can he intervene in a war between two other nations, because such intervention, even though it does not immediately involve a physical attack on one of the combatants, is clearly the making of war.

THE LEASE-LEND POLICY DOES NOT JUSTIFY THE LANDING OF TROOPS IN ICELAND

Mr. President, the real purpose in seizing Iceland is not defense of the United States, but defense of ships going from North America to Great Britain. The President justifies his action by stating that a German occupation of Iceland would be a threat against all shipping in the North Atlantic and against the steady flow of munitions to Britain—which is a matter of broad policy clearly approved by the Congress. In other words, he claims authority under the Lease Lend Act. Let us look at the Lease Lend Act. He claims, in effect, that in his discretion the policy approved by Congress in the Lease Lend Act makes the defense of Iceland the defense of the United States.

I should be inclined to agree with this position, so far as the broad policy declared in the Lease Lend Act is concerned, except for the fact that the act expressly disclaimed any intention to send troops anywhere to effect its policy. Section 10 of the act reads:

> Nothing in this act shall be construed to change existing law relating to the use of the land and naval forces of the United States, except insofar as such use relates to the manufacture, procurement, and repair of defense articles, the communication of information, and other noncombatant purposes enumerated in this act.

Could Congress have made it any more clear that the policy of aid to Britain was not to be used as a justification for sending land or naval forces abroad? Yet the President does not come back to Congress and ask for this authority. He deliberately ignores their express wishes in spite of the fact that only Congress, as representatives of the people, has power to declare war.

The Lease Lend Act cannot be used as a justification even for the convoying of vessels or the delivery of defense materials to Great Britain. It will be remembered that on this floor, in this act, the word "transfer" was expressly amended by inserting the word "title," to read "transfer title," to indicate that no physical transfer by the United States was being authorized, and that we were not assuming in any way responsibility for delivery. There will also be remembered the express provisions that nothing in the act shall be construed to authorize the convoying of vessels by naval vessels of the United States, or the entry of any American vessels into a combat area.

If American troops are to be sent abroad, or American naval vessels are to be engaged in convoying, the only democratic procedure is for the President to ask Congress to change the policy it established and adopt a diametrically opposite policy.

There is a peculiarly valid reason why the President should not send naval or air forces to Iceland, or any other European countries, without submitting the question to Congress. The action which has been taken is a distinct violation—I repeat, the action which has been taken is a distinct violation of the President's express promise made to the American people before the election, when he said:

> We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas except in case of attack.

We have sent our naval forces and we are sending our armed forces to a foreign land outside the Americas. There has been no attack on the United States and no threat of attack. The action of the President is not only beyond the powers which the Constitution has granted to him, but it is a deliberate violation of his pledge to the American people.

It is quite true that new circumstances may arise which would justify a change in the policy after the election, but surely that change must be submitted to the people who accepted the President's promise that he would not send our Army or naval forces to foreign lands. It seems to me that the course of the administration is a deliberate course involving this country in war without submitting the question to the people, or the people's representatives, because of the fear that the people will not approve.

When the American people have decided to go to war, I will support the war so declared as vigorously as the President himself, but I deny his right to involve us in war or to send American troops into the war zone of Europe without action by Congress. I believe it is the duty of all those who feel as I do to continue a vigorous protest against such arbitrary action by the President.

Mr. CONNALLY. Mr. President, the Senator from Ohio in an evidently carefully prepared address has discussed the questions raised by the President's action with regard to Iceland. I cannot, of course, extemporaneously adequately comment upon or reply to the remarks of the distinguished Senator from Ohio. He begins, of course, by challenging the President's authority as Commander in Chief of the Army and Navy to send troops, of the Navy or Army, to Iceland. The Senator from Ohio, of course, is familiar with the constitutional grant of authority to the President as Commander in Chief of the Army. I know of no limitation in the Constitution on that authority. I do not find anything in the Constitution that says he can send the Army 100 miles, but he cannot send it 200 miles. I do not find anything in the Constitution that says he can send the Navy up the Hudson River but he cannot send it out to sea. I do not know of anything in the Constitution or in the interpretation of the courts that places any limitation upon the power of the President as Commander in Chief of the Army and the Navy to send the Army and the Navy wherever the national interests of the United States require the Army or Navy to be sent.

The sending of troops abroad under the circumstances in the Iceland case is not the making of war. No one disputes that the power to declare war is vested exclusively in the Congress of the United States. The Senator from Ohio is too good a lawyer, or some of us think he is too good a lawyer, to confuse the control of the Army and the Navy under the Constitution with the war-making power as set forth in the Constitution.

Let me ask the Senator from Ohio—and he need not reply; this is for the RECORD—what is the difference in the power over the Army and over the Navy? The Constitution says the President is Commander in Chief of the Army and the Navy. Every President we have had since we have had a Navy has sent the Navy all over the globe whenever he got ready to do so. It would be a great Navy, would it not, if it were tied up in a fish pond somewhere, and if it were kept here at home? We have a Navy. What for?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TAFT. Would the Senator from Texas say the President had the power to send the entire American Navy to attack the port of Kiel, in Germany, without a declaration of war by the Congress?

Mr. CONNALLY. Wait a moment. Let us stay within the record. The Senator from Ohio asks whether the President has the power to send the Army or the Navy over across the sea to attack Kiel. The Senator from Texas did not say anything about "attack." If the President, however, wanted to send the Navy yonder to European waters he has the power to do it. Who else has? Can the Congress say, "Well, we will resolve that we will send the Navy over to Europe, or we will not"? The power to send the Army or the Navy somewhere involves the power not to send them, and if Congress has the power to say that the President cannot send them, then he is no longer Commander in Chief of the Army and

the Navy, but the Congress is the Commander in Chief of the Army and the Navy.

Those powers are interchangeable. The power to send them involves the power not to send them, and if Congress has the power to tell the President he cannot send the Navy out on the high seas, then the President is not the Commander in Chief of the Navy, but the Congress is the Commander in Chief of the Navy.

Mr. President, I suggested a moment ago that I should like the Senator from Ohio to point out the difference between the authority of the President over the Army and over the Navy. The language conferring power is in the same clause:

The President—

It does not say anything about Congress. It says:

The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States.

The power over the Army is as sweeping and as broad as it is over the Navy. The Senator from Ohio would not say that the President does not have the power to send the Navy out onto the high seas. Whenever it leaves our Territorial waters it is abroad; it is out on the high seas. What is the Navy for? The primary purpose of the Navy is to go forth upon the high seas wherever the interests of the people of the United States require that it be sent, wherever the lives or the property of the citizens of the United States may be in danger.

We talk about not sending the Army abroad. The Senator from Ohio is not ignorant of the fact that when the draft bill was before the Senate there was put in the RECORD a list of at least 100 different instances in the history of the United States of the sending either of marines or troops to foreign countries. If we can send the marines to Central America to protect a banana patch, why can we not send some marines to Iceland to protect the safety of the people of the United States and to assert the right of our people to the freedom of the seas?

It is not a question of how large the country is. It is not a question of sending the marines into a small country in Central or South America which is so weak that it cannot do anything about it. If it is sound to send them to a small country, it is sound to send them against a great country, because the danger from a great country is much more serious than from some small country which cannot help itself.

Is sending troops to Iceland making war? They are in Iceland practically at the invitation of and with the consent of the Government of Iceland. Whether Iceland is in the Western Hemisphere or just over the line in the Eastern Hemisphere does not make a bit of difference in my mind. We do not have to survey Iceland and find that it is so many degrees and so many minutes east or west of a certain meridian. It is not a question of geography. Every schoolboy knows that Iceland is an outpost of the United States. It is out yonder in the ocean. Its location is such that any hostile force in command of Iceland not only would be able to command the sea lanes near Iceland, but would be a threat against Canada on the north, and ultimately against the United States.

We have already proclaimed that while Canada is a foreign country, it is a part of the Western Hemisphere. This Congress—I think with the vote of the Senator from Ohio—pledged the United States to defend and protect the Western Hemisphere from any foreign aggression. I assume the Senator from Ohio meant that vote. If he did, then it is our duty to see that there is no attack, and no possibility of attack on the integrity of the territory of Canada or of the United States.

Do we want to wait until our ships are sunk on the high seas? Do we want to wait until the enemy is at our gates? Do we want to wait until the enemy lands in Canada, Nova Scotia, or Greenland, pushing ever closer, closer, and closer the lines of hostility to the points of attack?

I very much regret that the Senator from Ohio has seen fit to deliver this broadside against what seems to me to be a thoroughly justified act of the President of the United States. I wish to compliment the Senator from Ohio. As I recall, he was for the lend-lease bill. He voted for it, and supported it in speeches. Or am I in error?

Mr. TAFT. The Senator is in error.

Mr. CONNALLY. The Senator did not vote for it?

Mr. TAFT. Certainly not.

Mr. CONNALLY. I was laboring under a delusion. I thought the Senator was for the lend-lease bill. Of course, if he was not, if he does not want to help England, if he does not want to maintain the freedom of the seas, I can understand how he is against sending anybody to Iceland.

The Senator did vote for one or two bills which I thought were good bills. He voted for the draft act, did he not?

Mr. TAFT. I voted for the repeal of the arms embargo, which is the only bill which I think has done any substantial good for England to date; and I voted for my substitute to extend aid to England. I voted against the conscription act, and I voted against the lease-lend act.

Mr. CONNALLY. I am very glad to be enlightened.

The Senator from Ohio voted for the repeal of the arms embargo. That is fine. In other words, he believes that England has the right to come to the United States and get all the arms and munitions she can get, but he is doubtful whether she ought to have any right to take them home. In order to do England any good such arms and munitions must get to England. To get to England they must cross the seas. From time immemorial the seas have been the common property of all the nations on the earth. Some of the most brilliant chapters of American history are ornamented by the position of the United States in favor of maintaining freedom of the seas.

Talk about sending navies and armies abroad! When this country was still a weak, trembling little Nation the President of the United States—one of the most pacific Presidents we have ever had—sent the fleet into the Mediterranean to suppress the Barbary pirates because they were violating the freedom of the seas. They were destroying American commerce. They were preying upon our trade. They were destroying the lives of our citizens who interfered with that enterprise. The President sent the Navy. According to the Senator from Ohio he should not have sent the Navy.

Suppose the Senator from Ohio were President, and the Secretary of State should come to him and say, "Mr. President, the Barbary pirates are sinking our ships and killing our citizens." The Senator from Ohio would say, "Where are they?" The Secretary of State would say, "They are over in the Mediterranean." The Senator from Ohio would say, "Just let those Barbary pirates come over here and come up the Mississippi to Cincinnati, on the Ohio River, and we will fix them; but we cannot fool with them, because here is the map, which shows that the Mediterranean is not in the United States. We cannot send the Navy anywhere except in the United States."

Of course, the Senator from Ohio would not do that. That is purely an imaginary case. I do not think there is any probability of his being confronted with a question like that. But he would not send the Navy.

Mr. President, all our lives we have maintained the principle of freedom of the seas. We have not yet abandoned that principle. The Senator from Ohio voted for the repeal of the arms embargo. If my blessing be acceptable to him, I wish to express my hearty approval of and agreement with his action. When that bill was before the Senate the Senator from Texas had the honor to offer an amendment, in the form of a preamble, to preserve our rights under international law. There was vigorous opposition to it. Some of the members of the committee said, "We do not want to put in a preamble." There was a vigorous fight on the floor; but this is what the preamble says:

Whereas the United States, desiring to preserve its neutrality in wars between foreign states and desiring also to avoid involvement therein, voluntarily imposes upon its nationals by domestic legislation the restrictions set out in this joint resolution; and

Whereas by so doing the United States waives none of its own rights or privileges, or those of any of its nationals, under international law, and expressly reserves all the rights and privileges to which it and its nationals are entitled under the law of nations; and

Whereas the United States hereby expressly reserves the right to repeal, change, or modify this joint resolution or any other domestic legislation in the interests of the peace, security, or welfare of the United States and its people: Therefore be it

Resolved—

And so on.

Mr. President, there was notice to the world that the United States Congress, in enacting the arms-embargo repeal and

in imposing limitations upon the activity of our merchant marine, was not surrendering its right or the rights of its nationals under international law. It meant that we adhered to our historic policy of the assertion and the maintenance of the freedom of the seas. Any other policy is craven.

The high seas are the property of all nations. Whenever any one nation, because its arm is long and its sword is strong, says to the rest of the world, "You shall not send your ships out on the seas; you shall not carry on commerce with the other nations; or, if you do, we will sink your ships and murder your citizens," I am not prepared, as a humble representative of my State, cowardly and cravenly to submit to any such dictation.

If we have the right to send ships, if we are sending ships, if there is the danger that in Iceland an assassin may form a nest from which he may sally forth and attack our ships and attack our citizens, why do we not have a right to go there, particularly when the Government of Iceland invites us to come and garrison the island? Why should we not do so?

The Senator from Ohio says, "No; we should not go there." What are we to do? Are we to let a foreign power sink our ships and kill our people? Are we to stand on the American shore and say, "You just come over here and I will fight"?

I hope to God we shall not have to fight; but there are some things this Nation possesses, there are some things this Nation's people possess which, if they are not worth fighting for, are not worth very much. Our forefathers did not hesitate to fight for them. They did not hesitate to shed their blood. They did not hesitate to go out on the battlefield and pledge their lives, their property, their homes, and their loved ones. They were weak. Three millions of them were all there were. They had virtually no resources, and only a few old flintlock muskets. They were courageous enough to fight for their national rights.

Shall we—130,000,000 people, with greater industrial resources than any other nation on the face of the earth, with probably greater natural resources than any other, with a vast manpower, with a great citizenship—be afraid to fight when three millions of our ancestors were not?

I do not think so. The way to keep from fighting is to let these highwaymen, and murderers, and assassins, and conquerors, and dictators know that if we have to fight we will fight. Mr. President, when you were in school, do you not remember the boy everybody picked on? Everybody "rubbed it in" on him because he would not fight. But as soon as he backed himself up in a corner and had to fight, and came out of there fighting and kicking, the other boys never bothered him any more. When dictator governments across the ocean find out that we will fight if necessary, that we have a navy, and that we are going to get an army, that we are going to have airplanes and tanks and all the mechanism and machinery of modern warfare, then our rights will be more secure than they now are.

So, Mr. President, the President of the United States did not violate the Constitution when he sent our naval forces and marines into Iceland. The Senator from Ohio may not like it. I am satisfied there are many things the President does that some people do not like; but he is the President of the United States. The Constitution tells what he may do, and not Congress. Nothing but the Constitution of the United States defines what the President of the United States may do and what he may not do. The Constitution of the United States says he is the Commander in Chief of the Army and the Navy. He is not Commander in Chief of one company or one regiment or one division; he is the Commander in Chief of the whole Army—all of it. He is not merely Commander in Chief of a mosquito boat or two; he is Commander in Chief of every battleship and airplane and destroyer and submarine that flies the American flag. He has the right to send them wherever the Nation's interests require that he send them.

Has the clerk been able to locate the list to which I referred? I want to show the Senator from Ohio how many times in the past the President of the United States has sent troops or marines or battleships or naval forces to foreign countries. More than one hundred instances of that kind have occurred, and yet all of them violated the Constitution, according to the Senator from Ohio.

Mr. TAFT. Mr. President, can I help the Senator from Texas by offering him Mr. Corwin's book, which contains a statement of a good many of those instances?

Mr. CONNALLY. I shall be happy to have it.

Mr. TAFT. However, they are instances which, I think, do not bear out the conclusion of the Senator from Texas.

Mr. CONNALLY. Then it must be a doctored book. [Laughter.]

I thank the Senator from Ohio. This is the greatest help he has extended to me.

I wanted a list of the instances I mentioned; I did not want a discussion of them. There is a list in the RECORD, and I will get it during the day, since the clerk cannot find it now. The Senator from Kentucky [Mr. BARKLEY] placed it in the RECORD during the debate on the Lend Lease Act. He had a long list. I should like to interrogate the Senator from Kentucky about that, if I may.

Mr. BARKLEY. Mr. President, I will state to the Senator from Texas that I put the list in the RECORD during the debate on the Lend Lease Act in connection with an amendment intended to prevent the President from sending any troops outside the United States.

Mr. CONNALLY. Does the Senator from Kentucky recall how many such instances were enumerated in the list?

Mr. BARKLEY. I do not recall the exact number, but more than 100 instances.

Mr. CONNALLY. More than 100 instances. So, the poor old Constitution has been violated more than 100 times, according to the Senator from Ohio, by the action of the President of the United States in sending troops or Marines abroad. We have sent Marines to Haiti, San Domingo, Nicaragua, and a great number of other places. As I recall, we sent troops to China in 1900 during the Boxer uprising. What would the Senator from Ohio have done about that? American citizens were besieged in Peking. American lives were in danger. We have a Navy; we have an Army—what for? According to the Senator from Ohio, to march on dress parade, to parade up and down the streets, to play the band and wave the flag. But this Army is supposed to be for the defense of the people of the United States and their interests. In 1900 the President of the United States sent part of the Army to Peking to act in conjunction with foreign armies to relieve American citizens whose lives were threatened. What would the Senator from Ohio have done about that? Would he have said, "We cannot do that; we cannot violate the Constitution"?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TAFT. I very clearly stated in my speech that the President had power to protect American lives and property. I also stated that in Iceland there was no American life or property to protect; that the landing in Iceland certainly cannot be justified on the ground of the Boxer Rebellion, or a number of other instances in which troops were landed to protect American life and property, and which, incidentally, did not involve in any case the making of war or a threat of war against any nation.

Mr. CONNALLY. I thank the Senator; that is very illuminating. The Senator says that he thinks it was all right to send troops to China when the Boxer Rebellion occurred because lives were threatened there. There is nothing in the Constitution that says the President can send the Army only when lives are threatened; that is not written in the Constitution—and I have read it over several times—indeed, there is no qualification of the President's power at all. The President may exercise the power whenever he believes that the interest of the Nation or the interest of the United States require the use of the Army or the Navy.

Mr. LEE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. LEE. In that case the lives and property of the people of the entire United States were threatened, in the judgment of the President.

Mr. CONNALLY. To be sure. Of course, if the Senator from Ohio denies the assumption, if he denies the theory, that is a different proposition; but the President acted upon the assumption that in sending naval forces to Iceland he was anticipating and preventing a possible attack that eventually would reach the shores of the United States or would reach our ships in those waters or reach the lives of our citizens on ships in those waters. If a burglar should telephone me that he was going to burglarize my house at 11 o'clock some night, and I knew he could not get in except through the front gate, I would try to fix him as he came in the front gate. I would not wait until he unlocked the front door and climbed up the

stairs and unlocked my door, came into my room, hit me over the head with a blackjack, and robbed me. I would shoot him as he came in the front gate.

Mr. President, I regret to have to differ with the Senator from Ohio, but I am glad to see these concessions from him. He says the Constitution authorizes the President to send soldiers and the Navy wherever American lives or American property are threatened. My contention is that it was in pursuance of that sort of policy that the President sent the naval forces to Iceland; and I think it is unfortunate that in such a time we cannot have some unity and some unanimity of opinion back of the President of the United States. This is no time for guerrilla warfare. There is no election on now, and I plead with the Senator from Ohio to withhold his fire.

Mr. President, seriously, we are in a critical period of our history. Many of our people do not realize how critical our situation is. We are in a very critical position. We have already taken this step; it has been taken by the constitutional authority of the President of the United States, and the Congress ought to back him up; it ought to stand by him; it ought to support him. The messages that go to Europe should contain the information that the Congress is backing up the President's policy; the messages that go across the ocean, whether on the waves of the ether or by cable, should not carry the message that we are having division and disunion, partisan debate, and partisan complaint at a time when we need national unity and a united front.

Mr. CONNALLY subsequently said: Mr. President, I ask unanimous consent that at the end of the remarks which I submitted earlier in the day I may have printed in the RECORD a list of the incidents when we have sent the Army or the Navy, or portions of them, to foreign countries. It is not a complete list, it begins only in 1812, but there 85 incidents are listed. The Barbary-pirate incidents, which occurred prior to 1812, and the incidents during the administration of John Adams, when we seized a number of French and British ships and indulged in several war-like demonstrations, of course are not included. I ask that this material be inserted at the end of my remarks.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

USE OF LAND AND NAVAL FORCES OF THE UNITED STATES FOR PROTECTION PURPOSES

The United States has used its land and naval forces in foreign territories during peacetime on many occasions during the past hundred years. They have been landed, inter alia, for the protection of American citizens and American territory, as in the instance of the Spanish Floridas in 1817; for the protection of American citizens located in disturbed areas; for the suppression of piracy; for meting out punishment (in an early day) to lawless bands who had murdered American citizens; for the suppression of local riots and the preservation of order; for the purpose of securing the payment of indemnity; and to prevent massacre.

Although there may have been earlier instances, the first instance that has been drawn to my attention of the landing of United States troops occurred in 1812 when President Monroe sent forces to expel freebooters who had taken possession in the name of the Governments of Buenos Aires and Venezuela of Amelia Island, off the coast of Florida. Although the island belonged to Spain the measure was not taken in concert with the Spanish Government or the local authorities of Florida. I find that as late as 1932 American forces were sent to Shanghai owing to the Sino-Japanese conflict as a measure of protection for the lives and property of American citizens in that area.

A list of various landings of American forces and the occasions therefor follows:

	Place	Year	Purpose	Right To Protect Citizens in Foreign Countries by Landing Forces (Government Printing Office, 1934) page—
1.	Amelia Island	1812	To protect Spanish island from foreign invasion or control	51
2.	Spanish Florida	1814	To expel the British	52
3.	Cuba	1823	To pursue and break up an establishment of pirates	53
4.	Puerto Rico	1824	To atone for insult to the flag and procure apology	53
5.	Falkland Islands	1831	To procure the release of certain vessels and their crews	54
6.	Island of Sumatra	1832	To punish natives for attack and seizure of American ship and murder of crew	55
7.	Fiji Islands	1840	To punish natives for an attack upon Americans	56
8.	Samoa	1841	To punish natives for the murder of a white man	56
9.	Island of Johanna	1851	To collect indemnity (display of force)	57
10.	Japan	1853–54	To procure a commercial treaty	57
11.	China	1854	American and British forces acted jointly during civil war in China to protect American and British nationals	57
12.	Greytown	1854	To protect American property rights	58
13.	Fiji Islands	1855	To protect American life	59
14.	Uruguay	1855	To protect American consulate and American life and property	60
15.	China	1856	To prevent injury to American interests	60
16.	Egypt	1858	To secure protection of American citizens	61
17.	Uruguay	1858	To protect life and property of foreign residents; action taken at request of regular Government in conjunction with forces of other powers.	61
18.	Fiji Islands	1858	To punish natives for murder of two Americans	62
19.	China	1859	To restore order in Shanghai	62
20.	Kisembo, Africa	1860	To prevent destruction of American property	62
21.	Panama	1860	To restore order during insurrection	62
22.	Japan	1863	To obtain redress for an unwarranted attack upon an American vessel	63
23.	Do	1864	To open the Straits of Shimonoseki in conjunction with other powers; action taken at request of the Tycoon's Government.	63
24.	Formosa	1867	To punish natives who had murdered the crew of a wrecked American bark	64
25.	Japan	1868	To protect American interests during local hostilities	64
26.	Uruguay	1868	To protect American interests at request of local authorities	65
27.	Korea	1871	To capture Korean forts after a surveying party which had been granted permission to make certain surveys and soundings in the interest of science and commerce had been treacherously attacked.	66
28.	Honolulu	1874	To suppress riotous proceedings at request of local authorities	67
29.	Mexico	1876	To preserve order, pending arrival of regular Government forces after evacuation of revolutionists	67
30.	Egypt	1882	To suppress riots and protect American interests	68
31.	Korea	1888	To protect American residents	68
32.	Samoa	1888	To establish a stable government; joint action by United States, Great Britain, and Germany	68
33.	Haiti	1888	To obtain the release of an American merchant vessel captured by a Haitian war vessel	69
34.	Navassa Island	1891	To protect American life and property	70
35.	Chile	1891	To protect American consulate at Valparaiso	70
36.	Hawaii	1893	To protect life and property at the time of the deposition of the Queen	70
37.	Brazil	1893	To protect American commerce in Brazilian waters during a revolt of the Brazilian Navy; it was reported that the insurgents had the assistance of certain European powers.	70
38.	Korea	1894	To protect the American Legation	71
39.	Samoa	1899	To assist in settling controversy over succession to Samoan throne	72
40.	Nicaragua	1899	To protect life and property, upon petition of foreign merchants during insurrection	72
41.	China	1900	To protect life and property at time of Boxer Uprising	72
42.	Dominican Republic	1903	To protect American interests	73
43.	Do	1903	To protect American lives and property and to prevent fighting within certain area	73
44.	Honduras	1907	To protect American consulate and American interests during hostilities between Honduras and Nicaragua	74
45.	Nicaragua	1910	To protect American life and property during revolution; to prevent the bombardment of Bluefields	75
46.	Honduras	1910–11	To protect American interests during revolutionary disturbances	77
47.	China	1911	To protect the consulate and property of American citizens of Foochow	83
48.	Do	1911	To protect American consulate and American citizens at Chinkiang	83
49.	Do	1911	To increase the guard of the American Legation at Peking	84
50.	Do	1912	To keep open the railroad from Peking to the sea	84
51.	Do	1912	To extend protection	85
52.	China, Swatow	1912	To save a woman and some children and conduct them to safety	86

Place	Year	Purpose	Right To Protect Citizens in Foreign Countries by Landing Forces (Government Printing Office, 1934) page—
53. Cuba	1912	To quell uprising; to protect American life and property	98
54. Honduras	1912	To protect an American-owned railroad	113
55. Nicaragua	1912-13	To protect American property, at request of Government of Nicaragua	120
56. Dominican Republic	1912-14	To protect Dominican customs houses, in conformity with the provisions of the treaty of 1907	107
57. China, Chapei	1913	To prevent disorder and give protection	86
58. China, Shanghai	1913	For protection	86
59. Paris	1914	To act as a guard for the American Embassy	129
60. Mexico, Veracruz	1914	To enforce demands for amends for affronts and indignities to an officer of the U. S. S. *Dolphin* and the crew of the whaleboat of the *Dolphin*.	117
61. Haiti	1914 and 1915	To protect American life and property during disturbed conditions	111; 112
62. China, Nanking	1916	To quell a riot	88
63. Mexico	1916-17	To pursue Villa after his invasion of American territory	119
64. Dominican Republic	1916-24	To suppress revolution; to establish military government	109
65. Cuba	1917-19	To protect American consulate and American lives and property during insurrection and banditti fighting	101
66. China, Chungking	1918	For protection during a political crisis	88
67. Honduras	1919	To cooperate with the forces of Honduras in maintaining order in a neutral zone	114
68. Panama	1919	To extend protection, at request of Panamanian Government	127
69. China, Kiukiang	1920	To restore order during riot	88
70. China, Youchow	1920	To guard American property	89
71. Guatemala	1920	To protect the American Legation during local fighting	111
72. Smyrna	1922	To protect American life and property during the advance of the Turkish forces on that city	129
73. China, Tungchow	1922	To protect against possible violence by retreating Fengtien forces	89
74. China, Foochow	1922	To protect American nationals	89
75. China, Masu Island	1923	To protect Americans against brigandage	90
76. Honduras	1924	To protect American life and property during unsettled conditions; intermittent landing of forces	115
77. Do	1925	To protect American property	117
78. Panama	1925	To extend protection during unsettled conditions, at request of Panamanian Government	128
79. Nicaragua	1926	To protect life and property during revolution	122
80. China, Hankow	1927	To protect lives and interests of Americans during mob-riot disturbances	91
81. China, Shanghai	1927	To protect American lives and property	92
82. China, Nanking	1927	To afford protection against looting and general disorder	92
83. China, Chinkiang	1927	To extinguish fire on American property caused by gunfire	94
84. China, Canton	1927	To aid in evacuation	94
85. China, Shanghai	1932	To strengthen forces at Shanghai, as a measure of protection for the lives and property of American nationals	97

Mr. DANAHER. Mr. President, in contrast to the forthrightness of the address of the Senator from Ohio, we have just listened to a defense of the administration's program employing terms such as "bushwhacking"; at a time when, the senior Senator from Texas himself says, this Nation faces a crisis we are treated to this japery. All we need is Governor O'DANIELS' hillbilly band to complete the performance to which we have just listened.

The Senator from Texas calls for unity. I heard the chairman of the Committee on Foreign Relations [Mr. GEORGE] address the Senate only a week ago, on June 28, to be exact. Let me quote him:

> The way to national unity is to give our people the assurance that when we are called upon to move into the actual range of fire and send our men there, whether on board naval vessels or in aircraft, the American people themselves will have some opportunity to pass upon that question; in other words, that they will have the ultimate decision, through the machinery to which they have become accustomed, and the only machinery which they have at hand; will be able to pass upon the question of whether an actual state of war shall be brought into being or a formal declaration of hostilities shall be made by the people of the United States. If they are given such assurance, and the hour comes when we are called upon to make further commitments, a little debate may take place here. A few days or even a week or so of debate may occur here; but when the decision is made the American people will say of the action of the Congress, the Executive, and the American Government, "My Government has spoken, and we will wholeheartedly and enthusiastically support that decision."

That, Mr. President, is a ringing declaration of the sort that the Congress needed. It came from a responsible member of the Senate Committee on Foreign Relations, its distinguished chairman, the senior Senator from Georgia.

Mr. President, we in the Congress heard the President of the United States address us on September 21, 1939. At that time he told us that American merchant vessels must be restricted against entering danger zones. He told us that American citizens must be prevented from traveling on belligerent vessels in danger zones. After having outlined a four-point program he told us—and I quote him—

> To those who say that this program would involve a step toward war on our part, I reply that it offers far greater safeguards than we now possess or have ever possessed to protect American lives and property from danger. It is a positive program for giving safety. This means less likelihood of incidents and controversies which tend to draw us into conflict, as they did in the last World War. There lies the road to peace.

That is what our President told us; that is what the Congress accepted, that is what the American people relied upon, representations made for the purpose of our reliance upon them.

Mr. President, if that was the road to peace, why are we not following it? If that was the path upon which safety could be made sure, and on which we could avoid incidents and controversies likely to keep us from the conflict of war, then, Mr. President, why are we following any other course? Yet on July 7 we heard from the President of the United States these words in a special message:

> In accordance with the understandings so reached—

Speaking of the agreement between the President and the Prime Minister of Iceland—

> In accordance with the understandings so reached, forces of the United States Navy have today arrived in Iceland in order to supplement, and eventually to replace, the British forces which have until now been stationed in Iceland in order to insure the adequate defense of that country.

That is the point the President of the United States made to us. He told us that we were going to supplement and ultimately to replace the British garrison. However, the Prime Minister of Great Britain, Mr. Churchill, addressing the Parliament on day before yesterday, said quite the contrary; that the forces of the United States are not to supplant the British. Quite the contrary, they are there to supplement the British; and, therefore, the United States forces are being made a garrison, a defending force of the outpost in defense of the British Empire, not of the United States of America. There, Mr. President, is the turning point which sums up the very obvious objective force to be given the argument of the Senator from Ohio.

Mr. President, the Senate was further informed by the President:

> As Commander in Chief I have consequently issued orders to the Navy that all necessary steps be taken to insure the safety of communications in the approaches between Iceland and the United States, as well as on the seas between the United States and all other strategic outposts.

What other "strategic outposts," Mr. President, are we to be called upon to defend? We learn from the press that after a conference with the President of the United States a distinguished American says that northern Ireland and Scotland are appropriate strategic outposts. We learn it from him, Mr. President; we learn it from Mr. Churchill; we do not learn it from the President of the United States. We are not being told what the facts are; and yet every one of us who chooses to do so may know that American workmen by the hundreds have been constructing a naval base in

northern Ireland for weeks. Just as preliminary to public word of the Iceland development, weeks and weeks of negotiations were had that ultimately brought it about. Why do we have to learn these things from speeches made on the floor of the British Parliament by Winston Churchill, or why do we have to learn them from visitors to the White House? Why cannot we, in the Senate of the United States, know what is the objective of the administration, to the end that we shall know what we are called upon to defend, and why? And then, having defended it, what we will do if successful?

Mr. President, we can have all the japery and "bushwhacking"—if I am quoting the Senator from Texas correctly—that we choose, but that is no answer to the forthright and positive position taken by the Senator from Ohio, which is strictly in accordance with the law of our land and in accordance with the Constitution, which, of course, we are to be called upon to defend if these actions are to be justified at all. I submit, Mr. President, that we have had no adequate answer whatever in justification for the policy to which the people of the United States are being subjected, as a result of which incidents and controversies likely to take us into war will arise; and if we are to go into war, let us know why we are going. Let us face the issue fairly and squarely. Let the people of the United States know the facts. That is the proposition before us, Mr. President.

I submit that the speech of the Senator from Ohio is a magnificent declaration of what should be American policy.

ADDITIONAL APPROPRIATION FOR TENNESSEE VALLEY AUTHORITY

The Senate resumed the consideration of the joint resolution (H. J. Res. 194) making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942.

Mr. THOMAS of Oklahoma. Mr. President, I wish the attention of the chairman of the subcommittee having the pending joint resolution under consideration.

In the enactment of the regular War Department appropriation bill, the Senate added $500,000,000 to the amount approved by the House. In conference, at the instance of the House Members, a limitation was placed upon the $500,000,000. The War Department construes the limitation as being in conflict with the provisions of Public, No. 703, passed by the Seventy-sixth Congress, entitled "An act to expedite the strengthening of the national defense." I am not fully advised as to whether the limitation is in conflict; but, in order that the matter may be studied by the conferees, I submit a clarifying amendment, and ask that it be stated.

The PRESIDING OFFICER (Mr. HILL in the chair). Is the amendment of the Senator from Oklahoma an amendment to the committee amendment? There is a committee amendment pending at the present time.

Mr. THOMAS of Oklahoma. Then I will await action on the committee amendment.

The PRESIDING OFFICER. The Senator withholds his amendment for the present.

FREEDOM OF THE SEAS

Mr. NYE. Mr. President, reference has been made again on this date to the issue of the freedom of the seas, and to an obligation that is upon us to see that freedom of the seas is maintained.

Back in 1914, 1915, and 1916, we were not insisting upon our right to station troops in Iceland or in Ireland or in Scotland. We had not dared go that far, as a nation determined to keep out of war and maintain the strictest kind of neutrality. All we insisted upon then—and our insistence was not too strong—was a right and a freedom for American ships to carry supplies to nations engaging in war on the continent of Europe. That insistence ultimately won us a place in the war. It involved us no end.

As the war progressed, men gave shape to the things which were to be attained as a consequence of winning the war, and when it came time to invite the nations at war to participation in an armistice, the President of the United States, Woodrow Wilson, proclaimed as point No. 2 of his 14 points his so-called freedom-of-the-seas theory. It read:

> Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

Germany accepted her part in the armistice with the understanding that these 14 points were to be basic in the peace that was to be written. But somehow the freedom-of-the-seas clause won hardly a moment's consideration during the entire conference at Versailles. I think for the most part the people know the cause. I think the public knows who is responsible for the fact that there is no such thing as freedom of the seas in time of war, but in order that the record may be available and kept exceedingly straight, I am going to ask unanimous consent to incorporate at the conclusion of my remarks a reprinting of a chapter from volume I of the book by David Lloyd George entitled "Memoirs of the Peace Conference," published by the Yale University Press in 1939.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

(See exhibit 1.)

Mr. NYE. David Lloyd George makes it clear in this chapter that the last thing in the world Great Britain would tolerate then, or would thereafter ever tolerate, was freedom of the seas. Yet men will rise in their places in the Senate and insist upon our aid to and cooperation with that same country in the name of accomplishing freedom of the seas.

David Lloyd George in his writings declared that the absence of freedom of the seas was a tradition with Britain, and that there was not going to be any such thing as freedom of the seas. He said at one point in his chapter:

> As to the former (Point 2), speaking on behalf of the British Government, I declared that I could not accept that clause.

That is, the freedom-of-the-seas clause.

It developed, according to Mr. Lloyd George's account of what preceded the conference at Versailles, that the United States had threatened to write a separate peace with Germany if Britain would not accept freedom of the seas as a base for consideration in the peace conference.

Mr. Lloyd George wrote:

> Mr. Balfour and I, for the reasons I have given, were quite resolved that we could not give in on the right of naval blockade, even if the war had to be prosecuted to the end without any further help from President Wilson.

Again we find David Lloyd George saying:

> Gradually President Wilson was made to realize that he was up against a tradition that could not be overthrown.

And slowly the issue of freedom of the seas was eased out of the picture, until it received hardly a moment's consideration at Versailles.

If there is not freedom of the seas in the world today, its absence is traceable alone to the insistence of Great Britain that there be no such thing as freedom of the seas. David Lloyd George wrote again in this chapter from which I have been quoting:

> As regards the freedom of the seas, the above declaration enabled the President to say that he had not given way, but had only postponed the settlement of the subject to the peace conference. I felt convinced that nothing more would be heard of the subject. My confidence was justified, for the topic was never alluded to in any of our discussions in Paris when we were framing the treaty.

So I repeat, Mr. President, the record is one very clearly and emphatically revealing that the only reason why there is not such a thing as freedom of the seas today is because Great Britain would not tolerate it at a time when she had opportunity to write it into international law, into treaty and understanding.

AMERICAN OCCUPATION OF ICELAND

Mr. President, I rose primarily to address myself to another subject, and before I do that I should like to lend the largest possible concurrence to the splendid protest which has been voiced here this morning by the Senator from Ohio [Mr. TAFT].

Intervention, as we have generally used the term, is now thrown into reverse. Instead of our moving further into Britain's war and affairs, the issue now finds the Prime Minister, Mr. Churchill, moving emphatically and openly into our affairs in the United States. He does it as though it was every bit his business to do so. He assails a Member of the Senate, the Senator from Montana [Mr. WHEELER], for having said that occupation of Iceland by the United States was in contemplation.

It almost appears, according to standards of Mr. Churchill, that the time has arrived when we over here must completely refrain from exercising any voice in the shaping of our own policy toward the rest of the world. Indeed, Mr. Churchill seems to say, "If no one in the United States will undertake to quiet the voice of the Senator from Montana [Mr. WHEELER] when he speaks as a

Senator of the United States, then I will. Who do these Americans think they are, anyway? Do they not realize that we have got them in this war, even though the war is an undeclared one from their standpoint?"

Frankly, Mr. President, it stings and it burns to find the head of a foreign government criticizing such Americans as the Senator from Montana, who serves his own country with such courage and such credit to himself and to the Nation.

Prime Minister Churchill would have us feel, it seems, that once again we were but colonials. I have no doubt that Mr. Churchill grows increasingly impatient with our slowness in getting under the war tent, but he would do his own cause much greater service if he were less inclined to treat us over here as subjects.

Speaking of stinging and burning, what other reaction could be that of our countrymen to the frightful contradictions that confront us at this hour when we conscript our own youth for a year, and now dare to talk about keeping them beyond their year, and removing the restrictions against the use of their services on foreign sod? All this while we are at peace as a Nation. Canada is at war. In Canada men are conscripted for military training for only 4 months. Canada demands no service of her conscriptees even in Newfoundland. There is no service abroad for Canadian conscriptees except as they volunteer for it, and this while we here would send our forces to Newfoundland, Greenland, Iceland, and where else no one can know from hour to hour, but the prospect now is for a dispatch of men to Scotland and to Ireland.

Writing in the New York Times of last Sunday, Mr. P. J. Philip rationalized the Canadian reluctance to adopt a full-fledged conscription system on the ground that the Canadians were a deeply individualistic people and hated regimentation.

Mr. President, perhaps some day we shall be better able to understand why we, with our country at peace, in contradistinction to Canada at war, cannot have our own individual spirit and hatred of regimentation honored even at this time in our own land by our own leaders.

Mr. President, the time most definitely is one calling for a review of promises which have been given our people with respect to staying out of war. Mr. Willkie comes forth in the last 24 hours with the word that it is his belief that we ought to dispatch men to Ireland and to Scotland, as though the idea were his own, when even as he left the White House yesterday he knew that that was a plan of those in power today, a plan well under way.

Mr. Willkie is among those who were very profuse with promises to the American people of determination to keep us out of the European conflict. If there be those who insist that he did not make such promises I should like to call attention to the statement he made on the 12th day of November, after the election was over, covering what had been said and what had been promised. In his radio address on November 12, of 1940, he said:

Mr. Roosevelt and I both promised the people in the course of the campaign that if we were elected we would keep this country out of war unless attacked. Mr. Roosevelt was reelected, and this solemn pledge by him I know will be fulfilled, and I know the American people desire him to keep it sacred.

Since which date Mr. Willkie seemingly has been bent upon seeing to it that the President did not keep sacred the promises which he and Mr. Willkie had given up to November 12.

Mr. President, the moves we are making from day to day prompt me to ask for inclusion in the RECORD certain quotations which I have prepared from addresses, statements, and interviews afforded by the President of the United States in 1940 and 1941, and a few quotations from years preceding. I should like to have them appear at this point in the RECORD.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

STATEMENTS OF PRESIDENT ROOSEVELT

New York Times, January 22, 1941, story by Frank L. Kluckhohn: "President Roosevelt said at his press conference today that he had never considered using American naval vessels to convoy ships bearing supplies to Great Britain. Sources close to the White House indicated the official view to be that such convoying might lead to war. * * *

"Sources close to the White House said it was obvious that if the United States Navy convoyed ships, either under the American or another flag, into a combat zone, shooting was pretty sure to result and shooting came 'awfully close to war.'"

CONGRESSIONAL RECORD, March 31, 1941, page 2708, quoted by Senator TOBEY: "Convoys mean shooting and shooting means war."

June 2, 1932, address accepting Presidential nomination, Chicago: "The appearance before a National Convention of its nominee for President * * * is unprecedented and unusual, but these are unprecedented and unusual times. * * *

"My friends, may this be the symbol of my intention to be honest and to avoid all hypocrisy or sham. * * *

"Let it also be symbolic that in so doing I broke traditions. Let it be from now on the task of our party to break foolish traditions. We will break foolish traditions and leave it to the Republican leadership, far more skilled in that art, to break promises."

August 14, 1936, Chautauqua address: "I wish I could keep war from all nations; but that is beyond my power. I can at least make certain that no act of the United States helps to produce or to promote war. I can at least make clear that the conscience of America revolts against war and that any nation which provokes war forfeits the sympathy of the people of the United States.

"We can keep out of war if those who watch and decide have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war and if, at the same time, they possess the courage to say 'no' to those who selfishly or unwisely would let us go to war."

October 9, 1936, address at Capitol in St. Paul, Minn., New York Times, October 10, 1936: "Peace makes money; peace saves money for everybody. A prosperous world has no permanent room in it for dictatorship or war."

November 4, 1938, radio address for Will Rogers Memorial: "During my 4 years as Governor and during my nearly 6 years as President, I am proud of the fact that I have never called out the armed forces of the State or Nation except on errands of mercy."

September 21, 1939, address to special session of Congress that repealed arms embargo: "It has been erroneously said that return to that policy might bring us nearer to war. I give to you my deep and unalterable conviction, based on years of experience as a worker in the field of international peace, that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today. I say this because with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict. * * * I believe that American merchant vessels should, so far as possible, be restricted from entering danger zones."

January 3, 1940, message to Congress: "In these recent years we have had a clean record of peace and good will. It is an open book that cannot be twisted or defamed. It is a record that must be continued and enlarged."

September 11, 1940, address to teamsters' union convention, Washington: "I hate war now more than ever. I have one supreme determination—to do all I can to keep war away from these shores for all time. I stand, with my party, upon the platform adopted in Chicago:

" 'We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack.' "

October 12, 1940, radio address on Western Hemisphere defense: "For many years, every ounce of energy I have has been devoted to keeping this Nation and the other republics at peace with the rest of the world. That is what continues uppermost in my mind today, the objective for which I hope and work and pray."

October 23, 1940, address in Convention Hall, Philadelphia: "To Republicans and Democrats, to every man, woman, and child in the Nation, I say—your President and your great Secretary of State are following the road to peace. We are arming ourselves not for any purposes of conquest or intervention in foreign disputes. I repeat that I stand on the platform of our party. * * * It is for peace I have labored; and it is for peace I shall labor all the days of my life."

October 29, 1940, address opening draft drawing, Washington, D. C.: "Your Government will devote its every thought, its every energy, to the cause that is common to all of us—the maintenance of the dignity, the prosperity and the peace of our country."

October 30, 1940, address at Boston Garden: "I have said this before, but I shall say it again and again. Your boys are not going to be sent into any foreign wars. They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores. The purpose of our defense is defense."

November 3, 1940, address at Cleveland: "The first purpose of our foreign policy is to keep our country out of war. At the same time, we seek to keep foreign conceptions of government out of the United States. The second purpose of this policy is to keep war as far away as possible from the shores of the entire Western Hemisphere. We make it clear that we intend to commit none of the fatal errors of appeasement. Through it all there have been two thoughts uppermost in my mind—to preserve peace in our land and to make the forces of democracy work for the benefit of the common people of America."

December 2, 1940, fireside chat: "There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can therefore nail any talk about sending armies to Europe as deliberate untruth."

Over the Coffee (column), Harlan Miller, Washington Post, May 3, 1941: "President Roosevelt has often told his close advisers that he will never send an American Army overseas. But he has never said that he will never send American warships or air squadrons overseas."

Mr. NYE. Mr. President, the moves we are making in these hours as a Government are more and more inviting incidents which would be so apt to take us into war. We have talked about not going to war unless we were attacked, and now our leaders, as if impatient that we were not attacked, are moving into the actual war zones as if inviting it, as if impatient for it. These facts make doubly important the retaining of certain powers which will let the people of the United States have a voice in the question of going to war.

I was one of a half dozen or more Senators, including the Senator from Montana [Mr. WHEELER], the Senator from Kansas [Mr. CAPPER], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Idaho [Mr. CLARK], and the Senator from Minnesota [Mr. SHIPSTEAD] in offering on March 27, Senate Concurrent Resolution No. 7, providing for an advisory referendum. I desire to give notice here and now that for myself there shall be most persistent effort in accomplishing consideration of that concurrent resolution by a committee at a very early date.

In this connection I should like to call attention to the degree public sentiment has been increasing in support of legislation of this kind. On June 20, there was published the result of the Gallup poll on the question of an advisory war referendum. The result of that poll revealed that 56 percent of the people wish to have a vote on the greatest of all issues, the issue of going to war.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the report on the result of that poll, as published in the New York Times of June 20, 1941.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 20, 1941]

MAJORITY FAVORS WAR REFERENDUM—56 PERCENT WOULD HAVE PEOPLE VOTE ON GREATEST OF ALL ISSUES, GALLUP SURVEY FINDS—ONLY 6 PERCENT ARE UNDECIDED—ANALYSIS REVEALS THE INTEREST TAKEN BY THE PUBLIC IN LUDLOW'S PROPOSAL

(By George Gallup, Director American Institute of Public Opinion)

PRINCETON, N. J., June 19.—The campaign for a national referendum, or vote of the people, on the question of war is being pushed by isolationist groups in Congress. Claiming that the American people have had no opportunity to vote officially on this greatest of all issues, these groups propose a national roll call in which all eligible voters would participate.

The country has been divided on the war referendum idea, with a slight majority in favor, as shown in sporadic checks by the American Institute of Public Opinion. The size of the majority has varied from time to time, running as low as 51 percent when the war broke out to as high as 60 percent in the beginning of 1940. The latest survey on the subject, completed early this month by the American Institute of Public Opinion, shows the following:

Should a vote of the people be required before Congress can send men to fight overseas?

	Percent
Yes	56
No	44

Only a small proportion of voters—6 percent—expressed no opinion on the issue.

The referendum proposal was first placed before Congress by Representative Louis Ludlow of Indiana, who has sponsored it at nearly every recent session. At one time a House resolution to bring the bill to the floor for consideration failed by only a few votes, and the bill has continued to be the center of wide controversy and interest both in and out of Congress.

If a national referendum were taken today on the question whether the United States should go to war now, there can be little question that it would show a large vote against entering the war.

The institute's latest measurement of war sentiment, published May 16, showed the following vote among those with opinions:

If you were asked to vote on the question of the United States entering the war against Germany and Italy, how would you vote—to go into the war or to stay out of the war?

	Percent
Go in	21
Stay out	79

Mr. NYE. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point in my remarks the report of another Gallup poll appearing in the New York Times of July 9, 1941, revealing that war sentiment in the United States decreases, and showing that 79 percent of those sounded out are now opposed to our entrance into the war.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the New York Times of July 9, 1941]

WAR SENTIMENT IN UNITED STATES DECREASES—79 PERCENT OF THOSE SOUNDED OUT IN GALLUP SURVEY OPPOSE OUR ENTRANCE NOW—GAIN SINCE REDS JOINED—56 PERCENT, HOWEVER, FAVOR USE OF THE NAVY TO CONVOY SUPPLIES TO GREAT BRITAIN

(By George Gallup, Director, American Institute of Public Opinion)

PRINCETON, N. J., July 8.—The first Nation-wide survey completed since the outbreak of the Russo-German war indicates that American public sentiment in favor of convoys has remained virtually stable, with a slight increase, but that the number of voters for entering a shooting war now has declined.

Within a day after the Nazi armies began the invasion of Russia, the American Institute of Public Opinion started its poll to determine what effect the new and unexpected turn of events in the European war had had on American attitudes.

The survey was conducted through a Nation-wide staff of field interviewers who talked face to face with a representative cross-section, or sample, of the voting population from Maine to California, recording their views on entering the war now and on American naval convoys for ships going to Britain.

The first question was:

"Do you think the United States Navy should be used to convoy ships carrying war materials to Britain?"

The results of the survey, and a comparison with a survey early in June (before the Russian war) on the identical question, follow:

	Percent
Today:	
Favor convoys	56
Opposed	35
Undecided	9
June:	
Favor convoys	55
Opposed	38
Undecided	7

The second question in the survey was as follows:

"Should the United States enter the war now?"

The trend of sentiment on that issue follows:

	Percent
Today:	
Yes	21
No	79
June:	
Yes	24
No	76

Mr. NYE. Mr. President, I also ask to have printed in the RECORD an article appearing in the March 1941 issue of Peace Action entitled "Let the People Vote on Sending Armed Forces Abroad."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Peace Action, March 1941]

LET THE PEOPLE VOTE ON SENDING ARMED FORCES ABROAD

A decision of the people themselves on the question of war or peace for America is the only way to meet the situation today.

The present Government's election on the pledge that it did not contemplate sending American men to fight outside this hemisphere was in effect an agreement with the American people. It cannot honorably be broken except by agreement between the Government and the people.

The United States' unique position in the world today subjects our Government to constant pressure from other governments to enter the war. If America's course of action is to be decided on the basis of her own best interests it is absolutely necessary that there be some channel through which the American people can bring their will to bear on Washington as effectively as foreign governments can do so.

Only if responsibility for decisions rests with the people throughout this emergency will they accept the responsibility for the peace that must inevitably follow this war.

It is now generally realized that an enduring peace for the democracies will require great sacrifices.

For these reasons, the resolution now before Congress, introduced by Senator NYE on March 27, calling for an advisory referendum on the question of sending our armed forces overseas should have wholehearted support.

A PRACTICAL MEASURE

Senator NYE'S resolution implies recognition that in the present situation a constitutional amendment, transferring the power to declare war from the Congress to the people, is out of the question. It calls for an advisory vote of the people before Congress authorizes the sending of men outside this hemisphere to fight, or before Congress makes appropriations for an expeditionary force. It will be binding on the President and on Congress only so far as they are willing to make it binding. It would be a rash President, indeed, who in the face of an adverse opinion, expressed through a referendum, were to dispatch troops abroad.

The present proposal is in the form of a concurrent resolution, which requires only a simple majority in both Houses (not a two-thirds majority as a constitutional amendment would require), and which does not require a President's signature.

HISTORY OF THE REFERENDUM

The introduction of the Nye resolution is one more chapter in the long story of attempts to give the people a voice in the question of actual participation in foreign wars.

These efforts in recent years came to a head in January 1938, when Congress by 11 votes rejected a motion to consider the Ludlow proposal for a constitutional amendment allowing the people to vote on the question of war.

Preceding that vote were months of campaigning by many public opinion groups representing farmers, laborers, church people, youth, and women's organizations to bring about congressional action.

The Ludlow proposal had been buried in the Judiciary Committee for months. It was only after 218 hard-won signatures of House Members had been secured to a petition to discharge the Judiciary Committee from consideration of the measure, that it came before Congress. The refusal of Congress to consider it was achieved by the administration only after what has been characterized by many as the most strenuous pressure campaign the administration had ever put upon Members of Congress. It included, it is said, telephone calls from the White House to individual Members with political threats; calls from party bosses; and the unusual procedure of having the Speaker of the House descend from the rostrum to read a letter from the President. James A. Farley in his autobiography recounts the active part he played in defeating the referendum.

A BRAKE ON FOREIGN WAR

More than a year later—during the special session of Congress called to repeal the arms embargo—Senator LA FOLLETTE introduced as an amendment to the Neutrality Act a proposal for an advisory referendum on the question of war or peace prior to any declaration of war by Congress. It was understood that the Members of the Senate who supported the plan believed that if the arms embargo were repealed, it would be interpreted by the people as relinquishment of one more brake on United States participation in foreign wars; that those who urged repeal on the ground that repeal was most likely to keep the country out of war owed the country this additional barrier to involvement in war.

Again the attempt failed.

The referendum is again an issue, and the reasons for its enactment now are more compelling than in the past.

TO COUNTERACT WAR PRESSURE

With the passage of the lease-lend bill, practically all power to make decisions that mean war or peace is centered in one man, the President. All the pressures for war—both domestic and foreign—can be focused on him, as has never before been the case with any President. An expression of opinion by the people on the question of greatest concern to them would serve as a counteragent to the war pressure.

The highly charged atmosphere of Washington in which Congress and the President function is not typical of the country as a whole. Excitement is high and war talk prevalent. The basically sound American people expressing themselves from their normal backgrounds and weighing the question of a war act in the light of their best interests, and not on a reading of the cables, can be counted upon to give a sane judgment that cannot be assured in Washington.

TO KEEP OUR MEN AT HOME

The administration has said time and again that it has no intention of sending armed forces to fight abroad. Yet administration forces defeated every attempt during the lease-lend debate to write into the measure even a simple expression of hope than men would not be sent overseas. By enactment of the advisory referendum measure proposed, without actually tying the President's hands in conducting our foreign policy, the people would have an opportunity to exert some moral pressure. This expression could not fail to have weight if some action involving the use of our forces abroad that the people were not willing to support was contemplated. In brief, there would be taken a Nation-wide poll having more weight than private polls because dignified by congressional sponsorship, and more truly expressive of the opinion of the Nation as a whole because all eligible voters could take part and not merely a selected cross-section.

Under the referendum proposed the American people, at a time when access to facts on both sides of a moot question is sometimes difficult, have the implied right to the facts against sending forces abroad as well as the facts for it. The people themselves are likely to be more diligent in learning the facts on both sides when they are obliged to make up their minds sufficiently to advise the Government.

REFERENDUM TAKES 4 DAYS

The advisory referendum proposed in no way interferes with our national defense. It could be taken so quickly that the United States would lose no strategic military advantage at a critical time.

According to Admiral McGowan, former Paymaster General of the Navy, a referendum could be taken in 2 or 3 days if necessary. Congress took 4 days to debate the war question in 1917. The vote would be on a simple "yes" or "no" issue. People could actually mark ballots on this question faster than in other elections.

Congress is authorized by the resolution proposed to set up machinery for the carrying out of the referendum. This might be done through the State election booths and machinery, using the voting lists of the last State or municipal elections. If it should be impossible to secure cooperation of the States, Federal marshals and deputies might be ordered to hold a general registration, keeping it up to date for the moment it was needed.

In this day of radio, the Nation could quickly be informed about the time of the referendum within a few hours. Ballots could be printed immediately and distributed to State officers in 24 hours.

The referendum proposed cannot by any stretch of the imagination be said to be contrary to the principles of representative democracy. It is binding only to the extent that the representatives of the people feel themselves bound to carry out the people's wishes. Where the issue arose in the election the commitments were against sending forces overseas. The people are entitled to an effective opportunity to express their opinion on this question.

EXHIBIT 1

FROM MEMOIRS OF THE PEACE CONFERENCE BY DAVID LLOYD GEORGE

Two days after my address to the trade-unions, President Wilson gave utterance to his famous Fourteen Points. Although they are well known, the narrative of the developments that led to Versailles will not be complete without setting them forth categorically:

"II. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants."

With the exception of the freedom of the seas, there is nothing in these points which is incompatible with the war aims already proclaimed by British and French Governments.

The phrase about freedom of the seas led to some misunderstanding and a threatened rupture between the United States and the Allies when negotiations for an armistice were opened up by the German Government with President Wilson. The Germans were prepared to make peace on the basis of the 14 points.

The Allied governments were firmly of opinion that the terms of the armistice should be settled at a conference representative of all the Allied and associated powers. Such a conference was held at the Quai d'Orsay in Paris on the 29th of October 1918. The discussion is very illuminating for the light it casts on the controversies which have surrounded the Paris Peace Conference. It shows that the Allies had no intention in the hour of complete triumph to exact any fresh and harsher conditions from the vanquished because of the completeness of their victory, but that they were determined to stand by the terms which they had settled and published when the balances of fate had given no clear indication of the side on which they would finally settle down. Here is an extract from a record taken at the time of the course of the discussion as to the terms upon which an armistice could be granted to the Germans:

"Mr. Lloyd George said that there were two closely connected questions which had to be considered. First, there were the actual terms of an armistice. With this, however, was closely related the question of terms of peace. If the notes which had passed between President Wilson and Germany were closely studied, it would be found that an armistice was proposed on the assumption that the peace would be based on the terms set forth in President Wilson's speeches. The Germans had actually demanded an armistice on this assumption. Consequently, if the Allies agreed to an armistice, unless something definite was said to the contrary, they would be committed to President Wilson's peace terms. Hence, the first thing to consider appeared to be whether these terms were acceptable.

"M. Pichon (the French Foreign Minister) read the actual note handed to the representatives of the British, French, and Italian Governments by Mr. Lansing at Washington.

"Mr. Lloyd George asked Colonel House whether his interpretation of the situation was correct, namely, that the German Government was counting on peace being concluded on the basis of President Wilson's 14 points and his other speeches.

"Colonel House said this was undoubtedly the case.

"Mr. Lloyd George said that unless the Allies made the contrary clear they themselves, in accepting the armistice, would be bound by these terms. Consequently, before they agreed to an armistice, they must make it clear what their attitude toward these terms was.

"M. Clemenceau asked whether the British Government had ever been consulted about President Wilson's terms. France had not been. If he had never been consulted, he did not see how he could be committed. He asked if the British Government considered themselves as committed.

"Mr. Lloyd George said that this was not the case now. But if he accepted an armistice without saying anything to the contrary, he would undoubtedly regard the British Government as committed to the terms.

"M. Pichon said that the only question now put to us was the terms on which we would enter an armistice without prejudice to peace terms.

"Mr. Balfour said that, for the moment, unquestionably we were not bound by President Wilson's terms, but if we assented to an armistice without making our position clear, we should certainly be bound.

"M. Clemenceau agreed that this was the case, and asked that the 14 points might be produced."

M. Pichon proceeded to read the 14 points to the conference. The only two clauses in them upon which any question was raised were the freedom of the seas and reparations. As to the former (point 2), speaking on behalf of the British Government, I declared that I could not accept this clause. Had it been in operation during the war, we should have lost the power of imposing a blockade. Germany had broken down almost as much from the efforts of the blockade as from that of the military operations. She was short of foodstuffs, copper, rubber, tungsten, wool, cotton, leather, and many other essential materials. When Holland had been pouring foodstuffs into Germany and Scandinavia had been doing the same, we had been obliged to put a stop to it. So far as clause II was concerned, therefore, I would like to see the League of Nations thoroughly established and proved before this issue was determined and even before any discussion took place.

"Colonel House said that the discussions were leading to this, that all the negotiations up to this point with Germany and Austria would have to be cleaned off the slate. The President would have no alternative but to tell the enemy that his conditions were not accepted by his Allies. The question would then arise whether America would not have to take up these questions direct with Germany and Austria.

"M. Clemenceau asked if Colonel House meant to imply that there would be a separate peace between the United States of America and the enemy.

"Colonel House said it might lead to this. It would depend upon whether America could or could not agree to the conditions put up by France, Great Britain, and Italy.

"Mr. Lloyd George said that, so far as item II was concerned, it was impossible for the British Government to agree. If the United States of America were to make a separate peace, we should deeply regret it, but, nevertheless, should be prepared to go on fighting. (M. Clemenceau here interjected, 'Yes.') We could not give up the one power which had enabled the American troops to be brought to Europe. This we were prepared to fight through and could not give up. Great Britain was not really a military nation. Its main defense was its fleet. To give up the right of using its fleet was a thing which no one in England would consent to. Moreover, our sea power had never been exercised harshly. He thought there was no serious complaint to be made by neutrals against the British, French, or Italian Fleets, or the American Fleet which was now engaged in close concert with them."

I then asked what the word "restoration" in the fourteen points implied, especially in respect of personal injuries. I gave as an illustration the loss sustained by the wives and children of the sailors drowned at sea. In the subsequent discussion this was extended to all who had been killed or maimed in the war.

"Mr. Lloyd George said that apart from this, he had no objection to the President's fourteen points. He suggested, therefore, that a reply should be sent to President Wilson, in the sense that the fourteen points must include reparation; that we believed reparation was included in the President's speeches; but that we wished to be perfectly clear about it. As regards freedom of the seas, we could not accept the interpretation which we understood Germany to put on it.

"Colonel House suggested the best plan was for the British, French, and Italian Governments to get together and make their exceptions to President Wilson's terms. This seemed to him to be the first step. Unless they did so it was no good laying down the terms of an armistice.

"Mr. Lloyd George expressed agreement. * * * He pointed out that if we did not make any declaration on the subject, and we agreed to enter a conference, we should be committed to the doctrine of the freedom of the seas without definition of its scope.

"M. Clemenceau said he could not understand the meaning of the doctrine. War would not be war if there was freedom of the seas.

"Mr. Balfour said that at any rate we must give Germany some warning beforehand that some points were outside the armistice."

When we came to discuss the attitude of President Wilson on reparations and the full meaning of his somewhat cryptic allusion to this subject in the eighth of his fourteen points, no real difficulty arose. Colonel House was prepared to accept the Allied interpretation of that phrase. The note received from Mr. Lansing on this subject during the course of the discussion, which I have already quoted, set at rest all our doubts on this point. The Wilson declarations covered compensation for all personal injuries sustained through enemy action. This satisfied the Allies, who had no intention of putting forward any demand which would include the costs of the war.

But as to the freedom of the seas, there still remained two antagonistic and apparently irreconcilable points of view. Mr. Balfour and I, for the reasons I have given, were quite resolved that we could not give in on the right of naval blockade, even if the war had to be prosecuted to the end without any further help from President Wilson. M. Clemenceau concurred. Colonel House appeared to have received instructions which were equally definite on the other side.

When, in negotiation with strong men, a point is reached where you have made up your mind that you cannot give in, I have always found it better to make this clear before the other side takes up a position from which they cannot recede without public humiliation. President Wilson no doubt felt strongly about the interference by belligerents with neutral shipping. His experiences during the first 2½ years of the war had burnt into his consciousness a resentment, natural in the leader of a people with whom independence is the fount and origin of their national existence, against the notion of any foreign country stopping and overhauling on the high seas ships sailing under their flag, of which they are justifiably so proud. But during the year and a half in which he had participated in the war he had cooperated in the infliction of similar indignities on vessels sailing under other flags. What then did he mean by freedom of the seas? Did he mean to abolish all measures for effecting blockade of an enemy country? He had not committed himself to any definition of what he meant by the contentious phrase. It remained to find an interpretation which would provide an outlet consistent with his self-respect and our safety. The conference of October 29 adjourned without coming to any conclusion in order to afford opportunity for informal conversations between Colonel House and the British representatives.

House communicated that evening with President Wilson, informing him fully of the tense differences which had arisen at the Conference. Wilson's first reaction to this communication was obduracy. On reparation he experienced no difficulty in falling in with Allied ideas. But in spite of the recent record of his own Navy he would not give in on freedom of the seas, and he resorted to a threat which he tried with very indifferent results many times later on "to make the decision public"—that is, he would appeal to the public opinion of the countries represented by Clemenceau, Orlando, and myself. There was no man who was in a less favorable position to take that step, for whereas British, French, and Italian opinion showed itself to be overwhelmingly behind their representatives, America, in a very short time, practically repudiated its President. I need hardly say this unloaded blunderbuss did not intimidate either Clemenceau or the British leaders. The dangers of public sentiment in our respective countries came from exactly the opposite direction. We could not accept an interpretation of the freedom of the seas which would deprive Britain, who had no great army, of the only effective weapon in her armory when challenged to the arbitrament of war. With freedom of the seas in the original Wilsonian meaning of the term, the Central Powers might have defied all the armies of the Alliance. The effectiveness of the blockade saved the Allies years of slaughter. Colonel House was wise enough to feel that there was nothing to be gained by a propagandist campaign engineered from America to rouse public resentment in Britain against a well-rooted conviction that the security of her island home was dependent on both the defensive and strangling power of the fleet in any conflict that might be provoked. Gradually President Wilson was made to realize that he was up against a tradition that could not be overthrown by the blast of a single speech delivered from across the Atlantic. Matters were eased by the interpretation which Colonel House ultimately placed upon the term "freedom of the seas." He insisted that "it did not mean the abolition of the principle of blockade;" for him it signified merely "that codification of maritime usage that would sanctify the doctrine of the immunity of private property at sea in time of war." This statement was not made at our first discussion on the subject. Colonel House was then inexorable in his adhesion to the full and unqualified Wilsonian doctrine. However, the conversations between us after the meeting improved matters and ended in an agreed declaration which was sent on November 4 to President Wilson, and which he practically accepted and communicated to the Germans before they signed the armistice terms.

The agreed answer of the President to the Germans also placed on record House's and Lansing's assurance that the word "restoration" in the 14 points meant compensation by Germany for all damage done to the Allied population as well as to their property.

The terms as conveyed to the Germans were as follows:

"The Allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government. Subject to the qualifications which follow, they declare their willingness to make peace with the Government of Germany on the terms of peace laid down in the President's address to Congress of the 8th of January 1918, and the principles of settlement enunciated in his subsequent addresses. They must point out, however, that clause 2, relating to what is usually described as the freedom of the seas, is open to various interpretations, some of which they could not accept. They must therefore reserve to themselves complete freedom on this subject when they enter the peace conference."

As regards the freedom of the seas, the above declaration enabled the President to say that he had not given way, but had only postponed the settlement of the subject to the peace conference. I felt convinced that nothing more would be heard of the subject. My confidence was justified, for the topic was never alluded to in any of our discussions in Paris when we were framing the treaty. On further examination of the President's various declarations, it was found that there was no essential difference between the conditions he laid down for a just and honorable peace and those which had already been promulgated by the Allies. Apparent differences on the freedom of the seas and reparations were thus reconciled before the armistice was signed.

The impression left on my mind that President Wilson decided not to press the threatened point at our subsequent proceedings is confirmed by a statement made by M. Clemenceau in a speech defining the Treaty of

Versailles delivered by him in September 1919. Referring to the controversy which had arisen over the freedom of the seas, he said:

"Mr. Lloyd George said to me, 'Do you admit that without the British Fleet you could not have continued the war?' And I answered, 'Yes.' Mr. Lloyd George then added, 'Are you disposed to prevent us, in case of war, doing the same thing again?' And I answered, 'No.' Well, now, I repeated this conversation to President Wilson. It did not in the least disturb him. President Wilson answered me, 'I have nothing to ask you which could displease or embarrass either of you.'"

ADDITIONAL APPROPRIATION FOR TENNESSEE VALLEY AUTHORITY

The Senate resumed consideration of House Joint Resolution 194, making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942.

The PRESIDING OFFICER (Mr. BURTON in the chair). The question is on agreeing to the committee amendment striking out section 2.

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is open to further amendment.

Mr. THOMAS of Oklahoma. Mr. President, I offer an amendment, which I send to the desk and ask to have reported.

The PRESIDING OFFICER. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to add the following new section:

SEC. 2. The third proviso clause appearing under the head of Expediting Production in the Military Appropriation Act, 1942 (Public Law 139, 77th Cong.), and reading as follows: "*Provided further*, That no obligations shall be incurred for or on account of objects appropriated for under this head to the Military Establishment except in pursuance of specific appropriations," is hereby amended to read as follows:

"*Provided further*, That with respect to the $500,000,000 provided by this Act which is not for payments under the aforesaid contract authorizations, no obligations shall be incurred for or on account of the objects specified under this head except in pursuance of said specific appropriation."

Mr. THOMAS of Oklahoma. Mr. President, I ask the Senator in charge of the bill [Mr. ADAMS] if he will not accept the amendment and take it to conference, with the understanding that he is perfectly free to make a study between now and the time the conferees meet, and that the conferees may then act as their best judgment may dictate.

Mr. ADAMS. Mr. President, the amendment is legislation on an appropriation bill. Normally, I should be under the direction of the committee to raise a point of order. I gather from the statements which have been made that an emergency is involved, and that the provision which is sought to be amended is definitely confusing and impeding the defense program.

Mr. THOMAS of Oklahoma. That is my understanding.

Mr. ADAMS. Also, that the amendment which is now offered is really in accord with what was originally intended, and would put into effect the real intent of the conferees when the original amendment was adopted. So, in one sense, it is not new legislation but rather clarifying legislation. So far as I am concerned, in view of the emergency situation and the fact that the House Members who were interested have not only concurred but really have drafted the language of the amendment now offered, in view of the fact that it has the definite approval of the House, and with the further understanding which the Senator from Oklahoma has stated—that the matter may be taken to conference and there given what would be equivalent to a thorough first-hand study—without the obligation which ordinarily follows a Senate amendment, to insist upon it to the last degree, I shall not raise the point of order.

Mr. THOMAS of Oklahoma. Mr. President, the understanding stated by the Senator in charge of the bill is the understanding I have, and I am perfectly content to submit the amendment for the consideration of the conferees. Any action they may take will be entirely satisfactory to me.

Mr. O'MAHONEY. Mr. President, unhappily, I was out of the Chamber when the Senator offered his amendment. I should like to inquire what the purpose of it is.

Mr. THOMAS of Oklahoma. The Senate attached an amendment to the War Department appropriation bill carrying $500,000,000. The House conferees insisted on placing a limitation on the expenditure of the $500,000,000. The limitation has been considered by the War Department, and it is the opinion of the Department that the provision in the form of a limitation conflicts with the provisions of paragraph (c) of section 1 of Public, No. 703, of the Seventy-sixth Congress, being an act to expedite the strengthening of the national defense. This amendment is offered at the request of Mr. Patterson, Under Secretary of War, and Mr. Jesse Jones, Administrator of the Federal Loan Agency, and has the approval of some of the members of the subcommittee on military appropriations of the House Appropriations Committee.

Mr. ADAMS. Mr. President, let me add a word to the explanation. The Senator from Wyoming probably remembers that in the bill piloted through the committee and the Senate by the senior Senator from Oklahoma there was an appropriation of $771,000,000 to meet contract authorizations in previous bills. To that sum was added an appropriation of $500,000,000. As I understood, the intent of the amendment agreed to in conference was to place some limitation only on the expenditure of the $500,000,000. In the form in which the amendment was offered it constituted a very wide-open, unrestricted provision. When the amendment which was agreed to in conference at the insistence of the House was studied it was concluded that the limitation applied not only to the $500,000,000 but to practically all the appropriations included in the bill for the Military Establishment. The amendment which is now offered changes the limitation and restricts it to the $500,000,000.

Mr. O'MAHONEY. Mr. President, I thank the Senator from Oklahoma and the Senator from Colorado. My inquiry was occasioned by the fact that there are some features of the bill concerning which I should like to address one or two questions to the Senator in charge of the bill. I wondered whether the Senator from Oklahoma had raised the same questions. Apparently he has not. Therefore I should like to ask the Senator in charge of the bill whether any consideration was given in the committee to the constitutional basis upon which the appropriation rests.

I am prompted to make this inquiry because in presenting the appropriation to the Senate, the Senator from Colorado remarked that in this appropriation there is no consideration at all of flood control or navigation. It will be recalled that the Supreme Court of the United States sustained the Tennessee Valley Authority Act upon the constitutional power to control floods and regulate navigation. The question therefore is whether the committee gave any consideration to this question. I realize, of course, that it may not be anything more than a technical question at a time such as this.

Mr. ADAMS. Mr. President, I will say to the Senator from Wyoming that when I first came to the Senate, the Senate very frequently discussed, with care and at length, questions as to the constitutionality of proposed statutes. Rarely did an important bill come before the Senate for consideration without some thought being given to the question of constitutionality. In recent days it has ceased to be good form to raise constitutional questions. Once or twice I have suggested the question of constitutionality, and I have discovered that there is no particular interest in that question. I will say to the Senator that that question was not raised and was not discussed in the committee.

Mr. THOMAS of Oklahoma. Mr. President, let me interject a suggestion at this point. The testimony was to the effect that the dams are necessary to impound water to turn turbines to develop power with which to make aluminum which is necessary in the production of airplanes for the national defense. The Constitution clearly gives the Congress the power to provide for the national defense; so if that interpretation be correct, this is clearly a constitutional measure.

Mr. ADAMS. Let me read to the Senator one or two excerpts from the House hearings. On page 4 of the House hearings, Mr. Lilienthal of the T. V. A., made this statement:

Mr. Chairman, the need for this additional power supply is entirely a military need. It has no reference at all to the normal undertakings of the Tennessee Valley Authority.

Subsequently, on page 17, Mr. Krug, who has a substantial part in connection with the defense organization, made this statement in response to a question by Representative JOHNSON of West Virginia:

Mr. JOHNSON of West Virginia. You are going to take that water and use it for making power, when probably some of these dams were built for other purposes.

Mr. KRUG. No. We plan to operate these dams as part of our integrated system for navigation, flood control, and power. But it happens that these particular projects will

be devoted exclusively to power production for this emergency period, but will not in any way interfere with our flood-control and navigation programs.

Mr. O'MAHONEY. How long a time is it estimated will be required to construct the power plants here provided for?

Mr. ADAMS. Mr. President, one of the arguments made in favor of the construction of these plants in preference to certain other suggested power projects that were considered was that some of them—there are four of the projects—could be put into operation in, I think 6 or 8 months, and all of them, it was thought, within the course of 18 months. The distinguished Senator from Tennessee, who is about to rise, I am sure can supply perhaps a more favorable viewpoint.

Mr. McKELLAR. Mr. President, the Senator from Colorado is entirely correct about the time, with this addition, that if the work is started immediately, the impounding of water at the headwaters will be begun at once. Mr. Krug stated that the impounding of water can begin in less than 60 days, and there was no testimony to the contrary. All the witnesses who testified, whether from the Army, from the T. V. A., from the munitions plant, from the aluminum plant, were in favor of building these additional plants for national-defense purposes.

Mr. ADAMS. If I may make a further suggestion, I was one of those who felt that we should, if possible, avoid a further concentration of power development in the Tennessee Valley, that if possible we should go elsewhere.

Mr. O'MAHONEY. Mr. President, I am glad the Senator from Colorado has referred to that matter, because I was about to ask a question on that point.

Mr. ADAMS. I was particularly interested in making use, for instance, of the coal measures of Wyoming, of Illinois, of Oklahoma, and other States, because normally steam power can be produced cheaper than hydroelectric power if the entire development is either hydroelectric or steam. But we were told by Mr. Batt and by others that by reason of the tremendous demand for steam engines and steam apparatus, largely because of the erection throughout the country of new factories demanding steam power, and because of the demand from steamship developments, it would take a considerably longer time to build and to put into operation steam plants than the hydroelectric plants. It seemed to be felt that it might take as much as 3 years to equip steam plants. I am merely relating what was told us.

Mr. O'MAHONEY. How about the matter of obtaining the generators that are required in order to turn the water power into electric energy?

Mr. ADAMS. We were told that, of course, the production of generators would have to be provided for in either case, whether water power or steam power was used, and that the generators could be provided within the period during which the other construction would be carried on, whether the power was steam or hydroelectric.

Mr. O'MAHONEY. My purpose in rising was not at all to make any criticism of the bill or to raise any question of the constitutionality of the proceedings, but to call attention to the fact that it does provide for additional concentration of activity in the Tennessee Valley. In the State of Wyoming there is enough coal now known to supply all fuel needs for probably 200 years, at the rate of present consumption. In the State of Utah there are great coal measures, and likewise in the State of Colorado—great deposits of coal which are not being used at all. Furthermore, in the Western States there are opportunities for the development of water power. I have in mind the fact that the Bureau of Reclamation has already filed, as I understand, estimates with the Bureau of the Budget for the expansion of certain waterpower activities in Wyoming at a considerably less cost than the cost of the proposed development. The source of the water power and the source of the steam power are close to the deposits of clay, bauxite, aluminite, and other natural resources from which aluminum and other necessary defense materials are made, and I wondered whether the committee, in considering the problem, made any study of the possibilities of developing such resources, particularly in the light of the desirability of decentralization.

Mr. McKELLAR. I will say to the Senator from Wyoming that that question was brought up, and the testimony was that there is only one State in the Union where bauxite, from which aluminum is made, is produced in sufficient quantities to make it possible to use it, namely, the State of Arkansas, and that the remainder of the bauxite was brought in from South American countries.

So far as the matter of concentration is concerned, it is true that in Tennessee, because of the building of these dams over a period of years, the Aluminum Co. has greatly expanded its capacity for manufacturing aluminum, and the plant has been running 24 hours a day and 7 days in the week. There has been no trouble there, and about two-fifths of all the aluminum consumed in America is now being manufactured at that plant. It is highly desirable that the additional facilities now being built and in course of construction be promptly completed, and that there be no doubt about their being operated in the same efficient way as are the present facilities. There is no complaint whatsoever that the plant is not being run efficiently. We have been lucky in having no labor troubles and in having the power developed from these dams increased during the years, with the result that today two-fifths of all the aluminum used by the Government for airplane purposes is coming from that source. These dams, which are all small dams, are being used for the purpose of supplementing what is now there, so that the plant can be run to the full extent to which it has been prepared to operate in order to produce aluminum for national defense.

Mr. ADAMS. Mr. President, I think I should make another suggestion to the Senator from Wyoming. I believe great credit should be given the Senator from Tennessee in that he overcame his reluctance to having other dams built in the Tennessee Valley, and consented to the building of these additional dams merely because the emergency demanded it. That is, he had previously stated to us that he did not expect any more dams to be built in the Tennessee Valley. Now he has twice yielded reluctantly to the building of additional dams there.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. THOMAS].

The amendment was agreed to.

The PRESIDING OFFICER. The joint resolution is before the Senate and open to further amendment. If there be no further amendment proposed, the question is, Shall the amendments be engrossed and the joint resolution be read the third time?

The amendments were ordered to be engrossed, and the joint resolution to be read the third time.

The joint resolution (H. J. Res. 194) was read the third time and passed.

Mr. ADAMS. I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ADAMS, Mr. GLASS, Mr. McKELLAR, Mr. HAYDEN, Mr. TYDINGS, Mr. NYE, and Mr. LODGE conferees on the part of the Senate.

SUPPRESSION OF CONTAGIOUS DISEASES OF LIVESTOCK

Mr. O'MAHONEY. Mr. President, since 1884 it has been the policy of the Congress of the United States to take all necessary steps to suppress contagious diseases of livestock. During all this period this problem has from time to time been before the Congress and the country in numerous ways. Within the last 2 weeks it was the subject of a discussion upon the floor of the Senate, which revolved around an opinion which was rendered by the Department of Justice on May 16 of this year interpreting section 306 (a) of the Tariff Act of 1930.

As a result of certain events which transpired at that time, I addressed a letter to the Department of Justice under date of July 3, calling the attention of the Department to certain facts which I felt had been overlooked at the time the opinion was rendered. I have since received a response signed by the Assistant Solicitor of the Department of Justice, Mr. Charles Fahy, advising me that the opinion will be restudied. I desire that my letter to the Department of Justice and the response may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter and reply were ordered to be printed in the RECORD, as follows:

JULY 3, 1941.

To the Honorable the ATTORNEY GENERAL,
Department of Justice,
Washington, D. C.

MY DEAR MR. ATTORNEY GENERAL: May I not inquire whether, before the preparation of your letter of May 16, 1941, in response to the request of the Secretary of Agriculture for an opinion construing his powers under section 306 (a) of the Tariff Act of 1930 (U. S. C.,

title 19, sec. 1306 (a)), your attention was called to the following facts, namely:

1. It has been the policy of the Government of the United States to suppress contagious diseases among domestic animals ever since May 29, 1884, when the President gave his approval to an act of Congress granting to the Secretary of the Treasury certain powers to prevent the spread of dangerous, contagious, infectious, and communicable diseases of livestock, including hoof-and-mouth disease (23 Stat. 31).

2. By the act of February 2, 1903 (32 Stat. 791), the powers contained in the 1884 statute were transferred to the Secretary of Agriculture and, in addition, he was authorized "to make such regulations and take such measures as he may deem proper to prevent the introduction or dissemination of the contagion of any contagious, infectious, or communicable disease of animals from a foreign country into the United States * * * and to seize, quarantine, and dispose of * * * any meats, hides, or other animal products coming from an infected foreign country to the United States * * * whenever in his judgment such action is advisable in order to guard against the introduction or spread of such contagion."

3. By virtue of the authority contained in this statute, the Secretary of Agriculture, on September 17, 1926, issued an order which reads as follows:

"It having been determined by the Secretary of Agriculture that there exists in most of the countries throughout the world the contagious and infectious diseases of animals known as rinderpest and foot-and-mouth disease, and to prevent the introduction of the contagion of such diseases into the United States, it is ordered, under authority conferred upon the Secretary of Agriculture by section 2 of the act of Congress approved February 2, 1903 (32 Stat. 791), that on and after January 1, 1927, no fresh or frozen beef, veal, mutton, lamb, or pork shall be permitted entry into the United States from any region in which either of the said diseases exist. This order, for the purpose of identification, is designated as B. A. I. Order 298."

4. The order prohibiting the importation of meat and meat products from infected "regions" instead of from infected "countries," as provided by the statute was not deemed sufficient by the Congress which thereafter enacted section 306 (a) of the Tariff Act of 1930. It will be observed that this statute, which is the subject of your letter of May 16, abandoned the word "region" and returned to the use of the word "country," thus clearly indicating the legislative intent.

5. In 1935, a treaty was negotiated between the United States of America and the Republic of Argentina by which it was proposed to reverse the action of Congress and substitute the "region" or "zone" system of quarantine for the "country" system set forth in the law. This treaty has never been ratified because the Senate of the United States has not been willing to relax the safeguards against the importation of diseased meat.

6. The congressional intent to exercise every precaution "to avoid risk of introduction of the disease into this country," to use the words of your letter of May 16, 1941, is revealed in other statutes, notably—

Section 306 (b) of the Tariff Act of 1930 which provides that "no meat of any kind shall be imported into the United States unless such meat is healthful, wholesome, and fit for human food * * * and unless such meat also complies with the rules and regulations made by the Secretary of Agriculture"; and

Section 6 of the act of August 30, 1890 (26 Stat. 416), which provides:

"The importation of cattle, sheep, and other ruminants and swine, which are diseased or infected with any disease, or which shall have been exposed to such infection within 60 days next before their exportation, is prohibited."

I feel confident that in the light of the acknowledged purpose of the act of 1930 and in the light of its history, you will agree with me that Tierra del Fuego may not be regarded as a country separate from continental Argentina and Chile within the meaning of section 306 (a) of the Tariff Act of 1930.

Sincerely yours,

JOSEPH C. O'MAHONEY.

DEPARTMENT OF JUSTICE,
Washington, D. C., July 5, 1941.

Hon. JOSEPH C. O'MAHONEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR O'MAHONEY: In reply to your letter of July 3 addressed to the Attorney General, I beg to advise that the facts, and the only facts, called to the attention of the Attorney General in connection with the letter of May 16, 1941, in response to the request of the Secretary of Agriculture for an opinion construing his power under section 306 (a) of the Tariff Act of 1930, were the facts set forth in the opinion itself, and those were the only facts stated in the hypothesis upon which an opinion was asked.

This Division had, of course, general knowledge of the statutes referred to in paragraphs Nos. 1 and 2 of your letter. However, the facts stated in your paragraphs 3, 4, and 5 were not called to the attention of this Department nor considered by it in arriving at the conclusions stated in the letter of May 16.

This Division has been instructed by the Attorney General to invite the comment of the other departments involved as to the matters of fact set forth in your letter and, in the light of your letter and of such further information as the departments affected may supply in response to our inquiry, to restudy the conclusions of this Department.

Sincerely yours,

CHARLES FAHY,
Assistant Solicitor General.

ELECTION OF PRESIDENT PRO TEMPORE

Mr. BARKLEY. Mr. President, I intend in a moment to offer a privileged resolution. Before doing so I wish to say just a word.

It was not my privilege tc be present in the Senate at the time some brief remarks were made with respect to the death of our late colleague, the Senator from Mississippi, Mr. HARRISON, President pro tempore of the Senate. I am sure I express the feeling of every Senator, without regard to party or length of service, when I say that no man was more beloved by the Members of this body, no man enjoyed to a greater degree their respect, and, I dare say, that no man had a greater influence in this body than had the Senator from Mississippi, who had been honored for many years as chairman of the Finance Committee, and who had for the last 6 months or more been President pro tempore of the Senate. By reason of his death it has become necessary to elect a successor as President pro tempore of the Senate, which is an important and honorable position recognized from time immemorial by the Senate.

Pursuant to the action taken today by the conference of the majority it becomes my honor and privilege to offer a resolution designating the senior Senator from Virginia [Mr. GLASS] as the successor of the late Senator from Mississippi as President pro tempore of the Senate. I am proud to offer this resolution. It is a privilege to participate in honoring the great Senator from Virginia. I have known him for 28 years, since he first became a Member of the House of Representatives, where I was then a Member, and I hope it will be my privilege to know him and to admire and respect and love him for many years to come. No man has the respect and affection, not only of the Senate but of the whole country, to a greater extent than has the Senator from Virginia.

It is a privilege to offer this resolution, because the Senator from Virginia is entitled to the honor which I hope we will presently confer upon him. I am sure he will wear that honor with dignity, as he has performed all his duties since he became a public servant and in all his relationships in life, whether public or private.

Without saying anything further—and all of us could say many things on an occasion such as this in honor of the Senator from Virginia—I have the honor to offer the resolution which I send to the desk.

Mr. McNARY. Mr. President, before the resolution is read, I wish to make a brief observation. As chairman of the Republican conference, and speaking for the conference, I second the nomination of the Senator from Virginia for this important position.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 142), as follows:

Resolved, That Hon. CARTER GLASS, a Senator from the State of Virginia, be, and he is hereby, elected President of the Senate pro tempore, to hold office during the pleasure of the Senate, in accordance with the resolution of the Senate adopted on the 12th day of March 1890, on the subject.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

Mr. BARKLEY. I move that the Chair appoint a committee consisting of the Senator from Tennessee [Mr. MCKELLAR], the Senator from Oregon [Mr. MCNARY], and the Senator from Virginia [Mr. BYRD] to escort Senator GLASS to the desk to take the oath of office as President pro tempore of the Senate.

The VICE PRESIDENT. The question is on the motion of the Senator from Kentucky.

The motion was agreed to; and the Vice President appointed Mr. MCKELLAR, Mr. MCNARY, and Mr. BYRD as the committee to escort Mr. GLASS to the desk.

Mr. GLASS, escorted by Mr. MCKELLAR, Mr. MCNARY, and Mr. BYRD, advanced to the desk, and the oath of office of President pro tempore was administered to him by the Vice President.

Mr. BARKLEY. I offer a further resolution in connection with the matter, and ask for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 143) as follows:

Resolved, That the President of the United States be notified of the election of Hon. CARTER GLASS, a Senator from the State of Virginia, as President of the Senate pro tempore.

The VICE PRESIDENT. Without objection, the resolution is agreed to.

Mr. BARKLEY. I offer a further resolution.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 144) as follows:

Resolved, That the House of Representatives be notified of the election of Hon. CARTER GLASS, a Senator from the State of Virginia, as President of the Senate pro tempore.

The VICE PRESIDENT. Without objection, the resolution is agreed to.

CONSIDERATION OF UNOBJECTED-TO BILLS ON THE CALENDAR

Mr. BARKLEY. I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will proceed to call the calendar for the consideration of unobjected-to measures.

RESOLUTIONS AND BILLS PASSED OVER

The resolution (S. Res. 30) proposing to amend rule VIII so as to prohibit action by unanimous consent on bills in cases where a Senator has given written notice of his objection to their consideration was announced as first in order.

Mr. BARKLEY and Mr. McNARY asked that the resolution be passed over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 1290) to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment," was announced as next in order.

Mr. McNARY. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 96) proposing to make rule XVI applicable to amendments to relief and work-relief bills was announced as next in order.

Mr. BARKLEY. Let the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and to provide for the suppression of vice in the vicinity of military camps and naval establishments was announced as next in order.

Mr. OVERTON and Mr. McNARY asked that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

TRANSFUSION OF BLOOD BY MEMBERS OF MILITARY ESTABLISHMENT

The bill (H. R. 4293) to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment," was announced as next in order.

Mr. DANAHER. Mr. President, I understand the chairman of the Committee on Military Affairs has in mind a motion looking to the adoption of amendments which I at first suggested sometime since. I should like to have the proposed amendments submitted.

Mr. REYNOLDS. Mr. President, in relation to what the Senator from Connecticut has said, I may advise the Senator that sometime ago in calling the calendar when order of business 374, House bill 4293, was reached, there was objection by the Senator from Connecticut, as a result of which I directed an inquiry to the Secretary of War in relation to the suggestions made by the Senator from Connecticut. On June 19, 1941, I received from the Secretary of War, Mr. Stimson, the following letter:

WAR DEPARTMENT,
Washington, June 19, 1941.

Hon. ROBERT R. REYNOLDS,
Chairman, Committee on Military Affairs, United States Senate.

DEAR SENATOR REYNOLDS: Last Monday when H. R. 4293, providing compensation for donors of blood for persons entitled to treatment at Government expense, was reached on the call of the calendar, Senator MCNARY and Senator DANAHER made certain objections to details of the bill, indicating however that the general purpose met with their approval. Senator DANAHER suggested that the authority granted by the bill be limited to payments to persons who furnish blood for the purpose stated in the bill "in connection with the care of any person entitled to treatment at Government expense." He also suggested that the final proviso of the bill be deleted.

The War Department is in entire accord with the amendments suggested by Senator DANAHER. When the bill was drafted it was desired to change existing law as little as possible and the validating proviso to which Senator DANAHER took exception was copied from the text of the present law inadvertently. The Department has no desire or intent to validate any illegal payments made since June 2, 1939, the date of approval of the last act on the subject. I enclose a copy of the House bill as it was reported out by your committee with the suggested amendments indicated. I would appreciate it if you will inform Senator MCNARY and Senator DANAHER of the foregoing and seek to obtain early action by the Senate on the bill.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

I have spoken to the leader of the minority, and this course meets with his approval; and the War Department, as explained in the letter from the Secretary of War, is perfectly willing, and as a matter of fact anxious, to acquiesce in the suggestions made by the Senator from Connecticut.

Mr. DANAHER. Mr. President, I offer two amendments to the pending bill.

The VICE PRESIDENT. The amendments will be stated.

The CHIEF CLERK. On page 2, line 6, after the word "purposes", it is proposed to insert "in connection with the care of any person entitled to treatment at Government expense,".

The amendment was agreed to.

The CHIEF CLERK. In line 14, after the word "withdrawn", it is proposed to strike out the following words: *"And provided further*, That expenditures heretofore made to any person, whether or not in the employ of the Government, for blood furnished from his or her body for any of the purposes described in that part of this enactment preceding the first proviso are hereby authorized and validated."

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. SCHWARTZ. Mr. President, I ask that Senate bill 1290, Calendar No. 204, be stricken from the calendar. It is identical with the bill just passed.

The VICE PRESIDENT. Without objection, Senate bill 1290 will be indefinitely postponed.

SALE OF ALCOHOLIC LIQUORS TO MEMBERS OF LAND AND NAVAL FORCES

Mr. REYNOLDS. Mr. President, I inquire whether Calendar No. 339, Senate bill 860, has been reached on the call of the calendar.

The VICE PRESIDENT. It has been reached and passed over.

Mr. REYNOLDS. Was there objection?

The VICE PRESIDENT. There was objection.

Mr. REYNOLDS. The Senator from Oklahoma [Mr. LEE] is interested in that proposed legislation.

Mr. LEE. Mr. President, I inquire who objected, and what the objection was.

The VICE PRESIDENT. The Chair is under the impression that the Senator from Kentucky [Mr. BARKLEY] said "over."

Mr. BARKLEY. Oh, no, Mr. President; I did not object to the consideration of the bill, but several objections were heard at the time the bill was called. I was not one of those who objected.

Mr. LEE. Mr. President, I ask unanimous consent that the Senate recur to the bill.

The VICE PRESIDENT. Is there objection? The Chair hears none. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and to provide for the suppression of vice in the vicinity of military camps and Naval Establishments.

Mr. OVERTON. Mr. President, I objected to the consideration of the bill. Let it go over.

Mr. LEE. Mr. President, I inquire what the Senator's objections are.

Mr. OVERTON. We debated the bill when it was offered by the Senator from Colorado [Mr. JOHNSON] as a substitute amendment to the bill establishing anti-vice zones around military and naval establishments. The objections to the enactment of the bill were rather fully presented to the Senate at that time, not only by the senior Senator from Louisiana but by the Senator from Wisconsin [Mr. LA FOLLETTE] and a number of others. The Senate voted against the amendment offered by the junior Senator from Colorado. The bill undertakes to authorize the Secretary of the Navy and the Secretary of War to establish prohibition zones around any military or naval activity of the United States

of America. There are quite a number of objections to it.

Mr. LEE. Does not the Senator feel that it would be a good thing to give the soldiers that protection?

Mr. OVERTON. When the people of the United States repealed the eighteenth amendment, they declared by an overwhelming majority, represented by two-thirds of the Members of both Houses and by ratification by conventions in three-fourths or more of the States, that the question of prohibition should be left entirely under State and local control and regulation. If, now, we vest in the Secretary of War and the Secretary of the Navy authority to establish prohibition zones around any naval or military establishment within such limits as they determine to be reasonable, we shall vest in these two Secretaries authority to make practically any and every State in the Union dry, because in these days of rapid transportation by automobile and by air a reasonable zone could very well be a zone covering all of a State; and most of the States have a number of both Army and naval activities. So the result would be that we should simply be again establishing, through enactment of Congress and a department regulation, prohibition in the United States of America.

The VICE PRESIDENT. The Senate is operating under the 5-minute rule at the present time. The time of the Senator from Oklahoma has expired; and objection has been made to the consideration of the bill.

Mr. OVERTON. I object to the consideraton of the bill.

Mr. REYNOLDS. Mr. President, in this connection, I hope I may have granted to me by the Chair and the Members of the body the privilege of saying a few words.

I can very well understand the position which the able Senator from Oklahoma [Mr. LEE] has taken upon the all-important question outlined in Senate bill 860. I desire to state that there was no man in the Committee on Military Affairs who was more deeply interested in favorably reporting this bill than was the Senator from Oklahoma. I know that for many months he worked with the late Senator Sheppard, the former chairman of the Military Affairs Committee, in a diligent, honest, genuine, and sincere effort to have the bill favorably reported by the Committee on Military Affairs. I remember that on several occasions I discussed the matter with the Senator from Oklahoma; and there is no Member of this body who has been more deeply interested in the protection of our armed forces than has the Senator from Oklahoma. I know that on several occasions he told me that he was desirous of doing everything he possibly could do to provide the right sort of protection for the boys in our camps. That is why, according to my recollection, he was so deeply interested in providing protection by way of prohibition in the camps and in the immediate neighborhoods thereof.

Mr. OVERTON. Mr. President, will the Senator yield to me to make a further observation

Mr. REYNOLDS. Certainly.

Mr. OVERTON. The War Department has reported against the bill, and I think the Navy Department has also, although I am not quite sure as to that.

REHABILITATION OF ANTHRACITE INDUSTRY

The bill (S. 357) to provide for the rehabilitation of the anthractie-coal industry was announced as next in order.

Mr. STEWART. Let the bill go over.

Mr. DAVIS. Mr. President, was objection made?

Mr. STEWART. I obected.

The VICE PRESIDENT. Objection is heard, and the bill will be passed over.

Mr. DAVIS subsequently said: Mr. President, Senate bill 357, which bears my name, a bill to provide for the rehabilitation of the anthracite-coal industry, was objected to on the call of the calendar. I desire to give notice that at some later time, when it will be in order, I shall move to proceed to the consideration of the bill, and make it the special order of business.

LEADER OF THE ARMY BAND

The bill (S. 1568) for the relief of the present leader of the Army Band was announced as next in order.

Mr. WALSH. Mr. President, this bill relates to a subject matter similar to that of a measure pending before the Senate Committee on Naval Affairs.

Mr. REYNOLDS. I ask that the bill go over.

Mr. WALSH. I will ask that there be printed in the RECORD, for the information of the Senate, a memorandum from the Navy Department on this subject.

Mr. REYNOLDS. I ask that the bill go over, and I am glad the Senator from Massachusetts has agreed that it may go over.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

NAVY DEPARTMENT,
BUREAU OF NAVIGATION,
Washington, D. C.

Memorandum for the chairman, Senate Naval Affairs Committee:

In accordance with a telephone request of July 1, I submit herewith a brief résumé of the records of service of the present leaders of the Navy Band, Army Band, Military Academy Band, Naval Academy Band, and Marine Band, of the United States, together with other pertinent data.

UNITED STATES NAVY BAND

The present leader of the United States Navy Band, Lt. Charles Benter, United States Navy, was born April 29, 1887, at New York, N. Y. On March 20, 1905, he enlisted in the Navy as apprentice seaman at New York, N. Y. He served through various enlistments and advancements in rating to March 4, 1925, when he was designated, in accordance with an act of Congress of that date, as leader of the United States Navy Band; on May 21, 1926, upon reenlisting as bandmaster in the Navy, he was redesignated as leader of the United States Navy Band. On June 6, 1935, he was discharged from the receiving station, Washington, D. C., with a special-order discharge to accept a certificate as a lieutenant in the United States Navy. In accordance with a special act of Congress of June 7, 1935, Public, No. 115, Seventy-fourth Congress, he was given the rank and is entitled to the pay and allowances of a lieutenant paid in the fourth pay period.

In addition to being the leader of the United States Navy Band, Lieutenant Benter is in charge of the Navy School of Music, which trains musicians and organizes bands for ships of the United States Fleet.

The present pay and allowances of Lt. Charles Benter is $6,357 per annum. When retired, Lieutenant Benter would receive retired pay as a lieutenant of $3,375 per annum.

UNITED STATES ARMY BAND

The present leader of the United States Army Band, Capt. Thomas F. Darcy, Jr., United States Army, was born May 7, 1894, in Washington. He first enlisted in the United States Army on May 23, 1912; progressed through various ratings until March 16, 1926, when he was appointed assistant leader of the Army Band; on July 1, 1935, was appointed leader of the Army Band. On April 14, 1936, he was designated a captain in the United States Army, in accordance with a special act of Congress of April 14, 1936, Private, No. 463, Seventy-fourth Congress, and receives the pay and allowances of the fourth pay period.

The present pay and allowances of Captain Darcy, United States Army, is $6,207 per annum. If retired upon the completion of 30 years' service, he would receive $3,375 per annum on the retired list.

UNITED STATES MILITARY ACADEMY BAND

The present leader of the United States Military Academy Band, Capt. Francis E. Resta, United States Army, was born April 3, 1894, in Italy. He first enlisted December 15, 1917; progressed through various ratings to May 1, 1934, when he was appointed a first lieutenant in the Army and leader of the band at the Military Academy. In accordance with the act of May 27, 1940, Public, No. 531, Seventy-sixth Congress, he was appointed a captain in the United States Army and receives the pay and allowances of a captain entitled to pay in the third pay period.

The present pay and allowances of Captain Resta, United States Army, is $4,998 per annum. If retired upon the completion of 30 years' service, he would receive $2,700 per annum on the retired list.

UNITED STATES NAVAL ACADEMY BAND

The present leader of the United States Naval Academy Band, William Richard Sima, was born May 12, 1891. On August 29, 1910, he enlisted in the United States Navy, and has served continuously, through various ratings, since that time. He was appointed leader of the Naval Academy Band on January 12, 1933, with the pay and allowances of a lieutenant in the Navy, but not with the rank, as provided in the act of February 14, 1931, Public, No. 663, Seventy-first Congress. He is entitled to the pay and allowances of the third pay period.

Mr. Sima receives pay and allowances at the rate of $4,998 per annum. Upon retirement after the completion of 30 years' service, he would receive retired pay as an enlisted man in the Navy of $1,607 per annum.

UNITED STATES MARINE BAND

The present Leader of the United States Marine Band, William F. Santelmann, was born February 24, 1902, at Washington, D. C. In September 1923, he enlisted in the United States Marine Corps; progressed through the various ratings until on December 1, 1935, he was appointed Second Leader of the Marine Band. Upon the retirement of Capt. Taylor Branson, United States Marine Corps, on April 1, 1940, he was appointed Leader of the United States Marine Band, with the pay and allowances of a captain in the Marine Corps, but not with the rank, as provided by the act of March 4, 1925 (Public, No. 611, 68th Cong.); he is entitled to the pay and allowances of the third pay period.

Mr. Santelmann receives pay and allowances at the rate of $4,446 per annum. If

retired upon the completion of 30 years' service, he would receive retired pay as an enlisted man in the Marine Corps of $1,607 per annum.

For your convenience, there follows a table indicating the status of the leader of each of these bands:

Band	Rank, if any	Active-duty pay and allowances		Authorized retired status	
		Pay period	Annual compensation	Rank, if any	Pay, after 30 years' service
U. S. Navy	Lieutenant	Fourth	$6,357	Lieutenant	[1] $3,375
U. S. Army	Captain	do	6,207	Captain	[1] 3,375
U. S. Military Academy	do	Third	4,998	do	[1] 2,700
U. S. Naval Academy	None	do	4,998	None	[2] 1,607
U. S. Marine	do	do	4,446	do	[2] 1,607

[1] Officer pay. [2] Enlisted pay.

Sincerely yours,

F. J. SCHUYLER.

PLANT-PROTECTION FORCE FOR NAVAL SHORE ESTABLISHMENTS

The bill (H. R. 4671) to authorize a plant-protection force for naval shore establishments, and for other purposes, was announced as next in order.

Mr. WALSH. Mr. President, in the absence of the Senator from California [Mr. JOHNSON] I cannot ask for action on this bill today. I should like to give notice that at a very early date I shall call the bill up for consideration. I know the Senator from California desires to be heard on the measure, and therefore, I will not ask for its consideration at this time.

The VICE PRESIDENT. Objection is heard, and the bill will be passed over.

QUINQUENNIAL CENSUS OF INDUSTRY AND BUSINESS

The bill (S. 1627) to provide for a quinquennial census of industry and business and for the collection of current statistics by the Bureau of the Census, was announced as next in order.

Mr. MEAD. Mr. President, the Senator from North Carolina [Mr. BAILEY], chairman of the Committee on Commerce, to which the bill was referred, has received a letter from one of the departments requesting that an amendment be made. The amendment has not yet been prepared. Therefore I ask that the bill go over until we can consider the proposed amendment.

The VICE PRESIDENT. Objection being heard, the bill will be passed over.

EXTENSION OF ENLISTMENTS IN THE NAVY

The Senate proceeded to consider the bill (S. 353) to provide for the extension of enlistments in the Navy; to suspend the provisions of section 1422 of the Revised Statutes (18 Stat. 484; 34 U. S. C. 201) in time of war or national emergency; and for other purposes, which had been reported from the Committee on Naval Affairs with an amendment, on page 2, after line 19, to strike out section 2, as follows:

SEC. 2. During time of war or national emergency declared by the President to exist that portion of section 1422 of the Revised Statutes (18 Stat. 484; 34 U. S. C. 201) which reads as follows: "All persons who shall be so detained beyond their terms of enlistment or who shall, after the termination of their enlistment, voluntarily reenter to serve until the return to an Atlantic or Pacific port of the vessel to which they belong, and their regular discharge therefrom, shall receive for the time during which they are so detained, or shall so serve beyond their original terms of enlistment, an addition of one-fourth of their former pay:", shall be suspended.

So as to make the bill read:

Be it enacted, etc., That hereafter enlistments in the Navy may be for minority or terms of 2, 3, 4, or 6 years, and all laws now applicable to 4-year enlistments shall apply, under such regulations as may be prescribed by the Secretary of the Navy, to enlistments for a shorter or longer period with proportionate benefits upon discharge and reenlistment: *Provided*, That upon the presentation of satisfactory evidence as to his age and upon application for discharge by his parent or guardian presented to the Secretary of the Navy within 90 days after the date of his enlistment, any man enlisted in the naval service, including the Marine Corps, under 21 years of age, who was enlisted without the written consent of his parent or guardian, if any, shall be discharged for his own convenience: *Provided further*, That all enlistments hereafter entered into may be extended by the Secretary of the Navy for such additional time as he may deem necessary in the public interest in time of war, or national emergency declared by the President, to exist: *Provided further*, That all men whose terms of enlistment are extended in accordance with the provisions of this act shall continue during such extensions to be subject in all respects to the laws and regulations for the government of the Navy: *And provided further*, That men detained in service in accordance with this act shall, unless they voluntarily extend their enlistments, be discharged not later than 6 months after the date of the termination of the war or national emergency.

SEC. 2. Hereafter the shipping articles shall contain the substance of this act.

Mr. WALSH. Mr. President, in view of the measures introduced today by the chairman of the Committee on Military Affairs, the distinguished Senator from North Carolina [Mr. REYNOLDS], I think a very brief explanation should be made of this bill and that I be given an opportunity to present the policy of the Committee on Naval Affairs.

Under existing law Naval Reserves can be held beyond the time of their enlistment in case of an emergency declared by the President. Under existing law no enlisted man in the Regular Navy can be held beyond the period fixed in his enlistment unless his ship is beyond the limits of the United States. The Navy Department has requested the enactment of a law, and there is pending before the Committee on Naval Affairs a bill, to extend the time of service of enlisted men beyond the period of enlistment upon declaration by the Congress that the national interest is imperiled. Upon such a declaration by the Congress, legislation would at once be enacted to accomplish this. All agreed as to that necessity.

There is a difference of opinion in the committee on the proposal to hold men beyond their enlistment period in time of peace. Some of the members feel very strongly that a contract made before the emergency existed should be respected by both parties and that there should not be any authority to continue an enlistment beyond the period fixed in the enlistment itself unless a state of war is declared by the Congress. The bill to which I refer is different from the bill we now have under consideration.

I am making this statement for the benefit of the Senator from North Carolina, for I assume that both the Committee on Military Affairs and the Committee on Naval Affairs should treat the matter of continuing enlistments beyond the contract period in the same way.

The pending bill would permit the Navy Department to enlist men in the future with the understanding that the term of enlistment stated in the enlistment should not always control, but that they could be held after the term of enlistment, in case of a national emergency; thus there would be no question whatever of breach of contract, or failure to respect in toto the contract which an enlisted man makes with the Navy in time of peace.

Briefly stated, the bill provides that, from now on, if a man enlists in the Navy for 6 years, or for a lesser number of years, he shall have notice that he will be held to a longer period if a national emergency exists.

Mr. REYNOLDS. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the extension of enlistments in the Navy."

TERMINATION OF LEASES

The bill (S. 1569) to amend the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940 (Public, No. 861, 76th Cong.), to provide for the termination of leases in certain cases, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to promote and strengthen the national defense by suspending enforcement of certain civil liabilities of certain persons serving in the Military and Naval Establishments, including the Coast Guard," approved October 17, 1940, be, and the same is hereby, amended by adding at the end of article III thereof a paragraph reading as follows:

"SEC. 304. (1) The provisions of this section shall apply to any lease covering premises occupied for dwelling purposes and to any lease covering premises occupied for professional, business, agricultural, or similar purposes, where any such lease has been or may be executed on his own behalf by any person who is or may hereafter be in military service under the provisions of the act approved August 27, 1940 (Public Resolution No. 96, 76th Cong.), or under the provisions of the Selective Training and Service Act of 1940, approved September 16, 1940 (Public, No. 783, 76th Cong.), and where the premises involved have been occupied for any of the

purposes above described, or for a combination of said purposes by such person, or by him and his dependents.

"(2) Any such lease may be terminated on 30 days' notice in writing delivered to the lessor (or his grantee) or to the lessor's (or his grantee's) agent by the lessee at any time following the date (a), in the case of any person who is or may hereafter be in military service under the provisions of the Selective Training and Service Act of 1940, when he is inducted and accepted, or volunteers for induction and is accepted; or (b), in the case of any person who has been or may be ordered to active duty under the provisions of the act approved August 27, 1940 (Public Resolution No. 96, 76th Cong.), when such person's active Federal service begins. Delivery of such notice may be accomplished by placing it in an envelope properly stamped and duly addressed to the lessor (or his grantee) or to the lessor's (or his grantee's) agent and depositing the notice in the United States mails. Termination of any such lease shall not be effective until 30 days after the first next date on which rental is due and payable subsequent to the date when such notice is delivered or mailed in the case of a lease providing for monthly payment of rent. In the case of all other leases, termination shall be effected on the last day of the month which includes the thirtieth day following the date when such notice is delivered or mailed, in which latter case any unpaid rental for a period preceding termination shall be proratably computed and any rental paid in advance for a period succeeding termination shall be refunded by the lessor (or his assignee).

"(3) The Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury shall make provision, in such manner as each may deem appropriate for his respective department, to insure the giving of notice to persons in and to persons entering military service under their respective jurisdictions of the rights accorded by this section and the action made necessary to exercise those rights in each case. The Director, Selective Service System, shall make provision, in such manner as he may deem appropriate, to insure the giving of notice of the rights hereby accorded to persons selected for and volunteering for induction.

"(4) Any person who shall knowingly and intentionally seize, hold, or detain the personal effects, clothing, furniture, or other property of any person who has lawfully terminated a lease covered by this section, or in any manner interfere with the removal of such property from the premises covered by such lease, for the purpose of subjecting or attempting to subject any of such property to a claim for rent to become due under a lease thus lawfully terminated, shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed 1 year or by fine not to exceed $1,000, or both: *Provided*, That nothing herein shall be construed to apply to cases where such property is lawfully seized, held, and detained, or its removal is otherwise lawfully interfered with for the purpose of subjecting, or attempting to subject, it to a bona fide claim for unpaid rentals accruing prior to the lawful termination of any such lease: *Provided further*, That any proceedings for enforcement of the collection of such unpaid rentals shall continue to be governed by the other provisions of this act."

INSTRUCTION AT WEST POINT OF CITIZENS OF AMERICAN REPUBLICS

The Senate proceeded to consider the bill (S. 206) to authorize the course of instruction at the United States Military Academy to be given to one person from each American republic, which had been reported from the Committee on Military Affairs, with an amendment, on page 1, after line 2, to strike out "That the Secretary of War is hereby authorized to permit persons, to be designated by the President of the United States, from each of the American republics (other than the United States) to receive instruction at the United States Military Academy at West Point. Not more than one person from any one of such republics shall receive instruction under authority of this act at the same time," and insert "That the Secretary of War is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American republics (other than the United States) to receive instruction at the United States Military Academy at West Point", so as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American republics (other than the United States) to receive instruction at the United States Military Academy at West Point. The persons receiving instruction under the authority of this act shall receive the same pay, allowances, and emoluments and, subject to such exceptions as may be determined by the Secretary of War, shall be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadets at the Military Academy appointed from the United States; but such persons shall not be entitled to appointment to any office or position in the United States Army by reason of their graduation from the Military Academy.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the course of instruction at the United States Military Academy to be given to 20 persons at a time from American republics."

DRAW-BACK OF TAX

The bill (H. R. 4158) to amend sections 3341, 3351, and 3361 of the Internal Revenue Code and section 309 (a) of the Tariff Act of 1930, and to repeal section 2907 of the Internal Revenue Code, was considered, ordered to a third reading, read the third time, and passed.

IMPORTATION OF ARTICLES FOR EXHIBITION AT WORLD'S FAIRS

The joint resolution (H. J. Res. 173) to amend further the amended joint resolution, approved August 16, 1937 (50 Stat. 668), concerning the importation of articles for exhibition at the New York World's Fair, to permit transfer of liability for duty on articles so imported, and to further amend the amended joint resolution approved May 18, 1937 (50 Stat. 187), concerning the importation of articles for exhibition at the Golden Gate International Exposition, to permit transfer of liability for duty on articles so imported, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

EDISON DAY

The joint resolution (H. J. Res. 63) requesting the President to proclaim February 11, 1942, as Edison Day, in commemoration of the birthday of Thomas Alva Edison, was considered, ordered to a third reading, read the third time, and passed.

PENSIONS FOR MEMBERS OF THE COAST GUARD

The bill (H. R. 1094) to grant pension for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF CLASSIFICATION ACT

The Senate proceeded to consider the bill (H. R. 1073) to amend the Classification Act of 1923, as amended, which had been reported from the Committee on Civil Service with an amendment, on page 5, after line 18, to insert the following new section:

SEC. 6. Section 3 of the Legislative Pay Act of 1929 is hereby amended effective on the date of the enactment of this act by adding at the end of the first paragraph thereof, before the period, the following: "*Provided further*, That the compensation of any employees under the Office of the Architect of the Capitol whose tenure of employment is temporary or of uncertain duration may be fixed by the Architect of the Capitol without reference to the provisions of the Classification Act of 1923, as amended."

The amendment was agreed to.

The VICE PRESIDENT. Without objection, the sections will be renumbered to conform with the amendment just agreed to.

Mr. HILL. Mr. President, I wish to offer an amendment.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to add a new section, as follows:

SEC. 10. The Second Deficiency Appropriation Act, 1941, approved July 3, 1941 (Public, No. 150, 77th Cong.), is amended by striking out the following provision of said act:

"LOANS, GRANTS, AND RURAL REHABILITATION

"No part of the appropriations contained in the Department of Agriculture Appropriation Act, 1942, under the heading 'Loans, grants, and rural rehabilitation,' shall be available to pay the compensation of any person appointed in accordance with the civil-service laws."

And by inserting in lieu thereof the following provision:

"LOANS, GRANTS, AND RURAL REHABILITATION

"No part of the appropriations contained in the Department of Agriculture Appropriation Act of 1942, under the heading, 'Loans, grants, and rural rehabilitation,' shall be available to pay the compensation of any person appointed in accordance with the civil-service laws if such person be employed as an appraiser or on a temporary or seasonal basis, or as a State or county committeeman, or on a per diem basis."

Mr. DANAHER. Will not the Senator explain the need for this amendment?

Mr. HILL. Mr. President, I think the amendment I am offering is exactly what the Senate had in mind when it attached to the second deficiency appropriation bill on July 3, 1941, the amendment relating to the Farm Security Administration. An amendment was inserted in the bill in the Senate which denied civil-serice status to all employees of the Farm Security Administration. In my opinion, the Senate had no desire or purpose of denying civil-service status to all

employees of the Farm Security Administration. The Senate wanted to be sure that civil-service status was not granted to those employees who were serving as appraisers, or were serving, perhaps, on a temporary basis, or as seasonal employees, or as State or county committeemen, or on a per diem basis. Certainly there could be no reason why the regular employees of the Farm Security Administration should be singled out and denied civil-service status when we had given such status to employees of all the other bureaus and departments of the Government.

This amendment would merely deny the status to those employees who were serving on a per diem basis, or were serving in temporary or seasonal positions, or were serving only as appraisers, or something of the kind. It would permit the employees of the Farm Security Administration to have a permanent status; that is, those who were carrying on their work on a permanent basis, just as all other permanent employees in all the other bureaus and departments have a civil-service status.

I hope the distinguished Senator who is in charge of the bill, the Senator from New York [Mr. MEAD], who is perhaps the foremost authority on the civil service in the Senate, will accept the amendment and at least take it to conference.

Mr. DANAHER. Mr. President, will the Senator yield for another question?

Mr. HILL. Yes.

Mr. DANAHER. Was the point which the Senator has now explained considered when the amendment was before the Senate committee last month?

Mr. HILL. I am not a member of the Senate Committee on Appropriations which placed the amendment in the bill. I do not know and I could not answer the Senator's question. Certainly I can see no reason whatever why the regular employees of the Farm Security Administration should be singled out and denied the benefits of civil-service status, when the Congress has granted such benefits to the employees of all the other bureaus of the Department of Agriculture, and when the Congress, through the enactment of the Ramspeck-Mead bill, has laid down the policy of civil service for all Government employees, except those occupying policy-making positions and those who may be in the excepted classes which I have enumerated in my amendment.

Mr. DANAHER. I thank the Senator. One suggestion occurred to me as I listened to the Senator from Alabama. It may well be that the committee by the language in the appropriation bill intended to exclude that entire class. It may be that it considers that they are employees during an emergency only, and are not entitled to a permanent status, and therefore should be excluded from the operations of the Classification Act. I do not know. I simply suggest that as a possible answer to the point made by the Senator from Alabama.

Mr. HILL. Let me say to the Senator that I am not a member of the Appropriations Committee; therefore I cannot speak for the committee. But I think everyone who has anything to do with the Farm Security Administration is bound to realize that today it certainly is a permanent part of the Department of Agriculture. We placed all the other departments under the civil service, and we declared that to be our policy when we passed the Ramspeck-Mead bill. Certainly the thought I had in mind when the amendment was put in the bill was that it might be covering into the civil service persons whom we did not intend to cover, who did not come within the declared policy, and who should not be covered in, such as those I have enumerated in the exceptions, a person, for instance, on a per-diem basis making appraisals. There is no reason why he should have civil-service status; in fact, he should not have civil-service status.

Mr. DANAHER. What does the Senator from New York [Mr. MEAD], who is a member of the Civil Service Committee, have to say about the matter?

Mr. MEAD. Mr. President, if I may speak for the chairman of the committee, who is not here, or if I may voice my sentiment, I will say that I am in accord with the amendment. In an attempt to conform with what I thought the Senate had in mind when it passed the inhibition contained in the appropriation bill, I suggested that the sponsor of the amendment exercise great care to preclude from the civil service the county agents, per diem agents, appraisers, and field representatives. I had in mind the injustice of the situation which has developed since that amendment was agreed to. We find at one desk in the Department of Agriculture a clerk who is under the merit system, and at the next desk a clerk who, by reason of the fact that he is in the Farm Security Administration, is excluded from its provisions. Chaos and turmoil are developing by reason of the fact that clerks desire to be transferred from one division to another.

As I understand the amendment, it pertains to those employees whom we intended to cover by civil service when we passed the Rampseck bill, and yet it precludes from the civil service those we had in mind when we adopted the most recent amendment to the appropriation bill. While I cannot speak for the Civil Service Committee, I should be willing to have the entire Civil Service Committee named on the conference committee, there to take up the amendment and to decide whether to retain it in the measure or to exclude it.

Mr. HILL. Mr. President, we have today the very awkward, if not impossible, situation of four-fifths of the employees of the Farm Security Administration being denied civil service and the other one-fifth being blanketed under civil service. That draws a line of cleavage as between four-fifths of the employees on one side and one-fifth on the other side. Those in the four-fifths group cannot be promoted in any way that might get them into the one-fifth group. As the Senator from New York has so well said, it is only fair to the employees of the Farm Security Administration, who have exactly the same status, so far as the work they are doing for the Government is concerned, as all the other employees of the Government bureaus, that they have the same equal treatment and be accorded the same benefits.

Mr. DANAHER. Mr. President, I am not objecting to the bill, let it be understood, but I think it is no accident that the employees in question were not covered in by the Ramspeck-Mead bill on the one hand and were specifically excluded by the second deficiency appropriation on the other. That is especially true in the light of the fact that the latter measure has been law only 5 days, yet it is proposed to amend the law to cover in these employees. I know nothing more about the matter than the observations made here would indicate.

Mr. HILL. Mr. President, I doubt that the authors of the amendment to the deficiency bill—and, of course, I cannot speak for them—had in mind the far-reaching effect of the amendment, and the extent to which they were going. As I have indicated, I think what they had in mind was that they did not want covered in a number of temporary or part-time or per diem employees. My amendment would clearly deny civil-service status to this type of employees, but let those who are on a regular basis, or permanent basis, come under civil service, exactly as all employees of the other departments or bureaus come under the civil service, and accord to them the same treatment that is accorded to the other employees.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MALONEY. I should like to ask the Senator if he can tell us whether there are a number of temporary employees in the same bureau?

Mr. HILL. In the Farm Security Administration?

Mr. MALONEY. Yes.

Mr. HILL. I cannot give the Senator any figure. I know, of course, that in the purchase of land at times a good many appraisers are employed on a per diem basis. Of course, they are merely temporary employees. They do a certain job, and receive so much per day, as I understand. As the Senator knows, at the present time a great deal of the appraising which is being done for the War Department and, according to my information, some that is being done for the Navy Department, is being done by appraisers employed in the Farm Security Administration. The Farm Security Administration, having set up a division for appraisals, and having had much experience with appraisals in that division, the War Department and the Navy Department have turned to the Farm Security Administration to use such appraisers. They are paid on a per diem basis, and should not be under the civil service.

Mr. MALONEY. Would they be under the civil service under the Senator's amendment?

Mr. HILL. They would not be under my amendment.

Mr. MALONEY. Does the Senator know whether such appraisers are engaged in the defense housing program?

Mr. HILL. Appraisers employed by the Farm Security Administration?

Mr. MALONEY. Yes.

Mr. HILL. Only to the extent that some appraisers may be used in apprais-

ing land authorized to be taken in connection with defense housing.

Mr. MALONEY. They are not engaged in connection with any construction work?

Mr. HILL. So far as my information is concerned with respect to the defense housing, they are not.

The VICE PRESIDENT. The time of the Senator from Alabama has expired.

Mr. ADAMS. Mr. President, I happened to be a member of the subcommittee which brought in the appropriation bill. The particular provision sought to be amended was approved by the House Appropriations Committee and approved by the Senate Appropriations Committee, and was passed by the House and was passed by the Senate. It was discussed on the floor of the Senate. It was presented by other members of the committee and by myself, and it does seem to me that we ought not to seek in this way, upon the unanimous consent calendar, to upset the deliberate action taken at that time. I do not intend to say that the Senator's amendment is right or wrong; but I say to him that it is not the way to make basic amendments which seek to reverse the formal action of both bodies of the Congress; and if his amendment is agreed to I shall have to ask that the bill go over.

Mr. HILL. Mr. President, of course I do not want to endanger the passage of the bill. Frankly, I think it is just as much in order for the Senate to pass on this amendment as it was to legislate in the first instance on an appropriation bill. We had passed the basic law, the organic act, the Mead-Ramspeck bill. Then an amendment or rider was added to the second deficiency appropriation bill, which, as the Senator knows, came to the Senate at the last minute. I think the bill passed at the very close of the fiscal year.

Mr. ADAMS. That is correct.

Mr. HILL. I hope the Senator will be willing to let the amendment go to conference.

Mr. ADAMS. Mr. President, I feel compelled to protect the action of my committee until there is an opportunity to have the matter thoroughly presented on the floor.

Mr. HILL. Of course, the Senator recognizes that the conferees on this bill would be from the Civil Service Committees of the two Houses?

Mr. ADAMS. I am fully conscious of that fact.

Mr. HILL. At least they would have an opportunity to work the matter out and remove what seems to me to be a very unfair discrimination.

Mr. ADAMS. The Senator is seeking, through the medium of one committee, to undo what was done by some other committee, without an opportunity to study the matter. As I say to the Senator, I do not pretend to know a thing about the matter. I do not know what would be the consequences of the Senator's amendment. I do not know the consequences of the other provision. However, on this occasion, with scant attendance in the Senate, I am not willing to have the action previously taken overturned.

Mr. HILL. If the Senator insists on his position I shall have to withdraw the amendment.

In reply to what the Senator said about having one committee overturn what another committee has done, let me say that the committee which has jurisdiction over civil-service matters is the Civil Service Committee, and not the Appropriations Committee. I am offering this amendment to a bill which has been reported by the Civil Service Committee, the committee set up to deal with civil-service matters, the committee which has jurisdiction over the civil service. It is the proper committee to handle this very type of legislation. I do not think that the Senator, as a member of the Appropriations Committee, ought to quarrel about the Civil Service Committee handling a civil-service matter. If the Senator insists on his position I shall have to withdraw the amendment.

Mr. ADAMS. Mr. President, I ask that the bill go over.

Mr. HILL. I withdraw my amendment.

Mr. O'MAHONEY. Mr. President, the discussion which has taken place up to this moment has practically all had to do with a side issue. I have been looking through the report which was presented by the distinguished Senator from New York [Mr. MEAD] on behalf of the Civil Service Committee. The report deals with a 5- or 6-page bill. I find that apparently, if the bill should be enacted into law, it would result in an increase of $29,000,000 in the compensation of Federal employees. At a time when we all know that Federal employees are about the best-paid class of employees anywhere in the country, and at a time when all our attention is devoted to the defense needs, I am wondering why the committee desires to pass, upon the call of the calendar, a bill of such far-reaching effect.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I rose to address the question to the Senator. I yield.

Mr. MEAD. In the first place, the bill would not cost $29,000,000. That is the estimated cost over a period of 10 years. That estimate does not take into consideration the possibilities of increases in wages granted by the appropriations committees and by the heads of departments, under the present irregular formula.

Mr. O'MAHONEY. If the Senator will pardon me, the estimate of $29,000,000 over a period of 10 years is based upon the assumption that only 304,000 employees would be affected. We all know that that number is less than half of all the Federal employes now upon the pay roll. I am not at all certain that the increase would be confined to only 304,000. The cost of the bill might be greatly in excess of $29,000,000.

Mr. MEAD. I will say to the distinguished Senator that the bill was considered by the Civil Service Committee, and that a number of Members of the Senate were in attendance, including the distinguished junior Senator from Virginia [Mr. BYRD], the distinguished Senator from California [Mr. DOWNEY], and one or two other members of the committee.

The bill was prepared by the Bureau of the Budget. The Budget Bureau is not in the habit of recommending extravagant appropriations. The bill is the result of a request made on the Bureau of the Budget by the House Appropriations Committee in the Seventy-sixth Congress. The bill has the endorsement of the Bureau of the Budget and the Civil Service Commission. It was unanimously approved by the House Civil Service Committee. There was not a vote against it on the floor of the House. As I stated a moment ago, it was considered by a fairly representative group of our committee, and no objection was made to it before our committee.

Mr. O'MAHONEY. Mr. President, is the Senator taking my time?

The VICE PRESIDENT. He is.

Mr. MEAD. If I am, I apologize.

Mr. O'MAHONEY. Will the Senator speak in his own time?

Mr. MEAD. Certainly.

Mr. O'MAHONEY. The Senator is taking my time.

Mr. MEAD. I merely wished to be sure that the Senator had the right information.

Mr. O'MAHONEY. I have before me the statement contained in the report submitted by the Senator. Apparently it is a quotation from the statement of the Director of the Budget, Mr. Harold D. Smith. He says:

> The salary-advancement plan with a coverage of 304,000 employees would, after 10 years of operation, result in an increase in the annual pay roll of $29,000,000 above the amount of the pay roll at the beginning of the operation of the plan.

The VICE PRESIDENT. The time of the Senator from Wyoming has expired.

Mr. O'MAHONEY. Mr. President, in the circumstances, I think the bill ought to go over.

The VICE PRESIDENT. The bill will be passed over.

The clerk will state the next bill on the calendar.

SLUM CLEARANCE IN ALASKA

The bill (H. R. 93) to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

INCLUSION OF CERTAIN POSTMASTERS IN THE CLASSIFIED CIVIL SERVICE

The bill (H. R. 1618) to amend the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

MARY JANE BLACKMAN

The bill (S. 138) granting a pension to Mary Jane Blackman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby

authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Jane Blackman, widow of William O Blackman, late of Company B, Ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

MARTHA PACE

The bill (H. R. 439) granting a pension to Martha Pace, was considered, ordered to a third reading, read the third time, and passed.

ELIZABETH LIVELY

The bill (H. R. 1268) to repeal the provision of law granting a pension to Elizabeth Lively, was considered, ordered to a third reading, read the third time, and passed.

MIKE CHETKOVICH

The bill (S. 1667) for the relief of Mike Chetkovich, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mike Chetkovich the sum of $10,000. Such sum was the face amount of a certificate of war-risk insurance (No. T-3229247) issued to the said Mike Chetkovich following his induction into the military service on July 2, 1918. Such insurance was in effect when he became totally and permanently disabled as the result of an operation performed on or about August 12, 1918, at the Army base hospital at Camp Lewis, Wash.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

I. M. COOK, J. J. ALLEN, RADIATOR SPECIALTY CO., AND THE R. & W. MOTOR LINES, INC.

The bill (S. 1709) conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, of Charlotte, N. C.; J. J. Allen, of Charlotte, N. C.; Radiator Specialty Co., of Charlotte, N. C.; and the R. & W. Motor Lines, Inc., of Charlotte, N. C., for damages allegedly sustained by each by reason of a fire which destroyed a building, known as the Cook Body Co. Building, in Charlotte, N. C., in December 1938, such fire having started from an oil stove in a part of such building which was occupied by the Works Progress Administration.

SEC. 2. In the determination of such claims, the United States shall be held liable for such damages, and for any acts committed by any of its officers and employees, to the same extent as if the United States were a private person.

SEC. 3. Suits upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, and appeals from, and payment of, any judgments thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph "Twentieth" of section 24 of the Judicial Code, as amended.

BILL PASSED OVER

The bill (H. R. 3019) to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes, approved October 6, 1917 (40 Stat. 385)," was announced as next in order.

Mr. SCHWARTZ. Mr. President, under a misapprehension that this bill was not on the calendar, the senior Senator from Ohio [Mr. TAFT] has left the Chamber. He said he desired to be present when it was considered, and for that reason I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. DANAHER. Mr. President, I ask the Senator from Wyoming to explain to us, if he chooses to do so, the fundamental reason for the proposed amendments contained in the bill. It may help those who have any objection to the bill if we can have from the Senator from Wyoming a statement of what he is seeking to accomplish by means of the proposed amendments.

The VICE PRESIDENT. The bill has already been passed over.

NASLI M. HEERAMANECK

The Senate proceeded to consider the bill (S. 1071) authorizing the naturalization of Nasli M. Heeramaneck, which had been reported from the Committee on Immigration with an amendment, on page 1, to strike out section 2, as follows:

SEC. 2. Notwithstanding the provisions of section 2169 of the Revised Statutes, as amended, or any other provision of law making him ineligible for naturalization, the said Nasli M. Heeramaneck may, upon compliance by him with those provisions of law generally applicable to the naturalization of aliens, be naturalized as a citizen of the United States.

So as to make the bill read:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, Nasli M. Heeramaneck, of New York, N. Y., shall be held and considered to have been lawfully admitted to the United States for permanent residence on October 27, 1933.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DR. GUSTAV WEIL, IRMA WEIL, AND MARION WEIL

The bill (H. R. 814) for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil, was considered, ordered to a third reading, read the third time, and passed.

JOHN HORVATH

The bill (S. 816) for the relief of John Horvath was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws John Horvath, of Sewaren, N. J., shall be held and considered to have been legally admitted to the United States for permanent residence on December 18, 1925, at Detroit, Mich.

SEC. 2. The Secretary of Labor is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued in the case of the said John Horvath upon the ground of unlawful residence in the United States.

CECELIA PITT

The bill (S. 1161) for the relief of Cecelia Pitt was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Cecelia Pitt or Cecelia Pitkowski (alias Anny Metz or Anny Metz Pitt), of West Hartford, Conn., the mother of two children born in the United States, shall be held and considered to have been legally admitted to the United States for permanent residence on October 5, 1926.

SEC. 2. Any proceedings heretofore or hereafter instituted for the deportation of the said Cecelia Pitt on the ground that she fraudulently gained admission to the United States shall be null and void.

HENRY (HEINZ) GABRIEL

The bill (S. 1216) for the relief of Henry (Heinz) Gabriel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Henry (Heinz) Gabriel, of Washington, District of Columbia, shall be held and considered to have been lawfully admitted to the United States for permanent residence on November 26, 1926, the date the said Henry (Heinz) Gabriel was admitted to the United States for temporary residence.

SEC. 2. Upon the enactment of this act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct one number from the nonpreference category of the first available German immigration quota.

SEVERIANA MARIA RODRIGUES DE CACERES AND OTHERS

The bill (H. R. 1577) for the relief of Severiana Maria Rodrigues de Caceres, her sister Irene Hernandez de Texada, and the latter's daughter, Irene Hernandez de Texada, was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN BASQUE ALIENS

The bill (S. 314) for the relief of certain Basque aliens was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Attorney General of the United States be, and is hereby, authorized and directed to cancel deportation proceedings in the cases of Ignacio Abadia, Nampa, Idaho; Alejandro Alberdi, Boise, Idaho; Felis Achirica, Boise, Idaho; Pedro Aguirre, Shoshone, Idaho; Santiago Alegria, Boise, Idaho; Gregorio Arana, Willow Creek, Oreg.; Guillermo Armaolea, Mullan, Idaho;

Ponciano Arrietta, Boise, Idaho; Pedro Arruzazabala, Boise, Idaho; Francisco Asla, Mountain Home, Idaho; Elias Asolo, Shoshone, Idaho; Bernardo Auscoca, Boise, Idaho; Abraham Azpiri, Murphy, Idaho; Francisco Barinaga, Boise, Idaho; Martin Barrencua, Boise, Idaho; Alejandro Bilbao, Mountain Home, Idaho; Francisco Bilbao, Emmett, Idaho; Jose Bilbao, Mountain Home, Idaho; Victor Bilbao, Boise, Idaho; Arturo Calvo, Tuscarora, Nev.; Gonzalo Cortazar, Boise, Idaho; Andres Echevarrieta, Hagerman, Idaho; Antonio Echevarrieta, Hagerman, Idaho; Prudencio Elordieta, Atlanta, Idaho; Gregorio Elorriaga, Buhl, Idaho; Jose Elorriaga, Mountain Home, Idaho; Juan Elorza, Boise, Idaho; Juan Garmendia, Nampa, Idaho; Francisco Guezuraga, Boise, Idaho; Jose Guezuraga, Boise, Idaho; Enrique Ispisua, Boise, Idaho; Antonio Laradagoitia, Emmett, Idaho; Felix Larrucea, Boise, Idaho; Victor Legarreta, Jarbridge, Nev.; Juan Lejardi, Boise, Idaho; Ciriaco Lezamiz, Mountain Home, Idaho; Daniel Martinez, Boise, Idaho; Antonio Menchaca, Nampa, Idaho; Elias Mendilibar, Fresno, Calif.; Jose Antonio Mendiola, Fresno, Calif.; Claudio Murua, Shoshone, Idaho; Ignacio Naveran, Shoshone, Idaho; Victor Orbe, Boise, Idaho; Canuto Otazua, Boise, Idaho; Gregorio Otazua, Boise, Idaho; Alejandro Rementeria, Boise, Idaho; Andres Retolaza, Boise, Idaho; Pedro Juan Sengotita Bengoa, Mountain Home, Idaho; Cristobal Sagasti, Boise, Idaho; Bernardo Torre, Gooding, Idaho; Jesus Ugalde, Emmett, Idaho; Pedro Ugalde, Boise, Idaho; Gregorio Urcaregui, Richfield, Idaho; Francisco Uriarte, Mountain Home, Idaho; Herman Uriarte, Mountain Home, Idaho; Agustin Uribe, Mountain Home, Idaho; Feliciano Uribe, Boise, Idaho; Antonio Urquidi, Boise, Idaho; Ignacio Urrutia, Boise, Idaho; Anastasio Yrasuegui Castleford, Idaho; Nicasio Yrazabal, Ely, Nev.; Juan Yrigoyen, Boise, Idaho; Tomas Yturbe, Mountain Home, Idaho; Angel Zuarez, Boise, Idaho, legally admitted as seamen but who have remained in the United States longer than permitted by law and regulations, and that these aliens shall be considered as having been admitted for permanent entry as of the date of their actual entry on the payment of the visa fees of $10 and head taxes of $8 per person.

Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct 64 numbers from the Spanish quota for the first year that the said Spanish quota is available.

ANTONIO OR ANTHONY MAURIN

The bill (S. 867) for the relief of Antonio or Anthony Maurin, was considered, ordered to be engrossed for a third reading, read the third time and passed, as follows:

Be it enacted, etc., That the Attorney General be, and he is hereby, authorized and directed to cancel any warrants of arrest or orders of deportation which may be issued against the alien Antonio or Anthony Maurin because of the fact that when the alien arrived as a seaman on May 17, 1926, he failed to depart; and the Attorney General is further directed not to again arrest or order the deportation of the said alien because of the fact that the alien remained unlawfully in the United States.

LESLIE CHARTERIS (LESLIE CHARLES BOWYER YIN) AND PATRICIA ANN CHARTERIS

The Senate proceeded to consider the bill (S. 1099) for the relief of Leslie Charteris (Leslie Charles Bowyer Yin) and Patricia Ann Charteris, which had been reported from the Committee on Immigration, with an amendment to strike out section 2, as follows:

SEC. 2. Notwithstanding any other provision of law, the said Leslie Charteris and Patricia Ann Charteris shall, subject to the provisions of section 305 of the Nationality Act of 1940, be held and considered to be eligible for naturalization as citizens of the United States.

So as to make the bill read:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Leslie Charteris (Leslie Charles Bowyer Yin), the husband of a citizen of the United States, and his daughter, Patricia Ann Charteris, shall be held and considered to have been lawfully admitted to the United States for permanent residence on September 8, 1939, the date the said Leslie Charteris and Patricia Ann Charteris were last admitted to the United States for temporary residence.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE PRESIDENT. That completes the calendar.

AUTHORIZATION FOR REPORTING AND SIGNING BILLS, ETC.—LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, I ask unanimous consent that during the approaching recess or adjournment of the Senate following today's session the Vice President be authorized to sign any enrolled bills or resolutions ready for signature, that the Secretary of the Senate be authorized to receive communications from the House of Representatives, and that the committees of the Senate be authorized to file reports.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BARKLEY. The order probably will apply to only one or two committees. There is a possibility that over the weekend the Committee on Interstate Commerce may make a report which would enable us to take up a bill on Monday. I am not certain about the matter, but I ask unanimous consent that that committee be authorized to report if it is ready to do so.

Mr. McNARY. Mr. President, I desire to ask the able Senator from Kentucky what are his plans for Monday. I am assuming the Senate will recess or adjourn until Monday.

Mr. BARKLEY. It has already been ordered that the Senate, at the conclusion of its business today, recess or adjourn until Monday.

Mr. McNARY. Yes.

Mr. BARKLEY. Unless the bill I have in mind, which is pending before the Interstate Commerce Committee, should be reported and be ready to be taken up on that day, there will be nothing of any importance on the calendar for Monday, and, so far as I can see, with that exception, nothing next week. There may be something that will come in, but I cannot now tell.

I may say frankly that, barring any unforeseen reports of committees, I do not know of very much business of any importance that the Senate will be required to take up during the next week or two.

I may say that in the newspapers and otherwise there has been a considerable mention of so-called price-fixing legislation, but there is nothing on the subject before either House. No bill has been introduced, and no bill is ready to be introduced, so far as I know, although the matter is being given consideration.

Likewise, there have been suggestions with respect to amending the draft act pertaining to selectees and the National Guard. That matter is in practically the same situation. No bill on the subject is pending in either House. I understand that conferences are to be held in the next day or two looking toward some conclusion on that subject; but until the matter reaches us in concrete form there is no way to predict when it may come up.

Those two matters are the only ones pending and in the offing, so far as I can see, and they are not in any condition to be taken up in either House at this time.

Mr. NcNARY. Mr. President, will the Senator yield?

Mr. BARKLEY. Yes; I yield.

Mr. McNARY. May it be hoped that a week from today, or next Monday, we may have an understanding for a series of 3-day recesses for, let us say, 4 or 5 weeks?

Mr. BARKLEY. No; I could not have such an understanding.

Mr. McNARY. I say, may we not hope for that, and try to work it out?

Mr. BARKLEY. Of course, whenever the suggested legislation to which I have referred comes in I think it will be of sufficient importance to occupy the immediate attention of Congress. When that may be I do not know. Probably the proposed legislation affecting the Army is the most emergent, if and when it gets here, and in whatever shape it comes. In all probability the tax bill will not reach us before the 1st of August, at the earliest. It has not yet been reported in the House, and it must be considered there first. I think it will be almost the 1st of August before it reaches the Senate. Then it will be referred to the Committee on Finance, and I have an idea it will take perhaps 2 or 3 weeks for that committee to consider the bill and report it to the Senate.

In the meantime, with the exception of the particular pieces of legislation I have mentioned and other emergent legislation which may come up in either House, and which we cannot now foresee, it does not now appear that there will be much of importance until we get the tax bill.

Mr. McNARY. That will be about the first of September, I should judge.

Mr. BARKLEY. But it is impossible to guarantee that in the meantime something may not arise which will require our attention; and my judgment is that it will be the middle of August or the first of September before we get the tax bill on the floor for consideration.

Mr. McNARY. I think that is a very sensible estimate. I had hoped that the Senator from Kentucky would say that the joint resolutions introduced today by the able Senator from North Carolina [Mr. REYNOLDS], the chairman of the Military Affairs Committee—I think there are two affecting the Army, its

expansion, and the terms of service—probably will be the only matters that will come up for consideration, so far as the able Senator from Kentucky knows, for the next 3 or 4 weeks. Is that the case?

Mr. BARKLEY. So far as I know. Of course, it ought to be stated that there are those who in and out of Congress are considering the question of price control, and when that matter is brought to our attention in an official way, of course, we shall be expected to take it up. Any measure covering that subject will have to go through the committee.

With those exceptions, or the possibility of those exceptions, I should say that for the next 3 or 4 weeks apparently there will not be much business of importance; and if the matters I have mentioned do not come to the floor, I see no reason why we cannot indulge in a series of 3-day recesses for that length of time.

It is my information—which, of course, is subject to whatever may happen—that when the tax bill is passed by the House, the House intends to take a series of 3-day recesses for about a month.

Mr. GEORGE. Mr. President, let me call the attention of the Senator from Kentucky to a bill which has passed the House and now is before the Senate Committee on Interstate Commerce, a bill having to do with authorizing the Federal Government to exercise its power of eminent domain for the purpose of constructing pipe lines.

Mr. BARKLEY. I will say to the Senator from Georgia that is the bill I had in mind when I asked that the Interstate Commerce Committee be authorized to report during the proposed recess—hoping that it might meet and report the bill by next Monday; and if it does so, it is proposed to take it up Monday and dispose of it.

Mr. GEORGE. I did not hear that statement when it was previously made.

Mr. BARKLEY. Yes; that is the bill I mentioned.

Mr. GEORGE. I knew the bill was pending. It is a matter of some importance.

Mr. BARKLEY. The bill is pending and is a matter of some importance, and the departments involved are urging action upon it. The President has sent a letter here concerning it, and the bill has passed the House. Five or six weeks ago the subcommittee handling the bill reported it unanimously to the full committee, and I hope that in the next few days the committee may meet and act upon it.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Vermont.

Mr. AUSTIN. I wish to state that today, too late to go on the printed calendar, a measure was reported from the Committee on Military Affairs which is of sufficient importance to justify prompt consideration, because it has to do with the efficiency of preparation for defense. The measure would empower the President, upon certain conditions, and for certain causes, to retire certain officers of the Army. It ought to be acted upon early, if what was represented to the committee is true. I think it is quite an important measure. It could be acted upon today by waiving the rule; but, in any event, I suggest to the distinguished majority leader that it should be considered as pending business for Monday.

Mr. BARKLEY. I have no doubt that we can take up that measure on Monday and consider it. I ought to say also that there is pending legislation pertaining to the question of property seizure. The Senator realizes that on the bill amending the draft law, which passed the Senate 2 or 3 weeks ago, the so-called Connally amendment was attached. That bill is pending in the other House. My information is that the House has a separate bill on the subject, and may take some action on it today or, at least, during the present week. I think, probably, the House has the bill under consideration today.

Mr. CONNALLY. The House had it under consideration all day yesterday and today, and I understand is now voting on it.

Mr. BARKLEY. I am glad to have that information. So that legislation should clear up whatever is to be done about the matter. The bill may have to go to conference to be worked out there, and the Senate ought to hold itself available to dispose of such measures as are pending at as earlier a date as possible. It is my hope that we may clear the calendar of all pending matters, so that if we do reach the point in the next few days where we can take a series of recesses Senators will feel free to go home, if they want to, without embarrassment and without feeling that they have run away and left something undone.

Mr. REYNOLDS. Mr. President, will the majority leader yield to me?

Mr. BARKLEY. I yield.

Mr. REYNOLDS. In pursuance of what my distinguished friend, the Senator from Vermont [Mr. AUSTIN], said a few moments ago in reference to an exceedingly important bill having to do with weeding out inefficient officers of the Army, I deem it to be one of the most important pieces of legislation designed to strengthen the Army which we will have before us. That measure was before the committee yesterday, and at that time the Chief of Staff, General Marshall, testified for a period of about 2 hours. I am confident—and I believe the statement will be substantiated by members of the Committee on Military Affairs who are present and who were at the meeting—that such legislation is needed. It has been passed on favorably, been reported by the committee, and I believe, without objection by any Senator, we could dispose of that bill in 2 minutes. It is merely a matter, as explained by the Senator from Vermont, of permitting the Army to eliminate certain officers who are not now fitted to retain their present positions in the Army in order that they may be replaced by more efficient ones. In the opinion of the Committee on Military Affairs, it is merely a question of ridding the Army of officers who are not suited to the work that is now being done in the present emergency.

Mr. BARKLEY. Is it a House bill or a Senate bill?

Mr. REYNOLDS. It is a Senate bill, reported by me today. I am sure there will be no objection to it.

Mr. MCNARY. Mr. President, I think the bill ought to go over until Monday. It is usually in conflict with the general practice to consider bills on the same day they are reported, unless there is a great emergency, and I think the Senator from North Carolina has not mentioned an emergency.

Mr. REYNOLDS. The Department is desirous of having this bill passed immediately. The Acting Secretary of War was there yesterday during the testimony of General Marshall.

Mr. MCNARY. I think the bill should go over.

Mr. REYNOLDS. Very well.

PUBLICATIONS OF TEMPORARY NATIONAL ECONOMIC COMMITTEE

Mr. O'MAHONEY. Mr. President, has the Senator from Kentucky concluded the particular colloquy?

Mr. BARKLEY. I have concluded my general remarks, yes.

Mr. O'MAHONEY. Mr. President, I desire to take the liberty of entrenching for a moment upon the time of the Senate in order that I may make the announcement for the RECORD that the Superintendent of Documents, as of July 3, 1941, sold of the publications of the Temporary National Economic Committee $53,573.05 worth. In other words, of the publications, the hearings, and monographs issued by that committee, 135,673 volumes have been purchased by the general public from the Superintendent of Documents.

I have in my hand, Mr. President, the report of the Superintendent of Documents showing the number of copies of each publication received at his office, the number on hand, the number sold, together with the price of each volume, and the total amount received as of this time. I think that the public interest in the matter is so great that I am justified in asking unanimous consent that the list may be printed in the RECORD as a part of my remarks.

Let me add, Mr. President, that the final report of the committee was submitted on the 31st day of March of this year. A publication of 12,000 copies of the final report was authorized. These were divided between the House document room, and the Senate document room, and the Superintendent of Documents. The number allotted to the Superintendent of Documents has been completely exhausted; there are only 600 copies left in the Senate document room, and I understand less than a thousand copies in the House document room, all of which testifies to the deep interest among the public in the publications of the committee.

The VICE PRESIDENT. Without objection, the list referred to by the Senator from Wyoming will be printed in the RECORD.

The list is as follows:

CONDITION OF STOCK OF TEMPORARY NATIONAL ECONOMIC COMMITTEE HEARINGS AS OF JULY 3, 1941

	Received	On hand	Sold	Price per single copy	Total
Part 1. Economic Prologue	2,727	220	2,507	$0.25	$626.75
Part 2. Patents	1,576	236	1,340	.75	1,005.00
Part 3. Patents	1,004	[1] 0	1,004	.35	351.40
Part 3. Patents (extract)	5,213	0	5,213		
Part 4. Life Insurance	2,039	285	1,754	.50	877.00
Part 5. Monopolistic Practices in Industries, Development of the Beryllium Industry	1,003	77	926	.75	694.50
Part 5-A. Federal Trade Commission Report on Monopolistic Practices in Industries	1,003	2	1,001	.15	150.15
Part 6. Liquor Industry	1,000	210	790	.40	316.00
Part 7. Milk Industry, Poultry Industry	1,010	56	954	.75	715.50
Part 8. Problems of the Consumer	2,000	1,020	980	.25	245.00
Part 9. Savings and Investment	1,003	[1] 0	1,033	.75	774.75
Part 10. Life Insurance	1,004	140	864	.75	648.00
Part 10-A. Life Insurance	4,599	489	4,110	.35	1,438.50
Part 11. Construction Industry	1,000	548	452	.75	339.00
Part 12. Industrial Insurance	1,000	342	658	.75	493.50
Part 13. Life Insurance	1,127	456	671	.75	503.25
Part 14. Petroleum Industry	1,005	330	675	.75	506.25
Part 14-A. Petroleum Industry	1,009	292	717	.75	537.75
Part 15. Petroleum Industry	1,000	362	638	.75	478.50
Part 15. Petroleum Industry (extract)	505	0	505		
Part 15-A. Petroleum Industry	1,000	384	616	.35	215.60
Part 16. Petroleum Industry	1,024	404	620	1.00	620.00
Part 17. Petroleum Industry	1,004	402	602	.65	391.30
Part 17-A. Petroleum Industry	1,000	362	638	.30	191.40
Part 18. Iron and Steel Industry	1,000	626	374	.30	112.20
Part 19. Iron and Steel Industry	1,028	611	417	.35	145.95
Part 20. Iron and Steel Industry	1,012	598	414	.35	144.90
Part 21. War and Prices	1,000	521	479	.65	311.35
Part 22. Investment Banking	1,000	663	337	.50	168.50
Part 23. Investment Banking	1,022	671	351	.65	228.15
Part 24. Investment Banking	720	391	329	.75	246.75
Part 25. Cartels	1,020	658	362	1.50	543.00
Part 26. Iron and Steel Industry	1,002	680	322	.65	209.30
Part 27. Iron and Steel Industry	1,024	725	299	.75	224.25
Part 28. Life Insurance	1,065	255	810	1.25	1,012.50
Part 29. Interstate Trade Barriers	1,089	624	465	.55	255.75
Part 30. Technology and Concentration of Economic Power	1,019	665	354	1.75	619.50
Part 31. Investments, Profits, and Rates of Return for Selected Industries	1,019	668	351	.40	140.40
Part 31-A. Supplemental Data Submitted to the Temporary National Economic Committee	1,019	445	574	.50	287.00
Total			35,506		16,614.60

CONDITION OF STOCK OF TEMPORARY NATIONAL ECONOMIC COMMITTEE MONOGRAPHS AS OF JULY 3, 1941

Monograph 1. Price Behavior and Business Policy	4,751	1,415	3,335	$0.45	$1,501.20
Monograph 2. Families and Their Life Insurance	3,229	270	2,959	.25	739.75
Monograph 3. Who Pays the Taxes	2,827	277	2,550	.10	255.00
Monograph 4. Concentration and Composition of Individual Incomes, 1918-37	3,360	765	2,595	.15	389.25
Monograph 5. Industrial Wage Rates, Labor Costs and Price Policies	1,227	[2] 0	1,227	.25	306.75
Monograph 6. Export Prices and Export Cartels (Webb-Pomerene Associations)	3,323	1,320	2,003	.35	701.05
Monograph 7. Measurement of the Social Performance of Business	2,222	372	1,850	.30	555.00
Monograph 8. Toward More Housing	2,837	800	2,037	.30	611.10
Monograph 9. Taxation of Corporate Enterprise	2,238	506	1,732	.60	1,039.20
Monograph 10. Industrial Concentration and Tariffs	2,264	0	2,264	.35	792.40
Monograph 11. Bureaucracy and Trusteeship in Large Corporations	2,757	790	1,967	.30	590.10
Monograph 12. Profits, Productive Activities, and New Investments	2,228	276	1,952	.35	683.20
Monograph 13. Relative Efficiency of Large, Medium-sized and Small Business	5,258	3,009	2,249	.50	1,124.50
Monograph 14. Hourly Earnings of Employees in Large and Small Enterprises	4,330	1,680	2,650	.15	397.50
Monograph 15. Financial Characteristics of American Manufacturing Corporations	2,901	326	2,575	.40	1,030.00
Monograph 16. Antitrust in Action	3,378	497	2,881	.20	576.20
Monograph 17. Problems of Small Business	4,314	1,985	2,329	.40	931.60
Monograph 18. Trade Association Survey	3,292	419	2,873	.50	1,436.50
Monograph 19. Government Purchasing—An Economic Commentary	2,223	636	1,587	.35	554.45
Monograph 20. Taxation, Recovery, and Defense	4,259	1,851	2,408	.35	842.80
Monograph 21. Competition and Monopoly in American Industry	2,218	[2] 75	2,143	.40	857.20
Monograph 22. Technology in Our Economy	2,216	182	2,034	.35	711.90
Monograph 23. Agriculture and the National Economy	5,327	2,234	3,093	.10	309.30
Monograph 24. Consumer Standards	2,218	405	1,813	1.00	1,813.00
Monograph 25. Recovery Plans	2,240	328	1,912	.30	573.60
Monograph 26. Economic Power and Political Pressures	4,759	1,315	3,444	.25	861.00
Monograph 27. The Structure of Industry	2,215	315	1,900	1.00	1,900.00
Monograph 28. Study of Legal Reserve Life Insurance Companies	8,307	1,985	6,322	.50	3,161.00
Monograph 28-A	2,080	412	1,568	.15	235.20
Monograph 29. The Distribution of Ownership in the 200 Largest Nonfinancial Corporations	2,673	1,249	1,424	2.00	2,848.00
Monograph 30. Survey of Shareholdings in 1,710 Corporations with Securities Listed on a National Securities Exchange	2,223	571	1,652	.35	478.20
Monograph 31. Patents and Free Enterprise	2,275	166	2,109	.25	527.25
Monograph 32. Economic Standards of Government Price Control	2,190	741	1,449	.55	796.95
Monograph 33. Geographical Differentials in Prices of Building Materials	2,217	972	1,245	.55	684.75
Monograph 34. Control of Unfair Competitive Practices Through Trade Practice Conference Procedure of the Federal Trade Commission	2,223	401	1,822	.10	182.20
Monograph 35. Large-Scale Organization in the Food Industry	2,223	[2] 0	2,223	.20	444.60
Monograph 36. Reports of the Federal Trade Commission	2,217	553	1,664	.35	582.40
Monograph 37. Saving, Investment, and National Income	3,268	1,318	1,950	.20	390.00
Monograph 38. A Study of the Construction and Enforcement of the Federal Antitrust Laws	2,215	337	1,878	.15	281.70
Monograph 39. Control of the Petroleum Industry by Major Oil Companies	5,247	2,469	2,778	.30	833.40
Monograph 40. Regulation of Economic Activities in Foreign Countries	2,223	274	1,949	.20	389.80
Monograph 41. Price Discrimination in Steel	2,297	541	1,756	.10	175.60
Monograph 42. The Basing Point Problem	2,216	454	1,762	.30	528.60
Monograph 43. The Motion Picture Industry—A Pattern of Control	5,299	3,064	2,235	.15	335.25
S. Doc. 35, 77th Cong., 1st sess	2,000	(2)	2,000	1.00	
Total			100,167		36,958.70

[1] Exhausted.
[2] These publications are being reprinted as follows:

	Number ordered	Orders scheduled
Monograph 5. Industrial Wage Rates, Labor Costs, and Price Policies	1,500	764
Monograph 21. Competition and Monopoly in American Industry	1,500	0
Monograph 35. Large-scale Organization in the Food Industries	1,000	115
Monograph 39-A. (Being printed)	1,000	25
S. Doc. 35, 77th Cong., 1st sess	2,000	447

EXECUTIVE SESSION

Mr. BARKLEY. The Senator from Massachusetts [Mr. WALSH] has just called my attention to a matter which he desires to take up. He is on his way to the Chamber. While he is coming, I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

[For nominations this day received, see the end of Senate proceedings.]

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable committee reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:
Several postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will call the Executive Calendar.

COMMISSIONER OF EDUCATION, PUERTO RICO

The legislative clerk read the nomination of Jose M. Gallardo, of Puerto Rico, to be Commissioner of Education of Puerto Rico.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

COLLECTOR OF INTERNAL REVENUE—EDWARD H. BIRMINGHAM

Mr. GEORGE. Mr. President, there is on the desk the nomination of Edward H. Birmingham to be collector of internal revenue for the district of Iowa. The two Iowa Senators are anxious to have this nomination confirmed, and, on behalf of the junior Senator from Iowa [Mr. HERRING], I ask unanimous consent that the nomination be now considered. A slight delay has been occasioned, due to the fact that when the nomination was first sent in there was an error in the name.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will state the nomination.

The legislative clerk read the nomination of Edward H. Birmingham, of Sioux City, Iowa, to be collector of internal revenue for the district of Iowa.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be notified of confirmation of all nominations acted on today.

The VICE PRESIDENT. Without objection, it is so ordered.

ARMY NOMINATIONS REPORTED AND CONFIRMED

Mr. REYNOLDS. From the Committee on Military Affairs, I report sundry nominations in the Army, and ask unanimous consent for their immediate consideration.

The VICE PRESIDENT. The clerk will read the nominations.

Mr. REYNOLDS. Mr. President, I ask that the reading of the names be dispensed with. They are routine nominations in the Medical Corps and the Coast Artillery Corps.

The VICE PRESIDENT. Is there objection to the present consideration of the nominations? The Chair hears none, and without objection, the nominations are confirmed.

Mr. REYNOLDS. I ask the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

CONSTRUCTION OF PUBLIC WORKS FOR THE NAVY

Mr. BARKLEY. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

CONSTRUCTION OF PUBLIC WORKS FOR THE NAVY

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action disagreeing to the amendments of the Senate to the bill (H. R. 3537) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. WALSH, Mr. TYDINGS, and Mr. DAVIS conferees on the part of the Senate.

EIGHTIETH ANNIVERSARY OF BIRTH OF SENATOR NORRIS

Mr. BARKLEY. Mr. President, inasmuch as the Senate will not be in session tomorrow, I desire to take this opportunity to make an observation about one of our distinguished Members who on tomorrow will celebrate the eightieth anniversary of his birth. I refer to the Senator from Nebraska [Mr. NORRIS].

I am sure there is no Member of this body on either side of the Chamber who to a larger extent enjoys the respect, admiration, and affection of his colleagues than does the Senator from Nebraska. His long public service has been distinguished. It has been characterized by an unselfish attitude, by a broad-minded and profound conception of the relationship between the Government and the people.

The Senator from Nebraska occupies a unique position in this Chamber. He is independent. He has never been hidebound by partisan considerations or by geographical limitations. He is an American by ancestry, environment, and conviction, and by public service.

Rumors are afloat, and I think the Senator himself has stated, that he will not again be a candidate for reelection to the Senate. If that be true, I profoundly regret it, as I am sure his other colleagues will.

I merely wanted today, because we shall not be in session tomorrow, to call attention to the birthday of the distinguished Senator from Nebraska; to wish for him long life and happiness, whether in public or in private life, and to assure him that in all his activities, public or private, he carries with him the affection, respect, and high regard not only of his colleagues in the Senate but of the entire country.

DEATH OF THE LATE REPRESENTATIVE STEPHEN BOLLES

The VICE PRESIDENT laid before the Senate a resolution from the House of Representatives (H. Res. 259), which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
July 8, 1941.

Resolved, That the House has heard with profound sorrow of the death of Hon. STEPHEN BOLLES, a Representative from the State of Wisconsin.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. McNARY. Mr. President, the able junior Senator from Wisconsin [Mr. WILEY] is absent because of official business. On his behalf, I submit a resolution for which I ask immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 145) was read, considered by uanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. STEPHEN BOLLES, late a Representative from the State of Wisconsin.

Resolved, That a committe of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT. Under the second resolving clause, the Chair appoints the Senators from Wisconsin [Mr. LA FOLLETTE and Mr. WILEY] as the committee on the part of the Senate to attend the funeral of the deceased Representative.

Mr. McNARY. Mr. President, as a further mark of respect to the memory of the deceased Representative I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 3 o'clock and 14 minutes

p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Monday, July 14, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 10, 1941:

United States Attorneys

Jim C. Smith of Alabama to be United States attorney for the northern district of Alabama. Mr. Smith is now serving in this office under an appointment which expired July 1, 1941.

Thomas J. Morrissey of Colorado to be United States attorney for the district of Colorado. Mr. Morrissey is now serving in this office under an appointment which expired July 3, 1941.

George Earl Hoffman of Florida to be United States attorney for the northern district of Florida. Mr. Hoffman is now serving in this office under an appointment which expired June 29, 1941.

T. Hoyt Davis of Georgia to be United States attorney for the middle district of Georgia. Mr. Davis is now serving in this office under an appointment which expired June 29, 1941.

John A. Carver of Idaho to be United States attorney for the district of Idaho. Mr. Carver is now serving in this office under an appointment which expired July 3, 1941.

Carl C. Donaugh, of Oregon, to be United States attorney for the district of Oregon. Mr. Donaugh is now serving in this office under an appointment which expired June 29, 1941.

Hon. William McClanahan, of Tennessee, to be United States attorney for the western district of Tennessee. He is now serving in this post under an appointment which expires August 11, 1941.

United States Marshals

Edward B. Doyle, of Georgia, to be United States marshal for the middle district of Georgia. Mr. Doyle is now serving in this office under an appointment which expired June 29, 1941.

Charles W. Miles, of Tennessee, to be United States marshal for the western district of Tennessee. He is now serving in this post under an appointment which expires August 11, 1941.

Temporary Appointments in the Army of the United States

To be brigadier generals

Col. Julius Ochs Adler, Infantry (Reserve).

Col. Leonard Porter Ayres, Specialist (Reserve).

Col. Frank Edward Lowe, Field Artillery (Reserve).

Col. Roy Woodson Easley, Infantry (National Guard of the United States).

Col. Eugene August Eversberg, Infantry (National Guard of the United States).

To be major generals

Brig. Gen. Maxwell Murray, United States Army.

Brig. Gen. John Millikin (colonel, Cavalry), Army of the United States.

Brig. Gen. Alvan Cullom Gillem, Jr. (colonel, Infantry), Army of the United States.

Brig. Gen. Henry Welles Baird (colonel, Cavalry), Army of the United States.

Brig. Gen. John Nesmith Greely, United States Army.

Brig. Gen. Gerald Clark Brant (colonel, Air Corps), Army of the United States.

Brig. Gen. Rush Blodgett Lincoln (colonel, Air Corps), Army of the United States.

Brig. Gen. Walter Reed Weaver (colonel, Air Corps), Army of the United States.

Brig. Gen. Lewis Hyde Brereton (colonel, Air Corps), Army of the United States.

Brig. Gen. Millard Fillmore Harmon (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. Robert L. Eichelberger (colonel, Infantry), Army of the United States.

Brig. Gen. Herbert Arthur Dargue (colonel, Air Corps), assistant to the Chief of the Air Corps.

To be brigadier generals

Col. Paul William Baade, Infantry.

Col. Walton Harris Walker (lieutenant colonel, Infantry), Army of the United States.

Col. Harold Roe Bull (lieutenant colonel, Infantry), Army of the United States.

Col. Eugene Warren Fales, Infantry.

Lt. Col. Charles Hunter Gerhardt, Cavalry.

Col. Alexander Day Surles, Cavalry.

Col. Lindsay McDonald Silvester, Infantry.

Col. Willis Dale Crittenberger (lieutenant colonel, Cavalry), Army of the United States.

Col. Lloyd Edmonstone Jones, Field Artillery.

Col. Henry Lawrence Cullen Jones, Field Artillery.

Col. Jonathan Waverly Anderson, Field Artillery.

Col. Edward Alexander Stockton, Jr., Coast Artillery Corps.

Col. James Hutchings Cunningham, Coast Artillery Corps.

Col. Thomas Hardaway Jones, Coast Artillery Corps.

Col. Edwin Bowman Lyon (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Henry Jervis Friese Miller (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Ralph Pittman Cousins (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Julian Sommerville Hatcher, Ordnance Department.

Col. Roscoe Campbell Crawford (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. Stephen Garrett Henry (lieutenant colonel, Infantry), Army of the United States.

Appointments and Promotions in the Navy

Marine Corps

The following-named lieutenant colonels to be colonels in the Marine Corps from the 1st day of July 1941:

William W. Ashurst	Maurice G. Holmes
Francis P. Mulcahy	James E. Betts
Robert M. Montague	James W. Webb
Daniel E. Campbell	

The following-named majors to be lieutenant colonels in the Marine Corps from the 1st day of July 1941:

Frank S. Gilman	Benjamin W. Atkinson
Francis I. Fenton	William L. Bales
Gerald C. Thomas	Gale T. Cummings
Thomas J. Cushman	Edwin J. Farrell
Clyde H. Hartsel	Julian N. Frisbie

The following-named captains to be majors in the Marine Corps from the 1st day of July 1941:

Harold D. Hansen	Alan Shapley
Jesse S. Cook, Jr.	Jefferson G. Dreyspring
Miles S. Newton	David F. O'Neill
Archie E. O'Neil	John C. Munn
Allen C. Koonce	Jaime Sabater

The following-named second lieutenants to be first lieutenants in the Marine Corps from the 2d day of June 1941:

Carl J. Fleps	Hugh M. Elwood
Raymond H. George	Thomas L. Lamar

Marine Gunner George F. Haubensak to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant, from the 12th day of June 1941.

Marine Gunner Charles M. Adams to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant, from the 22d day of June 1941.

Work Projects Administration

Charles P. Casey, of Illinois, to be Work Projects Administrator for Illinois, to be effective July 16, 1941, vice Howard S. Drew.

Securities and Exchange Commission

Edmund Burke, Jr., of New York, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1944, vice Leon Henderson.

Reconstruction Finance Corporation

Henry A. Mulligan, of New York, to be a member of the Board of Directors of the Reconstruction Finance Corporation for the unexpired term of 2 years from January 22, 1940, vice Emil Schram.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 10, 1941:

Puerto Rico

Jose M. Gallardo to be Commissioner of Education for Puerto Rico.

Postmasters

Kentucky

Fulton L. Gosney, Alexandria.
Henry W. Stewart, Campbellsburg.
George M. Beasley, Russellville.
Leonard Horton, Waynesburg.

New Jersey

William P. Major, Bergenfield.
Stephen N. Roche, Gibbstown.
Ruth F. Ballentine, Peapack.

Collector of Internal Revenue

Edward H. Birmingham to be Collector of Internal Revenue for the District of Iowa.

Appointments in the Regular Army

To be first lieutenants, medical corps

Abram Salmon Benenson
Robert Jacob Brotchner
Clarence Raymond Brown
William John Brown
Angel Antonio Cardona
Adolph David Casciano
Edwin Stow Chapman
James Park Dewar, Jr.
Ivan Charles Dimmick, Jr.
Hugh Beauregard Disharoon
Jack Leslie Doughtie
Donald Harry Earl
John Ficicchy, Jr.
Wright Addison Gates
Lucio Ernest Gatto
David Gold
Stephen Lawrence Gumport
Robert Morris Hardaway 3d
Joseph Raymond Henry
Thomas Shetrond Hershey
Courtland Stillings Jones, Jr.
Irving Richard Lyman
Walter Henrik Moursund, Jr.
Henry Stoddert Parker
John Sugden Paul
Raymond Lancing Pendleton
Kenneth Eugene Pletcher
John Sidney Rice
Walter Albra Ricker, Jr.
Harold Leslie Robinson
Joe Dulaney Schutz
Edward Norton Schwartz
Julian Marlow Sether
Other Franklin Speaker
Matthew Anthony Surrell, Jr.
Carl Frederick Tessmer
William Gregory Thalmann, Jr
Frank Henry Thone
Edward Henry Vogel, Jr.
Weldon Joseph Walker
James Hadley Wells
Charles Fore Wilkinson, Jr.
George Howard Wood
Otto Albert Wurl

To be second lieutenants, coast artillery corps

Andrew John Ball
William Victor Downer, Jr.
Thomas Bennett Mechling
Joseph Theodore Materi
William Warren Neely

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 10, 1941

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, Thou art ever with us, breathing Thy divine presence. We beseech Thee as watchers in the night waiting for the morning, so may we wait and rejoice in the coming peace of the future. We pray Thee to strengthen those who are weak, lift up the heads of those who are bowed down and interpret Thyself to those who are overburdened, that they may not be afraid. We do not ask to be free of life, but rather to be delivered from the evil which is in life, that we may walk in our various ways and appointed paths bearing in ourselves a spirit true and faithful to every trust our calling places upon us. Hasten the day, blessed Lord, when men everywhere shall live not by rivalry, nor vanity, but when the teaching of our Saviour shall be discerned in love, in culture, in virtue, in mutual fidelities and thus serve the higher uses of life. Glorify Thyself, O God, by such an outpouring of divine power upon the souls of men that they shall declare: Behold Thou dwellest among Thy people and Thine shall be the praise forever. Through Christ, our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD a telegram I have received from Rev. O. W. Robinson, of Newport.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SATTERFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address delivered by me at Virginia Beach.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include an address by Mr. Walter S. Tower, of the American Iron and Steel Institute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article by Mr. Richard L. Neuberger.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

[Mr. SMITH of Washington addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article in the July number of American Investor on taxation.

The SPEAKER. Is there objection?

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein two short resolutions adopted by certain civic bodies in Michigan on the St. Lawrence seaway.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an address by Gov. Charles A. Sprague, of Oregon.

The SPEAKER. Is there objection?

There was no objection.

THE LATE HONORABLE H. K. EVANS

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, I have the painful responsibility of announcing to my colleagues this morning the untimely death of a former Member of Congress, Judge H. K. Evans, of Corydon, Iowa, who passed away last evening.

Hiram Kinsman Evans was born in 1863 while his father was in the Army serving at the siege of Vicksburg. He served successively as county attorney of Wayne County, a member of the Iowa Legislature, a member of the board of regents of the State University of Iowa, and district judge for 18 years. He was elected to the Sixty-eighth Congress of the United States from the old Eighth District of Iowa, most of which is now in the district which I have the honor to represent, succeeding Hon. H. M. Towner, who resigned to become Governor of Puerto Rico. Judge Evans was in failing health and did not seek reelection, although his party held a safe majority in the district at that time. After his retirement from Congress he was appointed to the State board of parole, a position he filled with honor for 6 years. He was an able lawyer, an upright citizen, a brilliant public speaker, a couragecus and conscientious legislator, a devout Christian gentleman, and truly one of God's noblemen. For 40 years he has been one of the outstanding men of Iowa.

EXTENSION OF REMARKS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include therein two resolutions adopted by the Townsend Club of Carthage, Mo.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENNETT. Mr. Speaker, I also ask unanimous consent that a petition signed by 2,016 residents of Jasper County, Mo., praying for the passage of H. R. 1036 be referred to the Committee on Ways and Means.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARNESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the Wabash Plain Dealer of June 3, 1941, on the subject of Keep Our Boys Out of European War.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARNESS. Mr. Speaker, I also ask unanimous consent to include a letter from the Wabash Plain Dealer, giving the results of a poll on war.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ARMY DISCIPLINE

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. NORRELL. Mr. Speaker, I had a long-distance telephone call a few moments ago from my district advising me that General Lear is still on the golf links. He issued a statement to the press advising that—

> The misconduct of the unit subjected to discipline was directed at young ladies and civilians on the golf links. The action called for prompt and immediate action. I saw fit to take action.

If my information is correct, the troops, members of the One Hundred and Tenth Motor Transport, were passing by a golf course headed for Camp Robinson, Ark. Some of these boys yelled appreciatively at the girl golfers as well as the man on the links, saying "Hello girls" or something similar and "Hey, Buddy, don't you want a caddy?" The punishment as disclosed yesterday was dispensed to them.

Mr. Speaker, there was one soldier found lying prostrate upon one of the main arterial highways of Arkansas near death on account of exhaustion. The punishment was too severe. The soldiers committed no crime, undoubtedly the boys failed to recognize the general as he was not in uniform. I know that the matter of discipline must be vested in our military men, but they should not punish our fine boys for nothing. They should not punish too severely.

Standing as we are now, on the brink of war, General Lear is still playing golf. He was seen on this same field yesterday playing another game. I hope the boys did not disturb the general and his partners in this game. I think the House ought to call for an investigation. Do we need generals like him?

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial on an almost forgotten document, the Declaration of Independence.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ARMY DISCIPLINE

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FADDIS. Mr. Speaker, regarding this incident of the disciplining of soldiers for laxity in conduct, I rise at this time to state that I do not believe it is a matter for the House of Representatives. I am sure that neither this country nor any other can form an army that will be able to meet the conditions the army we form may have to meet if the House of Representatives is going to undertake to regulate what the officers in that army do to enforce discipline. This is not a matter for the House, it is a matter for the officers of the Army. An army without discipline will be a mob.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the Pittsburgh hospital strike.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEFERMENT OF MEN BY AGE GROUPS UNDER THE SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. MAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill, S. 1524, with Mr. BLAND in the chair.

The Clerk read the title of the bill.

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, in my judgment this bill is of vital importance in the defense of America.

Strikes in national-defense industries have for many months constituted one of the most serious problems confronting our Government. With billions of dollars having been appropriated by Congress for defense and our military and naval experts warning us that speed was of the essence and that every day and every hour counted in the preparation for our defense, yet by reason of a large number of strikes in various defense industries, the defense program has been retarded and slowed down, and our production of planes, munitions, and other defense articles has been greatly reduced as a direct result of these strikes.

In April a statement from the Labor Division of the Defense Commission to the Naval Affairs Committee of the House estimated the number of man-days lost in strikes in defense industries amounted to 2,583,441 man-days.

While I do not have the figures to date, on June 15 there had been approximately 4,000,000 man-days of idleness in defense industries.

The gravity of this situation is apparent to everyone, and I think that the American people are aroused and are all agreed that something must be done to prevent the slowing down of the program which we are carrying on for the defense and the preservation of America. There has been much talk about it, but the time for talk has passed and the time for action is at hand.

The right to strike in normal times no one will deny, and collective bargaining must be and will be preserved; and the Government, in order to protect the rights of labor and industry, has set up the National Defense Mediation Board to determine the merits of those controversies without causing a stoppage of work; but in some instances the action of the Mediation Board and the orders of the leaders of the labor unions to proceed with work have been disregarded, evidencing a flagrant and reckless disregard for the Nation's welfare.

The laborers in America as a whole are patriotic and are anxious to do their bit in preparing for our defense, and I am convinced that it is not the fault of the masses of those who labor that these strikes have taken place. Some have been wage disputes, some have been jurisdictional strikes between labor unions, some have doubtless been caused by the unreasonable attitude of industry, and others have been inspired by a small communistic group acting on orders from foreign governments, but the American people for the moment are not so much interested in the cause of this dilemma as its prevention.

I am glad the committee has reported out the bill which we are now considering, which is intended to prevent stoppage in defense industries. I find myself, however, in disagreement with the substitute offered by the committee for the Senate bill.

Section 2 of the Senate bill was the same as the Connally bill, introduced by Senator CONNALLY, of Texas, and I introduced at the same time a bill in the House (H. R. 4989) on June 6, which is practically identical to section 2 of the Senate bill which the committee has stricken out and substituted the pending House amendment.

I believe that section 2 of the Senate bill is preferable, and I intend to vote, if opportunity is offered, to substitute section 2 of the Senate bill for the pending House bill. I do this, not merely because it would conform to the bill introduced by me but because I believe that that is the best and most effective method of dealing with strikes in defense industries. All of the proposed legislation is in the nature of an amendment to section 9 of the Selective Service Act.

Section 9 of the Selective Service Draft Act provides for the Government of the United States under certain conditions taking over certain industries when certain contingencies arise, such as the fact that the manufacturer charges too much, that he will not yield to priorities, and certain other things of that kind. Section 9, however, was not quite comprehensive enough to take care of the situation of a stoppage on account of strikes, a difference of opinion between the plant operators and the employees. So Senator CONNALLY, on June 5, introduced his bill in the Senate and I introduced a similar bill in the House. Two or three days after those bills were introduced the situation in the North American Aviation plant at Inglewood, Calif., grew so tense that the President exercised his authority to take the plant over, exercising the very same authority and the same plan set out in the Connally-Johnson bill.

It is claimed that the Connally bill will force men to work. That argument was made by one of the Members yesterday. That is not the case. The Connally bill is fair to both labor and capital. It does not say, "You shall not strike." It does not say, "You must work." It says that if the situation reaches that stage where production is stopped by reason of a difference of opinion, a disagreement, between the operators and the employees, the Government shall take the plant over and shall have the power to operate it.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I am sorry; I have no time.

Mr. HARNESS. I wish to correct a statement the gentleman just made.

Mr. LUTHER A. JOHNSON. If the gentleman will get me 5 minutes from his side, I shall be glad to yield.

Let me point out a serious defect in the substitute bill reported by the Military Affairs Committee of the House.

In section 3 of the House bill it is provided that—

> The President, if he finds that the exercise of such power and authority is necessary or desirable in the public interest, shall order such plant or industry to resume production immediately.

And it provides that the President shall have power, through the heads of the War and Navy Departments, to enforce such order, but it is not provided how such order shall be enforced. What if the plant or the laborers shall refuse to work, how shall the President's order to resume production be carried out? This provision is nullified by a later provision in the same section, as follows:

> Nothing contained in section 9a hereof shall be construed to authorize the President or any Government agency to seize or operate any plant or industry.

The only effective power that the President would have to carry out resumption of production would be that if the employees should refuse to work the President would have the authority to seize and operate the plant. It does no good to confer authority on the President and then take away from him the power to execute, which the House bill does, by depriving him and those under him of the authority to seize and operate the plant if production stops.

The Connally bill does not have this defect. It is simple, it is workable, and it will get results. It is the same plan that was used in the North American Aviation plant by the President, and that plant has now been returned to the owners and work has been resumed, and that is what the Connally bill, or section 2 of the Senate bill, provides—that a plant shall be immediately returned to its owners whenever the President determines that such plant will be privately operated in a manner consistent with the needs of national defense. Section 2 of the Senate bill, which I advocate, is endorsed by the War Department, it was endorsed by the Senate by a vote of 67 to 7, and the substitute, as I understand, is by a divided committee. While there was no minority report, I understand that a substantial number of the members of the House Committee on Military Affairs favor the Senate bill, and I hope it will be adopted. If the parliamentary procedure should preclude a vote on the Senate bill, I shall vote for the House bill, as I am anxious to do everything possible to stop strikes in national-defense industries.

[Here the gavel fell.]

Mr. ARENDS. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Chairman, the title of Senate bill 1524, "to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940" is in a sense a misnomer. Were this bill confined to amending the act of 1940 by excluding men from training and service under the age of 28, it would pass this House by unanimous consent. However, this bill contains other provisions which could be used to enforce the open shop by the military forces of the Government.

It is regrettable that the Committee on Military Affairs has resorted to this means of legislative procedure which is a reflection and a threat to millions of loyal American working men and women.

The acts of some so-called labor leaders are being used to discredit the entire labor movement making it possible for a militant minority group of greedy, avaricious employers to promote this type of legislation. The vast majority of employers of labor in this country are broad-gaged Americans who believe in the principle of live and let live with a decent standard of hours and wages. There is, however, another class of employers who are never satisfied unless they are taking the last drop of sweat out of their employees. This selfish group has opposed every humanitarian law that has ever been passed by Congress or by any State in the Union and, if they could, would repeal or nullify each and every one of them.

Mr. Chairman, within the past 2 weeks the Mediation Board appointed by the President consisting, in part, of representatives of our largest industries, went on record in favor of closed shops. Contrary to this established policy sections 9–A and 9–B of this bill could be used to invoke the open shop through the use of the Army and the Navy.

Mr. Chairman, if this bill is enacted into law containing these sections—just so sure will a minority group of selfish employers who place profits above patriotism deliberately stir up strife in their plants for the sole purpose of invoking the open shop.

There is not an unprejudiced mind here or elsewhere who has not praised the splendid work of the Conciliation Service of which Mr. John R. Steelman is chairman. The same can be said of the Mediation Board and credit should be given to these two splendid organizations which have been so successful in settling labor disputes.

Mr. Chairman, I yield to no one in my desire for adequate national defense, but it is my considered judgment that the public welfare will not be best served by the passage of this bill in its present form. Those who favored taking the settlement of labor disputes out of the able and efficient Conciliation Service and the Mediation Board should in fairness to all concerned, have presented sections 9–A and 9–B of this bill to the Congress as a separate measure and let it be judged on what it represents. This unfair and unjust way of passing antilabor legislation has been tried before and defeated. It is my sincere hope that the provocative sections 9–A and 9–B, which will create unrest and distrust among millions of honest, upright, and loyal American workers will be stricken from this bill.

Mr. ARENDS. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, S. 1524, authorizing the deferment of certain groups under the Selective Service Act of 1940, was passed by the Senate some weeks ago. This measure came to the House, and was referred to the Military Affairs Committee of the House. After some hearings, this committee struck out all after the enacting clause of the Senate bill and reported an amendment, amending section 5e and section 9 of the Selective Training and Service Act. This is now called the May bill.

Section 5e defers the training of all draftees who were 28 years of ago on July 1, 1941, and all who will become 21 years of age on the 1st day of July each year thereafter, but who have not been inducted into the service. I favor this provision of the May bill, and it has practically the unanimous support of the membership of the House. There really is no opposition to this section.

The May bill was reported by the House on June 17, 1941, and it could have been passed almost any day by unanimous consent before July 1, 1941, if certain other highly controversial provisions had not been included in the May bill, relating to industry and to labor, and in my opinion they also included agriculture and commerce.

The testimony of General Hershey of the Draft Board shows that 66 percent of all those who registered for the draft or have volunteered and have been accepted by the naval and military forces, were under 25 years of age. About 24 percent were secured from men between 25 and 30 years of age. Under the present law, the draft age extends from 21 to 36 years. Only about 10 percent of those draftees who were called and accepted, came from those between the ages of 30 and 36 years. About 90 percent of those who have been inducted into the service either as draftees or volunteers, were less than 28 years of age.

It appears on the whole that the training of those in the draft between the ages of 28 and 36 should be deferred until such time as Congress decides that they should be again included.

I voted against the Conscription Act. One of my objections to the act was that it involved every boy and man who was between the ages of 16 and 36, nearly 25,000,000 in all. The effect of the Draft Act was to throw a great barrier across their lives. They could not plan their education, business, or other personal affairs as they could not say when they would be called into service. The Government can secure millions of men, able-bodied men, between the ages of 21 and 28 years.

I have always believed and I still believe that if the President had announced to the country that the United States would not fight any war except in defense of the United States and the Western Hemisphere and that this Nation would not become involved in the wars and quarrels of Europe, Asia, and Africa, and our soldiers and sailors would not be called upon to fight and die in foreign lands and on foreign seas, and had called upon the young manhood of this country to volunteer for its defense, there would have been and still would be more volunteers than could be used for the defense of our country.

The Military Affairs Committee, which reported the May bill, added sections 2 and 3 that are highly controversial. Sections 2 and 3 undertake to give to the President additional and unnecessary powers over industry, labor, agriculture, and commerce. These highly objectionable sections of the bill no doubt were attached to the section deferring the draftees in the belief that the popularity of that section would enable the administration to secure these additional extraordinary powers and further regiment industry, labor, agriculture, and commerce.

These additional powers are unnecessary to promote the national-defense program. The President has ample power. I strongly favor our country being thoroughly prepared to defend itself successfully against any nation or nations that might attack us or even the Western Hemisphere. I have voted for every dollar that the administration has asked for. I am greatly concerned because of the power that the President has asked for and has been granted by the Congress, and I cannot in good conscience vote to give to the President the powers that are provided in this bill.

UNNECESSARY AND WILL CREATE SUSPICION AND DISCORD

Section 9 of the Selective Training and Service Act of September 1940 grants to the President extraordinary powers to seize and operate any plant and to seize any material, equipment, tools, or supplies that in his opinion may be useful in the national-defense program, and if the owner or owners of said plant, material, equipment, tools, or supplies does not co-

operate with the Government they are subject to a fine of $50,000 or imprisonment for 3 years, or both. That is as much power or more than has been given to any President even in wartime in the history of this country, yet the administration is not satisfied.

Section 2 compels industry to submit each and every one of its disputes to the Conciliation and Mediation Boards set up by the President himself; and, of course, if they do not submit, the President may take over the plant, as provided in section 9 of the original act, and they will be subject to a fine of $50,000 or 3 years' imprisonment, or both.

Now, is this additional threat necessary to secure the cooperation of industry? Has industry failed to cooperate in carrying out the defense program of the administration? I wish to call the attention of the Members of the House to a report of the Military Affairs Committee filed in support of the bill before us. The Military Affairs Committee had made, as I understand, a very thorough investigation of our national-defense program and many related subjects. On page 2 of that report we find this language:

> From the evidence it is apparent to your committee that private industry has without exception cooperated to the fullest degree with both the War and Navy Departments and all other agencies of the Government engaged in the program of rearmament now under way by this Government.

Industry has cooperated—not 80 percent or 90 percent, but 100 percent—and the committee says "without exception" and "to the fullest degree" with both the War Department and the Navy Department and all other agencies of the Government engaged in the production of rearmament.

Mr. DONDERO. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to my friend from Michigan.

Mr. DONDERO. I am in accord with what the gentleman says. May I say that I called Mr. Knudsen, of the O. P. M., 2 or 3 days ago and I asked him if there was a single case on record where an employer failed to cooperate with the Government. He said there was none.

Mr. ROBSION of Kentucky. I wish to state that Mr. Knudsen, Mr. Hillman, and others in charge of our national-defense program appeared before our Judiciary Committee and they stated that they had had the finest cooperation from industry, management, and labor and they had no complaint to make. Under Secretary of War Judge Patterson made substantially the same statement to our Judiciary Committee and also to the Military Affairs Committee.

Now with that kind of fine spirit of cooperation, why should we write section 2 into the law to create distrust, suspicion, and discord? Rather, should we not commend them for their splendid, patriotic cooperation?

I am advised that an amendment will be offered to strike section 2 from the May bill when the bill is read for amendment, and I intend to vote to strike it out.

Mr. MAY. Will the gentleman yield?

Mr. ROBSION of Kentucky. Yes; but my time is limited.

Mr. MAY. I was going to state to the gentleman that this provision was not to browbeat industry but to give just a little bit of authority to the Mediation Board in order that they might settle by mediation rather than by strikes, fights, and lock-outs.

Mr. ROBSION of Kentucky. You as chairman of the committee filed the report that I have read from in which you state that industry has cooperated without a single exception to the fullest degree. Section 2 gives not a little authority but extraordinary powers.

Under section 9 of the original act, the President can take over any plant, any material, tool, equipment, or any supplies. Is that not enough authority? This section 2 carries the heavy penalties provided in section 9—$50,000 fine or 3 years' imprisonment, or both. When any group of people in this country are cooperating without exception and to the fullest degree, why threaten them? We are not at war yet. This is supposed to be a democracy. This is not a totalitarian government where people are driven with the bayonet.

SECTION 3 DANGEROUS TO INDUSTRY, LABOR, AGRICULTURE, AND COMMERCE

I call your attention to some significant language in section 9a of section 3 of the May bill that in the event of stoppage of production through subversive influences or otherwise, the President may order the War and Navy Departments to take charge of any such plant as police officers. Now the sponsors of this bill say that they are merely undertaking to authorize the Army and Navy to take charge of plants if production is stopped through subversive influences. If this language went no further and if subversive influences were defined, it would remove a lot of objection to this section. If "subversive influences" should be defined as Communists, Fascists, Nazis, or other alien enemies of the United States who are engaged in sabotaging our national-defense program and injuring our own country and working in the interest of our enemies, there is not a Member of this House who would not be willing to do whatever might be necessary to curb such influences and protect our country. We have passed acts for such protection, but like much of the legislation that comes before us, language is used to grant unlimited powers to the President.

You will observe that the bill reads "that in the event of stoppage of production through subversive influences, or otherwise." I am inviting your attention especially to those words "or otherwise." The words "or otherwise" make the sky the limit. If the plant should stop for any reason—good, bad, or indifferent—this language would authorize the President to take it over if he desired to do so. This net would catch the just as well as the unjust—the honest, faithful, patriotic worker as well as the subversive enemy.

Under this section the War and Navy Departments under the direction of the President could take the plant over but would not have to operate it under this section, but could under section 9 of the original Selective Service Act. In a large plant, a small group of Communists or other subversive enemies might bring about a stoppage of the plant. The President could order the company to resume operations even without sufficient manpower and could bring about a bankruptcy of the company. This section could result in great injury to the owner or owners of the plant.

On the other hand, if the owner were a selfish man and were the enemy of labor, there is nothing in this section to require the owner to take any of the men back. He could refuse to permit the return of the most faithful and patriotic worker in his plant. This section would protect only those workers that the management would take back and who desired to work.

This is a dangerous section to management as well as labor. Our friend the gentleman from Kentucky [Mr. MAY] says this is a great bill for labor, yet there are some of the proponents of this measure who have charged that some of the opponents of this bill are against it because labor is against it. The committee did not hear a single businessman or the representative of any business organization, or the representative of any farm organization, or the representative of any of those engaged in transportation. It did not give an opportunity to be heard to the railroad workers, the A. F. of L., the steel workers, the automobile workers, the aircraft workers, United Mine Workers, the C. I. O., or any other labor group. I doubt if many businessmen know how adversely this bill will affect them. We have had a few expressions of opposition from businessmen. No one has expressed approval. It is charged, and it is true, that all of the railroad brotherhoods, the A. F. of L., and the C. I. O. are against this bill. No one appeared and urged this bill in its present form.

FEDERAL AND STATE STATUTES COVER SECTION 9B OF SECTION 3 OF THE MAY BILL

No doubt in order to alarm the Members of the House and to induce them to accept the other provisions of the May bill, there is written into the bill section 9b of section 3 of the May bill, wherein it says:

> It shall be unlawful to prevent or to attempt to prevent by force or violence or by threats thereof, any person from accepting or continuing in employment in any defense plant or from entering or leaving any defense plant in the course of such employment—

And the sponsors have inquired of the Members of the House if they approve of these unlawful acts or violence. If there were no Federal or State law on this subject, there might be something to their contentions. The fact is that there has been a Federal law on this identical subject for more than 40 years. It is even more stringent than the language provided in this bill.

More recently Congress has passed a number of acts, including laws against sabotage and other acts that might impede or obstruct in any way our national defense program. Every State in the Union has laws denouncing the very things mentioned in section 9b. We have plenty of laws on the books to protect every industry and every plant in this country and the workers in such plants.

The only trouble is that the present administration and the officials of some of the States have not enforced the laws.

May we urge that the administration enforce the laws that are now on the books? In order to beguile Congress to grant to the President the extraordinary powers provided in other sections of this bill, section 9b also uses this language:

> Nothing in this section shall limit the right of any person or organization to strike or to engage in peaceful picketing.

Honeyed words, beautiful phrases or threats will not cause me to grant to the President the extraordinary powers over industry, labor, commerce, and agriculture, as provided in other sections of this bill, but it has also been pointed out by the sponsors of the bill that the President can only exercise these great powers "during the existence of a national emergency or in time of war." This is an "emergency administration." We have had nothing but emergencies since the 4th day of March 1933. The President creates his own emergencies and each new emergency created by him calls for 2 or more emergencies. Who will say that there exists a national emergency? Mr. Roosevelt himself. Who is to end the emergency? Mr. Roosevelt.

We are now operating under an unlimited emergency, created by Mr. Roosevelt without constitutional right, in my opinion. We shall be in an emergency so long as he remains in office and just that long will these extraordinary powers be demanded and exercised by him.

"DEFENSE PLANT" INCLUDES EVERYTHING

Subsection 2 of section 3 of the May bill gives the definition of a defense plant as used in this bill, as follows:

> As used in this section the term "defense plant" means any plant, factory, mine, building, utility, or place engaged directly or indirectly in the production, distribution, storage, transportation, or repair of any material or article for national defense.

Some are inclined to think this measure only applies to airplane factories, automobile plants, steel mills, shell and gun factories, and so forth, but this definition covers a much wider field. It says—

> engaged directly or indirectly in the production, distribution, storage, transportation, or repair of any material or article for national defense.

This would include persons cutting timber in the woods that might go into the construction of ships, planes, automobiles, or it might include wheat or corn to be ground into flour or meal for the Army and Navy, or cotton in the cotton gin, or cattle, hogs, and sheep for the packing plants to provide meat for the Army and Navy, and it also relates to the distribution of any material or article. This includes busses, trucks, airways, railroads, and for the repair of any article, even a claw hammer or a canoe, or in providing clothing or any food or material for national defense.

It can be seen that these powers granted will cover almost every activity in industry, labor, agriculture, and commerce, and if anybody violates any of these provisions, under section 3 of this bill they are subject to a fine of not more than $5,000 or not more than 5 years of imprisonment or both. I am unwilling to grant any man such powers.

WHO IS RESPONSIBLE?

Congress in 14 months has appropriated and authorized together more than $44,000,000,000 for national defense. This is $8,000,000,000 more than this Nation spent in the last World War when we had 5,000,000 men under arms and an expeditionary force of 2,250,000 men were equipped and sent to France.

Our defense program has not progressed as it should. Management of plants and industry, according to Under Secretary of War Patterson and the Military Affairs Committee, is not to blame, and we cannot lay the blame to labor in view of the stoppages we have had compared with the immense number of plants and millions of men engaged. Who, then, is responsible?

The Military Affairs Committee, after a long and thorough investigation of the trouble with our defense program, submitted a most illuminating report. It says that our preparedness program has been characterized with "confusion, failures, and unwarranted delays." It further uses these significant words:

> It was painfully apparent throughout the testimony given before the committee that a lack of coordination and the absence of a responsible head have been largely responsible for the deficiencies we are now experiencing all along the line.

This report was submitted the latter part of June. It inspired a most interesting cartoon in the Washington Evening Star of June 30, 1941. This cartoon shows the national-defense wagon with a horse marked "OPM" with no head. O. P. M. is, of course, the Office of Production Management, with the two heads, Knudsen and Hillman. These two heads do not always operate as one. The cartoon pictures Uncle Sam as saying, "He is pulling pretty good." It also pictures our distinguished chairman, the gentleman from Kentucky [Mr. MAY], stating: "Yes, Uncle; but think how much better he would do if he had a head."

I think the Military Affairs Committee and this cartoon put their finger on the real trouble for any delay or shortcoming in our defense program.

The Washington News in an editorial commenting on this report says:

> There is Mr. Roosevelt, of course, and there is Mr. Knudsen. But Mr. Roosevelt is too busy to do the job, and Mr. Knudsen hasn't been given the authority to do it. The defense set-up is spawning new alphabetical agencies so fast that Washington is outgrowing the District of Columbia at a bewildering rate, but it hasn't spawned a headman.
>
> The time is surely near at hand when Mr. Roosevelt must do as Woodrow Wilson finally did in 1918 after a period of somewhat similar confusion, bungling, and delay. That is, give to one man (as Wilson gave to Baruch) the responsibility and power to get on with the job of producing for defense and for England.

President Roosevelt is undertaking to run the whole show—foreign relations, the Army and Navy, and the production of defense supplies and materials for ourselves and for Great Britain.

HAVE WORKERS BEEN LOYAL AND COOPERATIVE?

I have heretofore read to you the report made by the Military Affairs Committee on the fine cooperative spirit of industry and management in the defense program. When Under Secretary of War Patterson testified recently before the Military Affairs Committee, Mr. Faddis, a member of that committee asked Judge Patterson the following questions:

> Mr. FADDIS. Well, the facts are to that effect—that, as far as the laboring element is concerned, they have not cooperated to the same extent that management has?
>
> Mr. PATTERSON. The national leaders of labor and the rank and file, in my opinion, have cooperated excellently and are fine, loyal, patriotic Americans.

Mr. Knudsen, Mr. Hillman, and others in charge of production for our defense program appeared before our Judiciary Committee sometime ago and insisted that both management and labor had cooperated splendidly and they insisted that any action taken by Congress would disrupt rather than advance production.

We have more Communists than of any other subversive group in this country. Employers have given them work. They have been in plants that were organized.

The leaders of labor almost daily and nightly appear on nation-wide hookups and urge their organizations to eliminate subversive groups and to cooperate to the fullest extent with the management and the Government in promoting our national-defense program, and they have been actively engaged in weeding out these subversive groups.

We must bear in mind that there are several hundred thousand plants in this country, with somewhere between 40,000,000 and 50,000,000 workers. There is bound to be some disagreements and discord among these millions of workers and these hundreds of thousands of plants. We get headlines about those that are having labor troubles—nothing is said about the 95 percent or 98 percent that are going along, doing a splendid job without any discord or trouble. The Federal Conciliation Service and the Mediation Board have been active and, on the whole, it is considered they have done a splendid job.

If we do a real job, there must be friendly cooperation on the part of the Government, management, and labor.

Labor knows how much harm these subversive groups have done to honest, patriotic, American labor. For many days now there has not been a strike or threatened strike of any consequence anywhere in the Nation. This is a much better record than we made during the last World War. Our shipbuilding program is 3 months ahead of schedule. The Office of Production Management announced on yesterday our plane output in June totalled 1,476—an all-time high record in this country. Splendid progress is being made along other lines.

There has been more conflict in our airplane factories than in any other. This is a rather new industry for this country. The wages paid there have been very much lower than the wages paid for skilled and common labor in the other industries. It is a matter of common knowledge that these Government contracts have brought great profits to the airplane industry, to the shipbuilders, steel makers, and so forth. The cost of living has jumped by leaps and bounds.

Some of these industries undertook to keep all of these huge profits and deny to the workers a reasonable advance.

All these matters are being ironed out most effectively, considering the number of plants and workers involved. The overwhelming majority of these 50,000,000 workers are American citizens. They, too, love their country, they know the value of freedom, they are anxious to preserve it, and they are willing to do their part. This is a democracy. This is not a totalitarian government as is Germany, Italy, and Russia. This Nation has been built on the friendly cooperation of government, management, and labor. Hundreds of thousands of those who have been called into the service of our country come from the ranks of this great army of working people. Their fellow workers are interested in them.

The Dies committee and, I understand, the F. B. I. through its investigations, found there were hundreds and hundreds of Communists and members of other subversive groups holding offices and jobs under the United States Government and paid by the taxpayers of this Nation. Many of them hold key positions. Labor is cleaning house and getting rid of its subversive groups. Let our Government do likewise, and let the Government assist our citizens in getting rid of these groups.

The strike that has been publicized more than that of any other was that of the North American Aircraft Corporation in California. The workers there struck in defiance of the leaders of their organization. The President called out the Army to take charge. That action was applauded by the labor people involved, and labor generally.

What caused that strike? According to press reports, a man by the name of Frietag was in charge. He was an alien and a Communist. He had a few alien Communists to help bring about that disruption in that plant. The Government is not free from blame. Frietag was not only an alien and a Communist but he had also been convicted twice of serious felonies. Under our laws he could have been deported because he was an alien and a Communist, and for the added reason that he had been convicted of felonies. If the immigration authorities had done their duty they would have sworn out a deportation warrant for Frietag and his alien-communistic associates, and if that had been done it would not have been necessary to call out the Army.

We now have thirteen hundred Russian Communists in this country who have been tried and convicted and ordered deported, and about 500 Fascists, but they have been in this country for a long time, and they are still in this country. They are considered dangerous aliens. The Government has not deported them, and neither has it taken steps to confine them.

Mr. ARENDS. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, there is more to this bill and to the force and methods used to oppose it than appears on the surface. For more than 10 days representatives of organized labor have been here in Washington opposing, first, the Vinson bill and now certain provisions of this bill.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I will.

Mr. ARENDS. It might be of interest for the gentleman to know that only a year ago in this House only 20 votes were cast against the deportation of Harry Bridges, and now we find Harry Bridges in Washington very actively engaged for the purpose of defeating this piece of legislation. It would seem that we vote to deport a man and yet at other times many Members will vote for what he wants.

Mr. HOFFMAN. Of course, every movement and every cause has its hangers-on, and Harry Bridges in no way, in my judgment, represents labor in this country, and these gentlemen, officials of the C. I. O., some of them from my State, who called on me and spent at least 2 hours in my office stating their views, they do not represent the average American worker any more than Wendell Willkie, the barefoot boy from Wall Street, represents the sentiment of the people of Indiana, and do not think that they do. They represent themselves to a greater degree than they speak for the average worker.

Here is the point I am making. The gentlemen sitting here in this Congress today, if this Congress does not adopt some legislation curbing and restricting the power of union officials, making unions accountable for the money they collect, and for the manner in which it is spent, if they continue to sit here, will sit here as the mouthpieces of those union officials. Now, think that over. In the old days it was said Wall Street, vested interests, controlled Congress. In the days to come, and soon, unless unions are limited in their activities, they will impose their will upon Congress.

Henry Ford has signed a closed-shop contract, with the check-off, and every month from the Ford Motor Co. will go around $150,000 into the treasury of the U. A. W. A. in the city of Detroit. That is one instance. It can be multiplied, and the money which will be collected by those organizations will amount not to millions, but according to the investigation over on the other side of the Capitol, billions of dollars.

Do you realize that there is no restriction whatever imposed by Congress or by law upon the collection or the expenditure of that money? Do you understand that these organizations, through their officers, can go into your district and, without violating any law, spend $100,000 to defeat you and to elect your opponent, who pledges to become their servant? Do we as Congressmen want independence hereafter? Do we want in Congress men who represent the people of their districts or men selected by and who serve only organized labor or its officers? If we do want true representatives of the people, having passed the Hatch Act and having passed the Corrupt Practices Act, it is about time that this Congress takes cognizance of what will happen in the very near future if union officials are permitted to collect and spend for political purposes millions of dollars.

The other day the genial and kindly gentleman from Wisconsin charged in substance the committee which brought in this bill with bringing in a bill with some of the attributes of a harlot and prostitute. He said that the bill was planned, like a prostitute, to deceive. I know of no one in this day and age who is ever deceived by a prostitute or who does not know what she is about. There is not one word of deception in this bill; not one. There has been a great deal of misrepresentation and many misstatements made here in debate. The bill has been said to be many things which it is not. I would not be so unkind, so inaccurate as to charge that any Member of this body even listened, contrary to his judgment, to the solicitations of these gentlemen who are here as lobbyists, as they have a right to be. I am sure that no Member of this House would be influenced in the slightest degree; no; not the slightest degree, by the threat of these gentlemen that if Members voted for this bill as it is written they would not come back. We all know that we all—yes; each and every one—have the courage of our convictions. We all know that we are free and independent in our judgment; and in our votes we serve the best interests of our country as we see it. We are loyal and patriotic. Far be it from me, and I hope that no one else anywhere in the country will even hint in any way, not even in the remotest degree, that the fact that the C. I. O. or A. F. of L. national organizations are down here opposing this bill and threaten to defeat us would influence us in our action on it. Of course not. Or would it? We listen to them just for the substance that there may be in their arguments. Their threats, the statements that they represent hundreds of thousands of voters and that they will "get" us do not even register. Or do they?

Now, what arguments are advanced against this bill? It is said that it is an antistrike bill. I challenge any Member of the House to point to one word in this bill which prevents a man striking. It is not there, is it? Of course not. Lines 23, 24, 25, on page 6, state that—

> nothing in this section shall limit the right of any person or organization to strike or to engage in peaceful picketing.

What does the bill do? Over on page 6 it provides that if there is a strike or if men quit work, and if there are other men who are loyal and patriotic, men who are satisfied with their work, men who want to make the shoes and the guns and the clothing, or any of the things that are needed by your boys who are in training or who are in Iceland—if someone connected with Sidney Hillman's organization wants to make overcoats to protect those boys from the cold up there and if the union officials say that no overcoats shall be made unless they are made by workers belonging to a particular organization, then if this bill passes as it is written, those men who are loyal, those workers who want to work, who wish to contribute their portion, their part to the national-defense program, who want to make the things your boys need, may have the aid of the United States Army. To do what? To prevent union labor from working? Oh, no; no.

They may have the aid of the Army to go through the factory gates to make the overcoats for the boys in Iceland.

Now, what is wrong with that? Tell me. Is there anything wrong with that? Explain to the fathers and mothers of the soldier boys who needed overcoats and shoes and warm clothing why you were not willing to vote to protect the men and women who wanted to make these things for them. Why you would not vote to open the picket line. Here are some pictures. I had them here before. They show the violence at the Ford plant. The record of the War Department shows that more than 1,000 men who were not employees at the Ford plant, many of whom were Communists, pledged to the overthrow of this Government by force, for 3 days walked the streets surrounding the plant and blockaded those streets, and beat defenseless citizens and prevented them from going through the gates. Now, who favors that? Is there anyone here on the floor, is there anyone in this Nation of ours, is there any honest workingman, any patriotic man who believes that that practice should prevail? This bill would end that practice. Is a vote against that section a vote in favor of violence? Oh, but the gentleman yesterday said, "There is a rotten apple in the barrel. Are you going to condemn the whole barrel?" Oh, no. But you are not going to leave that rotten apple in there, are you? This bill would get a few of the rotten apples out of the labor barrel. This law is proposed, as other laws are proposed, for the purpose of taking care of the exceptional, the unusual, the few—the very, very few in the ranks of organized labor who prefer unionism to national defense. As well might we say that because a majority of the people do not steal, or get drunk, or commit this, that, or the other offense, we should have no laws against such things.

Another argument is made here, and it was presented to me on the street by three C. I. O. leaders last week, and the gentleman pulled a card with figures on it out of his pocket, and in the RECORD, page 5907, we find a similar statement, and said, "Look at the profits that these great corporations have made." Very well. Look at the profits.

We will assume for the sake of argument that those profits are unjustifiable, that they are outrageous, that they indicate a desire to profit exorbitantly at the expense of the national-defense program. What is the remedy? To increase the wage of the workers in that particular industry? And I said to this C. I. O. man: "You spoke of the aircraft company." I said: "Your proposition is that this industry is profiting to too great an extent, unconscionably profiting." He said: "Yes." I said: "Your remedy is that you should have higher wages?" He said, "Yes." "Then," I said, "your proposition boils down to this, that the corporation having robbed the Government, you want a share of the loot."

Is not that what the argument amounts to? An increase in wages is not the remedy. The remedy is to prevent the corporation's taking that amount of profit. Do you follow through? If you continue to raise wages 10 cents an hour today, 3 months pass by and the wages have been raised again on the demands of the union made in spite of a contract—if this practice is continued it follows, does it not, inevitably that you get less national defense for your money?

The morning paper tells us that the President is going to ask for another $7,000,000,000, or thereabouts. When, when are we to quit appropriating without demanding honest spending and fair treatment? And when are we to insist that we have some degree of economy? Are we to permit a combination of labor and industry to continuously raise the cost of defense—to day after day give us less for the taxpayer's dollar? The gentleman from Michigan [Mr. ENGEL], who has done a wonderful service here in bringing to the attention of Congress the waste and extravagance in connection with the expenditure of these vast sums, has pointed these things out to us. It is idle, it is foolish, is it not, for us here to appropriate billion after billion and then let the cost be raised from day to day? Does not organized labor—and I say it does—know that every time they increase that cost they limit the sum total of production?

You get less for the same dollar if you keep raising the wage. Do you think for one moment that the average American worker would strike and close a factory for a 10-cent-an-hour increase if he realized the situation? So far as I am concerned I have more faith in the patriotism, the common sense, the loyalty of the average American workingman than do some of those who on this floor have expressed the sentiment that if you pass this bill we would have rebellion from workers and we could not get production. I would be willing to give a copy of this bill to every worker, let him study it for a week. It is my guess and firm conviction that 7 out of 10 at least, if not 9 out of 10, of those men would say, "Sure, we have not the slightest objection to this bill."

Do you recall the first paragraph of this amendment to which objection is made? What does it do? Why, you have a Mediation Board; on it you have Hillman, you have Phil Murray, two men who are in the pay of the C. I. O. Now, forget if you can that old admonition that no man can serve two masters. All that first section does is to require that organized labor submit its dispute to and comply with the orders of the Mediation Board. What is wrong about that? That Board was created by labor's friend. That Board was created by a man who received a contribution of more than half a million dollars to his campaign fund from organized labor. It was created and it is controlled by a man who on every possible occasion has shown his partiality for organized labor. Is there any reason why labor should not be willing to submit its disputes to the law?

Is there any reason why organized labor should ask the Federal Government, as an employer, to give it work, pay it wages, and then refuse to obey the law of the land while insisting that it continue to receive the benefits given it by others laws, such as the wage-hour law, the National Labor Relations Act, and the Walsh-Healey Act?

With labor in control of the Defense Mediation Board, why should it refuse to utilize existing governmental conciliation and mediation facilities as outlined in lines 6, 7, and 8 of section 2 on page 5?

I will concede that if the overwhelming majority of organized labor had its way there would be no need for such a law as this, but the morning papers cited a half dozen strikes which are holding up and interfering with national defense.

Just the other day in St. Louis, Mo., the notorious ex-convict, Buck Newell, held up a defense project to force the employment of two hoisting engineers. In the same city some 2,100 A. F. of L. men walked out on another defense project because W. P. A. workers were employed on the same job. The A. F. of L. men want, and my understanding is they get, $1.50 per hour. The W. P. A. men, unfortunate as they are, unable to find jobs elsewhere, apparently given jobs by a kind Government, paid by the Government 60 cents an hour out of taxpayers' money, the A. F. of L. insist be driven off the job.

It has always been supposed that unions were formed and existed for the purpose of improving, bettering, the conditions of workers. Yet in this instance we find a union, its members well paid, in fact, handsomely paid when their wages are compared with that of the farmer and millions of white-collared workers, holding up national defense because the Federal Government, without whose existence they themselves would have no jobs, extends a charitable hand, through the W. P. A., to men less fortunate.

We need this law because of the greed, the selfishness, the lack of loyalty and of patriotism of a very few. If this bill becomes a law, it can in no way harm the honest, faithful, patriotic worker.

In my humble judgment, no union man who actually works, who has the good of his country at heart, who is patriotic, would, if and when he understood this bill, raise the slightest objection to its passage.

Quite another attitude is taken by some union officials, some union politicians, who are more interested in the preservation of their jobs, which jobs depend to a large extent upon the raising of false issues which give them an opportunity to accuse all who do not agree with them with being foes of labor—labor baiters. Some of these gentlemen are interested in but one thing, and that is the preservation of their own jobs, their own salaries, and an increase in their political power.

Let me repeat, the bill as written will not injure in any degree any loyal workingman and it will aid national defense.

[Here the gavel fell.]

Mr. ARENDS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, I have sought this time in order primarily to ask some questions pertaining to the language of this bill. As has been pointed out numerous times, the bill does not prohibit strikes on the part of organized

labor; so I shall not take any time dwelling on that approach. The language on page 5 of the bill, beginning with line 17, is in such form that I wish to ask the chairman of the committee two or three questions. The first is this: If a stoppage occurs as a result of a strike and, let us say, for instance, 50 percent of the workers remain out on strike and 50 percent, under the protection of the Army, voluntarily return to the mill to take up their daily work, does the mill have to proceed with production under the language of this bill?

Mr. MAY. The bill would authorize the President, through the medium of the Secretary of War or the Secretary of the Navy, to start operation in a plant—not start operation, but protect those who do want to operate, protect them from violence or interference when they voluntarily go back to work.

Mr. CRAWFORD. My question is this—I do not believe what the gentleman said is an answer to it—does the language of section 9a in the House bill operate in such manner that the owner of the mill would have to proceed with production if only 50 percent of the men voluntarily return under protection of the Army? That is my question.

Mr. MAY. I do not know that I understand what the gentleman's question is, unless he is raising the question of whether or not a particular factory or mill could operate with 50 percent of its men.

Mr. CRAWFORD. That, I may say, is a problem for the operating management and the stockholders to decide upon, and the financial structure of the organization. My question is this: I want to know if this bill gives the President the power, following stoppage caused by a strike, and with 25, 50, or 10 percent, if you please, of the employees returning voluntarily and the balance remaining out on strike, to force the mill to run? There is no language in this bill which indicates they have to go back to work. The burden falls absolutely on the management, the ownership of the mill, the stockholders, the investors, the capital structure, because, as I interpret this language, the President can order the mill to proceed even if only 10 percent of the employees voluntarily return to work. Am I wrong in that?

Mr. MAY. The gentleman is correct in saying he can order it to proceed to work.

Mr. CRAWFORD. All right. So we have established that. Suppose a company has a surplus of $200,000, for instance, that it has accumulated in liquid working capital over a period of 10, 15, 25, or 50 years heretofore and during the first 30, 60, 90, or 100 days it exhausts that working capital in carrying out the order of the President; in other words, operating at anywhere from 10 to 90 percent capacity and below the break-even point; what is there in this bill protecting the capital structure of that plant?

Mr. MAY. There is nothing in the bill on the question of the capital structure or on the question of actual operation. As has been frequently stated here, this is a bill that authorizes the President of the United States, in case of any stoppage of production at a plant, to police the plant rather than take it over. It means to afford protection to anybody who wants to go back to work, with the hope that not 10 percent will go back but 100 percent will go back.

Mr. CRAWFORD. So it is what I would call a strictly one-sided proposition. It enables the President at the point of the bayonet to force the industry of this country to operate and to absolutely exhaust its capital resources, coming down to the point where the private industrial investors may, on account of operating losses, have to necessarily submit the ownership of the plant to Government control and operation.

Mr. WOLCOTT. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman.

Mr. WOLCOTT. In this connection, I may call the gentleman's attention to the fact that the President is compelled to order this plant to operate according to the language in line 24, page 5.

Mr. CRAWFORD. Yes.

Mr. WOLCOTT. Thereby giving him the opportunity to say that the Congress has declared as a policy that "I shall do that and my hands are tied."

Mr. CRAWFORD. And the very minute the management becomes financially unable to operate the plant, then if production is to continue the Government must necessarily take it over or finance the operations; otherwise there is no production.

Mr. HOFFMAN. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman.

Mr. HOFFMAN. Right along that same line, does the gentleman know of any provision in the Federal statute which protects the employer, who is not making money, from paying taxes?

Mr. CRAWFORD. Oh, no; but the fellow who is not making money and who is operating his own business can, when he pleases and in the absence of legislation of this type, shut down his plant.

Mr. HOFFMAN. But he still pays taxes.

Mr. CRAWFORD. He does not pay a Federal income tax, because there is no income.

Mr. MAY. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Kentucky.

Mr. MAY. The gentleman, of course, knows how a plant operates. Let us assume that we take one of the Ford plants with a hundred thousand men in it. If the President orders a plant to resume production, and, as the gentleman states, 10 or 15 percent of the men go back to work, the purpose is to prevent the President from using the high hand of taking over and absolutely operating the plant, but gives the owners and employees a chance under peaceful protection of the law to go back to work and open it up for themselves.

Mr. CRAWFORD. Under present conditions I am not too sure you want to do that if the protection just described by the chairman carries with it the power of the President to force private investors to exhaust their resources without due process of law. If the Government takes over a plant the real private ownership has a claim against the Government, as the railroads had during the last war. For instance, the Government took over the railroads, rebuilt them, reconstructed the roadbeds, put some wonderful equipment on the rails, all at the expense of the taxpayers, and, as a matter of fact, the private railroad investors profited by that operation. But here is a case which is entirely different from the situation which governed then, and, in all sincerity, as I read this bill and as I understand it, and I have spoken to several pretty good lawyers here on the floor about it and they seem to think my approach is correct although they disagree with my bringing up the approach, as I see it, the management, under the language of this bill, is totally helpless; is not protected in any way whatsoever, and if the ax should fall on their necks they are financially wiped out and there is no recourse.

Mr. HOFFMAN. Which would you rather have, the strikes, the sit-down strikes of 1937, or the Government take it over?

Mr. CRAWFORD. That raises a pretty difficult question. If it were my own personal plant—I am not speaking now outside of my own pocketbook—I would prefer the workers who depend upon that plant for their ultimate income to take it over and operate it at capacity rather than to have it operated at the point of a bayonet under Presidential orders and this kind of a situation that would force plants to run into tremendous economic losses.

Mr. COX. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Georgia.

Mr. COX. I wonder if the gentleman does not appreciate the fact that striking down the strike provision of this bill will arouse public sentiment to the point of demanding that every one of us be lashed out of public life, because it will be saying to the people that Congress has completely abdicated to a wholly irresponsible and desperately violent minority.

Mr. CRAWFORD. Mr. Chairman, if the gentleman from Georgia will permit me to make one observation it is to the effect that probably the country would be much better off if some of us were lashed out of office. Personally I would not worry too much about that as I keenly feel there are many more important matters before the people than whether or not I remain as a Representative of my district. To me it is much more important to maintain industry under our private investment system and thereby be able to produce the things our civilian and military and naval populations need. After all, unless labor and management and Government can go along together I feel absolutely certain that our production will be much more disappointing to us than is England's to their people as evidenced by testimony submitted to the House of Commons within the past 10 days.

Mr. Chairman, legislative proposals which attempt to place capital or labor—and more especially the latter—in front of the bayonet and which is designed to operate under force is a very dangerous principle for this Congress to adopt. I cannot feel that the needs of the hour call for such action on the part of this House. I am trying diligently to bring myself to a full realization of what our needs are in this great undertaking which we have, by successive steps, assumed. After all the goods we need with which to carry out the program must come from the factories of this country and from the conscientiously applied efforts of those who work in those factories. If there be labor leaders who would stop production or slow down delivery of the vital manufactured products needed, they are operating as a consequence of encouragement given to them in recent years—by administrative policy and by legislation enacted by this Congress. Now, to attempt to eliminate such practices on the part of those who would jeopardize the general welfare by enacting legislation as submitted in the language of the bill now under consideration is to me an improper course for us to follow at this time.

It is a sorry day in the life of this Nation if we have to admit to the whole world that in this hour such legislation is necessary. What would the republics making up Latin America have to say if we adopt such legislation as here proposed? What would the Axis Powers think about our prospective opposition if it is at this hour necessary for us to choose such a course in order to bring forth greater production from our industrial plants? Is the system we have for generations followed now failing us? Have we reached the end of our rope? Have the industrial workers of this Nation become so depraved and so mad that they will no longer go along with the military and naval forces of this country in our efforts toward national defense? I do not think so. I do not believe it is necessary for the President to be given authority to take the Army into the factories of this country and force management to operate plants. The record does not support such a theory as set forth in certain sections of this bill. I need only refer to the committee report filed with the bill.

Mr. Chairman, it is my frank opinion that legislation as here proposed, if enacted into law, would interfere with the production of military and naval goods, instead of increasing their production. It appears to me that we shall have to vote down this proposal and make another approach. Perhaps we are here dealing with principles that cannot be successfully legislated. To me there are matters which cannot be legislated, and probably production of goods is one of them. To get goods out in operating form by the millions of tons requires great effort, great capacity, great ability. Too much legislation and too much interference does not help deliver the goods. I trust the proposal will be greatly amended before approval. I still believe that about 90 percent or more of American mill workers and American mill owners and operators are just about as loyal to our Government and its program as any other segment of our population. We may discover this to be true before we win the contest we have now entered. If we find that it is not true, God help the American Republic.

Mr. ARENDS. Mr. Chairman, the 2 remaining minutes on this side I yield to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Chairman, I have here a letter from Col. HAMILTON FISH, who wants his views stated with reference to the May bill. It reads as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 9, 1941.

Hon. LEO ALLEN,
House of Representatives,
Washington, D. C.

DEAR LEO: I am writing to you as a member of the Rules Committee to ask that if you get a chance in case the amendment for the conscription bill comes up during my absence in military training, to present the following observations in my behalf.

I am very glad that the Congress has finally determined to amend the Conscription Act and to reduce the age limit from 35 to 28, as I have repeatedly pointed out during the consideration of the conscription bill and since, that to conscript men over 28, most of whom are married and have permanent jobs, was unfair, and resulted in an injustice to all of those young Americans between 28 and 35. Many have been drafted and lost their jobs and even their own business, and may not be able to get their jobs back or reestablish their business. Furthermore, I believe every Army man with any experience in the World War knows that the combat units require youth, and generally men under 30. I think the average age in the combat units for the last 100 years has been well under 23.

When the proposed amendment passes the Congress, the conscription bill will have been whipped into pretty good shape and should be continued during the entire emergency. The bill as originally suggested by the sponsors called for conscription of every male from 18 to 64, with pay of $5. The House has very wisely increased the pay and decreased the age limit, and now is about to stop the injustice of drafting men up to 35, who would be of little or no use in the Reserve.

I hope you will emphasize the fact that Canada, our neighbor to the north, has merely a limited conscription bill for temporary service for a few months for home defense and, in addition, has no lend-lease bill.

I hope you will continue, as you have in the past, to lead the fight to make America invincible on land, sea, and air, and to keep us out of European and Asiatic wars unless attacked by some foreign foe. Regardless of all partisanship, it is by far the greatest issue and transcends all party lines. Let us think this issue through on one basis and by one yardstick—what is best for America.

With kind regards and best wishes.

Sincerely yours,

HAM.

Mr. MAY. Mr. Chairman, I yield to the gentleman from New York [Mr. BEITER] such time as he may desire.

Mr. BEITER. Mr. Chairman, the original purpose of this legislation was to defer draftees attaining the age of 28 years by July 1. But for some undisclosed reason the committee has seen fit to write in labor controls.

There have been so many separate approaches to this problem that I believe many Members of the House are as confused as I am about the whole situation. Two major bills have recently had labor controls written into them, in one instance by the Senate and in the other by the House. Are we going to tack labor amendments on every bill that comes in here? Control of subversive elements is all well and good, but there is no earthly reason for us to hamstring accepted labor activities.

I am a member of the Labor Committee and I firmly believe that all matters pertaining to labor should rightfully be reviewed and considered by that group. This whole procedure is a violation of the usual and accepted congressional course of action.

I urge the Congress to proceed cautiously and to strike out all sections of this bill other than that which concerns the change in the selective-service age limitations. The amendments proposed by the House Military Affairs Committee are so far-reaching that they warrant public hearings. Every worker in the country has an interest in these proposals and their representatives have a right to be heard.

I ask that the House uphold the rights and privileges of the Labor Committee and vote to strike out the labor controls in this bill.

Mr. MAY. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. BRYSON] such time as he may desire.

Mr. BRYSON. Mr. Chairman, it is imperative that full authority be granted the President to draft industry for defense production whenever and wherever the need for such action arises.

The situation today is critical. Our entire national-defense effort is sagging under the paralyzing weight of what is described as a condition of "business as usual." We are foolish if we attempt to remedy this situation with halfway measures. If we are to achieve the maximum in production of defense weapons, which are so desperately needed, we must give to the President all power necessary to extricate the Nation's rearmament program from the morass of "business as usual."

The President is our Commander in Chief, thrice he has been chosen by the people as their leader. No person could be more sympathetic to the toiling masses.

We have not been getting the production for which we hoped and planned more than a year ago, and we know it. No use kidding ourselves, facts are facts and should be recognized as such. It is estimated that during the past year the United States succeeded in producing a volume of arms that Germany and the nations under her control can turn out in less than 2 months. We have set as our goal the production of 80,000 combat planes but to date we have produced only 5,000. We need 30,000 tanks and yet to date we have completed only 1,000. Machine guns, rifles, mortars, artillery weapons are not rolling off the assembly lines fast enough to supply our rapidly expanding Army and aid beleaguered Great Britain.

We need something to speed up America's armament production. What? Congress has already appropriated over $45,000,000,000 for war weapons. Of this amount only three billion has been

spent to date. The necessary funds have been made available. Many troops are now, and will be, in training.

In America we have the world's greatest capacity for production. Within the United States is located nearly 60 percent of the world's heavy industries—the kind so essential to armament production. Furthermore, the United States possesses nearly 40 percent of the entire world's capacity for production. What is equally as important we have the largest supply of skilled labor in the world. In short, we have the money, we have the industry, and we have the men; but we are not getting the production which we have a right to expect.

We have the men, money, and machines to carry forward the greatest war production effort in all history but we shall never achieve anything more than a pitifully small percentage of our potential output if we keep the defense program throttled down to the pace of "business as usual." The kind of industrial reorganization which must be undertaken at once may seem to some as being extremely drastic or almost radical but we are now in the midst of an emergency which requires such action and not until the great dangers confronting America today have passed should we contemplate returning to the luxury of "business as usual."

The need becomes greater with each passing day. Britain is begging for more and more planes and tanks; not next year or even next month but right now—as soon as we can produce them here and have them delivered there. Too little and too late—it is the awful, painful phrase which so well describes the fate of nations that hesitated when they should have acted.

The Nation's industrial output must be shifted, and shifted fast, from production for civilian use to production for military use. The President must be given the required authority to carry the defense program forward on that scale and plan. In testifying before the Senate Military Affairs Committee on the draft-industry legislation which we are now considering, Under Secretary of War Patterson declared:

> The United States is imperiled from the aggressive designs of the Axis Powers—the peril being what it is, no time should be lost, no effort spared in equipping of our armed forces. The task of equipping the armed forces is a draft on the entire industrial power of the Nation.

Greater hardships are in store; but I entertain not the slightest doubt as to the willingness and readiness of the American people to face them. We shall see who is willing to do his part when a manufacturer is asked to shift production at possible loss of profits or a housewife is told that she must do without some desired cooking utensil or article of furniture. The program ahead calls for fewer automobiles and more airplanes; fewer of the comforts and conveniences of the modern home and more fire power for modern tanks.

The size of America's job was recently outlined by O. P. M. Production Director, John Biggers, when he mentioned, among other things, that before the end of 1941 the following objectives must be attained:

Present production of airplanes doubled.

Present production of tanks quadrupled.

Present production of powder trebled.

Present production Garand rifles doubled.

Present production 30-caliber machine guns increased fivefold.

Present production 50-caliber machine guns increased fivefold.

It is to set the wheels of industry turning faster, to accelerate the whole defense effort and place this Nation on an all-out defense-production schedule that I urge adoption of the amendment now under consideration. The conflict between "business as usual" and defense production is deadly and must be ended. Let us vote to end it now. Is it not far better to give up a few of our privileges temporarily than to lose all of our rights permanently?

In conclusion, let me repeat the thought which I have expressed on so many occasions during the past 18 months. The present ruler of Nazi Germany is bent on world domination. His boast is that if Germany succeeds in her present bid for conquest German rule over the world for the next 1,000 years will be established. It is a mean threat which this bloodthirsty zealot of power made in his bible of hate called Mein Kampf. It is a threat not to be taken lightly or ignored, for one thing is certain—Hitler is out to crush every nation of the earth and expects to do so unless he is crushed first.

Nazi-ism, like its adherents, must be crushed and destroyed. The battle must not be lost, as Prime Minister Winston Churchill so strongly emphasized when he recently declared:

> We will never parley, we will never negotiate, with Hitler or any of his men; we shall fight him by land, we shall fight him in the air, until, with God's help, we have rid the earth of his shadow and liberated the peoples from his yoke.

The price that must be paid for our defense could never exceed the value of the priceless possessions we have to protect. We are judged the world's richest nation because of the immensity of our wealth and resources; we are regarded as the world's favored nation because we worked hard, acted wisely, and established the highest standard of living the world has ever known; but, greatest of all, our Nation is considered the symbol of freedom because here we have made freedom a living reality. "The lines are fallen unto us in pleasant places; yea, we have a goodly heritage," but "unto whom much is given, of him shall be much required, and to whom men have committed much, of him they will ask the more." The hopes of all humanity are bound up with our determination to preserve this freedom for future generations of Americans and men the world over.

> Thou, too, sail on, O ship of state;
> Sail on, O Union, strong and great;
> Humanity with all its fears,
> With all the hopes of future years,
> Is hanging breathless on thy fate.

Mr. MAY. Mr. Chairman, I yield to the gentleman from California [Mr. GEYER] such time as he may desire.

Mr. GEYER of California. Mr. Chairman, I first heard of this bill the day it was introduced in the other body. A radio commentator explained its provisions without naming its author. I knew at that time that the one who had introduced it was representing a section of the country where many of those who work with their hands are denied the right to vote. No other would dare to initiate such a Fascist measure. Not long ago I heard this bill debated on the American Forum of the Air. Who were its proponents? Two gentlemen from poll-tax States. Yesterday and today on this floor its most ardent supporters come from the States where a price is charged for the right to cast a ballot. Yesterday, when the vote was tabulated on the rule making this legislation in order, there were but 3 of the 78 poll taxers to vote against it. This is but a repetition of what happens every time labor legislation comes before the Congress.

Is it any wonder that all branches of labor have endorsed the Geyer anti-poll-tax bill? They see how labor the Nation over must suffer because 8 of our States do not have democracy. It is my intention to tabulate the vote on this measure and place the result in the RECORD. I predict that not 7 poll taxers out of the 78 will be found listed on the side of labor.

I do not wish to be misunderstood. I quarrel with no Member as to how he votes on any measure. I believe if one often disregards the wishes of his voting constituents that they will care for his future political career. Most of the gentlemen from the eight poll-tax States have been here many, many years. This is attested to by the fact that although only about one-sixth of the membership of the House they hold about one-half of the committee chairmanships. So these men have been following the American principle of serving their voting constituents.

My quarrel then lies with the system of keeping from the polls those whose economic status does not permit them to pay the tax to make them eligible to vote. I hope many more of my colleagues will sign petition No. 1 and help take the shackles from the 78 colleagues which keep them from considering the needs of those who are so desperately in need of representation.

Time will permit but a few words on the bill itself. I favor the part of it that defers from service those who have reached the age of 28. But the other features of the bill are so obviously unfair to both management and labor that I must oppose the measure.

This measure shackles labor, almost as badly as Herr Hitler has it shackled in his territory. This is always the first step in a Fascist government. Kill the labor movement, and you have killed one of the foundations of democratic government. I hope the bill will be defeated.

Mr. MAY. Mr. Chairman, I yield to the gentleman from Texas [Mr. LUTHER A. JOHNSON] such time as he may desire.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I ask unanimous consent to revise and extend the remarks I made today on this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAY. Mr. Chairman, I should like to answer further the question of the gentleman from Michigan [Mr. CRAWFORD] with respect to the taking over and operation of plants by the Government, and particularly with respect to the proposition that the agencies of the Government will be liable for claims in the future as they were following the World War in certain instances.

The paragraph on page 6, line 10, down to and including line 14, reads as follows:

Nothing contained in section 9a hereof—

That is the section which authorizes the taking over of the plants.

shall be construed to authorize the President or any Government agency to seize or operate any plant or industry, or to give to any persons affected thereby, in any respect whatsoever, the status of Government employees.

That is perfectly clear, that no workman would have any claim against the Government; and, if a strike was in existence and a plant was stopped from operation, undoubtedly the Government, by policing the plant and maintaining order and peace in the plant, would not be charged in any court of justice or before any common-sense jury with having interfered with the operation of the plant to the extent of becoming involved in a claim for damages.

The other proposition in connection with that feature of the bill is that this bill studiously avoids having the President take over a plant, and gives every opportunity possible for management and labor to work out their differences in a mutually satisfactory manner by conference, conciliation, and mediation without resort to violence. It is to that extent a bill for the benefit of the country at large, for the good of the management, and for the good of labor, and I can see no objection to that provision.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Michigan.

Mr. CRAWFORD. If the President so finds and so orders, as stated on the bottom of page 5 of the bill, he—

shall order such plant or industry to resume production immediately.

Then, if the company is financially unable to do so, the bill states:

The President shall have the power, through the heads of the War and Navy Departments, to enforce such order.

Suppose the company is financially positively and absolutely unable to proceed. What is to be the situation?

Mr. MAY. The situation would be that the President having found, as the language on the bottom of page 5 provides, that it is "in the public interest," the Government would furnish the money to operate the plant, and there would be ample adjustments made afterward if it were necessary to do so.

I know what the gentleman has in his mind. He wants to protect industry in view of the fact that industry has been cooperating from the beginning on every front. The gentleman does not want to hurt labor, and neither do I. The bill is written for the protection of both, by providing that industry shall not be taken over except as a last resort. The bill does not so state in those words, but it means that, and any interpretation of the legislation from a reasonable standpoint means that.

It provides also that labor may strike and peaceably picket. In the public interest, we do not believe in violence in picketing, and I do not believe anybody in the House wants to go on record as favoring violence.

In other words, it comes to this as expressed upon one occasion by Chiang Kai-shek, the great generalissimo of the Chinese Armies, when he was addressing them and said: "If we would sweat more in peacetime, we would bleed less in wartime." That ought to be our aim at this crucial time.

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That section 5 (e) of the Selective Training and Service Act of 1940 is amended by adding at the end thereof the following:

"Anything in this act to the contrary notwithstanding, the President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment from training and service under this act in the land and naval forces of the United States of the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) have attained the twenty-eighth anniversary of the day of their birth."

The CHAIRMAN. Pursuant to the resolution, the Clerk will now read the House substitute as an original bill, reading it by sections for amendment.

Mr. COLE of Maryland. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLE of Maryland. I understand that at the conclusion of the reading of each section of the committee substitute that particular section will be subject to amendment.

The CHAIRMAN. The gentleman is correct.

Mr. THOMASON. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. THOMASON. Am I correct in understanding that the substitute offered by the House committee to the Senate bill will now be read and will be subject to amendment by sections?

The CHAIRMAN. That is correct.

Mr. THOMASON. Further, that after the committee substitute has been read and amended, if it should be amended, the question will then recur upon the adoption of the committee substitute as amended.

The CHAIRMAN. That is correct.

Mr. THOMASON. Assuming that after the committee substitute has been amended and is submitted to the Committee for a vote, the committee substitute is voted down, would the Senate bill then be read for amendment?

The CHAIRMAN. Then the Senate bill would be considered section by section, subject to amendment.

Mr. THOMASON. If we went back to the Senate bill.

The CHAIRMAN. That is correct.

Mr. MARCANTONIO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. In the event that the House bill is agreed to by the Committee, then will the House have an opportunity to vote on the House bill as a separate amendment after the Committee rises?

The CHAIRMAN. If it is agreed to by the Committee, it will be reported back to the House as an amendment, and a vote in the House may be had on that amendment.

The Clerk will read.

The Clerk read as follows:

That section 5 (e) of the Selective Training and Service Act of 1940 is amended by adding at the end thereof the following:

"Anything in this act to the contrary notwithstanding, there shall be deferred from training and service under this act in the land and naval forces of the United States until Congress shall declare otherwise, the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) have attained the twenty-eighth anniversary of the day of their birth."

Mr. ELSTON and Mr. DIRKSEN rose.

The CHAIRMAN. For what purpose does the gentleman from Ohio [Mr. ELSTON], a member of the committee, rise?

Mr. ELSTON. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. ELSTON: After the second line of page 5, insert the following paragraph:

"Any person who has been inducted into the land or naval forces for training and service under the Selective Training and Service Act of 1940 and who has attained the twenty-ninth anniversary of his birth on or before the passage of this act shall be entitled to be deferred from further training and service, provided application for such deferment is made within 30 days after the passage of this act. Persons making such application shall, within 30 days after the date of their application, be deferred from further training and service unless such applicants are located outside of continental United States, in which event they shall be deferred within 60 days after the date of their application. Persons deferred from further training and service in accordance with this section shall not be transferred to the Reserve component of the land and naval forces as provided for in section 3 (c) of the Selective Training and Service Act of 1940."

Mr. ELSTON. Mr. Chairman, the very simple purpose of this amendment is to give to the men in the military and naval service the same consideration which we propose in this bill to give to those men beyond 28 years of age who have not yet entered the service. The reason for providing in this amendment the twenty-ninth anniversary of birth rather than the twenty-eighth is because some men entered the service during their twenty-seventh year and will be serving during their twenty-eighth year. Those men should not receive any greater consideration than we propose to give to the men who have not already entered the service.

The War Department has stated that it prefers men under 28 years of age, indicating that it has been definitely ascertained that the men under 28 make better soldiers than do the men over 28. They have asked for the younger men, but, nevertheless, oppose this amendment. If the War Department is correct, it seems that we would only be consistent if we would now let the younger men take the places of the older men in the service as soon as possible.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. I will be glad to yield to the gentleman.

Mr. COX. I wonder if it is contemplated that we are going to call upon the children of this country to fight the war we are entering upon, rather than the grown-ups, who are more responsible for the situation that exists.

Mr. ELSTON. Of course not; and there is nothing in this amendment or in the bill itself that seeks to lower the minimum age.

Mr. COX. Is it contemplated that the Congress will be asked to lower the age from 21 to 18 or 17 or 14 or 15? In other words, are we going to expect children to do our fighting?

Mr. ELSTON. I certainly hope not; and I would not vote for any such law.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield for a question?

Mr. ELSTON. Just for a question, as I only have a few minutes.

Mr. CRAWFOD. Does the gentleman believe that the men now in the service, serving their first year, and who come under this provision, really want to get out before the end of the first year?

Mr. ELSTON. I want to say to the gentleman that the amendment which I have offered does not automatically take them out of the service. Those men may remain if they care to. They may get out if they want to; but if they want to remain in the service, they can do so.

I believe there are three very good reasons why the men in the service should receive the same consideration we seek to give those who have not gone into the service. When these men went into the service it was very clearly indicated that they were only going to serve 1 year. Now it is proposed that they are to serve longer than 1 year. We do not know whether that law will be enacted or not, but it has been proposed by the War Department, apparently is supported by the President, and may become law. It would be manifestly unfair for those men who went into our draft army thinking they were only going to serve 1 year if they were now compelled to serve for a longer period of time unless, as the law then provided for, we are at war or Congress declares a national emergency.

In the second place, there is also the proposal that the men now in the service be compelled to serve outside continental United States, the Western Hemisphere, and our possessions. This certainly was not contemplated when they went into the service, and it is not fair that they should now be compelled to serve outside the United States when men who are of the same age will not be called into the service at all. You will recall that when we enacted the Conscription Act there was a provision written into it that those men who had served for a period of 1 year would be placed in reserve components of the Army and Navy, which would make them subject to call by the President under another law at any time the President saw fit to call them. Under this part of the Conscription Act the men who have passed the age of 28 and are now in the service will have to stay in a reserve component of the Army or Navy for a period of 10 years, or until they reach the age of 45, whichever occurs first, whereas men of the same age who were not called, who did not happen to be called because of the luck of the draw, are entirely out of those reserve components.

[Here the gavel fell.]

Mr. ELSTON. Mr. Chairman, I ask unanimous consent that I may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ELSTON. So I submit it would be manifestly unfair to the men already called if they have to serve in reserve units for a period of possibly 10 years when other men of the same age are not compelled to do so.

The War Department is opposing this amendment on the theory that there will be a disruption of the service, but I want to read to you a paragraph from a letter which was written by the Secretary of War to the chairman of our committee under date of June 26, 1941, which indicates that the War Department itself is contemplating the release of a very sizable number of men. Evidently there will not, therefore, be the disruption to the service that it pretends will occur. The Secretary said:

> The War Department has been studying the problem the older men are facing and is convinced of the desirability, where practicable, of releasing from active service prior to completion of their year of training those who, due to their maturity and greater experience, have absorbed the necessary training. However, there are between 50,000 and 75,000 of such men now in the service.

If the War Department already feels that from 50,000 to 75,000 of the men in the service have been sufficiently trained, and can be released, there will certainly not be the hardship to the Army we are led to believe will occur.

You may wonder how many men will be affected by this amendment. I understand there are about 140,000, but we must bear in mind that all men would not ask to be deferred. Furthermore you should remember that the Army feels that 50,000 to 75,000 of this number are already sufficiently trained. If this number has already reached the degree of training which the War Department wants, obviously, only about 65,000 men will be affected, and we can readily appreciate what the feelings of these men will be if they have to remain in the service, knowing that men of the same age outside are not going to have to serve at all. Believing that morale is just as important to an army as guns or tanks or airplanes or ammunition, I feel we may face a bad situation in the Army if this amendment is not adopted. These men are going to feel they have been unfairly treated and I believe there will be ample justification for their views.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. Yes.

Mr. COX. It was to meet an emergency that we entered on the program of building an army. Does the gentleman think that we should disperse that army that we have built while the emergency is still on?

Mr. ELSTON. Not at all, but the Army says they want the younger men. If they do, and we are in an emergency, it is only logical that they should get the younger men as quickly as they can, in order that the Army may as quickly as possible reach that state of perfection which we all so earnestly desire.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SMITH of Connecticut. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio [Mr. ELSTON] and ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for 5 additional minutes. Is there objection?

There was no objection.

Mr. SMITH of Connecticut. First, Mr. Chairman, I call attention to the statement which has been made that these men were assured that they were going into the service for only 1 year, and that it would be an act of bad faith on our part if any of them are kept in beyond that time—and, of course, in this connection it is used as an argument in making the distinction between those who no longer will be called as against those already in the service—I point out the language in the act as it was passed by the Congress which provides that—

> each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interest of national defense.

The question of whether this period should be extended remains for the Congress, as all of our people knew that it should, and we specifically placed in the act, when we passed it, that language

so that everyone would be on notice that no man could tell a year ahead what the international situation would be, and what the need for the defense of this country would be, and that it would have to depend on that as a first, paramount consideration. Just because the German forces are now driving to the east instead of to the west, we cannot say that at the end of that 1-year period this Congress must refrain from declaring that the national interest is imperiled. We do not know today that we are any safer than we were at the time the act was passed, and it is the opinion of most of us that we are by no means as safe. We have been in a period of producing munitions and training men for the armed forces. We have had more difficulty in the production of munitions than we have had in bringing into the service men under the act, and the training of those men has been held up.

The training of those men has been handicapped by the lack of sufficient weapons. We are now beginning to get modern weapons, but we are only beginning to get them and we do not have an Army able to operate against any modern ground army today and we will not have for more than another year, in my opinion. The men who have gone in are receiving training, and the training is improving, with the weapons which are now becoming available, but we need not sit back and argue among ourselves about individual parts of this program, without remembering at the same time what the situation is which caused us to pass this act, and which caused us to appropriate the money for these munitions. We need to arm for the defense of this country, and the War Department tells us today that the discharge of the men, some hundred thousand now inducted at the age of 28 or over, would disrupt the training of the organizations which are in the service. Moreover, it would lose valuable men in cases where they have been in a large part of the year, and would interrupt that training. The War Department, in a letter of June 26, stated:

> The War Department urges that no action be taken which will make mandatory the release of trainees now in the Service who are over 28 years of age. The Secretary of War has authority under the Selective Training and Service Act to discharge from active service such men as he deems expedient prior to the completion of their year of training. The War Department has been studying the problem the older men are facing and is convinced of the desirability, where practicable, of releasing from active service prior to completion of their year of training, those who, due to their maturity and greater experience, have absorbed the necessary training. However, there are between 50,000 and 75,000 of such men now in the Service. During the present phase of training, and in view of the serious situation confronting us today, the mandatory and immediate discharge of these men would seriously handicap the development of the Army and the progress of national defense.
>
> The War Department strongly recommends that any change in the age limit of men inducted under the Selective Training and Service Act be not made retroactive, and that the release of the older men now in training prior to the completion of 1 year of service remain at the discretion of the War Department.

There is, according to the War Department, approximately 23 percent of the total strength of the Army as of this date over 28 years of age, a total of over 140,000 men, among men who have come in under the Selective Service Act. Some men over 28 volunteered either for the Regular Army or for the National Guard since the passage of the act. The men who came in under the Selective Service Act came in as a result of a fair and impartial lottery. Under either of these bills, if they pass in the form recommended by either the House or Senate committee, men over 28 will not be permanently deferred in case we should run into a situation which will require more men than are available under that age. In both cases it has been set up as a deferment, in one case in the discretion of the President and in the other case in the discretion of the Congress, so long as we feel there is no necessity for these men. It is not impossible that in the next year or two or three some of these men will be asked to serve again. As I understand this amendment, it would not only remove from service the men now in the service who are 28, but would bar them from future service in the Reserves and from being called as members of the Reserves in case of necessity.

Therefore, I ask that this amendment be voted down.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Connecticut. I yield.

Mr. BROOKS. What would happen in the event a man of that age who is almost ready to complete his 1 year's training should be relieved and a dire emergency which would require all well-trained soldiers should develop, what could you do with reference to bringing him back, under the gentleman's amendment?

Mr. SMITH of Connecticut. Under the amendment he would have an absolute right to go back to civilian life and not be subject to further call.

Mr. BROOKS. Regardless of his training and regardless of the need to have him in a critical emergency, you could not get him?

Mr. SMITH of Connecticut. Regardless of the fact that he may have been trained in a branch which was deficient in trained men.

Mr. THOMASON. Will the gentleman yield?

Mr. SMITH of Connecticut. I yield.

Mr. THOMASON. Is it not true that the amendment would even take him out of the Reserves?

Mr. SMITH of Connecticut. That is true.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. ANDREWS. Mr. Chairman, I rise in opposition to the amendment.

The Members of the Committee may be interested in some accurate figures on the picture of the Selective Service Act. At the present time there are 609,892 selective-service trainees inducted under the act; 335,000 of those selectees are with Regular Army organizations, 158,000 are now in National Guard organizations, and 116,000 are unassigned, still to complete their 13 weeks' basic training period.

Twenty-three percent of all selectees, or approximately 140,000—1 out of every 4 now inducted—are over the age of 28. Even with the adoption of the Senate provision or the House provision, these men over 28 will not be exempt, but only deferred. Those who are already in training, of course, were not deferred, but practically all of them will have served 6 months in a short time. Some of them only have about 4 months to serve in order to complete their training.

I want to stress the need of as many trained men as possible during the first year, and the disruption that will take place in the Army, the draft boards, and everywhere else when you single out 1 out of every 4 men and say "You can go home." How in the world can you expect to have a thoroughly organized and trained Army within 1 year if you pull out 1 out of every 4 men now inducted?

I hope the amendment will be voted down.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. HALLECK. In the debate on this amendment the suggestion that these men might be used out of the Western Hemisphere was raised. I think that on this day, July 10, it is appropriate to call to the attention of the membership of the House a statement made by the President of the United States just a year ago today, July 10, 1940, in a message to the Congress asking for an additional appropriation for defense of close to $5,000,000,000, in which statement he said:

> That we are opposed to war is known not only to every American but to every government in the world. We will not use our armies in a war of aggression. We will not send our men to take part in European wars.

[Here the gavel fell.]

Mr. BENDER. Mr. Chairman, I rise in support of the amendment.

I am glad my friend from Indiana [Mr. HALLECK] rose to comment on the President's statement. I call to your attention a statement made by Wendell Willkie in Boston on October 12, 1940. He said:

> We can have peace, but we must know how to preserve it. To begin with, we shall not undertake to fight anybody else's war. Our boys shall stay out of European wars. There is only one way. We must become strong. We must build ourselves an air force, a navy, and an army so strong that no dictator will dare to tamper with our commerce, our interests, or our rights. That is the defense program we must have.

Then in Baltimore on October 30, 1940, Mr. Willkie said:

> I have given you my pledge many times over. I will work for peace. We are against sending our boys into any war other than the defense of our own country.

President Roosevelt on October 31, 1940, at Philadelphia, said:

> We are arming ourselves not for any purposes of conquest or intervention in foreign disputes. I repeat again that I stand on the platform of our party: "We will not participate in foreign wars and we will not

send our Army, Navy, or air forces to fight in foreign lands outside of the Americas, except in case of attack."

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield.

Mr. ELSTON. Does not the gentleman feel there are a great many men seated on the floor of the House today who would not have voted for the Conscription Act had they been told at that time what they are being told now, that these men are going to serve for a longer period of time than 1 year and that they are going to serve outside of continental United States and its possessions, and the Western Hemisphere?

Mr. BENDER. I am glad the gentleman raised that question. I have been reading the debates the House had at the time the Draft Act was passed. Members of the Military Affairs Committee time and again insisted that the draft would be only for the period of a year, not more.

In his fireside chat on December 29 last the President said:

> There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. BENDER. In just a moment.

On October 30 in an address at Boston Garden the President said:

> Your boys are not going to be sent into any foreign wars.
>
> They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.

Uncle Sam is currently training more than 1,450,000 young men for the craft of soldiering. One of the stated objectives of the Selective Service Act was the building of a large group of men ready to meet any challenge to this continent. We know that a million men are scarcely enough to provide this defense. But now come military leaders accompanied by White House mouthpieces to urge that the Selective Service Act be amended to extend the training period beyond 1 year and to authorize use of American draftees outside the borders of the Western Hemisphere.

There are two objections to such a course. First and foremost, it would not be keeping faith with the fathers and mothers, no less than their sons, of America, who sent their boys to our camps. Second, such a process would mean a lessening of the number of those to whom military training would become available.

Passage of these amendments would be another step directed toward war. It would mean that the President might overnight order American soldiers to foreign battlefields for service on some seemingly peaceful mission, which might lead to war on the next morning.

Mr. MAY. Mr. Chairman, I wonder if we cannot reach some agreement as to limit of time on this amendment?

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments to this section be concluded in 15 minutes.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, reserving the right to object, I would like to be heard in favor of the amendment. I see numerous Members on their feet. I believe 15 minutes a little bit scant, considering the importance of the amendment.

Mr. MAY. Mr. Chairman, I modify my request and ask unanimous consent that all debate on this amendment and on this section and all amendments thereto close in 25 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. YOUNG. Mr. Chairman, I object.

Mr. DIRKSEN. Mr. Chairman, I object.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 30 minutes.

Mr. DIRKSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIRKSEN. Is the request to close debate on this amendment and all amendments to the present section?

The CHAIRMAN. That is correct according to the understanding of the Chair.

Is there objection to the request of the gentleman from Kentucky?

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I object.

Mr. MAY. Mr. Chairman, I move that all debate on this amendment close in 30 minutes.

The CHAIRMAN. The gentleman from Kentucky moves that all debate on this amendment close in 30 minutes.

The question is on the motion.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 80, noes 75.

Mr. DIRKSEN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. MAY and Mr. DIRKSEN to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 102, noes 82.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. GIFFORD] for 2 minutes.

Mr. GIFFORD. Mr. Chairman, I would like to quote Abraham Lincoln, who once said:

> If I had made a promise and afterwards I found it to be against the public interest, I would not hesitate to break that promise.

We hear so much about certain people who made promises before election. I wish I had the time and opportunity to read certain speeches made here on the repeal of the embargo by the Members on either side. They would have to eat their own words in line with what they have done and voted for since. It would be highly interesting. I wish to remind the House that I spoke on selective service for some 30 minutes early in the session. I commented on the draft after talking with Colonel Cramer, who wrote the Draft Act, but declared it was a war-draft act and that we ought to change it to a peace draft. I favor the lower age limit, of course. However, I want to live up to the agreements already made. I do not want the boys to stay more than a year if we promised them they would not have to do so.

I hesitate very much to vote for such an amendment. I am appealed to not to have July 1 set as the arbitrary date of deferment. If they arrive at the age of 28 before they are inducted they ought to be deferred. I think the bill ought to be amended in this manner in spite of the fact they may say the administration of it will be more difficult. That seems nonsense. Draft boards are not too busy to carry out the provisions of such an amendment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WILLIAM T. PHEIFFER].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, the longer I serve here in Congress the more I realize how naive and downright ignorant I was before coming here. I used to think that 2 and 2 made 4, that black was black and that white was white, but, if this amendment is defeated, I shall have to admit that 2 and 2 do not add up to 4, that black is white, and that white is black, and that the dome of the Capitol is made of cream cheese.

Mr. Chairman, regardless of the technical arguments that have been made about the Army disorganization that would result from releasing from the service men in the 28 to 35 year age group, regardless of the statement that it would take one man out of four from the ranks, we are dealing with a matter of common honesty and good faith and fairness to these men. The War Department now admits it was a mistake to draft these older men and that we should lower the draft age. The Senate, by passing the draft-age section of this bill, has admitted the mistake, and the House will surely follow suit. Then why should we penalize these men between the ages of 28 and 35 who, simply because of the luck of the draw, have already been drafted? I reiterate my statements made during general debate yesterday, namely, that the holding of these men over the age of 28 in the draft army is blasting many budding careers and is a blight on many American families. Also, it is well to point out that, instead of one man out of four being taken from the ranks of the Army by the proposed change in the law, it is more likely that the ranks would be only decimated, as it is reasonable to assume that many of these men would not exercise their right to apply for discharge.

I appeal to you in the name of common sense and common justice to support and vote for this amendment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentlewoman from Ohio [Mrs. BOLTON].

Mr. DIRKSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIRKSEN. Does the division of the available one-half hour stand as originally contemplated or is the time being extended for the individual speakers?

The CHAIRMAN. The Chair had 15 requests and there have been 2 names scratched off.

Mr. DIRKSEN. May I ask unanimous consent to yield my 2 minutes to the gentlewoman from Ohio [Mrs. BOLTON]?

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

Mrs. BOLTON. Mr. Chairman, in speaking for this amendment, I want to remind you of some of the matters that came before us when the Draft Act was under discussion. As I remember it—and I am speaking entirely from memory—one of the reasons for the ages of 28 to 35 being included was that we were looking for material out of which we could build officers. It was said that men of experience in life would learn more readily and would, therefore, be of greater help to us in forming the officer personnel of an Army than the younger men. It seems to me that it has been very definitely brought out this morning that the Army is finding that the younger men make better soldiers. It has been said further that the Army is ready to release the group of men over 28.

It is perfectly understandable to me that men of 28 and over who already have businesses and families should not make as good soldiers as the younger men who have not already assumed such responsibilities. I happen to have one son who is over 28. He does not come under this ruling, however, because he is a member of the National Guard, and this has nothing to do with the National Guard; so I am speaking without any personal bias in the question.

I do feel very strongly that we should contemplate and consider this matter as a serious one, and not hastily. I regret that we are not to have a longer time for consideration of it. We are setting up rather a permanent system of military training. We should do it with a great deal of consideration, for it should be done in the way that will give us a thoroughly united armed force and a united Nation. It does not make for unity to have the real differences that we are creating at the moment.

It is very strongly my opinion that men of 28 and over now in the service should be released.

I trust that we will look forward and vote very carefully on everything that pertains to this bill, particularly so in regard to this amendment. I ask your consideration and I ask that you vote this amendment in the affirmative.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I am not going to speak on this amendment. I am going to speak against all of the provisions incorporated in this bill save and except that provision that has to do with the revision of the Draft Act which in effect brings the age down to 28 years, a provision which I believe every Member of Congress is for.

I am opposed to any further legislation with reference to strike situations. I don't believe such would be in the public interest; more harm than good would be done. I am going to use the time that has been allotted to me to read some of the statements contained in Senate Document 52, which I commend to all Members of the House, as it is a summarization of the facts and laws in relation to labor, strikes, and so forth, in this country. I think a study of it would throw a lot of light on the labor situation.

We find that Attorney General Jackson says that present legislation is adequate to meet the strike situation, which presents no law-enforcement problem that is either novel or out of hand. That is the statement of your very able Attorney General. He also testified before the Judiciary Committee that no additional legislation is necessary. He ought to know, as he is charged with the duty to enforce the law.

We find that Secretary of War Stimson says that the War Department considers production of defense materials so imperative that interruptions due to strikes and lock-outs cannot be regarded as consistent with the public interest. He is, nevertheless, loath to recommend restrictive legislation so long as there is hope that other methods of preventing interruptions may prove effective.

William S. Knudsen, former president of General Motors Corporation, is in favor of mediation perhaps similar to that governing labor relations in the motor industry. He is also for a cooling-off period before a strike is called. He does not believe that legislation against strikes is necessary or enforceable, but does favor a definite procedure during the emergency period, such as the taking of strike votes under the supervision of the Labor Department, a minimum of time for sifting the dispute by the Conciliation Service and the Mediation Board, and a period after the findings of the Board are reported before a strike is actually called.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, I believe this is a very fair amendment and should be adopted. It is a very fine thing to go along with the crowd, but when principle is involved and you have to go against principle, then it becomes a disfiguring thing. Yes; I like to go along with the committee, but when I feel that the committee is wrong I feel it my duty to step on the side I believe to be right. If we had adopted the bill as it is proposed here to be amended, cutting the age limit down to 28, these men would not be in service today. If it is wrong to have men over 28 in the service from now on, then it was wrong to induct them in the first instance. I sincerely hope that the Congress will see the light and adopt this amendment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. THOMASON] for 2 minutes.

Mr. HARTER. Mr. Chairman, I ask unanimous consent to yield the time allocated to me to the gentleman from Texas.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. THOMASON. Mr. Chairman, in my humble judgment, it would be most unfortunate for this amendment to be adopted; in fact, I think it would be almost tragic under the present circumstances. We are either going to have an army in this country or we are not going to have one. A second-class army cannot do the job. An army that cannot win is the same as no army. I do not profess to know much about the Army except that I am for it, and I am for it strong. I want us to have the best Army in the World. I am still willing to trust the experts and the men in the War Department who have made the Army a life career. They are professional soldiers. They know military training, tactics, and strategy. It is their life work. They have no other interest.

At the outset I should like to correct the statement made by the gentlewoman from Ohio, in which I believe she is mistaken. She said these men would go back into the Reserve. The amendment specifically states that they do not go back into the Reserve.

Now, what is the situation? The War Department says there are 120,000 of these men now in the service. We have a lot of money invested in these young fellows. Perhaps a very few of them are there unjustly or unfairly, but whose fault is it? It is the fault of the local draft boards. I have an idea that the number is very small, because my observation and experience with the draft boards has been that they are very fair about married men, or men with dependents, or men with businesses, and that most of the men who deserve to be there ought to be serving their country.

These men are rather mature men. Some of them have come to be corporals and some of them may soon be sergeants. As I say, we have a large investment in them. They have had intensive training for several months but they are not yet seasoned soldiers.

This amendment would give 120,000 men in this all too little Army of ours an opportunity to get out almost over night. You talk about disruption, disorganization lack of morale, lack of patriotism, and lack of unity in this country; I cannot conceive of a worse situation than would exist under circumstances like that.

A lot of these men have been there 7, 8, 9, or 10 months. Why not let them go on and serve out their 1 year instead of going back home, and then you cannot put them in the reserve.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. No, I am sorry; the time is very limited.

Let us suppose that one of these men is 32 years old or let him be only 29 with no dependents, no business, no job. Under this amendment he could not be placed in the reserve, and called back into service even if Hitler made a direct attack on us. Maybe he is about ready to be a sergeant. We need some of these older men. Under this amendment, this man in 30 days can go back home, and if this crisis gets worse you could not call him back on a bet. We will never have an army with any such milk and water measures. This is a time for sacrifice, for cooperation, for teamwork. We may just as well face the music. This country is facing the most serious menace in all its glorious history.

Talk about disruption, disorganization, and lack of unity. Of all the times in the world to lay aside personal, partisan, or political considerations in this country it is now, and devote our entire energies to the matter of national defense, and I undertake to say that I still have confidence in the War Department and the War Department says they have permitted some of the men over 28 to go home since they now have that discretion. The Secretary of War states in the letter which the gentleman from Connecticut [Mr. SMITH] read, that they will continue to exercise reasonable and just discretion in letting these men who are over 28 years of age go home if they are needed there with their family or their business.

We have to trust somebody. I still have faith in the President and War Department doing the just thing. If any of these men have just cause to go home, I believe, upon proper showing, the Secretary of War will let them go. But let us, not by law, send them all back home overnight and cause excitement and disorganization. These men are needed until the new selectees are inducted. They are being benefited by the physical and military training. This amendment should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. BOREN].

Mr. BOREN. Mr. Chairman, I agree with the position that the gentleman from Texas took about the disrupting effect of taking these boys out of training that are in training and 28 years of age. I also want to point out that the argument he made is a very splendid argument against the proposal to lower the draft limit to the age of 28 years. I do not pose as being an expert, and I read where a certain golf-playing general criticized a Member of Congress for expressing expert opinion on military matters, but I do know the Army must have a great shortage of experts if every few weeks they have to come up here and confess that the boys taken into training are a little bit too old for their ability to train them. They confess an inability to train anybody over the teen age and early twenties. Their next proposal will request kindergarten age.

I do not believe in exemption for anybody. When this bill originally came up I took that position on the floor, and I charge that the lowering of the age limit is undemocratic. I charge that the American draft system is one that is not comparable with the wisdom and intelligence and democracy of the English draft system that takes everybody and if a man is married they make adequate provision for his family while he is in the service. They take everybody that is physically fit to go. I charge that the local draft boards are capable of making all exemptions that are necessary and the mere arbitrary matter of age does not determine a man's suitability. This is a day of total war and the draft ought to be a total draft. I am 32 years of age and I do not believe the average 25-year-old man is in any better physical condition than I am. Age is not the sole measure of a man's physical qualification. Many World War veterans are physically capable for service and I believe it would be a good thing to have a number of these veterans in our forces.

We are still "short of war" with Germany, but a mighty short step. No amount of self-restraint, nor anything we might do will prevent Hitler putting us into this war at his will. We all recognize the imminent probability of war. Then who are we to say that all the fighting and the dying shall be done by the very young. I maintain that the only fair and democratic draft is a universal and total draft. I denounce exemptions as here proposed as unfair, unjust, undemocratic, despicable. I believe this proposal impossible of acceptance by those who believe in equality. Let us rather extend the draft to a point of universality. Let everyone take a part. Let a man 35 years of age stand beside the man 28. Both may well have wives and children at home. Why say to one wife and mother, we want your husband to go to war and say to another you are 10 days' older, you can stay at home and enjoy the joys of home. It is a monstrosity. Let the rich and the poor, the high and the low, the young, the middle aged; let the farmer and the banker; let all men on a system of absolute equality share this load. I regret this bill and all such systems of discrimination. I regret it. I abhor it. I deny and denounce it and forever and after that I oppose all such departures from the fundamental justice of democratic universality of the responsibilities of citizenship.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I take the floor at this time, even though a brief time is allotted to me, because it is the only opportunity I will have to mention that I feel we should start building the Army from the youngest man possible under the Selective Service Act and then going on up and developing a fighting unit that will be second to none in the world. I want to make this observation, however. When the shooting starts—which the gentleman who preceded me says has already started, but with which I cannot agree—there should be no exemptions, and every able-bodied man throughout the Nation should respond in defense of his country. However, I have heard the testimony on the part of experts to the effect that men under 28 years of age make the best for training and that persons above that age, in many cases, are too settled and too far advanced to have the necessary physical requirements insofar as training goes. It is therefore, Mr. Chairman, for that reason that I rise in support of this amendment and yet, at the same time, I say to the Congress now that when the fighting begins, I want to see every able-bodied man, no matter what his age may be, taken into the fighting forces of the United States.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, it does seem to me that the discussion upon this question is rather a tempest in a teapot. Here some months ago we put into effect a selective-service system and under the provisions of that legislation we inducted into the Army certain men over 28 years of age. Those men have been in the service for quite some time. They have received training which is valuable to the Nation and that is the purpose for which they were inducted. Certainly no man would stand up today and say that in an Army of 1,418,000 men there is no place for these 120,000 or 130,000 men who are over the age of 28. You must remember that in the Army today men are not required to march long distances on foot, as they formerly were. You must remember that transportation is provided in most cases for troop movements. You must also remember there are many trucks to drive, many tractors to drive, many places in the Army for mechanics and men of that kind, and you must also take into consideration that many of these men over the age of 28 are men who have had valuable experience along mechanical and other lines. Therefore, and I base my judgment upon the opinions of those in our departments of government who are charged with the handling of maintenance of our Army, and I feel that it would be a sad mistake to make the provisions of this section retroactive and take from the ranks of the American Army those men over 28, who still have 2 or 3 or 4 or 5 months to serve, and thereby rob our forces at this critical time of those men who have had the training which these men have already received.

Mr. MAY. Mr. Chairman, I do not care to make any further observations except to say that the War Department has stated to the committee that to adopt this amendment would be a serious mistake.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. MAY. Certainly.

Mr. ELSTON. Mr. Chairman, the statement has been repeatedly made that if this amendment should be agreed to, 130,000 men will be taken out of the army of selectees. The gentleman, of course, appreciates the fact that the amendment permits those men who so desire to remain in the service. The gentleman from Kentucky, I think, will fully agree with me that a great many of the men who are past 29 years of age would desire to remain in the Army and

would remain there. Is not that correct?

Mr. MAY. Mr. Chairman, the whole objection to the thing is that it is entirely problematical as to whether they would or would not remain. In any event it would create disorder and confusion in the ranks, and if some were permitted to go out, then others would complain "I am not permitted to go," and it would thus lower the morale of the Army. For that reason I think the amendment ought not to be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. ELSTON) there were—ayes 76, noes 95.

Mr. ELSTON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. ELSTON and Mr. MAY to act as tellers.

The Committee again divided; and the tellers reported—ayes 103, noes 113.

So the amendment was rejected.

Mr. MERRITT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. MERRITT: Page 5, line 2, strike out "twenty-eighth" and insert "twenty-fifth."

Mr. MERRITT. Mr. Chairman, in offering this amendment I have no desire to change the status of any man in the service during his previous years. I am prompted to offer this amendment because of the registration which took place on July 1. I believe 750,000 men registered on that day because they had attained their twenty-first birthday during the last year. If that is the case we can expect every year 750,000 new men, in that way we will have a nucleus for a very strong armed force. I am reminded that sometime ago, just prior to this European conflict, the Chief of Staff appeared before our committee and told us that in these days 450,000 men were sufficient, that was all they could handle because of the equipment. A few moments ago the gentleman from Connecticut [Mr. SMITH], in opposing the amendment which was just defeated, said, among other things, that because of the shortage of equipment and of the shortage of facilities it was best, probably, to keep many of these men in private employment, and I am for that. I am sure that men, especially in their younger years, are not so apt to make up their minds as to their future, therefore we should give them every opportunity to do that. The Army and the Navy hold out advantages; many of these soldiers accepting these advantages may decide to adopt an Army career. I look forward to the time—and I wish at this point to call to the attention of the gentleman from New York [Mr. WADSWORTH]—when every college and university in the United States will have an R. O. T. C., and I hope that this R. O. T. C. will be the means of giving us the background for our commissioned officers. I feel certain that the gentleman from New York thinks that would give us a great field to get our commissioned officers. And as to those men particularly who do not go to college or universities, but find it necessary because of some financial condition at home to stop their schooling at the high-school age, which we assume to be 18 years, they will have an opportunity to offer their services to the armed forces when they are between the ages of 18 and 21, putting the limitation and the age 21, and we may assume and expect that every young man in the country, if he has not offered his services by the time he is 21, will be called upon to do so by his Government.

I think the worst error we ever made in this country was when we stopped the compulsory service, or the draft act, right after the last World War. I am sure that if we had continued the draft act, this chaos that we are experiencing today would not be before us.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MERRITT. I yield.

Mr. COOLEY. What was the age limit provided in the original act as it passed the House?

Mr. MERRITT. Do you mean the present act?

Mr. COOLEY. Yes. Was it not 45 years?

Mr. MERRITT. Forty-five years.

Mr. COOLEY. We have lowered it and now we are about to lower it to 28.

Mr. MERRITT. That is right.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MERRITT. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COOLEY. Will the gentleman yield further?

Mr. MERRITT. I yield.

Mr. COOLEY. As I understand it, the gentleman's amendment would reduce the age limit to 25, and thereby provide deferment for all men over 25 years of age?

Mr. MERRITT. That is, from now on. I am not solicitous about the men who have been inducted into service during the last year.

Mr. COOLEY. The gentleman referred to the distinguished gentleman from New York [Mr. WADSWORTH].

Mr. MERRITT. I think the gentleman from New York [Mr. WADSWORTH] is an authority on this question.

Mr. COOLEY. Does the gentleman recall the speech made by Mr. WADSWORTH, wherein he emphasized the fact that it would be a great consolation to the 22- or 23-year-old boys to know that men of 35 and 40 years of age were in their group and that it would have a great stabilizing influence in the armed forces of the Nation if we could have a large number of the older men in the forces?

Mr. MERRITT. I do not know whether the gentleman said that or not. I do not feel that way.

Mr. COOLEY. The gentleman certainly does not feel that we should start out to prepare for a major war with an army of boys and R. O. T. C. graduates?

Mr. MERRITT. The gentleman misunderstood me. I think we have that background in the Army and Navy now of these older men, but if we are going to have a real Army or Navy, let us start and get them young enough to decide whether they are going to make the Army as their future. Do you think after a man has spent 15 or 16 years in private business and then goes into the Army he may find out then that he desires the Army for a career? I don't think so.

Mr. COOLEY. The gentleman knows that these boys who are going into the Army are not going into it with the idea of making a career out of it, but only for 1 year's training.

Mr. MERRITT. That is right. I think the Army has the idea that many of these men will make a career out of it.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. MERRITT. I yield.

Mr. LUTHER A. JOHNSON. I understood the gentleman from North Carolina [Mr. COOLEY] to state that we are now lowering this age limit to 28. As I understand, it is making deferment to that age. The law remains as it is?

Mr. MERRITT. That is right.

Mr. COOLEY. That is my understanding also.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. MERRITT. I yield.

Mr. WHITE. The gentleman said he thought we made a great mistake in not continuing the compulsory military service after the World War?

Mr. MERRITT. That is right.

Mr. WHITE. Does not the gentleman think that from the time our Nation was established up to this time we have had a great advantage in escaping the military load that has been borne by European countries? Would the gentleman advocate that after conditions become normal in Europe there be a continuation of the great military load on the backs of the American people?

Mr. MERRITT. It seems to me that the United States can certainly afford to maintain an army of 2,000,000 men. We have the background for an army of 2,000,000 men under this method.

Mr. WHITE. As a matter of fact, we have met every national emergency successfully in the past without such a large army and such a burden of militarism.

Mr. MERRITT. My friend would not be satisfied to have a standing Army of 165,000 men that we enjoyed during the period up to the time of the draft?

Mr. WHITE. The gentleman wants an army of 2,000,000 men. You want to continue the draft system right on through and burden the American people with a great military load which bore down on the European nations as it has in the past?

Mr. MERRITT. I still insist the American people can take care of an army of 2,000,000 men.

Mr. CASEY of Massachusetts. Will the gentleman yield?

Mr. MERRITT. I yield.

Mr. CASEY of Massachusetts. That is, in the period of emergency?

Mr. MERRITT. Oh, absolutely. However, after the emergency I desire that we have this training period at all times. I insist that this training period be kept up and this drafting be kept up. I am very much concerned about private in-

dustry and I sincerely believe that private industry will not feel the effects of this draft if we put it down to the age of 25.

I sincerely trust that we will find it convenient in the not distant future to make the age limit 21 years. Every young man in the United States will have applied for or taken part in this training at the age of 21, and when he is 22 years old he will be allowed to return to his private business. I am not concerned about the Reserve Corps or the Reserve commissions. The mere fact that we have men who are experienced and trained tells me that when an emergency comes they will volunteer their services.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. YOUNG. Mr. Chairman, I object. I want to have 5 minutes on the amendment.

Mr. MAY. I saw no other Member on his feet asking recognition. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes and that I may have the last 5.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. YOUNG] is recognized for 5 minutes.

Mr. YOUNG. Mr. Chairman, the amendment offered by the gentleman from New York is a meritorious amendment. There is and has been too great an economic loss involved in the drafting of older men and sending them to camps. As a matter of fact, the only individuals in America who to date have made any sacrifices for national defense are the young men selected for service in our armed forces and sent to the camps in this country, and the mothers of these young men. The immediate need of this Nation is not for a tremendous army. Our immediate need is for a thorough and complete mechanization of a compact army. This Nation is at peace. All of us hope that America will remain at peace and that we shall succeed in keeping this war 3,000 miles distant from our shores. We are favored by the Almighty with an expanse of ocean on both sides. We are favored in the fact that at the present moment our Navy, in personnel, in armament, in tonnage, in fire power, and in morale, is the most powerful navy that ever sailed the seven seas. Our superior Navy and our superb naval air force constitute America's first line of defense against dictatorship aggression. We are greatly favored in this time of emergency by the fact that our naval aviation is a mighty arm. It seems to me, therefore, it would be wise for us to lower the present selective service age to 25. We do not need millions of young men in our Army in time of peace. We must, however, completely mechanize a compace mobile army. The only meritorious feature in the bill before us, in my opinion, is the section we are considering right now. The other elements of this bill do not properly belong in the debate that is taking place today, because they relate to other matters and should not have been embodied in this bill. I intend to vote in favor of the Healey amendments to strike sections 2 and 3 from this bill.

I am very happy that the Military Affairs Committee has come in with the recommendation that the draft age be reduced to 28, but I think it would have been better had the Military Affairs Committee held hearings on the proposition of reducing the age to 25.

I believe the amendment now under consideration should be adopted. Surely between the ages of 21 and 25 there are more than sufficient young men for our armed services in this time of peace. Mr. Chairman, our Army lacks antiaircraft guns and munitions, it lacks tanks, trained officers, adequate antitank guns, adequate field artillery, adequate self-propelled guns such as Hitler's panzer divisions use. As a matter of fact our Army at the present time does not even possess one Stuka dive bomber. The immediate need, therefore, is not for millions and millions of young men in the armed forces in time of peace. The immediate need is to completely mechanize an army of four or five hundred thousand young men so we shall have that to supplement our first line of defense, which is the American Navy, which at the present time is more powerful than the entire Axis navies combined, and to supplement our superb naval aviation. I regret that the amendment offered by the gentleman from Ohio [Mr. ELSTON] was rejected. I supported that Elston amendment, and I now hope this amendment is adopted.

[Here the gavel fell]

The CHAIRMAN. The gentleman from Kentucky [Mr. MAY] is recognized for 5 minutes.

Mr. MAY. Mr. Chairman, the effect of this amendment which is presented without any committee consideration whatever would be to defer more men between the ages of 25 and 28 than there are at present in the entire body of inductees in training. The men between 25 and 28, according to the testimony before our committee, are the vital men necessary to the defense of this country. This amendment would simply wreck the program. I hope therefore the House will vote it down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. JONKMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONKMAN: Page 5, at the end of line 2, insert a new paragraph, as follows:

"That section 5 (b-1) of the Selective Training and Service Act of 1940 is amended by inserting before the period at the end thereof the following: 'or any man who has been honorably discharged from the Regular Army within 90 days of completion of the full period of his enlistment for 3 consecutive years for the convenience of the Government.'"

Mr. MAY. Mr. Chairman, I reserve a point of order against the amendment; and at the same time I ask unanimous consent that all debate upon this section and all amendments thereto close in 10 minutes.

Mr. HALLECK. Reserving the right to object, Mr. Chairman, I would like 5 minutes, and I see several Members on their feet.

Mr. MAY. Mr. Chairman, I modify my request and make it 25 minutes. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 25 minutes.

Mr. DIRKSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIRKSEN. How many amendments to this section are pending at the desk?

The CHAIRMAN. There are four amendments pending. There are amendments by the gentleman from Maryland [Mr. COLE], the gentleman from New Jersey [Mr. OSMERS], the pending amendment of the gentleman from Michigan [Mr. JONKMAN], and the gentleman from Indiana [Mr. HALLECK].

Mr. DIRKSEN. Mr. Chairman, reserving the right to object, I was going to suggest 5 minutes for and 5 minutes against each amendment.

Mr. MAY. Mr. Chairman, I amend the request and make it 30 minutes.

Mr. COLE of Maryland. Mr. Chairman, reserving the right to object, I hope the distinguished chairman will give all of us who have offered amendments the full 5 minutes to discuss them.

Mr. MAY. That is what I am trying to do.

Mr. COLE of Maryland. If that is understood, all right.

Mr. MAY. Of course, the time is in the control of the Chair.

Mr. HEALEY. Reserving the right to object, does the gentleman's request apply to section 1?

Mr. MAY. Yes; section 1 of the bill and all amendments thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. MAY] that all debate on section 1 and all amendments thereto close in 30 minutes?

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. JONKMAN] is recognized for 5 minutes.

Mr. JONKMAN. Mr. Chairman, the selective training and service law as it now stands exempts from its provisions those who have served in the Army for 3 consecutive years and received an honorable discharge. The purpose of my amendment is to place in the same category those ex-service men who have substantially served 3 consecutive years and received an honorable discharge except for the last 3 months. In other words, those who have served 2 years and 9 months or more and then were asked to accept an honorable discharge for the convenience of the Government instead of serving out their full 3 years.

I would not offer this amendment except for the fact that the purpose of Senate Resolution 1524 is to correct any errors or any inequalities or oversight in the law, and if anything is to be done it should be done at this time. I beg of the Committee to bear in mind that the purpose of this bill is to revise the selective

training and service law and correct inequalities, and therefore any necessary revision must be made now or the defect will continue its injustice or disadvantage indefinitely.

I beg the Committee also to bear in mind that this is still a selective training and service law. I can well remember that there were those who objected to calling it a draft law, and I think that is still their position. In support of that argument certainly there is no value to the Government in making men who have already had 3 years of military service take 1 year of rookie training under the Selective Training and Service Act.

Furthermore it is manifestly unfair to ask such ex-service men to sacrifice their positions in social and economic life for such a useless procedure.

Mr. ANDREWS. Will the gentleman yield?

Mr. JONKMAN. I yield to the gentleman from New York.

Mr. ANDREWS. I should like to address the chairman of the Committee on Military Affairs in this connection. The gentleman from Michigan [Mr. JONKMAN], is quite correct. The selective service boards are giving effect to his argument by regulation. It merely provides that a man who has in effect served a 3-year enlistment and has finished be relieved, particularly those in the Philippines and otherwise, who were asked to accept a discharge before the 3 years were up for the convenience of the Government because of pay, transportation, and other reasons. I believe the committee should accept the amendment.

Mr. MAY. I did not hear the amendment read, but I thought it applied to those people for whom we passed a bill here about 3 weeks ago; that is, all those who had served 3 years in the Navy, Marine Corps, or Coast Guard. But if it does apply to the situation mentioned by the gentleman from New York, I have no objection to the amendment.

Mr. JONKMAN. I thank the gentleman for the contribution and I thank the chairman for accepting the amendment.

(Mr. JONKMAN asked and was given permission to revise and extend his own remarks in the RECORD.)

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. JONKMAN].

The amendment was agreed to.

Mr. COLE of Maryland. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Page 4, after line 17, insert:

"Rules and regulations issued pursuant to this subsection shall include provisions requiring that there be posted in a conspicuous place at the office of each local board, and that there be published in such other manner as the President may determine, a list setting forth the names of those men who have been classified by such local board, together with a brief statement of the reasons for each such classification."

Mr. MAY. Will the gentleman yield?

Mr. COLE of Maryland. I yield to the gentleman.

Mr. MAY. I do not think there can be any objection to this amendment. I just raise the question whether or not this is the proper place in the bill for it. The amendment probably ought to follow at the end of line 2, on page 5.

Mr. COLE of Maryland. I may say to the distinguished chairman of the Committee on Military Affairs that this amendment was drafted by the capable Mr. Morgan, of the House legislative counsel, at my request. I assume it is properly placed in the bill.

Mr. Chairman, this is the amendment I discussed in the committee yesterday at pages 5912 and 5913 of the RECORD. I do not mean to condemn the many splendid draft-board officials now rendering fine service to their country, but I want to make it more difficult, if not impossible, for certain individuals—maybe not many; but one rotten apple will spoil the barrel—to approach such officials, advocating here and there successfully deferments which should not be granted. Publicity will help more than any other way I can think of.

Mr. MAY. Very well. We will accept the amendment.

Mr. COLE of Maryland. I thank the distinguished gentleman and the committee for this favorable response to the case I presented yesterday.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. COLE].

The amendment was agreed to.

Mr. OSMERS. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. OSMERS: After line 2, page 5, of section 1, insert a new section to be known as section 1A, to read as follows:

"That section 5 (c), paragraph 1, of the Selective Service Act of 1940 be amended by striking out the words 'members of the legislative bodies of the United States and of the several States and Territories.'"

Mr. OSMERS. Mr. Chairman, when the Selective Service Act was proposed last year, I voted in favor of striking out the section which would exempt Members of Congress and other legislative bodies from the provisions of the act. My reasons then were the same as they are now in proposing this amendment, which I hope will be agreed to by the House. I do not believe it is a democratic principle for lawmakers to make laws that exempt themselves from its provisions.

There is no more reason why Members of Congress and other legislative bodies should be exempt from the provisions of this or any other bill than there is why they be exempt from the payment of the taxes which they levy.

The principle of having legislators exempt from their own regulations is one which has helped to ruin democracy abroad. It is a principle totally foreign to any concept of democratic government.

In offering this amendment I want it distinctly understood that I am not trying to reflect on the patriotism or the personal courage of any of the people who are affected by it. I have no doubt that if we faced invasion of our Nation or if the public interest required it, that all of them who are physically able would volunteer for the defense of their country. But that is not the point.

Any law which applies to the people should apply to those who enact it. Simply because we sit here to draft, debate, and enact legislation is no reason why we should be immune to its provisions. The conclusion which the average person must draw from such a provision is either that the legislation is so bad that we ourselves do not want to be governed by it or else that we consider because we govern we are so exalted that we should not be governed.

I do not subscribe to either of those contentions, nor do I believe do any other Members of the House.

I voted for conscription because I believed it to be in the interest of national defense. I voted against the provision to exempt Members of Congress, and when I returned my own questionnaire, I did not claim exemption as a Member of Congress. If this regulation we are now debating passes, I shall be exempt because of the age limit. But that does not alter my view that no specific exemption should be provided for the people who make or administer the laws.

We are in the midst of a fight to try to preserve the American way of life. There are some who would even have us take up arms to force the American way of life on European nations. I do not subscribe to that doctrine. I believe we should have a defense which is the best in the world in order to keep democracy safe here in the Western Hemisphere. Conscription is a portion of that defense effort, although I have become shaken in my support of it when we conscript men and have to train them with gas pipes, brooms, and milk wagons. The theory of universal military service, however, still remains a sound one.

We who are striving to preserve democracy should set an example to those whom we serve. The first thing we must prove is that we ourselves subscribe to its principles. We cannot do that by exempting ourselves from the laws we make.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was rejected.

Mr. HALLECK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALLECK: On page 4, line 21, strike out the comma after the word "who" and the balance of section 1 and insert in lieu thereof the following: "have attained the twenty-eighth anniversary of the day of their birth, and who have not theretofore been inducted into the land or naval forces for such training and service."

Mr. HALLECK. Mr. Chairman, all this amendment would do would be to change the provisions of this bill so that whenever a man reaches his twenty-eighth birthday he shall not be subject to being called under the Selective Service Act. If you will read the bill, you will see that the date of July 1 is fixed. In the debate that has been going on today we constantly have referred to the fact that men 28 years of age or over will be deferred under the act. If the

act stands as it is presently written, that sort of a statement is not quite true because a young man whose twenty-eighth birthday is today, July 10, would be liable to be called until July 1, 1942. In other words, I believe that it puts too much of a premium upon those days immediately before and immediately after July 1.

I can understand some reason for fixing July 1 as the date upon which all young men becoming 21 years of age shall thereafter register. You cannot be registering them piecemeal each day, so you register them all at once, after they have reached 21 years of age, on a given date. But I cannot see any reason for carrying that over into the matter of the age that they must reach in order to be deferred under the provisions of this bill. So I believe it would be much better and I believe there would be a better acceptance of the act generally if we do what we have been talking about doing—that is, say to the young man that if he has not been called into the service by his twenty-eighth birthday he shall be deferred from being called under the provisions of this bill.

Mr. FADDIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I merely want to observe to the members of the Committee that in order to facilitate easy administration of this act there must be a set date. This date works not only at what we might term the last end of the age limit but it also works at the first end; in other words, if a young man becomes 21 years of age in January, he does not register until the following July 1. Therefore, to make it commensurate on the other end, I believe the age limit should be left as it is and the date of July 1 should prevail as marking a man 28 years of age.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Indiana.

Mr. HALLECK. As to the men who are now coming up to the age of 28, the fact that the younger men have registered at a given date, on July 1, after becoming 21, certainly should not affect rights under this proposal to lower the upper age limit.

Mr. FADDIS. I should like to ask the gentleman this question: What is his conception of the Selective Service Act? For what purpose was it written—to furnish men for an army, or otherwise?

Mr. HALLECK. The gentleman has asked me that question, and I should like to say right here and now that this whole matter of age has definitely to do with the ultimate question as to whether you are training an army perhaps to be used in the years to come to defend America or whether you are training an army and getting ready to fight in the next few weeks or months.

Mr. FADDIS. That is something that no one knows today.

Mr. HALLECK. I believe that very proposition runs through this whole question of the age limits.

Mr. FADDIS. Mr. Chairman, I asked the gentleman a question, not for an oration.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, during the brief 2 minutes I had this morning I expressed myself in favor of this amendment now under discussion. If the age of 28 shall prevail, why should it not take effect if the boy is 28 before the day he is actually inducted? It could easily be done without detriment to the service. It is claimed that the administration of it would be more difficult. I called the attention of the House to the fact that the draft boards as a rule are not being very much overworked. It would be a very simple matter to defer such cases and call the next in line. We now say we do not want boys over 28. There is nothing sacrosanct about the date of July 1, and it is unfair to a boy that simply because he is not 28 on that particular day he should be taken.

I hope the amendment will be voted favorably, because I believe it is fair. I am very sincere about it. The reason that I have again spoken is that I was given only 2 minutes in my other appeal. Do not worry about the administration of this simple change. I repeat, your draft boards would have little work added to their duties.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. HALLECK].

The question was taken; and on a division (demanded by Mr. HALLECK) there were—ayes 74, noes 77.

So the amendment was rejected.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUTHER A. JOHNSON: Page 5, line 2, strike out the period and the quotation marks and insert a semicolon and the following: "this provision of deferment shall not apply to men who are single, unmarried, and have no one dependent upon them for support."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I offer this amendment in response to a suggestion that comes to me from one of my constituents who is a man of good, sound judgment and experience and who writes me from an unselfish standpoint and says this:

I favor reducing the draft age to 28 for those who are married, but I do not think that the deferment should apply to single men. Single men who care too little about the future posterity of this country not to take a wife should not be exempt from military service. These single men should be required to at least donate something toward their privilege to live in our beloved United States. I trust that Congress will not excuse, either temporarily or permanently, by deferment or otherwise, those who are unmarried and have no one depending upon them for support.

Mr. Chairman, I think the suggestion is worthy of consideration and hence I have offered the amendment.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman.

Mr. WADSWORTH. I imagine, according to your friend, our great motto should be—marry or fight.

Mr. LUTHER A. JOHNSON. It might be subject to that interpretation, but I offer it for the serious consideration of the Committee, not necessarily for the reasons stated in the letter.

Mr. COLE of Maryland. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. COLE of Maryland. If the proposed husband-and-wife amendment to the tax bill prevails, then it might be better for a man to remain single regardless of the consequences.

Mr. LUTHER A. JOHNSON. I hope that amendment to the tax bill referred to by the gentleman from Maryland will not prevail, I may say to the gentleman. I am for the amendment I offer to this bill, but I shall oppose the proposed amendment to the tax bill which penalizes married couples in the payment of income taxes.

My amendment to this bill encourages matrimony while the proposed tax amendment discourages it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was rejected.

The Clerk read as follows:

SEC. 2. That section 9 of the Selective Training and Service Act of 1940 is hereby amended by adding thereto the following new paragraph:

"Refusal in any labor dispute to utilize existing Government conciliation and mediation facilities in an effort to settle such dispute on the part of any individual, firm, association, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any such plant or industry with which an order has been placed for defense materials shall be construed as a refusal under the foregoing provisions of this section."

Mr. HEALEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEALEY: On page 5, line 3, strike out all of section 2.

Mr. HEALEY. Mr. Chairman, first of all I want to point out that it is rather irregular, to say the least, to find this kind of legislation incorporated in a bill that is entitled "to authorize the deferment of men by age group or groups," and so forth.

By the language of this section you are attempting to force industry to utilize the conciliation and mediation facilities that have been created by the Government in labor difficulties or suffer a severe penalty for the neglect or refusal to do so. Of course, all of us want to see industry and labor, too, resort to the use of these facilities in industrial disputes. I am sure we are all for that. We believe in mediation, conciliation, and arbitration to settle these disputes, but the language of this section violates the principle of orderly voluntary mediation and substitutes force and compulsion for the orderly processes of voluntary collective bargaining and mediation.

Now where does the urge come from to write into statutory law the necessity by compulsion to use these facilities? This, in my judgment, negatives the very purpose and the reason for setting up these facilities. The National Manufacturers Association, the chamber of commerce, and all industrial organizations that I know of have not asked for this kind of

legislation. The administration is not in favor of compulsory legislation of this type and, certainly, those that are most directly involved do not want to be compelled to resort to arbitration or mediation by force of law.

We are seeking the utmost and the fullest cooperation of management, industry, and labor, as well as all elements of our population in this great emergency. You are not going to get it by compulsion. You are not going to get it by abandoning the democratic processes. England, with her back to the wall, and in the desperate circumstances in which she finds herself, does not resort to this sort of thing and has not abandoned any of the democratic forms.

Of course, I expect, if you vote to take out this section, you will also vote to take out the next section. I have an amendment to strike out that section also. They dovetail into one another. We should not, of course, put restrictive measures on labor and suspend its basic and fundamental rights without requiring similar sacrifices of industry. My feeling about the whole matter is that we ought not to do this sort of thing either to management or to labor. I believe that if we do enact such restrictive, punitive legislation we shall fail to accomplish our primary objective of national unity and the enthusiastic cooperation from all elements which we need so badly at this time.

I hope the Committee will adopt these amendments.

Mr. THOMAS F. FORD. Mr. Chairman, I rise in support of the amendment.

I favor that part of the present bill that authorizes the deferment of selectees over 28 years of age. The Army recommends this and it seems in the best interest of all to follow this recommendation.

But I am strongly opposed to that part of the bill designed to take from labor the right to strike, a right which has been won through long and persistent effort. This is labor's only weapon; the only means it has of combating unfair practices, long hours, low wages. No one will deny that we have during this year suffered from strikes fomented or called by irresponsible labor leaders, and repudiated by responsible leaders. That, I think, is a thing of the past.

Right now I am authoritatively informed there are only two strikes in progress directly affecting national defense.

Labor itself has spoken clearly; and it has definitely taken the stand that the machinery already set up for mediation of strikes shall and must be used.

We have now in the Department of Labor the United States Conciliation Service which is functioning effectively in a democratic way. In addition to this we have the National Defense Mediation Board which, we all must admit, has been highly successful in settling disputes of a major character.

I firmly believe that if we pass this bill, with its repressive labor provisions, and thus defy the responsible spokesmen of organized labor, not peace but confusion, dissatisfaction, and resentment will result. I do not think we should insult the men who are doing the work on national defense; we should realize that even during the worst period of strikes, only a very small percentage of workers were involved. Surely we will all admit that labor is loyal and that it is cooperating nearly 100 percent in the national effort to make our defense impregnable. Why, then, take this action and pass offensive and drastic labor legislation at a time when strikes in defense industries are almost nonexistent?

Repressive legislation is always bad. It is undemocratic, and it is never productive of unity and cooperative effort. That unity and that cooperation, so essential at this time, labor is giving. Let us not throw a monkey wrench into our defense machinery.

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment. It is said that the labor sections of the pending bill have no place in the legislation under consideration. The first section for the deferment of those over 28 years of age is an amendment to section 5 of the Selective Service Act, and the labor provisions are an amendment to section 9 of the act. Those who oppose the labor amendments now under consideration made no such arguments when the Selective Service Act was under consideration, and they made no such arguments a year ago when France was overrun. It was then insisted that if men are to be drafted, property should be drafted. No such arguments were made in the first World War, nor in the National Defense Act of 1920, when section 9, for taking over plants, was first adopted. The two provisions have been coupled together in existing law, and properly so. If men are to be drafted, men should be armed, and the country is demanding that the strikes that are under subversive leadership shall be eliminated and shall not occur again. I am not a member of the Committee on Military Affairs, but I recall the testimony of the Assistant Secretary of War. He stated that section 9 of the existing act was narrow, that it applied only in the case of the refusal of operators, and he advocated that it should be broadened and that in the emergency there should be implementation adequate for all emergencies that might arise. In other words he advocates that if a plant were strike bound, not merely a refusal but a case similar to that which occurred in the North American Aviation Co. in California, section 9 should be amended substantially as proposed by the pending Senate bill or the pending House bill to apply in case of both refusals and strikes.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. In a moment. Spokesmen from labor oppose provisions of the House bill and they oppose the provisions of the Senate bill. There is need for action. We approve the course of the President of the United States in the North American air plant in California. It was never argued; it was never stated by the Attorney General that the President had such authority under section 9 of the Selective Service and Training Act. It is only maintained that he had that authority under the Constitution as Commander in Chief. I say that the bill should be enacted and that the President of the United States should be given the power by statute to do that which he did in the case of the aviation company in California.

It has been said, and I care not whether it is said by the United States Chamber of Commerce or by some other organization, that all labor efforts should be voluntary. If that argument were sound, there would not have been any wage-and-hour law, or any Mediation Board and legislation would never have been enacted to promote the interest of labor, whether that labor worked in the mines, on the railways, or in the factory. I submit that if legislation has been enacted to promote the interests of labor, then legislation should be enacted to control the subversive influences of labor, when it is evident they should be stopped.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection?

Mr. HARNESS. Mr. Chairman, I reserve the right to object. Will the gentleman be good enough to yield to me?

Mr. WHITTINGTON. Make my time 5 minutes and I shall be very glad to yield.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for 5 additional minutes. Is there objection?

There was no objection.

Mr. HARNESS. Mr. Chairman, I hope the gentleman will indulge me while I read one or two sentences from a communication I just received from one of the boys in Camp Shelby in the field artillery service. He says:

> We do not have enough equipment, clothes, etc. We have 128 men in this outfit, and only 2 guns and 1 is broken. Imagine that. We have not learned anything in the last 3 months that we could not have learned in 1 month.

Mr. WHITTINGTON. Mr. Chairman, if legislation will promote the interest of labor, I maintain that legislation should control the subversive leaders in labor. If our young men are to be drafted, if we are to vote to draft them, we should provide for arming them. If the National Mediation Board will promote the interests of labor and the interests of industry, teeth should be put into the legislation so that the sinister influences should be controlled, and that is the purpose of this legislation. Spokesmen for labor object to the House provisions and spokesmen for labor object to the Senate provisions. I do not see so much difference between the two, and I submit when there are subversive influences in labor in the control of certain plants that labor should propose a remedy that will be effective, or that labor should adopt the best of the two proposals now pending here.

I submit that if we are to arm the boys who have been drafted, the country demands action. It is said that labor strikes are fewer; that labor strikes are not as frequent as they were. As shown by the CONGRESSIONAL RECORD of July 7,

page 5846, there were 24 strikes in Army plants and 19 strikes in Navy plants, with only 6 duplications, on July 5, 1941, but as the gentleman from Indiana [Mr. HARNESS] has just stated, a message comes from the boys in the camps that they are not armed; that they are inadequately armed. They have been drafted and we know as a matter of fact and as a matter of general information that there have been strikes that should not have occurred; strikes that are not condoned by the spokesmen of labor; strikes that are not favored by employees themselves, but labor was unable to eliminate the subversive influences, and it took an order of the President of the United States in California to do that. If that order is to be approved by the Congress, why not pass the pending bill? Why not implement existing legislation and make it adequate, so that the Commander in Chief of the Army and the Navy may provide for arming the boys and clothing the boys? Let us put teeth into existing laws.

This amendment, as does section 3 in the House bill, protects labor. They protect industry. They provide for collective bargaining. They provide for picketing, but at the same time they provide for protecting Americans in their God-given right to work for their country when it comes to the defense of their country.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. BOLAND. I appreciate the grand speech the gentleman from Mississippi is making.

Mr. WHITTINGTON. What is the gentleman's question, please?

Mr. BOLAND. I am interested in the interrogation of the gentleman from Indiana [Mr. HARNESS] with reference to the boys not having clothing and guns. Does he want to infer or to tell this House that labor is responsible for that particular isolated condition?

Mr. WHITTINGTON. I do not care whether it be industry or whether it be labor, but I do know and I believe the gentleman knows that there have been delays, that there have been subversive strikes that have caused delays. I am in favor of eliminating the delays wherever they occur, whether it be on the part of industry or on the part of labor.

Under leave to extend, I know that there are selfish employers. I know that there are profiteers in industry. I know that there are racketeers in industry. I know that there are those who will take advantage of national defense to make money. I know those whose patriotism may be defined in the terms of dollars. There is a time to deal with them. The pending bill authorizes the President to take over their plants. There must be no war profiteers. Congress should see to it that excess profits from munitions be collected. Labor cannot defend subversive influences among labor groups by calling attention to the crimes of industry. The remedy is to prevent and eliminate subversive strikes and to prevent profiteers in munitions. Two wrongs do not make one right.

It is said that labor must not be controlled by legislation, that labor disputes should be solved by voluntary cooperation. We are dealing with involuntary legislation. The Government did not depend upon volunteers for the Army and the Navy. We passed compulsory legislation to draft men. Is property, is labor better than men? If compulsory legislation is required for men, compulsory legislation is required for property.

ACTION DEMANDED

The Senate bill provides for the taking of immediate possession of any plant upon failure to comply where articles or materials are manufactured that are required for national defense, or any plant that may be transformed into such manufacture, if the use of such plant is justified and if the President finds that the program will be impeded by strikes, or if the taking over of the plant will be in the public interest, or if failure of production exists or production is threatened by labor disputes that have not been settled, when it can be operated in a manner consistent with the needs of national defense.

It is admitted that labor in many plants is under subversive leadership. It is thus admitted that the operation of the plants is under the control of subversive communistic leadership. The pending bill proposes to put the President of the United States in charge. Who will be fairer to labor, communistic subversive leadership in labor and in labor groups in munition factories, or Franklin D. Roosevelt, the President of the United States and the Commander in Chief of the Army and Navy? I put the question to the membership of the House. Who will promote the interests of labor, the President, or alien, subversive, communistic labor leaders? If we can trust our young men to the leadership of the President in the existing emergency, we can trust our factories and our property to his leadership.

The country demands action. The public demands that there be no repetition of strikes similar to the North American Aviation Co. in California. Labor proposes no legislation and proposes no remedy, while both the Senate and the House bills do propose legislation that will effectuate the production of materials and prevent subversive strikes. I repeat, labor cannot be heard to object to both bills unless labor proposes a better bill.

Labor has not complained that the President took over the North American Aviation Co. The public approves it. Labor approves it. Sections 2 and 3 of the House bill and the Senate bill are no experiment. The country has already approved the legislation in advance. The boys in the camps are entitled to it.

Moreover, it strikes me that the provisions of the House bill are sound and that both industry and labor will be better protected by the provisions of the House bill than the Senate bill. Employees will not be considered as Government employees. Labor has the right to strike. It has the right of peaceful picketing, but the bill protects the American citizen who wants to work in defense plants from force or violence.

If conciliation and mediation are established to promote labor, they should be utilized to prevent strikes. If they are to be disregarded by labor or by industry, they should be abolished. If these facilities are to be maintained, they should be utilized.

The fate of the Republic is at stake. Our country faces the gravest crisis in its history. There must be no delay in the defense of the Western Hemisphere. Neither selfish employers nor selfish employees should be permitted to prevent national defense. There is universal agreement that subversive leadership controls in labor organizations in many plants, and there is universal condemnation of many strikes that have been called. The proposed legislation is intended to prevent a recurrence of such strikes. The responsibility is upon Congress. The country expects Congress to do its duty. Until labor proposes a remedy that will prevent a repetition of subversive strikes, the pending bill should be adopted. I stand for the rights of labor. I stand for the rights of property, but I put my country above labor and I put my country above industry.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, may I suggest that we agree upon some reasonable time for debate on this section and all amendments thereto?

Mr. DIRKSEN. Mr. Chairman, I was going to ask for an additional 5 minutes. It will be my only discussion on the bill and I hope the gentleman will not object.

Mr. MAY. I shall not. Mr. Chairman, I ask unanimous consent that the debate on this section and all amendments thereto be limited to 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I object.

Mr. DIRKSEN. Mr. Chairman, I rise in support of the amendment, and I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield briefly if it is not taken out of my time.

Mr. HARNESS. I want to make this observation in reply to the question by the gentleman from Pennsylvania [Mr. BOLAND]. I did not infer by reading those two sentences from the letter of the draftee at Camp Shelby that labor was responsible for this tragic situation. I know that the rank and file of labor is just as patriotic as any other group in this country. We all know, however, that we are being led closer and closer to war, despite the fact that we are so short of equipment that the draftees cannot be properly trained. We must see that production of defense material does not stop if we are to be adequately prepared to defend this country.

Mr. DIRKSEN. Mr. Chairman, I shall support the Healey amendment, striking

our section 2. If it prevails I trust that an amendment will be offered to strike out the rest of the sections, and I shall support that amendment also.

Mr. HEALY. If the gentleman will yield, I just want to assure the gentleman that there is another amendment to strike out section 3.

Mr. DIRKSEN. Mr. Chairman, I confess some turbulence of mind in dealing with this problem for many weeks, and it has not been an easy matter to come to a resolution. However, some time late last night, I think, I definitely came to a conclusion on the matter, so I shall support that side of the cause, to strike the rest of the industrial and labor sections of the bill.

If you will read section 9 in connection with the Selective Service and Training Act, it provides substantially as follows:

A person who has available a firm where machinery can be used for defense purposes, who fails to give preference to Uncle Sam's order, who fails to deliver the quality, quantity, and kind of materials that he wants and who fails to deliver them at a reasonable price is subject to having his plant seized and operated by the Federal Government. In addition thereto, he is guilty of a felony for which there is a fine of $50,000 and/or 3 years in prison. We just add one provision. If he refuses to bargain with one of the existing mediation agencies, it will be considered a refusal under section 9. In consequence, he is liable for a penalty of $50,000 and/or 3 years' imprisonment, or both, in the event he fails to do so. Right now there is raging in the Corn Belt rising public resentment against the last penalty and sumptuary legislation that was enacted by the Congress. I am not going to support deliberately any more penal and sumptuary legislation until I am reasonably satisfied as to its conclusion and its impact upon the economy of the country.

The second section, namely, 9 (b) provides that if there is a work stoppage and if the President finds that it is desirable he shall order a resumption—a curious mixture of discretionary and mandatory power, and it gives him authority to enforce resumption.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Let me continue for a moment.

If there is a work stoppage, the bill particularly provides that the Federal Government cannot seize and operate, but it can seize and operate under the original section 9 if there is a refusal on the part of the owner of the corporation. Finally, there is section 9 (c) to provide that if there is any molestation, or threat, or violence, it is made criminal sabotage and there is a penalty in the bill. Frankly, I am not ready to go that far and there are some reasons why.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. If the gentleman will let me continue just a moment, then I will yield.

Mr. Knudsen, you will all remember, told the May committee he did not want any additional legislation. He is chargeable with the execution of this defense program. Mr. Hillman came before the Military Affairs Committee and also appeared before the Committee on the Judiciary and said he did not want that kind of legislation. The Attorney General said he did not want that kind of legislation. I am not going to be the whipping boy as a Member of Congress if this program lags and bogs down. If you give them this legislation and charge them with its enforcement, those who are responsible for the execution of the defense program will lay the blame upon the doorstep of Congress, if it lags or bogs down. That is No. 1.

Secondly, let me submit to you that the Commander in Chief who can occupy Iceland with the troops of the United States and advise Congress of his action 6 days later does not need any legislation to occupy a plant in the United States of America. He has done it once and he can do it again. Surely no proponent of the pending bill will arise to confess that what the President did before in California was or is illegal.

Notice the phrase "directly and indirectly" in the succeeding section. There is not an industry in the country that is not indirectly related to defense today, and this penalty of $50,000 and/or 3 years in prison will apply to all the employers in the country even though they are indirectly identified with the defense program. Frankly, I am not willing to go that far with such a far-reaching penalty on American industry.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MAY. Does the gentleman disapprove what the President did in the North American aviation case in Inglewood.

Mr. DIRKSEN. I do not say whether I approve or disapprove; that is history. The fact is that the President did it. The gentleman from Kentucky applauded. The country applauded. Is the gentleman willing to say now that the President as Commander in Chief cannot again go into every plant in the country and exercise a sumptuary and arbitrary authority if he is so disposed? Why come here now and ask the Congress after the fait accompli in the North American plant in California and say: "Let us place the sanction of approval by the solemn enactment of Congress upon it?" It has been done once, it can be done again, but I do not propose to carry the load for that kind of action. If his action was unlawful we cannot approve it. If it was lawful, he does not need the pending bill.

Finally, Mr. Chairman, we are on the threshold of having this defense program coordinated. It must be done to be effective. Somebody must be secured to do the job and when they finally do as they did in the last World War, the coordinator whether he be Mr. Baruch or some other skilled industrialist will probably follow his own devices. He will have to put together the loose ends, and weed out the piecemeal and doubtful legislation that we have put upon the books at the present time only to be condemned and censured for that action and all to no avail and to no purpose. I repeat Mr. Chairman, I am not going to support any more legislation like this containing severe penalties until I am persuaded it is sound and necessary. It may be in the books that at one time or another I have said I would do so. I am going to cancel all those commitments right here and now. Swift moving events and actions make it inevitable that one modify his position in the light of such events.

I think we are going to go on all right when the program is coordinated. What I want to see is a definition of the present objectives of the country. I want to know for what we are going to fight. I want to know where we are going to fight. Then I want to know how we are going to achieve that objective. Until we have that clarified and a comprehensive definition on the objective which we are pursuing I do not believe in putting any more piecemeal legislation on the books. There must be a more adequate defense design. There must be coordination. Until then this type of legislation is of doubtful value.

I see the evidence now in the farm belt of the country. The farmers are meeting, they are organizing because this House and the Senate solemnly declared that where a farmer tries to market grain on an over-allocation of acreage he must pay 49 cents a bushel. There is a great segment of the country today that is in rebellion against that kind of sumptuary proceeding because of the penalty. Yet here is a $50,000 penalty on the employer. Here is an additional $5,000 penalty and a year in prison on an individual who for one reason or another either may be in violation of such a provision although they are in entire accord with the defense program. Mr. Chairman, I am not going to vote for that kind of bill.

I am going to vote for the Healey amendment to strike section 2 and the subsequent sections when such amendments are offered.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Montana [Mr. O'CONNOR] is recognized for 5 minutes.

Mr. MAY. Mr. Chairman, I wonder if an agreement cannot be reached to limit debate on this section?

I ask unanimous consent that all debate on this section and all amendments thereto close in 30 minutes after the gentleman from Montana has concluded.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that after the conclusion of the time allotted to the gentleman from Kentucky all debate on this section and all amendments thereto close in 30 minutes. Is there objection?

Mr. CASEY of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASEY of Massachusetts. Will the Chair note the names of the Members now standing so that they may be recognized?

The CHAIRMAN. Those now standing are Mr. HALLECK, Mr. HARNESS, Mr. HOOK, Mr. CASEY of Massachusetts, Mr. BENDER, Mr. BRADLEY of Pennsylvania, Mr. FADDIS, Mr. MAY, and Mr. RAMSAY.

Mr. CASEY of Massachusetts. Mr. Chairman, I object to the unanimous-consent request.

Mr. MAY. Mr. Chairman, if the gentleman insists on his objection, then I am going to move to close debate.

Mr. CASEY of Massachusetts. Mr. Chairman, I only want 5 minutes to speak on the bill.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 40 minutes and that I may have reserved to myself the last 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

The CHAIRMAN. The gentleman from Montana [Mr. O'CONNOR] is recognized.

Mr. O'CONNOR. Mr. Chairman, it remained for a former distinguished Member of this House, who is now a distinguished Member of the United States Senate, to point out the cluttered condition of our present laws, mediation and conciliation boards, and so forth, that labor is confronted with.

Quoting from the CONGRESSIONAL RECORD of June 10, page 4948, Senator MURDOCK said:

We have the National Mediation Board, established by the President; then we have the Conciliation Service of the Department of Labor; then we have the Labor Service of O. P. M., under Sidney Hillman; then we have the National Labor Relations Board. Does any group of labor today know where to go to present grievances and ask for justice? It was recently reported that in a strike on the Pacific coast in the shipbuilding industry there was one mediator from the Conciliation Service of the Department of Labor, another from the National Mediation Board, and there was one group there grabbing onto this mediator and another group grabbing onto another mediator; so that, instead of mediation, instead of conciliation, there was nothing but confusion.

Pass some more laws and we will have more confusion. What do the people who know something about this subject have to say? Sidney Hillman, President of the Amalgamated Clothing Workers of America, says that strikes are the rare exception in defense industry, and that both management and labor are keenly aware of their stake in preserving and strengthening democratic institutions and democratic methods. Additional legislation is not called for.

Then we have the First Lady of the land using this language:

Among other writers, Mrs. Roosevelt remarks that we are not at war.

What a refreshingly frank and true statement our great First Lady makes to the American people. Some of us have been trying to tell this Congress to relieve some of the hysterical pressure of some of our Members that we were not at war. Now it comes from the White House.

Continuing, she says—

Strikes in defense industries should not be looked upon as indicating a lack of patriotism on labor's part. Every effort should be made to meet the Nation's needs, but it should be a joint effort of management and labor.

I like Mrs. Roosevelt's statement. It rings true and it shows she is a great American and stateswoman.

The labor committee of the Twentieth Century Fund states that—

world experience shows that the cooperation of labor cannot be gained by compulsion.

You know you can lead a horse to water but you cannot make him drink [continuing]—

Strikes in democratic countries can be prevented only by agreement, not by law. The United States got through the first World War without any law prohibiting strikes.

You did not have to pass this kind of a law 25 years ago. We were then in war.

I want to read a statement by a gentleman who came very close to being Vice President of the United States with reference to such matters. I refer to the Honorable Paul McNutt:

Astounding suggestions are being made in Congress and elsewhere. After 150 years of effort to insure labor against the worst abuses of the capitalistic system, we are now told we must give these efforts up because we can't have them and defense too. I do not believe it. I will not believe a nation can preserve its strength by giving up its freedom. We permit employers to strike.

I want to call your attention to the fact that the employers refused for 6 months before they would proceed with any contracts because they wanted to know what the profits would be, and they wanted to take the lid off of taxation limitations.

Then, he goes on to say:

Labor is entitled to the same privilege.

If the employers have the right to strike, labor should have the same right to strike.

Strikes in America are not placing the Nation in peril, totalitarian propaganda to the contrary notwithstanding. Strikes are democracy's safety valve.

Elinore M. Herrick, Regional Director of the National Labor Relations Board, New York City, in an interview reported May 2, 1941, stated:

No strike ever presents a single, uncomplicated issue. Generally, it takes only a little probing to find the sore spot in the situation. It has festered and grown and finally broken out into a strike. I find that there is usually a feeling of aggrievement in the minds of the workers. If it were not there, no union leader could mislead his union into a strike.

Women will understand, better than most men, that a strike is a serious business. Workingmen are responsible citizens. They are usually family men. When they go out on strike they know that their families might suffer. But they have thought it all out. Perhaps, they argue, it is better to have a few weeks of hardship if it means better working conditions for the future and thus more for their families.

Workingmen don't strike just for the sake of striking. It is no fun for them. It takes courage. They do it usually to secure better wages and shorter hours, so that they can give their families a better life. * * * Public opinion generally is against strikes at this time. Even though the cause is just, every possible means of settling labor disputes should be exhausted before men walk out and leave the mills, mines, and factories idle. We are working against time in this defense program. And the work must go on.

That is not to say that labor should accept exploitation in the name of defense, or that the employer should meet unreasonable demands. But it does mean that they should find a way to reconcile their demands. Both should be more reasonable than they would have been in normal times. * * * We are in a much better position today to cope with strikes than we have ever been. In the first place, collective bargaining is accepted. It is the law of the land. Then union leaders are much more experienced and mature in their judgment than they were. Employers, also, are more experienced and more willing to sit down around a table and thresh things out. There are, of course, exceptions on both sides. It is these exceptions that the public hears about—not the dozens and hundreds of cases which are being settled all the time. Averted strikes don't make headlines—although, of course, they are much more important.

When these deadlocks occur, a strike is not the only answer. It should be the very last resort. Our Nation and many States have set up so many means of helping break these deadlocks, that a strike should not be necessary unless it seems impossible to reach an agreement.

Why do we want to make digging labor the chief indoor sport of the Congress of the United States? Is it because we are hysterical-minded or is it because we want to bait somebody?

What would we do without labor? Where would we get our ships, our tanks, and our guns if it were not for labor? Suppose you bait labor to the point that it gets resentful and says, "We will go on a vacation. We will go fishing." What would we do? How would we make our guns, tanks, and so forth? We cannot make a man work.

Mr. Chairman, we better be calm about this thing. It is not in the public interest to make labor the goat on every occasion. We had better take the advice of the First Lady of the Land and conclude that as we are not at war we had better rely on the patriotism of that great group of people without whose effort we would be helpless.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, we are getting to be veterans in this labor-baiting fight. This is not the first time an attempt has been made to come in here through the back door and lash labor at the whipping post and to use the employer as the shield. They are blowing hot and cold in the same breath. They praise the action of the President in the North American episode, still they come in here now and say he had no authority to do it. They know he had the authority to do it, they know he had complete authority, based on the highest and supreme law of the land, the Constitution of the United States of America. I submit and they know he used it with discretion and in good judgment.

If you leave the law as it is, then the Chief Executive of the United States of America will be responsible for the action and not some subordinate down in the War Department, where they have made the kind of a fizzle that was illustrated

in the letter read by the gentleman from Indiana. If the War Department officials have made such a fizzle so far that they cannot take care of the men who are now inducted in the Army, what in the world will they do if we dump this on their shoulders? Let us leave it as it is, a responsibility of the President of the United States.

I issue a challenge to the chairman of this committee and say to him that the President of the United States is opposed to this kind of legislation. The President of the United States did not ask for this kind of legislation. The President of the United States, if left with the power he has, will do just as good a job from now on as he has done in the past, and he will not have to allow it to be done by some subordinate in the War Department, where the responsibility would be shifted in case this legislation went through.

Labor in America has gone down the line on this defense program. Today there is not a strike that is interfering with national defense. Why? Because the laboring men of this country, who belong to the loyal organizations, and the real labor leaders of this Nation, are cooperating with industry and Government in the defense of this Nation. If we adopt this legislation at this time, it will disrupt the very process that has brought strikes to a minimum; we will have chaos on our hands again.

I hope some of those who, probably not purposely but inadvertently because of their stand against labor, want to put on the statute books and in words that which they would like to put into effect, will realize that labor is honest and patriotic and has cooperated and will cooperate not only by the sweat of their brow but with the blood of their blood, their sons who are in the Army of the United States. This is proof of patriotism and loyalty.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, the House of Representatives is being asked to consider two measures which are totally unrelated in one bill. The proposal to reduce the age level of the Selective Service Act to 28 and the effort to place restrictions upon labor are as far apart as any two measures can possibly be. I protest against the attempt to join them in one bill as a dishonest procedure designed to stifle intelligent consideration of the merits of both proposals. I believe equally that our Government has already demonstrated its possession of sufficient authority to deal with any issue that may arise in management-labor problems. We do not need legislation which will place drastic curbs upon fundamental labor rights.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY of Massachusetts. Mr. Chairman, what is the situation we are trying to correct? What is the disease this cure-all patent medicine is intended to cure? We found ourselves suddenly confronted with the terrific impact of business by reason of this emergency. Naturally, there was a bit of indigestion. There was in the last war. In the last war, in 1916, there were more men out on strikes, four times as many, as in 1940. In the years 1917 and 1918 there were twice as many men out on strikes as there were in 1940. Yet business, capital, and labor, the farmers of the country, fed, clothed, and supplied not only our troops but the Allies, and we came out victorious.

I understand we have a similar situation today, although not as aggravated as it was then. Some want to make labor the whipping boy. Some want to make business the whipping boy. I served on the Temporary National Economic Committee, and we sat and deliberated in the quiet of that committee room rather than in a passionate, emotional atmosphere such as we have here during this debate. The T. N. E. C., in Monograph 26, said about big business at the time:

> The Government and the public are "over a barrel" when it comes to dealing with business in time of war or other crisis. Business refuses to work except on terms which it dictates. It controls the natural resources, the liquid assets, the strategic position in the country's economic structure, and its technical equipment and knowledge of processes.

There are some who contend that whatever sabotage of the armament program there has been has not come from labor but from the great corporations. Many of these would not even accept arms orders until they were sure that all legal bars to sky-high profits were relaxed. Many of them would not even bid on Government contracts unless they wiped out profit limitations. Many of them united in a conspiracy to hold up the Government for sweeping tax concessions, for guaranties that all costs and risks would be underwritten, before they would start work on the defense program.

Some people get up here and say that the boys are not equipped because of something labor has done. You might just as well point to the Aluminum Co. as to labor. I do not blame the big corporations, because I believe that the thing that has happened is the same thing that would happen to the New York Subway Co. if everybody suddenly decided to take the subway at the same time. I believe business has a tough job confronting it. I believe they were selfish and were trying to make big profits. I think that is part of business. I do not think we can legislate idealism into business. The profit motive still prevails.

I merely make the point that there are a great many thinking men in this country who know that any delay in this program is not due to labor, but it may be due to countless reasons, the most important of which, students agree, is lack of vital, necessary materials. Labor has nothing to do with that, but there are some who blame capital and some who blame labor. I say it is only natural that business should have digestive pains because of the impact of the many orders placed with it and because of the great amount of business that suddenly fell into its lap after years of depression. If these companies started to make money it is only natural that labor should ask for an increase in wages, an increase in wages to help pay the rising cost of living and because they saw the employer making more money. There is nothing unusual about that, but I am telling you now, and you will remember it in days to come, if you pass this kind of legislation with more governmental laying hands on business, you will rue the day, because it is not good for business, it is not good for labor, and it is not good for this country which we all love.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. RAMSAY].

Mr. RAMSAY. Mr. Chairman, this country has prospered and grown under the policy of free labor and free industry. I cannot look at this bill and not believe that it will destroy both. I know that the industrialists in my section of the country are not for this bill. They argue that in case of a jurisdictional strike in their plant, in which they are not interested and with which they have nothing to do, to take their plants away from them would certainly be a great hardship. This is true. It is a great hardship, and it would be an extraordinary remedy that has only been used once in 150 years of the history of our country. It is said by the supporters of this bill that the President had the right to do it—that he had the constitutional right to do it, to seize the factories in the western strike. If he had the constitutional right to do so, how can we add to it by statute? If he did not have the constitutional right to do so, then we cannot grant him that power by statute. Placing this extraordinary remedy on the statute books and making it the method to be used in such cases anywhere and everywhere endangers the liberties of the people of this country as to the existence of free enterprise and free labor. There cannot be any question about that.

It is said that this bill strikes only at subversive influences. If you will look at the bill you will see that it says "through subversive influences or otherwise." In other words, permitting the man who will enforce this legislation to do exactly what he pleases under any and all circumstances.

Mr. Chairman, I cannot support a measure of this kind. It is said by some, "Oh, we desire this because the boys have been drafted into the Army." I can see a vast difference between men serving their country in the military service and a man running an automobile plant or a gas plant or a man working in a glass plant, and let me say that nine-tenths of these boys that are now in the Army are not in favor of this kind of legislation because they come from working people and people who own factories and who are opposed to this sumptuary legislation.

Mr. Chairman, I am against all of this legislation in this bill pertaining to labor and I hope the Committee will vote it down. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, the gentleman from Massachusetts [Mr. CASEY] undertook to draw a comparison between

the number of men on strike today and the number of men who were on strike during various periods of the last war. I want to call the attention of the Committee to this fact. Such a comparison is by no means applicable today. World War No. 1 was a war of manpower. This is a war of matériel. There is a vast difference in the armament required for an army today and the armament required for an army in 1917 and 1918. But even so, I will call the attention of the members of this Committee today who knew what conditions were in France and I will ask them to remember that even in those days the American Army, with all of our pride in that Army, with all of our pride in our industrial system, even of that time, was sadly deficient in the necessary equipment that we should have had. So God forbid today that we, the Members of the Congress of the United States, should neglect taking any steps that would go toward assuring proper and complete armament for the men we have taken into the service under the terms of the Selective Service and Training Act.

It is, indeed, a strange spectacle to see here today men who stood on the floor upon the occasion of the passage of the Selective Training and Service Act and fought for the inclusion of section 9 in that act, now rise on the floor of this Committee and because they have seen that there is a possibility whereby section 9 has set a precedent that if Congress has the right to regulate recalcitrant industry then they also have the right to regulate recalcitrant labor. They may do so. They see that there is a possibility that this yardstick may be made to apply to the other side of the picture and now they are sorry that they were ever for section 9 and here they are on the other side of the question.

Nobody wants to draft labor to work in industry and there is not a single word in this bill that would make it possible to draft labor into industry. The only thing we want to do in this bill is to assure ourselves that we are applying the same standards of requirement and that we are going to require the same standards of patriotism and cooperation of capital, industry, and labor. Unless we are able to do that, unless we are able to guarantee to the people in this Nation that we shall have the same standard of law enforcement with respect to all classes of people in this Nation, then, indeed, we are facing a sorry time in our history, because it is absolutely necessary if we are to be a united people that all classes should be used alike and all classes should be forced to contribute according to what they are able to contribute to this program of rearmament.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, it is strange that England, fighting for her life, at war, has experienced but two major strikes, proving to me the flexibility of the democracy of the labor groups of England. In those cases no troops were called out by the British Government, contrast that with the action of our Government in calling out troops in the recent California strike. I recall that about a year ago when we started our defense program certain leading industrialists came to Washington, they boldly said, "We will not turn a wheel until we know how much profit we are going to make." This Congress gave them the green light, and passed a law insuring to them the cost-plus system. You did not attempt to draft industry then as you are trying to draft industry now. Let me warn you. I have been here for 10 years; I saw the gains of labor secured during that time and I have been a part of them. I have been on strikes in my early days and I deplore violence as much as anyone. Strikes are an economic loss to the employer, the employee, and the public. This bill is a scheme on the part of those who believe in sharecroppers, who believe in child labor, and who believe in an open shop. The sponsors of this bill are not the friends of organized labor, and they are trying to drive the opening wedge in order to destroy what organized labor has worked hard and incessantly for during the past 50 years. They would freeze the closed shop and set labor back a quarter of a century. They say it is because violence and sabotage have been committeed that this legislation is necesssary. Only last month in Toledo at a convention of the Fraternal Organization of Eagles I heard an address delivered by Mr. Boardman, a member of the F. B. I. He said that the F. B. I. had been charged with the supervision of defense industries to watch for sabotage, and he reported to the convention, and this was the latter part of June, that not one single act of sabotage was committed in any industry in this country up to that date. Who is fooling whom? Under the guise of national defense it is easy for the scoundrel to wrap the flag around him, and you Democrats who have been going along with Franklin Roosevelt on this program of labor have to stand up and be counted. I do not believe the President of the United States, as much as I can disagree with him on his foreign policy, wants to wreck the organized labor movement of this country. I do not believe it. He has sent no message here, he has made no public statement on the subject, and we have the right to believe by his silence that there is no need for this legislation. If there was I believe he would be courageous enough to ask Congress to pass it. Most of us here supported the labor reforms under the administration of President Roosevelt. Labor made possible his election as a third-term President. Make this day, July 10, 1941, a second Labor Day and send the word to the country that we will not stand for any sabotage of the social and economic gains won after a hard and long fight.

Mr. MAY. Mr. Chairman, some time yesterday it was remarked in the debate that it was the voice of Jacob, but the hand of Esau. I would like to supplement that by saying, O, consistency, thou art a jewel! On the 7th of September, 1940, the House of Representatives voted on what was known as the Smith amendment to the Selective Service and Training Act, as recorded on pages 11749 and 11750 of the RECORD of that date. That amendment imposed this terrible fine of $50,000, which is yet effective, against industries, about which these gentlemen are so concerned today. On that day the gentleman from Massachusetts [Mr. HEALEY] voted aye, the gentleman from Montana [Mr. O'CONNOR] voted aye, the gentleman from Michigan [Mr. HOOK] voted aye, and the gentleman from Massachusetts [Mr. CASEY] voted aye, and the gentleman from Ohio, [Mr. SWEENEY] voted aye; and here is your committee, after considering it all, bringing in a provision as an amendment to that section, which merely requires those people whom you want to fine $50,000 to seek mediation and conciliation before they become liable to the fine. All in the world we do to this section is so plain that a wayfaring man, though a fool, need not err therein. All we do is to say that refusal in any labor dispute to utilize the existing Government conciliation and mediation facilities in an effort to settle such dispute upon the part of any individual, firm, association, corporation, and so forth, in the language of the original section, shall be construed as a refusal under the section.

Now, that is just an effort on the part of the administration to make mediation effective, and yet these gentlemen cry out here today to compliment the Mediation Board and say it is made up of a fine bunch of men, and I can recall just a few months ago when the whole bituminous-coal industry of the country was shut down for 6 weeks, when the open-hearth furnaces of the great steel district of Pittsburgh were silent as a tomb, and when defense industry in this country was threatened with a shut-down, a shut-down that was fatal, and then it was that the Mediation Board intervened, and both sides went to the Board and settled their difficulty that would not otherwise have been settled. Yet when we ask them to submit to mediation, which is peaceable, rather than stand out and strike and oppose each other and resort to violence and lawlessness, these gentlemen come in here and object, and the truth of the matter is they are just using this section as a gangplank to walk out on to section 3, which contains the labor provisions on this bill, in order to set a precedent and get rid of it, and the question is now becoming important for that reason, and it is up to this House to say whether or not you are going to stop strikes in these industries and give the President of the United States, not only his constitutional power as Commander in Chief, but statutory authority in conformity therewith.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. All time has expired.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Chairman, I ask unanimous consent that this amendment and the amendment striking out section 3 be considered as pending and that we may vote on both amendments at

this time. I ask that in view of the fact that the debate has covered both amendments very fully, and I submit that request in order to save time.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the amendment to strike out section 2 and section 3 be considered as pending and voted on together at this time. Is there objection?

Mr. MAY. Mr. Chairman, I object to that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. HEALEY].

The question was taken; and on a division (demanded by Mr. HEALEY) there were ayes 170 and noes 1.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 3. That the Selective Training and Service Act of 1940 is further amended by adding the following new sections:

"SEC. 9a. That in the event of the stoppage of production through subversive influences or otherwise, not constituting a refusal under the foregoing provisions of section 9 hereof, of any article or material which may be required for national defense, or which may be useful in connection therewith, in any plant or industry, the President, if he finds that the exercise of such power and authority is necessary or desirable in the public interest, shall order such plant or industry to resume production immediately. The President shall have the power, through the heads of the War and Navy Departments, to enforce such order, and to afford protection to all persons engaged in the operation of such plant or industry who voluntarily desire to work in such plant or industry. Such power and authority as is hereby vested in the President may be exercised with respect to any such plant or industry only during the existence of a national emergency or in time of war.

"Nothing contained in section 9a hereof shall be construed to authorize the President or any Government agency to seize or operate any plant or industry or to give to any persons affected thereby, in any respect whatsoever, the status of Government employees.

"No person who is separated from or refused employment in any such plant by reason of any such order or action by the President shall be entitled under any other existing law to any claim against his employer for time lost.

"SEC. 9b. (1) It shall be unlawful to prevent or to attempt to prevent, by force or violence or by threats thereof, any person from accepting or continuing in employment in any defense plant, or from entering or leaving any defense plant in the course of such employment. Nothing in this section shall limit the right of any person or organization to strike or to engage in peaceful picketing.

"(2) As used in this section the term 'defense plant' means any plant, factory, mine, building, utility, or place engaged directly or indirectly in the production, distribution, storage, transportation, or repair of any material or article for national defense.

"(3) Any person violating any provision of this section shall be deemed guilty of sabotage, and, upon conviction thereof, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both."

Mr. ROBERTSON of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBERTSON of Virginia: On page 6, line 25, after the word "picketing," strike out the period, insert a semicolon and the following new words: "but the Congress hereby declares that strikes or lock-outs in industries that impede or delay the national-defense effort are contrary to sound public policy, and that strikes or lock-outs in such industry in which either side refuses to recognize arbitration or mediation and to abide by the decisions thereof are hereby condemned."

Mr. ROBERTSON of Virginia. Mr. Chairman, since every Member of the House is thoroughly familiar with the language of this amendment as it is carried in the Senate bill and was overwhelmingly adopted in the Senate, I will not take the time of the House to discuss the amendment other than to call attention to the fact that since in the committee amendment there is inserted the provision "Nothing in this section shall limit the right of any person or organization to strike or to engage in peaceful picketing," which is just an announcement of a general policy, because there is nothing in the bill that does that anyway, it seems to me most appropriate to follow that with the provision in the Senate bill that in these defense industries we do not think they should impede or delay our defense effort by strikes.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ROBERTSON of Virginia. I yield.

Mr. MAY. Mr. Chairman, the committee has no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. ROBERTSON].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. MAY. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed Mr. ROBERTSON of Virginia and Mr. MAY to act as tellers.

Mr. FITZPATRICK. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. FITZPATRICK. Both gentlemen who have been appointed tellers are in favor of the amendment.

The CHAIRMAN. No one has opposed the amendment on the floor. The tellers will take their places.

Mr. ROBERTSON of Virginia. Mr. Chairman, there has been quite a great deal of confusion. May the amendment again be reported?

The CHAIRMAN. We are in the process of taking the vote by tellers.

Mr. SACKS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SACKS. Are both the tellers in favor of the amendment?

The CHAIRMAN. Tellers have been appointed. No one appeared in opposition to the amendment. The Chair has appointed the gentleman from Kentucky [Mr. MAY] and the gentleman from Virginia [Mr. ROBERTSON]. Those in favor of the amendment will pass through the tellers and be counted.

The Committee again divided and the tellers reported there were ayes 86 and noes 119.

So the amendment was rejected.

Mr. HEALEY. Mr. Chairman, I have an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HEALEY: On page 5, line 14, strike out all of section 3.

Mr. HEALEY. Mr. Chairman, I do not propose to unnecessarily waste the time of the House at this time. I think the debate has very fully covered not only section 2, but section 3 of the bill. This amendment is offered to strike out section 3, the rest of the bill.

I shall submit it to the House without further discussion.

Mr. SMITH of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I recognize the futility of discussion, but there is one thing I want to put in the RECORD today that does not appear in the debate. What I want the RECORD to show today is the disgraceful lobbying which has taken place with respect to this bill in the last 3 days. You Members know that last week a conference of C. I. O. leaders was called to meet in Washington on Monday for the express purpose of defeating this bill. They met. They received their instructions to proceed to besiege and to coerce individually the Members of this Congress. They divided up into goon squads of three and called on Members of Congress, and they told the Members of Congress—and you know it—We are here to watch your vote. We are here to see whether you are the friend or the enemy of organized labor and the C. I. O., and we propose to see about your election in accordance with how you vote on the May bill.

No such disgraceful episode has happened in the American Congress since the investigation of the lobbying that took place over the so-called death sentence in the utility bill. Why do these goon squads call on you gentlemen in squads of three? It is a delicate little part of the technique of intimidation. One of them of course could have told us just as much about their objections to this bill as three; but, no, they had to have three just to impress us with superiority in numbers. That little touch of intimidation upon Members of Congress. And I am wondering how some of these Members of Congress are going to feel when they go home tonight and have voted against saying they condemn violence and intimidation and voted to do that because members of the C. I. O. came to their offices and sought to intimidate them and sought to coerce them with the threat of political destruction if they failed to obey the orders of the C. I. O. That is the situation. We all know it; and we are all going to have an opportunity to let the C. I. O., and the American people know whether the duly elected Representatives of the whole people are going to be coerced and intimidated into voting against a bill to prevent coercion and intimidation of other American citizens.

Mr. ARENDS. Mr. Chairman, I move to strike out the last word in order to say for the information of the gentleman from Virginia that Harry Bridges, whom the entire House, except for 20 Members, voted to deport over a year ago, is one of the individuals now here in Washington actively engaged in an effort to defeat this legislation now before us.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. HOFFMAN. Since we have joined hands with the "reds" in Russia, why should we worry about or object to Harry Bridges? Are we not all "buddies"?

Mrs. NORTON. Mr. Chairman, I rise to support the amendment offered by the gentleman from Massachusetts [Mr. HEALEY]. Before doing so I want to say to the gentleman from Virginia [Mr. SMITH] that no member of the C. I. O. came to my office.

Mr. CRAWFORD. Mr. Chairman, will the gentlewoman yield?

Mrs. NORTON. Briefly; yes.

Mr. CRAWFORD. Mr. Chairman, I wish to say to the gentlewoman from New Jersey, the chairman of our committee, that the statement of the gentleman from Virginia was the first knowledge I had about anyone's being in this town lobbying on this bill; and no one has been at my office in any physical form whatsoever.

Mr. McKEOUGH. Mr. Chairman, will the gentlewoman yield?

Mrs. NORTON. Very briefly.

Mr. McKEOUGH. I consider the statement that the gentleman from Virginia made as a reflection on the integrity, patriotism, and good sound statesmanship of the membership of this House.

Mrs. NORTON. And I entirely agree with the gentleman.

Mr. Chairman, I cannot yield further.

Mr. Chairman, I shall now attempt to point out some of the inconsistencies in this bill.

On page 6 of the bill the sentence beginning at line 23 states:

> Nothing in this section shall limit the right of any person or organization to strike or to engage in peaceful picketing.

The proponents of this bill have said that this terminology preserves untouched the right to strike and the right to picket. I state that it does not, and that this bill destroys both rights.

As for the right to strike: Consider closely with me the language on page 5, line 17, wherein the proposed addition to section 9 of the Selective Service Act is set out. The proponents of the bill have maintained—and the gentleman from Virginia [Mr. SMITH] has so stated on this floor—that all this section does is give legislative approval to the action of the President in taking over the North American plant, which was strike bound as a result of Communist activities.

If this bill does more than this, and if it does limit the right to strike and the right to picket, then the proponents should concede that the bill should be amended to eliminate those sections which do not achieve the purpose they allegedly hoped to achieve.

Please note closely the wording of section 3 of the bill, on page 5 at line 17. It says if there is a stoppage of production through subversive influences or otherwise, the President shall do a certain thing. If the words "or otherwise" are in that sentence, the words "subversive influences" might as well be left out, because with those words "or otherwise" that sentence simply reads "whenever there is a stoppage of production," or, to put the matter another way, "whenever there is a strike."

Labor's new-found friends have stressed the "subversive influences" wording of this section; they have gracefully omitted accenting those weasel words "or otherwise."

To continue with that same sentence, what happens "whenever there is a strike"? Whenever there is a strike, the President shall do a certain thing. This is supposed to be the legislative approval of the President's action at North American. It is not. In the North American situation the President did not have to do a certain thing under a law. He had discretion. The result of this section would be to force the President to take over a strike-bound plant whether the strike was caused by subversive elements or otherwise. It would leave him no discretion; it is mandatory upon him.

The enemies, not the friends, of labor are behind this bill. Is this not a subtle way of forcing the President of the United States to do that which he does not want to do? Is not this an interference with the right to strike? What good is the bare right if, when American workers strike, the President has to break their strike because of a hastily considered congressional enactment? Under this bill the President of the United States, with the Army and Navy behind him, is forced to become America's strike-breaker No. 1, for if they strike the President shall see to it that the Army or the Navy enforces a resumption of production, whether the strike is caused by subversive elements or otherwise, no matter how the strike is caused.

Is this merely a legislative approval of what the President did at North American? It is not. Does this deprive American workers of the right to strike—a right you all agree must be preserved? It most certainly does.

The second matter is picketing. The proponents have said that that right is also preserved. I say it is no better preserved than was the right to strike. Let us look at page 6, line 19, where it is provided:

> It shall be unlawful to prevent or attempt to prevent by force or violence or by threats thereof any person from accepting or continuing in employment—

And so forth. What does this do to the right to picket, so sanctimoniously said to be unaltered? Consider a labor dispute, with a picket line thrown about a plant. Scab labor comes along to take over the jobs of the striking workers. Will any sane man here contend that when a scab confronts that picket line he is not confronted with a threat of violence? In the nature of things, when a scab goes in to take over the job another has left because he deemed his employer unfair, the scab knows that those men on the picket line hate no man more than the one who takes their jobs and thereby breaks their strike. Yet this section would make even this manifestation of a striker's position unlawful. The proponents of this legislation know full well the effect of this section, were it to become law, might very well be to suspend another law we all know to be a wise law—the Norris-LaGuardia antiinjunction law—for it would take no strained interpretation of this section to convince a court that by this section picketing was a threat of violence made unlawful by this section, and the Norris-LaGuardia Act says injunctions may issue where an unlawful act is committed.

A strike results from the break-down of collective bargaining negotiations; it is the use of one kind of economic force against another kind of economic force. Labor knows that if an employer can rob labor of its force, that is, the withholding of labor supply by strike, if the employer can use scab labor, labor might as well give up the strike. So they put up picket lines, to inform the world that a labor dispute is in progress, that they have exercised the right of free Americans to leave their jobs. Wanting to do their jobs, needing them, they nonetheless demand the right to strike if they are treated in an unfair and un-American way. Can it be sanely said that when a scab confronts such a picket line he is not thereby threatened with force?

Do not mistake me. I am not condoning either force or violence. But I am trying to point out that this second solemn avowal that the right to picket is not suspended by this bill is untrue. Pickets would be at the mercy of scabs and other vicious strike-breaking devices with no alternative but force and violence if this provision were law. I beg my colleagues, because of these arguments that I have here made, to defeat this section of the bill, because the time is not right, nor is the occasion well fitted for the calm consideration that is a necessary precedent to the drafting of this type of labor legislation.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last three words.

My position in support of this amendment is based not on what anybody else may think about it but on my own convictions. When the Mediation Board was first set up I made a short speech in which I said I believed that every group in this country should support that Board, cooperate with it, and use it. On two occasions I have risen on the floor to denounce the action of not only employers but also of certain labor leaders who were not so cooperating. As a matter of fact, however, such cases are growing rare indeed, and I believe events of the past few months, together with the patriotic devotion of the overwhelming majority of labor in America, have made it almost certain that the Mediation Board's services will be unusually in great demand from now on.

Now, I believe and have said that the President's action in connection with the North American aircraft situation was, in my opinion, a justifiable action because I think informed people know that strike was called in the middle of negotiations and was called due to subversive influences. And as the whole matter has finally turned out the settlement effected by the Mediation Board does give the men the raise in pay and the regularized pay scales which they should have had. Thus it is evident that continuation of negotiations could have in the beginning

accomplished what the strike was supposed to accomplish. This should be, and I think will be, an important object lesson that will not be soon forgotten.

One of my main reasons for supporting these amendments of the gentleman from Massachusetts is because it is my belief that passage of the bill in its original form would be regarded, not by any Communists or Nazis but by the great rank and file of American workers, and employers for that matter, as an attack on fundamental rights of theirs, and this is not the way to push forward the defense program, for, in the last analysis, no one but the constructive 95 percent within the ranks of labor can remove any elements that are really against our country and accomplish the purposes of our defense program. But in this bill we have an attempt to identify American labor and all of the actions of American labor with subversive action and groups. We have an attempt to break down basic, fundamental, long, and hard-won rights, for I am very much afraid that would be the effect of the section now under consideration. It is my earnest and firm belief that the passage of legislation like this would make more difficult rather than less difficult the solution of industrial disputes without strikes and would make it more likely you would have violence, trouble, and stoppages in defense industries than is the case today. I believe I can submit on the basis of the record that the Defense Mediation Board has done a mighty good job. I do not want to see that job interfered with, and I believe this bill would interfere with it.

Indeed, it is true that an ultimate power has got to rest with the head of this Government to take such action as may from time to time be absolutely necessary in the protection of the basic public interest. No one can question that. The President must have had that power when he used it. Surely we do not want, by any action we take, to imply that he did not have the power. I am convinced he would not have done what he did if he had not had this power. But the use of that power should be only in cases of absolute necessity—a sort of use of an ultimate power under the Constitution and not one provided by statute or legislation, in which Congress would say in effect, "This is our regular method of doing things in America." For, after all, the basic and fundamental method of any democracy has got to be the ability of that democracy to bring together, on the basis of working out their differences, those groups which compose it.

I have read recent speeches of responsible men in the labor movement. I have one before me by George Meany, secretary of the American Federation of Labor, member of the National Defense Mediation Board, in which he says that it is the policy of the American Federation of Labor that even justifiable strikes shall be avoided at the present time. But once you say by law that in the case of all strikes, whether the Defense Board has been in it or not, and no matter what the circumstances, that in the case of any strike where a man can be accused of making a threat, he can thereby be punished by a $5,000 fine, or by long imprisonment, you have removed the possibility of working this thing out on a better and fairer basis.

I do not question the President's power as he used it in the North American case, neither do I believe that the passage of legislation like this on the part of Congress is wise, in the public interest or in the interest of the national-defense program; therefore, I support the amendment offered by the gentleman from Massachusetts.

Mr. COOLEY. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman approves the action of the President in the North American situation?

Mr. VOORHIS of California. I think so. It was the only thing he could do under the circumstances. I believe that responsible leaders of labor agree with him. I believe that was a case where you did actually have subversive influences.

Mr. COOLEY. Then why is the gentleman apprehensive about the manner in which the President will exercise the power conferred on him by this section?

Mr. VOORHIS of California. I made my position clear. In my speech I made my position very plain. I believe that the only circumstance and the only basis on which any such power should be used is an ultimate constitutional power.

[Here the gavel fell.]

Mr. PATRICK. Mr. Chairman, I move to strike out the last word.

Mr. HEALEY. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Massachusetts.

Mr. HEALEY. I just want to take a moment of the gentleman's time to say that no member of any labor organization has approached me and urged me or tried to importune me to vote against this bill.

Mr. PATRICK. Mr. Chairman, I had not intended to say a word. Whenever a measure comes up, as one has today, inspired by strikes wrongfully called, as has been the case in this Nation, and a need for legislation arises, naturally it is calculated to sweep into a just indignation over the Nation. As a result the populace in acclaim demand and call loudly for certain things. It then becomes the duty of this body to remain at an even keel. We cannot ever allow ourselves to ride too low or too high with the tide.

I am going to support the amendment offered by the gentleman from Massachusetts [Mr. HEALEY] because I feel the present draft is more extreme than is necessary. I do not think we ought to get excited under the lightning of debate and impute things, as did my good friend the gentleman from Virginia [Mr. SMITH]. I know that strong integrity of his, I believe as firmly as I am standing here that nothing could come, no goon squad could influence his vote nor move him to the right or to the left when he has firmly made up his mind. I hope that after due consideration he will accord that same thought and the same graceful acknowledgment to those who vote otherwise. I do not believe that any man or woman who came to this Congress to help make the laws of this Nation, with the welfare of 132,000,000 people at heart, would vote according to what some little goon squad here or there directed. If that were the case, the safety of the Nation is not now at hand. So, let us not pursue that sort of idea. Let us not be exercised nor veer to the right or to the left by an impulsive and unguarded implication.

May I say that not one person who has contacted me from either side of this question has made the implication that I would not vote my sincere conviction.

Mr. BRADLEY of Pennsylvania. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. Does not the gentleman think our colleague from Virginia should believe in the honor and integrity of his colleagues to the same extent he hopes they believe in his honor and integrity?

Mr. PATRICK. Yes, and he does after calm reflection, of course. I hope that when this is all over we shall feel that every man has voted according to what he thinks is the best law and for the right, because those laws will live after the war is over, after the present crisis is ended, and after we are all dead.

[Here the gavel fell.]

Mr. COOLEY. Mr. Chairman, I move to strike out the last 4 words.

Mr. Chairman, I am not greatly excited about the amendment that is pending and I have no reason to impugn the motives of any of my colleagues. I am not apprehensive about the efforts of the lobbyists or the "goon squads" which we understand have visited congressional offices. No "goon squad" or any other person has spoken to me about any provision in this bill.

I find it difficult to find any objection to the language in section 9a which gives the President certain rights, rights which I am perfectly willing for him to exercise not only in the interest of labor but in the interest of the public welfare. It gives him the right, in specific language, to afford protection to all persons engaged in the operation of a defense plant or industry who voluntarily desire to work.

A few months ago the people of the world were very profoundly impressed by a very strange yet an inspiring spectacle. When our Nation called for men to register for service in the armed forces, 17,000,000 red-blooded American boys marched to the places of registration in all the cities and villages and hamlets of the Nation, 17,000,000 of them, yet not a drop of blood was shed and not a single shot was fired.

Recently another very strange yet disgraceful spectacle took place in this Nation when, because of a chaotic condition in a vital plant, it became necessary for the President of the United States to call out the United States Army for the purpose of protecting citizens of the country in the exercise of their inherent right to work.

Sometimes I believe that in our anxiety to protect labor in its right to strike we overlook the paramount right of every American to work. Very little interest seems to be shown in behalf of the man

who wants to take a job in a vital plant for the purpose of carrying on production. I say that is a spectacle which the American people will not long tolerate. The patience of America will not endure all things, and the patience of America will not endure strikes which impede and delay the progress of this defense program and jeopardize the security of this Nation.

Mr. O'BRIEN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. O'BRIEN of Michigan. Does the gentleman favor Federal troops being sent into a State without any request being made by the Governor of that State or by the State government?

Mr. COOLEY. Only in the event it became necessary to carry on this defense program; and if it did become necessary, I would be in favor of it a thousand times.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Kentucky.

Mr. MAY. The gentleman recalls that some 3 or 4 years ago in one State of the Nation the Governor refused to intervene in strikes called sit-down strikes, and as a result they prevailed for months and months.

Mr. COOLEY. Yes; I do recall that situation, and in further answer to the gentleman's question, I believe the President of the United States of America today is the best friend organized labor has ever had in the White House. I am perfectly willing to be guided by his sound judgment and to have him exercise his judgment freely in matters vitally affecting the welfare of the Nation.

[Here the gavel fell.]

Mr. RUSSELL. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. MAY. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. RUSSELL. I yield to the gentleman from Kentucky.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes after the expiration of the time of the gentleman from Texas, who has 5 minutes.

Mr. RUSSELL. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

Mr. LANDIS. I object, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. LANDIS. I object, Mr. Chairman.

Mr. MAY. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 20 minutes.

The CHAIRMAN. Does the gentleman from Texas yield for that motion?

Mr. RUSSELL. I yield, Mr. Chairman.

The CHAIRMAN. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

Mr. RUSSELL. Mr. Chairman, inasmuch as I was denied the right to proceed for 3 additional minutes and most of my time has been taken up now by yielding to different parties I ask unanimous consent that I may have permission to revise and extend my remarks at this point.

The CHAIRMAN. The Chair will state that the time taken up in the colloquy was not taken out of the time of the gentleman from Texas.

Mr. RUSSELL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point, and yield back the balance of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RUSSELL. Mr. Chairman, in 1940 the Selective Service Act was passed. In that act provision was made that young men between certain ages set out should be conscripted for service in the Army of our country. This meant, of course, that certain young men would be forced to serve 1 year in the military forces of the United States. It was clearly understood at that time that chaotic conditions of the world and the actions of the totalitarian dictators made such action necessary to the defense of our country, so that we would be better prepared to defend ourselves should an emergency arise. It is now evident that the action our country took was wise and that fears for the future were well founded.

In compliance with the Selective Service Act, over 1,000,000 young men have been drafted into the military forces of the United States. Everyone knows that this was done in the interest of national defense. National defense is not a one-sided affair, but it is a state in which every person should cooperate and in which every citizen should do his part. It would be idle folly to have an army of soldiers without equipment for the soldiers.

It is an established fact that every country which has been conquered in Europe by the ruthless hands of the dictatorial powers have been conquered because their armies did not have sufficient equipment to combat the well-equipped armies of the dictators; they were not overrun by reason of the absence of manpower.

Our conscripted army of a million men will soon have served 1 year; yet everyone knows that this year of training has been decreased in efficiency by at least 50 percent because the Army lacked sufficient equipment to effectively train the men.

Our national defense has been materially handicapped by strikes. According to the records, there can be no justification for these strikes.

This bill, in my opinion, seeks only to enact the general principles of democracy: Equal rights to all and special privileges to none.

In national defense I cannot see how any man, laborite or otherwise, could object to this bill, which by its own terms is as fair to labor as it is to industry—and you do not have industry here fighting this bill.

The bill applies only to industries engaged in the manufacture of equipment for national defense, and does not apply to any other industry. Is labor against national defense? It would seem from the attitude labor is taking that it is in favor of national defense only so long as labor receives the advantage.

Democracy can never succeed—in fact, there is no democracy—if, by governmental decree or otherwise, discrimination is practiced in behalf of certain groups. Such is not in line with the fundamental and basic principles of democracy: Equal rights to all and special privileges to none.

Our Government does not owe any man a living. It does owe to every citizen equal rights. It owes to every citizen the right to work, the right to comply with God's decree which passed the sentence upon mankind. This decree has never been modified, revoked, or suspended:

> In the sweat of thy face shalt thou eat bread.

Our Government does not owe every man a job; it owes him the right to work. Yet labor would say, even in defensive work, that this shall be modified to the extent that American citizens shall not have the privilege of working in defense industries unless and until tribute is paid to labor unions. Americans say that this is contradictory to the ideals and principles of democracy. Our Government owes to every workingman the right to work—without tribute. It owes, along with the right to work, a fair distribution of the wealth that this labor helps to create.

Red-blooded Americans do not want the advantage. They want to live under the Golden Rule and do unto others as they would that others do unto them. When Congress tries, by legislation, to give to certain groups the advantage, we are going far afield of the purposes for which America and American principles were established in the foundation of our country.

For several years Congress has, by its actions, legislated for the benefit of labor. Labor has been given rights by legislative decree never heard of in other countries. These rights have ceased to be rights. On the contrary, they have become advantages, as was clearly illustrated and admitted by the chairman of the Labor Committee, the gentlewoman from New Jersey, in her speech on June 13. Let us turn and read a paragraph of that speech:

> Last, but by no means least, I am asking the working men and women, whose battle we are waging, to ccoperate with us even to the point of sacrifice, if necessary, in order that their hard-won victories may not be destroyed through the brutal betrayal by a few so-called labor leaders whose ambition is to break the ranks of labor and destroy every advantage we have secured through years of devotion to the cause of labor.

Is it the duty of a committee to wage a battle for certain groups. It might be that if the gentlewoman would read that paragraph she would get an insight as to why the committee is given the go-around. And again the gentlewoman says:

> A few so-called labor leaders whose ambition is to break the ranks of labor and destroy every advantage we have secured through years of devotion to the cause of labor.

It has been said that "out of the mouth the abundance of the heart speaketh."

Yet I cannot believe that it is the duty of a committee, and I cannot believe it to be the duty of the American Congress, to work for the advantage or to legislate for the advantage of any group of people. To do so is discrimination.

Americans, if they are fair, do not want the advantage. They want a square deal. They want to abide by the Golden Rule and be recipients of the basic principles of democracy. Their just, fair, and equal rights they want. Who could ask more?

Mr. Chairman, as I see it, that is what this bill seeks to do. It is not a labor bill, neither is it a bill against labor, but it is a fair bill, one that seeks to give all concerned in this grave hour their fair, just, and equal rights.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, I cannot vote to lower the draft age. I come within the provisions of it and should I vote to lower it I would be hiding behind the skirts of a law I helped to enact. I cannot eat from one spoon and expect the other youth to eat from another. I am opposed to this in principle. I cannot vote to lower the draft age.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, I am very fond of our colleague, Judge Smith of Virginia, but I cannot permit his statement to pass without comment. No delegation visited me or threatened me in connection with my vote on this bill.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. BENDER. No; I will not yield.

The State of Virginia is known for many things. I think they have one of the finest delegations on the floor of this House and they are known for their chivalry, but the State of Virginia is known for its moonshine as well, and I will just have to label Judge Smith's observation as moonshine and pass it off. I do not happen to have the bettlebrowed gentleman he referred to as my constituent. I understand John Lewis is one of his constituents and lives in Alexandria. If I saw those eyebrows coming into my office, I would know who they belonged to. I looked into the dictionary to see what a "goon squad" is and "there ain't no such animal." I do not know what he meant by that, but I am very anxious to find out just what a "goon squad" is.

The reason I am voting with the gentleman from Massachusetts [Mr. HEALEY], is because I want to separate the eggs from the ham or the ham from the eggs. You are taking on too much territory in this bill. I outlined my objections to some provisions of the bill earlier in the day. Nobody has been in to see me—no "goon squad" and no beetlebrowed gentleman from Alexandria. I want to vote to lower the draft age—but that is all.

[Here the gavel fell].

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to revise and extend the remarks made in general debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I can hardly understand the levity on the part of some of the Members in discussing the serious problems which confront us this afternoon. Less than a week ago I spoke, as many others did, to groups of American citizens, celebrating the 4th of July. I spoke to people of my own district in the State of Texas, the State that has furnished more volunteers than any State in the Union—a State where the people believe that this country is confronted with a serious situation—where the people believe it is the duty of every American citizen to give everything that he has to the defense of this country, where the people believe it is the duty of the young men to train themselves either to serve in the military forces of the United States or to render a service in the defense industries of the United States, to arm those boys who are giving their all to training. I told those people that Congress was going to do everything possible to speed the equipment of their boys and the defense of their country. I believed what I told my people, and I cannot bring myself to believe that the Representatives of the American people are going to refuse to take any action this afternoon to see that our defense industries are kept working.

Mr. CASEY of Massachusetts rose.

Mr. POAGE. I do not yield, I have not the time. I spoke to those people who are sincerely and honestly concerned with the welfare of their boys, who have volunteered. It was not necessary to draft thousands of these Texas boys to protect you of the eastern seaboard, or to protect you of the Pacific coast, where the first blows of invasion will fall. Surely we are asking very little when we ask that the industries of the other sections of this Nation should produce the materials with which those boys may be armed. Our boys are offering their lives. Is it too much to ask that your boys keep the factories running which are necessary to make the sacrifices of our soldier boys effective? All that we ask is that you keep the defense factories running, yet Members here talk about opposing this bill because they say that the Government can take over an idle defense plant not only on account of a strike or a lock-out but "for any other reason." When defense work is stopped in any plant in the United States, is it too much to say that the Government should take that plant over, no matter what the reason for the stoppage? No matter what objections may be raised by either owner or worker, if we are going to defend America these defense industries must not close. You cannot defend America with defense plants closed, no matter what the reason for their stoppage, no matter how meritorious the dispute. You are not going to protect the lives of American citizens if you prevent those plants from operating.

In the past, various proposals have been submitted to this House to curb the stoppage of work in defense industries. Three or four months ago most of the Members who now oppose this legislation opposed legislation which was then urged by the Committee on Naval Affairs. You said that such legislation should come from the Committee on Labor. That committee has had plenty of time. It has done nothing. When I look at its record in the past I cannot have much hope that it ever will do anything about these strikes. Anyway, the Labor Committee and every Member of this House has had all the time that they need. We cannot further escape our responsibility by saying we want legislation but not this legislation. Those who oppose this legislation have done absolutely nothing to get any legislation. We have the choice of passing this legislation and notifying the world that America is going to build defense equipment as well as to train boys, or of telling the world that we are more afraid of Harry Bridges and John L. Lewis than we are of Hitler. Personally I fear Hitler only because of the influence that John L. Lewis and his kind have in America. I am ready to pass legislation that will give us the equipment to stop Hitler, regardless of what Mr. Lewis says about it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SABATH. Mr. Chairman, I congratulate the gentleman from Texas [Mr. POAGE]. I know that the people of Texas are patriotic, but the gentleman will also find that people in other sections of the country are equally as patriotic as they are down his way. I have arisen to state that I find that there are many gentlemen who have opposed and criticized the President at all times and, strange to say, are now desirous of giving him additional powers which he does not seek. Everyone knows that I have the utmost confidence in President Roosevelt and I haven't the least fear or hesitation in giving him additional powers but, unfortunately, in this case, he would be obliged to delegate these powers to the Army and Navy gentlemen who might not be as broad or liberal-minded and as fair as he is. Answering the gentleman from Virginia [Mr. SMITH], I wish to say that not only the labor organizations that he has mentioned, but the United States Chamber of Commerce and the National Manufacturers Association as well as business itself, are opposed to this legislation. They believe that this legislation is uncalled for and unnecessary and that it is best to let well enough alone.

Mr. Chairman, regardless of what some gentlemen may say, our defense program so far as labor is concerned is proceeding not only according to, but ahead of schedule. Our plants are operating at full speed. There is no stoppage. Because a few, and only a few, men here and there have gone on strike is no reason to be alarmed. Organized labor is honestly endeavoring to eliminate strikes and I congratulate labor

on the position that it has taken. The gentleman from Virginia [Mr. SMITH], as happened yesterday, and the gentleman from Georgia [Mr. COX] seek to appeal to the prejudice and sentiment of the membership. Whenever a lawyer finds that the facts and the law are against him he appeals to the sentiment or prejudice of the jury and that is what the gentleman who are trying to force this legislation have been endeavoring to do here yesterday and today. I think the amendment of the gentleman from Massachusetts should be adopted, and this provision should be stricken from the bill.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WEISS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WEISS. Mr. Chairman, I rise in support of the Healey amendment, and also to challenge the statement of the gentleman from Virginia [Mr. SMITH]. It is surprising to me that most of this repressive, restrictive legislation originates, in my judgment, in the poll tax States, where there are very few smokestacks, and where individuals know little about the problems of the American workingmen. I am going to give you a typical example of one of the largest steel industrial sections of America. The Thirty-first District of Pennsylvania, which I represent, as most of the older Members of this House will best remember, was represented by the late Congressman Clyde L. Kelly, one of the most distinguished Members of Congress, who represented this district for a period of 20 years. The following industries are in my district: The United States Steel Corporation, the Westinghouse Electric Co., the Westinghouse Airbrake Co., the McKeesport National Tube Co., the Edgar-Thompson Steel Works, the McClintock-Marshall Co., the Christy Park Works, the Firth-Sterling Steel Corporation, the Union Switch & Signal Co., Allegheny Ludlum Steel Corporation, the Glassport Copperweld Steel Co., the Pittsburgh Steel Foundry Co., and the United States Glass Co., represented by some 18 local C. I. O. unions, comprising over 72,000 workmen engaged in national-defense work. Those workmen sat down with industry recently over the removal of their contracts and conciliated their differences without the semblance of a strike, and my district is typical of all industrial communities in America. Is it proper for this Congress to condemn labor because of isolated strikes in remote sections of our country? I know there are a few Communists in the labor ranks. There are Communists in the law profession and in the medical profession, but are we going to condemn labor because of a few radicals in their midst, any more than this Congress would condemn the law profession or the medical profession because of a few shysters or quacks in the profession?

I would like to repeat what the distinguished gentleman from Massachusetts, Congressman CASEY, said several days ago: "If we do not stem the hysteria that has enveloped this Congress we will be undermining the very democratic principles that we are trying to preserve."

I want to read to you what an industrialist in my district who employs over 5,000 men said last week:

> The greatest weapon in America is the morale of its people. To build morale and unity in America, industry and government must be considerate, just, and equitable in its dealings with the American workmen, as they, too, are sacrificing, and it is their sons who are serving this country in our armed forces during this emergency.

I therefore ask the Committee to support the Healey amendments to strike cut sections 2 and 3 of S. 1524, which sections are designed and directed at repealing the gains made by labor during the past several years.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment of the gentleman from Massachusetts [Mr. HEALEY].

The question was taken; and on a division (demanded by Mr. FADDIS) there were ayes 159 and noes 97.

So the amendment was agreed to.

The CHAIRMAN. The question is now on the committee substitute as amended, as a substitute for the Senate bill.

The question was taken; and the substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee does now rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill S. 1524, pursuant to House Resolution 243, he reported the same back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment adopted in Committee of the Whole?

Mr. MAY. Mr. Speaker, I demand a separate vote on both Healey amendments to section 2 and section 3.

The SPEAKER. Does the gentleman ask that they be considered together or separately?

Mr. MAY. Separately.

Mr. McCORMACK. Mr. Speaker, both amendments are practically the same. We all know what they are. I am hopeful that the chairman of the committee would submit a unanimous-consent request that both amendments be voted on together.

Mr. MAY. No; I object to that.

The SPEAKER. The Clerk will report the first amendment, on which a separate vote is demanded.

The Clerk read as follows:

> Amendment offered by Mr. HEALEY: On page 9, line 3, strike out all of section 2.

The SPEAKER. The question is on the amendment offered by the gentleman from Massachusetts [Mr. HEALEY].

Mr. MAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 219, nays 152, not voting 61, as follows:

[Roll No. 88]

YEAS—219

Allen, La.	Geyer, Calif.	O'Toole
Anderson, Calif.	Graham	Paddock
Anderson, N. Mex.	Granger	Patrick
	Grant, Ind.	Pfeifer, Joseph L.
Angell	Guyer, Kans.	
Baldwin	Haines	Pheiffer, William T.
Barnes	Hall Edwin Arthur	
Barry	Harris, Va.	Pittenger
Baumhart	Hart	Ploeser
Beam	Harter	Powers
Beiter	Healey	Rabaut
Bender	Hébert	Ramsay
Bennett	Heffernan	Ramspeck
Bishop	Heidinger	Rankin, Mont.
Blackney	Hill, Colo.	Reece, Tenn.
Bloom	Holbrock	Reed, Ill.
Boggs	Holmes	Reed, N. Y.
Boland	Hook	Robinson, Utah
Bolton	Howell	Robsion, Ky.
Bradley, Pa.	Hunter	Rodgers, Pa.
Brooks	Imhoff	Rogers, Mass.
Buckley, N. Y.	Izac	Rogers, Okla.
Burdick	Jackson	Rolph
Butler	Jacobsen	Sabath
Byron	Jarrett	Sacks
Canfield	Jenkins, Ohio	Sanders
Cannon, Mo.	Jennings	Scanlon
Carter	Johnson, Ill.	Schuetz
Casey, Mass.	Johnson, Ind.	Schulte
Chenoweth	Johnson, W. Va.	Scott
Chiperfield	Jonkman	Secrest
Claypool	Kean	Shanley
Clevenger	Kee	Shannon
Coffee, Wash.	Keefe	Simpson
Connery	Kefauver	Smith, Maine
Copeland	Kelley, Pa.	Smith, Pa.
Crawford	Kelly, Ill.	Smith, Wash.
Crosser	Kennedy, Martin J.	Smith, W. Va.
Crowther		Snyder
Culkin	Kennedy, Michael J.	Somers, N. Y.
Cullen		Spence
Cunningham	Keogh	Springer
D'Alesandro	Kinzer	Stearns, N. H.
Davis, Ohio	Kirwan	Stevenson
Day	Kunkel	Stratton
Delaney	Landis	Sullivan
Dewey	Larrabee	Sutphin
Dickstein	Leavy	Sweeney
Dingell	Lesinski	Talle
Dirksen	Ludlow	Tenerowicz
Ditter	Lynch	Thill
Domengeaux	McArdle	Thom
Dondero	McCormack	Thomas, Tex.
Douglas	McGranery	Tibbott
Downs	McGregor	Tinkham
Dworshak	McIntyre	Tolan
Eberharter	McKeough	Treadway
Edmiston	McLean	Van Zandt
Eliot, Mass.	Maciejewski	Voorhis, Calif.
Engel	Maciora	Vreeland
Englebright	Marcantonio	Walter
Fellows	Merritt	Wasielewski
Fenton	Meyer, Md.	Weiss
Fitzgerald	Mills, La.	Welch
Fitzpatrick	Moser	Wene
Flaherty	Mott	Wheat
Flannagan	Murdock	White
Flannery	Myers, Pa.	Williams
Fogarty	Norton	Wilson
Forand	O'Brien, Mich.	Wolcott
Ford, Thomas F.	O'Connor	Wolfenden, Pa.
Gale	O'Leary	Wolverton, N. J.
Gavagan	Oliver	Wright
Gearhart	Osmers	Young
Gerlach		Youngdahl

NAYS—152

Allen, Ill.	Burch	Creal
Andersen, H. Carl	Burgin	Curtis
	Camp	Disney
Andrews	Carlson	Doughton
Arends	Cartwright	Drewry
Barden	Case, S. Dak.	Durham
Bates, Ky.	Chapman	Elliott, Calif.
Bates, Mass.	Clark	Ellis
Beckworth	Cluett	Elston
Bell	Coffee, Nebr.	Faddis
Bland	Cole, Md.	Folger
Bonner	Cole, N. Y.	Ford, Miss.
Boren	Colmer	Fulmer
Boykin	Cooley	Gamble
Bradley, Mich.	Cooper	Gathings
Brown, Ga.	Costello	Gibson
Brown, Ohio	Courtney	Gifford
Bryson	Cox	Gilchrist
Bulwinkle	Cravens	Gore

Gossett	McGehee	Rockefeller
Grant, Ala.	McLaughlin	Russell
Green	McMillan	Sasscer
Gregory	Mahon	Satterfield
Gwynne	Manasco	Shafer, Mich.
Hall,	Mansfield	Sikes
Leonard W.	Martin, Iowa	Smith, Conn.
Halleck	Martin, Mass.	Smith, Ohio
Hancock	May	Smith, Va.
Hare	Michener	South
Harness	Mills, Ark.	Sparkman
Harris, Ark.	Mitchell	Stefan
Hendricks	Monroney	Sumner, Ill.
Hess	Mundt	Taber
Hobbs	Norrell	Tarver
Hoffman	O'Brien, N. Y.	Taylor
Hope	O'Neal	Terry
Jarman	Pace	Thomason
Jensen	Patman	Vincent, Ky.
Johnson, Calif.	Patton	Vinson, Ga.
Johnson,	Pearson	Vorys, Ohio
Luther A.	Peterson, Fla.	Wadsworth
Johnson,	Peterson, Ga.	Ward
Lyndon B.	Pierce	Weaver
Johnson, Okla.	Poage	West
Kilburn	Priest	Whelchel
Kilday	Randolph	Whittington
Kocialkowski	Rankin, Miss.	Wickersham
Kramer	Rees, Kans.	Wigglesworth
Lambertson	Richards	Woodruff, Mich.
Lanham	Rizley	Woodrum, Va.
Lea	Robertson,	Worley
LeCompte	N. Dak.	
Lewis	Robertson, Va.	

NOT VOTING—61

Andresen,	Gillie	O'Hara
August H.	Harrington	Plauché
Arnold	Hartley	Plumley
Boehne	Hill, Wash.	Rich
Buck	Hinshaw	Rivers
Buckler, Minn.	Houston	Romjue
Byrne	Hull	Rutherford
Cannon, Fla.	Jenks, N. H.	Sauthoff
Capozzoli	Johns	Schaefer, Ill.
Celler	Jones	Scrugham
Clason	Kerr	Sheppard
Cochran	Kleberg	Sheridan
Collins	Knutson	Short
Davis, Tenn.	Kopplemann	Starnes, Ala.
Dies	Maas	Steagall
Doxey	Magnuson	Sumners, Tex.
Duncan	Mason	Thomas, N. J.
Eaton	Murray	Traynor
Fish	Nelson	Winter
Ford, Leland M	Nichols	Zimmerman
Gehrmann	O'Day	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Jones for, with Mr. Duncan against.
Mr. Hartley for, with Mr. Hinshaw against.
Mr. Johns for, with Mr. Plumley against.
Mr. Sauthoff for, with Mr. Kleberg against.
Mr. Gillie for, with Mr. Rich against.
Mr. Capozzoli for, with Mr. Starnes of Alabama against.
Mr. Celler for, with Mr. Steagall against.

Until further notice:

Mr. Doxey with Mr. Short.
Mr. Rivers with Mr. Eaton.
Mr. Cochran with Mr. O'Hara.
Mr. Boehne with Mr. August H. Andresen.
Mr. Traynor with Mr Mason.
Mr. Arnold with Mr. Knutson.
Mr. Byrne with Mr. Rutherford.
Mr. Hill of Washington with Mr. Fish.
Mr. Davis of Tennessee with Mr. Jenks of New Hampshire.
Mr. Magnuson with Mr. Winter.
Mr. Collins with Mr. Gehrmann.
Mr. Nichols with Mr. Leland M. Ford.
Mr. Schaefer of Illinois with Mr. Murray.
Mr. Buck with Mr. Thomas of New Jersey.
Mr. Harrington with Mr. Hull.
Mr. Romjue with Mr. Clason.
Mr. Houston with Mr. Maas.
Mr. Kerr with Mr. Buckler of Minnesota.
Mr. Scrugham with Mr. Cannon of Florida.
Mr. Nelson with Mr. Plauché.
Mr. Sheppard with Mr. Kopplemann.
Mr. Sumners of Texas with Mr. Sheridan.
Mrs. O'Day with Mr. Zimmerman.

Mr. GILCHRIST and Mr. REES of Kansas changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. HEALEY: Page 5, line 14, strike out all of section 3.

The SPEAKER. The question is on the amendment.

Mr. MAY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 219, nays 151, not voting 62, as follows:

[Roll No. 89]

YEAS—219

Allen, La.	Geyer, Calif.	Patrick
Anderson, Calif.	Graham	Pfeifer,
Anderson,	Granger	Joseph L.
N. Mex.	Grant, Ind.	Pheiffer,
Angell	Guyer, Kans.	William T.
Baldwin	Haines	Pittenger
Barnes	Hall,	Ploeser
Barry	Edwin Arthur	Powers
Baumhart	Harris, Va.	Rabaut
Beam	Hart	Ramsay
Beiter	Harter	Ramspeck
Bender	Healey	Rankin, Mont.
Bennett	Hébert	Reece, Tenn.
Bishop	Heffernan	Reed, Ill.
Blackney	Hill, Colo.	Reed, N. Y.
Bloom	Holbrock	Rees, Kans.
Boggs	Holmes	Robinson, Utah
Boland	Hook	Robsion, Ky.
Bolton	Howell	Rodgers, Pa.
Bradley, Pa.	Hunter	Rogers, Mass.
Brooks	Imhoff	Rogers, Okla.
Buckley, N. Y.	Izac	Rolph
Burdick	Jackson	Sabath
Butler	Jacobsen	Sacks
Byron	Jarrett	Sanders
Canfield	Jenkins, Ohio	Scanlon
Cannon, Mo.	Jennings	Schuetz
Carter	Johnson, Ill.	Schulte
Casey, Mass.	Johnson, Ind.	Scott
Chenoweth	Johnson, W. Va.	Secrest
Chiperfield	Jonkman	Shanley
Clason	Kean	Shannon
Claypool	Kee	Simpson
Clevenger	Keefe	Smith, Maine
Coffee, Wash.	Kefauver	Smith, Pa.
Connery	Kelley, Pa.	Smith, Wash.
Copeland	Kelly, Ill.	Smith, W. Va.
Crawford	Kennedy,	Snyder
Crosser	Martin J.	Somers, N. Y.
Crowther	Kennedy,	Spence
Culkin	Michael J.	Springer
Cullen	Keogh	Stearns, N. H.
Cunningham	Kinzer	Stevenson
D'Alesandro	Kirwan	Stratton
Davis, Ohio	Kunkel	Sullivan
Day	Landis	Sutphin
Delaney	Larrabee	Sweeney
Dewey	Leavy	Talle
Dickstein	Lesinski	Tenerowicz
Dingell	Ludlow	Thill
Dirksen	Lynch	Thom
Ditter	McArdle	Thomas, Tex.
Domengeaux	McCormack	Tibbott
Dondero	McGranery	Tinkham
Douglas	McGregor	Tolan
Downs	McIntyre	Treadway
Dworshak	McKeough	Van Zandt
Eberharter	McLean	Voorhis, Calif.
Edmiston	Maciejewski	Vorys, Ohio
Eliot, Mass.	Maciora	Vreeland
Engel	Marcantonio	Walter
Englebright	Merritt	Wasielewski
Fellows	Meyer, Md.	Weiss
Fenton	Mills, La.	Welch
Fitzgerald	Mott	Wene
Fitzpatrick	Murdock	Wheat
Flaherty	Myers, Pa.	White
Flannagan	Norton	Williams
Flannery	O'Brien, Mich.	Wilson
Fogarty	O'Connor	Wolcott
Forand	O'Leary	Wolfenden, Pa.
Ford, Thomas F.	Oliver	Wolverton, N. J.
Gale	Osmers	Wright
Gavagan	O'Toole	Young
Gerlach	Paddock	Youngdahl

NAYS—151

Allen, Ill.	Gibson	Mundt
Andersen,	Gifford	Norrell
H. Carl	Gilchrist	O'Brien, N. Y.
Andrews	Gore	O'Neal
Arends	Gossett	Pace
Barden	Grant, Ala.	Patman
Bates, Ky.	Green	Patton
Bates, Mass.	Gregory	Pearson
Beckworth	Gwynne	Peterson, Fla.
Bland	Hall,	Peterson, Ga.
Bonner	Leonard W.	Pierce
Boren	Halleck	Poage
Bradley, Mich.	Hancock	Priest
Brown, Ga.	Hare	Randolph
Brown, Ohio	Harness	Rankin, Miss.
Bryson	Harris, Ark.	Richards
Bulwinkle	Hendricks	Rivers
Burch	Hess	Rizley
Burgin	Hobbs	Robertson,
Camp	Hoffman	N. Dak.
Carlson	Hope	Robertson, Va.
Cartwright	Jarman	Rockefeller
Case, S. Dak.	Jensen	Russell
Chapman	Johnson, Calif.	Sasscer
Clark	Johnson,	Satterfield
Cluett	Luther A.	Sikes
Coffee, Nebr.	Johnson,	Smith, Conn.
Cole, Md.	Lyndon B.	Smith, Ohio
Cole, N. Y.	Johnson, Okla.	Smith, Va.
Colmer	Kilburn	South
Cooley	Kilday	Sparkman
Cooper	Kocialkowski	Steagall
Costello	Kramer	Stefan
Courtney	Lambertson	Sumner, Ill.
Cox	Lanham	Taber
Cravens	Lea	Tarver
Creal	LeCompte	Taylor
Curtis	Lewis	Terry
Disney	McGehee	Thomason
Doughton	McLaughlin	Vincent, Ky.
Drewry	McMillan	Vinson, Ga.
Durham	Mahon	Wadsworth
Elliott, Calif.	Manasco	Ward
Ellis	Mansfield	Weaver
Elston	Martin, Iowa	West
Faddis	Martin, Mass.	Whelchel
Folger	May	Whittington
Ford, Miss.	Michener	Wickersham
Fulmer	Mills, Ark.	Wigglesworth
Gamble	Mitchell	Woodruff, Mich.
Gathings	Monroney	Woodrum, Va.
Gearhart	Moser	Worley

NOT VOTING—62

Andresen,	Gehrmann	Nichols
August H.	Gillie	O'Day
Arnold	Harrington	O'Hara
Bell	Hartley	Plauché
Boehne	Heidinger	Plumley
Boykin	Hill, Wash.	Rich
Buck	Hinshaw	Romjue
Buckler, Minn.	Houston	Rutherford
Byrne	Hull	Sauthoff
Cannon, Fla.	Jenks, N. H.	Schaefer, Ill.
Capozzoli	Johns	Scrugham
Celler	Jones	Shafer, Mich.
Cochran	Kerr	Sheppard
Collins	Kleberg	Sheridan
Davis, Tenn.	Knutson	Short
Dies	Kopplemann	Starnes, Ala.
Doxey	Maas	Sumners, Tex.
Duncan	Magnuson	Thomas, N. J.
Eaton	Mason	Traynor
Fish	Murray	Winter
Ford, Leland M	Nelson	Zimmerman

So the amendment was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Jones for, with Mr. Duncan against.
Mr. Hartley for, with Mr. Hinshaw against.
Mr. Johns for, with Mr. Plumley against.
Mr. Sauthoff for, with Mr. Kleberg against.
Mr. Gillie for, with Mr. Rich against.
Mr. Capozzoli for, with Mr. Starnes of Alabama against.

Until further notice:

Mr. Doxey with Mr. Short.
Mr. Cochran with Mr. O'Hara.
Mr. Boehne with Mr. August H. Andresen.
Mr. Traynor with Mr. Mason.
Mr. Arnold with Mr. Knutson.
Mr. Byrne with Mr. Rutherford.
Mr. Hill of Washington with Mr. Fish.
Mr. Davis of Tennessee with Mr. Jenks of New Hampshire.

Mr. Magnuson with Mr. Winter.
Mr. Collins with Mr. Gehrmann.
Mr. Nichols with Mr. Leland M. Ford.
Mr. Schaefer of Illinois with Mr. Murray.
Mr. Buck with Mr. Thomas of New Jersey.
Mr. Harrington with Mr. Hull.
Mr. Romjue with Mr. Eaton.
Mr. Houston with Mr. Maas.
Mr. Kerr with Mr. Buckler of Minnesota.
Mr. Boykin with Mr. Heidinger.
Mr. Bell with Mr. Shafer of Michigan.
Mr. Scrugham with Mr. Cannon of Florida.
Mr. Nelson with Mr. Plauché.
Mr. Sheppard with Mr. Kopplemann.
Mr. Sumners of Texas with Mr. Sheridan.
Mr. Celler with Mr. Dies.
Mrs. O'Day with Mr. Zimmerman.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the substitute as amended for the Senate bill.

The substitute was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, and was read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BOREN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 345, nays 17, answered "present" 5, not voting 65, as follows:

[Roll No. 90]

YEAS—345

Allen, Ill.	Cole, N. Y.	Gibson
Allen, La.	Colmer	Gifford
Andersen, H. Carl	Connery	Gilchrist
Anderson, Calif.	Cooley	Gore
Anderson, N. Mex.	Cooper	Gossett
Andrews	Copeland	Graham
Angell	Costello	Granger
Arends	Courtney	Grant, Ala.
Baldwin	Cravens	Grant, Ind.
Barden	Creal	Green
Barnes	Crosser	Gregory
Barry	Culkin	Guyer, Kans.
Bates, Ky.	Cullen	Gwynne
Bates, Mass.	Cunningham	Haines
Beam	Curtis	Hall, Edwin Arthur
Beckworth	D'Alesandro	Hall, Leonard W.
Beiter	Davis, Ohio	Halleck
Bender	Davis, Tenn.	Hancock
Bennett	Day	Hare
Bishop	Delaney	Harness
Blackney	Dewey	Harris, Ark.
Bland	Dickstein	Harris, Va.
Bloom	Dirksen	Hart
Boggs	Ditter	Harter
Boland	Dondero	Healey
Bolton	Doughton	Hébert
Bonner	Douglas	Heffernan
Bradley, Mich.	Downs	Heidinger
Bradley, Pa.	Drewry	Hendricks
Brooks	Durham	Hess
Brown, Ga.	Dworshak	Hill, Colo.
Brown, Ohio	Eaton	Hobbs
Bryson	Eberharter	Hoffman
Buckley, N. Y.	Edmiston	Holbrock
Bulwinkle	Elliott, Calif.	Holmes
Burch	Elston	Hook
Burdick	Engel	Hope
Butler	Englebright	Howell
Byron	Fellows	Hunter
Camp	Fenton	Imhoff
Canfield	Fitzgerald	Izac
Cannon, Mo.	Fitzpatrick	Jacobsen
Carter	Flaherty	Jarman
Cartwright	Flannagan	Jarrett
Case, S. Dak.	Flannery	Jenkins, Ohio
Casey, Mass.	Fogarty	Jennings
Chapman	Folger	Jensen
Chenoweth	Forand	Johnson, Calif.
Chiperfield	Ford, Miss.	Johnson, Ill.
Clason	Ford, Thomas F.	Johnson, Ind.
Claypool	Fulmer	Johnson, Lyndon B.
Clevenger	Gale	Johnson, Luther A.
Cluett	Gamble	Johnson, W. Va.
Coffee, Nebr.	Gathings	Jonkman
Coffee, Wash.	Gavagan	Kean
Cole, Md.	Gerlach	Kee
	Geyer, Calif.	Keefe
		Kefauver
		Kelley, Pa.
		Kelly, Ill.
		Kennedy, Martin J.
		Kennedy, Michael J.
		Keogh
		Kilday
		Kinzer
		Kirwan
		Kocialkowski
		Kramer
		Kunkel
		Lambertson
		Landis
		Lanham
		Larrabee
		Lea
		Leavy
		LeCompte
		Lesinski
		Lewis
		Ludlow
		Lynch
		McArdle
		McCormack
		McGehee
		McGranery
		McGregor
		McIntyre
		McKeough
		McLaughlin
		McLean
		McMillan
		Maciejewski
		Maciora
		Mahon
		Manasco
		Mansfield
		Marcantonio
		Martin, Iowa
		Martin, Mass.
		May
		Merritt
		Meyer, Md.
		Michener
		Mills, La.
		Mitchell
		Monroney
		Mott
		Mundt
		Murdock
		Myers, Pa.
		Norton
		O'Brien, Mich.
		O'Brien, N. Y.
		O'Connor
		O'Leary
		Oliver
		O'Neal
		Osmers
		O'Toole
		Pace
		Paddock
		Patman
		Patrick
		Patton
		Pearson
		Peterson, Fla.
		Peterson, Ga.
		Pfeifer, Joseph L.
		Pheiffer, William T.
		Pierce
		Ploeser
		Poage
		Powers
		Priest
		Rabaut
		Ramsay
		Ramspeck
		Randolph
		Rankin, Miss.
		Rankin, Mont.
		Reece, Tenn.
		Reed, Ill.
		Reed, N. Y.
		Rees, Kans.
		Richards
		Rizley
		Robertson, N. Dak.
		Robertson, Va.
		Robinson, Utah
		Robsion, Ky.
		Rockefeller
		Rodgers, Pa.
		Rogers, Mass.
		Rolph
		Russell
		Sabath
		Sacks
		Sanders
		Sasscer
		Satterfield
		Scanlon
		Schuetz
		Schulte
		Scott
		Secrest
		Shafer, Mich.
		Shanley
		Sheppard
		Sikes
		Simpson
		Smith, Conn.
		Smith, Maine
		Smith, Ohio
		Smith, Pa.
		Smith, Va.
		Smith, Wash.
		Smith, W. Va.
		Snyder
		Somers, N. Y.
		Sparkman
		Spence
		Springer
		Steagall
		Stearns, N. H.
		Stefan
		Stevenson
		Stratton
		Sullivan
		Sumner, Ill.
		Sutphin
		Sweeney
		Taber
		Talle
		Tenerowicz
		Thill
		Thom
		Thomas, Tex.
		Thomason
		Tibbott
		Tinkham
		Tolan
		Treadway
		Van Zandt
		Vincent, Ky.
		Vinson, Ga.
		Voorhis, Calif.
		Vorys, Ohio
		Vreeland
		Wadsworth
		Walter
		Ward
		Weaver
		Weiss
		Welch
		Wene
		West
		Wheat
		Whelchel
		White
		Whittington
		Wickersham
		Wigglesworth
		Williams
		Wilson
		Wolcott
		Wolfenden, Pa.
		Wolverton, N. J.
		Woodruff, Mich.
		Woodrum, Va.
		Wright
		Young
		Youngdahl

NAYS—17

Boren	Johnson, Okla.	Rogers, Okla.
Cox	Mills, Ark.	Shannon
Crowther	Moser	Tarver
Disney	Norrell	Terry
Ellis	Pittenger	Worley
Faddis	Rivers	

ANSWERED "PRESENT"—5

Baumhart	Eliot, Mass.	Wasielewski
Domengeaux	Jackson	

NOT VOTING—65

Andresen, August H.	Ford, Leland M.	Nelson
Arnold	Gearhart	Nichols
Bell	Gehrmann	O'Day
Boehne	Gillie	O'Hara
Boykin	Harrington	Plauché
Buck	Hartley	Plumley
Buckler, Minn.	Hill, Wash.	Rich
Burgin	Hinshaw	Romjue
Byrne	Houston	Rutherford
Cannon, Fla.	Hull	Sauthoff
Capozzoli	Jenks, N. H.	Schaefer, Ill.
Carlson	Johns	Scrugham
Celler	Jones	Sheridan
Clark	Kerr	Short
Cochran	Kilburn	South
Collins	Kleberg	Starnes, Ala.
Crawford	Knutson	Sumners, Tex.
Dies	Kopplemann	Taylor
Doxey	Maas	Thomas, N. J.
Duncan	Magnuson	Traynor
Fish	Mason	Winter
	Murray	Zimmerman

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Doxey with Mr. Short.
Mr. Duncan with Mr. Jones.
Mr. Kleberg with Mr. Sauthoff.
Mr. Cochran with Mr. O'Hara.
Mr. Boehne with Mr. August H. Andresen.
Mr. Traynor with Mr. Mason.
Mr. Arnold with Mr. Knutson.
Mr. Byrne with Mr. Rutherford.
Mr. Hill of Washington with Mr. Fish.
Mr. Romjue with Mr. Jenks of New Hampshire.
Mr. Magnuson with Mr. Winter.
Mr. Collins with Mr. Gehrmann.
Mr. Nichols with Mr. Leland M. Ford.
Mr. Schaefer of Illinois with Mr. Murray.
Mr. Buck with Mr. Thomas of New Jersey.
Mr. Harrington with Mr. Hull.
Mr. Houston with Mr. Maas.
Mr. Kerr with Mr. Buckler of Minnesota.
Mr. Boykin with Mr. Kilburn.
Mr. Sheridan with Mr. Carlson.
Mr. Clark with Mr. Crawford.
Mr. South with Mr. Rich.
Mr. Burgin with Mr. Plumley.
Mr. Taylor with Mr. Gearhart.
Mr. Capozzoli with Mr. Hartley.
Mr. Scrugham with Mr. Johns.
Mr. Cannon of Florida with Mr. Hinshaw.
Mr. Nelson with Mr. Gillie.
Mr. Starnes of Alabama with Mr. Sumners of Texas.
Mr. Bell with Mr. Celler.
Mr. Plauché with Mrs. O'Day.
Mr. Zimmerman with Mr. Kopplemann.

The result of the vote was announced as above recorded.

Mr. MAY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAY: Amend the title to read as follows: "An act to provide for the common defense and to prevent stoppages or interruptions in the production of munitions in industrial plants, and for other purposes."

The amendment was agreed to.

A motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 93. An act to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income, and to issue bonds and other obligations of the authority for such purpose, and for other purposes;

H. R. 439. An act granting a pension to Martha Pace;

H. R. 814. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil;

H. R. 1094. An act to grant pension for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes;

H. R. 1268. An act to repeal the provision of law granting a pension to Elizabeth Lively;

H. R. 1577. An act for the relief of Severiana Maria Rodrigues de Caceres, her sister, Irene Hernandez de Texada, and the latter's daughter, Irene Hernandez de Texada;

H. R. 1618. An act to amend the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes;

H. R. 4158. An act to amend sections 3341, 3351, and 3361 of the Internal Revenue Code and section 309 (a) of the Tariff Act of 1930,

and to repeal section 2907 of the Internal Revenue Code;

H. J. Res. 63. Joint resolution requesting the President to proclaim February 11, 1942, as Edison Day, in commemoration of the birthday of Thomas Alva Edison; and

H. J. Res. 173. Joint resolution to amend further the amended joint resolution, approved August 16, 1937 (50 Stat. 668), concerning the importation of articles for exhibition at the New York World's Fair, to permit transfer of liability for duty on articles so imported, and to further amend the amended joint resolution approved May 18, 1937 (50 Stat. 187), concerning the importation of articles for exhibition at the Golden Gate International Exposition, to permit transfer of liability for duty on articles so imported, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 194. Joint resolution making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942.

The message also announced that the Senate insists upon its amendments to the foregoing joint resolution, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, Mr. TYDINGS, Mr. NYE, and Mr. LODGE to be the conferees on the part of the Senate.

The message also announced that the Senate had adopted the following resolution (S. Res. 145):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. STEPHEN BOLLES, late a Representative from the State of Wisconsin.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased; and

Resolved, That as a further mark of respect to the memory of the deceased Representative, the Senate do now adjourn.

The message also announced that pursuant to the provisions of the above resolution, the Vice President appointed Mr. LA FOLLETTE and Mr. WILEY as members of the committee on the part of the Senate.

PERMISSION TO ADDRESS THE HOUSE

Mr. BAUMHART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BAUMHART. Mr. Speaker, I am voting "present" on the piece of legislation being considered today, which reduces the draft-age limits from 35 to 28. I am voting in this manner because I am included in the group which would be affected by such legislation. While I am in agreement with the principle, yet I do not want to place myself in the position of having voted any special exemption upon myself.

TRANSFER OF CERTAIN BUREAUS OF THE GOVERNMENT FROM THE DISTRICT OF COLUMBIA

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 257), which was referred to the House Calendar and ordered to be printed:

Resolved, That there is hereby created a select committee to be composed of five Members of the House of Representatives, who shall be appointed by the Speaker. Any vacancy occurring in the membership of the committee shall be filled in the same manner as the original appointment was made. The committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member thereof designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

It shall be the duty of the committee to investigate—

(a) The feasibility and desirability of transferring to the most practical locations outside the District of Columbia of any of the bureaus or agencies of the Government of the United States.

(b) The location, extent, and cost to the United States of office space and other facilities rented by the various departments, bureaus, and agencies of the United States, both within and without the District of Columbia.

The committee is authorized to utilize the services, information, facilities, and personnel of the departments and of any of the agencies of the Government.

The committee shall report from time to time during the present Congress the result of its investigations, together with any recommendations for legislation which it may deem proper.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a communication addressed to me as chairman of the Committee on the District of Columbia with regard to pending legislation, the bill (H. R. 1047) to amend an act of Congress entitled, "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928, which the House Committee on the District of Columbia proposes to call before the House of Representatives on Monday.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on the bill S. 1524.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

TENNESSEE VALLEY AUTHORITY

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 194) making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, lines 6 and 7, strike out "and shall be available immediately."

Page 2, strike out lines 8 to 13, inclusive.

Page 2, after line 13, insert:

"SEC. 2. The third proviso clause appearing under the head of Expediting Production in the Military Appropriation Act, 1942 (Public Law No. 139, 77th Cong.), and reading as follows: "*Provided further*, That no obligations shall be incurred for or on account of objects appropriated for under this head to the military establishment except in pursuance of specific appropriations." is hereby amended to read as follows: "*Provided further*, That with respect to the $500,000,000 provided by this act which is not for payments under the aforesaid contract authorizations, no obligations shall be incurred for or on account of the objects specified under this head except in pursuance of said specific appropriation."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. TABER. Reserving the right to object Mr. Speaker, will the gentleman from Virginia explain the amendments?

Mr. WOODRUM of Virginia. Mr. Speaker, this is the joint resolution that passed the House on June 13. It provides $40,000,000 for emergency construction of additional dams for water storage in the Tennessee Valley Authority area, additional generating equipment, and transmission lines which are necessary for additional power for operation of existing aluminum-production facilities. It has been delayed in the other body and is just getting back to the House.

There are three amendments. Amendment No. 1 relates to the language which the House put in the joint resolution making the funds "immediately available," under the impression that the joint resolution would pass before the beginning of this current fiscal year. The 1st of July now having come and the appropriation being for the fiscal year 1942, this authority in the resolution is unnecessary.

Amendment No. 2 strikes out a section the House put in the resolution which would permit the Federal Works Agency to go outside the District of Columbia for the purpose of erecting temporary office buildings. This section was transferred to another bill and has become law while this T. V. A. resolution was waiting in the Senate. So it is now unnecessary in this measure.

The third amendment is a new section, modifying a limitation in the Military Appropriation Act, 1942, in connection with the appropriation in that act for plant facilities. The War Department feels that the limitation in the appropriation act has the effect of curtailing the plant program already planned under contract authority and funds granted prior to the 1942 appropriation act and which they are using in their transactions with the subsidiary of the Reconstruction Finance Corporation, the Defense Plant Corporation, in the building of some air plants and air-plant facili-

ties. The modified limitation will apply to the new money, $500,000,000, and relieve the restriction on the Department as to the previous money and contract authority.

The House conferees, majority and minority members, went into the matter very carefully. It has been thoroughly explained by the Under Secretary of War and by the Federal Loan Administrator and we feel that this clarifying language is justifiable.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. MAY. With reference to the first amendment which relates to what the gentleman has designated as storage facilities, is that the project that is proposed to be constructed and to be known as the Alcoa Dam in the Little Tennessee River?

Mr. WOODRUM of Virginia. No. There are four dams involved, but none are on the Little Tennessee River.

Mr. MAY. I would like to say to the gentleman for the information of the House, particularly in connection with the squabble going on as referred to in an article in the Washington Star this evening with respect to a 10-page letter the Secretary of the Interior has written to me, 5 years ago there was proof before the House Military Affairs Committee by the Chairman of the Board of the Tennessee Valley Authority that the Aluminum Co. had bought or acquired title to 4,000 acres of land to build that dam, and that at that time they had acquired a 314-acre rock cliff, for which the T. V. A. paid $100 an acre despite the fact that the company had paid only $14 an acre for all of it, and they were starting then to produce and had the money appropriated if they had not been obstructed by the T. V. A. that said they had to have unified control of the Tennessee River.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. TABER. There is nothing in these amendments that has any reference now to the T. V. A. Everything involved here had originally passed the House.

With reference to the other item, it is purely a technical matter, and the language that has been proposed today was studied by our committee this morning at a full hearing, and I believe should be adopted.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

HOUSE JOINT RESOLUTION 194

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House, the Speaker be authorized to sign the joint resolution of the House (H. J. Res. 194).

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I am not going to object, I do this simply for the purpose of ascertaining from the majority leader what the program will be for the next week.

Mr. McCORMACK. Monday will be District day and Tuesday is private calendar day. After the private calendar the resolution just reported by the Rules Committee, House Resolution 257, appointing a committee to investigate conditions here in Washington with reference to Government bureaus, and so forth, will be considered.

Mr. MARTIN of Massachusetts. In respect of that bill are they considering moving any of the department buildings to Rehoboth, Mass.?

Mr. McCORMACK. I hope if there are any removals they will go to some place in Massachusetts.

Then there is a Senate bill (S. 1544), which is the Central American Highway bill and if there is time that day it will come up then. If not, Wednesday will be taken up with Calendar Wednesday business and if the Committee on Military Affairs has the call, I understand they have a couple of minor bills. If there is no other committee called we will take up Senate 1544, if that measure is not disposed of on Tuesday. The Central American Highway bill is dependent upon a rule coming out of the Committee on Rules.

Mr. MARTIN of Massachusetts. They will have a meeting for that purpose tomorrow?

Mr. McCORMACK. No; I do not think so. It is my impression they will not meet tomorrow, but such action is dependent upon a rule being reported out. On Thursday and Friday, if the rules are reported out, there is a bill coming from the Naval Affairs Committee which I expect will be reported out next week, authorizing certain naval construction and known as the ship-repair bill. If that measure is reported out and a rule granted it will come up on Thursday and the Cartwright road bill will also be considered. These two bills will be considered on Thursday and Friday and I am unable to state now in just what order they will be considered. They are both dependent on rules being reported for their consideration.

Mr. MARTIN of Massachusetts. Will the gentleman tell the House when we may expect to get the tax bill?

Mr. McCORMACK. I wish I were able to state something definite about that, but I am not. I am hopeful that the tax bill will be ready a week from Monday, but, of course, that is simply an expression of my own opinion. The committee is working hard, and the best information that I have received is that the committee expects to meet on Monday next, and it may take a few more days in connection with the drafting of some of the provisions in the bill. My inference is that it will not be ready before a week from Monday, if it is ready then, but I am hopeful that it will be.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of an address by Dr. John K. Cartwright, chaplain, Court District of Columbia, at the Nineteenth Biennial Convention of the Catholic Daughters of America.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCANLON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from Pittsburgh Post-Gazette.

The SPEAKER. Is there objection?

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement on the needs for roads by the Commissioner of Public Roads of Idaho.

The SPEAKER. Is there objection?

There was no objection.

Mr. McKEOUGH. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial recently appearing in the Chicago Daily Times, calling attention to the variance between the testimony offered to the Senate Foreign Relations Committee by Colonel McCormack, the publisher and owner of the Chicago Tribune, and a Tribune editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

WE ARE NOT SENDING ANOTHER A. E. F.

Mr. THILL. Mr. Speaker, I ask unanimous consent to address the House for half a minute, and extend my remarks in the RECORD by the inclusion of a short newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. THILL. Mr. Speaker, recent news items appearing in the daily press carried the story that a British general, Sir Claude Auchinleck, asked for another A. E. F. He is reputed to have said that he sees as much need for American manpower in this war as in the last.

This Congress is absolutely opposed to sending another American Expeditionary Force to Europe—and not only the American people, but the British people should be so informed. I call upon Churchill to immediately advise his fellow Englishmen, including General Auchinleck, of the practically unanimous attitude of the United States Congress against sending another A. E. F. to the foreign battlegrounds.

Under leave to extend my remarks I include the following newspaper article:

BRITISH GENERAL ASKS A. E. F TO INSURE VICTORY—AUCHINLECK SAYS MEN ARE NEEDED

CAIRO, July 7.—Gen. Sir. Claude Auchinleck, new general officer commanding in chief in the Middle East, was asked if he envisaged

a need for American manpower in winning the war, when he received war correspondents accredited to the Middle East today.

He replied that personally he did. "If the war is to be won properly the end must be won properly, not half won. I have always thought it must be won in Europe, in Germany on the Germans' own soil. They must be beaten in a way Nazi Europe has been beaten.

"Therefore I see as much need for American manpower in this war as in the last. In 12, 14, or 24 months this need will certainly arise."

Auchinleck stated that the Russians were doing better than he personally had expected, but he thought this impression was partly due to the ease with which the Germans had overrun other countries.

EXTENSION OF REMARKS

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by the Honorable DEWEY SHORT.

The SPEAKER. Is there objection?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HART. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address delivered by the Honorable Raymond H. Geist, of the State Department, at Weehawken, N. J.

The SPEAKER. Is there objection?

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a short poem by Col. J. E. Myers, retired.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. DITTER, Mr. BRADLEY of Michigan, and Mr. DIRKSEN were granted permission to revise and extend their own remarks.)

Mr. TINKHAM. Mr. Speaker, with unanimous consent, I desire to extend my remarks in the RECORD by including two dispatches, one from the Christian Science Monitor and one from the New York Times.

The SPEAKER. Is there objection?

There was no objection.

AN APPEAL TO SECRETARY ICKES TO TAKE THE GOVERNMENT OUT OF THE RUM BUSINESS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to proceed for 1½ minutes and revise and extend my remarks and to include a letter from the Assistant Secretary of the Interior.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, my purpose in arising today is to make a direct and sincere request of Secretary of the Interior Harold L. Ickes that he take the United States Government out of the rum business. I am sure that I truly reflect the overwhelming sentiment of the American people when I proffer this request to the Secretary of the Interior. I am sure that the American people do not want their Government to be engaged in the rum business. I am sure that if the people of America could have their way they would divorce their Government immediately from an activity that breeds drunkenness, poverty, crime, and broken hearts.

I am moved to make these observations by a report just received by radiogram from the acting president of the Virgin Islands company which manufactures Government House rum. This report presents the picture of Uncle Sam's rum business from the beginning of this ill-starred venture in 1935 until the end of the calendar year 1940, and by unanimous consent of the House, I shall present this statement for publication in the RECORD, as follows:

UNITED STATES DEPARTMENT
OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, May 14, 1941.

Hon. LOUIS LUDLOW,
House of Representatives.

MY DEAR MR. LUDLOW: With reference to your letter dated May 5, I am glad to send you herewith a report on the operations of the Virgin Islands company, prepared by its president a few months ago.

In accordance with your request for specific information as to the number of gallons of rum manufactured and the sales receipts on an annual basis, I submit the following tabular statement, which has just been received by radiogram from the acting president of the Virgin Islands company:

	Proof gallons of rum manufactured	Receipts from sales of rum
1935	211,314.91	$954.81
1936	239,033.60	8,609.50
1937	93,068.00	92,984.71
1938	88,265.00	103,351.13
1939	19,428.45	88,436.66
1940	89,215.79	145,679.95
Total	740,325.75	443,016.76

If I can be of any further assistance to you in connection with this matter, please advise.

Sincerely yours,

E. K. BURLEW,
First Assistant Secretary.

It will be seen that in 6 full years of operation this Government-financed operating company manufactured 740,325.75 gallons of Government House rum, for which $443,016.76 has been received and paid into the United States Treasury. The rum made under Government sponsorship has been distributed to the consuming trade in the United States by the W. A. Taylor Distributing Co. of New York City.

There are two reasons, as I conceive the situation to be, why Secretary Ickes would be justified in taking the Government out of the rum business.

First. The character of the business. The Government of the United States has no right to be in such a business. God only knows how much misery and suffering has been caused already by the manufacture and consumption of the 740,325.75 gallons which represented the production of the Virgin Islands rum distillery up to the beginning of the present calendar year. In 1 gallon of rum there are 85 drinks and the rum production resulting from Uncle Sam's partnership in the rum business up to the beginning of the present calendar year was the equivalent of 63,027,625 drinks. I do not know of any way of estimating the number of drunks caused by this alcoholic outflow, as some persons will stand up under more liquor than others, but it must be prodigious. Is there any one who contends that the encouragement of intoxication and drunkenness is a legitimate function of Government? I think not. If one poor inebriate, crazed by Government House rum, should seize an ax and brain his children it would take all of the success out of this experiment.

Second. Entirely aside from the character of the business, which is a shock to the moral sense of the Nation, the experiment ought to be abandoned because it puts the Government in the position of invading the field of private enterprise and setting itself up in competition with private business in the United States.

The Virgin Islands company, which has now manufactured well over three-quarters of a million gallons of Government House rum, was set up with three grants of funds furnished by the American taxpayers, and F. E. R. grant of $200,000 in July 1934, a Federal Surplus Relief Corporation loan of $150,000 in the same month and a W. P. A. grant of $170,000 in October 1936. Over the rum factory, financed by this capital fund of $520,000 from the United States Treasury, floats the Stars and Stripes. The wage scale paid by the company is 60 cents a day during the cultivating season and 80 cents a day during the grinding season. Low as these wages are they represent an increase of about 75 percent in the prevailing labor wage in the vicinity since the company started, and compare with wages of $4 to $6 a day in similar occupations on the American mainland. Rum manufactured by the Virgin Islands company is 90 proof.

Believing that the people of the United States, whom I in part represent, feel a sense of outrage over the use of the taxpayers' money in the manufacture and sale of this high-powered intoxicant, I have for years proposed legislation to take the Government out of the business; and on the opening day of the present Congress I introduced a measure which is known as House Joint Resolution No. 38, of the Seventy-seventh Congress, and which reads as follows:

joint resolution prohibiting the manufacture and sale of rum by any activity financed by funds from the United States Treasury

Resolved, etc., That the manufacture and sale of rum by the Virgin Islands company or by any other activity that is financed in whole or in part by funds from the United States Treasury is hereby prohibited.

As the committee to which my resolution was referred has shown no sign of acting on it, I am directing this appeal to Secretary of the Interior Ickes. He put the Government in the rum business without an act of Congress; and if he sees his way clear to do so, he can take it out of the rum business without an act of Congress.

Surely this is one business the Government should get out of as soon as it can beat a retreat. With the darkening shadows of war enveloping our Nation and with our people worried in mind and sick at heart, they are entitled to be relieved of the worry caused by this error.

In making this suggestion I have no thought of criticizing the Secretary of the

Interior. He is a patriotic American and wants to do what is best for the country. He found an appalling problem on his hands when he inherited the Virgin Islands. Those islands were a white elephant of the first magnitude, with a terrific relief load, and in turning to rum manufacture the Secretary of the Interior undoubtedly was inspired by an honest purpose to drag them out of the economic mire. But it was a mistake. There would be money—big money, money for relief, for improvements, for everything desirable—to be made by a national lottery or by investing the dollars of the American taxpayers in the manufacture of opium or heroin to supply the trade in narcotics, but the taxpayers do not want a national lottery and they do not want their dollars invested in the manufacture of opium or heroin, and neither do they want their dollars invested in the manufacture of Government House rum.

All of the dollars in the world rolled into profits would not justify the continuance of this mistake.

As a citizen and as a direct representative of over a quarter of a million citizens and speaking, I think, for more than a hundred million other citizens, I respectfully appeal to Secretary Ickes to issue an order at the earliest practicable date taking the United States Government out of the rum business.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker. I have a special order to speak today for 20 minutes. I appreciate the Congress remaining en masse to hear it, but it is now 7 minutes before 6 o'clock. If I may have the consent of those present and the Speaker, I will carry that over by unanimous consent and do that job of speaking on next Monday for the same time.

The SPEAKER. Is there objection?
There was no objection.

EXTENSION OF REMARKS

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the San Francisco Chronicle on national defense.

The SPEAKER. Is there objection?
There was no objection.

Mr. HOWELL. Mr. Speaker, on behalf of my colleague the gentleman from Illinois [Mr. DIRKSEN], I ask unanimous consent that he be allowed to extend his own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection?
There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BOGGS. Mr. Speaker, in view of the lateness of the hour, I ask unanimous consent that the special order which I had secured for today may be transferred to Thursday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted, as follows:

To Mr. CAPOZZOLI, indefinitely, on account of illness.

To Mr. O'HARA, indefinitely, on account of illness.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a telegram received from the Secretary pro tempore of the Chamber of the Republic of Chile, sent to the President of the House of Representatives of the United States of America, Washington, D. C., under date of July 4, conveying felicitations to this body on the occasion of the celebration of the Fourth of July and the independence of our country.

The SPEAKER. Is there objection?
There was no objection.

The telegram referred to is as follows:

[Translation]

JULY 4, 1941—6:54 p. m.

To the PRESIDENT OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA
Washington, D. C.

The Chamber of Deputies of Chile on the occasion of the celebration of the glorious annivesary of the independence of the United States of America resolved to extend to the House of Representatives of its sister nation most effusive wishes for the prosperity of the great republic of the north, and for the personal welfare of Your Excellency. May God guard Your Excellency.

SEBASTIAN SANTANDREU LASTABURUAGA,
Secretary pro Tempore.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an editorial which appeared in the Boston Post.

The SPEAKER. Is there objection?
There was no objection.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 4473. An act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes; and

H. R. 4823. An act providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 198. An act to authorize the Secretary of War to exchange certain land located within the Fort Missoula Military Reservation, Mont., for certain land owned by the Missoula Chamber of Commerce, of Missoula, Mont.;

S. 207. An act to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States;

S. 215. An act to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938;

S. 961. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 1147. An act to revive and reenact the act entitled "An act authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa," approved August 7, 1939;

S. 1226. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.;

S. 1289. An act authorizing the Copper River and Northwestern Railway Co. to convey to the United States its railroad right-of-way and other railroad properties in Alaska, for use as a public highway, tramroad, or tramway, and for other purposes; and

S. 1488. An act to amend an act entitled "An act authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.).

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2097. An act to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k);

H. R. 2308. An act to ratify a lease entered into by certain Mission Indians of California;

H. R. 4700. An act to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes;

H. R. 4839. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; and

H. R. 4887. An act to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Monday, July 14, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Friday, July 11, 1941, for consideration of H. R. 5211.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Friday, July 11, 1941. Business to be considered: Hearing on natural gas, H. R. 5249.

COMMITTEE ON THE POST OFFICE AND POST ROADS

The Committee on the Post Office and Post Roads will meet on Friday, July 11, at 10:30 a. m. to consider the so-called book rate bills. Bills proposing to make permanent a 1½-cent rate per pound on books, from any point, to any point in the United States.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing at 10 a. m., on the following bill:

Tuesday, July 15, 1941:

H. R. 3361. To provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 2472, entitled "A bill to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who became disabled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes," and H. R. 3257, entitled "A bill to increase and equalize the pensions of those persons disabled as the result of service in the Army, Navy, Marine Corps, and Coast Guard."

The hearings will be held Tuesday, July 15, 1941, at 10 a. m., in Room 247, House Office Building. These hearings were previously scheduled for July 10, but postponed on account of the death of the ranking minority Member, Representative Stephen Bolles, of Wisconsin.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10: 30 a. m., Wednesday, July 16, 1941, for the consideration of private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

743. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 26, 1941, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Buckhannon River and Middle Fork River and tributaries, in vicinity of Buckhannon, W. Va., authorized by the Flood Control Act, approved August 28, 1937; to the Committee on Flood Control.

744. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 31, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of Flint River, Ala. and Tenn., authorized by the act of Congress approved April 15, 1932, and the Flood Control Act, approved June 22, 1936; to the Committee on Flood Control.

745. A communication from the President of the United States, transmitting 11 emergency supplemental estimates of appropriations, totaling $4,770,065,588, for the military activities of the War Department, for the fiscal year ending June 30, 1942 (H. Doc. No. 308); to the Committee on Appropriations and ordered to be printed.

746. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 29, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of Great Lakes connecting channels, with a view to making such modifications in the project as may be considered advisable, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 11, 1941 (H. Doc. No. 309); to the Committee on Rivers and Harbors and ordered to be printed with two illustrations.

747. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill authorizing the Administrator of Veterans' Affairs to grant easements in certain lands to the town of Bedford, Mass., for road-widening purposes; to the Committee on World War Veterans' Legislation.

748. A letter from the comptroller, Near East Relief, transmitting Annual Report of the Near East Relief for the year ending December 31, 1940; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SUMNERS of Texas: Committee on the Judiciary. H. R. 146. A bill to provide for trials of and judgments upon the issue of good behavior in the case of certain Federal judges; without amendment (Rept. No. 921). Referred to the Committee of the Whole House on the state of the Union.

Mr. FLANNERY: Committee on the Post Office and Post Roads. H. R. 1057. A bill to establish a system of longevity pay for postal employees; with amendment (Rept. No. 922). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 2300. A bill to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931; without amendment (Rept. No. 923). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 4336. A bill to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes; with amendment (Rept. No. 924). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 4347. A bill to authorize the sale of certain public lands in Alaska to the North Pacific Union Conference Association of Seventh-Day Adventists; without amendent (Rept. No. 925). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT of California: Committee on the Public Lands. H. R. 4975. A bill to add certain lands to the Sequoia National Forest, Calif.; without amendment (Rept. No. 926). Referred to the Committee of the Whole House on the state of the Union.

Mr. MURDOCK: Committee on the Public Lands. S. 752. An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona; without amendment (Rept. No. 927). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. S. 1480. An act to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended; without amendment (Rept. No. 928). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 4077. A bill to amend the District of Columbia License Act so as to permit sightseeing operations in the District of Columbia without procurement of a license or payment of a tax in the case of certain vehicles performing such operations in connection with transportation of persons to the District of Columbia; without amendment (Rept. No. 929). Referred to the Committee of the Whole House on the state of the Union.

Mr. SCHULTE: Committee on the District of Columbia. H. R. 4971. A bill to prohibit the issuance of alcoholic beverage licenses in certain localities in the District of Columbia, to prohibit advertising the price of such beverages, and for other purposes; without amendment (Rept. No. 931). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 257. Resolution creating a committee to investigate the feasibility of transferring certain bureaus and agencies of the Government from the District of Columbia, and for other purposes; without amendment (Rept. No. 932). Referred to the House Calendar.

Mr. NICHOLS: Select Committee to Investigate Air Accidents. Preliminary report pursuant to House Resolution 125; without amendment (Rept. No. 933). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAGNUSON: Committee on Naval Affairs. H. R. 3731. A bill for the relief of Raymond J. McMahon; with amendment (Rept. No. 930). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GATHINGS:

H. R. 5285. A bill relating to price fixing of agricultural products and byproducts; to the Committee on Agriculture.

By Mr. CASE of South Dakota:

H. R. 5286. A bill to authorize 2-year enlistments in the Regular Army, to give service credit to persons inducted into the land forces and members of the National Guard who enlist in the Regular Army and to reduce their liability for reserve duty; to the Committee on Military Affairs.

By Mr. DREWRY:

H. R. 5287. A bill relating to the transfer to the Secretary of War of certain lands owned by the United States; to the Committee on the Public Lands.

By Mr. VINSON of Georgia:

H. R. 5288. A bill to provide for pay and allowances and mileage of transportation for certain officers and enlisted men of the Naval Reserve and Marine Corps Reserve and retired officers and enlisted men of the Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. BRADLEY of Michigan:

H. R. 5289. A bill to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only; to the Committee on the Merchant Marine and Fisheries.

By Mr. RANDOLPH:

H. J. Res. 210. Joint resolution to amend section 13 (a) of the Fair Labor Standards Act of 1938 as amended; to the Committee on Labor.

By Mr. WHELCHEL:

H. J. Res. 211. Joint resolution authorizing the Commodity Credit Corporation to sell cotton from 1934–37 crops now on storage, and give farmers equity therefrom; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 5290. A bill for the relief of Mrs. Eddie A. Schneider, to the Committee on Claims.

By Mr. BLOOM:

H. R. 5291. A bill for the relief of Helen Rauch and Max Rauch; to the Committee on Claims.

By Mr. BRYSON:

H. R. 5292. A bill granting an increase of pension to Matt J. Gaines; to the Committee on Pensions.

By Mr. O'HARA:

H. R. 5293. A bill granting an increase of pension to Albert Steinhauser; to the Committee on Pensions.

By Mr. REECE of Tennessee:

H. R. 5294. A bill granting a pension to Leona McCrary; to the Committee on Pensions.

H. R. 5295. A bill for the relief of the estate of Romano Emiliani; to the Committee on Claims.

By Mr. ROLPH:

H. R. 5296. A bill for the relief of Lt. Col. H. G. Foster; to the Committee on Claims.

By Mr. WHITE:

H. R. 5297. A bill for the relief of Frank E. Letchet, Mary Victoria Letchet, and Frances Yvonne Letchet; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1623. By Mr. BAUMHART: Petitions of sundry residents from the Thirteenth Ohio Congressional District; to the Committee on Rivers and Harbors.

1624. By Mr. ENGLEBRIGHT: Senate Joint Resolution No. 23, relative to memorializing the President and the Congress of the United States and the United States officials having jurisdiction of the matter in connection with the removal of brush and debris in the area to be flooded by Shasta Dam; to the Committee on Flood Control.

1625. Also, Senate Joint Resolution No. 27, relative to the investigation by the Joint Committee on Water Problems of water service from Shasta Reservoir to the area lying south of the Pit River, and memorializing Congress to investigate and make provision for serving water to this land; to the Committee on Irrigation and Reclamation.

1626. Also, Senate Joint Resolution No. 24, relative to memorializing the President, the Congress, and the Solicitor General with respect to the assertion of any pretended Federal claim to the submerged lands of the State of California; to the Committee on the Public Lands.

1627. Also, Senate Joint Resolution No. 25, relative to proposed merit system for county welfare activities; to the Committee on Ways and Means.

1628. Also, Senate Joint Resolution No. 26, relative to national-defense highways; to the Committee on Roads.

1629. Also, Assembly Joint Resolution No. 33, relative to the extension of flood-control works in the Los Angeles River and the construction of such works in the San Fernando Valley; to the Committee on Flood Control.

1630. Also, Assembly Joint Resolution No. 49, relative to real-estate brokers and salesmen; to the Committee on Ways and Means.

1631. Also, Assembly Joint Resolution No. 55, memorializing Congress to enact legislation on social-security and old-age pensions; to the Committee on Ways and Means.

1632. Also, Senate Joint Resolution No. 16, relative to memorializing Congress to appropriate $38,750,000 for the Central Valley project as recommended by President Roosevelt; to the Committee on Appropriations.

1633. Also, Senate Joint Resolution No. 17, relative to memorializing Congress to enact legislation requiring Federal Government agencies to comply with California minimum price laws for milk; to the Committee on Interstate and Foreign Commerce.

1634. Also, Senate Joint Resolution No. 19, relative to memorializing the President and Congress to provide for the dredging of Bodega Bay and to reestablish harbor facilities thereat; to the Committee on Rivers and Harbors.

1635. Also, Senate Joint Resolution No. 20, relative to memorializing the President and the Congress of the United States to abolish tax-exempt bonds; to the Committee on Ways and Means.

1636. Also, Senate Joint Resolution No. 23, relative to memorializing the President and the Congress of the United States and the United States officials having jurisdiction of the matter in connection with the removal of brush and debris in the area to be flooded by Shasta Dam; to the Committee on Flood Control.

1637. By Mr. McGREGOR: Petition of Mrs. C. A. Helm and other residents of Ashland, Ohio, urging the enactment of House bill 2475, to provide for the common defense by the regulation of the sale of alcoholic liquors to the members of the land and naval forces of the United States and the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1638. By Miss RANKIN of Montana: Resolution of the Montana Association of County Commissioners, endorsing Senate bill 1322, to pay annually to each State in which there are Federal lands included in an Indian reservation a sum equal to the amount of taxes which would be assessable against such lands if they were subject to taxation as privately owned land; to the Committee on the Public Lands.

1639. Also, resolution of the Montana Association of County Commissioners, endorsing Senate bill 1201, under which the Government of the United States would pay to the counties wherein Government-held lands are located some taxes upon these lands; to the Committee on Indian Affairs.

1640. Also, resolution of the Montana Association of County Commissioners, memorializing the Congress to make every effort to change the standards of construction on feeder roads so that Montana, with its great mileage, natural road building material, and long dry seasons, will be enabled to have standards of construction which are not so expensive as those now specified; to the Committee on Roads.

1641. By Mr. ROLPH: Assembly Joint Resolution No. 58, of the State of California, relative to memorializing Congress concerning the tariff on tungsten and tungsten products; to the Committee on Ways and Means.

1642. By Mr. PLUMLEY: Petition of 24 citizens of St. Albans, Vt., objecting to enactment into law of Senate bill 860 and House bill 4000 as being in part unconstitutional and establishing an unwise and dangerous precedent; to the Committee on Military Affairs.

1643. By Mr. BENNETT: Petition of 2,016 citizens of Jasper County, Mo., praying for passage of House bill 1036, known as the Townsend bill and referred by request; to the Committee on Ways and Means.

SENATE

MONDAY, JULY 14, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O gracious Father of all mankind, who revealest Thyself to us Thy children in the sublimity of high moments and in the tedium of the commonplace: Grant, we beseech Thee, that we may seek after Thee and find Thee in every phase of life, knowing that Thou art ever with us, both in the glory of the heights and in the shadow of the depths. Help us to consecrate life's entire day to Thee; morning with its youthful zeal, noonday with its manly vigor, afternoon with its wisdom of experience, and eventide with its spiritual lore that cometh only through lifelong fellowship with Thee. And when our day is ended, grant, O Lord, that we may leave a record worthy of Thy sons, a homeland purer that she nurtured us, a world the fairer for our sojourn here, a race the nobler that it brought us forth. And this we humbly pray through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. GLASS, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 10, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

Under authority of the order of the 10th instant,

A message was received from the House of Representatives during adjournment of the Senate informing the Senate that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 194) making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942.

ENROLLED JOINT RESOLUTION SIGNED

The message also informed the Senate that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 194) making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942, and it was signed by the Vice President.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker had affixed his signature to the

following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 93. An act to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes;

H. R. 439. An act granting a pension to Martha Pace;

H. R. 1094. An act to grant pension for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes;

H. R. 1268. An act to repeal the provision of law granting a pension to Elizabeth Lively;

H. R. 1577. An act for the relief of Severiana Maria Rodrigues de Caceres, her sister, Irene Hernandez de Texada, and the latter's daughter, Irene Hernandez de Texada;

H. R. 1618. An act to amend the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes;

H. R. 4158. An act to amend sections 3341, 3351, and 3361 of the Internal Revenue Code and section 309 (a) of the Tariff Act of 1930, and to repeal section 2907 of the Internal Revenue Code;

H. R. 4473. An act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes;

H. R. 4823. An act providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat;

H. J. Res. 63. Joint resolution requesting the President to proclaim February 11, 1942, as Edison Day, in commemoration of the birthday of Thomas Alva Edison; and

H. J. Res. 173. Joint resolution to amend further the amended joint resolution approved August 16, 1937 (50 Stat. 668), concerning the importation of articles for exhibition at the New York World's Fair, to permit transfer of liability for duty on articles so imported, and to further amend the amended joint resolution approved May 18, 1937 (50 Stat. 187), concerning the importation of articles for exhibition at the Golden Gate International Exposition, to permit transfer of liability for duty on articles so imported, and for other purposes.

CALL OF THE ROLL

Mr. VANDENBERG. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Green	Pepper
Aiken	Guffey	Radcliffe
Andrews	Gurney	Reynolds
Austin	Hayden	Rosier
Ball	Herring	Schwartz
Bone	Hill	Smathers
Bridges	Johnson, Calif.	Stewart
Brooks	Kilgore	Taft
Burton	Langer	Thomas, Idaho
Butler	Lee	Thomas, Okla.
Byrd	Lodge	Thomas, Utah
Caraway	Lucas	Tobey
Chavez	McCarran	Truman
Clark, Idaho	McFarland	Tunnell
Connally	McKellar	Tydings
Danaher	McNary	Vandenberg
Davis	Maloney	Van Nuys
Downey	Mead	Walsh
Eastland	Norris	Wheeler
George	Nye	White
Gillette	O'Mahoney	Wiley
Glass	Overton	Willis

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Nevada [Mr. BUNKER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Missouri [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from New Mexico [Mr. HATCH], the Senator from Delaware [Mr. HUGHES], the Senator from Colorado [Mr. JOHNSON], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Georgia [Mr. RUSSELL], the Senator from South Carolina [Mr. SMITH], the Senator from Arkansas [Mr. SPENCER], and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

Mr. McNARY. The Senator from New Jersey [Mr. BARBOUR], the Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. REED], and the Senator from Minnesota [Mr. SHIPSTEAD] are necessarily absent.

The Senator from Oregon [Mr. HOLMAN] is absent on public business.

The VICE PRESIDENT. Sixty-six Senators have answered to their names. A quorum is present.

AMENDMENT TO CHARTER OF DEFENSE SUPPLIES CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Senate, which was read, and, with the accompanying papers, ordered to be filed, as follows:

UNITED STATES SENATE,
Washington, July 14, 1941.

The PRESIDENT OF THE SENATE:

For the information of the Senate, I desire to state that the Reconstruction Finance Corporation, pursuant to the provisions of Public Law 108, approved June 10, 1941, has filed with me, as Secretary of the Senate, two certified copies of an amendment to the Charter of Defense Supplies Corporation.

Sincerely yours,

EDWIN A. HALSEY,
Secretary.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

FINAL REPORT ON ADMINISTRATION OF WAR MINERALS RELIEF ACT

A letter from the Secretary of the Interior, submitting, pursuant to law, the final report upon the adjustment and liquidation of war minerals relief claims; to the Committee on Mines and Mining.

EASEMENTS IN LANDS TO TOWN OF BEDFORD, MASS.

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation authorizing the Administrator to grant easements in certain lands to the town of Bedford, Mass., for road-widening purposes (with an accompanying paper); to the Committee on Finance.

REPORT OF THE NEAR EAST RELIEF

A letter from the comptroller of the Near East Relief, transmitting, pursuant to law, the report of that corporation for the year ended December 31, 1940 (with an accompanying report); to the Committee on Printing.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

The petition of several citizens of the United States, praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

The petition of George N. Westervelt and sundry other citizens of Orange County, N. Y., praying that the Congress take immediate steps to authorize the President to make such use as he may determine requisite of the naval and air forces of the United States for the enforcement of the right to freedom of the seas; to the Committee on Foreign Relations.

The petition of Laura Carrol, of Union City, N. J., praying that selectees be discharged from the Army after 1 year of service; to the Committee on Military Affairs.

The petition of Mrs. Earl Hart, president of the Woman's Christian Temperance Union, of Keota, Iowa (on behalf of that organization), praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. TYDINGS:

Petitions of sundry citizens of the State of Maryland, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

RESOLUTIONS OF WISCONSIN STATE CHAMBER OF COMMERCE

Mr. WILEY presented a letter from the president of the Wisconsin State Chamber of Commerce, embodying a resolution adopted by the board of directors, and an accompanying resolution of the same organization, which were ordered to be printed in the RECORD, as follows:

To the Committee on Appropriations:

WISCONSIN STATE
CHAMBER OF COMMERCE,
Madison, Wis., July 7, 1941.

To the Members, Wisconsin State Chamber of Commerce:

The board of directors at its meeting in Milwaukee, on Monday, June 30, 1941, passed the following resolution:

"*Resolved*, That the Wisconsin State Chamber of Commerce reaffirm its previous actions in support of the national defense program; that it urge all levels of government—Federal, State, and local—to eliminate all deferrable public improvements and cut to the bone every nondefense expenditure in order that the Nation may pay the huge cost of defense; and be it

"*Resolved*, That copies of this resolution be sent to the President of the United States, to Wisconsin Members of Congress, and to the press."

The business and professional men of Wisconsin, represented in the membership of the Wisconsin State Chamber of Commerce, and its member commercial and trade organizations, are wholeheartedly supporting the national defense program. They recognize that business cannot be carried on as usual during the present emergency; they realize they must

make sacrifices and submit to greater taxation for national defense.

These same business and professional men believe that the Government must also do as individuals must do—cut out every unnecessary expenditure. The Government and political groups should recognize that this is no time for politics as usual. Drastic reductions by the Government in all nondefense expenditures should be the order of the day.

R. S. KINGSLEY,
President.

Attest:

WM. J. PETERSEN,
General Secretary.

To the Committee on Finance:

"Whereas public acceptance of unemployment compensation in the United States was predicated, to a great extent, on certain fundamental principles, to wit:

"(1) That unemployment compensation differs from relief in that payments are made as a matter of right, not on the basis of need, and to persons who are self-supporting except for temporary periods of involuntary unemployment.

"(2) That as a matter of public policy a system of unemployment compensation should be so constructed as to afford every practicable aid and incentive to reduce seasonal and cyclical fluctuations in employment by regularizing work to the fullest extent.

"(3) That each State was competent and had the right and responsibility to legislate for itself on all matters pertaining to unemployment compensation and would not be asked to surrender powers essential to its sovereign existence and essential to the enactment of laws which take cognizance of local conditions.

"Whereas the Supreme Court of the United States of America, in upholding the constitutionality of the pay-roll tax levied under title IX of the Social Security Act (now Federal Unemployment Tax Act), took special cognizance of the aforementioned principles;

"Whereas 40 States have, in support of the larger purposes of the program—namely employment stabilization—and in accord with their sovereign rights, incorporated the principle of individual employer experience rating in their unemployment compensation laws;

"Whereas the Wisconsin unemployment compensation law, which, having entered its seventh successful year, covers the longest period of operation in the United States under any such law, and the only period in excess of 2 years of actual operation of individual employer experience rating, presents tangible evidence as to the continued soundness of the principle of experience rating, including:

"1. In spite of substantially increased benefits and increased duration of benefit payments, the Wisconsin reserve fund and the balancing, or pooled, account have continued to increase year after year while at the same time employer taxes to support benefit payments have been reduced by experience rating, so that about two-thirds of the employers are paying contributions (taxes) at lower than the standard rate of 2.7 percent of defined pay roll.

"2. The official records of the entire operation of the law for nearly 7 years demonstrate that, although employer contributions (taxes) have been substantially reduced for the majority of employers, total benefits paid have amounted to less than one-fourth of the total employer contributions (taxes) paid in support of such benefits.

"3. There is substantial proof in the official records that employer experience rating is not inconsistent with adequate benefit payments and that such payments can be increased to any reasonable maximum level without sacrifice of the principle of experience rating.

"4. There is also substantial proof that individual employer experience rating in Wisconsin has provided a strong incentive to regularize employment, as evidenced by the official records which show that unemployment benefits paid to laid-off employees of approximately 60 percent of the State's employers subject to the law, amounted to less than 10 percent of the contributions (taxes) paid in by such employers and that less than 9 percent of employers had unemployment which required payment of benefits of as much as one-half the contributions paid to support such benefits.

"5. The incentive offered by individual employer experience rating for regular employment has materially aided the realization of the broader public policy of employment stabilization, which policy is the foundation stone of all unemployment-compensation legislation.

"Whereas certain proposals are being advanced to amend the Federal Unemployment Tax Act in such a manner and to such an extent that all of the foregoing fundamental principles of our present Federal-State systems of unemployment compensation would be destroyed: Now, therefore, be it

"Resolved by the Board of Directors of the Wisconsin State Chamber of Commerce at its regular meeting on June 30, 1941, as follows:

"That there should be no action taken by the Congress of the United States or the Social Security Board which would—

"(1) Eliminate or in any way reduce or hinder the free action of individual employer experience rating which provides the most effective incentive to reduce seasonal and cyclical fluctuations in volume of employment.

"(2) Impose Federal control of State benefit payments through introduction of benefit standards in the Federal Unemployment Tax Act.

"(3) In any way tend toward nationalizing our present Federal-State systems of unemployment compensation.

"Be it further resolved, That copies of this resolution be sent to Wisconsin Congressmen and to the members of the Social Security Board.

"R. S. KINGSLEY,
"President.

"Attest:

"WM. J. PETERSEN,
"General Secretary."

RESOLUTION OF BOARD OF SUPERVISORS OF MILWAUKEE COUNTY, WIS.—DISCRIMINATION AGAINST NEGRO CITIZENS

Mr. WILEY presented a resolution adopted by the Board of Supervisors of Milwaukee County, Wis., which was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

File No. 5820.

By Supervisor Herrmann

Whereas Negro citizens of the United States have in all times of crisis in the history of this Nation proved themselves to be in the front rank of loyalty and faithful service; and

Whereas complaint is made by responsible Negro citizens that discrimination against Negroes is being practiced in the hiring of employees in defense industries and in governmental service; and

Whereas no justification exists for such discrimination at any time, and there is no excuse for such practice in this period, when all available manpower is needed in defense effort: Therefore be it

Resolved, That the County Board of Supervisors of Milwaukee County protests against the continuance of such discriminatory practices and urges that private employers as well as the National Government take immediate steps to end such discrimination; and be it further

Resolved, That certified copies of this resolution be forwarded to the Senators from Wisconsin, the Congressmen representing the Fourth and Fifth Wisconsin Congressional Districts, and to the Milwaukee Association of Commerce.

RESOLUTION OF BOARD OF DIRECTORS OF POLK-BURNETT ELECTRIC COOPERATIVE, WISCONSIN

Mr. WILEY presented a resolution of the board of directors of the Polk-Burnett Electric Cooperative, Wisconsin, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolution of the board of directors of the Polk-Burnett Electric Cooperative, Centuria, Wis., with regard to bill No. H. R. 4931, June 24, 1941.

Upon motion made by Burnstad and seconded by Northquest, the following resolution was unanimously adopted:

"Whereas the Polk-Burnett Electric Cooperative, a Rural Electrification Administration project, representing 2,000 signed members on existing lines and proposed lines and approximately 2,000 prospective members, is interested in cooperating with the Rural Electrification Administration in its plan for complete area coverage so that the benefits of electricity may be extended to deserving rural residents who are unable to receive these benefits under the present Administration rulings; and

"Whereas this cooperative is continually receiving requests to serve prospective members who are deserving but who cannot be served under the rulings based on a 25-year amortization period but would be feasible under a plan whereby this period would be extended; and

"Whereas a bill, No. H. R. 4931, has been introduced in the Congress of the United States which would extend the repayment period of loans from 25 years to 50 years: Be it

"Resolved, That we the board of directors of the Polk-Burnett Electric Cooperative, acting on behalf of its members, respectfully urge you, our Senators and Representative in the Congress of the United States of America, and the members of the Interstate and Foreign Commerce Committee, to support this bill; be it further

"Resolved, That the project superintendent be instructed to forward certified copies of this resolution to our Senators, Representative, and members of the Interstate and Foreign Commerce Committee."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BRIDGES, from the Committee on Military Affairs:

S. 1229. A bill to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended; without amendment (Rept. No. 543).

By Mr. ROSIER, from the Committee on Claims:

S. 1594. A bill for the relief of Mr. and Mrs. J. W. Johns; without amendment (Rept. No. 544).

By Mr. ROSIER (for Mr. ELLENDER), from the Committee on Claims:

S. 1055. A bill for the relief of Julius Yuhasz and Arvid Olson; with an amendment (Rept. No. 546); and

S. 1228. A bill for the relief of Mrs. A. B. Tanner; without amendment (Rept. No. 545).

By Mr. TUNNELL, from the Committee on Claims:

S. 493. A bill for the relief of Frank P. Walden and Viola Harp; with amendments (Rept. No. 548);

S. 1266. A bill for the relief of Etta Houser Freeman; with amendments (Rept. No. 549); and

S. 1550. A bill for the relief of Carl Chalker; with an amendment (Rept. No. 547).

By Mr. TYDINGS, from the Committee to Audit and Control the Contingent Expenses of the Senate:

S. Res. 140. Resolution to pay certain funeral expenses of the late Senator Andrew Jackson Houston, of Texas (submitted by Mr. CONNALLY on July 3, 1941); without amendment.

By Mr. MEAD, from the Committee on Post Offices and Post Roads:

S. 261. A bill relating to the compensation of William J. Muse for services rendered as a clerk in the post office at Mountain City, Tenn.; without amendment (Rept. No. 551);

S. 473. A bill relating to the classification of substitute driver-mechanics in the Postal Service; without amendment (Rept. No. 552);

S. 1570. A bill to further amend the acts for promoting the circulation of reading matter among the blind; without amendment (Rept. No. 553);

H. R. 3367. A bill relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937; without amendment (Rept. No. 554);

H. R. 2985. A bill to prescribe the time basis for computing pay for overtime work performed by laborers in the Railway Mail Service; with an amendment (Rept. No. 555); and

S. 122. A bill to amend section 226 of the act of March 4, 1909; with amendments (Rept. No. 556); and

S. 636. A bill to adjust the salaries of rural letter carriers; with amendments (Rept. No. 557).

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on July 10, 1941, that committee presented to the President of the United States the following enrolled bills:

S. 198. An act to authorize the Secretary of War to exchange certain land located within the Fort Missoula Military Reservation, Mont., for certain land owned by the Missoula Chamber of Commerce, of Missoula, Mont.;

S. 207. An act to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States;

S. 215. An act to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938;

S. 961. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 1147. An act to revive and reenact the act entitled "An act authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa," approved August 7, 1939;

S. 1226. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.;

S. 1289. An act authorizing the Copper River & Northwestern Railway Co. to convey to the United States its railroad right-of-way and other railroad properties in Alaska, for use as a public highway, tramroad, or tramway, and for other purposes; and

S. 1488. An act to amend an act entitled "An act authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKS:

S. 1739. A bill to amend section 3 of Public Act No. 819, Seventy-sixth Congress, approved October 9, 1940; to the Committee on Finance.

By Mr. DAVIS:

S. 1740. A bill for the incorporation of the Ladies of the Grand Army of the Republic; to the Committee on the Judiciary.

By Mr. MEAD:

S. 1741. A bill conferring jurisdiction upon the District Court of the United States for the Eastern District of New York to hear, determine, and render judgment upon certain claims against the United States of the Phoenix Construction Associates; to the Committee on Claims.

By Mr. TUNNELL (for Mr. BROWN):

S. 1742. A bill for the relief of G. F. Allen, Chief Disbursing Officer, Treasury Department, and for other purposes; and

S. 1743. A bill amending section 2 of the act entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in sums not exceeding $1,000 in any one case," approved December 28, 1922 (42 Stat. 1066); to the Committee on Claims.

By Mr. BUTLER:

S. 1744. A bill to provide uniform loan rates for corn and wheat at certain points on the Missouri River; to the Committee on Agriculture and Forestry.

(Mr. LEE introduced Senate bill 1745, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. WALSH:

S. 1746. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval affairs.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT—WHEAT MARKETING QUOTAS

Mr. LEE. Mr. President, I introduce a bill for the relief of wheat farmers who have had a very disappointing yield in their wheat. This bill would amend the Agricultural Adjustment Act in such a way as to meet with the approval and support of the Department of Agriculture. I ask that the bill be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The bill will be received and referred as requested by the Senator from Oklahoma.

The bill (S. 1745) to amend Public Law 74 of the Seventy-seventh Congress relating to wheat marketing quotas under the Agricultural Adjustment Act of 1938 as amended, was read twice by its title, and referred to the Committee on Agriculture and Forestry.

FEDERAL EXPLOSIVES ACT—AMENDMENTS

Mr. TAFT submitted several amendments intended to be proposed by him to the bill (H. R. 3019) to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917 (40 Stat. 385), which were ordered to lie on the table and to be printed.

DR. GUSTAV WEIL AND OTHERS—MOTION TO RECONSIDER

Mr. MALONEY. Mr. President, I desire to enter a motion to reconsider the vote on the passage of the bill (H. R. 814) for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil, and in that connection I ask that the House of Representatives be requested to return the bill to the Senate.

The VICE PRESIDENT. The motion of the Senator from Connecticut will be entered and the House of Representatives will be requested to return the bill.

EMERGENCY RELIEF FOR PUERTO RICO—MOTION TO RECONSIDER

Mr. TYDINGS. Mr. President, a few days ago the Senate passed Senate bill 1358, to amend section 1 of the act entitled "An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes," approved February 11, 1936.

I find, from conference with several Senators, members of the Committee on Territories and Insular Affairs, that there is a feeling that we should reexamine into the ramifications of the bill. Therefore, I ask unanimous consent to enter a motion that the vote on the passage of the bill be reconsidered.

The VICE PRESIDENT. Without objection, the motion will be entered.

Mr. TYDINGS. I now ask that the House be requested to return the bill to the Senate.

The VICE PRESIDENT. The House will be requested to return the bill.

SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL-DEFENSE PROGRAM—LIMIT OF EXPENDITURES

Mr. TRUMAN submitted the following resolution (S. Res. 146), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution 71, Seventy-seventh Congress, first session, relating to the investigation of the national-defense program, agreed to on March 1, 1941, is hereby increased by $50,000. In addition to the authority heretofore conferred upon such committee, the committee is authorized to request the use of the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government.

ADDRESS BY SENATOR LEE AT COMMENCEMENT EXERCISES OF UNIVERSITY OF OKLAHOMA

[Mr. LEE asked and obtained leave to have printed in the RECORD an address delivered by him on June 9 at the commencement exercises of the University of Oklahoma, which appears in the Appendix.]

ADDRESS BY SENATOR TOBEY—A REPLY TO THE WAR CRY

[Mr. TOBEY asked and obtained leave to have printed in the RECORD a radio address delivered by him on July 7, 1941, on the

subject A Reply to the War Cry, which appears in the Appendix.]

FOURTH OF JULY ADDRESS BY SENATOR WILEY AT CRANDON, WIS.

[Mr. WILEY asked and obtained leave to have printed in the RECORD a Fourth of July address delivered by him at Crandon, Wis., which appears in the Appendix.]

ADDRESS BY SENATOR WILEY AT BEAVER DAM, WIS.

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address deliveverd by him on July 6, 1941, at Beaver Dam, Wis., which appears in the Appendix.]

BACCALAUREATE SERMON BY PRESIDENT PAUL F. DOUGLASS TO GRADUATING CLASSES OF AMERICAN UNIVERSITY

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD the baccalaureate sermon delivered to the graduating classes of the American University by President Paul F. Douglass, which appears in the Appendix.]

ADDRESS BY MRS. GUILFORD DUDLEY AT PRESENTATION OF AWARD TO MRS. CARRIE CHAPMAN CATT

[Mr. STEWART asked and obtained leave to have printed in the RECORD an address delivered by Mrs. Guilford Dudley at the White House on May 16, 1941, on the occasion of the presentation of the national achievement award to Mrs. Carrie Chapman Catt, which appears in the Appendix.]

AN EXPLANATION DUE

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD an editorial entitled "An Explanation Due," which appears in the Appendix.]

DELAY OF DEFENSE PROJECTS BY STRIKES, AND BAN ON CRITICISM OF C. I. O.

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article from the New York Times of July 14, 1941, entitled "187 Strikes Cost 2,458,150 Man-Days," and an article from the New York Times of July 14, 1941, entitled "Anti-C. I. O. Talk Tabooed In Plant," which appear in the Appendix.]

EDITORIALS ON BASTILLE DAY

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial from the New York Times entitled "Bastille Day," and an editorial from the New York Herald Tribune entitled "Two Brief Years," which appear in the Appendix.]

BUSINESS RESPONSIBLE FOR HITLER—EDITORIAL FROM LABOR

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an editorial from Labor of the issue of July 15, 1941, entitled "Business Responsible for Hitler," which appears in the Appendix.]

STRIKES IN DEFENSE INDUSTRIES

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from a previous day, which will be read.

The Chief Clerk read the concurrent resolution (S. Con. Res. 12), submitted by Mr. BYRD on May 26, 1941, relative to strikes in defense industries.

Mr. McNARY. Let the concurrent resolution go over.

The VICE PRESIDENT. Without objection, the concurrent resolution will be passed over.

The morning business is closed.

AMENDMENT OF CLASSIFICATION ACT

Mr. MEAD. Mr. President, I move that the Senate proceed to the consideration of House bill 1073, providing for amendment of the Classification Act.

Mr. McNARY. Mr. President, I do not know that I will have objection, but the request does not conform with the understanding we had last Thursday. At that time the able Senator from Kentucky [Mr. BARKLEY] agreed that we would take up what is called the "pipe line" bill this morning. I objected to the consideration of a bill reported by the Senator from North Carolina [Mr. REYNOLDS] relating to weeding out some of the higher officers in the Army. There was a desire that the bill be taken up last Thursday, but I objected because it had not reached the calendar. It was agreed on the floor of the Senate that the two bills to which I have referred should come up for consideration this morning.

I am not in charge of the program, but the program outlined on Thursday was as I have stated it. If there is to be a modification, I should prefer that it be made by unanimous consent. I shall not object if the Senator will ask unanimous consent, although it does not conform to the understanding had here Thursday regarding what would be the program this morning.

Mr. MEAD. I shall be glad to change my suggestion and ask unanimous consent that House bill 1073 be taken up for consideration.

Mr. McNARY. I stated that I would have no objection, but with that request being made, any Senator may object who desires that we go along with the program heretofore authorized. Personally I have no objection to the suggested change in the order.

Mr. BRIDGES. What bill is it the Senator is asking to have taken up?

Mr. MEAD. It is a bill to amend the Classification Act of 1923. The bill, which was under consideration last Thursday, was drafted by the Bureau of the Budget at the request of the Committee on Appropriations of the House of Representatives. It has to do with the orderly increasing of pay of Federal workers. It is not a pay-increase bill. It merely sets up a formula to attain the objective set forth by the House Committee on Appropriations. Our committee considered the bill, and there were in attendance at the committee meeting the junior Senator from Vermont [Mr. AIKEN], the junior Senator from Virginia [Mr. BYRD], the junior Senator from California [Mr. DOWNEY], and myself.

The bill has been reported by the House committee, passed by the House itself, and reported by the Senate committee by unanimous consent. We believe it will result in a saving to the Government, although it is estimated that over a period of 10 years there will be a cost of $29,000,000; but that is assumed as the cost of the increases in compensation without comparison with what such increases might be if no such bill were enacted. So the Bureau of the Budget and the Civil Service Commission and the House Committee on Appropriations have endorsed the proposal. In fact, the House has gone so far as to insert a section in the deficiency appropriation bill preventing any increases from taking effect until this bill shall be enacted, in the hope that the bill will be expeditiously enacted into law. There is no objection to the bill all along the line—from the departments, from the employees, or from the other branch of the Congress.

Mr. BRIDGES. Will the Senator please explain how, if the bill will cost $29,000,000 more, it will mean a saving? I did not quite get his point.

Mr. MEAD. It is estimated that increasing the pay of the employees in accordance with the formula provided in the bill will, over a period of 10 years, cost $29,000,000, and after that, as the result of retirements and resignations and grade promotions, the law will become self-liquidating, it will pay for itself, and will result in an economy. For a period of 10 years it will cost a little less than $3,000,000 a year for increases, in keeping with the formula prescribed in the bill, but that does not take into consideration the increases which might be granted if the bill should not become effective. For instance, in one department increases were granted to 85 percent of the personnel in 1 year, while in another agency only 4 percent participated in increases. This measure merely sets up an orderly, balanced procedure demanded by the Committee on Appropriations.

Mr. BRIDGES. Does the Senator feel that the passage of the bill would actually result in a saving, as well as in setting up a fair standard for promotions?

Mr. MEAD. The representative of the Budget Bureau so stated to our committee, and the statement has been verified by me through conferences with personnel officers who had something to do with drafting the bill. Its passage would result in an economy.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York?

There being no objection, the Senate resumed the consideration of the bill (H. R. 1073) to amend the Classification Act of 1923, as amended.

The VICE PRESIDENT. The Chair is advised that the amendment reported by the committee was agreed to on Thursday last.

Mr. MEAD. Mr. President, I offer an amendment to the bill, which I send to the desk.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, after line 25, it is proposed to insert the following:

(h) The provisions of subsections (b) to (f), both inclusive, of this section shall not apply to the compensation of persons appointed by the President, by and with the advice and consent of the Senate.

Mr. MEAD. Mr. President, this merely takes from the coverage of the bill such appointments as are made by the President and confirmed by the Senate, appointments to policy-making positions. In taking them from the coverage of the bill, it is proposed to do just what was done in the case of the Ramspeck civil-service bill.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. ADAMS. Mr. President, I am interested in obtaining a little further information about the bill. I am not familiar with it, but when it was reached on the call of the calendar last Thursday the Senator from Wyoming [Mr. O'MAHONEY] read a section from the report, as I recollect, which indicated that the bill would provide each year an increase in cost of the Government, until at the end of the 10 years the increase would be $29,000,000. In view of that statement in the report the Senator from New York has filed, I wonder how he can say the bill would promote economy. I also understood him to say a moment ago that the bill was demanded by the Committee on Appropriations.

Mr. MEAD. The House Committee on Appropriations.

Mr. ADAMS. I wondered how the House Committee on Appropriations could demand the passage of a legislative bill.

Mr. MEAD. They demanded a formula from the Bureau of the Budget which would prescribe an orderly method for handling pay raises. They were out of patience with the old method, and as a result of the demand which they made upon the Bureau of the Budget, that Bureau, after an investigation, presented this bill, which was referred to the Committee on Appropriations of the House, and then by rereference was sent to the Civil Service Committee.

Mr. ADAMS. In what form did they make the demand?

Mr. MEAD. It is indicated in the report. They insisted that the Bureau of the Budget give time and attention to the question of setting up an orderly procedure for pay increases, and, as a result of that demand, which was an actual demand of the House Committee on Appropriations, the Budget Bureau went to work, and after an exhaustive study reported to the House Committee on Appropriations, and they in turn had the bill referred to the House Committee on Civil Service, which committee reported it to the House without amendment.

Mr. ADAMS. The Senator has drawn certain deductions, but is it not a fact that the House committee inserted in the bill a provision which would forbid heads of departments making increases in their departments except in conformity with the Classification Act? In other words, have they not said, "We will not appropriate money with which the heads of departments may make increases as they see fit?" Is not that the situation, instead of the House committee demanding the passage of a legislative act?

Mr. MEAD. It is my understanding that the House committee served notice that unless the procedure provided in the bill before us, or some similar procedure, were enacted, the departments could not use any of the funds appropriated in raising wages. That was the insistent demand, according to my information. That was the information which came to our committee.

Mr. ADAMS. I think it is an implication. I am simply interested in the information received by the Senator.

Mr. MEAD. The fact that the House Appropriations Committee ordered the study, and that the study was made by the Bureau of the Budget, and that a report was submitted by the Bureau of the Budget to the Appropriations Committee, indicated their interest in the subject. Then the insertion in the deficiency appropriation bill of section 302, which is an inhibition against salary raises of any kind until some formula such as this goes into effect, indicates that the Appropriations Committee of the House is further insisting upon the enactment of this bill. Section 302 of the deficiency appropriation bill, H. R. 5166, is to be found on page 73. I will be glad to read it. The section is as follows:

SEC. 302. No appropriation or part of any appropriation available for obligation during the fiscal year 1942, including funds of Government-owned or controlled corporations, shall be used for granting within-grade salary advancements to any officer or employee of the Government of the United States, the District of Columbia, or of any such corporation, who is compensated on a per annum basis and who occupies a position the compensation of which is fixed (1) according to the schedules prescribed by the Classification Act of 1923, as amended, or (2) by Executive Order No. 6746, or (3) administratively according to schedules patterned after such Classification Act: *Provided*, That this section shall cease to be operative whenever a uniform, within-grade, salary-advancement plan for positions compensated according to such Classification Act, as amended, shall take effect, pursuant to law.

So the law as it now stands arbitrarily forbids all advances unless a uniform policy is adopted, and the pending bill provides the policy the committee had in mind.

Mr. ADAMS. The Senator agrees that that is a proper thing for the committee to do, in order to stop miscellaneous, irresponsible, and arbitrary advancements?

Mr MEAD. Yes.

Mr. ADAMS. But does it follow from the insertion of section 302 in the appropriation act that there is a demand on the part of the House Appropriations Committee for the enactment of a statute which provides for $29,000,000 annual increase in the Government expenditures?

Mr. MEAD. No; it is not $29,000,000.

Mr. ADAMS. Let me read from page 4 of the report submitted by the House Committee on Civil Service, as follows:

The salary-advancement plan with a coverage of 304,000 employees would, after 10 years of operation, result in an increase in the annual pay roll of $29,000,000 above the amount of the pay roll at the beginning of the operation of the plan.

That is to be found on page 5 of the report.

Mr. MEAD. The following language also appears on page 5:

After the plan has been in operation for as many as 10 years, the lapses resulting from turn-over and line promotions will almost equal the annual cost of granting the increases to the eligible employees, and there will be little or no further additional cost. The plan will become self-supporting.

That is what I explained awhile ago.

Mr. ADAMS. As I interpret the language, after there has been the increase of $29,000,000 there will not be an augmentation above $29,000,000. The $29,000,000 results from the annual increase.

Mr. MEAD. But if we do not pass the pending bill, then the increases which are now allowed under existing law may approximate $29,000,000 anyway. It should be considered that there is a large turn-over in personnel as the result of attractive salaries paid elsewhere, and in order to hold the employees in service with liberal appropriations, there may be more salary increases than prescribed under this formula, but this formula will set up an orderly procedure. After the plan attains the maximum point, then it will be self-supporting as the result of retirement and in-grade promotion, and thereafter we will know just what the cost of advancement in salaries will be. It will be a formula which will be orderly and well established, and the chaotic situation resulting from raises of 85 percent of the personnel in one department this year and only 4 percent in another department this year will be done away with, and that is what the Appropriations Committee sought to have done. We were assured that the adoption of the plan would result in an ultimate economy.

Mr. ADAMS. I hope that is true. I am somewhat mystified by the statement made in the committee report that the plan will become self-supporting.

Mr. MEAD. That is what the representative of the Director of the Bureau of the Budget told us.

Mr. ADAMS. The Senator does not believe that, does he?

Mr. MEAD. I further investigated the subject, and one of the chief personnel officers of the Government told me it was a conservative statement. He believed the adoption of the plan would result in greater economy.

Mr. ADAMS. What does the report mean when it says that the plan will be self-supporting, when as a matter of fact the plan will involve a tremendous expenditure every year? I do not understand what the expression "self-supporting" means.

Mr. MEAD. If A retires from the top salary position, leaves the service of the Government, B comes in at the bottom salary. The saving between A and B will be more than enough to raise the salary of the man in the service who is entitled to the salary increase.

Mr. ADAMS. That may happen one year, but the adoption of the plan would establish a status of equilibrium. That cannot be figured as a measure of economy. If an individual receiving a top salary retires it will result in increased salaries all down the line. There may be six grades of employees below the top man. The salaries of the employees in those six grades may go up when the top man goes out. There would be a reduction in the salary of the top man, but the salaries of six others would be increased.

Mr. MEAD. The salaries of all are not increased, unless their efficiency rating is "good," or better, and unless they have been 18 months in the service without receiving any increase. Then there is additional power given to the head of the bureau to decide whether all salaries shall be increased.

Mr. ADAMS. I am very much in favor of a classification act in order to have a stable situation. I think the Government has gone wild in many cases when new departments have been created and the heads thereof have been allowed to fix salaries arbitrarily, as the result of which some employees are receiving more than they should receive and others are receiving less.

Mr. MEAD. Some employees are discriminated against.

Mr. ADAMS. I wonder if this measure if passed will establish a really scientific classification act, and prevent excessive payment and inadequate payment.

Mr. MEAD. I am so assured by the Civil Service Commission.

Mr. ADAMS. I hope the Senator will receive better assurance than that.

Mr. MEAD. I have been assured that that is what will be attained.

Mr. President, I wish to say that I discussed the bill this morning with the Senator from Wyoming [Mr. O'MAHONEY], who objected to its consideration last week. I told the Senator I was going to bring it up today, and that was agreeable to him. Some Senators were anxious to know what effect the bill would have on selectees, so I addressed a letter to the Bureau of the Budget, and was informed that the rights of the selectees taken from the civil service would be protected. In order that that statement may become a part of the RECORD I ask unanimous consent that the letter from the Bureau of the Budget with reference to selectees be incorporated at this point as part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

EXECUTIVE OFFICE OF
THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 10, 1941.

Hon. JAMES M. MEAD,
United States Senate,
Washington, D. C.

MY DEAR SENATOR MEAD: I understand from our Personnel Director, Mr. Edgar B. Young, that your office has made inquiry concerning the status of Federal employees who are ordered to active military duty either as Reserve officers or under the terms of the Selective Training and Service Act, with reference to their eligibility for salary advancement under the terms of H. R. 1073, which is currently under consideration by the Senate Civil Service Committee.

It is provided in the Selective Training and Service Act of 1940 that such employees shall be restored to the same position or a position of like seniority, status, and pay "without loss of seniority." Public Resolution No. 96, approved August 27, 1940, provides that such employees, when called to active duty with the National Guard or Reserve units, shall be restored to the same position or a position of like seniority, status, and pay without loss of seniority, insurance participation, or other benefits.

In our opinion these provisions could properly be construed to mean that an employee called to active military duty would not lose the benefit of H. R. 1073 during the period of military service. For example, if an employee were called to active duty who, in the event he had remained in civilian employment would have become eligible for salary advancement during his year of duty, such an employee should receive his advancement immediately upon his return to civilian employment. The time period for computing his next advancement should date from the time he would have received the increase had he not been called to active military duty. In other words, we feel that no employee should be penalized under the terms of H. R. 1073 because of military duty to which he has been ordered. Such a construction would, in our judgment, be entirely consistent with the existing arrangements for the preservation of civil-service eligibility and all other civil-service rights for employees who are called into active service.

It is our further thought that in the administration of the salary-advancement plan appropriate regulations, to be issued under authority of section 2 (g) of H. R. 1073, could adequately cover this subject.

Very truly yours,

HAROLD D. SMITH,
Director.

ATTITUDE OF SENATOR LUCAS TOWARD SECRET COMMITTEE SESSIONS

Mr. LUCAS. Mr. President, on June 30, last, the able senior Senator from Montana [Mr. WHEELER] introduced Senate Resolution 138, which was referred to the Committee on Naval Affairs. The resolution requests an investigation by that committee of certain statements which were made by various columnists concerning our foreign policy. Following the introduction of the resolution the Committee on Naval Affairs met on Friday last and heard the testimony of Colonel Knox, Secretary of the Navy, and Admiral Stark, Chief of Naval Operations, in a 3-hour session.

Mr. President, I do not rise for the purpose of discussing anything that transpired in that meeting, because it was an executive session, with the exception of one remark that was attributed to me, and carried in one of the Washington newspapers of Saturday morning. That remark, in substance, as I remember, dealt directly with the position which I took on the evacuation of the British troops from the country of Iceland, and made a direct quote as to what I said. I did make a direct quote to a newspaperman whose name I have forgotten, who called on me on Friday night about 9 o'clock.

Mr. President, I have no apologies to make for making that statement. After I left the committee meeting on Friday there were probably 20 reporters waiting on the outside for information as to what transpired in the committee meeting. I was accosted by Mr. Catledge, representing the New York Times. I was asked for information by other reporters. I was also asked for information by Mr. Manly, of the Chicago Tribune, who came directly to my office for a story on what happened in the executive session. To all those men I repeatedly said that we were in an executive session, that I had nothing to say, and would make no statement until the report was filed by the committee at some later date, and that the report would speak for itself.

But, lo and behold, when I returned home that night and picked up two Washington newspapers, I saw the headlines and read the stories of practically everything that happened in that committee meeting. So, Mr. President, when other reporters called me that night I did not hesitate to give any information which I thought was just and proper and which in nowise revealed any military or naval secrets.

I rise for the purpose of explaining this situation for fear that some member of the Naval Affairs Committee or some other Member of the Senate may misunderstand my position because of the direct quote which I made upon the Iceland situation. Mr. President, I have been in the Senate only a short while, but I learn more and more as the days go by. In the future the senior Senator from Illinois will adopt the same position as that adopted by the late Senator Couzens, of Michigan. I will not be bound by any executive session. That does not mean that I shall attend such sessions for the purpose of disclosing information of a military or naval nature; but I refuse to deny my friends in the Middle West or any other section of the country, representing the great metropolitan press of the Nation, information which I believe is worth while. This decision is made in view of the experience I have just detailed.

Mr. President, I have been in a number of executive sessions since I have been in the Senate. I go along in my own way and say, "No, Mr. Reporter, you cannot have anything from the Senator from Illinois, because it was an executive session, and my word has always been as good as my bond. I cannot give you any information." But from now on, Mr. President, I will not be bound by an executive session of any committee at which I am present, because such a course is futile and useless. It seems to be an old custom among Senate committees to go into executive session, and 15 minutes later the world knows all about its innermost secrets.

AMENDMENT OF CLASSIFICATION ACT

The Senate resumed the consideration of the bill (H. R. 1073) to amend the Classification Act of 1923, as amended.

Mr. McCARRAN. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

SEC. 7. That unclassified employees under civil service in the departments and agencies of the Federal and District services shall receive a minimum of not less than $1,500 annually.

Mr. McCARRAN. Mr. President, in the past several years the Department of Labor, the American Federation of Labor, and other labor organizations and investigating bodies, including the United Government Employees, Inc., and the National Negro Council, have from time to time rendered reports as to what is a living wage and what is essential for an individual under existing conditions to live reasonably under the American system. One thousand five hundred dollars a year has been established and published as a minimum living wage by the Department of Labor and other labor investigating bodies. It is for that reason that I offer my amendment, which I hope the Senator from New York may see fit to accept. Did the Senator hear the amendment read?

Mr. MEAD. Yes; I heard it.

Mr. McCARRAN. I am asking the Senator from New York if he cannot see his way clear, without holding the attention of the Senate longer, to accept the amendment.

Mr. MEAD. If it is agreeable to my colleagues on the Civil Service Committee, I am perfectly willing to take the amendment to conference. However, I cannot speak for the Senate.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BRIDGES. Can the Senator give some examples of those in the unclassified service?

Mr. McCARRAN. A part of the custodial forces comes within the unclassified service. It embraces those who work in the humbler positions.

Mr. BRIDGES. Such as elevator operators and janitors?

Mr. McCARRAN. Elevator operators, janitors, firemen, and so forth.

Mr. BRIDGES. Mr. President, will the Senator further yield

Mr. McCARRAN. I yield.

Mr. BRIDGES. I am in sympathy with the principle of minimum wages, as the Senator knows, because we have worked together on such matters; but is it not true that in the classified service are many persons who are receiving $1,260 or $1,440? I am wondering whether it is fair to establish a minimum wage for the unclassified service, and deliberately pass over great groups in the classified service who are receiving lower salaries.

Mr. McCARRAN. Let me say to the Senator that there are small groups receiving salaries as low as $600, $750, or $900 a year. I am interested in those groups. That is the reason for my amendment. As a rule they are the poorer groups, and perhaps, in many instances, those who are supporting the greater number of dependents. It seems to me—and judging from my past conversations with the Senator I believe he agrees with me—that we should not compel those who work for the Government to live on starvation wages. Today a great number of Government employees are working for nothing more than starvation wages.

In bills which have been introduced in the past we have tried to establish a minimum wage of $1,500. It was with that thought in mind that I hoped this amendment might be taken to conference. If in the judgment of the conferees the sum should be less—say $1,200—I will be entirely content. But Government employees cannot work for $600, $700, $800, or $900 a year with any degree of contentment.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BYRD. The Senator's amendment applies only to the unclassified service.

Mr. McCARRAN. That is correct.

Mr. BYRD. Of course, the classified service has varying rates, beginning at $600. There are some at $1,080 and others at $1,140. How can we discriminate between the unclassified service and the classified service?

Mr. McCARRAN. As I understand, those in the classified service have their classification status fixed for the future. As time goes on they will receive increases. However, those in the unclassified service have no status whatever fixed for the future. Their salaries are stabilized at $600, $700, or $900 a year.

Mr. BYRD. However, I call attention to the fact that it will be a long time before some of the employees in the classified service reach a salary of $1,500.

Mr. McCARRAN. That may be true.

Mr. BYRD. The Senator's amendment would make a discrimination between employees in the classified service and those in the unclassified service. As a member of the Civil Service Committee, I hope the Senator from Nevada will permit his amendment and the effect of it to be studied by the Civil Service Committee, because in view of the fact that there are two rates of pay, one classified and one unclassified, I think that to agree hastily to the amendment would be very unfortunate.

Mr. McCARRAN. I wish to say to the Senator, in reply to his suggestion, that I followed the very course he is now suggesting, and for nearly 3 years, one after another, I introduced bills providing a minimum salary of $1,500. I never could get any action by the Civil Service Committee on the bill.

Mr. BYRD. The Senator must see that we cannot have two rates of pay, one for unclassified and one for classified employees.

Mr. McCARRAN. But there are now two rates of pay.

Mr. BYRD. There are two rates of pay in accordance with the service rendered.

Mr. McCARRAN. Very well; but now employees in the unclassified service have no fixed status whatever for the future, and they are receiving a starvation wage.

Mr. BYRD. But under the Senator's amendment many employees in the unclassified service would receive more than many employees in the classified service would receive.

Mr. McCARRAN. There would be very few such cases, because, in accordance with the provisions of the Classification Act, employees in the classified service always receive their promotions.

Mr. ADAMS. Mr. President, I desire to make an inquiry of the Senator from Nevada. If I correctly heard the amendment, it does not provide for fixing the rate of pay, but provides for fixing the minimum. In other words, if a person in the unclassified service worked only 3 days a year he would have to receive $1,500.

Mr. McCARRAN. No; his pay would be at the rate of $1,500 a year.

Mr. ADAMS. But the amendment does not so provide, if I recollect it correctly. The service of such an employee might be for less than a year.

Mr. McCARRAN. My purpose would be to have such an employee receive pay on the basis of $1,500 a year.

Mr. ADAMS. Does not the Senator mean that such employees should be paid at the rate of not less than $1,500 a year?

Mr. McCARRAN. Yes; that was my purpose.

Mr. ADAMS. I do not think the Senator's amendment says "at the rate of."

Mr. McCARRAN. I am perfectly willing to accept the suggestion of the Senator from Colorado, which perhaps is a very good one, to have the language read "to be paid at the rate of." If the clerk may be authorized to make that change, I ask that my amendment be modified accordingly.

The VICE PRESIDENT. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Nevada as modified.

On a division, the amendment as modified, was rejected.

The VICE PRESIDENT. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 1073) was read the third time, and passed.

Mr. MEAD. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. MEAD, Mr. BYRD, and Mr. AIKEN conferees on the part of the Senate.

RECESS

Mr. MEAD. Mr. President, I move that the Senate take a recess until 2:30 o'clock p. m.

Mr. BRIDGES. Mr. President, what is the request?

The VICE PRESIDENT. The request is that the Senate recess until 2:30 p. m.

Mr. BRIDGES. For what purpose?

Mr. McNARY. Mr. President, the matter of a recess was suggested to me because of the fact that the Democratic leader has a conference at the White House. He desires to be here, and I suggested that we recess until 2:30 p. m. in order that he may be here to determine upon the program for the remainder of the week.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New York.

The motion was agreed to; and (at 12 o'clock and 55 minutes p. m.) the Senate took a recess until 2:30 p. m., when it reassembled.

PETROLEUM PIPE LINES

Mr. BARKLEY. Mr. President on behalf of the Senator from Tennessee [Mr. STEWART], from the Committee on Interstate Commerce, I report back favorably with an amendment House bill 4816, to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce, and I submit a report (No. 550) thereon. This is the so-called pipe-line bill.

The VICE PRESIDENT. The bill will be received and placed on the calendar.

Mr. BARKLEY. Mr. President, I ask unanimous consent that when the Senate meets tomorrow it proceed to consider the bill just reported. It will be on the calendar, and it will be in order any way

to move to consider the bill, but if I can obtain unanimous consent now, Senators will know what we shall take up tomorrow.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. BARKLEY. The bill will be the unfinished business, then, when the Senate meets tomorrow.

The VICE PRESIDENT. The Senator is correct.

ELIMINATION OF INEFFICIENT ARMY OFFICERS

Mr. BARKLEY. Mr. President, I hope that following the consideration of the bill just made the unfinished business, the Senate may take up and dispose of a measure reported from the Committee on Military Affairs which is now on the calendar, Senate Joint Resolution 88, to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army, which was scheduled to be taken up today. It is Calendar No. 556 and deals with officers in the Army. If we shall finish consideration of the so-called pipe-line bill in time, which I think we will, we shall try to take up the bill reported from the Military Affairs Committee. Aside from the two measures referred to, there will be no business tomorrow that I now foresee except routine matters.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, returned to the Senate, in compliance with its request, the following bills:

S. 1358. An act to amend section 1 of the act entitled "An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes," approved February 11, 1936; and

H. R. 814. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil.

Mr. WALSH. Mr. President, I was unable to hear all the able Senator from Kentucky said. Did I understand him to say that there will be a meeting of the Senate tomorrow?

Mr. BARKLEY. Yes.

Mr. WALSH. And that the calendar will be taken up?

Mr. BARKLEY. No. I have already obtained unanimous consent to make the so-called pipe-line bill, which was reported today from the Committee on Interstate Commerce, the unfinished business, and following the disposition of that bill tomorrow I hope the Senate may take up the bill dealing with Army officers, reported from the Committee on Military Affairs.

Mr. WALSH. Mr. President, I rose for the purpose of stating, so the Senator from California [Mr. JOHNSON] would know, that if there is opportunity tomorrow I intend to ask for action on the plant protection bill, one of the bills on the calendar, reported favorably from the Naval Affairs Committee. The Senator from California is familiar with the bill. It was discussed in the Senate some time ago.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Appropriations:

Charles P. Casey, of Illinois, to be Work Projects administrator for Illinois, to be effective July 16, 1941, vice Howard S. Drew.

By Mr. WHEELER, from the Committee on Interstate Commerce:

Garland S. Ferguson, Jr., of North Carolina, to be a Federal Trade Commissioner for a term of 7 years from September 26, 1941 (reappointment).

By Mr. REYNOLDS, from the Committee on Military Affairs:

Sundry officers and general officers for promotion and temporary appointment in the Army, under the provisions of law.

By Mr. VAN NUYS, from the Committee on the Judiciary (all reappointments):

Jim C. Smith, of Alabama, to be United States attorney for the northern district of Alabama;

Thomas J. Morrissey, of Colorado, to be United States attorney for the district of Colorado;

George Earl Hoffman, of Florida, to be United States attorney for the northern district of Florida;

T. Hoyt Davis, of Georgia, to be United States attorney for the middle district of Georgia;

John A. Carver, of Idaho, to be United States attorney for the district of Idaho;

Carl C. Donaugh, of Oregon, to be United States attorney for the district of Oregon;

William McClanahan, of Tennessee, to be United States attorney for the western district of Tennessee;

Edward B. Doyle, of Georgia, to be United States marshal for the middle district of Georgia; and

Charles W. Miles, of Tennessee, to be United States marshal for the western district of Tennessee.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The VICE PRESIDENT. Without objection, the nominations of postmasters will be confirmed en bloc.

That completes the calendar.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 33 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, July 15, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 14, 1941:

DISTRICT COURT JUDGE

Hon. Matthew F. McGuire, of Massachusetts, to be associate justice of the District Court of the United States for the District of Columbia, vice Hon. Peyton Gordon, retired.

PUBLIC UTILITIES COMMISSION, DISTRICT OF COLUMBIA

Gregory Hankin, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia for a term of 3 years from July 1, 1941, vice Richmond B. Keech, resigned.

UNITED STATES PUBLIC HEALTH SERVICE

Asst. Surg. Howard T. White to be passed assistant surgeon in the United States Public Health Service, to rank as such from July 16, 1941.

The following-named doctors to be assistant surgeons in the United States Public Health Service, to take effect from date of oath:

Selwyn H. Drummond	Douglas S. Nisbet
Timothy J. Haley	Samuel C. Ingraham
Trawick H. Stubbs	Joseph A. Moore
Frank P. Marturano	Robert E. Miller
Randall W. Snow	Samuel C. Duhon

COAST GUARD OF THE UNITED STATES

The following-named officers in the Coast Guard of the United States to be lieutenants (junior grade), to rank as such from June 2, 1941:

Ensign Alexander W. Wuerker
Ensign John E. D. Hudgens
Ensign Arthur Pfeiffer
Ensign George E. Howarth
Ensign Benjamin F. Engel
Ensign Robert Waldron
Ensign George T. Murati
Ensign James W. Williams
Ensign Henry P. Kniskern, Jr.
Ensign Cornelius G. Houtsma
Ensign Edward C. Allen, Jr.
Ensign Arthur B. Engel
Ensign Benjamin D. Shoemaker, Jr.
Ensign Raymond A. Tuttle
Ensign Donald M. Morell
Ensign Charles E. Leising, Jr.
Ensign Benjamin P. Clark
Ensign Thomas R. Sargent III
Ensign John A. Pritchard, Jr.
Ensign Edwin B. Ing
Ensign Winslow H. Buxton
Ensign James B. Weaver

APPOINTMENT IN THE REGULAR ARMY

TO BE FIRST LIEUTENANT, MEDICAL CORPS, WITH RANK FROM DATE OF APPOINTMENT

First Lt. William Thayer Smith, Medical Corps Reserve.

APPOINTMENTS BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO JUDGE ADVOCATE GENERAL'S DEPARTMENT

Capt. Clarence Jonathan Hauck, Jr., Coast Artillery Corps, with rank from June 11, 1941.

TO QUARTERMASTER CORPS

Maj. Herman William Fairbrother, Infantry, with rank from July 1, 1940.

First Lt. Travis Tabor Brown, Infantry (captain, Army of the United States), with rank from June 12, 1937.

Second Lt. Charles Wesley Florance, Jr., Infantry (first lieutenant, Army of the United States), with rank from June 12, 1939.

TO ORDNANCE DEPARTMENT

First Lt. Durward Ellsworth Breakefield, Field Artillery (captain, Army of the United States), with rank from June 12, 1938.

TO COAST ARTILLERY CORPS

Lt. Col. Peter Kenrick Kelly, Infantry, with rank from October 1, 1938.

First Lt. Orville Wright Mullikin, Infantry (captain, Army of the United States), with rank from August 1, 1935.

TO AIR CORPS

Capt. Ephraim Melmoth Hampton, Chemical Warfare Service, with rank from June 12, 1940.

Second Lt. Thomas Lanier McKnight, Cavalry, with rank from July 1, 1940.

Second Lt. Ariel Wayne Nielsen, Field Artillery, with rank from July 1, 1940.

PROMOTION IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONEL WITH RANK FROM JULY 1, 1941

Lt. Col. Lee Roland Watrous, Jr., Finance Department (colonel, Army of the United States).

APPOINTMENT TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONELS

Lt. Col. St. Clair Streett, Air Corps.
Lt. Col. John Isham Moore, Air Corps.
Lt. Col. Oliver Stevenson Ferson, Air Corps.
Lt. Col. Robert Gale Breene, Air Corps.
Lt. Col. James Franklin Powell, Air Corps.
Lt. Col. Neal Creighton, Air Corps.
Lt. Col. Alonzo Maning Drake, Air Corps.
Lt. Col. Victor Herbert Strahm, Air Corps.
Lt. Col. Ira Robert Koenig, Air Corps.
Lt. Col. Philip Schneeberger, Air Corps.
Lt. Col. Karl Shaffner Axtater, Air Corps.
Lt. Col. William Joseph Flood, Air Corps.
Lt. Col. Charles Merrill Savage, Air Corps.
Lt. Col. George Churchill Kenney (temporary brigadier general, Army of the United States), Air Corps.
Lt. Col. George Merrill Palmer, Air Corps.
Lt. Col. John Parr Temple, Air Corps.
Lt. Col. Byron Turner Burt, Jr., Air Corps.
Lt. Col. Earle Gene Harper, Air Corps.
Lt. Col. Lotha August Smith, Air Corps.
Lt. Col. William Valery Andrews, Air Corps.
Lt. Col. Arthur Wellington Brock, Jr., Air Corps.
Lt. Col. Merrick Gay Estabrook, Jr., Air Corps.
Lt. Col. Carl Franklin Greene, Air Corps.

TO BE LIEUTENANT COLONELS

Maj. Russell Hay Cooper, Air Corps.
Maj. Henry Guy Woodward, Air Corps.
Maj. John Ross Morgan, Air Corps.
Maj. Roscoe Caleb Wriston, Air Corps.
Maj. Charles Edwin Thomas, Jr., Air Corps.
Maj. James Bumer Jordan, Air Corps.
Maj. Jack Clemens Hodgson, Air Corps.
Maj. Ray Guy Harris, Air Corps.
Maj. James Cole Shively, Air Corps.
Maj. James Culver Cluck, Air Corps.
Maj. William Noel Amis, Air Corps.
Maj. Harold Hibbard Carr, Air Corps.
Maj. Rufus Benjamin Davidson, Air Corps.
Maj. Stanley Milward Umstead, Air Corps.
Maj. Roland Birnn, Air Corps.
Maj. Stanton Thomas Smith, Air Corps.
Maj. Evers Abbey, Air Corps.
Maj. Joseph Popenjoy Bailey, Air Corps.
Maj. Kenneth Campbell McGregor, Air Corps.
Maj. Clarence Frost Horton, Air Corps.
Maj. Pardoe Martin, Air Corps.
Maj. Raymond Rudolph Brown (temporary lieutenant colonel, Army of the United States), Air Corps.
Maj. Edwin Ray McReynolds, Air Corps.
Maj. David Glenn Lingle, Air Corps.
Maj. Robert Morris Webster, Air Corps.
Maj. Charles Backes, Air Corps.
Maj. Sigmund Franklin Landers, Air Corps.
Maj. Milo Neil Clark, Air Corps.
Maj. Harrison Gage Crocker, Air Corps.
Maj. Ned Schramm, Air Corps.
Maj. Don McNeal, Air Corps.
Maj. Jesse Anthony Madarasz, Air Corps.
Maj. Edward Morris Robbins, Air Corps.
Maj. James Weston Hammond, Air Corps.
Maj. Randolph Piersol Williams, Air Corps.
Maj. Francis Bassett Valentine, Air Corps.
Maj. Hobart Reed Yeager, Air Corps.
Maj. Ronald Austin Hicks, Air Corps.
Maj. James Edmund Parker, Air Corps.
Maj. Augustine Francis Shea, Air Corps.
Maj. Nathan Farragut Twining, Air Corps.
Maj. Ralph Francis Stearley, Air Corps.
Maj. Russell Lowell Williamson, Air Corps.
Maj. Adolphus Rankin McConnell, Air Corps.
Maj. Kenneth Newton Walker, Air Corps.
Maj. Oscar Leslie Rogers, Air Corps.
Maj. Edgar Theodore Selzer, Air Corps.
Maj. Edward Alton Hillery, Air Corps.
Maj. Everett Sanford Davis, Air Corps.
Maj. Donald Reuben Goodrich, Air Corps.
Maj. Julian Buckner Haddon, Air Corps.
Maj. Haynie McCormick, Air Corps.
Maj. Cornelius Emmett O'Connor, Air Corps.
Maj. Park Holland, Air Corps.
Maj. Donald Frank Stace, Air Corps.
Maj. Thomas Dresser White, Air Corps.
Maj. Lawrence Joseph Carr, Air Corps.
Maj. Harry Clark Wisehart, Air Corps.
Maj. John Ferral McBlain, Air Corps.
Maj. Harlan Thurston McCormick, Air Corps.
Maj. John Lamont Davidson, Air Corps.
Maj. Hugo Peoples Rush, Air Corps.
Maj. Ernest Starkey Moon, Air Corps.
Maj. Arnold Hoyer Rich, Air Corps.
Maj. Charles Dawson McAllister, Air Corps.
Maj. James Thorburn Cumberpatch, Air Corps.
Maj. Don Waters Mayhue, Air Corps.
Maj. Edmund Clarence Langmead, Air Corps.
Maj. David William Goodrich, Air Corps.

TO BE MAJORS

Capt. Charles William Haas, Air Corps.
Capt. Aubrey Kenneth Dodson, Air Corps.
Capt. Mark Edward Bradley, Jr. Air Corps.
Capt. Douglas Mitchell Kilpatrick, Air Corps.
Capt. Wiley Duncan Ganey, Air Corps.
Capt. Thetus Cayce Odom, Air Corps.
Capt. Walter Campbell Sweeney, Jr., Air Corps.
Capt. Morris John Lee, Air Corps.
Capt. Marvin Lewis Harding, Air Corps.
Capt. Birrell Walsh, Air Corps.
Capt. David Hodge Baker, Air Corps.
Capt. James Sylvester Sutton, Air Corps.
Capt. Edwin Sanders Perrin, Air Corps.
Capt. Neal Edwin Ausman, Air Corps.
Capt. Troup Miller, Jr., Air Corps.
Capt. William Dole Eckert, Air Corps.
Capt. Lauris Norstad, Air Corps.
Capt. Millard Lewis, Air Corps.
Capt. Othel Rochelle Deering, Air Corps.
Capt. John Chesley Kilborn, Air Corps.
Capt. Carl Amandus Brandt, Air Corps.
Capt. Harold Lester Smith, Air Corps.
Capt. Norman Ray Burnett, Air Corps.
Capt. Richard Joseph O'Keefe, Air Corps.
Capt. Joseph Arthur Miller, Air Corps.
Capt. Kurt Martin Landon, Air Corps.
Capt. Gerry Leonard Mason, Air Corps.
Capt. Hubern Paul Dellinger, Air Corps.
Capt. Daniel Anderson Cooper, Air Corps.
Capt. Sory Smith, Air Corps.
Capt. Paul William Blanchard, Jr., Air Corps.
Capt. Elvin Freestone Maughan, Air Corps.
Capt. Jergen Bernhardt Olson, Air Corps.
Capt. Daniel Francis Callahan, Air Corps.
Capt. Marcellus Duffy, Air Corps.
Capt. Robert Alan, Air Corps.
Capt. Gordon Aylesworth Blake, Air Corps.
Capt. Joseph Francis Carroll, Air Corps.
Capt. A. J. McVea, Air Corps.
Capt. Julian Merritt Chappell, Air Corps.
Capt. Donald Norton Yates, Air Corps.
Capt. William John Bell, Air Corps.
Capt. Ernest Moore, Air Corps.
Capt. Royden Eugene Beebe, Jr., Air Corps.
Capt. Earle William Hockenberry, Air Corps.
Capt. John Edwin Barr, Air Corps.
Capt. Louis Augustine Guenther, Air Corps.
Capt. Milton Wylie Arnold, Air Corps.
Capt. Millard Chester Young, Air Corps.
Capt. Henry Keppler Mooney, Air Corps.
Capt. Robert Merrill Lee, Air Corps.
Capt. Robert Freeman Fulton, Air Corps.
Capt. Dean Coldwell Strother, Air Corps.
Capt. George Frederick Hartman, Air Corps.
Capt. Carl Wilbert Carlmark, Air Corps.
Capt. Richard Hungerford Wise, Air Corps.
Capt. Charles Francis Densford, Air Corps.
Capt. John Robert Skeldon, Air Corps.
Capt. Jacob Edward Smart, Air Corps.
Capt. Lester Le Roy Hilman Kunish, Air Corps.
Capt. Robert Edward Lee Eaton, Air Corps.
Capt. Carl Fillmore Damberg, Air Corps.
Capt. Wendell Washington Bowman, Air Corps.
Capt. Hilbert Fred Muenter, Air Corps.
Capt. John Autrey Feagin, Air Corps.
Capt. Raymond Taylor Lester, Air Corps.
Capt. John Clarence Gordon, Air Corps.
Capt. Charles Bowmar Dougher, Air Corps.
Capt. David William Hutchison, Air Corps.
Capt. Gerald Evan Williams, Air Corps.
Capt. Edward Julius Timberlake, Jr., Air Corps.

(All officers listed below now hold rank as temporary captain, Army of the United States)

First Lt. Stanley Tanner Wray, Air Corps.
First Lt. Stanley Ronald Stewart, Air Corps.
First Lt. James Hutchings Cunningham, Jr., Air Corps.
First Lt. Leo Peter Dahl, Air Corps.
First Lt. Torgils Grimkel Wold, Air Corps.
First Lt. John Bevier Ackerman, Air Corps.
First Lt. Benjamin Jepson Webster, Air Corps.
First Lt. James Forsyth Thompson, Jr., Air Corps.
First Lt. John Paul McConnell, Air Corps.
First Lt. Joe William Kelly, Air Corps.
First Lt. John Morgan Price, Air Corps.
First Lt. John Joseph Hutchison, Air Corps.
First Lt. Daniel Stone Campbell, Air Corps.
First Lt. Kenneth Burton Hobson, Air Corps.
First Lt. John Reynolds Sutherland, Air Corps.
First Lt. Donald Linwood Hardy, Air Corps.
First Lt. Richard Tide Coiner, Jr., Air Corps.
First Lt. Charles Albert Clark, Jr., Air Corps.
First Lt. Harvey Porter Huglin, Air Corps.
First Lt. George Dowery Campbell, Jr., Air Corps.
First Lt. Charles Hardin Anderson, Air Corps.
First Lt. Charles Edward Wheatley, Jr., Air Corps.
First Lt. Hunter Harris, Jr., Air Corps.
First Lt. Charles Albert Piddock, Air Corps.
First Lt. David Hamilton Kennedy, Air Corps.
First Lt. Nicholas Earnest Powel, Air Corps.
First Lt. Andrew Meulenberg, Air Corps.
First Lt. Edwin Guldlin Simenson, Air Corps.
First Lt. Robert Haynes Terrill, Air Corps.
First Lt. Thomas Connell Darcy, Air Corps.
First Lt. Clifford Harcourt Rees, Air Corps.
First Lt. Arnold Leon Schroeder, Air Corps.
First Lt. Richard Henry Smith, Air Corps.
First Lt. Eugene Porter Mussett, Air Corps.
First Lt. Edward Willis Suarez, Air Corps.
First Lt. Herbert Bishop Thatcher, Air Corps.
First Lt. Robert Broussard Landry, Air Corps.
First Lt. Frank Greenleaf Jamison, Air Corps.
First Lt. Romulus Wright Puryear, Air Corps.
First Lt. William Madison Garland, Air Corps.

First Lt. James Walter Gurr, Air Corps.
First Lt. Robert Lee Scott, Jr., Air Corps.
First Lt. Marshall Bonner, Air Corps.
First Lt. Percival Ernest Gabel, Air Corps.
First Lt. Thomas Samuel Moorman, Jr., Air Corps.
First Lt. William Livingston Travis, Air Corps.
First Lt. Thomas Burns Hall, Air Corps.
First Lt. Edward Joseph Hale, Air Corps.
First Lt. Travis Monroe Hetherington, Air Corps.
First Lt. John Glenn Armstrong, Air Corps.
First Lt. William Oscar Senter, Air Corps.
First Lt. Vernon Cleveland Smith, Air Corps.
First Lt. Harry Stephen Bishop, Air Corps.
First Lt. Jack Wellington Turner, Air Corps.
First Lt. Frank Patterson Hunter, Jr., Air Corps.
First Lt. Harold Roth Maddux, Air Corps.
First Lt. Dwight Divine 2d, Air Corps.
First Lt. Edward Deane Marshall, Air Corps.
First Lt. Harry Nelson Burkhalter, Jr., Air Corps.
First Lt. Laurence Browning Kelley, Air Corps.
First Lt. Douglas Moore Cairns, Air Corps.
First Lt. Milton Frederick Summerfelt, Air Corps.
First Lt. Gabriel Poillon Disosway, Air Corps.
First Lt. Franklin Stone Henley, Air Corps.
First Lt. Cordes Fredrich Tiemann, Air Corps.
First Lt. Samuel Abner Mundell, Air Corps.
First Lt. Bruce von Gerichten Scott, Air Corps.
First Lt. Felix Louis Vidal, Air Corps.
First Lt. Earl Francis Signer, Air Corps.
First Lt. Richard Thomas King, Jr., Air Corps.
First Lt. Stephen B. Mack, Air Corps.
First Lt. Nelson Parkyn Jackson, Air Corps.
First Lt. Karl Truesdell, Jr., Air Corps.
First Lt. Sydney Dwight Grubbs, Jr., Air Corps.
First Lt. Millard Loren Haskin, Air Corps.
First Lt. Richard Mattern Montgomery, Air Corps.
First Lt. Charles Hoffman Pottenger, Air Corps.
First Lt. John Burroughs Cary, Air Corps.
First Lt. Paul Carter Ashworth, Air Corps.
First Lt. Edward Walter Moore, Air Corps.
First Lt. Curtis Delano Sluman, Air Corps.
First Lt. Byron Elias Brugge, Air Corps.
First Lt. William Sebastian Stone, Air Corps.
First Lt. George Bernard Dany, Air Corps.
First Lt. Lawson S. Moseley, Jr., Air Corps.
First Lt. Jean Paul Craig, Air Corps.
First Lt. William Jack Holzapfel, Jr., Air Corps.
First Lt. Gene Huggins Tibbets, Air Corps.
First Lt. Paul Tompkins Hanley, Air Corps.
First Lt. Jack Edward Shuck, Air Corps.
First Lt. John dePeyster Townsend Hills, Air Corps.
First Lt. William Monte Canterbury, Air Corps.
First Lt. Jerome Edward Blair 2d, Air Corps.
First Lt. Edward Flanick, Air Corps.
First Lt. Charles John Bondley, Jr., Air Corps.
First Lt. William Milton Gross, Air Corps.
First Lt. Dale Orville Smith, Air Corps.
First Lt. Hudson Hutton Upham, Air Corps.
First Lt. Perry Bruce Griffith, Air Corps.
First Lt. Wilson Hawkes Neal, Air Corps.

NOTE.—The dates of rank are omitted as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

Capt. John H. Hoover to be a rear admiral in the Navy, from the 1st day of July 1941.

The following-named commanders to be captains in the Navy, to rank from the date stated opposite their names:

Kemp C. Christian, December 1, 1940.
Gordon Hutchins, February 1, 1941.
William J. Larson, April 1, 1941.

The following-named commanders to be captains in the Navy, from the 1st day of July 1941:

Ralph O. Davis	Theodore E. Chandler
Lloyd J. Wiltse	Thomas G. Peyton
Marion Y. Cohen	Samuel P. Jenkins
John H. Brown, Jr.	William Granat
Lynde D. McCormick	Homer W. Graf
Robert N. S. Baker	Francis S. Low
William Nelson	Forrest B. Royal
Arthur C. Davis	John L. McCrea
Arthur D. Struble	Horace D. Clarke
Frederick W. Pennoyer, Jr.	Harvey E. Overesch
	Allen G. Quynn
Claude O. Kell	Ralph W. Christie
James M. Shoemaker	Henry M. Mullinnix
Robert O. Glover	Richard W. Bates
Howard L. Vickery	Irving R. Chambers
Scott Umsted	Ralph E. Davison
Henry P. Burnett	

The following-named lieutenant commanders to be commanders in the Navy, to rank from the date stated opposite their names:

Thomas F. O'Brien, July 1, 1939.
William W. Hastings, July 1, 1939.
Paul E. Pihl, July 1, 1940.
Heber H. McLean, January 1, 1941.
Joseph P. Bolger, January 1, 1941.
William E. Sullivan, January 1, 1941.
John A. Snackenberg, January 1, 1941.
Gerard F. Galpin, March 1, 1941.
George H. Bahm, March 1, 1941.
Heber B. Brumbaugh, April 1, 1941.
Joseph T. Talbert, April 1, 1941.
Harry F. Carlson, April 1, 1941.
Clarence V. Lee, April 1, 1941.
Mead S. Pearson, April 1, 1941.
Lester G. Bock, May 1, 1941.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July 1941:

John G. Jones	Dashiell L. Madeira
William R. Millis	William J. Murphy
William B. Fletcher, Jr.	William H. Magruder
	Irving D. Wiltsie
Kenneth C. Caldwell	Joseph C. Huske
Francis J. McKenna	Elwood D. Poole
Rutledge B. Tompkins	George D. Martin
John E. Pixton	Frank R. Talbot
Willis N. Rogers	Boynton L. Braun
Guy Chadwick	Joseph C. Cronin
Ralph B. Hunt	Walfrid Nyquist
Clark L. Green	Herbert W. Taylor, Jr.
William A. Gorry	George D. Lyon
William B. Jackson, Jr.	Carl S. Drischler
Timothy J. O'Brien	Charles O. Glisson
Harry A. Guthrie	James S. Freeman
Francis X. McInerney	William V. Hamilton
Sydney S. Bunting	Charles W. Gray
Grover B. H. Hall	George C. Crawford
Albert G. Cook, Jr.	Robert W. Berry
Roscoe L. Bowman	Lorenzo S. Sabin, Jr.
John G. Burrow	Joseph A. Connolly
Thomas J. Ryan, Jr.	August J. Detzer, Jr.
Donald R. Tallman	Michael H. Kernodle
Gerald D. Linke	Donald T. Giles
William F. Fitzgerald, Jr.	Donald F. Smith
	Arthur H. McCollum
Thomas J. Kelly	Theodore G. Haff
William W. Juvenal	Jesse B. Goode
Wilson D. Leggett, Jr.	Edwin C. Bain
William G. Lalor	Alfred M. Granum
John P. Womble, Jr.	Atherton Macondray, Jr.
Bryan C. Harper	James C. Pollock
Ralph O. Myers	Charles F. Macklin, Jr.
Samuel W. DuBois	Lawrence C. Grannis
Thomas F. Darden, Jr.	Walter G. Schindler
Byron H. Hanlon	Howard N. Coulter
Carl H. Bushnell	

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the date stated opposite their names:

Walter L. Dyer, January 1, 1941.
Edward S. Hutchinson, January 1, 1941.
Oscar Pederson, January 1, 1941.
Charles E. Crombe, Jr., January 1, 1941.
Leonard J. Dow, February 1, 1941.
Burnham C. McCaffree, February 1, 1941.
George G. Crissman, April 1, 1941.
Donald A. Crandell, April 1, 1941.
John J. Hourihan, April 1, 1941.
Charles M. Ryan, April 1, 1941.
Herbert E. Schonland, April 1, 1941.
Ranald M. MacKinnon, April 1, 1941.
John F. Delaney, Jr., April 1, 1941.
Alexander MacIntyre, April 1, 1941.
Virgil F. Gordinier, April 1, 1941.
Hugh P. Thomson, April 1, 1941.
Graham C. Gill, April 1, 1941.
Charles W. Truxall, April 1, 1941.
Richard A. Guthrie, April 1, 1941.
Bennett S. Copping, April 1, 1941.
Clenton E. Austin, April 1, 1941.
Nathaniel S. Prime, April 1, 1941.
Herman O. Parish, April 1, 1941.
Frank B. Schaede, April 1, 1941.
John L. Wilfong, April 1, 1941.
William E. Oberholtzer, Jr., May 1, 1941.
Hamilton Hains, May 1, 1941.
Theodore H. Kobey, May 1, 1941.
Paul M. Curran, May 1, 1941.
Orlin L. Livdahl, May 1, 1941.
Daniel T. Birtwell, Jr., May 13, 1941.
Samuel J. McKee, June 3, 1941.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the 1st day of July 1941:

Joe B. Cochran	Alan B. Sutherland, Jr.
Hamilton W. Howe	
Donald McGregor	Ralph Hickox
Hugh D. Black	William H. Leahy
Benjamin S. Custer	Robert H. Rice
Harry D. Johnston	Harlan M. Thorpe
John D. Sweeney	James F. Benson
Duncan C. MacMillan	John B. Smyth
Dewitt C. E. Hamberger	Carl F. Stillman
	Benjamin E. Moore, Jr.
Raymond S. Lamb	Leonard C. Chamberlin
Joseph W Callahan	
Dwight M. Agnew	Delbert F. Williamson
Benjamin P. Tompkins	James A. Haley, Jr.
	Thomas J. Hamilton
Gale E. Griggs	Frederic A. Berry, Jr.
Leonard Branneman	John B. Taylor
Charles L. Carpenter	Earl K. Van Swearingen
John F. Walsh	
Earl S. Caldwell	Carl J. Pfingstag
Marshall B. Gurney	Roger F. Scott
Carroll B. Jones	Frederick Funke, Jr.
Maxwell F. Leslie	Herbert F. Eckberg
Norman L. Holt	James A. Jordan
Philip W. Snyder	John C. Zahm
Robert A. Hinners	Daniel T. Eddy
Herbert J. Pfingstag	Charles D. Griffin
John W. Bays	Samuel G. Mitchell
James H. Hogg	Edward M. Condra, Jr.
Paul H. Ramsey	
Henry T. Koonce	Brooke Schumm
George W. Anderson, Jr.	George K. Fraser
	Hilfort C. Owen
Warren F. Graf	Kenton E. Price
Albert B. Scoles	Arthur S. Born
Jack S. Holtwick, Jr.	John L. Ewing, Jr.
Welton D. Rowley	James M. Roberts
Shirley S. Miller	Rawson Bennett 2d
Francis C. Manville	Harold M. Briggs
Allen M. Zollars	Wellington A. Hammon
James E. Cohn	Martin P. Hottel
Leonard S. Mewhinney	Fritz Gleim
Warner R. Edsall	Andrew H. Bergeson
William M. Nation	Raymond J. Moore
William H. Organ	Robert C. Brixner
Earl B. Patterson	Lannie Conn
Cornelius S. Seabring	Paul W. Card
William C. Bryson	Otis C. Gregg
Wallace B. Mechling	Martin J. Lawrence
Henry H. Caldwell	Robert S. Quackenbush, Jr.
Cecil T. Caufield	
Joseph R. Hamley	Walter H. Price
Joseph N. Murphy	Martin R. Stone
John C. Broach	Daniel J. Weintraub
Leroy V. Honsinger	Leland R. Lampman
Charles M. Heberton	Jack P. Monroe
David B. Overfield	Herbert L. Hoerner

Edward K. Shanahan	Richard D. Zern
Harry F. Bauer	John L. DeTar
John F. Henkel	John A. Edwards
Argyll E. Buckley	Leonard W. Bailey
Joseph T. Hazen	Myron T. Evans
John T. Corwin	Thomas L. Greene
Clayton R. Dudley	Charles J. Zondorak

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Irvin S. Hartman, January 1, 1941.
David L. Martineau, January 1, 1941.
Walter L. Blatchford, January 1, 1941.
Charles B. Jackson, Jr., January 1, 1941.
Otto W. Spahr, Jr., January 1, 1941.
Edward E. Shelby, February 1, 1941.
James O. Cobb, February 1, 1941.
Earle C. Schneider, February 1, 1941.
James B. Grady, February 1, 1941.
John R. Dillon, February 1, 1941.
Merrill K. Clementson, March 1, 1941.
Thomas A. Christopher, April 1, 1941.
Arthur K. Espenas, April 1, 1941.
George K. Hudson, April 1, 1941.
Robert W. Leach, April 1, 1941.
Carl Tiedeman, April 1, 1941.
George H. Miller, April 1, 1941.
Raymond L. Fulton, April 1, 1941.
Richard B. Derickson, Jr., April 1, 1941.
William R. Kane, April 1, 1941.
Archie T. Wright, Jr., April 1, 1941.
Clifford M. Campbell, April 1, 1941.
Everett E. Seagroves, April 1, 1941.
Everett J. Foster, April 1, 1941.
William E. Shafer, April 1, 1941.
Paul D. Buie, April 1, 1941.
Samuel Bertolet, May 1, 1941.
Lewis L. Snider, May 1, 1941.
Philip W. Winston, May 1, 1941.
John C. Morgan, May 1, 1941.
Jamie E. Jones, May 1, 1941.
Glover T. Ferguson, May 22, 1941.
Garrett S. Coleman, May 24, 1941.
James D. Ferguson, June 3, 1941.
Raymond P. Zimmerman, June 21, 1941.

The following named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of July 1941:

George D. Gregor	Edwin H. Schantz
Charles W. Fielder	Cedric W. Stirling
Poyntell C. Staley, Jr.	Clyde J. Van Arsdall,
Matthew DeMaria	Jr.
Morgan Slayton	William E. Sweeney
Robert E. Magoffin	Robert L. Townsend
Charles H. Gerlach	Donald A. Scherer
Bernard A. Smith	Hugh M. Maples
William A. Brockett	Howard T. E. Ander-
James E. Halligan, Jr.	son
James P. Craft, Jr.	John M. Phelps
Edward R. Tilburne	John A. Horton, Jr.
Richard F. Kane	James S. Shilson
Spencer M. Adams	Wayne R. Merrill
Frank L. Tinney, Jr.	Richard E. Nichols
George C. Wells	Samuel Bradbard
William W. Keller	Harry H. Greer, Jr.
James M. Wright	John Harllee
George F. Pittard	Paul L. Joachim
Fred D. Pfotenhauer	Frederic G. Pegelow
Russell H. Maynard	James W. Brock
William B. Brooks	Richard E. Bly
William R. Smith 3d	James D. Babb
Royal R. Ingersoll	Charles H. Becker
Homer H. Nielsen	Fletcher L. Sheffield,
Robert K. Johnston	Jr.
Edwin S. Lee, Jr.	William R. Peeler

Ensign Frederick C. Seyford to be a lieutenant (junior grade) in the Navy, from the 4th day of December 1939.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 2d day of June 1941:

Woodrow W. McCrory	Clark H. Fuller, Jr.
Nathan Sonenshein	Conde L. Raguet
Raymond F. DuBois	Richard S. Harlan
John M. Bowers	Norman E. Fryer, Jr.
Howard B. Berry, Jr.	Herbert I. Mandel
Emery H. Huff	Joseph M. McDowell
Andrew D. Jackson, Jr.	John B. Ferriter

The following-named medical inspectors to be medical directors in the Navy, with the rank of captain, to rank from the 1st day of July 1941:

Frederick L. McDaniel	Sterling S. Cook
Brython P. Davis	Travis S Moring
John H. Chambers	Louis E. Mueller
Joel J. White	Lynn N. Hart
Lyle J. Roberts	Otis Wildman
Morton D. Willcutts	Martin L. Marquette
Frederick R. Hook	Carl A. Broaddus
William T. Lineberry	James F. Hooker
Thomas L. Morrow	John E. Porter
William H. H. Turville	George D. Thompson
Clarence J. Brown	Wilbur O. Manning
Ely L. Whitehead	Lewis G. Jordan
Benjamin F. Norwood	Stephen R. Mills
Arthur H. Dearing	Carlton L. Andrus
Paul M. Albright	Harold E. Ragle
Edwin D. McMorries	Howard H. Montgomery
Lewis W. Johnson	Joseph L. Schwartz
James R. Thomas	Oscar Davis
Walter J. Pennell	William P. Mull
Frank W. Ryan	William D. Small
Robert B. Team	David O. Bowman
Walter M. Anderson	Lockhart D. Arbuckle
Leslie B Marshall	Kenneth E. Lowman
John W. Vann	George A. Alden
Robert P. Parsons	Arthur S. Judy
John C. Adams	John M McCants
Guy B. McArthur	John R Poppen

The following to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 7th day of July 1941:

Robert Z. Collings, Jr.	Joseph A. Forte, Jr.
Weston C. Cook	Eugene N. Davie
Ashton Emerson	John F. Brierton
J. Gordon Bryson	Jerome Kotleroff
John F. W. King	William P. Downey
David E. Sullivan	Robert F. Foote
Curtis H. Carter	Robert A. Freyling
William C. Andrews	Robert J. Whipple
William N Pope	Roger A. Standard
William C Marsh	Mason Morris, Jr.
Hunt B. Jones	Henry J. Hunter
Joseph M Jordan	Porter M. Hoidale
Ross C. Speir, Jr.	Victor C. Stratton
Dillman F. Ziegler	George E. Meador
Clinton H. Bagenstose	Karl V. Kaess
Rodney R. Gleysteen	John R. Gateley
William M. Enright	William D. Yavorsky
Henry R. Ringness	Robert D. Blomberg
Marion L. Connerley	Terry C. Rodgers
J. Allan Fields	Claude E. Cooper
A. Darrel Berry	Gilbert S. Hardie
Edward J. Jaruszewski	Eugene J. McDonald
Thomas A. Harris	Oscar T. McDonough,
Roland G. Franklin	Jr.
Norbert J. Schulz	A. Ervine Morrison
James T. Moy	Walter N. Hanson
Lyle F. Herrmann	John S. Thiemeyer, Jr.
John M. Lowery	Asa H. Fender
Dana D. Goldthwaite	Lee D. Campbell
Richard D. Nies	Walter M. Weber
John S. Cowan	Ronald N. Shelley
Mervyn Shoor	Millard F. Jones
Robert R. Deen	Robert W. Wheeler
Joseph H. O'Connell	Harold A. Streit
George R. Myers, Jr.	

The following-named dental surgeons to be dental surgeons in the Navy, with the rank of captain, to rank from the 1st day of July 1941:

Louis F. Snyder	Hubert J. Lehman
DeWitt C. Emerson	Howard R. McCleery
Lou C. Montgomery	Andrew L. Burleigh
Joseph A. Tartre	Edward A. Hyland
Robert S. Davis	Clemens V. Rault
Spry O. Claytor	James I. Root

The following-named dental surgeons to be dental surgeons in the Navy, with the rank of commander, to rank from the 1st day of July 1941:

Ralph B. Putnam	Alfred R. Harris
Frank A. Richison	

The following-named pay inspectors to be pay directors in the Navy, with the rank of captain, to rank from the 1st day of July 1941:

Charles L. Austin	Benjamin S. Gantz
Robert B. Huff	Morton L. Ring
Malcolm G. Siarrow	Vernon H. Wheeler
Stephen J. Brune	Louie C. English

The following-named paymasters to be pay inspectors in the Navy, with the rank of commander, to rank from the 1st day of July 1940:

Blaine Hunter
Edward H. Duane
Charles W. Stevenson

Passed Assistant Paymaster Walter E. Fratzke to be a paymaster in the Navy, with the rank of lieutenant commander, to rank from the 1st day of April 1941.

The following-named acting chaplains to be chaplains in the Navy, with the rank of lieutenant, to rank from the 1st day of May 1941:

John F. Robinson	George A. Rosso
Everett P. Wuebbens	Joseph F. Dreith
Edgar C. Andrews, Jr.	

The following-named civil engineers to be civil engineers in the Navy, with the rank of captain, to rank from the 1st day of July 1941:

Ben Moreell	William H. Smith
Carl A. Trexel	Edward L. Marshall
Alden K. Fogg	John J. Manning
Robert E. Thomas	William M. Angas
Edward C. Seibert	Lewis B. Combs

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 10th day of April 1941:

Frank C. Dilworth
Clyde S. Horner

Gunner Oscar G. Urquhart to be a chief gunner in the Navy, to rank with but after ensign, from the 2d day of February 1941.

Electrician Wilby R. Brown to be a chief electrician in the Navy, to rank with but after ensign, from the 10th day of April 1941.

Radio Electrician Guy W. Warren to be a chief radio electrician in the Navy, to rank with but after ensign, from the 10th day of January 1941.

Machinist John W. Poteet to be a chief machinist in the Navy, to rank with but after ensign, from the 5th day of March 1941.

Carpenter Fred A. Bumgardner to be a chief carpenter in the Navy, to rank with but after ensign, from the 10th day of April 1941.

Pharmacist Henry T. Dean to be a chief pharmacist in the Navy, to rank with but after ensign, from the 2d day of May 1941.

Capt. Carl H. Jones to be a captain in the Navy from the 1st day of March 1941, to correct the date of rank as previously nominated and confirmed.

The following-named lieutenant commanders to be lieutenant commanders in the Navy from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Paul L. Dudley, February 1, 1941.
Eugene S. Karpe, February 1, 1941.
Charles J. Whiting, April 1, 1941.
Harold J. Pohl, April 1, 1941.

Paymaster James B. Ricketts to be a paymaster in the Navy, with the rank of lieutenant commander, to rank from the 1st day of February 1939, to correct the date of rank as previously nominated and confirmed.

POSTMASTERS

ALABAMA

Helen A. Perry to be postmaster at Crichton, Ala., in place of Helen Perry. Incumbent's commission expired February 4, 1941.

John E. Johnson to be postmaster at Fyffe, Ala., in place of J. E. Johnson. Incumbent's commission expired May 27, 1941.

Florrie V. Butts to be postmaster at Louisville, Ala., in place of F. V. Butts. Incumbent's commission expired May 27, 1941.

Alba M. King to be postmaster at Newton, Ala., in place of A. M. King. Incumbent's commission expired April 22, 1941.

ARIZONA

John W. Lawson to be postmaster at Oracle, Ariz. Office became Presidential July 1, 1941.

ARKANSAS

Gus A. McMillan to be postmaster at Sheridan, Ark., in place of G. A. McMillan. Incumbent's commission expired February 2, 1941.

CALIFORNIA

Donald C. Etter to be postmaster at Coalinga, Calif., in place of D. C. Etter. Incumbent's commission expired March 13, 1941.

Hazel E. Wilcox to be postmaster at Costa Mesa, Calif., in place of Norris Mellott, resigned.

Charles V. Hoover to be postmaster at Project City, Calif. Office became Presidential July 1, 1940.

John P. Souza to be postmaster at Salinas, Calif., in place of J. P. Souza. Incumbent's commission expired May 28, 1941.

Lynn A. Breeden to be postmaster at San Dimas, Calif., in place of Floyd Godfrey, deceased.

Harry E. Meyers to be postmaster at Yuba City, Calif., in place of H. E. Meyers. Incumbent's commission expired May 28, 1941.

COLORADO

William B. Sweezy to be postmaster at Fort Lyon, Colo., in place of W. B. Sweezy. Incumbent's commission expired May 28, 1941.

James H. Parker to be postmaster at Julesburg, Colo., in place of J. H. Parker. Incumbent's commission expired April 1, 1940.

CONNECTICUT

Frank E. Collins to be postmaster at Rockfall, Conn., in place of F. E. Collins. Incumbent's commission expired April 21, 1941.

Laurent E. Beauregard to be postmaster at Wauregan, Conn., in place of L. E. Beauregard. Incumbent's commission expired May 28, 1941.

FLORIDA

Margaret C. Young to be postmaster at Boca Raton, Fla., in place of M. C. Young. Incumbent's commission expired February 11, 1941.

Osceola Upthegrove to be postmaster at Canal Point, Fla., in place of Osceola Upthegrove. Incumbent's commission expired February 18, 1941.

Asa C. Blount to be postmaster at Chattahoochee, Fla., in place of A. C. Blount. Incumbent's commission expired February 11, 1941.

Marie M. Stinson to be postmaster at De Funiak Springs, Fla., in place of M. M. Stinson. Incumbent's commission expired February 11, 1941.

Sion C. Stalls to be postmaster at Moore Haven, Fla., in place of S. C. Stalls. Incumbent's commission expired February 18, 1941.

Matilda R. Pasteur to be postmaster at Silver Springs, Fla., in place of M. R. Pasteur. Incumbent's commission expired April 22, 1941.

Mary L. Woodmansee to be postmaster at Valparaiso, Fla. Office became Presidential July 1, 1941.

Lou C. Pritchard to be postmaster at White Springs, Fla., in place of L. C. Pritchard. Incumbent's commission expired February 11, 1941.

GEORGIA

Judge T. D. Conley to be postmaster at College Park, Ga., in place of J. T. D. Conley. Incumbent's commission expired April 22, 1941.

Mrs. Hubert H. Berry to be postmaster at Sparta, Ga., in place of Mrs. H. H. Berry. Incumbent's commission expired April 22, 1941.

HAWAII

Tadashi Kondo to be postmaster at Kealakekua, T. H., in place of A. K. Smith, removed.

ILLINOIS

Leslie B. Paddock to be postmaster at Barrington, Ill., in place of L. B. Paddock. Incumbent's commission expired February 27, 1941.

Jessie E. Robertson to be postmaster at Buffalo, Ill. Office became Presidential July 1, 1941.

Alvah G. Eimen to be postmaster at Danforth, Ill., in place of A. G. Eimen. Incumbent's commission expired May 28, 1941.

Eleanor Onken to be postmaster at Gibson City, Ill., in place of Eleanor Onken. Incumbent's commission expired June 19, 1941.

Lena Marie Forcht to be postmaster at Hennepin, Ill., in place of L. M. Forcht. Incumbent's commission expired February 6, 1941.

Daisy Pedigo to be postmaster at Hindsboro, Ill., in place of Daisy Pedigo. Incumbent's commission expired May 7, 1941.

Rudolph F. Maurer to be postmaster at Hopedale, Ill., in place of R. F. Maurer. Incumbent's commission expired February 6, 1941.

George J. Pfaff to be postmaster at Itasca, Ill., in place of G. J. Pfaff. Incumbent's commission expired May 7, 1941.

Grover H. Kinsey to be postmaster at Mackinaw, Ill., in place of G. H. Kinsey. Incumbent's commission expired February 6, 1941.

Maurice E. Brand to be postmaster at Milledgeville, Ill., in place of C. A. Straka, resigned.

Albert Schrieber to be postmaster at Red Bud, Ill., in place of Albert Schrieber. Incumbent's commission expired February 6, 1941.

Thomas A. Dossett to be postmaster at Stanford, Ill., in place of T. A. Dossett. Incumbent's commission expired May 7, 1941.

Thomas F. Kirby to be postmaster at Steward, Ill. Office became Presidential July 1, 1941.

Wilfrid W. Jones to be postmaster at Thawville, Ill., in place of W. W. Jones. Incumbent's commission expired May 28, 1941.

Hattie M. Deam to be postmaster at Winslow, Ill., in place of H. M. Deam. Incumbent's commission expired February 6, 1941.

INDIANA

Donald P. Sprott to be postmaster at Auburn, Ind., in place of S. P. Nelson, removed.

Minnie Richardson to be postmaster at Elberfeld, Ind. Office became Presidential July 1, 1940.

Walter J. Ritterskamp to be postmaster at Freelandville, Ind. Office became Presidential July 1, 1941.

Herbert G. Shearer to be postmaster at Roanoke, Ind., in place of H. G. Shearer. Incumbent's commission expired February 18, 1941.

Noel R. Leeper to be postmaster at Selma, Ind. Office became Presidential July 1, 1940.

IOWA

Gertrude E. Sherrer to be postmaster at Hazleton, Iowa, in place of G. E. Sherrer. Incumbent's commission expired March 2, 1941.

Harold F. Diekmann to be postmaster at Readlyn, Iowa, in place of H. F. Diekmann. Incumbent's commission expired March 30, 1941.

KANSAS

Halcie M. Brundage to be postmaster at Brownell, Kans., in place of H. M. Brundage. Incumbent's commission expired April 21, 1941.

KENTUCKY

Edna Earl Dees to be postmaster at Calvert City, Ky., in place of E. E. Dees. Incumbent's commission expired February 18, 1941.

John Leo Fentress, Sr., to be postmaster at Central City, Ky., in place of J. L. Fentress, Sr. Incumbent's commission expired March 10, 1941.

Sanford C. Veatch to be postmaster at Corydon, Ky., in place of S. C. Veatch. Incumbent's commission expired February 18, 1941.

William Thomas Webb to be postmaster at Williamstown, Ky., in place of W. T. Webb. Incumbent's commission expired February 3, 1941.

LOUISIANA

Stephen R. Jackson to be postmaster at Cheneyville, La., in place of S. R. Jackson, Jr. Incumbent's commission expired May 28, 1941.

Chrissie D. Redditt to be postmaster at Columbia, La., in place of C. D. Redditt. Incumbent's commission expired March 16, 1941.

Charles J. Slack to be postmaster at Maringouin, La., in place of C. J. Slack. Incumbent's commission expired April 27, 1941.

Paul W. Arnolie to be postmaster at Port Sulphur, La., in place of P. W. Arnolie. Incumbent's commission expired April 27, 1941.

Stellie F. Milstead to be postmaster at Sterlington, La., in place of S. F. Milstead. Incumbent's commission expired April 27, 1941.

Nannie H. Rogillio to be postmaster at Water Proof, La., in place of N. H. Rogillio. Incumbent's commission expired May 28, 1941.

MAINE

Bethe M. MacDonald to be postmaster at Bridgewater, Maine, in place of B. M. MacDonald. Incumbent's commission expired February 2, 1941.

Charlene F. Tebbetts to be postmaster at Readfield, Maine. Office became Presidential July 1, 1941.

MARYLAND

James Hayden Bowling to be postmaster at Hughesville, Md., in place of J. H. Bowling. Incumbent's commission expired July 1, 1940.

Charlotte F. Worgan to be postmaster at Luke, Md., in place of C. F. Worgan. Incumbent's commission expired February 4, 1941.

Florence Blair to be postmaster at Midland, Md., in place of Florence Blair. Incumbent's commission expired April 21, 1941.

MASSACHUSETTS

William J. O'Connor to be postmaster at Foxboro, Mass., in place of W. J. O'Connor. Incumbent's commission expired May 28, 1941.

John E. Madigan to be postmaster at Warren, Mass., in place of J. E. Madigan. Incumbent's commission expired April 22, 1941.

MICHIGAN

Charles F. Greenlease to be postmaster at Biteley, Mich., in place of C. F. Greenlease. Incumbent's commission expired May 4, 1941.

Caroline G. Smith to be postmaster at Edwardsburg, Mich., in place of C. G. Smith. Incumbent's commission expired February 9, 1941.

Paul E. Bolin to be postmaster at Grand Junction, Mich., in place of P. E. Bolin. Incumbent's commission expired February 18, 1941.

Emory M. Grilley to be postmaster at Grant, Mich., in place of E. M. Grilley. Incumbent's commission expired March 13, 1941.

Herman Nyhoff to be postmaster at Hamilton, Mich., in place of Herman Nyhoff. Incumbent's commission expired February 9, 1941.

Ida Mae Pipp to be postmaster at Kalkaska, Mich., in place of I. M. Pipp. Incumbent's commission expired February 18, 1941.

John B. Harrington to be postmaster at L'Anse, Mich., in place of J. B. Harrington. Incumbent's commission expired February 18, 1941.

Harry W. Denham to be postmaster at Litchfield, Mich., in place of H. W. Denham. Incumbent's commission expired March 13, 1941.

Wavial H. Dunbar to be postmaster at Marion, Mich., in place of W. H. Dunbar. Incumbent's commission expired March 13, 1941.

Clare M. Troub to be postmaster at Middleton, Mich. Office became Presidential July 1, 1941.

Everett S. Capron to be postmaster at Oxford, Mich., in place of E. S. Capron. Incumbent's commission expired May 25, 1941.

Roy A. Cutler to be postmaster at Stanton, Mich., in place of R. A. Cutler. Incumbent's commission expired February 9, 1941.

Lawrence G. C. Finefrock to be postmaster at Woodland, Mich., in place of L. G. C. Finefrock. Incumbent's commission expired February 9, 1941.

MINNESOTA

Paul B. Sanderson to be postmaster at Baudette, Minn., in place of P. B. Sanderson. Incumbent's commission expired April 24, 1940.

William Louis Taffe to be postmaster at Beardsley, Minn., in place of W. L. Taffe. Incumbent's commission expired February 16, 1941.

Florence E. Evensen to be postmaster at Bigfork, Minn., in place of Florence Evensen. Incumbent's commission expired February 16, 1941.

John P. Ebert to be postmaster at Brewster, Minn., in place of J. P. Ebert. Incumbent's commission expired February 16, 1941.

Elizabeth Wright to be postmaster at Cromwell, Minn., in place of Elizabeth Wright. Incumbent's commission expired February 16, 1941.

Benedict H. Mushel to be postmaster at Foley, Minn., in place of B. H. Mushel. Incumbent's commission expired March 9, 1941.

Edwin T. Silver to be postmaster at Granite Falls, Minn., in place of E. T. Silver. Incumbent's commission expired February 16, 1941.

John Henry Michaelson to be postmaster at Kettle River, Minn., in place of J. H. Michaelson. Incumbent's commission expired February 16, 1941.

Winifred E. DeVilliers to be postmaster at Lanesboro, Minn., in place of W. E. DeVilliers. Incumbent's commission expired February 16, 1941.

Paul S. Norelius to be postmaster at Lindstrom, Minn., in place of P. S. Norelius. Incumbent's commission expired February 16, 1941.

Edward N. Dumas to be postmaster at Long Lake, Minn., in place of E. N. Dumas. Incumbent's commission expired March 9, 1941.

Ole E. Nelson to be postmaster at Marietta, Minn., in place of O. E. Nelson. Incumbent's commission expired April 22, 1941.

Rosaline D. Neary to be postmaster at Northome, Minn., in place of R. D. Neary. Incumbent's commission expired March 9, 1941.

Ruth E. Wittwer to be postmaster at Remer, Minn., in place of R. E. Wittwer. Incumbent's commission expired February 16, 1941.

Charles C. Baxter to be postmaster at Walnut Grove, Minn., in place of C. C. Baxter. Incumbent's commission expired March 9, 1941.

MISSISSIPPI

Ralph D. Sigler to be postmaster at Bucatunna, Miss. Office became Presidential July 1, 1941.

Ethelbert R. Rankin to be postmaster at Tupelo, Miss., in place of E. R. Rankin. Incumbent's commission expired February 24, 1941.

MISSOURI

William H. Burnett to be postmaster at Clarence, Mo., in place of W. H. Burnett. Incumbent's commission expired May 12, 1941.

Frances R. Cardwell to be postmaster at Fordland, Mo., in place of F. R. Cardwell. Incumbent's commission expired February 24, 1941.

Jesse H. Parsons to be postmaster at Otterville, Mo., in place of J. H. Parsons. Incumbent's commission expired April 22, 1941.

NEBRASKA

Raymond E. Flowers to be postmaster at Clearwater, Nebr., in place of R. E. Flowers. Incumbent's commission expired February 4, 1941.

Thomas H. Vaughan to be postmaster at Guide Rock, Nebr., in place of T. H. Vaughan. Incumbent's commission expired February 4, 1941.

Cyril John Dendinger to be postmaster at Hartington, Nebr., in place of C. J. Dendinger. Incumbent's commission expired March 13, 1941.

Calvin L. Bonner to be postmaster at Imperial, Nebr., in place of C. L. Bonner. Incumbent's commission expired March 24, 1941.

Harold Glenn Butler to be postmaster at Newport, Nebr. Office became Presidential July 1, 1941.

Anton J. Netherda to be postmaster at Niobrara, Nebr., in place of A. J. Netherda. Incumbent's commission expired February 4, 1941.

William Vondrasek to be postmaster at Table Rock, Nebr., in place of William Vondrasek. Incumbent's commission expired February 4, 1941.

Morton T. Kilmer to be postmaster at Western, Nebr., in place of M. T. Kilmer. Incumbent's commission expired February 4, 1941.

NEVADA

Mildred Robison to be postmaster at Overton, Nev., in place of Mildred Robison. Incumbent's commission expired April 27, 1941.

NEW JERSEY

Carlton S. Giberson to be postmaster at Absecon, N. J., in place of C. S. Giberson. Incumbent's commission expired March 31, 1941.

Edna M. Davenport to be postmaster at Branchville, N. J., in place of E. M. Davenport. Incumbent's commission expired March 10, 1941.

Delbert Bush to be postmaster at Browns Mills, N. J., in place of Delbert Bush. Incumbent's commission expired March 31, 1941.

Oscar P. Jacobus to be postmaster at Cedar Grove, N. J., in place of O. P. Jacobus. Incumbent's commission expired March 31, 1941.

Joseph A. Poole to be postmaster at Deal, N. J., in place of J. A. Poole. Incumbent's commission expired March 10, 1941.

Edward J. Hannon to be postmaster at Dunellen, N. J., in place of E. J. Hannon. Incumbent's commission expired March 10, 1941.

Emery Benoit to be postmaster at Edgewater, N. J., in place of Emery Benoit. Incumbent's commission expired March 10, 1941.

Emma H. Wheatley to be postmaster at Elmer, N. J., in place of E. H. Wheatley. Incumbent's commission expired March 31, 1941.

Thomas F. Dix, Jr., to be postmaster at Linwood, N. J., in place of T. F. Dix, Jr. Incumbent's commission expired March 31, 1941.

Helen D. Glutting to be postmaster at Mullica Hill, N. J., in place of H. D. Glutting. Incumbent's commission expired March 10, 1941.

Mary F. Brophy to be postmaster at Skillman, N. J., in place of M. F. Brophy. Incumbent's commission expired April 22, 1941.

NEW MEXICO

Alice L. Huff to be postmaster at Silver City, N. Mex., in place of A. L. Huff. Incumbent's commission expired March 13, 1941.

NEW YORK

Samuel L. Knowles to be postmaster at Campbell, N. Y., in place of S. L. Knowles. Incumbent's commission expired February 4, 1941.

Henry V. Allen to be postmaster at Hoosick Falls, N. Y., in place of W. J. Riley. Incumbent's commission expired January 20, 1940.

George E. Callaghan to be postmaster at Medina, N. Y., in place of G. E. Callaghan. Incumbent's commission expired April 1, 1941.

Robert N. Towne to be postmaster at Munnsville, N. Y., in place of R. N. Towne. Incumbent's commission expired May 4, 1941.

Arthur Sharron to be postmaster at Plattsburg, N. Y., in place of Arthur Sharron. Incumbent's commission expired February 4, 1941.

Henry C. Olney to be postmaster at Prattsburg, N. Y., in place of H. C. Olney. Incumbent's commission expired February 4, 1941.

Francis M. Collins to be postmaster at Troy, N. Y., in place of E. J. Fitzgerald. Incumbent's commission expired May 26, 1940.

William F. Parker, Jr., to be postmaster at Watervliet, N. Y., in place of W. F. Parker, Jr. Incumbent's commission expired June 19, 1940.

John M. Jasek to be postmaster at Yorkville, N. Y., in place of C R. Frank, removed.

NORTH CAROLINA

James E. Faison to be postmaster at Faison, N. C., in place of J. E. Faison. Incumbent's commission expired April 20, 1941.

Eli H. Ange to be postmaster at Jamesville, N. C. Office became Presidential July 1, 1941.

William G. Cherry to be postmaster at Rocky Mount, N. C., in place of E. C. Speight, deceased.

Nelle C. Markham to be postmaster at West End, N. C., in place of N. C. Markham. Incumbent's commission expired April 27, 1941.

NORTH DAKOTA

Elizabeth Moriarty to be postmaster at Enderlin, N. Dak., in place of Elizabeth Moriarty. Incumbent's commission expired March 10, 1941.

Otto Engel to be postmaster at Kenmare, N. Dak., in place of Otto Engel. Incumbent's commission expired March 9, 1941.

Nathan C. Myrick to be postmaster at Pembina, N. Dak., in place of N. C. Myrick. Incumbent's commission expired February 3, 1941.

OHIO

Wilmer Harvey Driggs to be postmaster at Cambridge, Ohio, in place of W. H. Driggs. Incumbent's commission expired June 19, 1941.

William A. Markley to be postmaster at West Milton, Ohio, in place of R. E. Jennings, resigned.

OKLAHOMA

Ralph E. Weir to be postmaster at Beaver, Okla., in place of R. E. Weir. Incumbent's commission expired February 9, 1941.

John S. Dawson to be postmaster at Bennington, Okla., in place of J. S. Dawson. Incumbent's commission expired March 13, 1941.

Taylor C. Anthony to be postmaster at Blanchard, Okla., in place of T. C. Anthony. Incumbent's commission expired March 24, 1941.

Brown King to be postmaster at Britton, Okla., in place of Brown King. Incumbent's commission expired March 13, 1941.

Roy C. Grider to be postmaster at Byars, Okla., in place of R. C. Grider. Incumbent's commission expired March 13, 1941.

J. Wendell Simmons to be postmaster at Edmond, Okla., in place of J. W. Simmons. Incumbent's commission expired March 20, 1941.

Eddie A. Ratzlaff to be postmaster at Fairview, Okla., in place of E. A. Ratzlaff. Incumbent's commission expired February 18, 1941.

Lawson Race to be postmaster at Hunter, Okla., in place of Lawson Race. Incumbent's commission expired March 13, 1941.

Walter G. McGlamery to be postmaster at Mooreland, Okla., in place of W. G. McGlamery. Incumbent's commission expired March 13, 1941.

Guy M. Coffman to be postmaster at Morrison, Okla., in place of G. M. Coffman. Incumbent's commission expired May 27, 1941.

Edwin N. Clow to be postmaster at Mulhall, Okla., in place of E. N. Clow. Incumbent's commission expired February 18, 1941.

C. Estelle Douthat to be postmaster at Quapaw, Okla., in place of C. E. Douthat. Incumbent's commission expired April 22, 1941.

Carlos E. Shepherd to be postmaster at Stigler, Okla., in place of C. E. Shepherd. Incumbent's commission expired February 18, 1941.

Hal A. McNutt to be postmaster at Stillwater, Okla., in place of H. A. McNutt. Incumbent's commission expired February 18, 1941.

Irvin H. Gist to be postmaster at Texhoma, Okla., in place of I. H. Gist. Incumbent's commission expired February 18, 1941.

Roy C. Grable to be postmaster at Wewoka, Okla., in place of R. C. Grable. Incumbent's commission expired February 9, 1941.

OREGON

Goldie V. Smith to be postmaster at Brookings, Oreg., in place of G. V. Smith. Incumbent's commission expired February 3, 1941.

James T. Brophy to be postmaster at Hines, Oreg., in place of J. T. Brophy. Incumbent's commission expired February 3, 1941.

PENNSYLVANIA

Richard Wilson to be postmaster at Baden, Pa., in place of T. M. Neely, resigned.

Edward Aloysius O'Donnell to be postmaster at Beaverdale, Pa., in place of E. A. O'Donnell. Incumbent's commission expired March 13, 1941.

Alvin E. Moon to be postmaster at Blawnox, Pa., in place of A. E. Moon. Incumbent's commission expired March 13, 1941.

Stuart H. Hauser to be postmaster at Catasauqua, Pa., in place of S. H. Hauser. Incumbent's commission expired February 18, 1941.

Howard C. VanKirk to be postmaster at Danville, Pa., in place of H. C. VanKirk. Incumbent's commission expired February 12, 1941.

Daniel J. O'Brien to be postmaster at Everson, Pa., in place of D. J. O'Brien. Incumbent's commission expired February 18, 1941.

Walter E. Schell to be postmaster at Grindstone, Pa., in place of W. E. Schell. Incumbent's commission expired February 18, 1941.

Dillinger H. Shaffer to be postmaster at Jeannette, Pa., in place of D. H. Shaffer. Incumbent's commission expired February 18, 1941.

Francis J. Kelly to be postmaster at Mansfield, Pa., in place of F. J. Kelly. Incumbent's commission expired March 13, 1941.

Edwin F. Fox to be postmaster at Mertztown, Pa., in place of E. F. Fox. Incumbent's commission expired March 13, 1941.

Clark Queer to be postmaster at Mount Pleasant, Pa., in place of Clark Queer. Incumbent's commission expired February 18, 1941.

William L. Mitsch to be postmaster at New Brighton, Pa., in place of W. L. Mitsch. Incumbent's commission expired February 6, 1941.

Charles W. Ziegenfus to be postmaster at Palmerton, Pa., in place of C. W. Ziegenfus Incumbent's commission expired February 6, 1941.

Luke Binder to be postmaster at Renovo, Pa., in place of Luke Binder. Incumbent's commission expired February 12, 1941.

Joseph A. Kelly to be postmaster at Roslyn, Pa., in place of J. A. Kelly. Incumbent's commission expired March 13, 1941.

Mary S. Anderson to be postmaster at Royersford, Pa., in place of M. S. Anderson. Incumbent's commission expired March 13, 1941.

Edith Schaffer to be postmaster at Stockertown, Pa. Office became Presidential July 1, 1941.

Ernest B. Wolf to be postmaster at Telford, Pa., in place of E. B. Wolf. Incumbent's commission expired March 13, 1941.

James N. McConnell to be postmaster at Volant, Pa., in place of J. N. McConnell. Incumbent's commission expired February 6, 1941.

Charles E. Fullwood to be postmaster at Wellsboro, Pa., in place of C. E. Fullwood. Incumbent's commission expired January 28, 1940.

Ethel L. Esken to be postmaster at Whitaker, Pa. Office became Presidential July 1, 1940.

RHODE ISLAND

William A. Kirkpatrick to be postmaster at Apponaug, R. I., in place of W. A. Kirkpatrick. Incumbent's commission expired March 16, 1941.

SOUTH CAROLINA

Richard M. Smith to be postmaster at Bishopville, S. C., in place of R. M. Smith. Incumbent's commission expired February 26, 1941.

SOUTH DAKOTA

Glen G. Lounsbery to be postmaster at Centerville, S. Dak., in place of G. G. Lounsbery. Incumbent's commission expired April 6, 1941.

William W. Brady to be postmaster at Marion, S. Dak., in place of W. W. Brady. Incumbent's commission expired April 6, 1941.

Walter H. Fergen to be postmaster at Parkston, S. Dak., in place of W. H. Fergen. Incumbent's commission expired April 6, 1941.

Charles F. Silvis to be postmaster at Ravinia, S. Dak., in place of C. F. Silvis. Incumbent's commission expired February 24, 1941.

TENNESSEE

Lyles G. Horner to be postmaster at Centerville, Tenn., in place of L. G. Horner. Incumbent's commission expired February 2, 1941.

Elvira Boone to be postmaster at Erin, Tenn., in place of Elvira Boone. Incumbent's commission expired February 2, 1941.

John Crockett Owens to be postmaster at Huntingdon, Tenn., in place of J. C. Owens. Incumbent's commission expired February 16, 1941.

May C. Trobaugh to be postmaster at Millington, Tenn. Office became Presidential July 1, 1941.

TEXAS

Ella D. Harris to be postmaster at Angleton, Tex., in place of E. D. Harris. Incumbent's commission expired February 20, 1941.

George O. Harrell to be postmaster at Anson, Tex., in place of Pearl Knox. Incumbent's commission expired April 24, 1940.

Thomas M. Delaney to be postmaster at Balmorhea, Tex., in place of T. M. Delaney. Incumbent's commission expired February 6, 1941.

James F. Allbritton to be postmaster at Buna, Tex. Office became Presidential July 1, 1940.

Homer C. McConnell to be postmaster at Honey Grove, Tex., in place of H. C. McConnell. Incumbent's commission expired February 20, 1941.

Oscar J. Halm to be postmaster at Kingsbury, Tex., in place of O. J. Halm. Incumbent's commission expired April 27, 1941.

Willie C. Binion to be postmaster at Lufkin, Tex., in place of W. C. Binion. Incumbent's commission expired February 6, 1941.

Mary E. Pennington to be postmaster at Matagorda, Tex. Office became Presidential July 1, 1941.

Nona Hillyer to be postmaster at Mount Calm, Tex., in place of Nona Hillyer. Incumbent's commission expired February 20, 1941.

Ethel B. Friend to be postmaster at Rockport, Tex., in place of E. B. Friend. Incumbent's commission expired March 13, 1941.

Benjamin H. Cummins to be postmaster at Taft, Tex., in place of B. H. Cummins. Incumbent's commission expired February 6, 1941.

Berniece M. Boydstun to be postmaster at Vega, Tex., in place of B. M. Boydstun. Incumbent's commission expired February 6, 1941.

Pearl B. Monke to be postmaster at Weinert, Tex. Office became Presidential July 1, 1941.

Winfield C. Powers to be postmaster at White Deer, Tex., in place of W. C. Powers. Incumbent's commission expired February 6, 1941.

UTAH

Claude M. Reay to be postmaster at Randolph, Utah, in place of C. M. Reay. Incumbent's commission expired February 16, 1941.

VERMONT

Charles L. Bishop to be postmaster at Johnson, Vt., in place of C. L. Bishop. Incumbent's commission expired June 1, 1940.

VIRGINIA

William A. White to be postmaster at Arrington, Va. Office became Presidential July 1, 1941.

Bernard P. Nearhood to be postmaster at Jewell Ridge, Va. Office became Presidential July 1, 1941.

Annie L. Peery to be postmaster at North Tazewell, Va., in place of A. L. Peery. Incumbent's commission expired February 20, 1941.

WASHINGTON

James R. Stephenson to be postmaster at Issaquah, Wash., in place of J. R. Stephenson. Incumbent's commission expired April 1, 1941.

Erica A. Kinney to be postmaster at Lake Stevens, Wash., in place of E. A. Kinney. Incumbent's commission expired July 1, 1940.

WEST VIRGINIA

William W. Bourne to be postmaster at Bartley, W. Va., in place of J. G. Hammond, resigned.

WISCONSIN

William R. Hartley to be postmaster at Fountain City, Wis., in place of W. R. Hartley. Incumbent's commission expired May 28, 1941.

Harris E. Lauber to be postmaster at Glenwood City, Wis., in place of H. E. Lauber. Incumbent's commission expired February 18, 1941.

John A. Brannan to be postmaster at Gratiot, Wis., in place of J. A. Brannan. Incumbent's commission expired July 1, 1940.

Esther B. Clausen to be postmaster at Woodworth, Wis., in place of E. B. Clausen. Incumbent's commission expired March 3, 1940.

WYOMING

Ella K. Peck to be postmaster at Saratoga, Wyo., in place of E. K. Peck. Incumbent's commission expired February 27, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 14, 1941:

POSTMASTERS

MASSACHUSETTS

Paul Kauppinen, Baldwinsville.
Grace Hartley Howe, Fall River.

OHIO

Verne H. Parker, Orwell.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 14, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou ever blessed God, for the revelation of Thyself through holy men of old, who spake as they were moved by the Holy Spirit, we give Thee praise. We rejoice in their experience, in the knowledge which they gained, and in Thy personal presence. Grant that we may have an inward strength of Thine intimacy which will give us help in all that is good, aversion to whatever is evil, and power to resist it. Heavenly Father, these are times which try men's souls; minds are perplexed and hearts are sad and heavy. Do Thou make us know that Thou art nigh. Enable us to see wrong as wrong and have the courage to denounce it. The harder the conflict the more glorious the triumph. As a country, may our aspirations be humble, putting aside temporalities, striving to unite men everywhere into one family, praying for Thy kingdom to come on earth as it is in heaven. As all the world seems to be so dark and chill, be with our President, our Speaker, and the Congress that they may valiantly ally themselves with hopes and purposes which can never die. Through Christ our Saviour. Amen.

The Journal of the proceedings of Thursday, July 10, 1941, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 138. An act granting a pension to Mary Jane Blackman;

S. 208. An act to authorize the course of instruction at the United States Military Academy to be given to 20 persons at a time from American republics;

S. 314. An act for the relief of certain Basque aliens;

S. 353. An act to provide for the extension of enlistments in the Navy;

S. 816. An act for the relief of John Horvath;

S. 867. An act for the relief of Antonio or Anthony Maurin;

S. 1071. An act authorizing the naturalization of Nasli M. Heeramaneck;

S. 1074. An act for the relief of Austin L. Tierney;

S. 1099. An act for the relief of Leslie Charteris (Leslie Charles Bowyer Yin) and Patricia Ann Charteris;

S. 1161. An act for the relief of Cecilia Pitt;

S. 1216. An act for the relief of Henry (Heinz) Gabriel;

S. 1569. An act to amend the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940 (Public, No. 861, 76th Cong.), to provide for the termination of leases in certain cases, and for other purposes;

S. 1667. An act for the relief of Mike Chetkovich; and

S. 1709. An act conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4293. An act to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 3537) entitled "An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH, Mr. TYDINGS, and Mr. DAVIS to be the conferees on the part of the Senate.

The message also announced that the Senate had adopted the following resolution (S. Res. 144):

IN THE SENATE OF THE UNITED STATES,
July 10, 1941.

Resolved, That the House of Representatives be notified of the election of Hon. CARTER GLASS, a Senator from the State of Virginia, as President of the Senate pro tempore.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Interior.
3. Department of Justice.
4. Department of Labor.
5. Department of the Navy.
6. Department of the Treasury.
7. Department of War.
8. Civil Service Commission.
9. Federal Loan Agency, Federal Home Loan Bank Board.
10. Federal Reserve System, Board of Governors.
11. Federal Security Agency, Social Security Board.
12. Federal Works Agency, Works Progress Administration.
13. United States courts, northern district of California.

ENROLLED JOINT RESOLUTION SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had on July 11, 1941, examined and found truly enrolled a joint resolution of the House of the following title:

H. J. Res. 194. Joint resolution making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942.

The SPEAKER. The Clerk will read the following announcement.

The Clerk read as follows:

The Chair desires to announce that pursuant to the authority granted him he did on July 11, 1941, sign the enrolled joint resolution of the House, House Joint Resolution 194, making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942.

LEAVE OF ABSENCE

Mr. PITTENGER. Mr. Speaker, I noticed in reading the last issue of the RECORD that the gentleman from Minnesota [Mr. O'HARA] was granted an indefinite leave of absence. The fact of the matter is the gentleman from Minnesota is ill, and I think the RECORD should show that illness is the cause of requesting the leave of absence.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of unemployment and the W. P. A. relief bill and to include therein short excerpts from a letter, and a resolution from the Board of County Commissioners of St. Louis County, Minn.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief statement by Mark Sullivan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article which appeared in the National Grange Monthly, by Fred Brenckman.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein part of a news letter which I sent to my constituents recently.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BISHOP. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two particlars: First, in connection with Argentina's anniversary; and, second, to insert an article by Mr. Walter Lippmann.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1

minute, and to extend my remarks further at this point.

The SPEAKER. The Chair may state that the custom now is to recognize Members to address the House for not more than 1 minute before the legislative business of the day is concluded, and that if they are extended beyond the minute they must appear in the Appendix of the RECORD.

Mr. BUCK. Then, Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein three short resolutions by national farm associations from my district on the subject of interest on farm loans.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD and include therein certain provisions of the criminal code.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. THILL addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. HARNESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on two subjects: In one to include an editorial from the Wabash Plain Dealer of Wabash, Ind.; and, second, to include an address by Oscar Smith before the Clinton County Farmer's Guild, Frankfort, Ind., July 5, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an address by Mr. J. B. Johnson, of the National Manufacturers' Association, before the Ohio Federation of Women's Clubs, at Lakeside, Ohio, on the American way of life.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MASON]

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent that on Friday, July 18, after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may address the House for 20 minutes on the subject of wheat.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Blair Moody, appearing in the Detroit News.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, at the close of all business today, and at the conclusion of other special orders heretofore entered, I ask unanimous consent to speak for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects, in one to include an article entitled "Marketing Cards" by Mark Sullivan, and in the other to include an address I delivered at Buffalo, N. Y.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

Mr. SPRINGER. Mr. Speaker, I have two requests, first that I be granted permission to extend my own remarks in the RECORD and to include copy of a letter which I have written to the Secretary of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I take this time in order to advise the Members of the House that I have introduced two bills today, which will, if passed, relieve the farmers of this Nation from the unjust penalty of 49 cents per bushel on wheat produced in excess of the quota established.

The farmers sowed their wheat last fall believing that the penalty of 15 cents per bushel would be the only penalty imposed if the quota was exceeded. At harvest time, this year, the unjust penalty of 49 cents was imposed upon them, and by a pretended election which was dominated by the Agricultural Department, this plan was adopted and every farmer comes within the penalty provisions. This policy will greatly injure our farmers and this penalty must not be collected from them if we are to save this industry.

Quite soon our farmers will be asked to produce more food in order to feed the people of the world. This hour is almost here. Many people throughout Europe and Asia, and within our own borders, are hungry. These people must be fed. It is a travesty upon justice to consider that a penalty is to be imposed upon our farmers at this time because he has produced more wheat than some agency believes he should be entitled to produce and has fixed his quota accordingly. When people are hungry we must meet the challenge and we must feed them. Penalties of any kind have no place in our Nation at this hour.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

[Mr. RICH addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Speaker, of course, there will be a deficit, and the gentleman from Pennsylvania helped to bring that about because he has voted for a good many of those bills.

Mr. RICH. Will the gentleman yield?

Mr. SABATH. I cannot yield.

Mr. Speaker, I regret that he fails to call attention to the fact that we will have the greatest year in the history of America so far as income is concerned. I prophesied last year that our income would be over $85,000,000,000. I read yesterday a report to the effect it will reach over $100,000,000,000 and that in 1942 it may reach over $115,000,000,000. We will take care of that deficit with that income.

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN].

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

DISTRICT OF COLUMBIA

The SPEAKER. This is District day. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

BOARD OF PUBLIC WELFARE

Mr. RANDOLPH. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 4837) to safeguard the confidential nature of the Board of Public Welfare of the District of Columbia case records in all types of relief cases, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful, except for purposes directly connected with the administration of old-age assistance, aid to the blind, aid to dependent children, home care, and general public assistance, and in accordance with rules and regulations prescribed by the Board of Public Welfare of the District of Columbia, for any person or persons to solicit, disclose, receive, make use of, or to authorize, knowingly permit, participate in, or acquiesce in the use of, any list of names of, or any information concerning, persons applying for or receiving such assistance, directly or indirectly derived from the records, papers, files, or communications of the Board of Public Welfare of the District of Columbia, or acquired in the course of performance of official duties.

SEC. 2. Any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine of not more than $500 or imprisoned for a period not to exceed 6 months, or both.

Mr. RANDOLPH. Mr. Speaker, the only purpose of this measure is to provide safeguards which limit the use or disclosure of information concerning applicants for or recipients of public assistance to purposes directly connected with the program. The Social Security Act requires the States to provide such safeguards, and it was felt that here in the District of Columbia the program should be brought in line with what is the adopted procedure in the States.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Kansas.

Mr REES of Kansas. Do I correctly understand that this measure provides that you cannot publish the names of recipients of money under the relief program?

Mr. RANDOLPH. Yes; it is to safeguard the individual case records in all types of relief cases in the District of Columbia that are of a confidential nature.

Mr. REES of Kansas. The public will not know, then, to whom these funds are paid?

Mr. RANDOLPH. It would be unlawful except for purposes directly connected with the administration of old-age assistance, aid to the blind, aid to dependent children, home care, or public assistance, to disclose this information. There would be no authorization to permit the use of these names for any other purpose than in connection with the actual performance of official duties relating to these cases.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Have there been any abuses under the present system?

Mr. RANDOLPH. Yes; that is why the measure was brought in, at the request of the Social Security Administration.

Mr. MARTIN of Massachusetts. Of what type were the abuses?

Mr. RANDOLPH. I am not sure. I can say frankly to the gentleman that the subcommittee went over these abuses as they came before us. I believe the credit associations were using the names for solicitation purposes.

Mr. MARTIN of Massachusetts. Does this bill come here with a unanimous report of the committee?

Mr. RANDOLPH. That is true.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Pennsylvania.

Mr. RICH. Do we correctly understand that this legislation is in line with the legislation in the States?

Mr. RANDOLPH. It is.

Mr. RICH. Do the States have uniform legislation, with which this measure dovetails?

Mr. RANDOLPH. The States have legislation which provides safeguards that are similar to those contained in the bill we offer today. I do not know that the language in all instances is the same, but similar language is used.

Mr. RICH. Suppose someone is getting relief who is not entitled to do so, in the judgment of other people; he has an income, or he has relatives well able to take care of him. Will this legislation tend in any way to permit such a person to get on the Government pay roll and then have the records closed so that nobody could know anything about it?

Mr. RANDOLPH. No.

Mr. RICH. How are you going to find out who is on this list?

Mr. RANDOLPH. I may say that the entire purpose of the measure is to see that there is no misuse of the records or lists in connection with public assistance. Certainly, for these confidential records to be given to everyone for the purpose of solicitation would be bad; yet where it concerns the actual case itself, certainly no one would be barred from looking into the matter.

Mr. RICH. It is well to look after the interests of these people, but we are supposed to look after the interests of the taxpayers of this country, too, and we want to know that their interests are being safeguarded. What is there in the bill that will safeguard the Treasury of the United States in this particular case?

Mr. RANDOLPH. I can well understand the regard of the gentleman from Pennsylvania for the funds of the taxpayers, because each day that he can get the floor he expresses his views, and many of us enjoy listening to them. We simply know that the Social Security Act amendment of August 10, 1939, requires the State public assistance organizations to provide safeguards for the confidential records of those who are considered. That is all we do in this bill. Of course, we do not go into the question of money in connection with the public-assistance records, and no additional cost is incurred, I may say, through this bill. This is just a necessary safeguard and no money is involved whatever.

Mr. RICH. Anyone who gets relief probably needs all the money he gets to take care of himself. What good would such a list be to anybody else? How are they going to get money from those on relief when the latter only have enough money to take care of themselves? In what way would any individual be injured if others did know that he was getting relief?

Mr. RANDOLPH. I do not believe the gentleman would want the case records of those in need of assistance to be open to the general public. I am sure he would not want that. We know that not many months ago certain civil-service lists were turned over to individuals who certainly had no desire to use them for any worthy purposes but instead were attempting to contact the people on the lists, even perhaps to the extent of sabotage of this Government's defense program. This is simply an attempt to bring the handling of the records in the District of Columbia in line with the practice in the States. This action is asked by the Social Security authorities. No money is involved.

Mr. RICH. The gentleman is sure this is good legislation? We are going to put the burden of proof on the mayor of the city, then.

Mr. RANDOLPH. In this case not the mayor but your colleague is delighted to assure you that it is a good bill.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF PIPE LINES FOR PETROLEUM AND PETROLEUM PRODUCTS

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 4582) to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from West Virginia explain the bill?

Mr. RANDOLPH. Yes; I will be delighted to.

Mr. Speaker, the purpose of this bill is to authorize the Commissioners of the District of Columbia to grant permission to a certain corporation to construct and maintain pipe lines for the carrying of petroleum and petroleum products in certain designated areas of this city. The Commissioners will have full authority to designate the location of these pipe lines and all plans and specifications shall, of course, have the approval of the District Commissioners before they are carried out. Similar legislation has been enacted in the past and the committee feels that the measure is safeguarded, of course, by regulations of the Commissioners and their final approval before anything is done.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. Yes; I yield to the gentleman from Michigan.

Mr. CRAWFORD. May I ask if these proposed pipe lines are to tie in with the newly proposed pipe lines that are to come in from the southern fields?

Mr. RANDOLPH. I am not sure of that. I may say to the gentleman that the permission will be granted to Steuart Bros., and they are lessees of a certain area here in the District of Columbia and desire to transport these products from one part of the city to another. This does not have any bearing on pipe lines coming into the city.

Mr. CRAWFORD. In other words, this is more of an intracity transfer of gasoline products?

Mr. RANDOLPH. Yes; that is right. And I may say that the legislation has the approval of the District Commissioners, and there is no objection to it.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. RICH. A line of this kind naturally would take these particular products off of the city streets and make the streets more accessible to other kinds of traffic that would naturally go over them.

Mr. RANDOLPH. I may say to the gentleman that certainly petroleum flowing through pipe lines would, of course, take such products off of the trucks we have using the streets of Washington to a certain extent.

Mr. RICH. There is one other question I would like to ask the gentleman while we have up District legislation. As the gentleman knows, we have had talk recently about having the saloons opened from 12 o'clock Saturday until 2 o'clock Sunday morning, and, while that does not concern this bill, I want to say to the gentleman that I am opposed to such legislation, and I am wondering if we are going to have such legislation up today. If we are, then we ought to get our forces in here to defeat such proposals. Is there any legislation of that kind going to come up today?

Mr. RANDOLPH. No; that legislation will not be called up by the committee, and such legislation has not the approval even of the committee to date.

Mr. RICH. How about putting saloons within 600 feet of the churches? Is any legislation of that kind coming up today?

Mr. RANDOLPH. That legislation will not come up today. I might say, however, that the present regulation is 400 feet, and the bill the gentleman mentions would increase the distance to 600 feet.

Mr. RICH. They want to put saloons closer to the churches, and we want to stop anything of that kind. Is that matter going to come up today?

Mr. RANDOLPH. Not saloons, because there are no saloons in the District of Columbia.

Mr. RICH. Well, they are talking about creating saloons by having the old brass rail brought back and having standing-up drinking, and we are going to do everything we can to defeat any such legislation. Will the chairman of the District Committee notify us at least a week in advance of bringing up any legislation of that kind?

Mr. RANDOLPH. If any such legislation comes to the floor, the chairman of your committee would be desirous of having the full membership hear and debate it. The chairman of your committee would certainly be pleased if we could have every seat in the Chamber filled every day that District legislation is considered, and we attempt to bring in legislation that is well considered and legislation that we believe is necessary to the proper conduct of the District—the District of Columbia, of course, being under the jurisdiction of the Congress of the United States.

Mr. RICH. If the liquor interests want to bring about another amendment like we had in the eighteenth amendment, they could not do anything that would ruin the country and their own business quicker than to bring legislation of the kind I have referred to in here for passage; and we want to warn them now that if they want to have temperance, then we should do the things that are going to make for temperance and not go back to the old saloon days. Every one of these saloonkeepers promised the Members of Congress that the old saloon days would never come back, and we do not want them to come back.

Mr. RANDOLPH. I do not want them to come back, and I agree with the gentleman from Pennsylvania.

Mr. Speaker, I want to say to my friend from Michigan [Mr. CRAWFORD] that in the relocation of these pipe lines this company will pay for the necessary repairs and for relocation. There is no money involved, and this is simply to allow this company to relocate them in the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and are hereby, authorized and empowered to grant permission to Steuart Bros., Inc., a corporation organized in the State of Delaware, lessee of square south of 1048 bounded by M Street SE. on the north, Fourteenth Street SE and Water Street SE. on the south, and Virginia Avenue on the south, in the city of Washington, in the District of Columbia, its successors and assigns, to lay down, construct, maintain, and use not more than five pipe lines for the carriage of water, steam, and petroleum and petroleum products from a point or points within said square south of 1048 due north in and through M Street SE. to the right-of-way of the Philadelphia, Baltimore & Washington Railroad; and also the right to lay down, construct, maintain, and use not more than five pipe lines for the carriage of steam, water, and petroleum and petroleum products from a point or points within square south of 1048 due north to the said M Street thence westwardly along the said M Street to its intersection with Thirteenth Street SE., thence south in and along the said Thirteenth Street to the Anacostia River.

SEC. 2. That all the construction and use provided for herein shall be under such regulations and rentals as the Commissioners of the District of Columbia may make and establish in connection therewith and all plans and specifications for such construction shall be subject to their approval. The Commissioners of the District of Columbia shall have full authority to designate the location and to cause such repairs or relocation of said pipe lines as the public necessity may require, any such repairs or relocation to be at the expense of the Steuart Bros., Inc., its successors or assigns.

SEC. 3. That no permission granted or enjoyed hereunder shall vest any title or interest in or to the land within Thirteenth Street SE. or M Street SE.

SEC. 4. The right to alter, amend, or repeal this act is expressly reserved.

With the following committee amendments:

Page 1, line 8, at the end of the line, strike out the word "South" and insert in lieu thereof the word "East."

Page 2, line 2, strike out the words "water, steam, and."

Page 2, line 3, after the word "products", insert the following: "with such auxiliary steam lines as may be necessary."

Page 2, line 8, strike out the words "water, steam, and."

Page 2, line 9, after the word "products", insert the following: "with such auxiliary steam lines as may be necessary."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SIGHTSEEING IN THE DISTRICT OF COLUMBIA WITHOUT PAYMENT OF TAX

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 4077) to amend the District of Columbia License Act so as to permit sightseeing operations in the District of Columbia without procurement of a license or payment of a tax, in the case of certain vehicles performing such operations in connection with transportation of persons to the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 31 of section 7 of the act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended (D. C. Code, Supp. V, title 20, sec. 1731), is amended by adding at the end thereof a new subparagraph as follows:

"(g) Nothing in this paragraph shall be construed to require the procuring of a license, or the payment of a tax, with respect to a vehicle operated for sightseeing purposes if (1) such sightseeing operations are only occasional, and (2) if the only passengers transported in such sightseeing operations are persons transported to the District of Columbia, in such vehicle, from a point or points outside thereof."

Mr. RANDOLPH. Mr. Speaker, the purpose of this legislation, which was introduced by our colleague, the gentleman from Michigan [Mr. WOLCOTT], is to permit interstate sightseeing vehicles to engage in operation in the District of Columbia without the payment of the present license fee of $100. The bill is

sponsored primarily for the benefit of graduating classes from schools that come here to Washington, and other organizations, who wish to visit the Government buildings, but who are unable to pay this tax.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ACCIDENT PREVENTION BOARD

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 5202) to create an Industrial Accident Prevention Board, to foster, promote, and develop the safety of wage earners of the District of Columbia; to define its powers and duties, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, this bill directs the Commissioners of the District of Columbia to appoint a three-member industrial accident-prevention board, whose purpose will be to foster, promote, and develop the safety of wage earners of the District of Columbia. One member of the board shall represent the general public, one shall represent labor, and the other shall represent employers. The board shall be charged with the duty of administering the provisions of the act and the rules and regulations which it is authorized to adopt after a public hearing, governing minimum standards of safety requirements which the board considers necessary in order to protect or safeguard the lives and health of industrial employees. Statistics show that industrial accidents in the District have been increasing in appalling numbers. For the year 1940 there were 31,265 accidents of a nonfatal nature, some of them serious. There were 76 fatal accidents. It is felt that most of these accidents are due to a lack of proper supervision and control over industrial projects, and lack of proper regulations and and safety requirements. It is believed a great number of these accidents could be avoided if the proper safety measures were undertaken. We think the creation of this board would tend in that direction.

The bill is as follows:

Be it enacted, etc., That when used in this act, the following words shall have the following meanings unless the context clearly requires otherwise:

(a) "Employer" includes every person, firm, corporation, partnership, stock association, agent, manager, representative, or foreman, or other persons having control or custody of any industrial employment, place of employment, or of any employee. It shall not include the District of Columbia or any instrumentality thereof, or the United States or any instrumentality of the United States.

(b) "Board" means the Industrial Accident Prevention Board.

(c) "Safe" and "safety" as applied to an employment, a device, or a place of employment, including facilities of sanitation and hygiene, means such freedom from danger to life or health of employees as circumstances reasonably permit, and shall not be given restrictive interpretation so as to exclude any mitigation or prevention of a specific danger.

(d) "Place of employment" means any place where industrial employment is carried on: *Provided, however,* That such term shall not include the premises of any Federal or District of Columbia establishment, except to include any and all work of whatever nature being performed by an independent contractor for the United States Government or any instrumentality thereof or the District of Columbia or any instrumentality thereof.

SEC. 2. The Commissioners of the District of Columbia are hereby directed to appoint three members to a board, who shall serve without pay, which shall be known as the Industrial Accident Prevention Board of the District of Columbia. The purpose of the Board shall be to foster, promote, and develop the safety of wage earners of the District of Columbia in relation to their working conditions.

The term of each member of the Board shall be 3 years: *Provided,* That of the members first appointed, one shall be appointed for a term of 1 year, one shall be appointed for a term of 2 years, and one shall be appointed for a term of 3 years. Upon the expiration of said terms, successors shall be appointed for terms of 3 years each. One member of the Board shall be a representative of the general public, who shall be the chairman, one a representative of labor, and one a representative of the employers, and each in order to be eligible for appointment must have resided in the District of Columbia for a period of 5 years immediately preceding his appointment. Each member shall hold office until his successor is appointed and has qualified; any vacancy in the Board shall be filled by the Commissioners of the District of Columbia for the unexpired portion of said term.

Any two members of the Board shall constitute a quorum and no vacancy shall impair the right of the remaining Board members to exercise all the power of the Board.

SEC. 3. The Board shall administer the provisions of this act and shall have power to make such inspections and investigations as it may deem necessary; collect and compile statistical information; require employers to keep their places of employment reasonably safe; require employers to keep such records as it may deem advisable and to furnish the Board with complete, detailed reports relative to all accidents; determine and fix reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment; promulgate general rules and regulations based upon such standards and fix the minimum safety requirements which shall be complied with by employers within the purview of this act.

SEC. 4. Before any rules or regulations of the Board shall become effective a public hearing shall be held by the Board for the purpose of investigating reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment, and any person interested in the matter being investigated may appear and testify. If, after investigation, the Board is of the opinion that minimum standards of safety requirements are necessary to protect or safeguard the lives or health of employees covered by this act, it may adopt and promulgate such rules and regulations as it may deem advisable, which shall become effective 30 days after they have been published at least once in two of the daily newspapers of general circulation in the District of Columbia.

SEC. 5. Any member of the Board shall have power to administer oaths and the Board may require by subpena the attendance and testimony of witnesses, the production of all books, registers, and other evidence relative to any matters under investigation, at any public hearing, or at any session or any conference held by the Board. In case of disobedience to a subpena the Board may invoke the aid of the District Court of the United States for the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence. In the case of contumacy or refusal to obey a subpena, the court may issue an order requiring appearance before the Board, the production of documentary evidence, and the giving of evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

SEC. 6. The Board may, upon written application of any employer affected by such rule or regulation, permit variations from any provisions thereof if it shall find that the application of such provision would result in unnecessary hardship or practical difficulty: *Provided, however,* That the Board shall keep a properly indexed record of all variations permitted from any rule or regulation which shall be open to public inspection.

SEC. 7. The Board is hereby authorized to employ a secretary, one or more inspectors, and such other employees as are needed properly to administer and enforce this act, such employees to be selected in accordance with the Executive order of November 18, 1930, pertaining to appointments for positions under the government of the District of Columbia and the regulations promulgated jointly by the Commissioners of the District of Columbia and the United States Civil Service Commission, effective December 15, 1932, as amended: *And provided further,* That such employees shall receive compensation for their services in accordance with the Classification Act of 1923, as amended.

SEC. 8. (a) Every employer shall furnish a place of employment which shall be reasonably safe for employees, shall furnish and use safety devices and safeguards, and shall adopt and use practices, means, methods, operations, and processes which are reasonably safe and adequate to render such employment and place of employment reasonably safe.

(b) Every employer shall furnish to the Board any information which the Board is authorized to require and shall make true and specific answers to all questions.

(c) Every employer shall submit to the Board within 10 days from the date of any injury or death, or from the date that the employer has knowledge of any disease or infection resulting from any injury, a duplicate copy of the report provided for in section 30 of the act of March 4, 1927 (44 Stat. 1439; U. S. C., title 33, sec. 930), as made applicable to the District of Columbia by the act of May 17, 1928 (45 Stat. 600).

(d) Every employer shall keep an accurate record of every person employed by him so as to be able in case of accident to immediately give an accurate record relative to same.

SEC. 9. (a) The Board, or any officer or employee acting under its authority, shall have the authority, at any reasonable time, to enter any place where an employment covered by this act is being carried on, and to examine any structure, tool, appliance, machinery, or process used in or connected with such employment. No employer or other persons shall refuse to admit any member of the Board or its authorized representative to any such place or to permit any such examination.

SEC. 10. The Commissioners of the District of Columbia shall furnish the Board with such office space, furniture and equipment, stationery, books, books of reference, and

other supplies as are necessary for the discharge of its duties under this act.

SEC. 11. The Board shall annually, on or before the 1st day of July, file with the Commissioners of the District of Columbia a report covering the activities of the Accident Prevention Board.

SEC. 12. Whoever violates any of the provisions of this act, or any rules or regulations promulgated hereunder, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not more than $500, or by imprisonment of not exceeding 6 months, or by both such fine and imprisonment. Prosecutions for violations of this act shall be in the name of the District of Columbia on information filed in the police court of the District of Columbia by the corporation counsel or one of his assistants.

SEC. 13. There is hereby authorized to be appropriated, out of the revenues for the District of Columbia, a sum not to exceed $15,000 per annum, or so much thereof as may be necessary, for the proper administration of this act.

SEC. 14. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected hereby.

SEC. 15. This act shall become effective upon its approval by the President.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

RECREATION BOARD FOR THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 5075) to create a recreation board for the District of Columbia, to define its duties, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The bill is as follows:

Be it enacted, etc., That there is hereby created in and for the District of Columbia a Recreation Board hereinafter referred to as "the Board."

ARTICLE I—MEMBERSHIP OF THE RECREATION BOARD

SECTION 1. The Board shall consist of seven members as follows: A member of the Board of Commissioners selected by that Board; a representative of the Board of Education selected by that Board; the Superintendent of the National Capital Parks ex officio; and four members, who shall have been for 5 years immediately preceding their selection bona fide residents of the District of Columbia, appointed by the Commissioners of the District of Columbia for a term of 4 years each, except the original appointments which shall be for terms of 1, 2, 3, and 4 years, respectively. The appointment of the four citizens shall be without discrimination as to color, sex, or religion, and shall take judicious account of the various parent, civic, and other organizations through which residents of the District voice their civic wishes and advance the common welfare. The two members of the Board representing the Board of Commissioners and the Board of Education shall be designated annually by their respective agencies.

SEC. 2. The members of the Recreation Board of the District of Columbia shall not be personally liable in damages for any official action of the said Board performed in good faith in which the said members participate, nor shall any member of said Board be liable for any costs that may be taxed against them or the Board on account of any such official action by them as members of the said Board; but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits brought against the municipality; nor shall the said Board or any of its members be required to give any supersedeas bond or security for costs or damages on any appeal whatever.

SEC. 3. Vacancies shall be filled for the unexpired term by the agency which made the original selection.

SEC. 4. The members of the Board shall serve without compensation for such service.

SEC. 5. The Board shall select from among its citizen membership its chairman and secretary and is hereby authorized and empowered to adopt all necessary rules and regulations for the conduct of its business: *Provided,* That all meetings of the Board shall be open to the public.

ARTICLE II—FUNCTIONS AND ADMINISTRATIVE RESPONSIBILITIES OF THE BOARD

SEC. 1. The Board shall determine all questions of general policy relating to public recreation in and for the District of Columbia, and shall supervise and direct expenditure of all appropriations and/or other funds made available to the Board.

SEC. 2. The Board shall employ a superintendent of recreation who shall not be a member of the Board and who shall be the chief executive officer for the Board and responsible under the Board for the general organization, administration, and supervision of a program of recreation contemplated and provided for in this act. The superintendent shall possess those qualifications of education, training, and experience in recreation work as well as executive and administrative experience which will assure a thorough knowledge of current theory and practice in public recreation and give promise of the administrative ability necessary to administer a program of public recreation in and for the Nation's Capital. He shall be employed under a contract for a term of 1 year at a salary not exceeding $6,000 per annum, which said contract of employment may be renewed for successive periods not exceeding 1 year each by the mutual agreement of the parties by written notice given by each party to the other not less than 60 days prior to the termination of such contract or any renewal thereof.

SEC. 3. The superintendent is hereby authorized and empowered to appoint and transfer such personnel under a merit system as he deems necessary for the efficient organization and administration of a system of public recreation in and for the District of Columbia, and to suspend, for cause, for a period not exceeding 30 days, any employee of the Board, but no promotion, demotion, or dismissal of any employee of the Board shall be made except with the approval of the Board.

SEC. 4. The Board shall have power and authority to conduct, direct, and supervise a comprehensive program of public recreation which shall include the operation and direction of games, sports, arts and crafts, hobby shops, music, drama, speech, nursery play, dancing, lectures, forum for informal discussion, and such other physical, social, mental, and creative opportunities for leisure-time participation as the Board shall deem advisable to offer in major recreation centers, play fields, athletic fields, playgrounds, tennis courts, baseball diamonds, swimming pools, beaches, gold courses, community centers, and social centers in schools, parks, or other public-owned buildings, as well as other recreational facilities which may be agreed upon between the Board and the agencies having jurisdiction over these facilities. The public properties utilized by the Board for the above purposes shall include those designated by the National Capital Park and Planning Commission, in accordance with a comprehensive plan, as suitable and desirable units of the District of Columbia recreation system.

SEC. 5. The Board is hereby authorized to create a trust fund similar to that now operated by the Community Center and Playgrounds Department in which shall be deposited all fees and receipts from those activities which the Board may deem it advisable to conduct on a fee basis, the moneys in such trust fund to be available to the Board to defray in whole or in part the expense of conducting its activities, the fund to be audited quarterly by the auditor of the District of Columbia.

SEC. 6. The Board shall prepare and submit to the Commissioners of the District of Columbia an annual budget itemizing the appropriations necessary for the performance of its functions and duties under this act, including appropriations necessary for the purchase of books, literature, newspapers, periodicals, technical reference material, trophies and medals, and such funds as are appropriated therefor shall be expended by said Board.

SEC. 7. The Board shall submit to the Commissioners an annual report of its activities, together with recommendations for further activities and development.

ARTICLE III—RELATIONSHIP OF THE BOARD TO OTHER AGENCIES

SECTION 1. All the functions of the Community Center and Playgrounds Department now under the joint control of the Board of Commissioners and the Board of Education are hereby transferred to and shall, after the effective date of this act, be vested in the Recreation Board. This transfer of all functions shall include transfer of the unexpended balance of the appropriation of the Community Center and Playgrounds Department, any unexpended balance in trust funds, and the salary of the coordinator now carried in the appropriation of the National Capital Parks.

SEC. 2. The control of all land, buildings, and other facilities used by the Board shall be in accordance with agreements reached between the Board and the governmental agencies having jurisdiction over such properties.

SEC. 3. No power or authority conferred on the Recreation Board in this act shall be construed to abridge the powers of the Board of Education, the Commissioners of the District of Columbia, or the National Park Service to refuse the use of any ground, building, or facility under their individual or collective control.

SEC. 4. The maintenance and improvement of all playgrounds and recreation areas and facilities now under the control of the Board of Education, or of the Commissioners of the District of Columbia, or of the National Park Service, or which may hereafter be acquired by any of said agencies for said purpose, may be provided for by agreement between the Board and the Board of Education, the Commissioners of the District of Columbia, and the National Park Service, respectively. The Board is hereby authorized to transfer to the said agencies such funds, equipment, and personnel as may be necessary to carry said agreements into effect. The Board shall make provisions in its annual budget for an appropriation sufficient to cover the Board's share of the cost of improvement, maintenance, and upkeep of the buildings and grounds used by the Board and which are under the jurisdiction of the Board of Education, the Board of Commissioners, or the National Park Service.

SEC. 5. The Board is authorized to arrange with other governmental agencies for services on a reimbursable basis.

SEC. 6. (a) All present personnel of the Community Center and Playgrounds Department whose services have heretofore been rated satisfactory shall be retained by the Board with the understanding that this provision does not contemplate the continued employment of individuals whose service is inefficient.

(b) All equipment, machinery, supplies, and materials of the Community Center and Playgrounds Department shall, on the effective date of this act, be transferred to the Board.

SEC. 7. The Board shall recognize coordinate authority and responsibility of white and colored personnel in the administration of the respective programs of recreation in accordance with the present plan of the Community Center and Playgrounds Department.

SEC. 8. All acts or parts of acts in conflict with this act are hereby repealed.

SEC. 9. This act shall take effect July 1, 1941.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. RICH. Mr. Speaker, I reserve the right to object. Let us have an explanation of this.

Mr. RANDOLPH. Mr. Speaker, I shall be delighted to explain the matter to the gentleman from Pennsylvania, as will also the chairman of the subcommittee, who is present, the gentleman from Ohio [Mr. HUNTER]. The purpose of this bill is to create a recreation board for the District of Columbia to operate the various recreational facilities that we have within the District. That board will be composed of seven members, to consist, one from the District Commissioners, a representative from the Board of Education, the Superintendent of the National Parks, and four residents of the District of Columbia, who would be appointed by the Commissioners. The board would serve without compensation, and authority would be given to this group to appoint a superintendent of recreation to administer the District of Columbia program, city-wide. It is felt that the recreational facilities of the District can best be handled by this new method. We have found from hearings and discussions that there is an overlapping of the recreational facilities. For that reason, after a most careful consideration and hearings by a subcommittee this bill comes from the full committee with a unanimous report and is brought to the House.

Mr. RICH. As it is now there are different organizations handling these recreational areas, and trouble is being had in handling them?

Mr. RANDOLPH. That is true. I think it would be appropriate for the gentleman from Ohio [Mr. HUNTER], who has given weeks of study to this discussion, to give us the benefit of his views.

Mr. HUNTER. Mr. Speaker, answering the gentleman from Pennsylvania [Mr. RICH], up to 1938, the recreational facilities of the District were handled by no less than three groups.

In 1938, by an amendment to the District appropriation bill, a coordinator was appointed. This bill carries out the intent making the coordinator the superintendent of recreation, at approximately the same salary. It provides for a board similar to the Board of Education to handle all of the functions of the playground department and recreation centers. The bill has the unanimous approval of the subcommittee and a great share of the principles incorporated in the bill were ideas presented to the committee by the late Congressman Stephen Bolles, the ranking minority member on the subcommittee. The bill will be a tribute to his activities in District affairs.

Mr. RICH. It takes the areas of the National Capital parks as well as the areas in the District?

Mr. HUNTER. Certain specified areas. Some 40 specified playground areas will be completely under the jurisdiction of the Recreation Board.

Mr. BATES of Massachusetts. Will the gentleman yield?

Mr. HUNTER. I yield.

Mr. BATES of Massachusetts. This will mean better and greater coordination of all recreational facilities in the District and will do away with a great deal of discontent that has been present heretofore in the District among all officials having to do with the recreational facilities?

Mr. HUNTER. That is the purpose of this bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF BUILDING FOR OFFICE OF RECORDER OF DEEDS, DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 4865) to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of recorder of deeds of the District of Columbia, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act authorizing advancements from the Federal Emergency Administration of Public Works for the construction of a Recorder of Deeds' Building in the District of Columbia, and for other purposes," approved July 11, 1940, is amended by striking out "the sum of $450,000," and inserting in lieu thereof "the sum of $500,000."

Mr. RANDOLPH. Mr. Speaker, this bill is brought before the House in order to secure authorization for an additional $50,000 for the completion of the Recorder of Deeds' Building in the District of Columbia.

The authorization, as originally drawn and presented, was in the amount of $500,000, but was reduced to $450,000 by legislative action. Efforts have been made to complete the building within the specified amount, but due to increased costs of many types it appears absolutely necessary that certain equipment, which is vital to the operation of the office, will have to be eliminated if this additional amount which originally was in the bill is not restored.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACT TO REGULATE EMPLOYMENT OF MINORS IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 1047) to amend an act of Congress entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to regulate the employment of minors within the District of Columbia", approved May 29, 1928, be, and the same is hereby, amended by adding after section 7 a new section to read as follows:

"SEC. 7a. Notwithstanding the provisions of this act, the Board of Education of the District of Columbia, or a duly authorized agent thereof, is authorized to issue a work permit to any minor under 18 years of age, said permit authorizing and permitting the appearance of such minor on the stage of a duly licensed theater within the District of Columbia, in any professional traveling theatrical production or in a musical recital or concert: *Provided*, That such minor is at least 14 years of age and has completed 8 grades of elementary instruction or a course of study deemed by the Board of Education equivalent thereto: *And provided further*, That such minor shall not appear on said stage in more than two performances in any 1 day, nor more than 6 hours in any 1 day, nor more than 6 days in any week, nor more than 24 hours in any week, and shall not appear on said stage after the hour of 11 p. m. Application for such permit should be made by the parent or guardian of such minor to the Board of Education of the District of Columbia or a duly authorized agent thereof, at least 14 days in advance of such appearance. The Board or its agent may issue a permit if satisfied that the parent or guardian of such minor has made adequate provision for the educational instruction of such minor and for safeguarding his health and for the proper supervision of such minor."

SEC. 2. Nothing in this act shall be construed as amending, altering, or repealing the provisions of section 7 of the act of May 29, 1928.

Mr. RANDOLPH. Mr. Speaker, I would like to explain to the Members of the House that this particular bill is a greatly modified version of a previous measure which had been reported by the House District Committee last year. This measure has the approval of the National Child Labor Committee, the United States Department of Labor, the Board of Education in the District of Columbia, and the Parent-Teachers' Association of the District of Columbia.

It merely authorizes the Board of Education to issue a permit to a child 14 years of age or over to appear in Washington in a professional traveling theatrical production or in musical recitals. Adequate safeguards are in the measure to

insure proper protection and care of the child itself.

I should like further to explain to the House that the condition confronting the legitimate theater in Washington with relation to the forthcoming season of 1941–42 is very critical and in all probability if this legislation is not passed it will mean that the National Theater, which is our only legitimate theater, will actually have to cease operations. I have looked into the matter and I find that the five most popular plays that are running in New York City at the present time, namely, Life With Father, Watch on the Rhine, Lady in the Dark, Panama Hattie, and Pal Joey, all have children who are under 18 years of age in the cast. Under the present law they cannot be brought into the District of Columbia for appearances upon our stage. I want to stress the safeguards that are in this legislation. The District of Columbia Committee would not want to break down any of the safeguards that we accord to our youth. We believe that in this bill appropriate barriers have been placed. The child must be 14 years of age. The child cannot appear after 11 o'clock in the evening, nor for more than 6 hours or two performances per day. The child must have completed eight grades of grammar school. The application for the permit for the appearance of that child must be made to the Board of Education of the District of Columbia at least 14 days in advance of the appearance of the play in which he or she was scheduled to appear.

I believe that this Congress, and certainly the District Committee, has complete confidence in the Board of Education of the District of Columbia and in the superintendent of our schools in seeing to it that this bill, if enacted into law, would be properly administered.

I trust that today the House will give approval to the proposal.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RANDOLPH. Mr. Speaker, this completes the legislation to be called up by the District Committee today.

EXTENSION OF REMARKS

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address delivered at Valley Forge yesterday by Hon. D. D. TERRY, dean of the Arkansas delegation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address I made over the N. B. C. Broadcasting Co.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JACOBSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Davenport Democrat of Davenport, Iowa, on the State of Iowa.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a letter from the Farm Security Administration and also to insert in the Appendix of the RECORD a letter from the Federal Works Agency.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the New York World Telegram and a news story from the Washington News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two particulars, including in one an editorial and in the other a letter from a constituent.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under the previous order of the House the gentleman from Kentucky [Mr. ROBSION] is recognized for 20 minutes.

NATIONAL DEFENSE AND THE ISSUE OF PEACE OR WAR

Mr. ROBSION of Kentucky. Mr. Speaker, there are two great, burning issues before the American people today. National preparedness; peace or war. The American people and the Congress are in complete accord that we should be thoroughly prepared on land, sea, and in the air so as to be able to effectively defend this Nation against any nation or nations that may assail us. Every loyal American should be willing to spend every dollar and employ our manpower to the fullest extent to defend, preserve, and protect the United States.

In 14 months, Congress has appropriated and granted contractual authority and authorizations for approximately $45,000,000,000 for the national-defense program. These measures have received practically the unanimous support and votes of the House and Senate.

SHALL WE ENGAGE IN THE EUROPEAN-ASIATIC-AFRICAN WAR?

On this issue there is sharp division among the American people. More than 90 percent of the people in my district, and I believe at least 85 percent of the American people, are opposed to our involvement in this war as an active belligerent. Since the war started, I have received but one letter from my constituency favoring such a step. Many of our people, like myself, favor reasonable aid to Britain on reasonable terms, providing it does not mean the entry of our Nation into that war.

I am very much opposed to such involvement. The polls taken indicate that a 4-to-1 majority of the American people is opposed and, as I see it, an overwhelming majority of the House and Senate is opposed. They begin to realize that such a war would be the costliest, longest, and bloodiest in which this Nation ever took part, resulting in complete bankruptcy of our own country, great dissension and bitterness among our people, greatly lowering the standard of living, the ruin of agriculture, the overburdening of the people of this Nation with taxes, and, in the end, the loss of perhaps all of those priceless liberties that we have enjoyed for more than 150 years.

The United States is not prepared with the necessary physical equipment or by reason of moral and spiritual attitude of the people toward this European-Asiatic-African war. While Congress has appropriated and authorized $9,000,000,000 more than it cost during the first World War, when we had 5,000,000 men under arms and sent an expeditionary force to France of two and one-quarter million men, it is admitted by all those who know that we are unprepared to engage in a foreign war. The charge is being made day by day that not a single division is equipped or trained for war. We have a mere handful of fighting planes and bombers. We would have to travel from 3,000 to 10,000 miles to Europe, Asia, and Africa, and meet hundreds of thoroughly trained divisions with tens of thousands of first-class planes and tanks. We have been building some fighting planes and bombers, but we have been giving a large portion of them away. This Nation could soon become invulnerable both to attack from any nation or nations if we would devote our money, resources, and energies to the building up of a two-ocean navy, with 20,000 first-class fighting planes and bombers, and mechanize and equip a reasonable number of land forces. With such a navy, air force, and army to protect our shores and the Western Hemisphere, we could defy the world.

I consider it my duty as a Member of Congress to provide first for the defense and protection of our own country. I have and I shall continue to follow that course.

THE AMERICAN PEOPLE HAVE LOST FAITH

The American people are not in accord with the foreign war policies of the present administration. They feel that they have been grossly deceived and betrayed by the President and a group of interventionists with which the President has surrounded himself. Both political parties last year, President Roosevelt and Mr. Willkie, their candidates, and each and every candidate for the House and Senate so far as I have been able to learn, made most solemn pledges to the American people that they were opposed to our entry into this bloody foreign war and would not send our boys to fight and die in foreign lands and on foreign seas until and unless we were attacked.

President Roosevelt, in a Nation-wide hook-up radio address to the teamsters'

union in Washington, D. C., September 11, 1940, said:

> I hate war, now more than ever. * * * I stand, with my party * * * on the platform, the wording that was adopted in Chicago less than 2 months ago. It said:
>
> "We will not participate in foreign wars, and we will not send our Army, naval or air forces to fight in foreign lands outside of the Americas, except in case of attack."

The President reinforced this positive pledge of his against intervention in foreign disputes in a speech in a Nation-wide hook-up radio address at Philadelphia on October 23, 1940:

> We are arming ourselves not for any purposes of conquest or intervention in foreign disputes. I repeat again that I stand on the platform of our party: "We will not participate in foreign wars and we will not send our Army, naval or air forces to fight in foreign lands outside of the Americas, except in case of attack."

In order to allay the fears of the voters of America, the President again assured them in a Nation-wide hook-up radio speech at Boston on October 30, 1940, when he said:

> Your boys are not going to be sent into any foreign wars. They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores. The purpose of our defense is defense.

He further said:

> And while I am talking to you fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, and again, and again. Your boys are not going to be sent into any foreign wars.

What about Candidate Willkie? He said in his Nation-wide hook-up speech at Boston October 12, 1940:

> To begin with, we shall not undertake to fight anybody else's war. Our boys shall stay out of European wars. * * * We must build ourselves an air force, an army, and a navy so strong that no dictator will dare to tamper with our freedom. That is the defense program we must have.

This same Wendell L. Willkie further said:

> I have given you my pledge many times over. I will work for peace. We are against sending our boys into any wars other than in the defense of our own country.

President Roosevelt and Mr. Willkie were appealing to the American people for their support when they made these solemn pledges. On December 12, 1940, after the election, Mr. Willkie again delivered himself in which he pointed out that he and President Roosevelt had both pledged the American people that they would not involve this country in a foreign war and would not engage in any war unless this Nation had been attacked. He expressed the hope that President Roosevelt would carry out his promises to the American people.

If there is any Member of the House present today who did not make this same promise in speeches here or in his district or did not write letters to his constituents to that effect, I pause now to give such Member an opportunity to say that he did not. I see no Member responds. Now are we going to keep our pledge to the people?

I have been thoroughly convinced that every step the President has taken has tended to involve us in this second World War. Mr. Willkie is now one of the most vociferous interventionists in the country.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to my friend from Ohio.

Mr. BENDER. Does the gentleman recall also that the distinguished Republican later made the statement publicly that that was mere campaign oratory?

Mr. ROBSION of Kentucky. I was coming to that. When Mr. Willkie appeared before the Senate committee as a witness, he glibly passed over those promises to the American people and said that it was merely campaign oratory.

When Secretary Knox was up for confirmation by the Senate for Secretary of the Navy in 1940, he, too, expressed strong opposition to the involvement of this Nation in this second World War. His statement was then made for the purpose, in my opinion, of deceiving the Senate and the American people.

The fact is that Mr. Roosevelt put Mr. Stimson in as Secretary of War and Mr. Knox as Secretary of the Navy because of their pronounced war leanings. In fact, the President has surrounded himself with interventionists. If we stay out of this war, it will be due to the resolute determination of the Congress and the American people in vigorously opposing the policies of the President, Secretary of the Navy Knox, Secretary of War Stimson, Under Secretary of State Welles, Secretary of the Interior Ickes, Secretary of Agriculture Wickard, Colonel Donovan, the international bankers, and the munition makers of this country. Unless Congress and the American people continue to assert themselves in the most positive way, these officials and these groups and forces will certainly involve us in a shooting, bloody war.

Mr. Knox and other interventionists have been making speeches and saying it is now time to contribute our blood and tears in this war. None of these officials and groups and interests, however, will furnish any of the blood or tears. The fathers and mothers of America and our young men will provide most of the money and the blood and tears. The President's sons have been taken care of. They will not be called to do duty where it is dirty and dangerous.

Is it little wonder that the American people have lost faith in our leaders? It is very remarkable, however, that with all this influence, constant appeals, and propaganda, an overwhelming majority of the Congress has remained steadfast to their promises and 85 percent of the American people have expressed opposition to these policies and this opposition has steadily increased. If we are forced into this war, the first time the American people have an opportunity, they will sweep from power those who have so flagrantly violated their pledges to the fathers and mothers and the boys of our country.

WORLD WAR TECHNIQUE REPEATED

President Roosevelt on August 14, 1936, in commending the Neutrality Act passed in 1935, said that all the wisdom was not to be found in the White House or in the State Department, and that our country needed the meditation, prayer, and positive support of the American people in seeking peace. He called attention to how we were led into the World War in the following language and makes a most significant statement showing how we are being drawn into the present war:

> At this late date, with the wisdom which is so easy after the event and so difficult before the event, we find it possible to trace the tragic series of small decisions which led Europe into the Great War in 1914 and eventually engulfed us and many other nations.
>
> We can keep out of war if those who watch and decide have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war and if, at the same time, they possess the courage to say "no" to those who selfishly or unwisely would let us go to war.

His sage advice was that we could keep out of war if those in authority day by day have the courage to say "no" to those who selfishly or unwisely would lead us into war.

The Crown Prince of Austria-Hungary before 1914 had led some of the forces of his nation into little Serbia and had taken from that country some of its small provinces. Two Serbians, out of resentment, murdered the Crown Prince. Austria-Hungary demanded that Serbia surrender these culprits or punish them for this assassination. Big Russia stepped in and advised little Serbia to refuse this request and began to marshal her big army. Germany backed Austria-Hungary and her demands on little Serbia. France and England joined the side of Russia. A long, costly, and bloody war was on.

Our ambassadors to Great Britain and France and others in authority took sides with France and England. For over 2 years we piled up profits and dividends in furnishing munitions to the Allies. It was supposed to be a war to make the world safe for democracy. It grew out of and was the result of the hates and jealousies of these warring European nations, coupled with a desire for territory, trade, markets, and power. The specious plea to save the world for democracy strongly appealed to the American people. The Allies sent a mission to this country and urged that we redouble our efforts in the war supplies or the battle for democracy would be lost. We furnished increased munitions of war and other supplies. Then they demanded credits or the great struggle for freedom could not survive and the Kaiser and his legions would take over the United States. We furnished the credits—billions of dollars, which have since been repudiated. Then the Allies sent another mission in which they demanded that we must furnish ships and men or all would be lost. We furnished the ships and sent 2,225,000 American boys. The profits and dividends that we had fished out of the blood and tears of Europe's never-ending wars then disappeared. We began to pay through the nose in taxes, sacrifices, blood, and tears. Through this unwise and selfish decision made over a local affair between little Serbia and Austria-

Hungary, on the battlefield and through wounds and disease we lost a million American boys, made hundreds of thousands of widows and orphans, and piled up heavy taxes and a tremendous national debt, and before we are through it is admitted that it will cost us a hundred billion dollars.

It is said that war cost the world at least $240,000,000,000 and the lives of more than 9,000,000 men. Nine million others were disabled by wounds and disease, and 18,000,000 were made widows and orphans. The Allies have since repudiated their debts to us and have even denied us an expression of gratitude. They have insisted all along that we did not save them but merely prolonged the war.

President Roosevelt insisted that in order to prevent our being led into another such war we should pass the Neutrality Act, which made it unlawful for us to send to belligerent nations munitions of war. The President said the time would come when those seeking dividends and profits—fool's gold—would urge us to repeal that act and involve us in another war; but, he continued, "the good, common sense of the American people would decide for peace rather than for war."

After the present World War started a campaign of propaganda was turned loose in this country by those interested in making profits—fool's gold—and those interested in foreign nations, asserting that great quantities of farm products and munitions of war were being piled up on the docks of this country, and if the Neutrality Act were repealed it would make a lot of business and give profits and wages to our people. The President then insisted that his great neutrality-peace act should be repealed, and it was further necessary in order that we be neutral. How in the name of heaven could we be neutral by selling munitions of war to one group of belligerents? He also said that we were dependent upon the British Empire and the British Navy, and if they failed Hitler would be over here in a short time.

The Neutrality Act was repealed through the tremendous force and power of the administration. We had made a decision in favor of profits—fool's gold—and against peace. We decided in favor of fool's gold, but not by my vote.

But it was insisted that we were in no danger, as the bill carried a cash-and-carry provision. England and France would have to come to this country, pay the cash, get the supplies, and take them away in their own vessels. We were again told that this was a fight for democracy; that the battle for freedom would be lost if we did not take part. That was step No. 1.

The President, Secretary Stimson, Secretary Knox, and other strong interventionists began to talk about a universal conscription law. They first had bills introduced to conscript 45,000,000 men and boys. The bill as finally passed conscripted about 17,000,000 and took in about 7,000,000 or 8,000,000 other boys who were over 16 but less than 21, making about 25,000,000 in all. We were again urged that this was necessary, that the battle for democracy would be lost, and that Hitler would be over here and take possession of the Western Hemisphere. The fathers and mothers and the young men of America were assured that this was for the protection of our own country and the Western Hemisphere and that this was just a training period for 1 year and in no event would they be sent out of the United States, our possessions, or the Western Hemisphere—that it was a measure for our own defense. This same assurance was given when the National Guard was called into service, and these provisions were written into the law.

Now the President, Stimson, Knox, and other interventionists are insisting that we repeal that act so that these young men may be held for more than 1 year and be sent to fight in Europe, Asia, Africa, and the seven seas. General Marshall, Chief of Staff of the Army, and others of the administration say they are going to send the men anyhow, whether Congress acts or not.

One of my great objections to the lend-lease bill was that it gave to the President almost unlimited resources and unlimited powers to carry on undeclared wars for or against any country on the earth. The Constitution expressly provides that Congress has the sole power to declare war, to provide a Navy, and to raise and maintain armies. An interventionist in speaking at Atlanta a short time ago declared that Congress was outmoded—that the President and the Army and the Navy chiefs should say when and where and whom our naval and military forces should fight. This is the way in Germany, Italy, and Russia.

Notwithstanding a positive statute forbidding the sending of the National Guard or the draftees out of the Western Hemisphere or the possessions of the United States, the administration is going to send our boys anywhere and everywhere on the face of the globe if they desire to do so. Congress has not declared war yet, and things will have to change very much, in my opinion, before Congress does declare war. The military and naval forces are subject to the civil authorities and to the Congress of the United States. I denounce the action of General Marshall, the President, and Knox as being unwarranted in law and in violation of the Constitution of the United States. As one Member of Congress, I do not propose to sit supinely by, as did the lawmaking bodies of Italy and Germany, and permit these warmad interventionists to take over the power and liberties of the people. I have heretofore voted for every measure that was called for to build up our Army, naval and air defenses for the protection of this country and the Western Hemisphere. No European nation under the Monroe Doctrine has any right or should be permitted to find lodgement on the Western Hemisphere, because it would be a threat to our security. We have voted $45,000,000,000, but even thirty billions would complete a two-ocean navy, tens of thousands of pursuit fighter planes and bombers, and mechanize every unit of the land forces necessary for this country, and these would make our country and the Western Hemisphere impregnable; but if the President and the Knoxes and the Stimsons and others continue in their efforts to lead us into war against the will of the American people, I, for one, shall refuse to vote the money to carry on undeclared wars in the Dutch East Indies, in Singapore, the Red Sea, Africa, and other parts of the eastern continent and the seven seas and the islands thereof.

It has never been claimed that Iceland, 2,500 miles east of New York, has ever been a part of the Western Hemisphere, yet, without the knowledge of Congress, the administration had a force of Americans in Iceland building naval, army, and air bases, and without the knowledge of Congress or the American people, American soldiers, sailors, and marines were landed there. We are right in bed—in the hotbed of war—with the British forces. Yet the President expresses the hope that we can stay out of war.

With all the threats, vocal and otherwise, of the President to induce an attack from Germany, Italy, or Japan, no attack has been made. Is not the President and his administration trying to force an attack? We have gone 2,500 miles in the war zone of Europe to threaten and dare somebody to attack us.

Yes; and it develops that we have American mechanics and technicians building bases in northern Ireland and Scotland, going deeper into the war zone. It is understandable now why Knox said a short time ago that the American people must get ready to pay "in tears and blood." It is said that these bases in northern Ireland and Scotland are being built not only by Americans but with the use of credits and materials provided under the "lend-lease-give-away bill" to Great Britain.

Britain insisted that all that was necessary was for us to repeal our Neutrality Act and she would come here and get our war materials and pay the cash. Later she insisted that the battle for democracy would be lost unless we furnished her at least $7,000,000,000. She would win the war if we provided the tools. We were assured that American ships and American boys would not be required. Later she demanded millions of tons of merchant ships, and then she began to urge that our fleet be used to convoy, and now they are beginning to insist that we must send our Navy and another expeditionary force or she will lose the war.

We are now occupying Iceland and will soon be occupying bases in other parts of the world, and General Marshall says that if Congress does not repeal the law forbidding the sending of American troops out of the Western Hemisphere our boys will be sent to any and every part of the globe anyhow. The President says our ships will stand ready to fight on the seven seas. The same technique and the same, identical steps by which we were beguiled into the first World War. I have never believed and I do not now believe that Hitler will win the war even though our Army, Navy, and air forces are not used. Every mile he marches and every day that passes he is farther from victory.

But have not the President and Churchill agreed that we are to fight a total war?

We are not only to help Great Britain save herself and her Empire with her 430,000,000 of subject people who have refused to fight for her but we are going to Europe and take possession and revamp the map of Europe. They are already taking in our boys under the "lend-lease-give-away act," and how many million will it take of American lives, how many billions of dollars will be required, and who will police Europe, Asia, and Africa and perhaps keep a billion or more people in subjection after the war? The whole thing is fantastic and tragic. It can mean nothing but disaster and ruin for the United States.

I opposed the "lend-lease-give-away bill." I have opposed every measure which in my honest opinion would lead us into that terrible war, and I shall continue to do so.

We are now told by the President that we must fight on every continent and on every sea. Who is to decide that? He is, and he has already decided. He is now talking about taking over Dakar in Africa and Cape Verde and the Azores. Undoubtedly these are no part of the Western Hemisphere. Unless the American people and this Congress rise up, American boys will be fighting and dying on every continent and on every sea, not in defense of this country but to preserve and extend the British Empire. Britain already has a million more square miles in North America than the United States has. She has put her foot down on a million square miles of territory in various parts of the world since this war began, and she never takes her foot off; so if she wins a total war, as "Uncle Sap" has assured her he will help to do, she will have more than one-fourth of the earth's surface and more than one-fourth of the earth's population.

What has the British Empire or the British Navy ever done to save this country? She has never fired one gun or given one life for us. She has fought us several times and we have defeated her, and finally in 1917 and 1918 we saved her. She repudiated her debts, she even denied us gratitude or thanks, and now we are called upon under the President and his leaders to make a greater sacrifice in money, tears, and blood to save her again and extend her possessions and her population.

PAGANISM VERSUS ATHEISM

European wars and quarrels make strange and dangerous bedfellows. In 1917 and 1918 we were in bed with Japan, Italy, Russia, Rumania, France, England, and other countries. France, Finland, and Rumania started out in this war as our friends. Finland, Rumania, France, and some other countries that we helped to secure their liberties in 1917 and 1918 are now marching under the banner of Hitlerism and calling on us and the world to unite under that banner in a holy war against godless Russia, the ally of Britain. We were urged from the beginning to get into the war to save the world for democracy again.

Who is largely responsible for the present World War? Hitler was insisting that Danzig, 97-percent German, should become a part of the German Nation. Danzig had been taken away from Germany in the last World War and put under their enemy, Poland. England and France urged Poland to resist. Hitler hesitated. He did not want Stalin and Russia on his rear flank. Russia had been giving many assurances to France and England that she was their friend. There was consternation in the world one day when the disclosure was made that Hitler and Stalin had entered into a treaty whereby Stalin agreed to stand by while Hitler raped Poland. Stalin, of course, demanded his pound of flesh, and he was given about half of Poland as a bribe. Hitler then felt secure, and he started the war. Hitler never would have attacked Poland but for this treachery and unholy alliance.

Russia was free to rape Estonia, Latvia, and Lithuania. She overran those countries, plundered their people, and put her minions in charge. She was free also to attack little Finland and take a large part of her territory, destroy her cities, and murder tens and tens of thousands of the Finnish people. Russia is still gorged with the loot she got out of this war. Her hands are red with the blood of millions of innocent and defenseless men, women, and children. Must we fight Russia after the war to make her disgorge her loot and free millions she has enslaved?

The President and other interventionists, together with Prime Minister Churchill, of Great Britain, are calling upon the people of the United States for all-out aid to Russia and to join hands with Stalin, the bloodiest, most cruel and ruthless despot that the world has ever known—yes; the God-hating, liberty-hating, America-hating dictator who, with his Communist satellites, has tried to do more to disorganize, disrupt, and destroy this Nation and its institutions than any other man. For nearly 20 years now Communists inspired by Stalin have entered this and every other country for the purpose of creating discord, revolution, and destruction of our Government and have wormed their way into our church, social, political, civic, labor, and other organizations. We have considered communism such a menace that it has been denounced from every pulpit and every platform and by the press of this country. Congress has made repeated investigations to ferret out these enemies to our country. They were sent here by Stalin and his leaders to create discord and terrorism with the ultimate purpose of overthrowing this Government, and this has been their purpose, policy, and practice in every country of the world which has not embraced communism. We have considered communism such a menace to this country that Congress has passed rigid laws which forbid entry into this country from any country of any person who at any time in his or her life has embraced this nefarious policy.

Yes; Stalin and his crowd have destroyed freedom of religion; they have torn down the churches and killed the ministers and priests of God. They have overthrown the home; they have destroyed freedom of the press and freedom of speech and purged their nation of their ablest leaders and generals and all those who believed in private enterprise or had acquired any property.

I am against the Fascists, Nazis, and every other subversive group in this country, but undoubtedly the subversive Communist group has been and is now a greater threat to the security of our country than any other group. Hundreds and hundreds of these Communists have been convicted and ordered deported, but Russia will not receive them. She wants them to stay here.

What would happen to Europe if Stalin should win? It would mean that communism would sweep Europe like a prairie fire. It would be a real threat to our country and every country that has been fighting communism.

I am not pro-Nazi, pro-Fascist, or pro-Communist. I claim only to be pro-American. I know that the international bankers, munitions makers, and some interventionists look with disfavor upon a person who claims to be pro-American. Strange times are come upon us when in order to be a good American one must place some foreign country or countries first.

My sincere hope and prayer is that Stalin and Hitler are so evenly matched and will fight long enough that there may not be a greasy spot left of either of them.

I am not going to send any American mother's or father's son to fight side by side with Stalin to help make the world safe for atheism and communism. We do not have any foreign policy of our own. Britain joined up with Russia and told our President to fall in line, and he fell in line. It is all right for Britain, but why should we do it?

All of this confusion proves the great wisdom of Washington, Jefferson, Madison, Monroe, Lincoln, and other great Americans when they warned us to stay out of the wars and quarrels of Europe. President Roosevelt himself in his annual message to Congress on January 3, 1940, uses the following language in approval of the wise foreign policy of President Washington when he said:

> The first President of the United States warned us against entangling foreign alliances. The present President of the United States subscribes to and follows that precedent.

Strange to say he is now more entangled and more involved in the affairs of foreign nations than was any other American President.

CITIZENSHIP EDUCATIONAL PROGRAM FOR ALIENS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. COLMER). Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BENNETT. Mr. Speaker, $14,000,000 of W. P. A. funds have been allocated by the President to set up a Nation-wide citizenship educational program for aliens to be sponsored by the Immigration and Naturalization Service of the Department of Justice.

In view of the fact that the appropriation for relief in the fiscal year 1942 was reduced to $910,905,000, I believe that every cent of this money should be used for the benefit of our own people. I therefore use this minute to register my objection. I do not approve of any projects that will further reduce the pittance now going to those unfortunate American citizens who are forced to rely upon public employment or public assistance in these trying days. Mr. Speaker, of the more than 5,000,000 aliens in this country it is startling to learn, through a recent news release of the Federal Works Agency, that the median age of our alien population is 48 years as compared with 28 years for the Nation as a whole. More startling, however, is the announcement that more than 15 percent of the aliens are illiterate.

This means, Mr. Speaker, that over 750,000 aliens averaging 48 years of age are unable to write in any language. This is no indictment of the aliens themselves, but rather of our loose immigration laws which permitted the entry of these illiterates into the United States.

Mr. Speaker, I believe the Members will be interested in knowing that of the registered aliens in the United States more than 82 percent reside in 10 of the States. The aliens registered in these States number:

		Percent
New York	1,212,622	25.7
California	526,937	11.1
Pennsylvania	361,475	7.6
Massachusetts	356,028	7.5
Illinois	319,385	6.7
Michigan	290,730	6.1
New Jersey	270,973	5.7
Texas	204,450	4.3
Ohio	196,214	4.1
Connecticut	152,664	3.2

It is significant to note that New York is perhaps the center for propaganda to involve the United States in a shooting war as quickly as possible.

PERMISSION TO ADDRESS THE HOUSE

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent that after the other special orders have been disposed of today I may be permitted to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. LANDIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by myself on July 12.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THILL. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two topics, and in one to include an editorial from the Tacoma News-Tribune and in the other to include an address delivered by Hon. JAMES O'CONNOR, a Member of Congress from Montana.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by President Douglass of American University. I further ask unanimous consent to extend my own remarks in the RECORD and include therein certain newspaper comments.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein certain short excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 5 minutes.

NATIONAL MEDIATION BOARD

Mr. VOORHIS of California. Mr. Speaker, I made a speech some days ago in which I issued a warning that I thought was timely. In that speech I urged that the line of action we are taking in the United States be not altered as a result of events in Europe which flowed largely from the action of the German dictator himself. I said in that speech that I believed that the opposition in America to any attempt on the part of either the Communists, the Nazis, or the Fascists to gain control in or influence over any of our organizations should be resisted just as vigorously as it had been heretofore. I believe it is important for us to think clearly on this subject.

I make this comment because the gentleman from Kentucky in his speech gave me the impression, at any rate, which I have been given a good many times by other Members of the House, that he felt there was really but one serious menace internally in the United States—that is, the menace from Communist agents. I disagree with that. I believe we know far, far more about Communist agents, I believe our resistance to them is much better developed. If anything, the history of the past few years has shown that Communist agents are on the whole less effective than are the agents of the Fascist and Nazi international organizations. I think this was shown in Spain, in Finland, in Norway, in Holland, and in the end in France; in all of which nations both types of agents were at work. My only appeal is that gentlemen of the House be as vigorous in their opposition to one as in their opposition to the other. I am not belittling what I sincerely believe to be a menace to free institutions by Communists. I am only saying we must not concentrate exclusively on that menace and forget the more clever, more deceptive—if that is possible—and better concealed menace of Nazi and Fascist forces.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I am very much opposed to any subversive group.

Mr. VOORHIS of California. Of course, the gentleman is; I know that.

Mr. ROBSION of Kentucky. I want to help bring out legislation to that effect.

Mr. VOORHIS of California. I understand the gentleman is opposed to all subversive activities, and I did not mean in anything I said to imply that he is not.

Mr. ROBSION of Kentucky. I agree entirely with the gentleman that we should spare no means in our power to clean our country of all subversive groups.

Mr. VOORHIS of California. I am deeply concerned because successful Nazi subversive movements, where they exist in various countries, always rode to power on the basis of a bogus anti-Communist appeal, the same as Communists throughout the world will from now on use an anti-Fascist label just as much as they can. It is important for us to remember these things.

WORK OF NATIONAL DEFENSE MEDIATION BOARD

The real purpose for my asking for this time today is to pay a certain tribute to the National Defense Mediation Board. It has to do with two labor situations. The first is the one at the North American aircraft plant, that has been much in the papers and much discussed on the floor. I presume every Member of the House will agree with me that it is a matter of deep concern to every American whenever the Chief Executive is compelled to take the kind of action he took in that situation. I have said publicly before this that I backed his action and felt that he did the only thing he could do under the circumstances. I am positive it is the earnest hope of all Members that this kind of action will never be necessary again.

After that plant was opened, as it was, had it turned out that no adjustment of the justifiable claims of the workers in the plant was made, we would have been confronted then with the situation where it might have been said by people, "The Government opened the plant and broke

this strike, and then the men went back to work without having anything adjusted as it should have been." But that is not the case. The fact of the matter is that through the efforts of the National Mediation Board the company has made an agreement correcting certain things which, in my judgment, were obviously wrong before, adjusting the wage scales and establishing real wage scales which I believe were hardly established before this. So that we can now say that had the process of mediation been used all the way through, the result as far as the correction of wage and other conditions for the men is concerned, would have been precisely as good, and, as a matter of fact, that although the power of Government was used in this instance, it certainly cannot be said that it was abused, but, on the other hand, such influences as could be used by the Mediation Board were used, and the settlement was fair to the men. I am thankful to be able to say, after all that has happened that, though the misled strike failed in its objectives, the process of mediation has succeeded and given the men in that plant the increase in wages which they should have had.

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. The other situation I want to speak about is the situation at Trona, Calif., where a strike has been in progress for a very long time and where I once said on the floor that I agreed with certain statements made by the gentleman from Alabama [Mr. STARNES] to the effect that some of the leadership, at any rate, in that strike was Communist, but that in my opinion it was also true that the labor record of the company was a bad one. I stand by both of those statements but here again, as a result of the efforts of the Mediation Board, the company was brought to agree and did agree to a basis for settlement which, though as I understand it the officials of the union did not accept it, did result later in one of the leaders among the men leading back to work a body of men which I understand now is so great that virtually everybody is back at work, not on the old basis, not without any correction of the situation, but as a result of the efforts of the Mediation Board on the basis of the correction of practically all the complaint and demands that the men made.

All I am making this speech for is to do once again what I have tried to do since this Mediation Board was first established, namely, to bring about a situation insofar as I am able where its work and its efforts will receive the support of every group in this Nation, in order that by the American method of voluntary mediation of disputes we may maintain labor peace, we may achieve full production on the basis of fairness and justice to everybody. We all know that as time goes on adjustment of wages and other conditions of work has got to be made, and that to the extent we urge that strikes shall not take place, to that same extent there devolves upon this agency and upon all of us a very greatly added responsibility for seeing to it that things are fair and just.

[Here the gavel fell.]

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, I regret to see so high-minded, clean, wholesome, and patriotic a man as the gentleman who has just addressed the House so completely deceive himself on the subject as to what constitutes the real threat to our constitutional system of government. I thought the gentleman knew and admitted, as everybody else knows and proclaims, that it is the Communists who are undermining our America, and I want to say to you and to the country that unless the people wake up and take account of what is going on, we are coming out of this stress in which we find ourselves both Communist and mongrelized.

EXTENSION OF REMARKS

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to renew the unanimous consent I had to address the House for 20 minutes this morning and to address the House for that length of time following the remarks of the gentleman from Michigan [Mr. SHAFER].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that on tomorrow at the conclusion of any previous special order I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had

Resolved, That the Secretary be directed to request and return from the House of Representatives the bill (S. 1358) entitled "An act to amend section 1 of the act entitled 'An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes,' approved February 11, 1936."

The message also announced that the Senate had

Resolved, That the Secretary be directed to request the return from the House of Representatives the bill (H. R. 814) entitled "An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil."

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. SHAFER] is recognized for 5 minutes.

Mr. SHAFER of Michigan. Mr. Speaker, Sunday's newspapers carried dispatches concerning an address made in Boston by Col. J. C. Wedgwood, a member of the British Parliament and prominent leader in the British Labor Party. These dispatches quoted Colonel Wedgwood, in part, as follows:

> The trouble with you Americans is you are afraid to assume responsibility. Your President has assumed a large amount of responsibility, it's true, but why haven't you got a sensible Congress?
>
> After all, this is your war, and you are in it up to your necks.

Mr. Speaker, perhaps Colonel Wedgwood is both right and wrong. It may be that this Congress did not exhibit any great amount of common sense when it voted to underwrite Great Britain's war, especially in view of our experience in underwriting the first World War for Great Britain. And, most certainly, we have assumed a responsibility that threatens to bankrupt this Nation both in blood and treasure in passing the lease-lend bill and appropriating billions of dollars for Great Britain's new war.

Mr. Speaker, I should now like to address, from the floor of this House of the Congress, a few observations directly to this distinguished member of another parliamentary body.

Yes, Colonel Wedgwood, this Congress exhibits a lack of good common sense when it permits you and other British politicians to dictate much of the legislation which has passed in recent months. But, do not you think, Colonel Wedgwood, that you are both gravely discourteous and ungrateful in telling the American people that they do not have a sensible Congress?

You, Colonel Wedgwood, are one of the principal cogs in Great Britain's propaganda machine, headed by Lord Halifax. It seems to me you should be more considerate of a Congress which has given you everything for which you have asked. Really, now, do you not think your comments in your Boston speech were a little crude for a cultured Englishman?

About the only sensible thing this Congress has done in the past 8 years was to attempt to keep out of your war; but you and other British politicians whom we have permitted to go marauding over our country have been so successful in "selling your wares"—war and crockery—that many Members of Congress who have heretofore been opposed to war are now ready to "follow the pack." I fear it will not be long now before our youth will be replacing your boys not only in Iceland but on the battlefields of Europe and Africa.

Of course, Colonel Wedgwood, you will go ahead and spread your propaganda. You will say over and over again that this is "our war," but the majority of the people of America will not believe

you. The vast majority of the American people do not want participation in the European mess. As proof of this, let me read a letter I received today from Mr. F. W. Chamberlain, president of the Edward K. Warren Foundation, of Three Oaks, Mich.:

THREE OAKS, MICH., *July 11, 1941.*
HON. PAUL W. SHAFER,
House Office Building, Washington, D. C.

MY DEAR MR. SHAFER: May I submit to you, as I am to the other Congressmen from our State, the result of a poll taken by the Edward K. Warren Foundation. I enclose a ballot. [The ballot was whether or not we should enter the European war.]

The ballots were delivered to every residence in Three Oaks and sent by mail to every home served by rural routes centering in Three Oaks. In the first 4 days, 44 percent of all ballots sent out had been sent back and the votes show a 4.2-percent sentiment in favor of participation in war and a 95.8-percent sentiment against it.

The community is representative of industrial, commercial, and agricultural interests and is, I think, typical of thousands of other communities throughout the Nation.

Very truly yours,
THE EDWARD K. WARREN FOUNDATION,
F. W. CHAMBERLAIN, *President.*

For your information, Colonel Wedgwood, I shall take a poll of my district this week, and I predict that the sentiment against participation in your war will be shown in that poll to be as great as that I have just read. In other words, Colonel Wedgwood, if you were running for office on your war program in the United States today, it would be a safe bet that you could not be elected a fifth assistant dog catcher in any township in America.

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include a short newspaper article.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore made, the Chair recognizes the gentleman from Alabama [Mr. PATRICK] for 20 minutes.

PREPAREDNESS

Mr. PATRICK. Mr. Speaker, it is a wholesome thing to find the Members of this body not so acutely interested in preparedness during past years who now come forward and endeavor to even up their record. I am glad to see the minority leader, the gentleman from Massachusetts [Mr. MARTIN], present here this afternoon. I see, according to the papers last night, he stated—and there is a lot of truth in it—that there is a lag in our defense preparation. He says that our defenses are not what they should be at the present time; and they are not. However, I was so glad to find that the leader of the minority takes a different position from that which he formerly did on this. I decided to look up his record. I found that he addressed the Republican Club on March 26, 1940, and that the gentleman from Pennsylvania [Mr. DITTER] placed his remarks in the RECORD on March 28, 1940. Cautioning against the New Deal national-defense spending, the gentleman from Massachusetts [Mr. MARTIN] took the position that the best defense was in "building up every field of commerce and industry." Of course, there is something that is sound about that also, but it is not what he advocates today. I consulted the index to the proceedings of the entire first session of the Seventy-fifth Congress. There were two whole columns of indices and two part columns credited to the gentleman from Massachusetts, but they failed to reveal one lonesome lead regarding his keen interest in preparation for national defense. He discusses too much spending, regimentation, taxation, and so forth, but one will search in vain for a word regarding lack of preparedness. However, on September 14, 1940, the House, meeting at 11 a. m., on the call of the roll that day, the gentleman from Massachusetts [Mr. MARTIN] did walk up and vote for the draft bill. The vote on that bill was 232 for and 124 against. On that same day he had voted against the Export-Import Bank bill to help support the Western Hemisphere structure, one of the best items in the defense program.

Mr. COX. Will the gentleman yield?

Mr. PATRICK. I do not know how long the gentleman from Georgia will take. The gentleman is one of the finest Members in the House, but when he gets started he can take up so much of another man's time——

Mr. COX. I will ask unanimous consent that the gentleman's time be extended 30 minutes.

Mr. PATRICK. I ask unanimous consent, Mr. Speaker, to extend my time 10 minutes.

The SPEAKER pro tempore (Mr. COLMER). If the gentleman will state a specific time the Chair will be glad to submit the request.

Mr. COX. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes. I will not pursue the inquiry that I started, because the gentleman from Massachusetts [Mr. MARTIN] is here.

Mr. PATRICK. I came here today without any prepared speech. I wanted to hear from the gentleman from Massachusetts [Mr. MARTIN] and get the reaction to the vigorous kind of thinking he has been doing; and help to get as much enthusiasm in that direction as can be inspired. If we can get that—if there is a lag let us get rid of it—and I am not satisfied—I fear we are not turning out as fast as we should. I saw a table recently published in a reputable magazine which indicated that England spent $3,000,000,000 in the 3 months preceding this, in which time with our lease-lend bill we put out only $82,000,000; $82,000,000 is a great deal less than $3,000,000,000. I do not know what our relative obligations are. We are not in a shooting war. They are. I am interested in this phase of the matter and I hope to get discussion on it from the floor. We all do. Secretary Knox received a lot of criticism, but I think he was speaking sincerely, stating that there is now a "heaven-sent opportunity for us to clear the lanes between the United States and England." I do not know how much the strategic move in taking care of Iceland has done in that direction. I do not think it sets well at the counsel tables of Germany, but was an excellent move on our part.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Not right now. I am afraid you might convert me to something or other. So I wonder if there is not a lot of soundness in Secretary Knox's recommendation. Those who object seem to say that we are not prepared to go into a shooting war, and that might mean a shooting war. The last statement I heard from the Secretary of the Navy states that can be handled without shooting. I have not read a satisfactory analysis of exactly how he is going to accomplish that without possible shooting, but even at that now, let us analyze it for a second. This may be our chance to strike while the iron is hot. I believe that the majority of us have reached this conclusion, that since Hitler has declared war on democracy and since, in support of his new order, has asserted that the chaotic management of trade in the world shall be reformed—you know, Hitler says that democracy is out-moded and unworkable and must be discarded—and there is no question that nazi-ism has declared war on democracy and is intending to seize control of the trade—and I do not think there is any question about it being true that it is the arrogant plan of the Axis leaders to break the back of the English Navy and seize control of the trade of this earth—they would not have to send bombers or panzers over here. They would immediately commence to choke us to death at our ports and shipping posts. Our lifeblood is our trade. Stephen Decatur was willing to go into the Mediterranean and fight for the freedom of the seas, but we are getting sort of mollycoddled. Clearing out sea lanes may be just what we should be doing right now.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. PATRICK. Mr. Speaker, I cannot yied to the distinguished gentleman from Mississippi right now.

We may not be prepared for a shooting war, but we are training and preparing a strong Army. We have the greatest and best-equipped Navy on earth. You know Hitler had one thing in mind, or he never would have jumped on his erstwhile friend, Joe Stalin, who enabled him to make this war. If it had not been for the friendship and backing of Stalin, he never would have so successfully began war upon the other little nations of Europe. It was because of this help he was able to get the little nations lined up, so that they could be bowled over one by one. He could not have accomplished it without that backing. Now that he has done it he turns on his old ally. Still he would not have done that if it had not been for his contempt for America. He had sufficient confidence that his "fifth columnists" and the isolationists, noninterventionists, appeasers, and their associates would hold the line here until he got through with Russia that he turned on and attacked Russia. Otherwise he could never have begun it. He assumed that this thing coud be held up from this side

until he could get through there—until he had annexed the wealth of the Ukraine with its oil, its wheat, and its natural resources. We must remember that Germany is a "have not" nation. Russia is a "have" nation. When he gets that reenforcement, which I feel in all likelihood he will, then if he is able to break the back of the English Navy, he will be at us, and there will be no way we can prevent it. Instead of being embraced by two friendly oceans, then we shall be surrounded by hostile seas. Then it is he will commence to work on us at every port—every port of shipment and every port of receipt. He can determine what we shall ship and how we shall ship it. He will order the shipments. That is his program. Now, if we start cleaning up the North Atlantic, can he turn Russia loose and stop us? I have never been very much exercised about his coming over to America and starting his shooting here—running over us as he does those nations in Europe—but I do believe that if he obtains his objectives in Russia and the Ukraine—and there is very grave reason to believe that he will—he can then turn his attention to us, and rest assured he will. He will be right there at our ports and may be able to beat down the fruits of our form of government. This I think is the danger.

Now, with this in mind, why is there not a better comparative state of preparedness for us if we are going to be so active, if this is our war, if it is a second World War, than for us to wait? Why would it not be more to our advantage now to clean the seas between England and America and keep those lanes open? He cannot abandon his Russian campaign to stop us. Then we should have a qnarantine around us so that no matter what happens in Russia we would be in better shape to deal with whatever we should be confronted with. I think this is logical. I am asking it; I am asking it in full sincerity. Why fear Hitler now more than a strengthened Hitler with all our allies gone? We ought to get politics out of it, and I believe we are getting politics out of it.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. RANKIN of Mississippi. I wish the gentleman would clarify a statement he made. The gentleman spoke about Germany attacking democracies. The gentleman, of course, does not regard Russia as a democracy, does he?

Mr. PATRICK. No; Russia is not a democracy. Russia is anything but a democracy. The ideal way to handle the situation between Germany and Russia, according to many, would be just to let those two fight it out, to get behind whichever one of the nations should be winning at the moment, to send no food, no medicine, none of the needs of peace, but to send the losing one all the instruments of destruction we could and let them fight like Kilkenny cats until each destroyed the other. That would be the ideal thing, perhaps.

Nazi-ism, as I see it, offers a real threat to our form of government. Communism does not. As between a fighting dog and a mad dog, I would rather take my chances with the fighting dog, if I had to take a part—and in this case we must take our own part.

We do not of late hear so many people talking of negotiated peace, although Mr. Lindbergh is still running up and down the country asking that we use our good offices to effect a negotiated peace between England and Germany. Russia, till a month ago, has been living under such a negotiated peace, but today we see how worthless is a negotiated peace with Germany.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. RANKIN of Mississippi. I am inclined to agree with the gentleman, that if we could get the British Empire out of this war, save her empire and her navy it might be a good thing for civilization to let Hitler and Stalin fight it out; but I cannot agree with the gentleman that communism is not a threat to our form of government, for, above all things whatever, the Communists have devoted themselves to the destruction of American institutions, the overthrow of our Government, and to the destruction of Christianity throughout the world.

Mr. PATRICK. Oh, yes; that is true, but communism is not in position to do anything. It is not in striking distance. Nazi-ism is.

It is foolish, it seems to me, the lack of logic so patent, when they commence taking the position that because now there is an embattlement between Russia and Germany, England should withdraw. All you would have to do would be to have somebody you do not like agree with your side in one cause and you must fold your tents like the Arabs and as silently steal away. There is no logic in that.

Mr. RANKIN of Mississippi. The gentleman, as I understand it, is not in favor of sending troops to Europe?

Mr. PATRICK. Oh, no.

Mr. RANKIN of Mississippi. To engage in this war?

Mr. PATRICK. No. I did not say anything about that.

Mr. RANKIN of Mississippi. May I say to the gentleman from Alabama that I agree with his statement. I think that Germany has had this country literally filled with "fifth columnists," and I am also convinced beyond all reasonable doubt that Russia has had "fifth columnists" in this country all the time dedicated to the proposition of overthrowing this Government.

Mr. PATRICK. Why, of course; but we learned a long time ago to choose the lesser of two evils. If you were to go to a doctor with an ailment and he should find something else wrong with you, would you not treat the first case even though it was worse than the second? Let us stand to reason and meet propositions as they arise. An ounce of prevention is worth a pound of cure.

If we can clear the seas now, we shall be doing a good thing. You remember how hard it was to get the people to take vaccination when it started? A little pain with it and they said, "This is smallpox." The doctors had a tremendous problem. It is the same here. People fight fire with fire. Some may think you crazy to fight fire with fire, but it works.

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman.

Mr. RANKIN of Mississippi. Let me say to the gentleman that I agree with him on the matter of defense. Ever since General Mitchell sank the *Ostfriesland* in 1922, I have been clamoring for a unified air force and for the strongest air force in the world. May I ask the gentleman if he agrees with me on that subject?

Mr. PATRICK. Does the gentleman mean an air force separate from the Navy and the Army?

Mr. RANKIN of Mississippi. A unified air force separate and distinct from the Army and Navy.

Mr. PATRICK. Yes; I do. I am a member of the Committee on Interstate and Foreign Commerce. I do not think all the members agree, but I agree with the gentleman on that.

Mr. RANKIN of Mississippi. May I say to the gentleman further that if we had followed General Mitchell's advice, we would today be prepared to resist the world, and until we follow his advice I fear we will never be prepared properly to defend America.

Mr. PATRICK. I agree, but, then, let us be consistent. Does not the gentleman agree that we are better prepared comparatively to use what strength we have, including our Navy, than we would be should Hitler get what he has planned? I cannot understand why people are so exercised and so afraid of Hitler now and are not afraid of him with the prospect of the wealth of Russia back of him, the very things he needs now, with the English Navy out of his way, and us—only one-fifth of the population of the world—at his mercy. The dictator nations want our rich fields, our resources, the wealth of this country, with its roads, cities, industries, and busy people. It is the very envy and desire of the dictator nations of the world. If we do not defend it, if we lie around here until we are bound and gagged from the outside, it will be too late. That is one reason I am pleased with the manifestation of interest by the minority leader. Here, we bring the Republicans in, we drag them in on the defense program. Most of the votes against preparedness, the majority of them, were Republican votes.

Mr. MOTT. What preparedness program?

Mr. PATRICK. I started away back when we commenced to improve our Navy—asked for two additional battleships. The gentleman from Pennsylvania introduced an amendment to cut it down to one battleship, and on down the line.

Mr. MARTIN of Massachusetts. Will the gentleman yield?

Mr. PATRICK. In a minute. We had to drag them in by the heels. Now, after we get them in, and when they do finally see it, they turn around and begin to be more exercised and more excited about it than we are. Now they berate us because we did not pull them in stronger and firmer.

Mr. MARTIN of Massachusetts. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman.

Mr. MARTIN of Massachusetts. The gentleman is very good with words. Now, let us get down to the facts. At the time the gentleman from Pennsylvania [Mr. DITTER] offered the motion, the fight was over whether we would spend the money for two battleships or a large air force. That was the battle at that time. We, with the vision that an air force is essential, wanted to spend the money for the air force, because we thought it would give the country greater protection and security.

Mr. PATRICK. The record does not show that.

Mr. MARTIN of Massachusetts. Then the gentleman has not looked up the complete record.

Mr. PATRICK. That is true; I have not been able to look up all records, of course. It takes a long time to do that. You would be surprised how long it took to run these down. I feel still better and I am glad to hear that. I wish the gentleman had given his reasons then, and it would have saved me a lot of trouble looking it up in far away places.

Mr. MARTIN of Massachusetts. Everybody knows it but the gentleman, and he does not want to know it.

Mr. PATRICK. I want to know it now. I am trying to get all the information I can. Who else is running through these records? Why did not you mention airplanes then? Could you not vote for airplanes and battleships, too?

[Here the gavel fell.]

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. The gentleman from Alabama covers a multitude of subjects under the head of national defense. His remarks are interesting and informative. I rise at this time because the gentleman from Alabama has had his attention directed to the subject of a separate air force by our colleague, the gentleman from Mississippi [Mr. RANKIN]. I also appreciate the observation of the distinguished minority leader, the gentleman from Massachusetts, with regard to the situation as it affected the vote on the question of whether money should be spent for battleships or for planes.

A little more than a century ago all of our defense program from the standpoint of preparation for war was under one head. Later it was divided and it was carried under two heads, as we have them now, the Secretary of War and the Secretary of the Navy. Certainly the time has come for the independence of the air forces of the United States. I am terribly sorry that those of us who believe in this development have not yet been accorded a hearing before a committee of the House of Representatives on this subject. We have tried to secure this, but to date have been unsuccessful. I trust that in the near future those who believe in a separate air force will have an opportunity to have measures heard, looking toward that goal.

Mr. PATRICK. I thank the gentleman very kindly. As the gentleman knows, I have agreed with him on that all along. But may I say to the gentleman from Massachusetts that not only I but a great number of us here were not only for the strengthening and reinforcing of the air force, which the gentleman wanted, but we were for the proposed increase in the Navy appropriation, an increase which was made. I cannot see yet why it was thought necessary to cut out battleships as an excuse to reinforce the air strength. You could do that without cutting out battleships. I believe they will now agree that it is a good thing we did go on and it would perhaps have been still better if we had increased the appropriation further, because our source of protection, security, and safety of the Nation now lies probably as much or more with the Navy as anything else. I will be glad when we feel sure we have an adequate Army. We do not have the guns, we do not have the equipment, we do not have the turnout, but we are stepping it up very fast and are ahead of schedule in many respects. I believe the gentleman will concede that there is an earnest, sincere effort on the part of most all our people, and I hope soon it will be absolutely all, to get done all that can be done for our national preparedness, so we can go along in unity, not splitting off this way and that nor anybody trying to pick a row.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Oregon.

Mr. MOTT. The gentleman said something a moment ago which, if not challenged, might be construed as standing on the record as a statement of fact, to the effect that an appreciable number of Republicans voted against any national-defense bill. If the gentleman knows of any bill, authorization, or appropriation, for either the naval defense, the air force, or the Army, against which any Republicans voted, I wish the gentleman would say so now. I have watched them all carefully and I do not recall of a single Republican voting against any of these measures.

Mr. PATRICK. The gentleman is just speaking from his feet now. I suggest that he consult the record. I have been running it down. It is an amazing thing.

Mr. MOTT. If the gentleman has been running it down, let us have the information. Let us put it in the RECORD.

Mr. PATRICK. I did not know the gentleman himself was going to get up. I did not do the gentleman the honor, which I would be glad to do, and which he doubtless deserves, of running down his special record. I did not know the gentleman was going to intervene in the day's discussion. I do say that it will take about 30 minutes to read such a compilation. I will compile what I can get together of the votes on those defense measures. The gentleman will find that his colleagues said, "Whoa, Benny," whenever they started.

Mr. Speaker, I ask unanimous consent that on next Thursday, at the conclusion of the legislative program of the day, I may be permitted to read here the compilation I hope to get up by that time of the votes, Democratic and Republican, on the preparedness legislation that has gone on since 1937.

Mr. RANKIN of Mississippi. How much time does the gentleman want?

Mr. PATRICK. Twenty minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I ask that the gentleman have 30 minutes. I do not believe 20 minutes will be enough.

Mr. PATRICK. All right, I accept that amendment. I ask for 30 minutes, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. PATRICK. I ask the gentleman from Massachusetts, who knows what is coming—he cannot help but know—not to take his boys and run off.

Mr. MARTIN of Massachusetts. We will all be here.

[Here the gavel fell.]

PUERTO RICO

The SPEAKER. The Chair lays before the House a request from the Senate of the United States.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES,
July 14, 1941.

Resolved, That the Secretary be directed to request the return from the House of Representatives the bill (S. 1358) entitled "An act to amend section 1 of the act entitled 'An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes,' approved February 11, 1936."

EDWIN A. HALSEY,
Secretary of the Senate.

The SPEAKER. Without objection, the request of the Senate will be granted.

There was no objection.

DR. GUSTAV WEIL ET AL

The SPEAKER. The Chair lays before the House a further request from the Senate of the United States.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES,
July 14, 1941.

Resolved, That the Secretary be directed to request the return from the House of Representatives the bill (H. R. 814) entitled "An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil."

EDWIN A. HALSEY,
Secretary.

The SPEAKER. Without objection, the request of the Senate will be granted.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HUNTER. Mr. Speaker, many changes have been brought about through the development of our national-defense program. It is a pleasure to call attention to one of the most wholesome results of this program.

The Civil Service Commission has come to a decision, belated I believe, that men and women past 35 or 40 may still be of some use in the general scheme of things.

A year ago, you will recall, middle age was enough to bar both men and women from Federal service. Now 53 years of age seems to be the general ceiling after which a man or woman is too old to work for the Federal Government.

This extension of age limits is a good thing. But they have not been extended enough.

I have in mind one man who walked into my office recently. He is erect, walks with a quick, sure step, and has excellent hearing and sight. He has been a success in a line of work for which the Government has a great deal of use these days.

But he cannot put his experience and training to work because our civil-service regulations say that the age limit for that particular job is 53.

And in our great wisdom we have decreed that just about all Federal jobs, defense and otherwise, must be filled from civil service.

I have in mind, also, a brilliant young man who is a victim of infantile paralysis. There was an opening for which I believed he was very well qualified in the Revenue Department in my home city. But, because he still must use a crutch in walking, he was disqualified, while others much less qualified mentally are working.

I have no quarrel with the principles of civil service. I want this understood. I have supported every possible extension of civil service for Federal employees. I believe thoroughly in the merit system in Government employment. Nor have I any quarrel with our Civil Service Commission. It operates according to regulations which we, the Congress, lay down.

Where I do find fault is in the inflexibility of the system which decrees that our older citizens who are ready, willing, and able to work shall be barred from working for the Federal Government.

I find fault particularly at this time when the Federal Government so badly needs the experience and the skill of some of these older citizens.

I might also say that I find fault with the inflexibility of our civil-service rules which say that the lame, the blind, and the deaf are of no use and cannot be of service to their Government.

We are just a little too concerned with the efficiency of the operation of the Federal retirement system and not enough concerned with the individuals that system bars from useful and needed work.

It is not my intention to hold Henry Ford up to this audience as a shining example of altruism. Most of us are of the opinion that he operates very largely on an efficiency basis in those big Detroit plants of his.

Yet Henry Ford has seen fit to employ in his highly competitive and strenuous manufacturing business, men whom the United States Government would absolutely refuse to consider as possibilities for employment.

A report from the Ford plant, which appeared in the Washington Evening Star on June 26, reveals that Mr. Ford considers there are useful places in industry for men who are crippled, men who are blind, and men who are much past 53 years of age.

Listen to this:

> Approximately one out of every eight of the 90,000 Ford employees is a handicapped man, to whom most doors leading to self-support and self-esteem are shut. The amazing total is 11,824 handicapped men now working in the plant.

And further from this report:

> Nor has the company any age limit for labor. Dozens of men are working at Ford's today who are 75 to 80 years of age. Many of them have not grown old in Ford service but were accepted for work, their age notwithstanding.

And again:

> Fifty-four deaf mutes are among those employed. Twenty-four employees are totally blind. There are 1,200 with one eye and 300 with vision so impaired they could not obtain other employment. There are 80 men either with no arms or only one arm; 200 have crippled arms. Twenty-one have no hands. Twelve men have no legs, and 29 have 1 leg.

Henry Ford, the private manufacturer, in a highly competitive business, can maintain and put into effect a belief that a representative cross-section of all men should be employed.

The great United States Government, which is far from being so competitive and which has a thousand times greater opportunity for providing jobs for the aged and the handicapped, says that all who come to work must be less than 53 years of age and of sound health, which means also good sight and good hearing.

Our social-security law provides for the payment of an old-age pension to those who have reached 65. Twenty dollars a month Federal contribution is to be matched by State funds. Even if this were adequate, which it is not, what are those citizens past 53, but not yet 65, to do?

Right now, we have tied up in committee with no hearing in immediate prospect, a Townsend old-age pension bill which would provide a decent living for the folks over 60 years of age. Even this bill leaves a lapse of years for which we, the Congress of the United States, must make provisions.

As a Government, we say to our citizens: "You are too old to work after you are 53. You are no good on any job the Government has, and the Government has a greater variety of jobs than any private employer."

We chop down the appropriation for W. P. A. and other relief work, where a few of these older people and a few of these physically handicapped have been able to earn a livelihood. But we say none of them can take any of the many jobs now open in our defense work.

Right now, there is beginning to appear a very discouraging aspect of our reduction in W. P. A. operating funds. W. P. A. projects that are surviving the cuts are largely paving and construction jobs. W. P. A. wants strong active men. Out go the older ones and the physically handicapped.

I believe this House should give serious consideration to the crying need for humanizing our Federal employment policy. Because I believe this, I have prepared a resolution providing for the appointment of a committee to investigate all defense employment with a view to determining what work can be done by those past 53 years of ago and those physically handicapped persons who cannot pass civil-service physical tests but who yet are able to render valuable service to their Nation in this emergency.

I believe such a committee could do a great deal toward making W. P. A. unnecessary and make valuable productive citizens out of a great many men and women who are now hopeless of finding worth-while work with which to support themselves.

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a telegram from the national Democratic committeeman of Oklahoma.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent that on tomorrow, after the legislative program and following any previous special order, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTENSION OF REMARKS

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the Tyler Courier Times on Plight of Small Industries.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. RANDOLPH, for 2 days, on account of death in immediate family.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the

House of the following titles, which were thereupon signed by the Speaker:

H. R. 93. An act to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purposes, and for other purposes;

H. R. 439. An act granting a pension to Martha Pace;

H. R. 1094. An act to grant pensions for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes;

H. R. 1268. An act to repeal the provision of law granting a pension to Elizabeth Lively;

H. R. 1577. An act for the relief of Severiana Maria Rodrigues de Caceres, her sister Irene Hernandez de Texada, and the latter's daughter Irene Hernandez de Texada;

H. R. 1618. An act to amend the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes;

H. R. 4158. An act to amend sections 3341, 3351, and 3361 of the Internal Revenue Code and section 309 (a) of the Tariff Act of 1930, and to repeal section 2907 of the Internal Revenue Code;

H. J. Res. 63. Joint resolution requesting the President to proclaim February 11, 1942, as Edison Day, in commemoration of the birthday of Thomas Alva Edison; and

H. J. Res. 173. Joint resolution to amend further the amended joint resolution, approved August 16, 1937 (50 Stat. 668), concerning the importation of articles for exhibition at the New York World's Fair, to permit transfer of liability for duty on articles so imported, and to further amend the amended joint resolution approved May 18, 1937 (50 Stat. 187), concerning the importation of articles for exhibition at the Golden Gate International Exposition, to permit transfer of liability for duty on articles so imported, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On July 12, 1941:

H. J. Res. 194. Joint resolution making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942.

On July 14, 1941:

H. R. 93. An act to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income, and to issue bonds and other obligations of the authority for such purpose, and for other purposes;

H. R. 439. An act granting a pension to Martha Pace;

H. R. 1094. An act to grant pension for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes;

H. R. 1268. An act to repeal the provision of law granting a pension to Elizabeth Lively;

H. R. 1577. An act for the relief of Severiana Maria Rodrigues de Caceres, her sister Irene Hernandez de Texada, and the latter's daughter, Irene Hernandez de Texada;

H. R. 1618. An act to amend the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes;

H. R. 4158. An act to amend sections 3341, 3351, and 3361 of the Internal Revenue Code and section 309 (a) of the Tariff Act of 1930, and to repeal section 2907 of the Internal Revenue Code;

H. R. 4473. An act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes;

H. R. 4823. An act providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat;

H. J. Res. 63. Joint resolution requesting the President to proclaim February 11, 1942, as Edison Day, in commemoration of the birthday of Thomas Alva Edison; and

H. J. Res. 173. Joint resolution to amend further the amended joint resolution, approved August 16, 1937 (50 Stat. 668), concerning the importation of articles for exhibition at the New York World's Fair, to permit transfer of liability for duty on articles so imported, and to further amend the amended joint resolution approved May 18, 1937 (50 Stat. 187), concerning the importation of articles for exhibition at the Golden Gate International Exposition, to permit transfer of liability for duty on articles so imported, and for other purposes.

ADJOURNMENT

Mr. SPENCE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly at 2 o'clock and 3 minutes p. m. the House adjourned until tomorrow, Tuesday, July 15, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing at 10 a. m., on the following bill:

Tuesday, July 15, 1941.

H. R. 3361. To provide that the United States shall aid the States in fish-restoration and management projects, and for other purposes.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 2472, entitled "A bill to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who became disabled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes," and H. R. 3257, entitled "A bill to increase and equalize the pensions of those persons disabled as the result of service in the Army, Navy, Marine Corps, and Coast Guard."

The hearings will be held Tuesday, July 15, 1941, at 10 a. m., in room 247, House Office Building. These hearings were previously scheduled for July 10, but postponed on account of the death of the ranking minority Member, Representative Stephen Bolles, of Wisconsin.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Tuesday, July 15, 1941, for consideration of H. R. 5211.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, July 16, 1941, for the consideration of private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

749. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1942, totaling $1,625,207,668.01 (H. Doc. No. 310); to the Committee on Appropriations and ordered to be printed.

750. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the United States Maritime Commission in the amount of $698,650,000 and request for additional contract authorization in the amount of $1,296,650,000, of which $296,650,000 is provided for in the estimate (H. Doc. No. 311); to the Committee on Appropriations and ordered to be printed.

751. A letter from the Secretary of the Interior, transmitting a final report on the adjustment and liquidation of war minerals relief claims; to the Committee on Mines and Mining.

752. A letter from the Archivist of the United States, transmitting a recommendation for disposition of a list of papers by the Department of State; to the Committee on the Disposition of Executive Papers.

753. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Social Security Board; to the Committee on the Disposition of Executive Papers.

754. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of motion-picture film by the Office of Emergency Management; to the Committee on the Disposition of Executive Papers.

755. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Social Security Board, Federal Security Agency; to the Committee on the Disposition of Executive Papers.

756. A letter from the Archivist of the United States, transmitting recommendation for the disposition of a list of papers by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

757. A letter from the Archivist of the United States, transmitting recommendation for the disposition of a list of papers by the Department of State; to the Committee on the Disposition of Executive Papers.

758. A letter from the Archivist of the United States, transmitting recommendation for the disposition of a list of papers by the United States marshal for the district of northern Iowa, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

759. A letter from the Archivist of the United States, transmitting recommendation for the disposition of a list of papers by the Department of War; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 5253. A bill authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes; without amendment (Rept. No. 934). Referred to the Committee

of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 4386. A bill to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes; without amendment (Rept. No. 935). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. S. 1261. An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes; with amendment (Rept. No. 936). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 3014. A bill to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes; without amendment (Rept. No. 937). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 2320. A bill to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes; with amendment (Rept. No. 938). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 4932. A bill authorizing the conveyance of certain lands to the town of Kemmerer, Wyo.; with amendment (Rept. No. 939). Referred to the Committee of the Whole House on the state of the Union.

Mr. SECREST: Committeee on the Library. House Joint Resolution 195. Joint resolution providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; without amendment (Rept. No. 940). Referred to the House Calendar.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 3488. A bill to provide that assistant or deputy heads of certain bureaus in the Department of the Interior shall be appointed under the civil-service laws, and for other purposes; without amendment (Rept. No. 941). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANGELL: Committee on Rivers and Harbors. H. R. 4835. A bill to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.; with amendment (Rept. No. 942). Referred to the House Calendar.

Mr. RAMSPECK: Committee on the Civil Service. S. 881. An act to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act; without amendment (Rept. No. 944). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. S. 505. An act making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States; with amendment (Rept. No. 945). Referred to the Committee of the Whole House on the state of the Union.

Mr. SECREST: Committee on the Library. House Concurrent Resolution 38. Concurrent resolution to amend House Concurrent Resolution 32, Seventy-sixth Congress, first session; with amendment (Rept. No. 946). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WINTER: Committee on Claims. H. R. 1511. A bill for the relief of Anthony O'Hara; with amendment (Rept. No. 943). Referred to the Committee of the Whole House.

Mr. MACIEJEWSKI: Committee on Immigration and Naturalization. H. R. 2697. A bill for the relief of Fisil Rosenberg, his wife Sofie, his daughter Jenny, and his son Jacques; with amendment (Rept. No. 947). Referred to the Committee of the Whole House.

Mr. WILLIAM T. PHEIFFER: Committee on Immigration and Naturalization. H. R. 4584. A bill for the relief of Ladislas Frank; without amendment (Rept. No. 948). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 2698. A bill for the relief of M. L. Leopold Rosenberg and his wife Lisa; without amendment (Rept. No. 949). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WICKERSHAM:

H. R. 5298. A bill to amend Public Law No. 74 of the Seventy-seventh Congress relating to wheat marketing quotas under the Agricultural Adjustment Act of 1938 as amended; to the Committee on Agriculture.

By Mr. HOBBS:

H. R. 5299. A bill to provide for the adjustment of certain claims against the United States and to confer jurisdiction in respect thereto on the Ccurt of Claims and the district courts of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. FULMER:

H. R. 5300. A bill to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. LEAVY:

H. R. 5301. A bill to authorize the revision of the boundaries of the Colville National Forest, in the State of Washington; to the Committee on the Public Lands.

H. R. 5302. A bill to authorize the Secretary of Agriculture to cooperate with State and local agencies in carrying out operations against plant and animal diseases and noxious insects and other pests affecting agriculture; to the Committee on Agriculture.

By Mr. McGREGOR:

H. R. 5303. A bill to provide that the feeding of wheat to poultry or livestock shall not constitute marketing of such wheat for the purpose of marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. WICKERSHAM:

H. R. 5304. A bill to amend Public Law No. 74 of the Seventy-seventh Congress relating to wheat marketing quotas under the Agricultural Adjustment Act of 1938 as amended; to the Committee on Agriculture.

By Mr. RANKIN of Mississippi:

H. R. 5305. A bill authorizing the Administrator of Veterans' Affairs to grant easements in certain lands to the town of Bedford, Mass., for road-widening purposes; to the Committee on World War Veterans' Legislation.

By Mr. RANDOLPH:

H. R. 5306. A bill to amend the District of Columbia Alley Dwelling Act; to the Committee on the District of Columbia.

H. R. 5307. A bill increasing motor vehicle fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1949; to the Committee on the District of Columbia.

H. R. 5308. A bill to provide for special assessments for the laying of curbs and gutters; to the Committee on the District of Columbia.

By Mr. SPRINGER:

H. R. 5309. A bill to restore the penalty on excess marketings of wheat under the Agricultural Adjustment Act of 1938, as amended, to 15 cents per bushel, as is provided in the original act; to the Committee on Agriculture.

H. R. 5310. A bill to amend Public Law No. 74 of the Seventy-seventh Congress relating to wheat marketing quotas and penalties thereunder as provided by the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. STEFAN:

H. R. 5311. A bill to provide uniform loan rates for corn and wheat at certain points on the Missouri River; to the Committee on Agriculture.

By Mr. VINSON of Georgia:

H. R. 5312. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. WEISS:

H. R. 5313. A bill to discharge the liability of certain persons in military service from Federal income taxes; to the Committee on Ways and Means.

H. R. 5314. A bill to amend the Railway Labor Act so as to extend the provisions thereof to motor carriers of passengers and property; to the Committee on Interstate and Foreign Commerce.

By Mr. HOBBS:

H. J. Res. 212. Joint resolution to provide for the printing of the speeches and writings of Edmund Burke, as a House document; to the Committee on the Library.

By Mr. MOSER:

H. J. Res. 213. Joint resolution authorizing the Director of the Census to furnish certain information for national-defense purposes; to the Committee on the Census.

By Mr. CARTWRIGHT:

H. Res. 270. Resolution providing for the consideration of H. R. 5110, a bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended, and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; to the Committee on Rules.

By Mr. VINSON of Georgia:

H. Res. 271. Resolution providing for the consideration of H. R. 5256, authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes; to the Committee on Rules.

By Mr. BEITER:

H. Res. 272. Resolution to create a select committee to investigate and determine the advisability of creating an executive department in the Government to be called the Department of Air Power; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Miss RANKIN of Montana:

H. R. 5315. A bill granting compensation to Joseph C. Eastland; to the Committee on Claims.

H. R. 5316. A bill for the relief of Dorothy Duncan Krecklow; to the Committee on Claims.

H. R. 5317. A bill for the relief of Mrs. Jessie A. Beechwood; to the Committee on Claims.

H. R. 5318. A bill for the relief of Bessie Walden; to the Committee on Indian Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1644. By Mr. CARTER: Resolution of the Senate of the State of California, protesting against the enactment of legislation prohibiting the filing of separate income-tax returns of husbands and wives in reference to community income; to the Committee on Ways and Means.

1645. By Mr. KEOGH: Petition of the New York Electrotypers' Union, No. 100, New York and vicinity, of the I. S. and E. U., concerning the proposed tax on beer; to the Committee on Ways and Means.

1646. By Mr. JOSEPH L. PFEIFER: Petition of the New York State Council of Brewery and Soft Drink Workers, Utica, N. Y., protesting against tax on soft drinks; to the Committee on Ways and Means.

1647. Also, petition of the New York State Motor Bus Association, Inc., Buffalo, N. Y., protesting against the Wolcott bill (H. R. 4077); to the Committee on the District of Columbia.

1648. By Mr. ROLPH: Senate Joint Resolution No. 27 of the State of California, relative to the investigation by Joint Committee on Water Problems of water service from Shasta Reservoir to the area lying south of the Pit River and memorializing Congress to investigate and make provision for serving water to this land; to the Committee on Flood Control.

SENATE

TUESDAY, JULY 15, 1941

(Legislative day of Monday, July 14, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O, God, our Heavenly Father, who didst make man in Thine own image, dignifying him with the will to forsake Thee, that of his own volition he might love Thee: In this dark era, when all that Thou hast taught us to hold sacred is being assailed by forces which outrage the inherent dignity of human personality, we beseech Thee, mercifully with Thy favor, to look upon the people of America, that they may eschew all evil and turn to Thee. Though of diverse origins, cultures, and spiritual allegiances, grant that they may be unified in their love for Thee, and, in full loyalty to their individual convictions, work and pray for the establishment of a world order in which the Spirit of Christ shall reign.

To this end, O Lord, we invoke Thine especial blessing upon the President of the United States, the Vice President, the Members of the Congress, the Judiciary, and all who are engaged in the government of our Nation. Grant them special gifts of wisdom and understanding, of counsel and strength; that, upholding what is right and following what is true, they may ever obey Thy Holy Will and lead us in the fulfillment of Thy divine purpose. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, July 14, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on July 14, 1941, the President had approved and signed the following acts:

S. 198. An act to authorize the Secretary of War to exchange certain land located within the Fort Missoula Military Reservation, Mont., for certain land owned by the Missoula Chamber of Commerce, of Missoula, Mont.;

S. 207. An act to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States;

S. 961. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 1147. An act to revive and reenact the act entitled "An act authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa," approved August 7, 1939;

S. 1226. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.; and

S. 1488. An act to amend an act entitled "An act authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1047. An act to amend an act of Congress entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928;

H. R. 4077. An act to amend the District of Columbia License Act so as to permit sightseeing operations in the District of Columbia, without procurement of a license or payment of a tax, in the case of certain vehicles performing such operations in connection with transportation of persons to the District of Columbia;

H. R. 4837. An act to safeguard the confidential nature of Board of Public Welfare of the District of Columbia case records in all types of relief cases, and for other purposes;

H. R. 4582. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia;

H. R. 4865. An act to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the recorder of deeds of the District of Columbia;

H. R. 5202. An act to create an Industrial Accident Prevention Board, to foster, promote, and develop the safety of wage earners of the District of Columbia; to define its powers and duties, and for other purposes; and

H. R. 5075. An act to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes.

NOTICE OF HEARING ON NOMINATION OF MATTHEW F McGUIRE

Mr. CONNALLY. Mr. President, the Committee on the Judiciary has a rule requiring that in the case of a judicial nomination the committee must accord a hearing and shall give notice at least a week prior to the hearing.

As chairman of the subcommittee of the Committee on the Judiciary I am required, under the rules, to make the announcement on the floor of the Senate and to put the notice in the CONGRESSIONAL RECORD. So I now formally and legally announce that on Thursday, July 24, at 10 a. m., the subcommittee to which was referred the nomination of Mr. Matthew F. McGuire to be associate justice of the District Court of the United States for the District of Columbia, vice Hon. Peyton Gordon, retired, will hold a hearing in the room of the Judiciary Committee, and all men who desire may there appear and show cause why he should not be confirmed, if they so wish.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

DISPOSITION OF EXECUTIVE PAPERS

Letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of State, War, Justice, and the Interior (2), Office for Emergency Management, Social Security Board (2), and Federal Security Agency which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with the accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President and referred as indicated:

Petitions of several citizens of the United States, praying that the United States keep out of war; to the Committee on Foreign Relations.

The petition of Mrs. Nick Fetch, of Hazen, N. Dak., praying for peace and that the United States keep out of foreign war; to the Committee on Foreign Relations.

A letter in the nature of a petition from Pvt. Edwin H. Company, Battery B, Sixth Coast Artillery Training Battalion, Fort Eustis, Va., a draft selectee, praying that he be deferred from further service in the Army under the Selective Service Act on account of his age and for other reasons; to the Committee on Military Affairs.

A petition of sundry citizens of Bayard, Nebr., praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

A petition of sundry citizens of Goodland, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

SALE OF ALCOHOLIC BEVERAGES AND PREVENTION OF VICE IN VICINITY OF MILITARY CAMPS—PETITIONS FROM VERMONT

Mr. AUSTIN. Mr. President, I present and ask to have noted in the RECORD certain petitions relating to Senate bill 860, which is now on the Senate Calendar, and also House bill 2475, which has passed both Houses of Congress. One of the petitions is from the Woman's Christian Temperance Union, of Plainfield, Vt.; one of them is from the pastor, members, and attendants of the Wilmington, Vt., Baptist Church; several of them are from citizens of different cities and towns in Vermont, addressed to Members of the Senate and House of Representatives of the Congress of the United States; one of them is addressed to each United States Senator from Vermont; and one of them is in the form of a resolution addressed to me.

The VICE PRESIDENT. Without objection, the petitions will be received, noted in the RECORD, and lie on the table.

The petitions, etc., presented by Mr. AUSTIN are from sundry citizens and organizations, all in the State of Vermont, and pray for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; or the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHWARTZ, from the Committee on Pensions:

S. 415. A bill to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become disabled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes; with an amendment (Rept. No. 558) thereon.

By Mr. WALSH, from the Committee on Naval Affairs:

S. 1727. A bill authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes, without amendment (Rept. No. 559).

UNVEILING OF STATUE OF HUEY P. LONG—PRINTING OF PROCEEDINGS

Mr. HAYDEN. Mr. President, from the Committee on Printing I report favorably the concurrent resolution (S. Con. Res. 11), submitted by the Senator from Louisiana [Mr. OVERTON], for himself and his colleague the junior Senator from Louisiana [Mr. ELLENDER] on May 9, 1941, and I ask unanimous consent for its present consideration.

There being no objection, the concurrent resolution (S. Con. Res. 11) was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed, with illustrations, and bound in such form and style as may be directed by the Joint Committee on Printing, 5,900 copies of the proceedings held in connection with the unveiling of the statue of former Senator Huey P. Long in Statuary Hall, Capitol Building, Washington, D. C., on April 25, 1941, together with such other matter as may be relevant thereto, of which 1,250 copies shall be for the use of the Senate, 3,750 copies for the use of the House of Representatives, and 900 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Louisiana.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

PRINTING OF MONOGRAPHS BY SPECIAL COMMITTEE TO STUDY THE PROBLEMS OF SMALL BUSINESS

Mr. HAYDEN. Mr. President, from the Committee on Printing I report favorably the resolution (S. Res. 139), submitted by me for the Senator from Montana [Mr. MURRAY] on the 30th of June last, and I ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 139) was considered and agreed to, as follows:

Resolved, That in accordance with paragraph 3, of section 2, of the Printing Act approved March 1, 1907, the special committee who are directed by Senate Resolution 298 (agreed to October 8, 1940) to study and survey by means of research all of the problems of American small business enterprises and to obtain all facts possible in relation thereto which would not only be of public interest but would aid the Congress in enacting remedial legislation be, and is hereby, empowered to procure the printing of not to exceed 10,000 additional copies of each monograph published by said committee.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LUCAS:

S. 1747. A bill to provide for the reimbursement of Will County, Ill., and other taxing bodies in such county, for the loss of taxes on certain property by reason of the acquisition of property in such county by the United States for the establishment and maintenance of a munitions plant; to the Committee on Claims.

By Mr. SMATHERS:

S. 1748. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Bolinross Chemical Co., Inc.; to the Committee on Claims.

By Mr. McCARRAN:

S. 1749. A bill to promote the national defense and preparedness through the creation of a vast reservoir of potential airplane pilots and mechanics, and for other purposes; to the Committee on Education and Labor.

By Mr. NYE:

S. 1750. A bill for the relief of Neil Nicolson; to the Committee on Claims.

S. 1751. A bill conferring jurisdiction upon the United States District Court for the District of North Dakota to hear, determine, and render judgments upon the claims of certain bands of Sioux Indians and certain individual Indians thereof; to the Committee on Indian Affairs.

By Mr. CHAVEZ:

S. 1752. A bill to exempt certain Indians and Indian tribes from the provisions of the act of June 18, 1934 (48 Stat. 984), as amended; to the Committee on Indian Affairs.

By Mr. STEWART (for Mr. McKELLAR):

S. 1753. A bill granting a pension to Leona McCrary; to the Committee on Pensions.

By Mr. CONNALLY:

S. 1754. A bill to amend the Social Security Act by providing special Federal aid to certain States, and for other purposes; to the Committee on Finance.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

H. R. 1047. An act to amend an act of Congress entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928;

H. R. 4077. An act to amend the District of Columbia License Act so as to permit sightseeing operations in the District of Columbia, without procurement of a license or payment of a tax, in the case of certain vehicles performing such operations in connection with transportation of persons to the District of Columbia;

H. R. 4837. An act to safeguard the confidential nature of Board of Public Welfare of the District of Columbia case records in all types of relief cases, and for other purposes;

H. R. 4582. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia;

H. R. 4865. An act to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the recorder of deeds of the District of Columbia;

H. R. 5202. An act to create an Industrial Accident Prevention Board, to foster, promote, and develop the safety of wage earners of the District of Columbia; to define its powers and duties, and for other purposes; and

H. R. 5075. An act to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes.

RETENTION IN ACTIVE SERVICE OF MEMBERS AND UNITS OF THE RESERVES—AMENDMENT

Mr. ANDREWS submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 93) to further provide for the strengthening of the national defense by authorizing the retention in active military service of members and units of the Reserve components of the Army of the United States, and for other purposes, which was referred to the Committee on Military Affairs and ordered to be printed.

ADDRESS BY SECRETARY ICKES ON FRANCE FOREVER

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD an address delivered by Hon. Harold L. Ickes, Secretary of the Interior, in New York City on July 14 on the subject France Forever, which appears in the Appendix.]

ADDRESS BY JOSEPH C. BUCH BEFORE SEVENTY-SEVENTH ANNUAL CONVENTION OF BENEVOLENT AND PROTECTIVE ORDER OF ELKS

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a radio address delivered by Joseph C. Buch before the seventy-seventh annual convention of the Grand Lodge of the Benevolent and Protective Order of Elks at Philadelphia, Pa., on July 14, 1941, which appears in the Appendix.]

THE LATE GOV. A. B. WHITE, OF WEST VIRGINIA—ARTICLE BY CHARLES B. SMITH

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an article by Charles Brooks Smith relative to the late Albert Blakeslee White, former Governor of West Virginia, published in the Fairmont (W. Va.) Times, which appears in the Appendix.]

EDITORIAL FROM THE WHEELING INTELLIGENCER ON WAR POLLS AND REALISM

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an editorial entitled "War Polls and Realism," published in the Wheeling Intelligencer of July 8, 1941, which appears in the Appendix.]

TRIBUTE TO NELSON ROCKEFELLER BY DAVID LAWRENCE

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article by David Lawrence with respect to the work being performed by Nelson Rockefeller respecting relations with South America, which appears in the Appendix.]

ARTICLE BY C. J. CORMIER ON WORLD WAR VETERANS OF THE UNITED STATES MERCHANT MARINE

[Mr. WALSH asked and obtained leave to have printed in the RECORD an article by Clarence J. Cormier, charter member of the World War Veterans of the United States Merchant Marine, 1917–18, entitled "World War Veterans of the United States Merchant Marine—The History of the American Merchant Marine Recruiting Service During the World War of 1917–18," which appears in the Appendix.]

PETROLEUM PIPE LINES

Mr. STEWART. Mr. President, I ask that the Senate now proceed to the consideration of House bill 4816, the so-called pipe-line bill, which was made the unfinished business yesterday.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate proceeded to consider the bill (H. R. 4816) to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce, which had been reported from the Committee on Interstate Commerce with an amendment.

The VICE PRESIDENT. The amendment reported by the committee will be stated.

The amendment was, on page 5, in section 9, at the beginning of line 25, to strike out "or 6" and insert "6 or 8", so as to make the section read:

SEC. 9. After June 30, 1943, neither the President, any department or agency of the Government, nor any person shall exercise any of the powers conferred by section 2, 3, 4, 6, or 8 of this act; and in no case shall any pipe line constructed, extended, or completed under authority of section 4 be operated or maintained by or under the direction or control of the President or any department or agency of the Government after the expiration of 1 year after the termination of the unlimited national emergency proclaimed in the proclamation issued by the President of the United States on May 27, 1941.

Mr. BARKLEY. Mr. President, that amendment has been brought to my attention by a number of persons who are interested in this proposed legislation. It seems that as the amendment is now reported in the bill it does not carry out really the intention of the committee or of the Interstate Commerce Commission, which suggested an amendment in regard to it.

I will say frankly that I talked this morning with Mr. Eastman, Chairman of the Interstate Commerce Commission; and if the Senator will examine the letter of Mr. Eastman to the Senator from Montana [Mr. WHEELER], he will note Mr. Eastman's statement that the only provision of the bill in which the Interstate Commerce Commission is interested is subsection (b) of section 8. When in section 9 all of section 8 is added to sections 2, 3, 4, and 6, I think that it is proposed to do what neither the committee nor the Interstate Commerce Commission desired to have done. It has been suggested that, instead of putting in all of section 8 along with sections 2, 3, 4, and 6, only subsection (b) of section 8, which relates to the power of the Interstate Commerce Commission to fix rates and things of that sort after the expiration of the period fixed in the bill as well as during that period, be included. Is that the Senator's understanding?

Mr. STEWART. Yes. The letter to which the Senator refers is set out in the report which was filed yesterday.

Mr. BARKLEY. Chairman Eastman also advised me that late yesterday he sent to the Senator from Montana, chairman of the committee, another letter clarifying that situation. The second letter is not in the report.

Mr. STEWART. Yes; I am sure the Senator correctly states the fact. I have not seen the other letter; I have heard that such a letter was sent. With respect to my own attitude on this amendment, I will say that I did not favor it, but the committee reported it; and, of course, as I understand the situation, I have no right to make any agreement concerning withdrawal of the amendment or to recommend its rejection.

Mr. BARKLEY. If the Senator will bear with me for a moment, section 8 contains two subsections. Subsection (a) provides:

Any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, shall be constructed, extended, or completed, and operated and maintained, subject to such terms and conditions as the President may prescribe as necessary for national-defense purposes.

Mr. STEWART. That is subsection (a).

Mr. BARKLEY. That is subsection (a) of section 8. The letter of the Chairman of the Interstate Commerce Commission on its face shows that he was not interested in that subsection, and the Commission was not interested in it, and the legislative committee of the Commission were not interested in it, because, if the Senator will read the letter of Chairman Eastman, dated the 25th of June, he will find that he refers specifically to section 8, subsection (b). He says:

The only provision of the bill which directly concerns the Interstate Commerce Commission is section 8 (b), reading as follows.

That is the part of section 8, as I understand, to which he wanted the amendment in section 9 to apply; so that if section 9, as amended by the committee, applies to all of section 8, it is not in compliance with the recommendation of the Commission. I understood from conversation with Chairman Eastman this morning that he had sent a letter to the chairman of the committee setting out that fact; and I am trying to clear it up, so that the amendment will not contain more than the Commission or the committee of the Senate intended.

I suggest that if this amendment is to be retained, it be amended to read, in lines 24 and 25 of page 5:

Nor any person shall exercise any of the powers conferred by sections 2, 3, 4, 6, or subsection (b) of section 8 of this act.

Mr. STEWART. The line to which the Senator refers is at the bottom of page 5, in section 9 of the bill as it lies on the desks of Senators. As I said a moment ago, I feel that I am bound by the committee amendment, even though I did not originally favor it.

Mr. BARKLEY. Frankly, I personally do not see any need at all for the amendment, for this reason: Subsection (b), referred to, provides as follows:

Nothing in this act shall operate to relieve any person operating any pipe line from any duty or liability to which such person may be subject under the provisions of the Interstate Commerce Act, including all acts amendatory thereof or supplemental thereto, or the Natural Gas Act, except that the President is authorized to relieve any person operating any pipe line with respect to which an advance is made or the right of eminent domain is exercised under authority of this act from any duty or liability under either of such acts to such extent as he may deem advisable for national-defense purposes.

Obviously the power to relieve any person of any of these things for national-defense purposes operates only during the period up to June 1943.

Mr. STEWART. That is correct.

Mr. BARKLEY. And, of course, after that, or unless the President lifts some of these requirements before that time, nothing in the bill relieves the Interstate Commerce Commission of the obligation and responsibility of fixing rates, charges, and practices. So, frankly, I do not see the need even for including the exception

under subsection (b) of section 8; but, if the amendment is to be adopted, it certainly ought not to refer to subsection (a).

Mr. STEWART. I will say to the Senator that I am advised that one reason for the provisions of subsection (b) being put in the original draft of the bill—and that is exactly as it was when it came over here from the House—was that it was thought perhaps it would be a means by which the provisions of the Elkins Act could be avoided. The purpose of the bill, of course, is to authorize the construction of pipe lines, one of which is contemplated to be constructed all the way from the eastern part of the State of Texas perhaps to a point in New Jersey. That would be a large pipe line and would carry a large amount of oil or gasoline. It would be a line which it would be impossible for any single company to construct with its own funds, and it would be a practical impossibility for any private oil company in the country to supply oil in sufficient quantity to keep the oil moving in such a pipe line. Therefore it would be necessary that a number of oil companies combine not only for the purpose of furnishing funds with which to build the line but for the purpose of supplying the line with oil constantly and regularly. So it was thought that the provisions of the Elkins Act, which would probably prohibit that, could be avoided by the provisions of this section, and that is the reason for the amendment.

I do not see anything to be gained by the Senator's suggestion, however, if the amendment should apply, perhaps, to the whole of section 8. The evil of the amendment as it stands would not be corrected by the Senator's suggestion that it apply only to subsection (b), because the provisions of the Elkins Act would still apply, and it would prevent a combination of companies from building a pipe line. That is my understanding. As I say, I was not very sympathetic toward the amendment, but under the circumstances I feel that I am bound to support it.

Mr. BARKLEY. Frankly, I am not very sympathetic toward it, either. Personally I feel that the amendment in any form is unnecessary, because during the period from the enactment of this legislation to June 30, 1943, the bill provides in sections 2, 3, 4, and 6 how the pipe lines may be constructed. In the first place, the President must issue a proclamation under section 2 that the pipe line is needed for purposes of national defense. Then, under the other sections—3, 4, and 6—private capital may construct the pipe line; or, if private capital is unable to do it, loans or advances may be made to private interests; or, on the failure of both, then the Government may do it.

Mr. STEWART. I should like, however, in that connection, to call to the Senator's attention the President's letter, which is set out on page 2 of the public printed hearings of the House committee—a letter addressed to Mr. LEA, the chairman of the committee of the House—in which the President had this to say with respect to the building of the line by a private agency:

> It is in the interest of national defense to augment currently these facilities, especially if this can be done by private agencies without extra cost to the Government.

That is an excerpt from the President's letter with respect to the construction of pipe lines by private companies. So I see nothing to be gained by the amendment the Senator suggests. We should either adopt the amendment in its entirety or not adopt it at all.

Mr. BARKLEY. I merely was calling attention to the fact that the amendment as recommended by the committee was not in line with the suggestion made by the Chairman of the Interstate Commerce Commission, because he stated in his letter that the only part of the bill in which the Commission had any interest was subsection (b) of section 8; and frankly, I do not see anything in that subsection which in any way interferes with the jurisdiction of the Interstate Commerce Commission.

Mr. STEWART. The Senator, then, is not suggesting the substitution?

Mr. BARKLEY. Not at all. I am opposed to the amendment as reported by the committee.

Mr. STEWART. I misunderstood the Senator.

Mr. BARKLEY. And I am opposed to it with the suggested modification; but my point was, if it is to be adopted at all, that it certainly ought not to apply to subsection (a) of section 8.

Subsection (b) provides merely that—

> Nothing in this act shall operate to relieve any person operating any pipe line, from any duty or liability to which such person may be subject under the provisions of the Interstate Commerce Act, including all acts amendatory thereof or supplemental thereto, or the Natural Gas Act, except that the President is authorized to relieve any person operating any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, from any duty or liability under either of such acts to such extent as he may deem advisable for national-defense purposes.

That is all right. I am for that, and the Interstate Commerce Commission makes no objection to that; but to transpose the provisions of that subsection down into section 9, and say that after June 30, 1943, neither the President, any department or agency of the Government, nor any person shall exercise any of the powers conferred by sections 2, 3, 4, 6, or 8 of this act, might mean that it would not be possible even to operate subsequent to 1943, the lines which are to be constructed between now and that date, if the provisions of subsection (b) are included as a part of the entire section 8. That is the point I wish to make. For that reason I do not think the amendment is at all necessary, and I hope it will be rejected.

Mr. STEWART. That is the only amendment which was made by the committee, as the Senator knows.

Mr. GILLETTE. Mr. President, will the Senator yield to me?

Mr. STEWART. I yield.

Mr. GILLETTE. In connection with the presentation just made by the majority leader, it seems to me that the time limitation is absolutely essential as to both subsection (a) and subsection (b) of section 8. Otherwise, there is no limitation whatever to the exercise of the power of the President to supervise and extend the operation of these lines beyond that time limit, under such terms and conditions as he may lay down, and to relieve the operators from the provisions of the Elkins Act. The effect of the amendment will be to place a definite time limitation on the exercise of those powers by the President, and if we do not do this, there is bound to be a clash of interpretation as to between the provisions of section 8, which clothe the President with power to operate the lines under such conditions as he sees fit, and to relieve the operators from the provisions and limitations and restrictions of the Elkins Act. That authority is given to the President in section 8. Then section 9, as drafted, provides that neither the President nor anyone else can exercise these powers after June 30, 1943. If we leave section 8 out of that limitation and that restriction, we have clothed the President with unlimited power as to time.

Mr. BARKLEY. I do not agree with the Senator, if he will permit, because we have to read section 8 in connection with sections 2, 3, 4, and 6. Those sections confer upon the President power to do these things, first, to make the proclamation that such a pipe line is needed, giving to anyone interested in the construction of an interstate pipe line the right of eminent domain, the right to make advances to private interests for the purpose of constructing the pipe line, and in the absence of ability to do that, for the Government itself to construct it and operate it during the period.

When we say in section 9 that we have limited to June 30, 1943, all the powers to be exercised under sections 2, 3, 4, and 6, we have limited by that language all the powers conferred in the other four sections up to June 30, 1943. Subsection (a) of section 8 is bound to be read in connection with the other four sections, because it provides:

> Any pipe line with respect to which an advance is made—

Under one of the previous sections—

> or the right of eminent domain is exercised—

Under one of the previous sections—

> under authority of this act—

Which, of course, means these sections—

> shall be constructed, extended, or completed, and operated and maintained, subject to such terms and conditions as the President may prescribe as necessary for national-defense purposes.

Obviously, after 1 year following the termination of the emergency declared by the President, there would be no occasion to take any action on the score of national defense, and the lines which are to be constructed, I assume, certainly if they are constructed by private interests, by private capital, or by any loans or advances made to private capital between now and 1943, would be operated under the jurisdiction of the Interstate Commerce Commission, as other pipe lines and other common carriers are now operated.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BARKLEY. The Senator from Iowa has the floor.

Mr. GILLETTE. The Senator from Tennessee has the floor, and yielded to the Senator from Iowa.

Mr. WHEELER. If the Senator will permit, this bill as it stands today does not give any control to the Interstate Commerce Commission over the big pipe line expected to be constructed, starting in Texas.

Mr. STEWART. Not by specific reference; no.

Mr. WHEELER. Not only not by specific reference but not at all.

Mr. STEWART. It is my understanding that it would become a common carrier, and therefore be subject to regulation by the Interstate Commerce Commission.

Mr. BARKLEY. Subsection (b) provides that nothing in the proposed act shall be construed to relieve any person or corporation from any of the provisions of the Interstate Commerce Act, except that during that period the President might relieve them by proclamation or Executive order if the national defense were affected. The only possible way by which these common carriers, by whatever method they may be constructed, could be relieved from the provisions of the Interstate Commerce Act would be through action of the President in the interest of national defense.

Mr. WHEELER. I have just this moment left the Assistant Secretary of the Interior, and Mr. Swanson, and their attorney. Mr. Eastman sent a request to the Committee on Interstate Commerce that an amendment be put in the bill, which we did insert. The Interior Department objected to it because, as they said, it put control in the Interstate Commerce Commission, and made the parties subject to the Elkins Act, and they contended that if that happened, they did not think they could get private individuals to build the pipe lines. Mr. Eastman then sent me a letter, which I received this morning, in which he said:

On June 25 we replied to your letter of June 10, requesting comments on H. R. 4816, to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce.

Mr. STEWART. Is that a letter the Senator received this morning?

Mr. WHEELER. Yes.

Mr. STEWART. That is in addition to the one received heretofore?

Mr. WHEELER. Yes.

Mr. BARKLEY. I think that is the letter to which I referred before the Senator entered the Chamber. I talked with Commissioner Eastman this morning, and he said he had written a letter to the Senator from Montana.

Mr. WHEELER. The letter continues:

In our letter, after pointing out that the only provision of the bill which was of direct interest to the Interstate Commerce Commission was section 8 (b), we said:

"The principal duties under the Interstate Commerce Act affected by this provision would be the publication and filing of rates for common-carrier transportation, establishment of such rates as might be prescribed by this Commission, and the filing of statistical reports. The President's authority to relieve the pipe-line operator from such duties would apparently not be limited as to time, since section 8 is not listed among the sections named in section 9 as to which the exercise of governmental powers is temporary. Whether this omission was intentional or inadvertent we do not know, but we see no reason for a differentiation of the power granted the President in section 8."

We therefore suggested that section 9 be amended by adding section 8 to the other sections referred to therein. We are informed that your committee adopted this suggestion in reporting the bill to the Senate. We also understand that the Department of the Interior objects to this amendment in the belief that it would place a limitation on certain powers which it understands would be granted to private operators of pipe lines under section 8 (a). Although we are not sure that the amendment would produce the result feared by the Department, in order to remove any doubt on the point we suggest that instead of making all of section 8 subject to the limitation in section 9, only section 8 (b) be made subject to that limitation. If this were done, section 9 would read as follows:

"After June 30, 1943, neither the President, any department or agency of the Government, nor any person shall exercise any of the powers conferred by section 2, 3, 4, 6, or 8 (b) of this act; and in no case shall any pipe line constructed, extended, or completed under authority of section 4 be operated or maintained by or under the direction or control of the President or any department or agency of the Government after the expiration of 1 year after the termination of the ulimited national emergency proclaimed in the proclamation issued by the President of the United States on May 27, 1941."

It is of course possible that a continuation of the present emergency beyond June 30, 1943, might make it desirable to continue the authority of the President to exempt operators from compliance with the Interstate Commerce Act thereafter, but in that event there probably would be little or no difficulty in extending that date by congressional action. The same would be true of the powers conferred by sections 2, 3, 4, and 6.

Respectfully submitted.

JOSEPH B. EASTMAN,
Chairman, Legislative Committee.

Mr. STEWART. Mr. President, there would be no difference then between section 9 as it appears in the letter from Chairman Eastman, which was just read by the Senator from Montana, and section 9 as it appeared in the original bill as it came from the House, except the figures and letters "8 (b)."

Mr. WHEELER. That is correct.

Mr. STEWART. The Senator read what I thought was intended to be an amendment. I did not understand it, and I should like to have it stated before it is considered. Is the Senator offering an amendment?

Mr. WHEELER. No; I am not offering an amendment. After Mr. Eastman called me up with reference to this matter, Mr. Swanson and the Assistant Secretary and two attorneys from the Department came to the office. They were opposed even to putting in section 8 (b). We talked about the matter, but so far as I am personally concerned, I believe it should be in the bill. They seemed to feel, however, that with the provision in the bill the oil companies would not go ahead and build the pipe line. They said that six or seven—I do not want to be specific with respect to the number—but about six or seven of the big oil companies are going to undertake to build the pipe line from Texas to a point near St. Louis, but they are afraid that if this provision remains in the bill they would come under the provisions of the Elkins Act and that what they might do would be a violation of the Elkins Act.

Mr. STEWART. That was my information also. I was also informed at the time that there would be no intention to exempt this pipe line from the provisions of the law which would permit or require the Interstate Commerce Commission to regulate it as a common carrier.

Mr. WHEELER. As a matter of fact the new pipe line will be in a special class. There will be difficulty, because, as I understand, the pipe line will be owned exclusively by six or seven oil companies, and the pipe line will be in a different class from the other pipe lines which are already in existence, because it will not be subject to the provisions of the Interstate Commerce Act, and will not be subject to the provisions of the Elkins Act. In view of the fact that the Department thinks it is absolutely essential that this measure be passed, and that for national defense it is necessary that the pipe line be built, I have no objection if it is desired to eliminate the provision referred to.

Mr. President, I feel that the Department of the Interior is probably overly exercised about the matter, and that pressure has been put on it by the big oil companies by intimating that they will not build the pipe line if this provision is contained in the bill. Of course, it is contended that we can put the provision in the law later. The difficulty with amending the law later is that the oil companies will come forward and say, "But we built this pipe line for national defense. We spent $70,000,000 on it. We built it at the request of the Government." There will be great difficulty in amending the law later, in order to put the pipe line under the Interstate Commerce Commission. I am frank to say that I do not know what should be done under the circumstances, and I am not interested in the matter one way or the other.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kentucky to the committee amendment.

Mr. ADAMS. Mr. President, will the Senator yield for an inquiry?

Mr. STEWART. I yield to the Senator from Colorado.

Mr. ADAMS. I wish to ask the Senator from Tennessee a question. I can understand why it should be desired to take this pipe line from under the provisions of the Elkins Act, but why should it be taken from under the provisions of the Interstate Commerce Act?

Mr. STEWART. My understanding is that such is not the desire, and I so stated a moment ago. I understood the Senator from Montana to say that his understanding is not identical with mine, but I had understood that there was no thought on the part of anyone to take this pipe line from under the provisions of the Interstate Commerce Act.

Mr. ADAMS. The measure as it is drawn gives the authority to take the pipe line from under the Interstate Commerce Act. The Interstate Commerce Act was carefully drawn and has well served its purpose. Why should we now permit one pipe line to be exempt from the provisions of that act while other pipe lines are subject to its provisions, or why should the President be permitted to exempt this particular pipe line? Why should we say that the Elkins Act, which forbids combinations of companies or individuals shall be inoperative in order that this pipe line may be constructed?

Mr. STEWART. Subsection (b) of section 8 is the provision to which the Senator from Colorado refers. I wish to read it again.

(b) Nothing in this act shall operate to relieve any person, operating any pipe line, from any duty or liability to which such person may be subject under the provisions of the Interstate Commerce Act, including all acts amendatory thereof or supplemental thereto, or the Natural Gas Act, except that the President is authorized to relieve any person, operating any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, from any duty or liability under either of such acts to such extent as he may deem advisable for national-defense purposes.

The Senator, as I understand, points out that there is particular and specific reference made to the Interstate Commerce Act in this provision. That would not make the situation any stronger with reference of the right of the President to exempt this carrier or pipe line.

Mr. ADAMS. Does the Senator think we ought to grant to the Executive, by a legislative act, the power to set aside the authority of the Interstate Commerce Commission?

Mr. STEWART. I inquired about that provision some few weeks ago when I first saw a copy of the measure, and was given the same information I have been given once or twice since. I was given the absolute assurance that there was no intention or desire on the part of anyone to ask for the issuance of a proclamation, or whatever it might be, which would exclude this pipe line from the provisions of the Interstate Commerce Act or from regulations by the Interstate Commerce Commission which would naturally follow. The only thought in mind was the Elkins Act, which prevents the building of pipe lines, as I understand, by combinations of oil companies or combinations of companies or individuals. I will say in reply to the Senator's question that I think we can safely rely upon the President's judgment and discretion in the matter. I do not think he will undertake by proclamation to prevent the application of the Interstate Commerce Act. Perhaps he might have authority to do so under the broad authority of this measure.

Mr. ADAMS. I wish to add one word. The experience I have had has lead me to the firm conviction that the Congress should never delegate authority to the Executive office without putting a period of limitation on such delegated authority. That is, we should grant authority liberally for public purposes, but always fix a date when the delegated authority shall end. We should not leave the termination of it to the decision of the Executive. This provision would do so if the amendment were not placed in the measure. If we leave the amendment as the committee reports it we fix a time limit. It is up to Congress then to extend that limit if Congress sees fit. If the amendment is rejected the matter is left entirely to the Executive. If we reach the point when the Congress and the Executive might differ then it would require a two-thirds vote to cancel the authority which a majority vote gave him. I believe Congress always should retain its control by the exercise of a majority vote.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. STEWART. I yield to the Senator from Kentucky.

Mr. BARKLEY. In the light of what the Interstate Commerce Commission had written, through its Chairman, I offered a suggestion awhile ago in the form of an amendment limiting the section 8 provision to subsection (b). In offering it I did not mean to commit myself to it. I merely wished to provide that if section 8 is to be included in the list of sections mentioned in section 9, the provision in section 9 should apply only to subsection (b) of section 8. In order that we may have a vote on the committee amendment as it has been reported, I withdraw the amendment which I offered to the committee amendment, and hope that the committee amendment will be rejected.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. BRIDGES. I should like to ask the Senator a question to clarify in my mind the general effect of the bill. Can the Senator indicate whether the bill would apply not only to a private oil company or a combination of private oil companies which might wish to erect a pipe line to conduct their own business, but also to an independent common carrier which might want to construct a pipe line in order to carry the oil of several companies, or to a railroad which might wish to construct a pipe line to be used as a common carrier in rendering service to the public? I should like to know whether it covers all those fields, or whether it is limited to private companies.

Mr. STEWART. I think it would apply to anyone who might make application under the provisions of the act. Section 2 of the bill provides as follows:

Whenever the President finds that the construction of any pipe line for the transportation and/or distribution of petroleum or petroleum products moving in interstate commerce, or the extension or completion of any such pipe line already wholly or partly constructed, is or may be necessary for national-defense purposes, he shall by proclamation declare such finding.

I think that it would apply to anyone who might make application under the provisions of the act, and it would be in the discretion of the President to issue a proclamation covering the particular application. That is as nearly as I am able to answer the Senator's question.

Mr. BRIDGES. As I understand, there is no question in the Senator's mind that the language of the bill is broad enough to cover not only an oil company but also an existing common carrier or a new independent company organized as a common carrier?

Mr. STEWART. I think unquestionably so.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. TAFT. What troubles me about section 3, which confers on the President the power to build pipe lines, is that it seems to be a general authority to build any pipe line the President says is related to national defense. With respect to most projects of a governmental nature we define what the project is, at least in general terms. For example, we refer to a flood-control project approved by the Army engineers. However, this provision is wide open. It authorizes the Government to build a pipe line, or any number of pipe lines, anywhere the President thinks they may be necessary for national defense. Can the Senator tell us whether the intention is to have the Government build the pipe lines or whether the intention is to have private companies build them if they will do so?

Mr. STEWART. Let me read the letter from the President to Representative LEA, chairman of the House Committee on Interstate and Foreign Commerce. It is brief. It is dated January 23, 1941, and reads as follows:

THE WHITE HOUSE,
Washington, January 23, 1941.

HON. CLARENCE F. LEA,
Chairman, Interstate and Foreign Commerce Committee, House of Representatives.

MY DEAR MR. LEA: The Atlantic coast area now is dependent upon ocean transportation for nearly its entire supply of crude petroleum products. Present facilities for such transportation do not afford much leeway under normal conditions and very likely will prove inadequate in an emergency. It is in the interest of national defense to augment currently these facilities, especially if this can be done by private agencies without extra cost to the Government.

I have been informed by the Government agencies concerned that the completion of one gasoline pipe line and the commencement of another to the Southeastern States have been delayed by opposition from other carriers in interstate commerce. Although this situation ultimately might correct itself, delay in its solution will retard the completion of essential transportation facilities. If the matter is not settled before your committee resumes its investigations under House Resolution 290, as extended, I hope that it will be included in your hearings and that a solution thereto will be presented to the Congress.

Sincerely yours,
FRANKLIN D. ROOSEVELT.

I read the entire letter because it is brief; but I point out particularly that the President says that it is in the interest of national defense that pipe lines be constructed by private agencies without additional cost to the Government. As I understand, it is the purpose to permit the lines to be built by private concerns. I have no information that the Government intends to build pipe lines anywhere.

Mr. TAFT. Can the Senator tell me whether there is any appropriation available for the Government to build pipe lines? Or would the Government have to come to Congress and submit a request for an appropriation for any particular project the Government might undertake?

Mr. STEWART. I can only say to the Senator that I have no knowledge of any such fund.

Mr. TAFT. I noticed in the House hearings that the suggestion was made that some money already appropriated might possibly be used.

Mr. STEWART. I can only say that I have no knowledge of any such fund. The majority leader may have some information along that line.

Mr. BARKLEY. Mr. President, I know of no appropriation available for such purpose. I should like to call the attention of the Senator from Ohio to the fact that section 4 of the bill provides as follows:

(a) In the event that it is impracticable for any private person promptly and satisfactorily to construct, extend, or complete any such pipe line, the President, if of the opinion that such action is desirable in the interests of national defense, may provide for the construction, extension, completion, or operation of such pipe line by such department or agency of the Government as he may designate.

In the event that it should be impracticable for private enterprise to construct the line, the President would have authority to provide for the construction by some governmental agency. It seems to me obvious that the intent is that the construction shall be done by private enterprise, unless it may be impracticable for private enterprise to construct the line.

Mr. TAFT. I assume, however, that without any further appropriation or further action by Congress the President would have power to direct the Reconstruction Finance Corporation to lend money to a private company for the construction of a pipe line.

Mr. BARKLEY. That may be true. Under its general authority, the Reconstruction Finance Corporation could make the loan to any existing corporation for any part of the amount necessary to construct the pipe line. If no existing corporation should desire to undertake it, a corporation might be organized by private individuals for such purpose; but it seems to me that the whole tenor of the bill is to give private enterprise the first opportunity to enter this field; and only in case it falls down, or such a plan proves to be impracticable, will the Government undertake the construction.

Mr. TAFT. In view of that assurance, I intend to vote for the bill. I am very glad to have that statement of the general policy behind the bill.

Mr. President, I should like to ask the Senator from Tennessee one further question: What would be the cost of a pipe line from Texas, say, to the Atlantic coast?

Mr. STEWART. I understand that the large pipe line which I mentioned a moment ago would cost approximately $70,000,000.

Mr. TAFT. How much steel would be required to build such a line?

Mr. STEWART. I am advised that approximately 400,000 tons of steel would be required.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. DANAHER. Can the Senator tell me whether there was any testimony in the hearings outlining or explaining the basis upon which Congress has authority to grant the power of eminent domain for the construction of a pipe line?

Mr. STEWART. I think there was testimony on that subject before the House committee. We had none before our committee. The House hearings are printed. I do not know whether the Senator has been furnished a copy.

Mr. DANAHER. It is in the House hearings?

Mr. STEWART. Yes.

Mr. DANAHER. I have examined the Senate hearings but have found nothing along that line.

Mr. STEWART. We had no testimony along that line.

Mr. DANAHER. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 5, line 25.

Mr. GILLETTE. Mr. President, I am very anxious that this amendment be adopted. Let me say by way of preface that I am considerably disturbed by the presentation of legislation of such importance in this way. I say it without any intention to criticize the majority leader or the distinguished Senator from Tennessee [Mr. STEWART]. However, it is apparent that most Members of this body—and in all kindness I say including the distinguished chairman of the committee and the Senator in charge of the bill—have no clear conception of all that is behind this measure and its application. The reading of the letters from the departments and the discussion which we have just heard have demonstrated that there is no clear conception of what the bill would do. I may say, again absolving myself from intent to criticize, that this bill was brought in yesterday afternoon with a report which was not completed or made available until after 4 o'clock, when I tried to secure a copy of the report. The Members of the Senate had no opportunity to see the report or to hear anything about it until this morning, and the result is the discussion we have had here on the floor.

Now, Mr. President, the charge is made—I do not know what basis there is for it—that certain oil companies interested in the completion of commercial lines for commercial purposes have been unable to secure the right of eminent domain because of State laws, and that they are going to take advantage of this bill, if and when it is enacted, by attempting to secure permission to complete such pipe lines strictly for commercial purposes, and conceivably for no other purpose. I, for one, am perfectly willing to trust to the sound discretion of the President to prevent such oil companies from doing that very thing. Because of the exigencies of the situation I am ready to support this bill, and to vote to place in the hands of the President the right to exercise sound discretion, but not to extend the right of eminent domain, not to extend the right of being relieved from present statutory laws in the interests of national defense. I am willing to vote to do that; but why in the world should anyone object to a time limitation on such powers? As so cogently suggested by the Senator from Colorado [Mr. ADAMS], we are delegating authority to the President because of the needs of national defense. We are delegating to him authority to confer the right of eminent domain on private citizens. There is a question in the minds of some lawyers as to whether that can be done. But granted that it can be done, we are giving him that right. We are going to make advances of Government money, if the President sees fit, to private enterprises to construct pipe lines. Why in the world should we not impose a time limitation, and extend it if it is necessary to do so in the interests of national defense? But to pass the bill without such an express limitation it seems to me would be to abrogate our duty as Senators of the United States.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield to the Senator from Connecticut.

Mr. DANAHER. Such apprehension as the Senator expresses might be met, perhaps, if subsection (b) of section 5 were stricken from the bill. What would the Senator think of such an elimination as that?

Mr. GILLETTE. Under the circumstances which are used as the basis and foundation for the presentation of this bill, if the conditions exist, and if the authority is to be given to the President, it is certainly not unwise to give to the President power to relieve the persons who construct these facilities from the acts which prohibit the combination of capital for the purpose of construction.

I am not saying that that is a wise thing to do, but if the bill is passed it probably is essential to do it in order to have the lines constructed. When we do that, however, why in the world leave it open without a time limitation? When we delegate to an executive department the powers of the Congress of the United States, why in the world should we not place a time limitation on our grant of power, leaving aside all question of the wisdom or unwisdom of it?

Mr. President, I hope the amendment will be agreed to.

Mr. STEWART. Mr. President, let me make one observation. The report to which the Senator from Iowa [Mr. GILLETTE] refers, and which he said was presented only yesterday, is practically identical with the report which has been on file since May 29, when it was submitted by Mr. COLE on the House side. In fact, I believe there is no difference between the House report and the Senate report except as to the matter we have been discussing with respect to the amendment; and the letter from Mr. Eastman concerning that matter is included in the report. The House report was placed on file and was printed on the 29th of May, and has been available since that time.

Mr. GURNEY. Mr. President, as a member of the committee that considered this bill, I must say that I am not completely satisfied that full information was obtained in the committee as to the many ways in which the national defense would be affected. Of course, the request for the construction of this pipe line and the argument made as to the necessity for the pipe line, are based on the fact that more tankers are needed to transport gasoline, fuel oil, and so forth, to Great Britain. Some of the tankers we have been using for our domestic trade, delivering gasoline and crude oil to the eastern section of the United States, have now been transferred to the European trade and elsewhere.

Of course, if we can get the necessary supply of gasoline and crude oil into the Northeastern States or Eastern States, or wherever there is a shortage, that will be very beneficial to national defense, and certainly we must get the material there.

However, to my mind there are other ways to look at it, and one of them is, In what way would the national defense be hurt?

For instance, consider the amount of material necessary to build the first two proposed lines. The limited investigation I have been able to make shows that approximately 840,000 tons of steel will be necessary to build the original two proposed lines, the ones which were originally thought of, coming from the Gulf coast area up into the eastern area. I am told that since then four other lines have been proposed, and that the four other lines will take about two-thirds that amount of steel—in other words, probably close to 2 percent of the total annual production of steel. It is up to someone to decide whether it is best to put the steel into pipe lines, or whether we could put it into other things for which steel is certainly necessary; and there is a certain shortage right now.

My hasty investigation showed me—and there was an evident reluctance to furnish absolute information to the committee which would dissipate any fears I had as to the feasibility of this proposition—that this is not the only way to correct the situation. For instance, there are a great many railroad tank cars in the country. The railroads have said that they could haul more tonnage. There are approximately 150,000 tank cars on the railroads of the country today; and direct routing of tank cars, instead of circuitous routing, I am sure, would haul a large tonnage of the gasoline and crude oil formerly transported by tanker. Ten percent certainly is not too large a number of railroad tank cars to set aside for emergency use in the East and the northeastern section, and certainly the other sections of the country could get along on 90 percent of the railroad tank cars that would be left.

Circuitous routing has been a factor which the railroads and the oil trade have fumbled over, in my opinion, for many years. For instance, I have certain knowledge that a railroad tank car loaded at Los Angeles might go north to Seattle, thence to Minneapolis, thence to Des Moines, and west to Sioux City, Iowa, when the most direct route would be from Los Angeles to Denver to Omaha and then to Sioux City, making a round trip in possibly 2 weeks which is now consuming 3 weeks. That is merely one idea.

The railroads could certainly transport much more oil than they have heretofore done. The information in the last few weeks is that the railroads have put on at least, according to one news story I have seen, 4,000 extra cars carrying materials from the Gulf Coast States to the Northeast. There are many ways by which the efficiency of transportation can be increased. Of course, there has been no claim made that there is a shortage of material; but the problem is one of transportation.

The Senate a few days ago passed a bill which authorizes deeper loading of tankers. Such deeper loading in itself will give an additional capacity equal to 12 tankers.

I have before me, prepared by me from an article which I will ask to have printed in the RECORD in a few moments, an outline of the things which might be done and some of which are being done. For example, the rearrangement of tanker routes, so that, instead of transporting gasoline to the Atlantic coast from the west coast, bringing it from closer sources of supply. That would give an extra capacity equivalent to 25 tankers. The substitution of near sources of supply for imports. The substitution of nearer sources than those in Mexico and Caribbean ports would give us two more tankers. Rearrangement of imports. The utilization of supply points nearer to consuming ports and the elimination of cross hauls would give for more tankers.

Then, by a proper utilization of foreign tankers in South American ports and in United States ports there would be gained the equivalent of 13 additional tankers.

More direct routing from Western Hemisphere ports to Great Britain would give the equivalent of eight additional tankers.

Increased use of existing pipe lines. There are many ways by which their use could be increased. At the present time gasoline is only taken from existing pipe lines at large metropolitan centers. Valves could be opened in the pipe lines so as to fill trucks at intermediate points of, say, 50 miles each, thereby eliminating the necessity of using railroad tank cars, and delivering gasoline by truck at the smaller towns.

In that way a saving in carrying capacity of 19 tankers could be realized.

Increased use of barges on inland waters would be the equivalent of 2 tankers, and the increased use of railroad tank cars, I put down as equivalent to 25 tankers, although I am sure that is a very conservative estimate. The totals show in brief that by a more efficient operation of present transportation facilities the carrying capacity of 100 oceangoing tankers could be obtained; and so far it has been proposed that we shall transfer for the transportation of oil and material to Great Britain only 50 tankers.

There certainly can be some savings made in the necessity for increased transportation by the cooperation of the public. Possibly we could cut down consumption 10 percent or 15 percent.

There are large stocks of crude oil in the East; approximately 50,000,000 barrels. We could take a part of that out of storage each month, say 100,000 barrels per day, and 50,000,000 barrels would provide 100,000 barrels a day for over a year.

There are many such things which could be done. I am sure that the information given the committee was not conclusive and was not sufficient for anyone to reach a correct decision; but I am convinced that real efficiency in the operation of our total transportation of the country would make it absolutely unnecessary to use for pipe lines the steel which is needed in so many other defense projects. I may say that the first 2 proposed pipe lines will use sufficient steel to build 22 battleships. That will give some idea of the amount of steel which would be used.

We had no information at all from the Priorities Division of the O. P. M. as to whether machinery could be supplied soon enough to locate immense pumping stations every 50 miles. It is necessary to have pumping stations at regular intervals along the line; and a 24-inch line takes big pumps, and many of them, and plenty of electric power. There has been no information given the committee that the pumping equipment and power equipment is available or would be available and given a priority number. Certainly in order to get anything built nowadays it is necessary to have an early priority to inaugurate construction.

The statement has been made that these pipe lines can be built in a month, but there was no evidence to that effect, and I am thinking it will take a year and a half or two years. Certainly if there is a shortage of gasoline or a prospective shortage, we will reach that period before 18 months have elapsed.

Mr. President, I ask permission at this time to have printed, as part of my remarks, the brief I have made and to which I have referred. I should like to have it follow at this point.

The VICE PRESIDENT. Without objection, the matter will be printed in the RECORD.

The matter referred to is as follows:

Steps which are being taken to replace tankers transferred from Gulf-east coast run

	Number of tankers replaced	Authority and remarks
PROPOSED STEPS		
Deeper loading of remaining tankers: Under Public Law 153 (77th Cong.), approved July 3, 1941, heavier loading is permitted.	12	Advance print from The Lamp, Standard Oil Co. (New Jersey), pp. 26-27, 42, July 10, 1941, Oil and Gas Journal.
Rearrangement of tanker routes: Elimination of long voyages between California and the Atlantic seaboard and substitution of Gulf supplies.	5	Do.
Substitution of nearer sources of supply for imports: By substituting nearer sources of supply for imports now coming from Mexico and Caribbean ports.	2	Do.
Rearrangement of imports: By utilizing supply points nearest consuming ports and eliminating crosshauls.	4	Do.
Use of foreign tankers:		
By utilizing seized and interned foreign tankers in ports of the United States	5	Do.
By utilizing seized and interned tankers in ports of Mexico and South America	(?)13	Do.
More direct routing from Western Hemisphere ports to Great Britain	8	Do.
Increased use of existing pipe lines:		
Through lines stretching eastward from Lima, Ohio	9	Do.
Through lines to Lima, Ohio, and thence by rail to east coast	10	Do.
Increased use of barges on inland waters: By increasing barge movements up the Mississippi and Ohio and by using more barges up bays and rivers	2	Do.
Increased use of railroad tank cars	25	Do.
Completion of Portland, Maine-Montreal pipe line (December 1941)	3	Do.
Use of U. S. Navy tankers	2	Department of Interior.
Total	100	
ADDITIONAL POSSIBLE STEPS		
Decreased domestic consumption (15 percent)	40	Through more efficient utilization; conversion to coal; less pleasure driving, etc.
Reduction of existing stocks	10	Stocks of all oils on east coast amount at present time to more than 50,000,000 barrels. These could be drawn upon at rate of 100,000 barrels per day for at least a year, still leaving 15,000,000 barrels in reserve while additional tankers are built.
Reversal of gasoline pipe lines	(?)30	Lines in Indiana, Ohio, Pennsylvania, and New York formerly carrying crude westward could be used again.
Grand total	180	

[1] Plus 600 "tanker-days."

Proposed pipe lines to be built under provisions of H. R. 4816

Location	Diameter of pipe, inches	Length in miles	Capacity, barrels per day	Total cost	Time, months	Tankers displaced
Texas to New York-Philadelphia	24	1,500	[1] 250,000	$70,000,000	14	65
Do	20	1,500	[2] 225,000	68,000,000	9	55
Total		3,000	475,000	138,000,000		120

[1] Crude. [2] Products.

NOTE.—Total oil needed and normally shipped from Gulf to east coast amounts to 1,230,000 barrels daily. These pipe lines when completed would satisfy only 475,000 barrels of that amount.

Time to build these lines is more than likely estimated much under that which would actually be required. Nothing is said about availability of highly specialized pumping machinery needed or priorities for same. In reality, these lines could not be completed in much less than 2 years.

Steel for these lines amounts to 860,000 tons—enough to build 22 battleships or 140 tankers. A tanker requires only 6,000 tons of steel to build and takes only 4 months' time.

From a national-defense standpoint, tankers are much less vulnerable as cheaply constructed moving objects than are costly fixed-place pipe lines.

What would the pipe lines be used for after present emergency was over and many cheap tank ships are available? They will probably be converted into either natural gas or gasoline lines.

Additional proposed pipe lines to be built under H. R. 4816

NOTE.—When originally introduced, the plan was to enable certain relatively small pipe lines in the Southeast to be completed in time to serve the existing emergency. Since passage of the bill by the House not only the above giant projections have been proposed but also the following:

Location	Diameter of pipe, inches	Length in miles	Capacity, barrels per day	Total cost	Time, months	Tankers replaced
Lima, Ohio, to New York-Philadelphia	12	700	60,000 crude	$14,700,000	8	(?)
St. Louis to New York-Philadelphia	16	950	115,000 crude	25,000,000	8	(?)
East Texas to St. Louis	18	600	135,000 crude	62,000,000	12	(?)
St. Louis to New York-Philadelphia	24	900	250,000 crude			

Mr. GURNEY. I ask unanimous consent also to have printed in the RECORD an article from the Oil and Gas Journal of July 10, 1941, entitled "Ways Explored to Replace Capacity of 50 Tankers." In a "box" statement the article is described in this way:

This review of the oil-transportation problem, what has and can be done about it, explores and analyzes all of the various possibilities suggested.

The capacity of building and proposed pipe lines, rearrangement of trade routes, the inland waterways and railroads are computed in terms of tankers to show just how much of the problem each proposal could solve.

The analysis is that of the Standard Oil Co. (New Jersey), largest oil-tanker operator. The study will be printed in the forthcoming issue of The Lamp, the company's official publication.

I ask that that article be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, the article will be printed in the RECORD.

The article is as follows:

[From the Oil and Gas Journal of July 10, 1941]

WAYS EXPLORED TO REPLACE CAPACITY OF 50 TANKERS

(This review of the oil-transportation problem, what has and can be done about it, explores and analyzes all of the various possibilities suggested.

The capacity of building and proposed pipe lines, rearrangement of trade routes, the inland waterways and railroads are computed in terms of tankers to show just how much of the problem each proposal could solve.

The analysis is that of the Standard Oil Co. (New Jersey), largest oil-tanker operator. The study will be printed in the forthcoming issue of the Lamp, the company's official publication.)

When Mother Nature endowed with petroleum certain sections of the vast area which aeons later was to become the United States, that capricious lady paid but slight attention to the convenience of those who would use it. While oil is found in 23 States and is used everywhere, the principal producing areas east of California lie in the Southwest, while the region of heaviest consumption is on the Atlantic seaboard.

A great river of oil—1,280,000 barrels every day—moves from Gulf coast and midcontinent producing fields to East coast markets by ocean tanker, barge, and pipe line. These facilities constitute the Atlantic seaboard's life line, for without them its vital activity would virtually come to a standstill. A break in any part of the four-link chain of producing, transportation, refining, and marketing throws our entire industrial machine out of gear. When the fleet of American-flag tankers, which transported 96 percent of the oil moving from the Gulf to the Atlantic coast, was reduced practically overnight by 50 ships, or nearly one-fifth of the total number, it had the same effect as a partial blockade.

The transfer of 50 oil carriers to British service climaxes a 2-year drain on the American tanker fleet that began with the outbreak of World War No. 2.

Following the start of hostilities, German and Italian tankers disappeared from the sea lanes of the Western Hemisphere. The convoy system greatly slowed down deliveries and required more vessels to carry the same quantity of oil. The number of foreign-flag tankers sunk or damaged reduced the number of oil carriers on the seas.

The net effect has been to shift a large number of British, Norwegian, and other European tankers from the Western

Hemisphere to Mediterranean and north Atlantic routes, leaving gaps in the South American and Caribbean service which American-flag tankers have had to fill.

LAST WINTER'S PINCH

The first pinch was felt along the Atlantic seaboard during the winter of 1940 when tankers bringing in heating oils and heavy fuels became scarce in the face of sharply rising demand due to the abnormal cold and increased industrial activity. As the national-defense drive gathered momentum, the coastwise tanker fleet had to carry a steadily mounting burden.

Between January 1939 and September 1940 Standard Oil Co. of New Jersey built 12 large, high-speed tankers under an agreement with the United States Maritime Commission to turn them over to the Navy in time of emergency. All 12 of these national-defense carriers were requisitioned by the Navy before May 1, 1941, and by this date the shortage of oil carriers had already become acute. [Editor's note: Two Navy tankers were returned on loan last week for civilian service.]

On May 2 the President called upon American ship owners and operators for 2,000,000 tons to bolster Great Britain's trans-Atlantic supply lines. Included was a request for 25 American-flag tankers. Twenty tankers were taken from the Gulf-coast to Atlantic-seaboard route, 2 came from the west coast, and 3 from Atlantic foreign service. These had hardly been transferred before a call came for 25 more.

DUTIES OF TRANSFERRED TANKERS

The transferred American ships have been organized into a sort of shuttle service to ferry oil from Gulf-coast and Caribbean supply points to Atlantic ports, where it is transferred to foreign boats for the trip across the Atlantic. This practice constitutes less of a strain on the fleet carrying oil to Great Britain through the war zone than the former practice of British tankers making the entire haul themselves.

Now there are only 2,669,000 deadweight tons available for the Gulf coast-Atlantic coast service. This fleet is made up of ships of all sizes, but for the sake of convenience let us divide this tonnage figure into 10,000-ton units, which is not far from the size of the average tanker. On this basis we would have 266 ships.

Two hundred and sixty-six tankers can transport some 400,000,000 barrels a year from Gulf ports to New York. Since the estimated amount which would have to be moved over this route in order to meet normal demands is 472,000,000 barrels, it is apparent that we are going to be short transportation for about 72,000,000 barrels unless additional tankers or other means of transportation are provided.

This shortage may be further aggravated by additional withdrawals from the United States tanker fleet if England needs more assistance. The critical period until new facilities are ready promises to be the last half of 1941 and the first quarter of 1942. Early next year, it is expected, the shortage will begin to decline gradually as long-range corrective measures make themselves felt.

While this long-range program takes shape, the industry has thrown all its machinery into high gear to avert if possible the necessity for rationing of petroleum supplies until the new facilities are ready.

Here are some of the emergency measures actually in effect or now being studied, together with the number of 10,000-ton tankers each could replace.

1. Deeper loading: Legislation is now before Congress providing "that during the national emergency proclaimed by the President * * * load lines may be established on any vessel (except a passenger vessel) while engaged on a coastwise voyage by sea from port to port in the continental United States, which load line gives a lesser freeboard * * * than the load line established by the International Treaty on Load Lines of 1930, when, in the opinion of the Secretary of Commerce, such load line will not be above the actual line of safety." (EDITOR'S NOTE.—This legislation has been passed by Congress and approved last week by the President.)

If applied to tankers in the manner being considered by the Department of Commerce, this legislation would permit many oil carriers in coastwise service to load more cargo. The net effect would be to increase the carrying capacity of the American tanker fleet by 124,000 deadweight, or the equivalent of more than 12 average-sized tankers.

2. Rearrangement of routes: Elimination of long voyages between California and the Atlantic seaboard and substitution of Gulf coast supplies have already been effected, with a consequent saving of about 50,000 deadweight, or five tankers.

NEARER SOURCES CONSIDERED

Approximately 20,000 dead-weight tons, or two tankers, might be saved by substituting nearer sources of supply for imports now coming from Mexico and Caribbean supply points to the Gulf coast for processing and reshipping to Atlantic ports.

Although it affects the purely domestic problem only indirectly, the industry also is considering a rearrangement of imports throughout the Western Hemisphere. By utilizing supply points nearest consuming ports and eliminating cross hauls, it is estimated that approximately 40,000 dead-weight tons, or four tankers, could be released.

3. Use of foreign tankers: The Government is studying the possibility of utilizing seized and interned foreign-flag tankers now lying idle in United States and South American ports. The Italian, German, and Danish oil carriers taken over in United States would add about 50,000 dead-weight tons to the active fleet, or the equivalent of five tankers.

The world tanker position, and indirectly the Western Hemisphere picture, would likewise be improved if the Italian and German tankers, totaling some 50,000 dead-weight tons in Venezuelan ports and 80,000 dead-weight tons in Mexican waters, could be made available for use.

Some of these vessels have been damaged. In any event, tonnage available from these sources probably would go into trans-Atlantic or Western Hemisphere service and would affect the United States situation only by reducing the possibility of further requisitioning of American-flag tankers.

4 Shuttle service: There is a possible tanker saving in this shuttle service itself. When using United States tankers to haul British oil cargoes from supply points in the Gulf or Caribbean to New York for transfer to British ships, the combined distances from supply points to England via New York is greater than it would be if Halifax, Nova Scotia, were the transfer station.

A much better use of this direct route could be made if added tankage and dock facilities were installed at Halifax, provided permission could be obtained to use United States flag ships in delivering British supplies to this Canadian port

This would mean a saving of about 15 percent in the Caribbean-New York shuttle service and about 5 percent in the Gulf-New York shuttle. The use of Halifax as the transfer station for the entire shuttle would permit tonnage savings up to 80,000 deadweight tons, or about eight ships.

Further savings might be realized by speeding up port turn-arounds, shortening time out for repairs, and by reducing two-port loadings and multipleport discharges.

5. Pipe lines: For quick action in the emergency, the industry has turned to existing pipe-line systems. By July 1 pipe-line movements of crude oil from the Southwest and Mid-Continent fields to Atlantic coast refineries will have been doubled. Additional facilities, such as new pumping stations and connecting lines, are planned to permit still larger movements through these lines.

Through lines stretching eastward from Lima, Ohio, 23,000 barrels a day of East Texas, Louisiana, and Mid-Continent crudes are moving into coastwise refineries. By July 1 that movement will increase to 34,000 barrels daily, thus releasing nearly nine tankers.

The industry also has considered the possible use of pipe lines east of Chicago, which might be combined with rail deliveries.

For example, an additional 40,000 barrels a day could be moved from Texas and the Mid-Continent to Chicago, thence eastward to Lima, Ohio, through the Indiana Pipe Line Co.'s facilities, and on to the east coast by rail.

If the full 40,000 barrels per day could be transported through such a pipe-line-rail hook-up, it would replace 10 tankers.

BARGES IMPORTANT FACTOR

6. Inland water shipments: Barges form an important part of the industry's transportation network, particularly on the Mississippi and Ohio Rivers, Chesapeake Bay, and similar inland waterways. But it is unlikely that they can be called upon for any further large-scale increase in their movements. Inland tank barges form the largest part of the fleet and only a small percentage of them could be certified for ocean or extended coastwise service.

Barge movements up the Mississippi and Ohio Rivers to the West Virginia area have already been increased to the limit of available craft. This has effected a saving in two ocean tankers.

There is a definite shortage of ocean-certified barges in the Gulf to carry additional oil cargoes to Atlantic Coast ports. But it is possible that, by discharging all tanker cargoes in New York Harbor and barging direct to Albany and the Canal points, about 600 tanker days might be saved. Possibly two more oil carriers could be diverted by additional barge movements up Chesapeake Bay, along the Florida coast, and by river from the Gulf to points in Pennsylvania and West Virginia.

POTENTIAL RAILROAD SERVICES

Railroads normally perform an important but of necessity limited function in oil transportation. Because of their network of connections and the relative ease with which small units can be handled, they are widely used for the distribution of refined products from refineries and storage terminals to local bulk plants from where they are delivered by tank truck to retail service stations.

By this same token, railroads are relatively high-cost carriers in this field and are not competitive with ocean tankers, barges, or pipe lines for handling of large volumes of crude oil and products over long distances.

This, however, is an emergency. For the moment, cost is secondary to delivering the goods. And it is clear that all the cutting of corners, all the extra facilities that can be mustered on short notice, will not be enough by themselves to bridge the gap left by commandeering a fifth of the industry's tanker fleet for war service. For the next 9 months at least, or until new channels of transportation are completed, it is evident that the industry and the public will have to lean heavily on the railroads, particularly in the eastern part of the country.

Can they handle the job? Let us see.

The American Railroad Association has estimated that there are 19,000 surplus tank cars. Normally, these cars form a working reserve against the peak season of refined-products consumption.

TANK-CAR PROBLEM RAMIFIED

If all possible steps are taken to insure efficiency, it is estimated that enough tank cars can be made available to move between 6,000,000 and 8,000,000 barrels of petroleum a month from Texas to the Atlantic seaboard. If this huge movement could start at once it would more than offset the expected average shortage along the eastern seaboard of 200,000 barrels a day.

The hitch is that not all these cars can be made available immediately. There is some question as to whether locomotives are available to haul 19,000 cars, or the trackage to insure their movement without congestion with other necessary defense deliveries.

The task involved is complicated and requires perfect coordination of far-flung equipment and personnel. To produce the necessary tank cars, these steps are necessary:

1. Cars to be loaded and shipped on Saturdays, Sundays, and holidays regardless of the present 5-day shipping week.

2. Railroads to coordinate this effort with train schedules to start the cars promptly on their way.

3. Distributors and consumers to set up facilities for the prompt unloading of cars every day in the week. This would involve the expenditure of about $750,000.

4. No deferment or advancement of petroleum products transportation in anticipation of freight-rate changes, tax adjustments, price changes, or stock bulges. This to insure a steady and orderly movement of oil.

5. Empty tank cars to be removed promptly from consignee's sidings and the movement of both empty and loaded cars speeded up as much as possible.

6. All bad-order cars that can be put into safe operating condition to be immediately repaired, and cars with arch bars to be permitted to operate in limited service during the emergency.

7. All shippers to use only the most direct and fastest routes.

Conceding that railway transportation is not the most economical form for petroleum, Ralph Budd, Transportation Commissioner of the Advisory Commission to the Council of National Defense, stated recently that the obvious solution was "finding ways and means of increasing the amounts of oil carried in pipe lines, putting idle tank cars back into service, and using tank cars more intensively."

"When that has been done," he added, "and when some new pipe lines and some new tankers which are under construction go into service, the stress should be relieved."

Present railroad tariffs on crude-oil shipments from east Texas to New York are $2.37 a barrel, compared with 67.5 cents by pipe lines (excluding gathering charges) and 53 cents by tanker.

SUMMARY

The estimated shortage in transportation facilities between the Gulf and Atlantic seaboard will average over the next 9 months the equivalent of 49 tankers, and is expected to reach a peak of 64 tankers in the last quarter of 1941.

On paper the various emergency channels which the industry is striving to open up might appear to be sufficient to keep oil moving along the east coast's lifeline. Theoretically the following savings, expressed in 10,000-ton ocean tankers, might be effected if the known factors among the foregoing measures could be realized to their fullest extent:

Easing load-line limitations on ships, 12.4 tankers; elimination of United States intercoastal movements (already done), 5; rearrangement of South and Central American shipments, 6; use of Halifax in shuttle movement, 8; more efficient use of barges, 3; possible relief from pipe line completions, 1.4; total, 35.8 tankers.

THE X-FACTOR

If the railroads can deliver even half the 200,000 barrels daily that has been claimed for them it would save an additional 25 tankers, or more than 60 in all—enough to see us through the next 9 months until new ships begin to come off the ways and oil begins to flow through the big new pipe lines.

But aside from the fact that many of the savings described are not likely to be realized fully in practice, there is an X-factor in the problem.

This unknown quantity is the extent to which further transfers of tankers, now looked upon as a virtual certainty, may be needed to bolster the British oil supply line. Should there be any substantial additional inroads upon the already depleted American tanker fleet, it may be necessary to resort to some curtailment of consumption.

During 1941, without any restrictions, consumption on the east coast is estimated as follows:

Products:	*Barrels*
Motor fuel	224,000,000
Residual fuel	161,000,000
Distillate fuel	89,000,000
Kerosene	41,000,000
Lubricating oil, etc	12,000,000
Total	527,000,000

THE CONSUMER'S PART

Consumers themselves, by simple adjustments to their cars and oil-burning equipment which will actually save them money, by voluntary and sensible avoidance of unnecessary uses, can do much to forestall the need for more drastic Government-sponsored restrictions.

For instance, the Oil Burner Institute has announced a drive to save 20 to 30 percent by raising the operating efficiency of burners in service. The American Automobile Association has estimated that 20 percent of the gasoline consumed could be saved if motorists refrained from racing starts at traffic lights, excessive speeds on the highway, and had their carburetors properly adjusted.

Now let us turn to look at the long-range program the industry has been working out to assure adequate supplies of petroleum products in the vital east coast area against any foreseeable contingency.

THE LONG-RANGE PROGRAM

Most interesting of these long-range projects are the various new pipe lines now being discussed in Washington by representatives of the industry and the petroleum coordinator. Six possible choices have been advanced, one or more of which may be finally decided on by the time this issue appears.

1. A 20-inch refined-products line extending 1,500 miles from Gulf coast refineries to New York and Philadelphia. Capable of delivering 225,000 barrels a day, it would cost $68,000,000, take 9 months to build, would free 55 tankers.

2. A 24-inch crude-oil line, to parallel the products line, from the east Texas field to New York and Philadelphia. To cost approximately $70,000,000, it would deliver 250,000 barrels daily and release 65 tankers.

3. As an alternative to save time, materials, and money, it has been proposed that this line might be made of 18-inch pipe at a cost of $45,000,000. Completed within 9 months, it would carry 135,000 barrels a day.

4. A direct line from Lima, Ohio, to New York and Philadelphia, a distance of 700 miles. Of 12-inch pipe, it would cost $14,700,000, take 8 months to build, and would deliver 60,000 barrels a day.

5. A 16-inch crude line from St. Louis to New York and Philadelphia, a distance of 950 miles. Costing $25,000,000, it would be completed within 8 months to deliver 115,000 barrels daily.

6. A 600-mile, 18-inch crude line of 135,000 barrels daily capacity from east Texas to St. Louis, and a 900-mile, 24-inch line from St. Louis to New York and Philadelphia, carrying 250,000 barrels a day. Both these projects could be completed within 1 year at a total cost of about $62,000,000.

THREE LINES UNDER CONSTRUCTION

In various stages of construction three new pipe lines are already building to serve the eastern seaboard area. The Southeastern pipe line, which extends from Port St. Joe, Fla., through Georgia to Chattanooga, Tenn., is completed except for a few short gaps left unfinished because of failure to obtain right-of-way from railroads. Capable of carrying 30,000 barrels daily of refined products, this line would replace three 10,000-ton tankers and could be placed in service by October.

Another major project is the Plantation pipe line, which will carry refined products from the Baton Rouge refinery in Louisiana through the Southeastern States to Greensboro, N. C., a distance of 1,261 miles. Originally planned a year ago, the line would have been in operation today had it not been for obstruction by certain railroads in refusing to grant right-of-way. Legislation now before Congress, sponsored by President Roosevelt, would eliminate that obstacle by granting the right of eminent domain to projects deemed necessary for national defense.

This line will cost approximately $20,000,000 and will be built by the Plantation Pipe Line Co., which has been formed by Standard Oil Co. (N. J.), Shell Union Oil Corporation, and Standard Oil Co. (Ky.).

The line will have a normal capacity of 60,000 barrels of refined products a day, which can be increased to 90,000 barrels by the installation of additional pumping stations. Fifteen such stations will move oil products through the line while 17 terminals will distribute the gasoline, kerosene, and heating oil transported by the line to consumers throughout the area. The Plantation line will be able to carry more than half the normal gasoline requirements of five States, Mississippi, Alabama, Georgia, South Carolina, and North Carolina. It is estimated that the completion of this line will release 10 tankers and a number of barges now serving the Gulf and southern Atlantic areas.

The Plantation line will start shortly, and the project will be rushed to completion in 6 to 8 months.

The Portland-Montreal line, third new project of its kind now building in the East, will also be owned in part by Standard Oil Co. (New Jersey). This line will connect a tanker terminal at South Portland, Maine, with refineries in the vicinity of Montreal, Canada. Designed to handle 55,000 barrels of crude daily, initial movements probably will be limited to about 35,000 barrels a day, enough to cover the present requirements of Imperial Oil, Ltd., and other Canadian refiners at Montreal. The line will cost $8,000,000 and should be completed in December of this year.

ST. LAWRENCE HAUL ELIMINATED

Tankers formerly steamed all the way around Newfoundland and up the St. Lawrence River to reach Montreal, a point only 233 miles overland from Portland. The line will save 2,000 miles round trip and cut 3 days off the present tanker time, thereby freeing three 10,000-ton ships for use on other runs.

The three lines now building in the Atlantic seaboard area—the Southeastern, Plantation, and Portland-Montreal lines—will release about 15 tankers for Gulf-east coast deliveries, thus further relieving the shortage caused by the recent transfers to Britain.

Because of basic economies inherent in tanker transportation, the industry is

working to restore its fleet. Sixty-eight new vessels have been ordered; 19 are scheduled for delivery this year, 41 will be completed in 1942 and 8 in 1943. When all these new tankers enter service, the United States tanker fleet will total more than 5,600,000 deadweight. In addition to these new tankers, 77 have been ordered for the Navy; deliveries on these orders will start early in 1942.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. GURNEY. I yield.

Mr. AUSTIN. I should like to ask the Senator if the committee had before it any information regarding the effect upon the supply of steel to nonmilitary and civil enterprises throughout the United States the consumption of steel for pipe lines would have?

Mr. GURNEY. There was no information given the committee on that point.

Mr. STEWART. Mr. President, we on this side of the Chamber were not able to understand the Senator's question.

Mr. AUSTIN. I will turn toward the Senator and repeat the question. The question is whether the committee had under consideration any evidence of the effect the use of steel in the construction of pipe lines would have upon priorities to industries throughout the United States which use steel for nonmilitary production?

Mr. GURNEY. The answer to that question, may I say, is the committee had no such information.

Mr. President, at this time I offer an amendment, which I ask the clerk to read.

Mr. STEWART. Mr. President, a point of order. There is an amendment pending.

The VICE PRESIDENT. The Chair will inquire of the Senator from South Dakota if his amendment is an amendment to the committee amendment?

Mr. GURNEY. No; it is not. I will ask that the amendment be held at the desk until the committee amendment shall have been disposed of.

The VICE PRESIDENT. The amendment will lie on the table until the committee amendment is disposed of.

Mr. O'MAHONEY. Mr. President, those of us who are not members of the committee are somewhat at a disadvantage by reason of the fact that the amendments which have been suggested this morning do not appear, as I understand, in the report. Before we proceed to vote, I should like to understand exactly what has been suggested and what modification has been provided. As I read the bill, which is laid upon the desk of each Senator, it would appear that the committee has suggested an amendment by the terms of which the limitation of time which is provided for in section 9 shall apply to section 8?

Mr. STEWART. That is the only committee amendment.

Mr. O'MAHONEY. Am I to understand that the committee still recommends that amendment?

Mr. STEWART. The Senator heard the chairman of the committee, the Senator from Montana [Mr. WHEELER], did he?

Mr. O'MAHONEY. I heard a portion of what he said.

Mr. STEWART. The Senator from Montana, who, of course, is chairman of the Interstate Commerce Committee, stated on the floor of the Senate awhile ago that he had this morning been in conference with those interested in the bill, and so far as he was concerned he saw no reason to insist on the amendment at this time. Personally, I have not been for the amendment; but, presenting the bill for the committee, and not having been given by the committee authority to recede from that position, I, of course, so far as I am concerned, cannot make any agreement about the amendment for the committee. I presume it would be my duty to insist on it.

Mr. O'MAHONEY. Mr. President, as I read the letter of Commissioner Eastman, which appears in the committee's report, I am impressed with the argument he makes. As I understand, the chairman of the legislative committee of the Interstate Commerce Commission is of the opinion that unless the committee amendment is adopted we are likely to have, or there is a danger of our having, two kinds of pipe lines, one which will be subject to all the laws which have been enacted for the purpose of preventing the use of pipe lines to exploit the consumers of petroleum products and to exploit the producers, and the other which will not be subject to those laws. Is that correct?

Mr. STEWART. One would be regulated, and one would not be regulated; I think that is what the Senator has in mind. That would be true, I presume, if the President of the United States, following the provisions and authority given him in subsection (b) of section 8, should make such an order.

Mr. O'MAHONEY. Is there any good reason why we should undertake to establish such a condition, which would obviously make for confusion and special privilege?

Mr. STEWART. The information I have had all the time has been that there was no such purpose or intent.

Mr. O'MAHONEY. Of course, there could not be any such intent, but what I am discussing is the effect.

Mr. STEWART. I mean that there was no such thought in the minds of those who sponsor this bill and who have been interested in it; there was no thought that there would be any application to do anything that would prevent pipe lines built under this proposed act from being regulated by the Interstate Commerce Commission. Conceivably, it might well be that such a thing would be desirable later on; but, so far as I am now concerned, the information I have is to the contrary.

The information I have as to the reason for the provisions of subsection (b) is, as I have already stated, that it was feared that the provisions of the Elkins Act might prevent the construction of the pipe line.

Mr. O'MAHONEY. Let us read section 8. It impresses me as being the very heart of this problem, and one to which the Senate will of necessity give a great deal of attention and consideration.

Section 8 (a) provides:

> Any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, shall be constructed, extended, or completed, and operated and maintained, subject to such terms and conditions as the President may prescribe as necessary for national-defense purposes.

Unless the committee amendment is adopted, the only regulations which will thereafter be exercised on behalf of all the people of the country over pipe lines which secure an advance, or which are granted the right of eminent domain, will be the regulations which the President may invoke in the interest of national defense.

The language contained in lines 9 and 10—

> terms and conditions as the President may prescribe as necessary for national-defense purposes—

obviously has the effect of limiting the power of the President to make regulatory provisions except in the interest of national defense; and it would seem to mean, therefore, the complete exemption of every such pipe line from every regulatory law which now stands upon the statute books. It is inconceivable to me that anyone should desire to grant such an exemption.

Now let us read paragraph (b) of this section.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Massachusetts.

Mr. WALSH. Are there now regulatory laws dealing with pipe lines?

Mr. O'MAHONEY. Yes.

Mr. WALSH. Under what jurisdiction are they?

Mr. O'MAHONEY. The Interstate Commerce Commission, as I understand.

Mr. WALSH. Why should not the pipe lines contemplated by the pending bill be subjected to the same conditions?

Mr. O'MAHONEY. That is my point. I feel that they should be subjected to the same regulation.

The chairman of the legislative committee of the Interstate Commerce Commission, Mr. Eastman, sent to the Interstate Commerce Committee a letter in which he urged a simple amendment which would make such provision. A moment ago the chairman of the Interstate Commerce Committee indicated on the floor of the Senate that, so far as he was concerned, he would not press the amendment offered by the committee; and I am rising to call the attention of the Senate to what I conceive to be imperative reasons why the committee should insist upon its amendment.

Mr. WALSH. It seems to me that the same general regulatory laws which apply to existing pipe lines should apply to those which are to be constructed by reason of the present emergency. As the Senator well points out, we should keep in mind the protection of the consumer as well as the building of pipe lines merely for the purpose of strengthening our national defense. That, as I understand, is the point the Senator makes.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. If I heard the Senator correctly, that is exactly the point—that we should not have two classes of pipe lines, one of which would be subject to no regulation and the other of which would be subject to the regulation now set forth in the law.

Mr. STEWART and Mr. BARKLEY addressed the Chair.

The VICE PRESIDENT. Does the Senator from Wyoming yield; and if so, to whom?

Mr. O'MAHONEY. The Senator from Kentucky has asked me to yield to him, and I do so.

Mr. BARKLEY. Mr. President, the Senator will note in subsection (b) of section 8, on page 5, the following language:

Nothing in this act shall operate to relieve any person operating any pipe line from any duty or liability to which such person may be subject under the provisions of the Interstate Commerce Act, including all acts amendatory thereof or supplemental thereto, or the Natural Gas Act, except that the President is authorized to relieve any person operating any pipe line with respect to which an advance is made or the right of eminent domain is exercised under authority of this act from any duty or liability under either of such acts to such extent as he may deem advisable for national-defense purposes.

Mr. O'MAHONEY. If the Senator from Kentucky will permit me, let me interrupt him at that point to say that I was just about to come to that section. It only emphasizes the point I am making.

Mr. BARKLEY. I do not want to anticipate the Senator's argument. I merely wish to call attention to the fact that unless the President should issue a positive proclamation or Executive order in the interest of national defense—and I assume he would not do it except in some emergency affecting the national defense——

Mr. WALSH. And which he could already do, with respect to existing lines, under his general power.

Mr. BARKLEY. That may be true; so that that does not put the proposed pipe lines in any category different from that in which those that now exist are placed; but unless the President should issue a positive Executive order of some kind affecting national defense, all these pipe lines would automatically be under the Interstate Commerce Act and under the Natural Gas Act.

Mr. WALSH. That is very enlightening, and clears up one of my difficulties.

Mr. O'MAHONEY. I think the Senator from Kentucky is altogether mistaken about the point he makes, and I will show why I feel so.

Let us read subsection (b) of section 8:

Nothing in this act shall operate to relieve any person, operating any pipe line, from any duty or liability to which such person may be subject under the provisions of the Interstate Commerce Act, including all acts amendatory thereof or supplemental thereto, or the Natural Gas Act, except—

Now observe the exception:

except that the President is authorized to relieve any person, operating any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, from any duty or liability under either of such acts to such extent as he may deem advisable for national-defense purposes.

It is obvious that here we are conveying to the President, for purposes of national defense, the power to grant to certain pipe lines an exemption from the law. I do not criticize that; it may be quite necessary. Of course, what it means is that, for purposes of national defense, we are in effect repealing the regulatory laws relating to pipe lines. But the point involved in the amendment is whether that repeal shall be permanent. That is the question. The amendment which Commissioner Eastman has suggested, and which the committee has reported, merely provides that the power to grant exemptions in the interest of national defense shall not extend beyond the period fixed in the next section, that is, June 30, 1943. Unless the provision suggested by the committee amendment is retained, it seems certain there will be these two classifications.

Mr. GILLETTE. Mr. President——

Mr. O'MAHONEY. If the Senator from Iowa will pardon me, the Senator from Tennessee first asked me to yield.

Mr. STEWART. Of course, the provisions of subsection (b) would not obtain in any event unless the President put them into operation.

Mr. O'MAHONEY. Certainly, and they are included only so that if it is deemed essential he may call them into existence.

Mr. STEWART. Then, let me ask the Senator a question. Suppose a time limit should be fixed, suppose the amendment should be adopted—and while I do not favor it personally, I am representing the committee, and shall insist on a vote being taken—what then would be the effect after the time limit had expired, for instance, upon the provisions of the Elkins Act? As I understand, the Elkins Act prohibits the construction of a pipe line by a group of companies. Suppose the application of the Elkins Act to pipe lines constructed under the pending measure should be exempted by the President, a line is constructed, and then the time limit is reached according to the provisions of the law?

Mr. O'MAHONEY. I am quite sure that the Committee on Interstate Commerce gave consideration to that very question when it adopted the amendment. I do not know what the opinion of the committee was, but my opinion is clearly that the power to grant exemptions would, by the committee amendment, be limited to June 30, 1943, exactly as the power under section 4 for the Government to build a pipe line is limited by the provisions of the proposed act to June 30, 1943. If we are of the opinion that the power of the Government to construct pipe lines should be limited to June 30, 1943, is there any reason why we should not also agree that the power to grant exemptions from limitations should be limited to the same date? When that time comes, if it should be necessary to extend the exemption further in the interest of national defense—and let us all hope that the emergency will have passed by that time—then Congress can extend it.

I now yield to the Senator from Iowa.

Mr. GILLETTE. I am in entire sympathy with the position so eloquently presented by the Senator from Wyoming. But let me call attention to what I believe is one inaccuracy in the Senator's very able statement.

Mr. O'MAHONEY. I am very happy to have the Senator do so, because the Senator knows I am not a member of the Committee on Interstate Commerce, and what I am saying is said after a very cursory examination here on the floor of the bill and of the report, and after listening to the explanation given by the Senator from Tennessee.

Mr. GILLETTE. The able Senator very seldom is inaccurate in any of his statements. The Senator just stated that in effect Congress would be repealing the regulatory provisions by the enactment of the provision we are discussing. Is it not more accurate to say that in effect we would be delegating to the executive branch the power to repeal the regulatory provisions, and without the amendment which the Senator is discussing, without any time limit, without any limitation whatever?

Mr. O'MAHONEY. I think the Senator is correct.

Mr. BARKLEY. Mr. President, will the Senator from Wyoming yield for a question?

Mr. O'MAHONEY. I yield.

Mr. BARKLEY. I should like to have the Senator from Tennessee give heed for a moment while I propound a question. As I understand, the Natural Gas Act not only prohibits a combination of gas companies, for instance, constructing a line, but it prohibits them operating such a line, and it has been the general belief that in view of the emergency, and the temporary nature of the emergency, probably no one company would put the $70,000,000 required to construct a pipe line from the Southwest to the Northeast. It has been generally assumed, although I do not know whether it is true, that a number of companies would pool their resources to build this $70,000,000 pipe line. Suppose that under the Elkins Act they not only cannot construct but cannot operate such a line unless they are lifted out by the provisions of the pending measure, and June 30, 1943, should be reached and they had in the meantime built a line through a combination of their resources; what would happen after that if automatically they went back under the Elkins Act and under the interstate commerce law? Would they have to disintegrate, or unscramble, or just cease business; or what would happen if under the law they could not even operate a line built under the measure we are now considering? What would be the result? I think that is of some importance, because such a condition might come about.

Mr. O'MAHONEY. I thought the Senator was directing his question to the Senator from Tennessee.

Mr. STEWART. That was substantially the same point I was driving at, at least, when I undertook to ask the Senator from Wyoming a question a moment ago. We did not give consideration to that matter in the committee. So far as the subcommittee with which I worked was concerned, it did not consider the question. This amendment came as the result of a letter from Mr. Eastman received by the committee yesterday. That is how the amendment happened to be included in the bill. It was on his suggestion, and his letter is set out in the report. I do not know what the effect would be.

Mr. BARKLEY. It seems to me obvious that if the natural-gas law prohibits the pooling of interests by competing companies to build a pipe line, or to operate such a pipe line, as it does, if we cut this authority short on June 30, 1943, and leave the Elkins law in force as it is now, automatically the company constructing the pipe line might be prevented from operating the line which it had built in the next 2 years.

Mr. STEWART. That may be the law, and if it is the law, there would never be a dime of private capital put into the construction of such a pipe line.

Mr. BARKLEY. I think that is a fair assumption. I understand that is one of the reasons why the Department of the Interior fears that the inclusion of section 8 in section 9, as sections 2, 3, 4, and 6 are included, would operate to prevent the construction of the pipe lines by private capital, and might force the Government to construct them, because only in the event private capital fails to enter the field, as I construe section 4, would the Government undertake to act.

Mr. O'MAHONEY. Does the Senator from Kentucky say that the Department of the Interior is opposed to the committee amendment?

Mr. BARKLEY. Yes.

Mr. O'MAHONEY. In what way did the Department express its opposition?

Mr. BARKLEY. I do not know that information has come by any written communication, but that information has been conveyed directly to me and to the Senator from Tennessee [Mr. STEWART]; and the Senator from Montana [Mr. WHEELER] this morning, after conference with the Under Secretary and the attorneys for the Department of the Interior, announced on the floor of the Senate that they were opposed to it on the ground that they feared that the pipe line would not be built by private capital if the amendment should be adopted, and that in view of that fact the Senator from Montana was himself not pressing the amendment and was indifferent whether it was adopted.

PUBLIC REGULATION OF THE OIL INDUSTRY

Mr. O'MAHONEY. Mr. President, I can see how the argument which the Senator suggests might very well be raised. There is not any question at all that the state of industry in the United States is now such that it is difficult to induce private funds to go into any of these enterprises. Within the past few weeks, for example, we have found the United States Steel Corporation, which is acknowledged to be one of the great giant corporations which are financially self-sufficient, which are not dependent at all upon the investment market of the United States for capital—we have found that company obtaining from the Treasury $80,000,000, I believe, for the construction of plant expansion. Of course, the plant expansion was brought about by the national-defense emergency. It was necessary. Private money was not willing to take the risk, and, of course, it was a perfectly proper thing to do. But, Mr. President, we should not overlook the result of what we are doing here. It means the fastening upon the economy of America for all years to come of this concentration which cannot thereafter be avoided, except probably by a tremendous upset. The Senator from Kentucky tells us that if we do not grant this exemption, then private money will not enter the field to build the pipe lines because then it will not be free from regulation.

Mr. BARKLEY. No; not at all.

Mr. O'MAHONEY. That is the effect, is it not, of what the Senator said?

Mr. BARKLEY. No; the Senator misunderstands me. Not free from regulation, but free from the imposition of something which would make operation an impossibility. If under the law as it now exists groups of individuals or companies cannot go together and pool their interests to build a pipe line, they cannot operate a pipe line, and they cannot pool their interests to buy one which already exists. That does not mean that they would not be regulated as to their rates, but if by an automatic resurrection of the Natural Gas Act, we will say, operative on the 30th of June, they cannot thereafter operate the line which they have built prior to the 30th day of June, I doubt very much, and I think the Department of the Interior is justified in the assumption, that no such combination, not only no such combination, but no individual, no single corporation, would join with others in the construction of a line which under the law it could not even operate after the 30th of June. That is entirely aside from the power to regulate the rates and practices and things of that sort.

Mr. O'MAHONEY. Of course, what I meant by regulation was the regulation contained in this measure. What the Senator says is that in order to induce private capital to build the pipe lines we are willing to grant an exemption to competing lines from the prohibition now contained in the Natural Gas Act, and we say to such corporations, "You may make your combination, and if you build this line, then you may continue to operate it without any limitation of time."

Mr. BARKLEY. Mr. President, it might result in the necessity of the Government itself building a line, and that is what I think we all want to avoid. I think the question of concentration of enterprise not only applies to combinations in private industry, but I think that over a long period, and for the long pull, as they used to say in the financial markets, we are not anxious to put the Government into a concentration of business activities beyond the absolute necessity required by the emergency.

Mr. O'MAHONEY. Mr. President, of course, we are all agreed upon that, and I am delighted to have the Senator from Kentucky say it. It is understood that I am pursuing this matter solely for the purpose of developing the gravity of the issue which is here presented to us.

Mr. BARKLEY. Yes; I realize that, and I also appreciate not only the ability but the sincerity of the Senator from Wyoming in any presentation he makes.

Mr. President, we all realize that if it were not for the emergency this proposed legislation would not be here. The fact that tankers have been taken out of the domestic oil trade brings about the possibility of a shortage of oil and its products along the Atlantic coast. It may be that by some sort of transfer or manipulation or exchange of facilities the necessity for this line might be obviated. But not only has the Department of the Interior, but the President in the exercise of his right and his duty has also urged this legislation upon Congress on the ground that the pipe line is needed.

ECONOMIC EFFECT OF PIPE LINES

Mr. O'MAHONEY. Mr. President, let me illustrate to the Senator what I have in mind. The Senator is aware that the Temporary National Economic Committee, of which I happen to have been the chairman, conducted long hearings on the question of the petroleum industry as well as other phases of our general economy. Now, utterly aside from the facts which were developed in those hearings, I have had occasion to observe in my own State illustrations of the manner in which pipe lines can be used to change the economy of States and localities.

That was discovered within the past few years in what is known as the Lance Creek oil field in Wyoming and in the deep sand which greatly expanded the productive area in that field. Within 100 miles of the Lance Creek field, in the city of Casper, there were several large refineries; one refinery operated by the Standard Oil Co. of Indiana, another by the Texas Co., and another nearby refinery operated by the Continental Co. Some of the major companies were the dominant figures in the production of oil from the Lance Creek field.

The time came when, for reasons which were sufficient to the major oil companies, it seemed desirable to them to refine this oil elsewhere than within the State of Wyoming, or in the refineries which were there existing. The number of employees in the refinery of the Standard Oil Co. of Indiana was reduced. Hundreds of men were laid off on numerous occasions. The major companies built a pipe line from the Lance Creek field right by the doorway of refineries in the State of Wyoming, to carry the oil to Utah to be refined, and when I sought to inquire of the executives of the big oil companies why that was done, the answer was that it was more economical to distribute the refined products from Salt Lake City than from the refinery in Casper.

The point I am making is that in the present constitution of national industry we have completely lost local economic independence. The States and cities are helpless in the hands of and before the offices, so to speak, of the executives who run the great corporations.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. BARKLEY. Of course, I am not familiar with the local situation to which the Senator has called attention. But I know that we are all very naturally inclined to consider broad problems from a local standpoint. We all do it.

Mr. O'MAHONEY. I recited that instance merely to show the Senator that I had illustrations within my own State. I shall not take the time to cite all the

evidence I have, but the Senator has said that perhaps I was viewing this problem from a local point of view——

Mr. BARKLEY. We all do it.

Mr. O'MAHONEY. Let me read to the Senator a statement from one of the monographs of the Temporary National Economic Committee. In reading the statement I wish to make it clearly understood that I appreciate the fact that these problems weigh as heavily upon the executives of the big companies as they do upon the leaders of small industry, and upon those of us who happen for a time to be sitting in the legislative bodies of the Nation. I sincerely believe that most of the leaders of our national industry are endeavoring to work out, and would like to work out, a satisfactory solution to the problem. But what I am saying is that the conditions which I have described as existing in the State of Wyoming exist everywhere throughout the country. The pipe lines have operated so as to concentrate industry. Let me read the statement to which I have referred.

Mr. BARKLEY. Before the Senator reads the statement, let me say what I had in mind when I mentioned the local effect of such activities. I do not know what the facts were in the particular case to which the Senator refers or in similar cases; but if it were true that the benefits from the more economical refining and distribution of oil were passed on to the consumers of oil, such a thing as the Senator mentioned might be justified, regardless of the effect it might have on some local industry. I do not know whether the benefit derived from cheaper distribution from Salt Lake City was passed on to the consumers of oil products.

Mr. O'MAHONEY. If the Senator had heard the consumers talking about the prices which they pay for gasoline, he would agree that they did not believe the benefit was passed on.

Mr. BARKLEY. The burden of proof would be on the companies to show that it was.

Mr. O'MAHONEY. The evidence before our committee was that for the most part the pipe lines are operated at great profit with the result that the integrated companies which own them may be content with small profits, or even losses on refining and distribution.

The Federal Trade Commission made this statement in its report on pipe-line transportation of petroleum, published in 1916. This is the gist of the whole story:

> The cheapness of pipe-line transportation has enabled the large companies owning comprehensive pipe-line systems to choose strategic locations for their refineries near seaports and the larger distributing centers of the country, while small concerns, dependent on rail shipments, have been forced to build their plants near the oil fields.
>
> CONCENTRATION OF CONTROL IN MAJOR COMPANIES

In other words, the pipe-line network in this country has operated in such fashion as to tend to concentrate control of the petroleum industry in the hands of the major companies. The effect of such action is widespread, not only upon local communities and the States, but on the Nation as a whole. It has a vital effect upon free, independent enterprise, because to a greater or lesser degree the small distributor is dependent upon the grace of the major distributors.

Mr. President, I am aware that when a statement of that kind is made it is sometimes interpreted as an attack upon the major companies. I do not wish to be understood as making an attack upon them. I am merely discussing, in its relation to the petroleum industry, the fundamental factor in our present economy.

A moment ago the Senator from Kentucky said that we want to avoid construction of pipe lines by the Government. That is because it is the opinion of the Senator from Kentucky that so far as possible we should have plants and lines of this kind in the hands of what we are pleased to call private enterprise. In other words, we do not want big Government to take the place of big business. However, unless we are careful in what we do—as in this matter—we shall be laying the groundwork for such a concentration of economic power in the hands of big business that it will be very difficult, if not impossible, to break its hold when the emergency is over.

I appreciate what the Senator from Kentucky has said. I know that the Secretary of the Interior has invited representatives of the oil industry to come to Washington, and is now endeavoring to build up some sort of cooperative enterprise by which the big fellow and the little fellow will work together in the public interest.

From my conversations with Mr. Davies, the deputy coordinator, I am satisfied that that is his purpose. I believe it is the intention of all those who have to do with the problem to do the best they can in a patriotic way for the benefit of our country in its hour of need. But certainly we should not close our eyes to the danger which is involved.

Mr. President, if I may have the attention of the Senator from Kentucky [Mr. BARKLEY] and the Senator from Montana [Mr. WHEELER] I wish to make a suggestion. Since the Senator from Montana and the Senator from Kentucky are apparently united on this issue, I am anxious to take advantage of that unity of mind and purpose.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WHEELER. Let me say to the Senator that he is mistaken in that statement.

Mr. O'MAHONEY. I thought the Senator said that the bill was satisfactory to him.

Mr. WHEELER. No. What I said was that, so far as I was concerned, frankly I did not like the bill, but I did not intend to oppose it. I said that I felt that the provision in question should probably go into the bill. I felt that if I should oppose the bill some of those in the Interior Department would immediately accuse me of trying to obstruct a defense measure. Frankly, I understood that the Secretary of the Interior did not want the bill to go to my committee, which is a ridiculous thing, because I knew nothing about it and was not interested in it.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Does the Senator from Wyoming yield to the Senator from Kentucky?

Mr. O'MAHONEY. I yield.

Mr. BARKLEY. Let me say to the Senator from Montana that I have never heard of the objection which he has suggested. The bill came over from the other House and was referred by the Presiding Officer to the Senator's committee. I have never heard that anyone objected to it going there.

Mr. WHEELER. I know that the Secretary did, because when the matter was called to his attention he telephoned to me and told me that he was acting only as a messenger boy, because some one had made the suggestion to him. Because of that suggestion, I sent the bill to a subcommittee. The subcommittee did not make a report to the full committee, but sent the bill back to the full committee. When it came back to the full committee we voted it out, although there was some objection to it in the full committee. I think there is much to be said for what the Senator from Wyoming stated with reference to building the pipe line. There is an emergency; at least, apparently the Department says there is an emergency, and that the pipe line is necessary because of that fact. Ordinarily, I would be opposed to the proposal, because there is no question at all in my mind that it will give a few oil companies a tremendous monopoly. In addition to that, it will upset and probably put out of business many coal mines throughout the country, causing unemployment among coal miners, and I believe it will seriously affect employment on the railroads when peace comes.

Those three things are bound to happen. Then later, when we seek to amend the act so as to give the Interstate Commerce Commission the power to do the things which it now has the power to do, we shall have great difficulty.

What I wanted to make clear was that, so far as I am concerned, I shall not oppose the proposal, because it is felt there is an emergency.

After talking with officials of the Department this morning, I felt that perhaps we might be able to work out something. If we adopted an amendment such as that suggested by the Senator from Kentucky [Mr. BARKLEY], and if we took it to conference, perhaps we could work it out in conference.

Mr. O'MAHONEY. What I started to say when I asked for the Senator's attention was that I appreciate the difficulty which is presented by this situation. I desire to cooperate, as I am sure every other Member of this body does, with the Secretary of the Interior and with the petroleum industry in the effort to work out a well-rounded program of coordination that will protect the interests of all factors concerned. If the petroleum industry undertakes the working out of such a coordinated policy, Mr. President, it will be in the position of taking the

lead in finding the solution of the most pressing problem that confronts the people of this country and the people of the world. I have no hesitation whatsoever in saying that the reason why Europe is involved in a war and the reason why we are digging a pit of deficits so deep that no one can plumb the depth are the same—namely, that we have not found a way of coordinating organized industry on a national and international scale with the needs of people living in local communities. So, Mr. President, I was going to ask the Senator if he would not give his support to an amendment of this kind which I should like to propose on page——

Mr. BARKLEY. I wanted to suggest to the Senator that the amendment I offered earlier in the day, limiting the inclusion of section 8, in the provisions of section 9, to subsection (b), I offered at the begininng of the discussion, because in the first place the amendment including all of section 8 would not be in the bill and would not have been adopted by the committee except on the basis of the letter written by the Chairman of the Commission, Mr. Eastman. Then he wrote us another letter, which the Senator from Montana read this morning, suggesting that subsection (b) of section 8 be included in the amendment by the Senate, and I had offered that amendment before the Senator read the letter. But, in view of the fact that the committee seemed to desire to have a vote on the amendment as it had been reported, I withdrew the amendment temporarily.

I was going to ask the Senator from Tennessee whether, if I reoffered the amendment which I offered earlier in the day, he could accept it and take it to conference and try to work it out there.

Mr. STEWART. Does the Senator mean accept it as a substitute?

Mr. BARKLEY. As an amendment to the amendment reported by the committee, so that the provisions of section 9 would apply only to subsection (b) of section 8 and not to the entire section 8.

Mr. O'MAHONEY. Mr. President, if I may answer for the Senator from Tennessee, I think that would involve almost an abrogation by the Senator from Tennessee of the action of the committee for which he speaks.

Mr. BARKLEY. Of course, Senators in charge of bills frequently take the responsibility, in view of discussion and developments on the floor, of accepting amendments which are offered, in the hope that they may work them out. I happen to be a member of the committee. I do not think the Senator from Tennessee would be violating the rules or any propriety if he should see fit to do that.

Mr. O'MAHONEY. Of course, I meant nothing of that kind by the allusion.

Mr. BARKLEY. Of course, I understand.

Mr. O'MAHONEY. But before the Senator from Tennessee answers, I want to read to the Senator from Kentucky, the Senator from Montana, and the Senator from Tennessee the amendment which I propose, which may be a solution. If the Senator will be good enough to look at the bill and refer to page 5, I propose an insertion in line 8, on page 5, to strike out the comma and to insert certain language. Let me read the whole section. As it is reported by the committee, it reads:

SEC. 8. (a) Any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, shall be constructed, extended, or completed, and operated and maintained—

Then I insert the following language:

so as to make maximum use, consistent with the national defense, of the oil and gas resources on the public domain and on Indian lands, to foster the utilization of existing railroad facilities for the transportation of petroleum and petroleum products, and to preserve the rights of all producers and distributors of petroleum and petroleum products to the benefits of such lines,

Then, going back to the language of the bill as reported—

subject to such terms and conditions as the President may prescribe as necessary for national-defense purposes.

Mr. AUSTIN. Mr. President, what was the last word in the amendment? Was it "lands" or "lines"?

Mr. O'MAHONEY. "Lines." The last words of the amendment are—

And to preserve the rights of all producers and distributors of petroleum and petroleum products to the benefits of such lines—

Such pipe lines, in other words.

Will the Senator from Kentucky express an opinion about that?

Mr. BARKLEY. The Senator's amendment injects entirely a new idea into the proposed legislation. If he does not make it almost exclusively for the benefit of oil produced on public lands, he certainly emphasizes the use of the pipe line for such purposes.

Mr. O'MAHONEY. I was very careful to say in that respect "maximum use consistent with the national defense."

Mr. BARKLEY. I understand that; but the Senator emphasizes the oil coming from public lands, and he also emphasizes the use of the facilities of other transportation companies and facilities.

I do not know where all the oil is that comes out of public lands. I suppose it is scattered pretty generally over portions of the West; but it seems to me we should not single out oil produced on the Government's property in order that it may use these pipe lines, it may be to the exclusion, and certainly to the preference, of other use for them, with the possible result that oil production on other lands and by private concerns might suffer disadvantage.

In view of the novelty of the idea——

Mr. O'MAHONEY. It is no more novel than the bill which was reported to the Senate on the 14th of June.

Mr. BARKLEY. But, of course, the bill is intended to benefit the transportation of oil from all parts of the country where it is available, and not simply to emphasize the desire to take oil from public lands.

Mr. O'MAHONEY. Let me beg of the Senator to observe the fact that the language of the amendment is not at all mandatory or exclusive.

Mr. BARKLEY. But it is intended to be persuasive.

Mr. O'MAHONEY. Certainly it is intended to be persuasive, because I can point out to the Senator that the resources of the public-domain States are being almost completely overlooked in this defense effort, and I want to call the attention of the Congress and of the country to the fact that in the public-domain States, right behind the barrier of the Rocky Mountains, there are vast deposits of natural resources which could be used to the tremendous advantage of our country if we were permitted to use them. But when a Member of this body rises to point that out, his suggestion is resisted in such a manner as to indicate a desire under this bill to fasten in the hands of those who control private industry the power which they now have to control the development of this country and the prosperity of its people.

Mr. CHAVEZ. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Along the line suggested by the Senator from Wyoming, let me say that in my State we have fields of proven potential capacity of millions of barrels a day, but, notwithstanding that fact, we are allowed to produce only 115,000 barrels a day. The oil is there and we would have the right to produce it if the suggestion of the Senator from Wyoming were followed that everyone be permitted to produce and distribute his oil.

Mr. O'MAHONEY. I hope the Senator from Kentucky, on behalf of the leadership, will accept this amendment. There is, as I say, nothing mandatory in it. It leaves it to those who are administering it, but it expresses a point of view upon the part of this body that some other considerations than those which are advanced by the executives of a great industry should be in the minds of those who are to build this new network of pipe lines to feed oil to the country.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am very glad to yield to the Senator from Iowa.

Mr. GILLETTE. I desired to direct attention to that situation, as to the protection of the other interests, without the proposed amendment interfering in any way with the right of the President to make a final determination in the application of the law.

Mr. O'MAHONEY. Exactly. If this amendment is accepted it will not limit the power of the President. I would be very glad to go along with the leader in the suggestion which he makes that the committee amendment be rejected, provided only I can have some assurance that some attention will be given to the needs of the independent producers and the independent distributors and the great communities which are dependent upon the development of natural resources.

Mr. AUSTIN. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from Vermont.

Mr. AUSTIN. I have great regard for the opinion of the Senator from Wyoming, and I want to ask him his opinion regarding the effect of the amendment which would, within the terms of section 9, place paragraph (b) of section 8 in-

stead of section 8. My question is, since section 8 (b) provides that nothing in this act shall operate to relieve from the provisions of the Interstate Commerce Act would we not then put a limitation upon that saving clause, that clause, which is intended, as I understand, to preserve the control of the Interstate Commerce Commission over this form of common carrier the same as over other common carriers except during a short period of time?

Would we not write out that control and leave the President permanently in unrestricted and unlimited control?

Mr. O'MAHONEY. No; I do not so interpret it, but if the Senator will observe this section—I read it a moment ago and was going to discuss it, but was interrupted by questions which diverted my attention to another matter—the amendment offered by the Senator from Kentucky, which, as I understand, is now withdrawn, would, in my opinion, have the effect of bringing to a termination the power of the President to exempt from the act.

Mr. AUSTIN. That is the second part.

Mr. O'MAHONEY. Yes; that is the second part.

Mr. AUSTIN. That is the second part of subsection (b) of section 8. I call the Senator's attention to the first part. There are two ideas contained in subsection (b) of section 8, and they are in opposition to each other. One of them undertakes to preserve the control of the Interstate Commerce Commission under the act; the other one undertakes to waive it. They are, therefore, in opposition to each other. In other words, if we amend the bill as proposed, we put a time limit on both parts, that which relates to the preservation of the jurisdiction of the Interstate Commerce Commission, and the other part which relates to the waiving of it by the President, do we not?

Mr. O'MAHONEY. I appreciate the force of the Senator's question, but I believe that the answer to it is, "No." Let me read the language which brings me to that conclusion. In the first place, section 9 says:

> After June 30, 1943, neither the President, any department or agency of the Government, nor any person shall exercise any of the powers conferred—

That is a limitation obviously upon the exercise of powers and nothing else.

Section 8 (b) contains two contrary provisions, as the Senator from Vermont suggests. The first is that—

> Nothing in this act shall operate to relieve any person, operating any pipe line, from any duty—

And so forth. In other words, the first clause says by congressional enactment nothing in this law shall grant an exemption. Therefore that is not a power which is terminated by the clause in section 9; it is an explicit declaration of Congress that there shall be no exemption unless the second clause of section 8 (b) comes into operation, and that clause reads—

> except that the President is authorized to relieve any person—

And so forth. If the President does not exercise the authority to relieve a person from obeying the law, the law is not waived. But if the amendment of the Senator from Kentucky were adopted, the effect of it would be, as I understand, to limit to June 30, 1943, the power of the President to grant exemptions. Is that what the Senator from Kentucky meant?

Mr. BARKLEY. Yes; that would be the effect of the amendment which I had offered.

Mr. O'MAHONEY. That is the reason I say, "No" in response to the question of the Senator from Vermont.

Mr. AUSTIN. I thank the Senator from Wyoming. I am not very familiar with this proposal, but I confess that it appears to me to be otherwise, and on reading section 4, for example, which is one of the sections referred to, it seems to me to have rather the absurd effect of reversing at the end of the period, namely, June 30, 1943, the policy of the Congress with respect to the control of common carriers engaged in interstate commerce.

Mr. BARKLEY. Mr. President, if the Senator will permit me, section 9 terminates all the powers contained in sections 2, 3, 4, and 6 on June 30, 1943. The only effect of subsection (b) is to authorize the President to lift the control of the Interstate Commerce Commission over these acts. I think, as a matter of fact and as a matter of law, after the termination of the power not only to construct but to operate by those who build these lines, in all probability they would automatically go back under the Interstate Commerce Commission in any event; but the effect of this subsection is simply to give the President power during this period to lift the control of the Interstate Commerce Commission.

Mr. GILLETTE. Mr. President, will the Senator yield to me for a moment?

Mr. O'MAHONEY. I yield to the Senator from Iowa.

Mr. GILLETTE. With reference to the point which was raised and the doubts expressed by the Senator from Vermont [Mr. AUSTIN] as to whether the limitations as to time in section 9 would operate to limit the powers of the Interstate Commerce Commission under the first part of subsection (b), I invite the Senator's attention to the fact that the time limitation "After June 30, 1943," is directed only to the powers conferred by this bill, and that the powers of the Interstate Commerce Commission which are now exercised are not conferred by this bill.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. GILLETTE. The Senator from Wyoming has the floor.

Mr. AUSTIN. Will the Senator from Wyoming yield in order that I may ask the Senator from Iowa a question?

Mr. O'MAHONEY. Certainly.

Mr. AUSTIN. I am seeking information rather than undertaking to debate the question. The question is, Do not sections 2, 3, 4, and 6 of this bill in their operation amend the existing law with reference to the control of common carriers in interstate commerce?

Mr. GILLETTE. They operate to the extent of authorizing advances of money and the exercise of the power of eminent domain. They certainly do.

Mr. AUSTIN. Yes.

Mr. GILLETTE. And subsection (b) of section 8 operates to give the President power to relieve these companies from certain regulatory acts; but, if the Senator will do me the honor to listen to me, the time limitation simply goes to the powers conferred under this bill.

Mr. AUSTIN. Mr. President, that is just the reason for my question. To my mind, there is a conflict. This limitation is upon the powers conferred in sections 2, 3, 4, and 6. These powers are, in effect, an amendment of the existing law with relation to transportation in commerce.

Mr. GILLETTE. Does not the Senator think they should be limited as to time?

Mr. AUSTIN. Yes; but I think the effect of the amendment will be just the reverse. My interpretation of the effect of the amendment is that after June 30, 1943, the provision that "Nothing in this act shall operate to relieve any person operating any pipe line from any duty or liability to which such person may be subject under the provisions of the Interstate Commerce Act," and so forth, would be completely ended, and from that time forward such persons would be relieved; and if we permitted subsection (a) of section 8 to stand, we would break down the regulatory powers of the Interstate Commerce Commission in respect to the matters mentioned in sections 2, 3, 4, and 6, and set up the President's powers for all time.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. O'MAHONEY. I yield.

Mr. BARKLEY. I think the conflict is more apparent than real. The object of subsection (b) is to reaffirm the powers of the Interstate Commerce Commission over this entire subject, though the President might lift them during the emergency. If the amendment which I have suggested puts subsection (b) of section 8 within the provisions of section 9, it limits the President's power to do that to June 30, 1943. If he does not exercise the power, the Interstate Commerce Commission is not in any way interfered with in the exercise of its jurisdiction over these carriers, as I see the matter; and I think, as I said, that the conflict is more apparent than real. The only authority conferred in subsection (b) is that the President may temporarily suspend the operation of the interstate commerce law as to these particular pipe lines; and, unless he shall see fit to exercise that power, the Interstate Commerce Commission is in no way interfered with.

Mr. AUSTIN. I thank the Senator.

Mr. BARKLEY. Mr. President, let me say to the Senator from Wyoming that I am not in charge of the bill. I am only a member of the committee, but, as a member of the committee and as a Member of the Senate even if I were not on the committee, I should feel that the Senator's amendment injects a new idea which it would be very unwise for us to adopt. The object of the pending bill is

not to develop undeveloped oil fields anywhere in the United States. The object of the bill is to get oil that is being produced into sections that need it, that otherwise cannot obtain it or may not be able to obtain it.

Mr. O'MAHONEY. My amendment would not change that at all.

Mr. BARKLEY. But the object of the amendment undoubtedly is to give encouragement to the belief that first the oil on the public lands shall be taken through these pipe lines.

Mr. O'MAHONEY. Not at all; and I say it here so that there will be no doubt about the legislative interpretation. There is no desire whatever to direct attention first to any particular fields.

Mr. BARKLEY. The Senator's amendment does that.

Mr. O'MAHONEY. No; it does not.

Mr. BARKLEY. It mentions the public lands.

Mr. O'MAHONEY. It says "consistent with the national defense."

Mr. BARKLEY. I understand; but if the Senator's amendment is adopted, I fear—and I believe there is ground for the fear—that nobody, unless it should be the Government itself, and I do not think even the Government would be willing to put up the money to build a pipe line to give special preference to oil taken out of its own land. Certainly that is contrary to the theory of the bill.

As I say, I have not the power to accept or reject amendments, but I should be compelled to oppose the amendment.

Mr. O'MAHONEY. I understand the Senator's point of view, but I say it is based upon a false interpretation of the amendment.

Mr. STEWART. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from Tennessee.

Mr. STEWART. While suggestions are being made, and we are all in a receptive or rejective mood, I desire to discuss for a moment the suggestion made to me, if the Senator will let me do so in his time.

Mr. O'MAHONEY. There is no limitation of time today, so the Senator has all the time there is.

Mr. STEWART. I refer to the suggestion of the Senator from Kentucy [Mr. BARKLEY], which he made a moment ago, on behalf of the committee, that I accept the substitute amendment which he offered, which was that section 9 be amended so as to read, in line 25, "8 (b)" instead of "8." I have been interested in listening to the discussion of the Senators with reference to the effect of certain amendments. Would not the effect of that be simply to provide that after June 30, 1943, neither the President nor any department or agency of the Government, nor any person, shall exercise any of the powers conferred by section 8 (b)? Would not the effect of that, then, simply be to prevent the President of the United States from having the right to relieve any person operating a pipe line from any duty or liability under any law?

Mr. BARKLEY. The effect of it would be that the President could not, beyond the 30th of June 1943, issue an order or proclamation lifting the provisions of the Interstate Commerce Act or the Natural Gas Act from the pipe lines constructed under this act. That is all it would do.

Mr. STEWART. It would simply mean that after June 30, 1943, none of the powers conferred by section 8 (b) would be in existence.

Mr. BARKLEY. That is correct.

Mr. STEWART. They could not be exercised after that time.

Mr. BARKLEY. And the only power in subsection (b) is the power of the President to lift the provisions of the Interstate Commerce Act and the Natural Gas Act from the operations under the proposed law.

Mr. STEWART. That is what I was about to say: the only power conferred by subsection (b) is the power given to the President to relieve these companies.

Mr. BARKLEY. That is correct, and if the suggested amendment is adopted and subsection (b) of section 8 is put in along with sections 2, 3, 4, and 6, it will limit his power to do that to the 30th of June 1943.

Mr. STEWART. I have conferred with most of the members of the Committee on Interstate Commerce who are in the Chamber at this time, and particularly the chairman of the committee, the Senator from Montana [Mr. WHEELER], and in the interest of expediting the passage of the bill, as I believe will be the result, I undertake to say that I will accept the amendment offered by the Senator from Kentucky as a substitute for the committee amendment, which would make section 9 read at that particular point in line 25, "8 (b)" instead of "8."

Mr. BARKLEY. I suggest that the language originally suggested after the word "or" be changed to read "subsection (b) of section 8 of this act," so that it will read, "nor any person shall exercise any of the powers conferred by section 2, 3, 4, 6, or subsection (b) of section 8 of this act."

Mr. STEWART. On line 25, page 5, of the bill?

Mr. BARKLEY. Yes.

Mr. GILLETTE. Mr. President, will the Senator from Tennessee yield?

Mr. STEWART. I yield.

Mr. O'MAHONEY. May I say that the Senator from Tennessee has not yet answered the question of the Senator from Wyoming? I had hoped that he would say, immediately following his statement to the Senator from Kentucky, that he would also accept the amendment offered by the Senator from Wyoming.

Mr. STEWART. The Senator from Wyoming knows my fondness for him, and I should like to accept his amendment, but I think perhaps I have gone as far as I have authority to go.

Mr. O'MAHONEY. There is a great deal of difference between waiving action which the committee has formally taken and accepting an amendment which is offered upon the floor and which for the first time has here been called to the attention of the Senator who is in charge of the bill.

Mr. GILLETTE. Mr. President, will the Senator yield to me for the purpose of asking a question of the Senator with reference to the matter he has just discussed?

Mr. O'MAHONEY. I am very happy to do so.

Mr. STEWART. Before the Senator asks his question, let me say, in reply to the Senator from Wyoming, that I agree that there is quite a difference, the difference chiefly being that the Committee on Interstate Commerce, which has considered this bill, has not had opportunity to consider the amendment of the Senator from Wyoming at all; and there is the further difference that, as I stated, I polled the members of the committee present on the floor, including the chairman, and then, as I suggested, accepted the amendment offered by the Senator from Kentucky as a substitute.

Mr. BARKLEY. If the Senator will yield there, it might also be stated that in the committee the letter of Chairman Eastman of the Commission, in which he stated that the only interest they have is in subsection (b), was read, and the committee considered it. I do not know whether they realized the full implication of Chairman Eastman's letter; but it seems to me that if the committee had had the second letter of Chairman Eastman, in all likelihood it would have brought in the provision which is now offered by my amendment, instead of including in section 9 the entire section 8. At any rate, they discussed that; they considered section 8. The amendment of the Senator from Wyoming presents entirely new, extraneous matter, a limitation, practically a direction, if it has any effect at all, as to where the oil shall come from which will be transported through the pipe lines to be built. Certainly the committee had no opportunity to consider a proposition of that sort, and it seems to me that it injects an entirely new equation into the bill, which no one except the Senator from Wyoming had thought of until he brought his amendment on the floor. The Senator from Wyoming has a very prolific mind, a very active mind, and it is nearly always a sound mind. [Laughter.]

Mr. O'MAHONEY. I shall not ask the Senator to give me a bill of particulars upon the variations from the rule he has laid down. [Laughter.]

Mr. BARKLEY. I am trying in a clumsy way to compliment the Senator. He thinks of things probably sometimes ahead of most of us. But I think that a proposition of this sort is one which the committee could not accept. We cannot tell, but in all likelihood it probably would not have accepted it if it had been considered; and in view of its novelty, its newness, and the misdirection which it takes as compared with the main object of the pending bill——

Mr. O'MAHONEY. I am exceedingly sorry to have the Senator from Kentucky reject a good idea because it is new. That is not the principle upon which we should legislate.

Mr. BARKLEY. It has also the vice of being unsound.

Mr. O'MAHONEY. Ah, but now the Senator is getting on rather weak ground, as I shall demonstrate in a moment.

Mr. GILLETTE. Would the Senator from Wyoming have any objection to my asking my question of the Senator from Tennessee privately?

Mr. O'MAHONEY. I shall be quiet while the Senator makes his private inquiry.

Mr. GILLETTE. I prefer to ask the question publicly.

The Senator from Tennessee has just indicated that on behalf of the committee he would accept the amendment suggested by the Senator from Kentucky. Before I ask the question, let me say that the Senator referred to the letter of the Interstate Commerce Commission stating that they had interest only in subsection (b). That may be true, but the people of the United States and the Members of Congress have interest in the whole subject matter, and are not limited to subsection (b).

My question is, with the amendment of the Senator from Kentucky, if it shall be adopted by the Senate, would not this be the effect of subsection (a), that section 8 will be without time limitation, and under the authority of the act any pipe line may be constructed, extended, completed, operated, and maintained, subject to the terms and conditions prescribed by the President, without time limitation except as to the power to relieve as to regulatory measures? There is no limitation on the exercise of the power to construct, maintain, and operate, no time limitation whatever, if the amendment shall be adopted.

Mr. STEWART. Under such terms and conditions as the President may prescribe as necessary for national-defense purposes.

Mr. GILLETTE. There is no limitation on that. The only limitation imposed is on the President's power to relieve from the operation of these regulatory measures.

Mr. BARKLEY. Mr. President, if the Senator will permit me to inject there, the Senator from Iowa overlooks the fact that section 8, in subsection (a), is referring to such pipe lines as are constructed under sections 2, 3, 4, and 6.

Mr. STEWART. Which are also eliminated.

Mr. BARKLEY. Which are eliminated, and on which there is a time limitation in section 9. Section 8 does not confer on the President any new power.

Mr. GILLETTE. Then what possible objection could there be to placing a time limitation in that section?

Mr. BARKLEY. Because the section merely describes and refers to pipe lines constructed under the previous sections, in which there is a limitation. In other words, any pipe line constructed under any of the provisions of sections 2, 3, 4, or 6, where an advance is made and the power of eminent domain has been exercised, which would apply to practically all of them, unless it were a little pipe line in a State, which would not cross the State line—"any pipe line with respect to which an advance is made under authority of this act," wherever they are constructed, any pipe line constructed under the authority of any of these four sections referred to, "shall be constructed, extended, or completed, and operated and maintained, subject to such terms and conditions as the President may prescribe as necessary for national-defense purposes." There is nothing there authorizing him to do anything new.

Mr. GILLETTE. Then will the Senator tell me what his objection is to having the time limitation provided, if it has no effect?

Mr. BARKLEY. Because it is unnecessary, in the first place, and, in the next place, it might operate to cut off automatically, even at midnight on some day, the right to construct or operate the pipe line. Subsection (b) relates to the power of the Intertate Commerce Commission, and there is no other power to regulate these concerns except the Interstate Commerce Commission. That power is preserved, and if the amendment which I have offered is agreed to, it is preserved permanently, subject to practically a 2-year limitation within which the President might relieve them from the regulations of the Interstate Commerce Commission.

Mr. GILLETTE. Is it the Senator's contention that the provisions of subsection (a) of section 8 have no effect whatever after June 30, 1943?

Mr. BARKLEY. It is my contention that in the construction, maintenance, extension, completion, and operation of the pipe lines provided for in the previous four sections, this thing shall happen; that is, that they shall be constructed, operated, and maintained subject to such regulations and conditions as the President may prescribe as necessary for national defense. Obviously that is an automatic limitation to the period in which we are engaged in providing for the national defense.

After the period of the emergency is over and the national defense has been provided for—and the emergency will end at some time—there will be no occasion to consider national defense in regard to the completion, construction, operation, and maintenance of any of these pipe lines. Therefore it seems to me that provision is simply a qualification of the previous four sections, and does not confer any additional authority.

Mr. GILLETTE. Will the Senator from Kentucky aid me by answering another question?

Mr. BARKLEY. I will if I can.

Mr. GILLETTE. I am trying to understand the operation of this measure, and I confess I do not reach the same conclusion as the Senator. Assume the President, under the authority of sections 2, 4, 6, and 8 makes a contract for the operation of a certain pipe line under certain conditions, beyond the termination date of June 30, 1943, does the Senator maintain that such a contract, such an arrangement, will not be continued; that if his amendment is adopted it will be terminated?

Mr. BARKLEY. So far as the regulation which the Interstate Commerce Commission exercises, I should say it would be terminated. But there are many things which enter into the terms and conditions under which the pipe lines may be constructed; for instance, the question of cost, the question of loans, the terms of repayment. Obviously they cannot be cut off on the 30th of June 1943. If the concerns constructing the pipe line have borrowed money from the Government or any of the agencies of the Government under conditions regulating interest, amortization, terms of repayment, all sorts of things outside of rates, outside the powers of the Interstate Commerce Commission, may go into the terms under which the lines are constructed. Obviously those provisions ought not to terminate on June 30, 1943.

Mr. GILLETTE. No; and the President has the power to include those provisions up to the time he has authority to make those arrangements; that is, up to June 30, 1943.

Mr. BARKLEY. Yes; but they are not matters which the Interstate Commerce Commission could control either under subsection 9 or under existing law. Therefore, it is not necessary to deal with them; it is not necessary to put a time limit on them as of June 30, 1943. The time limit which is provided in section 9 applies to the power on the part of the Government to construct, the power of eminent domain, or the power to make loans. It is obvious that, as the R. F. C. already has made loans often extending over a period of years, and we have had to extend them already from time to time, there would have to be a sort of cleaning-up process, a winding up of this activity after the emergency is over, that could not be terminated on a definite date. If subsection (a) is included in this termination, we run the very strong risk of terminating the power of the President to deal with the contracts already made between the Government and the companies.

Mr. GILLETTE. No; that is just what I do not want to do. I do not have the clarity of the Senator either in thinking or expression. I have no fault to find with the power of the President conferred by section 8 to negotiate the arrangements up to the date of June 30, 1943. What I want to do is to put an end to them on that date.

Mr. BARKLEY. I think the language of section 9 does all that, except it does not terminate the conditions under which the Government has assisted in the construction of the pipe lines, and it ought not to do so.

Mr. O'MAHONEY. Mr. President, may I inquire as to the parliamentary status at the moment? The Senator from Tennessee has agreed to accept——

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Kentucky [Mr. BARKLEY] to the committee amendment. The amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 5, line 25, after the word "or", it is proposed to insert the words "subsection (b) of section", so as to make the language in lines 24 and 25 read:

shall exercise any of the powers conferred by sections 2, 3, 4, 6, or subsection (b) of section 8 of this act;

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky to the committee amendment.

Mr. ADAMS. Mr. President, I do not know that I object, but I think we should clearly understand just what we are doing. Subsection (b) has to do with one thing and one thing only, that is, the application of the Interstate Commerce Act and the Elkins Act to these pipe lines, and the conferring of the right upon the President to suspend the application of those acts, with the limitation which the amendment under consideration would provide that the President's power to suspend the application of those provisions shall terminate on the 30th of June, 1943.

Subsection (a), which is now being excluded from the committee amendment, has nothing whatever to do with the interstate commerce law. It has nothing whatever to do with the Elkins Act. It puts in the hands of the President, something in addition; that is, there is placed in the measure as it came from the House, a limitation upon loans, upon construction, upon various other items, looking to the building of the pipe lines. The retention of section 8 (a) without limitation leaves in the hands of the President the power to operate; that is, as distinguished from the power to aid in the construction, he may then operate and maintain. That power is left in his hands without any limitation other than the limitation he sees fit to impose upon himself by declaring the emergency to be ended, and then the power would extend a year beyond that time. I think if it is really desired to leave in the hands of the President absolute power to direct the operation of these great pipe lines and to maintain them, the amendment should be adopted.

I would rather take subsection (b) than nothing, but I am a little embarrassed about my own vote on the matter, because I think the amendment which the committee recommended is sound and correct and ought to be in the bill.

PARTICIPATION BY THE UNITED STATES IN WAR

Mr. WHEELER. Mr. President, I wish to take a few minutes of the time of the Senate to call attention to an article appearing in the Chicago Tribune, written by Harold Denny, who is the New York Times correspondent in Cairo, Egypt. It seems significant to me that the New York Times, which contends that it prints everything that is worth printing, "all the news that's fit to print," has not seen fit to print an article from its own correspondent in Cairo. At least, I have looked through one of the editions of the New York Times and have been unable to find this particular article. If it is true that the New York Times did not print the article in its own newspaper, that fact shows that the newspaper exercises the power to suppress the news as well as the power to print "all the news that's fit to print," which is the boast of the New York Times.

The article to which I have referred reads as follows:

[From the Chicago Tribune]

SAYS UNITED STATES WILL BEAR BRUNT IF IT ENTERS WAR—CAIRO EXPERTS AGREE ON SIZE OF TASK

(By Harold Denny)

CAIRO, EGYPT, July 10.—With Gen. Sir Archibald P. Wavell last week and Gen. Sir Claude Auchinleck this week expressing their opinion that Britain cannot win a real, lasting victory over Germany without the aid of American troops on the European battlefield, this war has entered a "now it can be told" stage. Wavell and Auchinleck recently exchanged places as the British chiefs of the middle east and India.

And, as dispatches from America indicate that the United States is being maneuvered rapidly toward avowed belligerency, it is important that the American people have as clear an idea of the probable course of war as can be given from this listening post—the administrative center of the only active theater of land warfare and with an assembly of "brains" stocked with expert knowledge of all pertinent factors.

WOULD STRAIN EVERY RESOURCE

Swapping ideas with such minds leads to the conclusion that if America is to adopt a status of active belligerency she must prepare at once to wage war on the Continent of Europe in a manner compared with which the American Expeditionary Force of 1917–18 was a picnic.

Such effort would strain every resource of the country. If America elects to enter the war in the near future, she must be prepared not only to enter on a grand scale, but quite possibly bear the brunt of it.

This time, by all probabilities, the United States would not go into an existing battle line, as it did in the World War. Quite possibly the United States would have to make its own landing somewhere in the Eastern Hemisphere, for, as General Auchinleck said, and General Wavell indicated, the war can really be won only in Europe and in Germany, unless the Soviet Army cripples the German Army to its vitals.

SEPARATE WAR FOR UNITED STATES

It is difficult to see how England dare strip its own defenses against the danger of invasion to dispatch a sufficiently strong expeditionary force to the Continent. So, if the United States does go in, it will be very much its own war.

Germany's invasion of Russia has greatly benefited Britain's position with respect to the war as a whole and specifically in the Middle East, which apparently is secure for the time being. And American military equipment now is beginning to arrive in the Middle East in considerable quantity, increasing the use which Britain can make of this respite.

In a sense, Germany's attack on Russia makes the war problem both greater and more immediate for Britain and the United States. Should Germany be able to overrun western Russia, the Ukraine, and the Caucasus Mountains in the next few weeks, General Wavell and General Auchinleck indicated it was likely the Germans would launch a sweep against India and all the Near East.

RACE WITH TIME STARTED?

General Wavell declined to be drawn out on the point whether Germany's invasion of Russia had not started a race in time between Germany and America—America to arm herself adequately before Germany can get the Ukraine or Caucasus into effective exploitation.

Granted that Hitler gets the Ukraine and the Caucasus in the next few weeks, it will take him some time—some observers think a minimum of 2 years—to organize production and transport of the resources he most needs.

Many observers here believe Hitler may be trying to grab an enormously rich eastern empire while Britain still is unable to attack him by land on the Continent, so that if the worst comes for Hitler in the west, he still would have made a great conquest, and laid the basis for a tremendously powerful Germany in the future.

There are those who are saying that we can enter the war and win, using only our Navy. In the opinion of those on the scene in Cairo, who constantly come in contact with the English military experts, it is impossible for us to win unless we send an expeditionary force to Europe. If we do so, we shall be carrying the brunt of the war burden.

Mr. President, I wish to emphasize the fact that the great New York Times, which boasts that it publishes all the news fit to print, apparently did not print this article written by its own correspondent.

However, it was printed in the Chicago Tribune, which subscribes to the New York Times foreign service.

Mr. President, I also wish to call attention to the fact that a poll taken in Great Britain shows that 72 percent of the British people think that the United States will enter the war. Half of those questioned were of the opinion that American entry is vital if Britain is to win the war. In that connection I read a recent newspaper article:

POLL SHOWS 72 PERCENT OF BRITISH THINK UNITED STATES WILL FIGHT—HALF OF THOSE QUESTIONED HOLD AMERICAN ENTRY VITAL IF BRITAIN IS TO WIN WAR

LONDON, July 14.—Seventy-two percent of the British people believe the United States will, sooner or later, enter the war, according to an informal poll completed today. Fourteen percent think the contrary, while 14 percent have no definite opinion on the subject. Almost one-half of those questioned in the test believe American entry into the war necessary if Great Britain is to emerge on the winning side.

Forty-three percent of the men and women questions said Britain could not win without American assistance. Thirty-five percent thought Britain could win alone if the United States continued to provide arms. Only 12 percent thought Britain could win without assistance.

One chief factor in the British opinion thus indicated is a rising confidence here in the Russian armies now battling against German invaders. The poll demonstrates that Britons, as a whole, still have little confidence that Russia will win the war for Britain, but do count each day that the Russians delay the German onslaught as a gain for Britain.

Another discussion in Britain of late, in Parliament and elsewhere, has had to do with whether Britain's factories are yet working at full speed on munitions. Weeks ago, in the News Chronicle, the British Institute of Public Opinion released a British Gallup poll showing that 54 percent of the British people thought war production could be increased, while 21 percent thought it could not. Twenty-five percent of those questioned had no opinion.

Mr. President, I also desire to call attention to a poll taken in the State of New York, showing that the sentiment

in that State against our entering the European war is 7 to 3. I read from a newspaper dispatch dated New York, July 14:

NEW YORK NEWS POLL—EMPIRE STATE BALLOTS AGAINST WAR, 7 TO 3—FINAL TALLY SHOWS SENTIMENT CLEARLY

(By Carl Warren)

NEW YORK, July 14.—America shall not enter the second World War unless it goes contrary to a clear and decisive mandate delivered by the voters of New York in the New York News poll which ended today. The people of this State are opposed to a shooting alliance with England against the Nazis by an overwhelming majority of more than 7 to 3.

The postcard referendum on one of the most critical issues ever to face this Republic wound up with a smashing victory for isolation from the overseas conflict.

SEVENTY AND FIVE-TENTHS PERCENT VOTE "NO"

Ballots went to every tenth registered voter, and a total of 174,309 citizens voted "yes" or "no" on the question, Shall the United States enter the war to help Britain defeat Hitler? Here are the final results:

"Yes" (go in), 51,507, or 29.5 percent.

"No" (stay out), 122,802, or 70.5 percent.

These returns mean that if the entire New York electorate marched to the polls in an official war referendum it would order the Nation to keep clear of the British-Nazi struggle by a margin of 2,853,000 real votes. Such a mountainous majority never was given to a White House nominee in the Empire State, in which President Roosevelt beat Wendell L. Willkie last November by 251,353 votes.

BURNED ONCE, THAT'S ENOUGH

Illinois voted close to 4 to 1 against war, in a poll conducted by the Chicago Tribune coincident with the poll in New York. The two States cast about 21 percent of the total national vote of 49,000,000 in 1940.

Intense public interest in the issue at stake in the polls was shown by thousands of comments on the cards. Few voters quarreled with the wording of the question. Most remarks, like these, stressed the vote on the card:

"No. Never. A thousand times no."

"We were burned once. That's enough."

"Sink Hitler or be sunk."

"Yes. Fight over there—not over here."

ACCURACY SAFEGUARDED

From a statistical viewpoint the number of samples taken was adequate to insure accuracy to within two-fifth of 1 percent—a degree of correctness attainable only in a big and costly poll.

Every one of the 119 political units in the State—62 assembly districts in New York City's 5 boroughs and 57 up-State and Long Island counties—were represented in the closing tallies. The up-State percentage against was 71.8. The city percentage, 69.8.

Distinct trends in sentiment by racial groups, home location, and sex came to light as the 13-day poll progressed. The 7–3 stay-out ratio, however, changed but little from start to finish.

Interventionists carried only 8 of the 119 units in the cumulative showdown. Four of these were in Manhattan.

CITIES MORE ISOLATIONIST

Upstate counties won by the interventionists and their go-in percents were: St. Lawrence, 76.9; Jefferson, 75.8; Lewis, 66, and Franklin, 50.4. These counties, except Lewis, lie along the Canadian border.

The biggest surprise of the referendum came from up-State regions. Many prepoll prognosticators believed farmers were dead-set against war, and dwellers in industrial cities with heavy defense contracts were more inclined to belligerency. The opposite proved true.

Both groups, of course, voted heavily "no." The farmland regions were generally 2 to 1 for peace, and urban counties, with cities like Albany, Utica, and Buffalo, 2½ to 1, as compared to 3 to 1 in New York City's suburbs.

The following are the final State-wide results of the News' war poll:

	Yes		No	
	Total	Percent	Total	Percent
Upstate total	16,068	28.2	40,907	71.8
City total	35,439	30.2	81,895	69.8
State-wide total	51,507	29.5	122,802	70.5

The significance of that article lies in the fact that, although most of the war propaganda is coming from the city of New York and the city of Washington, the majority of the people do not want war.

Practically every member of the Cabinet, appointed by the President of the United States, who said during the election campaign that he would keep us out of war and that American boys would not go to war except under certain conditions, is ballyhooing from one end of the country to the other and saying that it is necessary for us to get into the war. Is there any question in the mind of anyone that every one of the ballyhooing speeches by Knox, Stimson, Ickes, Wickard, and Walker, who are endeavoring to get us into the war, has at least, a prior tacit approval by the President of the United States?

With so much propaganda coming from the State of New York, one would think that New York State was overwhelmingly for war, yet when a poll is taken in New York State it shows that 70 percent of the people of that State are opposed to our involvement in the war. The poll also shows that 80 percent of the people of the State of Illinois are opposed to involvement in war. In spite of the overwhelming sentiment in opposition to our entering the war as shown by every poll that has been taken in this country, we find Cabinet members proclaiming that they want to fight for democracy in Europe. Every one of them flies in the face of the opinions and belief of the overwhelming majority of the people of this country.

I wish to call attention to a statement which, I believe, must be an accurate representation of inside thinking, because it comes from the Washington Post. The article says:

Secretary of War Stimson and Army Chief of Staff Marshall were understood to have informed congressional leaders that, regardless of legislative hindrances, if the time comes when United States security requires that troops be dispatched outside the Western Hemisphere, they will be sent first and Congress informed of the action later.

Oh, of course, that would be in the interests of democracy. Here we have a Cabinet member—if correctly quoted—saying that his Department is going to involve this country in war and will send American troops abroad first and then the Congress of the United States will be told about it afterward.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BARKLEY. Does the article to which the Senator refers name the congressional leaders to whom such a statement is purported to have been made by the Secretary of War and by General Marshall?

Mr. WHEELER. No; it does not.

Mr. BARKLEY. In any conference or in any committee meeting in which I have participated, no such statement was made by either the Secretary of War or General Marshall. Of course, as the Senator knows, I have been absent from the Senate Chamber on account of illness for several weeks, until last week. I do not know what happened in any conference to which I was not a party; but since resuming my duties I have had two or three conferences with these gentlemen, and I have never heard such an intimation made by either of them.

Mr. WHEELER. I thank the Senator for his explanation, and I am certain that the Senator from Kentucky would not approve of any such statement if it was made to him. But I call attention to it because it appears on the front page of the Washington Post for Sunday, July 13, 1941, and the heading of the article is: "Quit Iceland, Senate group urges the British—Naval Committee calls on President to ask withdrawal."

The thing that lends color to the statement's apparent veracity is the fact that just such a process of taking important actions first and notifying Congress and the people later has been followed time after time in recent months.

I said a few days ago, and I desire to repeat now, that if the Congress of the United States declares war, I will immediately take the stump and go from one end of the country to the other to urge unity in the United States to win the war.

But the fathers of this country and the drafters of the Constitution under which we live placed the power to declare war in the Congress of the United States of America. They did not place that power in the hands of the President of the United States; they did not give it to Secretary Knox, to say whether or not this country should go into a shooting war. They did not give to the Secretary of the Interior, they did not give to the Secretary of Agriculture, and they did not give to the Secretary of War the right, the power, or the authority to say, "You can lead the people of this country into war and then tell the Congress about it afterward."

Why was that provision written into the Constitution? Because, Mr. President, your forefathers and mine came to the United States of America after having seen the people of the European countries, one after another, led into war by the princes and the dictators and the monarchs of Europe against the will of the great majority of the people of those countries.

So our forefathers said, like Thomas Jefferson said, "Put your trust in no man. Put your trust in the law."

Members of the Senate have said to me, because I oppose giving the President

dictatorial powers, "Can't you trust the President?" And I have answered, "It is not a question of trusting the President of the United States. The question is, Do you believe in the Constitution of the United States?"

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. WHEELER. I will yield in a moment.

I say the question is, Do you believe in the Constitution of the United States? If you do not believe in the Constitution, if you believe in one-man government, then, of course, you should ignore the Constitution and you must agree that the President of the United States can take the country into war, that he can override the Constitution, or that he can do anything else he wants to do. But when you preach that doctrine you cannot, at the same time, say that you believe in a democratic republic in this country, and you cannot convince me that it is for democracy that you want to fight some place over in Europe, while you permit the destruction of democracy in the United States.

Oh, no, Mr. President; the President of the United States has not any power under the Constitution of the United States to take this country into war; and no Secretary of War, no Secretary of the Navy, no other Cabinet officer—no one man in America—has the right or the constitutional authority to take us into a shooting war until the Congress declares war. I challenge the administration, if it wants to take the country into war, to come to Congress and ask for a declaration of war, to put it up to the representatives of the people. The reason that constitutional process is not made use of is plain; our Government knows that the overwhelming majority of the Members of this Congress are opposed, just as the overwhelming majority of the people of this Nation are opposed, to getting into this war. What is happening is that step by step and step by step we are being taken into the back door of the war.

I now yield to the Senator from New Hampshire.

Mr. TOBEY. While the Senator is speaking on that line, I desire to point out to him that manifestly it never was the intention of the founding fathers that Congress should be by-passed, as is the manifest intention of the administration. I point out to him another intention of the founders of the Constitution, and that is that the Congress itself should have the right to make rules and regulations governing the Army and the Navy. I speak for myself as a humble Member of this body, and say that perhaps as grave a menace as any which confronts the Nation today is the fact that in the Senate of the United States and in the other branch of Congress there is a willingness on the part of the Congress to surrender their constitutional prerogatives as the representatives of the people.

Mr. WHEELER. I thank the Senator.

Mr. President, I do not desire to take much time, but I do wish to call attention to a memorandum just sent me by one of the newspapermen in the gallery. He gives me a direct quotation from a New York interview with a member of Parliament—as I understand, a man named Wedgwood. I never heard of Wedgwood, but probably that is because we have never heard of him in Montana. He says:

> Tell WHEELER to go soak his head.

Well, on that point, I will say that there is no Englishman and there is no one in the administration who can call me any new names, names that I have not been called, unless he originates a new vocabulary.

> Who is he, anyway—
>
> Says Wedgwood—
>
> He's from Montana, I understand, but what nationality was he originally?

For the information of Mr. Wedgwood, let me say that there is not a drop of blood flowing through my veins except English, and my people came here from England something like 300 years ago. For some puppet of an Englishman to come over here and question my nationality or my race, I regard as rank impudence and gross ignorance of good manners, good breeding, and good sense.

Then he goes on to say:

> We have had years and years of these wretched appeasers like Wheeler in England, doing nothing and hoping for the best. By wretched appeasers I mean all people who are not prepared to consider their duty to the rest of mankind. And this includes all those who think they can keep out of the war and let the other hemisphere settle its differences. At the very kindest, I say such people are misled by wishful thinkers. * * *

When asked as to whether the United States should enter the war, he replied:

> The sooner the better. You are in the war now. I'd be glad to see physical intervention tomorrow. I'd like to see American troops fighting beside ours, flying American planes, sailing American ships over and in the war zone. Just think of the moral effect of American troops marching through London.

Yes; think of the moral effect—on our people—of American boys trying to land upon European soil. Think of the effect upon American mothers and fathers to see their boys slaughtered upon the beach heads and battlefields of Europe. But think of the gall, think of the insolence of a Member of the British Parliament coming over here and ridiculing the Congress of the United States, as he did in Boston the other day, and now making a personal attack upon me. So far as the personal attack is concerned, it does not matter. I am accustomed to it, and I can take it. But what is of vital importance is the brazen effrontery of foreigners boldly and blatantly telling America how to run its affairs.

Obviously, Englishmen are coming to the United States and abusing their privileges as visitors in this country. What would happen to a Member of the United States Senate if he went to England or any other country and abused and ridiculed its Parliament or attacked a member of Parliament? He would be run out of England, just as a man such as Wedgwood should be run out of the United States. Talk about subversive activities.

A few days ago Mr. Churchill made an attack upon me, and apparently the White House was afraid it would not get wide enough publicity, and so it picked up the statement and repeated it so that it would be noted throughout the Nation.

Mr. TOBEY. Mr. President——

Mr. WHEELER. I yield to the Senator from New Hampshire.

Mr. TOBEY. Since the Senator mentioned Winston Churchill's name, let me say that this man Wedgwood is only a disciple of Churchill; he speaks the same language as that of the same Winston Churchill, now head of the English Government, in his book written in 1925—and I now quote from the book:

> The best way to secure American sympathy is to get American blood shed in the field.

That is what he said. Wedgwood hears his master's voice. They all speak the same language, trying to get us into the war. God forbid.

Mr. WHEELER. Yes; and he is the same Winston Churchill who said a few years ago that if he was living in Italy he would be Fascist, and yet he would have us believe he is fighting for democracy throughout the world.

Mr. TOBEY. And it was Anthony Eden who said, referring to democracy:

> We are not a democracy; we never have been a democracy; we never will be a democracy; we are merely strengthening our oligarchy.

Mr. WHEELER. Of course, that is what they are seeking to do. I do not blame the British for fighting for their own protection.

Mr. TOBEY. Neither do I.

Mr. WHEELER. I admire the English; I admire them for one thing particularly, and that is wherever you meet an Englishman, whether in Cairo, or Bombay, or Hong Kong, he is for England first, last, and all the time. I admire them for that. I only wish to God that some of the persons in New York who are seeking to try to drive us into this war thought of America first, not of some other country.

But think of the nerve and the arrogance of Englishmen coming over here and carrying on the greatest propaganda campaign that has ever been known to get this country into war. If we chanced to be at war with Japan, what would happen to Americans if they went to England and carried on in England a campaign and urged, "You ought to come into this war; we want to see English boys marching alongside of American boys in Tokyo." They would promptly tell us to go home and mind our own business; and they would be correct about it.

So, too, we should tell these Englishmen to go home and mind their own business. Mr. Churchill and Mr. Wedgwood and some of the other Englishmen have not been very successful in running their own country; they have not been very successful in establishing the "four freedoms" in England; they have not been very successful in establishing the four freedoms in India or Egypt; and the reason they have not the whole-

hearted support of the 352,000,000 people of India is that they have kept them in economic slavery and poverty, for there is greater poverty in India than can be found in any other place in the world.

Mr. TOBEY. Mr. President, speaking of India, if the Senator will permit me, the New York Times carried this message a few weeks ago when Lord Halifax was speaking at some society in the Hotel Biltmore, New York. A group of astute reporters got him in a room and asked him some definite and clear-cut questions. One reporter said:

> You spoke of the value of the human soul—

He had reference to India—

> and you promised Gandhi independence to India and to set the date if they would give full support to England in this hour of her dilemma. When is the date?

Lord Halifax made answer, according to the New York Times:

> We have not made the date, and it will never be possible to make the date.

Mr. WHEELER. I thank the Senator. I wish to say that Lord Halifax and some of the other English statesmen may take Mr. Willkie into camp; they may take Mr. Morgan into camp; they may take Mr. Knox into camp; they may take the other members of the Cabinet into camp; and they may carry out the wishes of Great Britain; but, in my judgment, they are not going to run the Congress of the United States; they are not going to dictate the policies of this Government so far as the Congress is concerned.

Winston Churchill takes it unto himself to criticize, if you please, Members of the Congress. But I do not blame some of the Englishmen who come here for being arrogant. The manner in which they have been lionized by the administration gives them the right to be arrogant, and I presume they feel that they are pleasing the administration when they make attacks upon Members of the Congress of the United States and upon individuals who are seeking to keep this country out of war.

I resent the activities of the Englishmen who come here, not because of their attacks upon me, for such attacks roll off me like water off a duck's back, but because of the pro-war propaganda which many of them boldly carry out. I am wondering how many of them are on the pay roll of the O. P. M.? I am wondering how many of them—refugees, if you please—are holding other United States Government positions? I repeat what I said before, that there is one thing the American people are entitled to know, and that is how this propaganda is being carried on in the United States; how many propagandists the English have here, and how much, if anything, they are paying individuals to carry on propaganda, just as they would want to investigate who is carrying on propaganda for the other side. Yet when the Senator from Missouri [Mr. CLARK] submitted a resolution to investigate propaganda—not English propaganda but English, German, Russian, and every kind of foreign propaganda, do you suppose, Mr. President, he could get the resolution out of the Committee to Audit and Control the Contingent Expenses of the Senate? Not at all. If the resolution proposed to investigate German propaganda, or, up to a few days ago, Russian propaganda, that might be satisfactory; they would want to have the facts come out. But the real reason why the administration did not want an investigation of all foreign propaganda was that they did not want the country to know how much British propaganda was being carried on, how much money was being spent by the British in this country, and who was on the pay roll of the British Government to help carry on this propaganda.

Mr. TOBEY. Mr. President, if the Senator from Montana will yield further, speaking about British propaganda, the record is clear that Lord Northcliffe himself said in his book, I think written in 1928, that he spent $150,000,000 in the United States in 1917 to get America into the war. How much does the Senator suppose they are spending today in contrast to that?

Mr. WHEELER. In my judgment, they are spending much more than that. I want to observe that now that they have the Communists on their side, I have not much doubt the propagandists will see to it that we will go much further into the war than we are at the present time. The acting chief of the Communist Party in the United States, Mr. Minor, made a speech last night, and he said that now America's front line of defense was in Siberia. Not long ago it was in England. Now it is in Siberia. So we have two front lines of defense. We must go over and defend the Communists in Russia to protect the United States and prevent democracy from being overthrown here; and then we must go over and go to war beside England in order to protect our democracy and prevent it from being overthrown.

If the situation were not so serious, it would be ridiculous. I repeat what I said a moment ago: I know that the overwhelming sentiment of the vast majority of the people of this country, regardless of whether they live in the East or in the West, in the North or in the South, is against our getting into the existing European war. I believe that while the overwhelming sentiment of this country has been sympathetic to Great Britain, that sentiment is rapidly turning against England because of the brazen stupidity of the English propagandists who are seeking to get us into the war, and because the people feel that they are being led down the road to war by British propaganda.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. TOBEY. We recently observed, on the Fourth of July, the anniversary of the signing of the Declaration of Independence. One of the fundamentals of that Declaration is the statement that governments derive their just powers from the consent of the governed, is it not?

Mr. WHEELER. That is true.

Mr. TOBEY. And Congress, after all, is the people's representatives, the government, is it not?

Mr. WHEELER. That is correct.

Mr. TOBEY. How much power does the Congress of the United States today have against those who are putting us into this war?

Mr. WHEELER. I would rather the Senator from New Hampshire would answer that question. I think it speaks for itself.

PETROLEUM PIPE LINES

The Senate resumed the consideration of the bill (H. R. 4816) to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kentucky [Mr. BARKLEY] to the amendment reported by the committee.

Mr. GILLETTE. Mr. President, I very much dislike to delay any longer action on the pending measure. The existing situation is an unfortunate one, by reason of the fact that it is proposed that the pending committee amendment be modified by the amendment suggested by the Senator from Kentucky [Mr. BARKLEY] so that those of us who were strongly in favor of the amendment reported by the committee are placed in a quandry as to what position to take.

For the purpose of the RECORD, let me call attention to my viewpoint of the situation as it now exists on the pending amendment as proposed to be modified.

If the amendment should be adopted, section 9 of the bill would read as follows:

> After June 30, 1943, neither the President, any department or agency of the Government, nor any person shall exercise any of the powers conferred by section 2—

What powers are conferred by section 2? Section 2 confers on the President the power, when he finds that the construction of any pipe line for the transportation of petroleum or petroleum products moving in interstate commerce is necessary for national-defense purposes, so to proclaim. That is the only power conferred by section 2, and that power will be terminated.

The power conferred by section 3 is terminated. What is section 3? In case the construction or extension of such pipe line is undertaken otherwise than by the Government, the power of eminent domain is conferred on the constructing agency. That is the only power conferred by section 3, and it will be terminated.

The power of section 4 is terminated. Section 4 provides that when it is impracticable for a private agency satisfactorily and properly to construct a pipe line, the Government may construct it. That power is terminated in 1943 by the proposed amendment.

The power of section 6 is terminated. What is section 6? In case the construction, extension, or completion of a pipe line is undertaken by other than governmental agencies, the Government may make advances to those constructing the pipe line, and provide for collection of the advances. That power is terminated in 1943, and that is all that is terminated.

As modified by the suggestion of the Senator from Kentucky the powers of section 8 (b) are terminated. That section gives the President power to relieve

these private agencies from the regulatory provisions of the Interstate Commerce and Natural Gas Acts.

That is the present situation of the pending amendment. Those are the powers which are terminated. Now, listen: As changed, subsection (a) of section 8 is eliminated from the time-limitation restriction; and what is that provision? Listen:

> Any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, shall be constructed, extended, or completed, and operated and maintained, subject to such terms and conditions as the President may prescribe as necessary for national-defense purposes.

There is no time limitation whatever on that provision. There is a time limitation on the extension of the right of eminent domain, on the right to advance, on the right to issue a proclamation, on the right of the Government to construct; but after the advance has been made, or the right of eminent domain has been exercised, there is no limitation whatever on the power of the President to continue to construct, extend, complete, operate, and maintain.

That is the present situation.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. GILLETTE. Gladly.

Mr. AUSTIN. I thank the Senator for what he has said. He has cleared up the questions in my mind. I think that is the answer to the questions I have asked.

I understand this to be the net result: That since there cannot be two different and separate departments of the Government exercising control over this type of carrier, therefore the Interstate Commerce Commission cannot be exercising it while the President is exercising it. Is that correct?

Mr. GILLETTE. Mr. President, the Senator from Vermont has clearly stated the position and the situation as I see it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY] to the amendment reported by the committee.

Mr. BARKLEY. Mr. President, I think we should have a fuller attendance of the Senate before voting on this amendment. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gillette	Overton
Aiken	Glass	Pepper
Andrews	Green	Radcliffe
Austin	Guffey	Reynolds
Ball	Gurney	Rosier
Bankhead	Hayden	Schwartz
Barbour	Herring	Smathers
Barkley	Hill	Stewart
Bone	Johnson, Calif.	Taft
Bridges	Kilgore	Thomas, Idaho
Brooks	Langer	Thomas, Okla.
Butler	Lee	Thomas, Utah
Byrd	Lodge	Tobey
Caraway	Lucas	Truman
Chavez	McCarran	Tunnell
Clark, Idaho	McFarland	Van Nuys
Connally	McNary	Walsh
Danaher	Maloney	Wheeler
Davis	Mead	White
Downey	Norris	Wiley
Eastland	Nye	Willis
George	O'Mahoney	

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Nevada [Mr. BUNKER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Missouri [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from New Mexico [Mr. HATCH], the Senator from Delaware [Mr. HUGHES], the Senator from Colorado [Mr. JOHNSON], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Georgia [Mr. RUSSELL], the Senator from South Carolina [Mr. SMITH], the Senator from Arkansas [Mr. SPENCER], the Senator from Maryland [Mr. TYDINGS], and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

Mr. AUSTIN. The Senator from Michigan [Mr. VANDENBERG], the Senator from Ohio [Mr. BURTON], the Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. CAPPER], the Senator from Kansas [Mr. REED], and the Senator from Minnesota [Mr. SHIPSTEAD] are necessarily absent.

The Senator from Oregon [Mr. HOLMAN] is absent on public business.

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY] to the amendment of the committee on page 5, line 25.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. O'MAHONEY. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 5, line 8, after the comma, it is proposed to insert the following:

> so as to make maximum use consistent with the national defense of the oil and gas resources on the public domain and on Indian lands, to foster the utilization of existing railroad facilities for the transportation of petroleum and petroleum products, and to preserve the rights of all producers and distributors of petroleum and petroleum products to the benefits of such pipe lines.

Mr. O'MAHONEY. Mr. President, I desire to call attention to the amendment I have just offered, which I regard as being of real importance perfecting the proposed legislation.

In order that what is proposed to be done by the amendment may be clear, let me read section 8 (a) as it has come to the floor of the Senate from the committee, and then I shall read it containing the amendment which I offer. In its present form section 8 (a) reads as follows:

> Any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, shall be constructed, extended, or completed, and operated and maintained, subject to such terms and conditions as the President may prescribe as necessary for national-defense purposes.

That subsection has the effect of providing that when the Government of the United States makes a loan to an existing or a new pipe-line corporation, or when the President has granted to such a corporation the right of eminent domain, the President may also prescribe the terms and conditions which he deems necessary for the national defense under which any such pipe line may be constructed, extended, completed, operated, and maintained.

The amendment which I have offered inserts a declaration upon the part of the Congress. With my amendment, the language of section 8 (a) would read as follows:

> Any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, shall be constructed, extended, or completed, and operated and maintained, so as to make maximum use consistent with the national defense of the oil and gas resources on the public domain and on Indian lands, to foster the utilization of existing railroad facilities for the transportation of petroleum and petroleum products, and to preserve the rights of all producers and distributors of petroleum and petroleum products to the benefits of such pipe lines, subject to such terms and conditions as the President may prescribe as necessary for national-defense purposes.

Mr. President, it has been made clear from what has already been said today that under the provisions of the bill, as now in effect agreed to, the pipe lines which will be affected by this bill, for the purposes of national defense are likely to be relieved from the statutory regulations which Congress in the past has deemed essential in the public interest.

Attention should be called to the fact that the construction and operation of pipe lines has been one of the central factors in the development of concentrated control of the great petroleum industry. The Interstate Commerce Commission and the Federal Trade Commission both studied the problem, but the I. C. C., in reporting upon existing pipe-line facilities a short while ago, made the statement that 14 of the major companies control more than 85 percent of all existing pipe-line facilities.

The operation of pipe lines is one of the most effective factors in building up concentrated control. That pipe lines have been operated at tremendous profits no one will deny. The facts seem to be that only those producers or refiners who are owners of pipe lines receive any substantial benefit from their operation. Minimum tenders must be made by an independent producer, for example, before his oil may be transported even by a common carrier, and in some instances, it is charged, such minimum tenders are so high that the independent producer or the independent refiner, to all intents and purposes, is unable to get his oil into the pipe line.

Mr. ADAMS. Mr. President, I wonder if the Senator, with his wide knowledge of the petroleum industry, would indicate

what is going to be the effect upon the oil-producing areas in the immediate neighborhood of pipe lines; whether it means the concentration of refining practically at seaboard, and whether, in an oil-producing area, the real benefit through the employment of labor is not at the refinery rather than at the point where the oil is produced.

Mr. O'MAHONEY. I think the Senator is quite correct. There is no doubt that the effect of the operation of pipe lines today has been to concentrate refining in certain areas of the country, and at the same time to build up the power of the integrated companies in the industry at the expense of both the producers and the distributors. The facts, which I think no one controverts very seriously, are that the profits of transportation are so great that, as I indicated earlier today, many of the major companies which own refineries and also have control over the petroleum fields, the sources of production, make such great profits that they can afford to operate the refineries and sometimes their marketing facilities at a loss.

Mr. ADAMS. Mr. President, the great pipe line which is contemplated by this bill will ultimately become a commercial pipe line. We do not contemplate a permanent emergency, notwithstanding the extension of emergencies these days, so that in the end the problem will be a commercial one, involving the effect on the small refineries and the oil producers, as compared with the great and powerful units of the industry. The large units would have the pipe lines which carry their oil to the seaboard refineries, while the small producer would either have to send his oil in tank wagons or by his short pipe line to an interior refinery, and then trust to the railroads for the transportation of his refined products, which would put him at a tremendous disadvantage whenever there was a decline in the demand, would it not?

Mr. O'MAHONEY. There is no question about it.

Mr. ADAMS. Would the Senator allow me to bother him with one other question?

Mr. O'MAHONEY. The Senator does not bother me.

Mr. ADAMS. The Senator has been a student of constitutional law, and I am wondering if he has given any thought to the provision of this bill by which the Congress of the United States, through the President, or acting by itself, seeks to give to private individuals the power of eminent domain within a State—quite different from the exercise by the United States of the power of eminent domain for the purpose of construction of its own facilities. Here it is proposed to go into the States, and Congress, the United States Government is giving to private individuals, or attempting to give to private individuals, the power of eminent domain in the Senator's State and in my State. Does the Senator feel sure of the constitutionality of such a provision?

Mr. O'MAHONEY. I do not feel at all sure of it, and I doubt very much whether any member of the committee which reported the bill feels sure of it. Certainly no argument has been made here to sustain the constitutionality of such an attempted grant. But, Mr. President, that, of course, is aside from the proposition I am now presenting for the consideration of the Senate.

Mr. ADAMS. I was only taking advantage of the Senator's knowledge of the subject.

Mr. O'MAHONEY. I am very glad indeed to have the Senator bring that phase of the matter to the attention of this body. It serves to emphasize the fact that we are dealing with far-reaching provisions of law. We are dealing with a change in the operation of economic factors which is having a tremendous influence on our political organization as well as on our economic organization. The independent sovereignty of the States is constantly being undermined by the very facts which make legislation of this kind necessary. It is because I am anxious to have some provision in this bill which will call the attention of those who administer it to the great need for paying some attention to the necessities of the people of the country, of independent enterprise, and of the States and localities which are affected, that I seek to have my amendment adopted.

As a result of the building of the pipe lines, refineries have been concentrated in Chicago and along the Atlantic coast, but that is neither here nor there. We recognize that that is a condition which confronts us. We have before us an amendment the purpose of which is to make certain that in the operation of the new lines which are likely to be constructed attention shall be given to the needs of independent producers and independent refiners. In the present state of the petroleum industry the independent producer and the independent refiner are at a great disadvantage in competition with the integrated major companies, because such an independent operator does not obtain as great a benefit from the operation of the pipe line as does the owner of such a pipe line.

We all know also that the pipe lines have resulted in taking a great deal of transportation business from the railroad companies. I am told that there are now standing idle in the railroad yards literally thousands of tank cars which are not being used. They could be used to transport oil in this great emergency; but unless my amendment is adopted, directing that consideration shall be given to the utilization of such equipment, the possibility is that those tank cars will not be used.

How can it be argued that we should not insert in the bill a provision that in the operation and construction of pipe lines some attention shall be given to the present facilities afforded by the railroads of the country for the transportation of oil? As the Senator from Colorado [Mr. ADAMS] has indicated, the moment we build pipe lines we shall have in the country a new pipe-line enterprise which will forever make impossible the use of many other facilities.

There is also a provision in the amendment that in the construction and operation of pipe lines attention shall be given to the preservation of the rights of all producers and distributors of petroleum and petroleum products to the benefits of such pipe lines.

The reason for that provision is that in the petroleum industry the charge is commonly made that under the present management of existing pipe lines the independent producer and the independent refiner are not given the benefit of such lines. We have provided in the bill for the withdrawal, as it were, of public regulation over pipe lines; and unless at the same time, by the language of some amendment, we indicate that it is the desire and intention of Congress to see that all share in the benefits of what is to be constructed, we are likely to find in the end that we have succeeded in building up a new instrument for concentrated control over this industry.

Why should not the distributors of petroleum products have an opportunity to use the new pipe lines which may be constructed by Government funds? The funds by which the pipe lines are to be constructed will be taken from all the taxpayers of the United States. The amendment merely provides that distributors and producers alike, no matter whether they be majors or independents, shall have their interest considered.

Finally, there is the provision that the pipe lines shall be constructed and operated so as to make maximum use, consistent with the national defense, of the oil and gas resources upon the public domain and upon Indian lands. Earlier in the day the statement was made by the Senator from Kentucky [Mr. BARKLEY] that that provision amounts to a mandatory direction to the Government to take oil from the public domain first. It is not such a mandatory direction at all, and no reading of the language can lay any justifiable basis for such an interpretation.

The meaning of that language is merely that the oil and gas resources of the public domain shall not be overlooked. There are great oil and gas fields scattered throughout the public-domain States, fields which are lying unutilized, though the presence of the oil and gas there is now known. Unless Congress directs that attention be given, consistent with the national defense, to the development of such resources, we are likely to see concentrated control of the entire industry greater than it ever has been in the past.

Mr. President, I have no desire to speak at great length about this matter, but I sincerely believe that it would be a mistake of really significant proportions to reject my amendment. The amendment provides for only three things. It provides that any pipe line which may be constructed by an advance of Federal funds, or any pipe line which may be constructed by a grant of the right of eminent domain, shall be so constructed and operated, first, as to make the maximum use, consistent with the public defense, of existing known oil and gas resources upon the public domain; second, to foster the utilization of existing railroad facilities for the transportation of oil; and third, to preserve the rights of all producers and distributors of petroleum products to the benefits of such lines.

A vote against the amendment is a vote to say that the resources of the

public-land States should not be utilized. It is a vote to say that the facilities of the railroads should not be utilized. It is a vote to say that we are not concerned with whether independent producers and refiners are given an equal opportunity with the majors in the use of such facilities.

Mr. President, I sincerely hope that the Senate will agree to my amendment.

Mr. BARKLEY. Mr. President, I have no desire to delay a vote on the bill. The debate on it has already extended much further than was anticipated. However, I cannot refrain from making a brief observation with regard to the amendment offered by the Senator from Wyoming.

I do not need to reiterate my admiration for the ability and sincerity of the Senator from Wyoming. We all know how diligent he has always been in the service of the great sections of the country in which public lands are located, and the sections in which Indians are resident; but it seems to me that this amendment injects into the bill an equation which ought not to be in it. It is a phase of the subject to which neither the House committee nor the Senate committee gave any consideration or attention. In my judgment if the spirit and intention of the amendment were carried out, and if it had any effect at all it might result in interfering with the entire program contemplated by the bill.

The reason for the passage of the bill lies in the fact, as all of us know, that the transfer of oil tankers ordinarily utilized in the transportation of oil and its products from the great oil fields in the Middle West and in the Southwest to the Northeast, the Atlantic coast, and adjacent territory, has created the possibility of a shortage in the oil supplies needed by the people of those sections.

It is not the object of the bill to develop undeveloped oil fields or oil resources. The only object of the bill is to carry oil from the places where it is now being produced to the places where it will be needed. It is not an oil-development bill. If we put undue restrictions and limitations on the exercise by private capital of the rights enumerated in the bill the result will be that the Government itself will have to build the lines out of its Treasury.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. O'MAHONEY. Does the Senator regard it as an undue restriction for Congress to say that a pipe line to be constructed by private funds shall be in effect a common carrier, and that it shall be operated so as to give all producers and all distributors equal rights?

Mr. BARKLEY. Not at all; but that is only one-third of the Senator's amendment.

Mr. O'MAHONEY. Does the Senator insist that it would be an undue restriction to provide that in planning for the construction of such pipe lines consideration should be given to existing railroad facilities?

Mr. BARKLEY. If that language is to have any effect, of course it would mean that if facilities for carrying oil from where it is to where it is needed could be developed by building additional cars, then no pipe line would be necessary, and we should not have this bill before us. The bill does not provide for the creation of additional facilities for the transportation of oil upon the railway transportation systems of the country. I am speaking of the amendment as a whole. I desire to speak very briefly about it ad seriatim.

Let me lay down the foundation which I was attempting to lay down. In the first place, the bill is not an oil-development bill. In the next place, I think it is the desire of everyone that the pipe lines in question shall be built by private capital. I think the Senator from Wyoming and I agreed earlier in the day that it is desirable, whenever practicable and whenever the public interest may be served—and in most cases it may be—to utilize private capital in the development of such facilities and utilities.

I do not know how much oil or gas the public lands of the United States contain. I do not know how much undeveloped oil and gas the Indian lands contain. The section of the country which the Senator from Wyoming so ably represents has large areas of public lands, as well as large areas of Indian lands, which might be developed and which may have in them untold resources of oil. The offering of the amendment presupposes the idea—and the entirely worthy desire of the Senator from Wyoming—that some kind of preference must be given to the oil resources of the public domain and of Indian lands. That does not mean oil that is being developed or oil that is on top of the ground, but resources which contain oil which has not been developed or brought to the surface of the earth.

The amendment is offered to section 8. Section 8 is a qualification.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. O'MAHONEY. In order to eliminate the objection which the Senator from Kentucky now has made I modify my amendment by inserting in the first paragraph, before the phrase "oil and gas resources on the public domain," the word "known," so as to read, "known oil and gas resources on the public domain." It would then be clear that the intention is not to grant any preference or to make this bill the vehicle for compelling exploration. Nothing of that kind is intended. The whole purpose is to prevent the misuse of the tremendous powers sought to be conferred.

Mr. BARKLEY. I do not think the addition of the word "known" changes the real meaning, because the known resources of oil are not limited to oil that has been brought to the surface of the ground. There are thousands, if not millions, of acres of land in the United States under which geologists know there is oil, although a well has never been drilled to bring the oil to the surface. Notwithstanding the fact that dry holes frequently are drilled in locations where it is thought oil exists under the ground, the geological surveys bring within the purview of the practical knowledge of those persons who are qualified to deal with the subject the known resources of oil, and such known resources of oil exist under the ground as well as on top of the ground where a well has been drilled and the oil has been brought forth.

As I was about to say, the amendment relates to section 8. In the first place, there are four sections of the bill providing the way in which pipe lines may be constructed. First, under the provisions of section 2, the President must issue a proclamation that the pipe line is needed for national defense. That is not the exact language, but that is the effect of the provision. The President must issue a proclamation, and he must do so whether the pipe line is to be built by private industry or by loans or advances by the Government, or built outright by the Government.

The right of eminent domain to be exercised by any private group which has the money to build a pipe line is based upon the proclamation of the President that the pipe line is necessary for national defense.

Section 3 refers to the construction of pipe lines by private industry.

Section 4 provides that if it shall be impracticable for private industry to build the pipe line, the Government may build it, or the Government may make advances to private industry.

So far as the effect on the construction of the pipe line is concerned, it makes no difference whether the concerns, or a group of them, put their own money in or whether they come to some agency of the Government and borrow the money. The obligation is binding, and it is still a private enterprise, although the Government, through some agency, may loan the money. Presumably the money must be repaid. Of course, the terms of the loan would call for repayment if the project were to be constructed entirely by private enterprise out of borrowed money.

We need not quibble over the matter of human nature. Men with money are not charitable institutions; and if corporations are formed, those who are responsible for their operation must necessarily consider the welfare and the interest of the stockholders, whether there is to be a dividend or whether the entire investment is to be lost. We may criticize men with money because they will not take chances which probably we would not take if we had money, for, as Artemus Ward, the American humorist, once said, "One man has as much human nature in him as another, if not more"; and that is as true of men with financial resources as it is of those who have none or very limited resources.

If we want private industry to build the pipe lines, if it is not desired to have the Government engage in the enterprise except as a last resort, we cannot afford to take away the ordinary, natural, and logical inducement which would be effective in the persuasion of private capital to interest itself in this field.

Section 8 provides that any pipe line constructed under any one of the four sections, whether by private industry out of its own capital or by loan or by the exercise of the right of eminent domain

or by an advance which has been made, shall be constructed, operated, and maintained subject to such terms and conditions as the President may prescribe. That includes all of them. A pipe line cannot be built across a State line unless both States have granted the operator the right of eminent domain if there is any contest over his right to build or to purchase land or condemn it. So the use of the words "eminent domain," in my judgment, applies to all companies, because they have got to cross State lines in order to get oil from where it is to where it may be needed.

Any pipe line with respect to which an advance is made or the right of eminent domain is exercised under authority of this act shall be constructed, extended, or completed, and operated and maintained—

Under the Senator's amendment it would be constructed, extended, or completed, and operated and maintained—

so as to make maximum use consistent with the national defense—

Of course, that is a flexible phrase; either the President or someone designated by him would have to interpret the meaning of that language and decide whether it was in the interest of the national defense to make the maximum use of the oil and gas resources on the public domain and on Indian lands.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. Yes.

Mr. O'MAHONEY. Of course, the bill itself, the bill which the Senator is supporting, contains a provision that the President may make the terms and conditions under which any such pipe line may operate, and the language of the bill is "such terms and conditions as the President may prescribe as necessary for national-defense purposes."

Mr. BARKLEY. That is true.

Mr. O'MAHONEY. The Senator did not find that there was any particular difficulty about that phase of the bill?

Mr. BARKLEY. No. That is general language, and it does not require the President to take consideration specifically by the use of language of oil on the public domain or on Indian land as compared to any other land on which there is oil, but, under the language of this amendment, the President would first be required to look into the feasibility of building a pipe line into some portion of the public domain or some Indian tract of land on which there may have been a gallon of oil produced and where it is known that oil exists under the ground. I do not believe the bill ought to emphasize any particular location or any particular source of oil, and I think, if the amendment had any effect at all, that would be required, and it might result in delay and require an investigation to determine whether the maximum use of the oil resources of the public domain should be first considered.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I will yield in a moment. I do not believe that in the passage of a bill of this sort, whether a pipe line is to be constructed by private capital or out of the funds of the people, the United States Government should be required first to consider whether it might pipe the oil from its own public domain in preference to oil on other lands in private ownership. I now yield to the Senator.

Mr. O'MAHONEY. In order that I may clearly eliminate from consideration of this amendment the argument which the Senator has just made, I shall adopt a phrase which, under the operation of the Oil and Gas Act, has come to have a specific and definite meaning referring to producing fields. I desire to eliminate the Senator's argument that it is the purpose of the amendment to require the development of known fields which are not producing. So, Mr. President, I wish to modify the amendment by making it read in the first phrase as follows:

so as to make maximum use consistent with the national defense of known producing oil and gas fields on the public domain and on Indian lands.

Mr. BARKLEY. That does not relieve the amendment of the objection that it puts the Government in the position of first preferring its own lands and its own oil. Certainly I think in a great emergency such as that which confronts us the Government of the United States ought not to be put in such a position that it is offered an inducement, if it were inclined to accept it, to provide for the production and shipment of oil from its own land, and, if it finds it feasible, to get the oil required in the northeast section of the country out of its own lands, and all the oil fields of Texas and Oklahoma and the other sections of the West and Middle West shall wait until the Government decides whether it shall use its own oil first. I do not think the Government ought to be put in such a position.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. Yes.

Mr. O'MAHONEY. I think that perhaps the Senator's attention should be called to the fact that, so far as the public domain is concerned, most of the known producing oil and gas fields are already controlled by the major companies; so that, if any impression were to be gained from the Senator's remarks that this amendment would mean that oil which was owned 100 percent by the Government would be affected, that misapprehension should now be eliminated.

Mr. BARKLEY. The public domain where there is oil is being developed in many cases by private corporations under contract with the Government——

Mr. O'MAHONEY. Under which the Government gets a royalty, 10 percent of which goes into the Public Treasury, which furnishes the money with which the pipe lines may be constructed.

Mr. BARKLEY. But the Government still has an interest in the production of oil on its own land, and rightfully so. What I am arguing is that the Government ought not to be put in a position where it is offered the inducement, if it should see fit to exercise it. It would be certainly very unsatisfactory, both to the producers of oil generally and to the consumers of oil in the territory where it may be needed, for the Government to be required first to consider the oil in which it is interested before it considers general production of oil in the country.

The amendment, furthermore, provides that this work is to be done and the pipe lines are to be constructed so as—

to foster the utilization of existing railroad facilities for the transportation of petroleum and petroleum products.

I am as much interested as is any other Member of the Senate, as I think my whole record in public life shows, in the railway transportation systems of the Nation and those who work upon them, but it is difficult to understand how we can foster the utilization of existing railroad facilities by building a pipe line anywhere. It might be contended by some that the only way to foster existing railway transportation facilities is not to build a pipe line at all.

I do not know how that provision of the amendment could be carried out. To build a pipe line so as to make the maximum use of existing facilities of the railroads for transporting oil seems to me to be more of a good-will gesture than a practical provision.

Then, so as—

to preserve the rights of all producers and distributors of petroleum and petroleum products to the benefits of such pipe lines.

The Natural Gas Act makes pipe lines common carriers, and they are subject to the regulation of the Interstate Commerce Commission. They are now being regulated by the Interstate Commerce Commission, and the laws prevent discrimination or undue favors being shown by any common carrier to any form of transportation, including oil and gas. I cannot conceive why language of that sort is necessary in addition to the law that now exists.

So, from all these standpoints, and without taking more of the time of the Senate, it seems to me this amendment is impracticable, and that it presents a theory that the Government cannot defend in the public opinion of the country—namely, that it first must look out for its own oil, and then, if it finds that the oil of somebody else is needed, and it can carry that oil through a pipe line the construction of which it may have helped, it may go out and give the opportunities and facilities of the pipe line to some other persons who are not producing oil on Government lands.

For that reason I cannot support the amendment offered by the Senator from Wyoming.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ball	Bone
Aiken	Bankhead	Bridges
Andrews	Barbour	Brooks
Austin	Barkley	Butler

Byrd	Johnson, Calif.	Rosier
Caraway	Kilgore	Schwartz
Chavez	Langer	Smathers
Clark, Idaho	Lee	Stewart
Connally	Lodge	Taft
Danaher	Lucas	Thomas, Idaho
Davis	McCarran	Thomas, Okla.
Downey	McFarland	Thomas, Utah
Eastland	McNary	Tobey
George	Maloney	Truman
Gillette	Mead	Tunnell
Glass	Norris	Van Nuys
Green	Nye	Walsh
Guffey	O'Mahoney	Wheeler
Gurney	Overton	White
Hayden	Pepper	Wiley
Herring	Radcliffe	Willis
Hill	Reynolds	

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum is present. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. Mr. President, in order that those who have responded to the quorum call may know what the amendment is, let me say very briefly that it proposes to amend section 8 (a) of the bill so that any pipe line which is constructed by an advance of Government funds or by the exercise of the right of eminent domain given to the private company building the pipe line by the President under the bill shall be constructed, extended, or completed, and operated and maintained, so as to make maximum use consistent with national defense of the known producing oil and gas fields on the public domain and on Indian lands, so as to foster the utilization of existing railroad facilities for the transportation of petroleum and petroleum products, and so as to preserve the rights of all producers and distributors of petroleum and petroleum products to the benefits of such pipe line.

I hope the amendment may be adopted.

Mr. BARKLEY. In order that those who responded to the roll call may get the viewpoint of the opposition to the amendment, which I regret to have to repeat, I wish merely to state that the objection to it is that it specifies and lays emphasis upon oil that is available on public lands, thereby putting the United States in the position of favoring its own public-land oil in preference to oil produced by others.

Mr. President, that seems to me to be a fundamental objection. The bill does not attempt to stipulate where the oil shall come from. It may come from any available source. It strikes me that we should not single out oil taken from public lands and say that the pipe lines shall be so constructed as to make the maximum use of the oil resources on the public lands. That might mean oil that was being produced, it might mean oil that was known to exist but was not being produced.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHITE. Of course, there are no public lands, so far as I know, within any near distance of my section of the country. Would the amendment require that preference would have to be given to oil from some public land in shipments to New England, in preference to oil from Texas or some other area?

Mr. BARKLEY. The amendment is not mandatory, but it is highly persuasive, so that if it had any effect at all in the construction of one of the pipe lines, the first consideration would have to be given to making the maximum use of oil on the public lands. So that if the amendment were worth anything, and had any effect, it would result in what the Senator suggests, in my opinion.

The President has to find, in the first place, that the construction of the pipe line is necessary for the national defense. He has also to find that railroad facilities are not sufficiently available. If they are available, he cannot certify or proclaim that the pipe line is needed. So that the reference to the utilization of existing railway facilities is wholly unnecessary, because if they were available the President could not, without stultifying himself, proclaim that the pipe line was needed.

The other section of the amendment, providing that all producers shall be treated fairly, is already the law with respect to the use of common carriers by all oil producers, all freight shippers on railroads and busses, that there shall not be any favoritism shown by the common carriers; and they are subject to control and regulation by a public body.

It seems to me unwise to inject this new phase into the bill, which does not attempt to designate the territory from which oil shall be taken which may be needed in those sections of the country where oil is not produced, and where the people must depend upon rapid transportation facilities if they are not to suffer for the lack of oil.

For the reasons I have stated, it seems to me the amendment should be rejected.

Mr. ADAMS. Mr. President, Senators have just spoken to elucidate the amendment for the benefit of those who were not present when the arguments were first made. I am wondering what protection there is for those who heard the arguments the first time and are still here. [Laughter.]

Mr. WHEELER. Mr. President, I merely wish to say that there is no provision today in the law that the proprietors of a pipe line in interstate commerce have to carry oil of any one who comes along. That is not the law today. As a matter of fact, the Interstate Commerce Commission does not have that power over pipe lines. Practically the only power they have over pipe lines today is that such lines must file their tariffs. But they have not the right, as I understand the law, to say to a common carrier of oil, "You have to carry any oil that comes along."

Mr. BARKLEY. Mr. President, it was my understanding that when pipe lines were made common carriers, under the Common Carrier Act applicable, they could not arbitrarily refuse to transport oil offered to them.

Mr. WHEELER. Yes; they can.

Mr. BARKLEY. I do not understand the law so to provide.

Mr. WHEELER. I am sure the Senator is in error.

Mr. O'MAHONEY. Mr. President, the manner in which the evasion is brought about is that under the law a minimum tender may be required by the owners of a pipe line, and minimum tenders have frequently been so large that the small producers were unable to offer a sufficient quantity of oil to enable them to make use of the pipe line. The result has been that the major companies not only control the pipe lines by ownership and operation, but they also supply the maximum amount of the oil which is to be carried, and the small producers and the small refiners do not have the opportunity.

The Senator from Kentucky has utterly and completely misconstrued the amendment, and he has given to Senators a misapprehension of what it means. Let me say to the Senator from Maine, before he leaves the floor, that the amendment would not have the effect at all of compelling New England to depend upon oil from the public domain, not at all, because the provision is that the operation shall be consistent with the national defense. So that it is wholly within the power of those who are administering the law to say what the national-defense requirements are. That finding must be made before a proclamation is issued. It must be made before the regulations are set down.

All I am asking is that the Congress of the United States shall undertake to see that all the States of the Union shall have an equal right. If we do not do this, we are running the danger of placing in the hands of the major companies of the United States a control of the petroleum industry even greater than that which they now have.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. I ask for a division.

On a division, the amendment was rejected.

Mr. ADAMS. Mr. President, I wish to submit an amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 5, lines 19 and 20, it is proposed to strike out the words "either of such acts" and to insert in lieu thereof the words "the Natural Gas Act."

Mr. ADAMS. Mr. President, this amendment applies to subsection (b) of section 8. As the bill stands, it provides that nothing in the act shall operate to relieve any person from the provisions of the Interstate Commerce Act or the Natural Gas Act; that is, the Elkins Act.

As has been explained during the course of the day, it is quite essential, in order to carry out this program, that the limitations of the Elkins Act be suspended, because they would forbid the cooperation of different companies in constructing and operating a single pipe line. But I do not see why a multiple-owned pipe line should be exempted from the regulation of interstate commerce. In other words, there seems to be greater reason why a pipe line controlled by a half dozen of the large companies should be subject to the regulation of the Inter-

state Commerce Commission than an ordinary pipe line should be.

So the purpose of the amendment I am offering is to leave the authority in the President to suspend the application of the Elkins Act, but to leave subject to the Interstate Commerce Act the pipe line which would be constructed under this measure. I have heard no explanation why this great pipe line, carrying a tremendous volume of petroleum and reaching across the country, should be exempt from the regulations of the Interstate Commerce Act, an act intended to protect the consumer and to protect the competitor. For that reason I have offered this amendment.

Mr. STEWART. Mr. President, has the amendment been stated?

Mr. ADAMS. It has been stated.

Mr. STEWART. May I ask that the amendment be stated again. I was out of the Chamber for a few moments.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5, in lines 19 and 20, it is proposed to strike out the words "either of such acts" and to insert in lieu thereof the words "the Natural Gas Act."

Mr. ADAMS. I wish to explain for the benefit of the Senator from Tennessee that while he was not present I said that, of course, we have in section 8 (b) the provision that nothing in the act shall relieve any pipe line from the provisions of the Interstate Commerce Act or the Natural Gas Act. Then follows that the President is authorized, however, to relieve the pipe line from the provisions of either of those acts. I am seeking to leave in the President the power to relieve the pipe line from the provisions of the Elkins Act and not to give the President the power to exempt the pipe line from the application of the Interstate Commerce Act, so that it would leave the transportation of oil through the pipe line subject to the regulations contained in the Interstate Commerce Act.

Mr. BARKLEY. The Senator will recall that the effect of subsection (b), which has now been added to the provision of section 9, would be to limit the operation to June 30, 1943, that is, to a 2-year period, or a little less.

Mr. ADAMS. Yes. Of course, I cannot understand why there should be a 2-year period during which this great pipe line should have privileges which other pipe lines in the country do not enjoy.

Mr. BARKLEY. That would be only to the extent that the President believed that such modification of the effect of the Interstate Commerce Act or the Natural Gas Act was advisable in the interest of national defense, and that is only for a period of 2 years.

Mr. ADAMS. I concede, as the Senator pointed out earlier today, that the provisions of the Natural Gas Act, the Elkins Act, might obstruct the construction of this project, but I know of no reason why, when the project is constructed, its owners should be permitted to do anything contrary to the carefully thought-out provisions of the Interstate Commerce Act. In other words, I do not know why permission should be given to this great consolidated pipe line to disregard the fair-trade practices which are enjoined by the Interstate Commerce Act. I do not know why it should be permitted to disregard those fair-trade practices for a week or for 2 years.

Mr. BARKLEY. Mr. President, if I may I should like to attempt to interpret the effect of the Senator's amendment. The first part of subsection (b) provides that—

> Nothing in this act shall operate to relieve any person—

And so forth, from the provisions of the Interstate Commerce Act, or any amendments thereof, or the Natural Gas Act.

If we stopped right there, no one, not even the President, could do anything to relieve anyone from any of the provisions of the Interstate Commerce Act or the Natural Gas Act. Then the language continues:

> Except that the President is authorized to relieve any person, operating any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, from any duty or liability under—

The Senator would have it under the Natural Gas Act. So it would take away from the President the power to relieve any such concern of any obligation under the Interstate Commerce Act.

Mr. ADAMS. It would take away from the President the power to set aside, repeal, or modify the Interstate Commerce Act as to this pipe line; that is all.

Mr. BARKLEY. It would still give him the authority to set aside the Natural Gas Act, which applies specifically to pipe lines, but there are general provisions of the Interstate Commerce Act which may apply also, otherwise there would not be any need to put a provision applying to it in this section. The Senator would simply say that the President, by an Executive order, could wipe out the administration of the Natural Gas Act as to these pipe lines, but he could not in any way modify the Interstate Commerce Act.

Mr. ADAMS. The only difference is that the language of the bill provides that the President may wipe out both acts. I merely try to provide that the President may wipe out one act. I think the Interstate Commerce Act, adopted by the Congress years ago, tried out through the courts and through practice, and now perfected in great degree, should not be set aside in the interests of any great consolidated pipe line.

Mr. BARKLEY. The effect of the provision as it is—and both acts have some relationship to pipe lines—is that if the President should find it advisable in the interest of national defense, and only in the interest of national defense, he may lift the provisions of both acts from the operations of these pipe lines for a period not to extend beyond the 30th of June, 1943. If there is any reason for allowing the President during that period to lift the provisions of the Natural Gas Act, which is specifically applicable to pipe lines, it certainly seems to me he ought to be given the power to relieve the pipe line concern of the provisions of the Interstate Commerce Act if it is necessary to do so in the interest of national defense.

Mr. ADAMS. The Senator knows that the Elkins Act, as applied to pipe lines, would forbid the joining of a half dozen great oil companies in the construction and operation of a pipe line. What is desired to be done here——

Mr. BARKLEY. Of course, there are many other provisions of the Elkins Act besides that.

Mr. ADAMS. Yes; but that is the provision with which we have been concerned here. What is desired is to make possible a combined construction and a combined operation of an oil pipe line, which could not be done by reason of the Elkins Act. But it is not necessary to the construction of this great pipe line, it is not necessary to its operation, that it be permitted to indulge in unfair trade practices which are forbidden by the Interstate Commerce Act.

Mr. BARKLEY. I have not read the Elkins Act for some time, but I think the Senator will find that there are a good many provisions in that act which regulate certain practices of pipe line companies. There is a great deal more to it than simply the provision that companies shall not combine to build a pipe line.

Mr. ADAMS. That is true. Does the Senator have any instances to suggest why this great pipe line, which will be practically owned and operated by half a dozen of the greatest oil companies in the country, should be permitted to do things in conflict with the Interstate Commerce Act, an act which was passed for the protection of consumers and competing producers?

Mr. BARKLEY. It is impossible to foresee what contingencies might arise.

Mr. ADAMS. Could they not come to Congress if some contingency should arise?

Mr. BARKLEY. The President will have the power, under this measure, to fix the terms under which pipe lines are to be built, even if all the capital is to be furnished by the private companies. If the Government were to furnish the capital, the President would, of course, have the power to provide the terms under which the pipe line should be built. But it is possible during the period of this emergency that a situation may arise—we cannot see from day to day what situation may arise—under which it would be advisable in the interest of national defense temporarily to lift some provision or requirement of the Interstate Commerce Act from the construction, operation, or maintenance of the pipe line, and if the Senator's amendment is adopted, the President could not do that.

Mr. ADAMS. I will say to the Senator that, of course, there exists a fundamental difference between us. I think that wherever it is possible legislative acts should be the province of the Congress.

I do not think we should delegate authority which the Congress can exercise. I do not think we should set aside solemn acts of Congress and say to the President, "Into your uncontrolled discretion are now committed powers which

belong to Congress." Within the past day or two the Senator from Kentucky, to the discomfort of some of us, has said to us, "You will have to remain in session indefinitely. You will not be permitted to go home." So we will be available and at the service of the Senator from Kentucky if any amendments are necessary.

Mr. BARKLEY. Mr. President, I think the suggestion with respect to the immediate amendment of the proposed act is optimistic, even though we may have to stay here most of the time during the summer and fall, and until the next session. I did not make that suggestion a day or two ago with any great degree of pleasure. I made it because I thought Senators ought to understand that considering the legislation with which we are compelled to deal, he would certainly be an optimist who would entertain any hope of adjournment in the near future.

Mr. ADAMS. Mr. President, will the Senator recant? [Laughter.]

Mr. BARKLEY. No; I will not recant. I agree with the Senator that Congress ought to exercise all the power it can in detail with respect to many matters which are the subject of legislation. However, one of the things which Congress originally and repeatedly recognized is that it cannot write into the law regulations with respect to interstate commerce. It cannot write rate making into the law. It cannot write into the law what may or may not be done. It must leave such matters to some agency of Congress. In this case the agency is the Interstate Commerce Commission.

Mr. ADAMS. The Senator is quite correct. We must leave it to some agency of Congress; but the President is not an agency of Congress.

Mr. BARKLEY. We are making him an agent of Congress.

Mr. ADAMS. The authority of the Interstate Commerce Commission has been upheld time after time as the exercise of congressional authority. The Interstate Commerce Commission is an agency of the Congress. The President is not. What the Senator thinks we should do is to delegate legislative authority to the Executive, a thing which is forbidden by the fundamental law.

Mr. BARKLEY. A Congress which can set up an independent agency as its agent can confer upon some existing agency or officer the power to do what an independent agency set up by Congress may do. We can make the President our agent in regard to matters of this sort, as we have done in many similar situations.

Mr. ADAMS. The reverse is usually the case.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. ADAMS], on page 5, beginning in line 19. [Putting the question.] The "ayes" appear to have it.

Mr. BARKLEY. Mr. President, I ask for a division.

On a division the amendment was rejected.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment.

Mr. GURNEY. Mr. President, if and when this emergency is over there is the possibility that one or more of the many pipe lines which may be built may be used to distribute natural gas. With that brief explanation, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from South Dakota will be stated.

The CHIEF CLERK. It is proposed to insert the following subsection in section 8:

(c) In event any line constructed under the provisions of this act shall be used at any time for transportation of natural gas, the owners or operators thereof shall take such gas ratably as between the producing fields tendering gas for sale through which said lines may pass, or which may be connected to said lines constructed hereunder, and also ratably as between the producers of gas within the respective fields from which gas is being taken, in accordance with the rules and regulations of the conservation authorities of the respective States where the natural gas is produced.

Mr. GURNEY. Mr. President, this amendment merely seeks to give each State producing natural gas its fair share of the consuming market which may be served by the pipe lines to be built under the proposed law. I hope the amendment will be adopted.

Mr. BARKLEY. Mr. President, will the Senator yield for a question?

Mr. GURNEY. I yield.

Mr. BARKLEY. Another new equation seems to be injected by the amendment offered by the Senator from South Dakota. What does the Senator mean in his amendment by the provision that in the event the pipe lines shall be used for the distribution of gas, it shall be done ratably? Does that mean that every State would have the right to send through one of the pipe lines a share of gas in proportion to its part of the total production in the United States, although the pipe line did not traverse the State?

Mr. GURNEY. I believe that the amendment is so worded that if a State were traversed by a pipe line, and the pipe line were later changed into a transportation facility for natural gas, then the States through which the pipe line passed would receive their pro rata share of the purchases of gas.

Mr. BARKLEY. What would happen in the case of States through which the pipe line did not pass, but which might want to build feeders into it so that their gas might reach the market?

Mr. GURNEY. In answer to that question I will say that no doubt many pipe lines will be built, and undoubtedly each producing field will be served by one or more of the pipe lines now proposed.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. STEWART. I was unable to hear all the colloquy between the Senator from Kentucky and the Senator from South Dakota. I inquire from the Senator from South Dakota whether he would construe his amendment to require a pipeline carrier to carry natural gas?

Mr. GURNEY. No. The amendment is so written that if any when the pipe lines were changed into natural-gas carriers, each natural gas producing State would have the right to receive its full share with respect to the gas transported.

Mr. WALSH. Mr. President, will the Senator yield so that I may ask the Senator from Tennessee a question?

Mr. GURNEY. I yield.

Mr. WALSH. Some of us would like to know the position of the committee with respect to this amendment. We have not had an opportunity to study the bill in detail, and before we vote we ought to be informed whether the committee has any views as to the amendment.

Mr. STEWART. This amendment was not before the committee.

Mr. WALSH. Quite often amendments are offered on the floor which were not before the committee; but the committee has a duty to perform in giving its judgment to the Senate.

Mr. STEWART. Being nominally in charge of the bill, I am opposed to the amendment.

Mr. WALSH. Are we to understand that the Senator's position is that he does not care whether the amendment is adopted?

Mr. STEWART. I am opposed to the amendment.

Mr. BARKLEY. Mr. President, the Senator from Tennessee states that he is opposed to the amendment. I should like to read it, so as to see what it proposes. It reads:

In event any line constructed under the provisions of this act shall be used at any time for transportation of natural gas, the owners or operators thereof shall take such gas ratably as between the producing fields tendering gas for sale through which said lines may pass, or which may be connected to said lines constructed hereunder, and also ratably as between the producers of gas within the respective fields from which gas is being taken, in accordance with the rules and regulations of the conservation authorities of the respective States where the natural gas is produced.

It seems to me that the amendment is quite involved. In the first place, it does not refer to States. It refers to producing fields. The pipe-line operators must take the gas ratably, not only from one field into other sections, but as between fields. It has never been found necessary for Congress to enact a law providing that commerce generally shall be taken ratably from the States which produce commerce, in proportion to the total amount of commerce which is produced.

Mr. President, I sincerely regret to have to question amendments which are offered, but, inasmuch as the committee did not consider this point at all, it seems to me it ought to receive further study. The Senator from South Dakota is a member of the committee. I do not recall that the amendment was offered in the committee. It seems to me that it presents a complicated situation which ought to receive further study before the amendment is adopted. It may be all right. It is quite possible that if the committee could have had an opportunity to study it, it would have adopted it or worked out some provision which would be a little more scientific than the amendment now offered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. GURNEY].

The amendment was rejected.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

The bill (H. R. 4816) was passed.

DEFERMENT UNDER SELECTIVE SERVICE ACT

The PRESIDING OFFICER (Mr. MCFARLAND in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940.

Mr. REYNOLDS. I move that the Senate disagree to the amendments of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. SCHWARTZ, Mr. HILL, Mr. AUSTIN, and Mr. GURNEY conferees on the part of the Senate.

COMPULSORY RETIREMENT OF CERTAIN ARMY OFFICERS

Mr. HILL. Mr. President, I ask unanimous consent for the present consideration of Senate Joint Resolution 88.

The VICE PRESIDENT. The Clerk will state the title of the joint resolution.

The CHIEF CLERK. A joint resolution (S. J. Res. 88) to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. AUSTIN. Mr. President, reserving the right to object, I ask the Senator from Alabama to make a brief explanation of the joint resolution.

Mr. HILL. Mr. President, the joint resolution has for its purpose the vitalization of the active list of the officer personnel of the Regular Army. What it does is simply to provide that if an officer be not fit, if he be not able to stand up under the strain the Army now is undergoing, if he has not the alertness, the vigor, the capacity for leadership which he must have unless he is to interfere with the development of the Army and the efficiency of the Army, he may be retired by the Secretary of War on the recommendation of a board of five general officers.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Massachusetts.

Mr. WALSH. Has not the Army authority to do that now?

Mr. HILL. No.

Mr. WALSH. What is the present law?

Mr. HILL. There is now a provision in the law for the retirement of officers who are not fit; but that provision is so cumbersome, and there is so much machinery provided, that as a practical proposition it does not operate. It never has operated. It was put into the National Defense Act by way of amendment in 1920, and during all the years that have come and gone it has proved itself to be very ineffective.

Mr. WALSH. I have been under the impression for some time that some legislation is desirable to bring up to date the method of retiring officers who are inefficient or incompetent by reason of poor health or lack of knowledge of military tactics. I think the joint resolution is a desirable one, and I am glad to support it.

Mr. HILL. I am glad to have the distinguished chairman of the Naval Affairs Committee make the statement he has made. I think he is eminently correct.

Mr. WALSH. If there is anything that is essential in building up our national defense, it is to encourage the strongest and most efficient and best possible personnel in the Army and the Navy. It is not battleships or guns that win wars; it is largely personnel; and, unless we have strong and able leaders, our national defense will be greatly weakened.

Mr. HILL. The distinguished Senator from Massachusetts is absolutely correct. The joint resolution would put Regular Army officers on a parity with officers of the Reserve Corps and officers of the National Guard so far as discharge is concerned. Today, the President of the United States may revoke the commission of any officer of the Reserve Corps. Today, the Secretary of War, on recommendation of a board of general officers, may withdraw Federal recognition from any National Guard man. For the period of the emergency under which we now are operating the joint resolution would permit the retirement of an officer, provided he is found by a board composed of five general officers to be unfit, to be unable to carry on.

I desire to say that General Marshall, in his testimony before the committee, emphasized the fact that whenever a place can be found for an officer so that his services can be used, the officer will be continued in the active service and used. He estimated that comparatively very few officers will be retired or let out of the Army under this joint resolution; but there are some who, for the sake of the efficiency of the Army, ought to go; and in order that they may go it is necessary to enact this proposed legislation.

I see the distinguished chairman of the Committee on Military Affairs here, and I am glad to yield to him.

Mr. REYNOLDS. Mr. President, with the permission of the Senator from Alabama, I desire to say that he has made a perfectly correct statement of the matter now before the Senate. As he has stated, General Marshall appeared before our committee and gave us the reasons for making these suggestions. At the same time, according to my recollection, the Assistant Secretary of War, Judge Patterson, was present.

As provided in the joint resolution, five officers are to pass upon the competence of the men whom they deem it advisable to eliminate from the service at the present time, as there are some officers in the service who are hampering the development of the Army. No question of disloyalty on their part or anything of that sort is involved, there is not the slightest intimation of that; but as the Senator from Alabama has stated, it is found that certain officers are not fitted for the positions which they now hold, and General Marshall has stated, as did the Secretary of War, that when it is possible to find places for them without eliminating them from the service altogether, that will be done.

Under the procedure provided by the joint resolution, the board of five general officers will have authority to make recommendations to the Secretary of War, on the basis of which recommendations the Secretary of War himself will have authority to remove the officers concerned.

I have noted that there is considerable favor for this measure throughout the country, as expressed through the columns of the press because all of us generally know that a system of retirement such as is provided by the joint resolution has been needed in the Army for some time, and is particularly needed at the present time.

I read from the Boston Herald an article which I came across, together with a number of other articles, in particular reference to this subject. The article is entitled "Younger Army Leaders":

> Demand for the abolition of the seniority rule in the army and for promotion altogether by merit through all the ranks is growing. None other than the Chief of Staff, General George C. Marshall himself, wants Congress to adopt the resolution now pending which will enable the Army to remove officers "who cannot keep pace with modern training." The law now requires "a procedure so cumbersome as to make it totally ineffective during a national emergency."

And so forth.

Mr. ADAMS. Mr. President, may I ask who would select the board?

Mr. REYNOLDS. The board is to be appointed, according to my recollection, by the Secretary of War.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 88) to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army, which had been reported from the Committee on Military Affairs with an amendment.

Mr. CONNALLY. Mr. President, is there any provision in the joint resolution giving the officer concerned a chance to have a hearing, or anything of that kind?

Mr. REYNOLDS. The board of five general officers of course has authority to permit the personal appearance of an officer before the board if he demands it. That is my understanding; and certainly he is entitled to representation.

Mr. CONNALLY. The board has the power the Senator mentions, but there is nothing to compel it to exercise the power; is there?

Mr. REYNOLDS. Oh, no. Unless an officer desires to take advantage of the opportunity to appear before the board in person, or to be represented by counsel, we could not in the enactment of the joint resolution make it compulsory upon the part of the officer under consideration to appear before the board.

Mr. CONNALLY. No; but, if he requests that opoprtunity, will not the board then be compelled to give him a hearing?

Mr. REYNOLDS. It is my understanding that it will do so.

Mr. CONNALLY. But is it required to do so?

Mr. REYNOLDS. It may; but certainly the board will not deny him the opportunity of his personal appearance before it, nor will it require that he submit a brief in his defense.

Mr. CONNALLY. The reason why I asked the Senator from North Carolina that question is that we had the same situation after the World War; and we found that in the administration of the so-called B board which was a "canning" operation something like this, there was a great deal of complaint that officers were let out of the Army without a fair hearing. Their efficiency records were made up without their knowledge; they did not know what their efficiency rating was; and, the first thing they knew, they were out of the Army.

It seems to me that if we are going to give a little "two-bit" civil-service clerk at $100 a month a hearing before he can be discharged from the service, we should let an Army officer have the same right.

Mr. REYNOLDS. In answer to that, I should like to read from the report:

> The officer must be given an opportunity to appear before a court of inquiry where he must be furnished a full copy of official records upon which the proposed classification is based and permitted to present testimony in his own behalf.
>
> The record of such court of inquiry must be submitted to a final classification board for reconsideration and final classification.
>
> A board of not less than three officers must examine into the case and determine whether the classification is due to the officer's neglect, misconduct, or avoidable habits.
>
> The officer concerned is then authorized to present an appeal to the President.
>
> If the approved classification is due to an officer's neglect, misconduct, or avoidable habits he is discharged from the Army; if not due to these causes he is retired with pay at the rate of 2½ percent of his active pay multiplied by the number of years of his commissioned service unless such service is less than 10 years, in which case he is honorably discharged with 1 year's pay.

As stated by the Senator from Alabama—

> The present law is cumbersome; its administration requires unnecessary duplication of effort and it unduly protects the individual at the expense of the Government. It is totally inadequate to attain the vitalization of the active list so necessary during the present emergency—

And so on. I hope that answers the Senator's question.

Mr. CONNALLY. Mr. President, I desire to ask the Senator another question. The joint resolution repeals section 24b of the present National Defense Act, I suppose. Is that correct? What does that section provide?

Mr. REYNOLDS. It provides, according to my recollection, that only the President himself shall have the right to remove an officer.

Mr. CONNALLY. That is too slow, so something quicker is desired?

Mr. REYNOLDS. It is desired to have made some provision under which there can be immediate action.

Mr. ADAMS. Mr. President, is there to be a single board to pass on all cases, or will a separate board be appointed in each case? I address my question to the chairman of the committee.

Mr. REYNOLDS. I understand that the board is to serve permanently.

Mr. ADAMS. A permanent board?

Mr. REYNOLDS. Yes; and the officer affected, himself, as I have just read from the report, has a right to a hearing before the board of five officers.

Mr. HILL. Mr. President, I think there might be one board or there might be different boards. I do not think it would necessarily have to be the same board all the way through. There might be one board or there might be more than one board.

Mr. REYNOLDS. I think the War Department has in contemplation, for the present, just one board.

The VICE PRESIDENT. The clerk will state the amendment reported by the committee.

The amendment was, in section 2, page 1, line 8, after the words "Secretary of War", to insert "for such causes and", so as to make the joint resolution read:

> *Resolved, etc.*, That during the national emergency announced by the President on May 27, 1941, section 24b of the National Defense Act, as amended, is hereby suspended.
>
> SEC. 2. That during the time of the national emergency announced by the President on May 27, 1941, the Secretary of War, for such causes and under such regulations as he may prescribe, may remove any officer from the active list of the Regular Army: *Provided*, That such removal be made from among officers whose performance of duty, or general efficiency, compared with other officers of the same grade and length of service, is such as to warrant such action, or whose retention on the active list is not justified for other good and sufficient reasons appearing to the satisfaction of the Secretary of War: *Provided further*, That each officer so removed from the active list shall have been recommended for removal by a board of not less than five general officers convened for this purpose by the Secretary of War. The action of the Secretary of War in removing an officer from the active list shall be final and conclusive. Officers removed from the active list who have less than 7 completed years of commissioned service at the time of removal shall be honorably discharged. Officers removed from the active list who have 7 or more completed years of commissioned service at the time of removal shall be retired with retirement pay computed as follows: Any officer so retired who has over 30 years' service or any officer so retired who served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918, shall be retired with annual pay equal to 75 percent of his active duty annual pay at the time of his retirement; any other officer so retired shall be retired with annual pay equal to 2½ percent of his active duty annual pay at the time of his retirement, multiplied by a number equal to the number of complete years of his service counted for pay purposes under existing laws not in excess of 30 years. All officers retired under the provisions of this section shall be placed on the unlimited retired list.

Mr. CONNALLY. Mr. President, I invite the attention of the Senator from North Carolina [Mr. REYNOLDS]. Awhile ago he said that the report stated that there could be an appeal to the President. The joint resolution has been so hurriedly presented that I have not had time to read it in detail; but I read on page 2:

> The action of the Secretary of War in removing an officer from the active list shall be final and conclusive.

That language seems to me to be inconsistent with an appeal.

Mr. REYNOLDS. The officer affected has the right to appear before the board; and, according to my understanding, he may appeal from the action of the board to the President of the United States.

Mr. CONNALLY. Where is that provision found in the joint resolution?

Mr. REYNOLDS. It is not mentioned in the joint resolution.

Mr. ADAMS. It is not printed in my copy.

Mr. REYNOLDS. No; I am reading from the report.

Mr. CONNALLY. We are passing the joint resolution, though. We are not passing the report. The joint resolution says that the action of the Secretary of War in removing an officer from the active list shall be final and conclusive.

Mr. REYNOLDS. That is correct.

Mr. CONNALLY. Then there is no appeal.

I desire, of course, to get rid of all the "sorry" Army officers, and I think I could make up a fairly satisfactory list. At the same time, I want to give the officers who have been through West Point and have been in the Army for many years an opportunity to combat, if necessary, some of the charges which may be made against them.

We all know that there is just as much politics in the Army as there is in all the other Government departments. It is an internal affair. There are little groups in the Army. There was the Pershing group in the World War; then there was somebody else's group; and now there will be the Marshall group. They all have their old friends with whom they served on the border, or at West Point, or in the World War; and then there are a number of other officers for whom they have not much affection.

I have no interest in this matter. I do not know any of the officers who will be removed, but I think there ought to be some provision for confronting a man with the charges against him. If an officer is charged with being unfit for duty, he ought to be able to come back

and say, "Why, here are my efficiency reports."

Who appoints the five officers? The Secretary of War. They act; and then, when the Secretary of War signs the order, they are out. The general or the colonel or the major or the captain is out without ever having an opportunity to confront his accuser. I do not think that is a fair process.

I shall not offer any amendments or raise any hullabaloo; but I do not believe that is good, sound American policy to adopt. A civil-service clerk in one of the departments cannot be dismissed without charges being preferred, telling him what the proceeding is about, and giving him a hearing.

Does the Senator from North Carolina know whether the Secretary of War has already appointed this board?

Mr. REYNOLDS. I have not heard about it.

Mr. CONNALLY. I do not know.

Mr. REYNOLDS. He has not said anything to me about it. He did not say anything to the members of the Military Affairs Committee about it. In view of the fact that the War Department are interested in the passage of this joint resolution, I rather imagine that they have in mind a certain board.

Mr. CONNALLY. And the board has in mind certain officers. [Laughter.]

Mr. REYNOLDS. I cannot say as to that. I should not want to presume quite that far.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. BARKLEY. Mr. President, a parliamentary inquiry. What is the amendment that was agreed to?

The VICE PRESIDENT. A committee amendment on page 1, line 8, inserting after the words "Secretary of War" the words "for such causes and."

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

Mr. CONNALLY. Mr. President, I desire to offer an amendment.

The VICE PRESIDENT. Is there objection to the offering of the amendment at this time? The Chair hears none.

Mr. CONNALLY. Is not the joint resolution being read for amendment?

The VICE PRESIDENT. The joint resolution has been read the third time. The Chair hears no objection to the offering of the amendment.

Mr. CONNALLY. I thank the Chair. On page 2, line 10, after "Secretary of War", I move to insert:

Provided further, That such officer is allowed a hearing before said board.

Mr. REYNOLDS. I think we will accept that amendment, Mr. President.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Texas. (Putting the question:) By the sound the "noes" appear to have it.

Mr. CONNALLY. I should like to have a division. The chairman of the committee has accepted the amendment.

On a division, the amendment was agreed to.

The VICE PRESIDENT. Without objection, the additional amendments will be engrossed; and, the joint resolution having been read three times, the question is, Shall it pass?

The joint resolution (S. J. Res. 88) was passed.

EMERGENCY RELIEF FOR PUERTO RICO—MOTION TO RECONSIDER

Mr. BARKLEY. Mr. President, at the last session of the Senate the senior Senator from Maryland [Mr. TYDINGS] entered a motion to reconsider the vote on the passage of the bill (S. 1358) to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes, and the House was requested to return the bill. The bill has been returned, and on behalf of the Senator from Maryland, I ask unanimous consent that the vote on the passage of the bill be reconsidered, and that the bill be recommitted to the Committee on Territories and Insular Affairs.

The VICE PRESIDENT. Is there objection? The Chair hears none, the vote is reconsidered, and the bill will be recommitted to the Committee on Territories and Insular Affairs.

DR. GUSTAV WEIL AND OTHERS

Mr. MALONEY. Mr. President, yesterday I entered a motion to reconsider the vote by which House bill 814, for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil, was passed. I also asked that the bill be returned from the House. That having been done, I ask unanimous consent that the vote by which the bill was passed, together with the vote ordering the bill to a third reading, be reconsidered, so that I may offer an amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator may offer his amendment.

Mr. MALONEY. I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 12, after the word "quotas", it is proposed to strike out the period and insert a comma and the words, "and if Dr. Weil is also found admissible under the provisions of the immigration laws other than the second clause of section 3 of the act of February 5, 1917 (39 Stat. 875, U. S. Code, title 8, sec. 136 (a)."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GEORGE:

From the Committee on Foreign Relations:

Coldwell S. Johnston, of Nevada, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, also to be a consul.

From the Committee on Finance:

Assistant Surgeon Howard T. White, to be passed assistant surgeon in the United States Public Health Service, to rank as such from July 16, 1941; and

Sundry doctors for appointment as assistant surgeons in the Public Health Service.

THE NAVY

Mr. WALSH. Mr. President, I report favorably from the Committee on Naval Affairs a number of nominations of various officers in the Marine Corps and in the Navy. The list is a long one, and if the Senate sees fit to take immediate action on the nominations, it will prevent a repetition in printing of this long list of names. Therefore I ask that the report be accepted, and that action thereon be taken at once.

Mr. BARKLEY. As I understand, these are routine appointments and promotions.

Mr. WALSH. All of them are.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and the report will be received. Without objection, the nominations are confirmed en bloc.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

UNITED STATES ATTORNEYS

The legislative clerk read the nomination of Jim C. Smith to be United States attorney for the northern district of Alabama.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Thomas J. Morrissey to be United States Attorney for the District of Colorado.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George Earl Hoffman to be United States attorney for the northern district of Florida.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of T. Hoyt Davis to be United States attorney for the middle district of Georgia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John A. Carver to be United States attorney for the district of Idaho.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Carl C. Donaugh to be United States attorney for the district of Oregon.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William McClanahan to be United States attorney for the western district of Tennessee.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES MARSHALS

The legislative clerk read the nomination of Edward B. Doyle to be United States marshal for the middle district of Georgia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Charles W. Miles to be United States marshal for the western district of Tennessee.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

FEDERAL TRADE COMMISSION

The legislative clerk read the nomination of Garland S. Ferguson, Jr., to be Federal Trade Commissioner.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

WORK PROJECTS ADMINISTRATION

The legislative clerk read the nomination of Charles P. Casey to be Work Projects administrator for Illinois.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

THE ARMY

The legislative clerk read sundry nominations in the Army.

Mr. BARKLEY. I ask unanimous consent that the nominations in the Army be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

Mr. REYNOLDS. I ask unanimous consent that the President be immediately notified of the confirmations of the Army nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

Mr. BARKLEY. I ask unanimous consent that the President be notified immediately of all confirmations made today.

The VICE PRESIDENT. Without objection, the President will be immediately notified of all confirmations.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. I move that the Senate adjourn until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until Thursday, July 17, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 15 (legislative day of July 14), 1941:

UNITED STATES DISTRICT JUDGE

Hon. Charles J. Vogel, of North Dakota, to be judge of the United States District Court for the District of North Dakota, vice Hon. Andrew Miller, retired.

DIPLOMATIC AND FOREIGN SERVICE

Alfred T. Nester, of New York, now a Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

APPOINTMENTS IN THE NAVY

MARINE CORPS

The following-named citizens to be second lieutenants in the Marine Corps from the 29th day of May 1941:

John R. Chaisson, a citizen of Massachusetts.
Frederick S. Aldridge, a citizen of New York.
Arthur E. Buck, Jr., a citizen of Connecticut.
George F. Williamson, a citizen of Louisiana.
William A. Wood, a citizen of Texas.
Merwyn C. Plumley, a citizen of Michigan.
Haddon H. Smith, a citizen of New Jersey.
Russell L. Hodge, Jr., a citizen of Missouri.
Anthony Walker, a citizen of the District of Columbia.
John E. Sundholm, a citizen of New York.
William W. Mitchell, a citizen of Oregon.
David K. Ellison, a citizen of Arkansas.
William H. Atkinson, a citizen of Alabama.
Raymond D. Wright, a citizen of Colorado.
John C. Jordan, Jr., a citizen of Georgia.
Max H. LaGrone, a citizen of Texas.
William N. Taft, a citizen of New York.
Walter C. Wells, a citizen of Alabama.
Harry T. Marshall, Jr., a citizen of Virginia.
Fenlon A. Durand, a citizen of Kansas.
Oliver E. Robinett, a citizen of Missouri.
John B. Gillespie III, a citizen of Ohio.
Harry B. Anderson, a citizen of Tennessee.
John D. Bradbury, a citizen of the District of Columbia.
Andrews M. Wilkinson, a citizen of Louisiana.
William H. Junghans, Jr., a citizen of Texas.
Donald T. Regan, a citizen of Massachusetts.
William C. Roberts, a citizen of California.

The following-named citizens to be second lieutenants in the Marine Corps from the 1st day of July 1941:

Norman R. Sherman, a citizen of Massachusetts.
Seth M. Fitchet, Jr., a citizen of Massachusetts.
Robert W. Rynerson, a citizen of the District of Columbia.
John S. Roberts, Jr., a citizen of Virginia.
Albert Arsenault, a citizen of Massachusetts.
John V. Kelsey, a citizen of the District of Columbia.
Dwight A. Johnson, a citizen of Colorado.
Victor E. Wade, a citizen of Wisconsin.
Lester S. Fought, Jr., a citizen of Ohio.
John F. Corbett, a citizen of Massachusetts.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 15 (legislative day of July 14), 1941:

UNITED STATES ATTORNEYS

Jim C. Smith to be United States attorney for the northern district of Alabama.

Thomas J. Morrissey to be United States attorney for the district of Colorado.

George Earl Hoffman to be United States attorney for the northern district of Florida.

T. Hoyt Davis to be United States attorney for the middle district of Georgia.

John A. Carver to be United States attorney for the district of Idaho.

Carl C. Donaugh to be United States attorney for the district of Oregon.

William McClanahan to be United States attorney for the western district of Tennessee.

UNITED STATES MARSHALS

Edward B. Doyle to be United States marshal for the middle district of Georgia.

Charles W. Miles to be United States marshal for the western district of Tennessee.

FEDERAL TRADE COMMISSION

Garland S. Ferguson, Jr., to be a Federal Trade Commissioner (reappointment).

WORK PROJECTS ADMINISTRATION

Charles P. Casey to be Work Projects administrator for Illinois, effective July 16, 1941.

TEMPORARY APPOINTMENTS IN ARMY OF THE UNITED STATES

TO BE BRIGADIER GENERALS

Julius Ochs Adler
Leonard Porter Ayres
Frank Edward Lowe
Roy Woodson Easley
Eugene August Eversberg

TO BE MAJOR GENERALS

Maxwell Murray
John Millikin
Alvan Cullom Gillem, Jr.
Henry Welles Baird
John Nesmith Greely
Gerald Clark Brant
Rush Blodgett Lincoln
Walter Reed Weaver
Lewis Hyde Brereton
Millard Fillmore Harmon
Robert L. Eichelberger
Herbert Arthur Dargue

TO BE BRIGADIER GENERALS

Paul William Baade
Walton Harris Walker
Harold Roe Bull
Eugene Warren Fales
Charles Hunter Gerhardt
Alexander Day Surles
Lindsay McDonald Silvester
Willis Dale Crittenberger
Lloyd Edmonstone Jones
Henry Lawrence Cullen Jones
Jonathan Waverly Anderson
Edward Alexander Stockton, Jr.
James Hutchings Cunningham
Thomas Hardaway Jones
Edwin Bowman Lyon
Henry Jervis Friese Miller
Ralph Pittman Cousins
Julian Sommerville Hatcher
Roscoe Campbell Crawford
Stephen Garrett Henry

PROMOTIONS IN THE NAVY

John H. Hoover et al.

(NOTE.—For a full list of the names of the persons whose nominations for promotion in the Navy were today confirmed, see the CONGRESSIONAL RECORD for July 14, 1941, under the caption "Nominations," beginning on p. 6001.)

MARINE CORPS

William W. Ashurst et al.

(NOTE.—For a full list of the names of the persons whose nominations for promotion in the Marine Corps were today confirmed, see the CONGRESSIONAL RECORD for July 10, 1941, under the caption "Nominations," beginning on p. 5951.)

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 15, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We praise Thee, Almighty God, that the one perfect sacrifice has come, declaring His message in which holiness

and love are one, breaking forth as a sun of righteousness in the heavens of life. In Him there is one salvation and one city four-square through each of whose portals bursts one music of adoration unto the enthroned Christ. We thank Thee that so long Thy power hath blessed us, sure it still will lead us on till the night is gone. For this divine helper accept the mercy of our grateful hearts; He inspires sorrow and imperfection to blossom into gladness and strength, resting in the sublime trust that He who made us will order all things aright. Humanity with its shifting pictures of night and day is the only divine creature in all the world. With its dumb appeal for mercy and search for an escape, heavenly Father, may it seek Thy altar. In the name of St. Mary's holy Child. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 1073. An act to amend the Classification Act of 1923, as amended.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MEAD, Mr. BYRD, and Mr. AIKEN to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the Washington Post.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF TIME FOR WHICH SELECTEES HAVE BEEN CALLED

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. YOUNG addressed the House. His remarks appear in the Appendix of the RECORD.]

FORTY-NINE-CENT WHEAT PENALTY

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. McGREGOR. Mr. Speaker, the recent penalty provision of 49 cents per bushel on the excess wheat raised over the quota is one of the most unfair pieces of legislation ever passed by Congress.

My farmers in Ohio did not know when they sowed their wheat in the fall of 1940 that some agency would change their quota before harvest time. They had no way of knowing that the penalty provision would be changed from 15 cents per bushel to the unjust and unusual amount of 49 cents per bushel.

We certainly should never impose penalties on our farmers when they are having a hard time to pay their taxes and keep their families in the necessities of life. Do you realize the penalty against the American farmer for selling his excess wheat is 49 cents per bushel while there is only a 42-cent tariff per bushel against the Canadian farmer's wheat coming into the American market? Is it fair to reduce the American farmer's income and next week increase his living costs by the passage of the new tax bill?

Many farmers in my district need this excess wheat which the Government wants to penalize them for raising. They need it to feed their own livestock and poultry, and they fully realize that we are confronted with shortages.

With this thought in mind, and wanting to assist the American farmer, I introduced yesterday a bill, known as H. R. 5303, which would allow the farmer to feed the wheat which he raises above his quota and in that way bring him a small semblance of aid.

I trust the Committee on Agriculture will immediately give a hearing and favorably report this bill, as I am sure the membership of this House will pass it and thereby give immediate assistance to this loyal group of citizens.

EXTENSION OF REMARKS

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include brief extracts from the President's speeches.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address delivered by me before the 4-H Clubs, June 24, 1941.

The SPEAKER. Is there objection?

There was no objection.

SUPPLEMENTAL REPORT ON H. R. 965—FOURTH-CLASS POSTMASTERS' ALLOWANCES

Mr. BURCH. Mr. Speaker, I ask unanimous consent to file a supplemental report upon the bill (H. R. 965) relating to allowances to fourth-class postmasters.

The SPEAKER. Is there objection?

There was no objection.

JOSIAH C. WEDGWOOD

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENDER. Mr. Speaker, yesterday in New York newspapers there appeared a story carrying an account of a meeting held in Boston, Mass., addressed by Col. Josiah C. Wedgwood, a member of the British Parliament, in which he said:

The trouble with you Americans is that you're afraid to assume responsibility.

Your President has assumed a large share of responsibility, it's true, but why haven't you got a sensible Congress?

I have a high regard for the British Parliament, but I suggest that the members of that Parliament stay on their own side of the water and mind their own business.

The SPEAKER. The time of the gentleman from Ohio has expired.

LEAVE TO ADDRESS THE HOUSE

Mr. BENDER. Mr. Speaker, I ask unanimous consent that today, after the disposition of legislative business and the conclusion of all other special orders, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF THE SONS OF ITALY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and include as a part of my remarks, in extension, an editorial from the Boston Post of Thursday, July 10, 1941, entitled "Loyal Sons," and an editorial from the Boston Traveler of the same date entitled "Answering the Call."

The SPEAKER. Is there objection?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix of the RECORD.]

LEAVE TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House today for 15 minutes after the other special orders have been disposed of.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein two documents from the Indianapolis Association of Credit Men.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Appendix, on the question of interchange of power in the Pacific Northwest.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an editorial from the Nashville Globe-Independent.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Missouri [Mr. PLOESER] be permitted to extend his remarks in the Appendix of the RECORD and include a brief editorial from the Watchman-Advocate.

The SPEAKER. Is there objection?

There was no objection.

EXPENDITURES FOR DEFENSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1

minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RICH addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Borger Daily Herald.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. NELSON was granted permission to extend his own remarks in the RECORD.)

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article from the Nation magazine on the power shortage in the United States.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEAVY. Mr. Speaker, I also ask unanimous consent to extend my remarks on the subject of magnesium metal and to include a telegram from Dean Drucker, of the State College of Mines of the State College of Washington.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement by the minority leader of the House, the gentleman from Massachusetts, Hon. JOSEPH W. MARTIN, JR.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr KRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute on a very important matter and to revise and extend my remarks and include therein the charge made by Judge Letts to the jury in the case I shall mention.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. KRAMER addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks by inserting certain newspaper clippings and extracts from the CONGRESSIONAL RECORD. I want to answer some of the attacks that have been made in those extensions.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I do this for the purpose of solemnly and as earnestly as I know how, protesting against the action taken by our State Department in denying a visa for entry into this country to Miss Muriel Lester. I do not know how many Members of the House know who Miss Lester is. She is an Englishwoman who once was wealthy but who gave all her money and most of her life for the establishment of a settlement house in East London and has devoted her life to preaching the Christian gospel as she sees it to thousands of people throughout the world. She represents to thousands of Americans the embodiment of the Christian spirit. It is true, I suppose, that she would say some things if she were admitted to this country that I would not agree with and maybe some of you would not agree with. I expect she would take a pretty extreme Christian pacifist position. She would, however, say some other things with which I would agree and which I think are more important than anything in the world. For this woman has the spirit and the consecration to give to you and to me the kind of strength that can only come through a feeling that underneath all this struggle and carnage and hate and war there lie eternal principles, an eternal truth, and the eternal power of God.

Can it be that we who would defend freedom of religion are unwilling to let this little woman come to America? I cannot believe it. I believe this decision will be changed.

For surely it is true that this is the kind of situation where the power of her spirit will be far greater and more persuasive if she is excluded than if she is admitted. You cannot confine by laws or restrictions the sort of spiritual strength that she has.

Mr. Speaker, I beg the State Department to change its order and to grant this visa.

INCREASED TAXATION

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I think it is well for us to have in mind what I believe to be some very good advice which is being given to the country by Vice President WALLACE with reference to the purchase of defense bonds and the increasing of taxation on our people while this big national income is flowing in such a tremendous stream. It appears to me that it would be much better all along for our people to buy defense bonds and pay much higher taxes from their savings and increased income and thereby contribute toward defeating an inflationary rise in the cost of living than it would be to turn American industry and all our American effort over to some central planning board, for instance, headed by Mr. Leon Henderson. As far as I personally am concerned I feel like going along with the Vice President in his suggestion that we use our increased income to buy Government bonds and pay taxes, thereby financing the program to a large extent by increased taxes; and keep out of serious trouble that will follow great deficits financed by sales of securities to commercial banks.

[Here the gavel fell.]

W. A. DENSON (H. DOC. NO. 314)

The SPEAKER. The Chair lays before the House the following communication from the Clerk of the House.

The Clerk read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 9, 1941.

The honorable the SPEAKER, HOUSE OF REPRESENTATIVES.

DEAR SIR: The communication of Mr. W. A. Denson, of Birmingham, Ala., contestant for a seat in the House of Representatives, dated June 16, 1941, and addressed to you, was referred to this office. The writer petitions for a writ of mandamus to require the commissioner before whom testimony was adduced in the contested election case of Denson against Patrick, Ninth Congressional District of Alabama, to transmit the testimony in this case to the Clerk of the House of Representatives, as directed by law. The communication, together with enclosures, is herewith returned to you with the suggestion that the matter be referred to one of the committees on elections of the House.

The Clerk of the House has no function to perform in such case. The Clerk has informed the contestant of the requirements of the law concerning the taking of testimony and its transmission to the Clerk. Officially the Clerk is not advised of the pendency of a contested-election case until the evidence is taken and transmitted to the Clerk. Historically, the Clerk is aware of the fact that notice of contest was served upon the sitting Member. The Clerk, however, is not empowered by law to compel the officer before whom testimony was taken to transmit such testimony to the Clerk within the time prescribed by law. Failure to do so therefore is a matter for the House to consider or one of its committees on elections.

I enclose copy of my letter to the contestant referred to above.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

The SPEAKER. Referred to the Committee on Elections No. 3 and ordered to be printed.

COMMUNICATION FROM THE PRESIDENT—DAYLIGHT SAVING TIME (H. DOC. NO. 312)

The SPEAKER laid before the House the following communication from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

THE WHITE HOUSE,
Washington, July 15, 1941.

The honorable the SPEAKER OF THE HOUSE.

MY DEAR MR. SPEAKER: The electrical energy of the country is to a large extent the prime energy of our national-defense effort. In these times of emergency it is, therefore, essential for us to insure the conservation of electricity in all possible ways. The performance of our work upon the basis of daylight-saving time is a praticable method of conserving electrical energy.

Summer daylight-saving time is already in effect in many of the highly industrialized areas of New England and

the Middle Atlantic and North Central States. The Government agencies primarily interested in the fullest utilization of electricity for national defense—the Federal Power Commission, the Department of the Interior, and the Office of Production Management—have advised me that there is immediate need for the extension of this daylight-saving time to other parts of the country, including in particular the Southeastern States, and that there is also a need for the establishment in various parts, or all, of the country of year-round daylight-saving time.

The Federal Power Commission has investigated the further saving of electricity—in addition to the summer daylight saving now being secured—that would result from the establishment of year-round daylight-saving time; and the following table indicates the probable reductions in peak loads and consumption of energy which year-round daylight-saving time would accomplish:

Probable effect of year-round daylight saving

Region	Expected peak load, 1941 (kilowatts)	Probable reduction in peak (kilowatts)	Probable annual reduction in energy (kilowatt-hours)
Northeastern	10,690,000	372,750	137,910,000
Southeastern	4,733,000	50,000	104,500,000
Middle Western	11,625,000	287,520	292,353,000
Mountain and Plain	1,881,000	10,390	43,000,000
Pacific Northwest	1,960,000	9,500	39,355,000
Pacific Southwest	3,133,000	11,000	119,164,000
Total major systems in United States	34,022,000	741,160	736,282,000

It will be seen from this table that the possible reductions of electricity vary from region to region. These reductions would depend upon the proportion and nature of industrial, residential, and commercial loads, and, to some extent, upon the habits of the consuming public. Moreover, some utilities with small industrial loads, particularly municipally owned systems, reported that daylight-saving time might seriously cut their revenues and jeopardize the interest and amortization payments on bonded indebtedness. Thus, while it is important that additional electricity for national defense be made available by the establishment of daylight-saving time, it is also important that such a program have sufficient flexibility to meet varying regional conditions.

I am, accordingly, recommending the enactment of legislation, along the lines of the attached draft of bill, that would permit the President to provide daylight-saving time upon such a regional or national basis, and for such part or all of the year, as he might deem necessary in the interest of our national defense.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

EXTENSION OF REMARKS

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. VREELAND] may extend his own remarks in the RECORD and include therein a radio interview by the mayor of Newark, N. J.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

DONALD CRUMP ET AL.

The Clerk called the first bill on the Private Calendar, H. R. 2463, for the relief of the heirs of Donald Crump and Mrs. John N. Crump and for the relief of Emma Jane Crump and Mildred Lounedah Crump.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following persons the following sums:

(a) To the administrator of the estate of Donald Crump, of Blairsville, Ga., the sum of $15,000 for distribution as part of the personal estate of the said Donald Crump;

(b) To the administrator of the estate of Mrs. John N. Crump, of Blairsville, Ga., the sum of $15,000 for distribution as part of the personal estate of the said Mrs. John N. Crump;

(c) To Emma Jane Crump, Blairsville, Ga., the sum of $2,000; and

(d) To Mildred Lounedah Crump, Blairsville, Ga., the sum of $1,000.

The payment of such sums shall be in full settlement of all claims against the United States for damages arising out of an accident involving an automobile driven by the said Donald Crump, in which the other named persons were passengers, and a truck in the service of the Civilian Conservation Corps, on October 7, 1938, on Georgia State Highway No. 2, near Blairsville, Ga.

With the following committee amendments:

Line 8, strike out "$15,000" and insert in lieu thereof "$5,000."

Line 1, page 2, strike out "$15,000" and insert in lieu thereof "$5,000."

Line 5, page 2, strike out "$2,000" and insert in lieu thereof "$1,000."

Line 7, page 2, strike out "$1,000" and insert in lieu thereof "$250."

At the end of the bill strike out the period, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. G. FOX

The Clerk called the next bill, H. R. 3032, for the relief of J. G. Fox.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. G. Fox, of Ravenswood, W. Va., the sum of $6,000. The payment of such sum shall be in full settlement of all claims of the said J. G. Fox against the United States for the loss by erosion of certain land owned by him in Jackson County, W. Va., and situated on the Ohio River, the erosion being due to the construction of a dam in the Ohio River just below Ravenswood, W. Va., and the dredging of the bed of the river on the West Virginia side.

With the following committee amendments:

Line 6, strike out the figures "$6,000" and insert in lieu thereof "$800."

At the end of the bill, add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD E. MARQUIS

The Clerk called the next bill, H. R. 3086, for the relief of Harold E. Marquis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harold E. Marquis, of Charleston, W. Va., doing business under the title of Charleston Machine & Welding Co., the sum of $2,500, in full satisfaction of all claims against the United States for damages sustained by him by the failure of George B. Stetson Co., of Boston, Mass., to pay said Marquis for labor and expense entailed as a subcontractor under said Stetson Co., who held a contract with the Bureau of Yards and Docks of the United States Navy for the dismantling and removal of four boilers and appurtenances then located at the Naval Ordnance Plant, South Charleston, W. Va.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Line 8, strike out the figures "$2,500" and insert in lieu thereof "$1,400."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERNEST AND MARY MELOTTE

The Clerk called the next bill, H. R. 3116, for the relief of Ernest Melotte and Mary Melotte.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest Melotte and Mary Melotte, of Green Bay, Wis., the sum of $300. Such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Ernest Melotte and Mary Melotte caused by negligence of employees of the United States Government in blasting operations on a Federal Works Agency project through a Works Progress Administration project near the home of Ernest Melotte and Mary Melotte in the city of Green Bay, Wis., on February 27, 1939, which caused the concrete blocks of the basement walls of their home to crack, through the negligence of those conducting the blasting operations on the Works Progress Administration project: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 11, strike out "a Federal Works Agency project through."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT P. SICK

The Clerk called the next bill, H. R. 3725, for the relief of Robert P. Sick.

Mr. HANCOCK and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

SACHS MERCANTILE CO., INC.

The Clerk called the next bill, H. R. 3772, for the relief of the Sachs Mercantile Co., Inc.

Mr. GORE and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MOLLIE C. McHANEY

The Clerk called the next bill, H. R. 4182, for the relief of Mollie S. McHaney.

There being no objection, the Clerk read the bill, as follows.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mollie S. McHaney the sum of $153.55, in full settlement of her claim against the United States for funds she was required to pay by reason of a robbery of the post office at Sylvester, Tex., on March 17, 1939, she being the postmaster at said time and place.

With the following committee amendment:

At the end of the bill, add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDSON E. DOWNS

The Clerk called the next bill, S. 851, for the relief of Edson E. Downs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edson E. Downs, of Portland, Oreg., the sum of $172, in full satisfaction of his claim against the United States for compensation for personal injuries and property damage sustained by him as a result of the collision between his automobile and a Civilian Conservation Corps automobile at the intersection of Fremont Street and North Missouri Avenue, Portland, Oreg., on May 16, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERMAN R. ALLEN

The Clerk called the next bill, H. R 1354, for the relief of Henry R. Allen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman R. Allen, company commander, Civilian Conservation Corps Company 2314, Beltsville, Md., the sum of $190. The payment of such sum is made to reimburse the said Herman R. Allen for a personal advance by him on November 1, 1939, of $190 to replace a shortage in the company pay roll funds caused by the theft, on October 31, 1939, by former Civilian Conservation Corps enrollee R. E. Lee of a like amount from such pay roll funds.

With the following committee amendment:

Line 7, after the figures "$190", insert "in full settlement of all claims against the United States."

At the end of the bill, add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSE J. PEREZ

The Clerk called the next bill, H. R. 1369, for the relief of Jose J. Perez.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jose J. Perez, of San Elizario, Tex., the sum of $1,660, being the amount paid by him to the United States Government for a tract of land which is useless to him due to the fact that the International Boundary Commission, American section, has failed to provide the means of furnishing water to this land for irrigation purposes and states its inability to provide such water.

With the following committee amendment:

Page 1, line 8, beginning with the word "due", strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARR CHINA CO.

The Clerk called the next bill, H. R. 2431, for the relief of the Carr China Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Carr China Co., of Grafton, W. Va., the sum of $48,142.80, in full satisfaction of its claim against the United States for compensation for losses resulting from damage to its products and trade during the construction of the Tygart River Reservoir Dam in the years 1935 and 1936, due to the excess amount of lime in the Tygart River coming from cement used in the construction of such dam: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Line 3, strike out all the language after the enacting clause and insert in lieu thereof:

"That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon, the claim of the Carr China Co., of Grafton, W. Va., for compensation for losses from damage to its products and trade, alleged to have resulted during the

construction of the Tygart River Reservoir Dam in the years 1935 and 1936, due to the excess amount of lime in the Tygart River coming from cement used in the construction of such dam. Such suit shall be brought within 1 year from the date of the enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read as follows: "A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co."

BRANCHLAND PIPE & SUPPLY CO.

The Clerk called the next bill, H. R. 2712, for the relief of the Branchland Pipe & Supply Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Branchland Pipe & Supply Co., Huntington, W. Va., the sum of $145.41. The payment of such sum shall be in full settlement of all claims of such company against the United States under an unnumbered contract with the War Department, dated December 5, 1939, for certain material furnished the United States Engineer Depot, Marietta, Ohio. Due to an error made by such company in the preparation of its bid, such company sustained a loss of $145.41 in carrying out such contract.

With the following committee amendment:

Line 10, after the year "1939", strike out the remainder of the bill and insert in lieu thereof: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUEBERTA WILSON

The Clerk called the next bill, H. R. 3003, for the relief of Lueberta Wilson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lueberta Wilson, of Roxie, Miss., the sum of $500, in full settlement and satisfaction for all damages sustained by her on account of personal injuries received by her on September 25, 1939, when the car in which she was riding collided with a Government truck owned by the Civilian Conservation Corps and driven by an employee of camp F-26, Meadville, Miss., said collision being entirely the fault of the driver of the Government truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$500" and insert in lieu thereof "$300."

Page 1, line 7, strike out "and satisfaction for all damages sustained by her" and insert in lieu thereof "of all claims against the United States."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN K. BLACKSTONE

The Clerk called the next bill, H. R. 3270, for the relief of John K. Blackstone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to John K. Blackstone, of San Antonio, Tex., in full settlement for personal injuries suffered by him when he was struck by an Army motorcycle in San Antonio, Tex., on January 16, 1930.

With the following committee amendments:

Line 5, strike out the figures "$5,000" and insert in lieu thereof "$2,899.80."

Line 7, after "ment", insert "of all claims against the United States."

At the end of the bill add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAN DIEGO CONSOLIDATED GAS & ELECTRIC CO.

The Clerk called the next bill, H. R. 3647, for the relief of the San Diego Consolidated Gas & Electric Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the San Diego Consolidated Gas & Electric Co., San Diego, Calif., the sum of $1,504.31. Such sum represents the cost to such company of repairing an electric transmission line across Lake Hodges, Calif., which was damaged on December 8, 1938, by a United States Navy airplane. Payment of such sum shall be in full settlement of all claims of such company against the United States on account of such accident.

With the following committee amendment:

Page 2, at the end of the bill, insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICHOLAS G. KARAS

The Clerk called the next bill, H. R. 3723, amending the act of October 14, 1940, entitled "An act to record the lawful admission to the United States for permanent residence of Nicholas G. Karas."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to record the lawful admission to the United States for permanent residence of Nicholas G. Karas," approved October 14, 1940, is amended—

(a) By striking out "May 20, 1912," and inserting in lieu thereof "May 29, 1921"; and

(b) By striking out "Secretary of Labor" wherever the same appears therein and inserting in lieu thereof "Attorney General."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTONIO OR ANTHONY MAURIN

The Clerk called the next bill, H. R. 4921, for the relief of Antonio or Anthony Maurin.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 867) be considered in lieu of the House bill, and that the House bill be laid on the table.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GORE. I object, Mr. Speaker.

Mr. BARDEN. I object, Mr. Speaker.

The SPEAKER. The Chair may state that the House bill was not objected to. Then the gentleman from New York asked unanimous consent that a similar Senate bill be considered in lieu of the House bill, Calendar No. 303. Does the gentleman from Tennessee object to the consideration of the Senate bill?

Mr. GORE. Mr. Speaker, it was my intention to object to the consideration of the House bill, but I did not hear the Clerk call Calendar 303.

Mr. DICKSTEIN. It was my understanding, Mr. Speaker, that Calendar 303 was called, and my request was to substitute a similar Senate bill for the House

bill. As I understood, the Speaker put the request.

The SPEAKER. Objection is heard.

The Clerk will report the House bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Antonio or Anthony Maurin as of May 17, 1926, the date on which he entered the United States, if he is found to be otherwise admissible under the provisions of the immigration laws, other than those relating to quotas. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for the country properly chargeable therewith.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAVY EXPEDITIONARY MEDAL

The Clerk called the next bill, S. 347, authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized to issue the Navy Expeditionary Medal to George Atcheson, Jr; John Hall Paxton; Emile Gassie; Capt. Frank N. Roberts, United States Army; Carl Harry Carlson; Norman Alley; Weldon James; Norman T. F. Soong; James Marshall; Roy Squires; H. Ros; Luigi Barzini; Sandro Sandri; Eric Mayell; C. Malcolm McDonald; Birger Jorgensen; James Vance Pockhring; Mario Blasina; David Smith Goldie; Carl Harry Cerisot; Frank Hayden Vines; John Bing Hamsherwood; and Peter G. A. Mendar in commemoration of the service and assistance rendered by them on the occasion of the bombing and loss of the U. S. S. *Panay* on December 12, 1937.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARMA LEE HOGAN

The Clerk called the next bill, H. R. 413, for the relief of Arma Lee Hogan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Arma Lee Hogan for disability alleged to have been incurred by her during December of 1937, when engaged in authorized activities while an employee of the Glenn Dale Sanatorium, Glenn Dale, Md., and to determine said claim upon its merits under the provisions of said act: *Provided*, That said claim shall be filed with the United States Employees' Compensation Commission not later than 60 days after the approval of this act: *And provided further*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR G. MOYER

The Clerk called the next bill, H. R. 2378, for the relief of Arthur G. Moyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of Arthur G. Moyer, of Orwigsburg, Pa., who is alleged to have sustained an injury on or about February 21, 1939, while employed by the Works Progress Administration, and his case is authorized to be considered and acted upon under the remaining provisions of such act, as amended and supplemented, if he files a claim for compensation with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act: *Provided*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARNOLD H. SOMMER

The Clerk called the next bill, H. R. 2459, for the relief of Arnold H. Sommer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arnold H. Sommer, the sum of $5,000 in full settlement of his claim against the United States for personal injuries sustained on July 9, 1938, on the North Inlet Trail, about 3 miles out of Grand Lake Village in Rocky Mountain National Park, Colo.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$5,000" and insert "$2,500." Line 6, strike out "his claim" and insert "all claims."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD GILLEN DOCK, DREDGE & CONSTRUCTION CO.

The Clerk called the next bill, H. R. 3468, for the relief of the Edward Gillen Dock, Dredge & Construction Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Edward Gillen Dock, Dredge & Construction Co., Inc., of Beardstown, Ill., the sum of $37,233.32, in full satisfaction of a judgment claim against the Chautauqua Drainage and Levee District in Mason County, Ill., the properties of which drainage and levee district the United States Government is condemning and taking over, with the benefits created by the work done by the Edward Gillen Dock, Dredge & Construction Co., and converting said properties into the Chautauqua Refuge District for the purpose of propagating fish, game, and wildlife. Such payment shall be only upon condition that the Edward Gillen Dock, Dredge & Construction Co. assign to the United States all its claims against and rights and interests in said district. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated by this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not in excess of $1,000.

With the following committee amendments:

Page 1, line 7, strike out "$37,233.32" and insert "$30,146.32."

Line 11, strike out "is condemning and taking over" and insert "has condemned and taken over."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK E. DAY

The Clerk called the next bill, H. R. 3499, for the relief of Frank E. Day.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, if filed within 6 months after the enactment of this act, the claim of Frank E. Day, of Fairmount, Ind., for disability alleged to have been caused by injuries sustained by him on March 14, 1938, while in the performance of his duties as city letter carrier at the Fairmount, Ind., post office.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUISE HOLCOMB, GEORGE HOLCOMB, AND CLIFF EVANS

The Clerk called the next bill, H. R. 4100, for the relief of Louise Holcomb, George Holcomb, and Cliff Evans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sums of $575 to Louise Holcomb; $76.25 to

George Holcomb; and $30 to Cliff Evans, all of Cedartown, Ga., in full settlement of all claims against the United States because of personal injuries, including the value of lost time and hospital and physicians' bills, incurred in a collision with an automobile of the Works Progress Administration occurring on March 22, 1940, in Cedartown, Ga.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Line 6, strike out the words "Louise Holcomb," and insert in lieu thereof the words "legal guardian of Louise Holcombe, a minor."

Line 6, after the word "George", strike out the word "Holcomb", and insert the word "Holcombe."

Line 8, strike out the words "because of", and insert in lieu thereof the word "for."

Line 9, strike out the word "including."

Line 11, strike out the words "Works Progress" and insert in lieu thereof the words "Work Projects."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the legal guardian of Louise Holcomb, a minor, George Holcomb, and Cliff Evans."

CATHARINE SCHULTZE

The Clerk called the next bill, H. R. 4622, for the relief of Catharine Schultze.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to Catharine Schultze for expenses incurred and personal injuries sustained on August 11, 1940, in El Paso, Ill., as the result of a collision of the automobile in which she was riding, with a United States Army scout car operated by a War Department employee: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out the figures "$10,000" and insert in lieu thereof "$3,500."

Page 1, line 6, after the name "Schultze", insert "of Peoria, Ill., in full settlement of all claims against the United States."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DANIEL STEELE

The Clerk called the next bill, S. 1166, for the relief of Daniel Steele.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended and supplemented, are hereby waived and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, if filed within 6 months after the approval of this act, the claim of Daniel Steele, of Flint, Mich., for disability allegedly directly attributable to an alleged injury to his eye incurred by him on September 30, 1935, while in the performance of his duties in the course of his employment in the Works Progress Administration, and to determine said claim upon its merits under the provisions of said act: *Provided*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK T. BEEN

The Clerk called the next bill, H. R. 325, for the relief of Frank T. Been.

Mr. GORE and Mr. BARDEN objected; and, under the rule, the bill was recommitted to the Committee on Claims.

KULA SANATORIUM

The Clerk called the next bill, H. R. 734, for the relief of Kula Sanatorium.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $176.85 to Kula Sanatorium, Waiakoa, Mauri, T. H., in full satisfaction of all claims against the United States for services in extending emergency treatment to a United States veteran entitled to hospitalization under the laws governing the Veterans' Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 8, after the word "to", insert "Joe S. Texeira, C-2885842."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN P. VON ROSENBERG

The Clerk called the next bill, H. R. 1549, for the relief of John P. von Rosenberg.

Mr. HALLECK and Mr. GORE objected; and, under the rule, the bill was recommitted to the Committee on Claims.

ERNEST P. LEAVITT

The Clerk called the next bill, H. R. 1677, for the relief of Ernest P. Leavitt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest P. Leavitt, the sum of $7,401.84, for damages sustained while in the employ of the United States Government, as superintendent of the Lassen Volcanic National Park, Calif., from an explosion of liquefied petroleum gas, which demolished the home of the superintendent which he was renting from the National Park Service. The payment of such sum shall be in full settlement of all claims against the United States on account of damages sustained.

With the following committee amendment:

Line 6, starting with the figures "$7,401.-84," strike out the remainder of the bill and insert in lieu thereof: "$4,910 in full settlement of all claims against the United States on account of property damages and expenses incident thereto and on account of the death of his wife, and expenses incident thereto resulting from an explosion of liquefied petroleum gas, which demolished the home in which he lived as superintendent of the Lassen Volcanic National Park, Calif., on February 5, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS H. PINK, SUPERINTENDENT OF INSURANCE IN NEW YORK, AS LIQUIDATOR OF NEW YORK INDEMNITY CO., INSOLVENT

The Clerk called the next bill, H. R. 2783, for the relief of Grunwald and Tudor and E. Deffebach, principals, and Louis H. Pink, superintendent of insurance in New York, as liquidator of New York Indemnity Co., insolvent, surety, upon contract with Interior Department dated May 12, 1928, and identified by symbols I-1p-129.

There being no objection, the clerk read the bill, as follows:

Be it enacted, etc., That pursuant to act of Congress of April 10, 1928 (ch. 334, 45 Stat. 413; U. S. C., title 31, appendix, sec. 236), the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $9,300, with interest from April 21, 1931, to Grunwald

and Tudor and E. Deffebach, principals, and Louis H. Pink, superintendent of insurance in New York, as liquidator of New York Indemnity Co., insolvent, surety, as parties principal and surety (or either of them as appearing thereto entitled), in full and final satisfaction and settlement of all claims under contract No. I-1p-129, dated May 12, 1928, covering performance of all work for grading a portion of section D, Route No. 1, Sequoia National Park highway system, located in the Sequoia National Park, Calif., said sum having been wrongfully withheld and retained as liquidated damages: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

After the enacting clause strike out all the language down to the word "under" in line 5, page 2, and insert in lieu thereof:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $9,300 to Louis H. Pink, superintendent of insurance in New York, as liquidator of New York Indemnity Co., insolvent, in full settlement of all claims against the United States for losses sustained as surety for Grunwald & Tudor and E. Deffebach Co."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Louis H. Pink, superintendent of insurance in New York, as liquidator of New York Indemnity Co."

STATE COMPENSATION INSURANCE FUND OF CALIFORNIA

The Clerk called the bill (H. R. 3118) for the relief of the State Compensation Insurance Fund of California.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the State Compensation Insurance Fund of California the sum of $1,684.98. Such sum represents the amount paid by the said State Compensation Insurance Fund of California to Frank Ross, Davis, Calif., for compensation and medical treatment on account of injuries sustained on December 2, 1937, when the automobile which he was driving on the ranch of O. B. Wilber & Son, Davis, Calif., was in collision with a United States Government truck operated by an enrollee of the Civilian Conservation Corps. At the time of such accident the said Frank Ross was an employee of the said O. B. Wilber & Son, and such sum was paid to him by the said State Compensation Insurance Fund under its workmen's compensation insurance policy with the said O. B. Wilber & Son.

With the following committee amendment:

Line 6, after the figures "$1,684.98", strike out the period and the remainder of the bill and insert in lieu thereof the following: ", in full settlement of all claims against the United States for compensation and medical treatment to Frank Ross, of Davis, Calif., on account of personal injuries sustained on December 2, 1937, when an automobile which he was driving was struck by a United States Government truck operated by the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS M. McDOUGAL

The Clerk called the bill (H. R. 3403) for the relief of Louis M. McDougal.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis M. McDougal the sum of $10,000, in full satisfaction of his claim against the United States of America for injuries, sickness, suffering, and impairment of his health while he was an enrollee and truck-trail foreman in a Civilian Conservation Corps camp, he, the said Louis M. McDougal, having contracted pulmonary tuberculosis and being now permanently and totally disabled, the same resulting from and caused by the negligence of his superiors in requiring him to do and perform certain kinds of work detrimental to his health and in requiring him to do and perform work in the severe cold and rain.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$4,000", and strike out, in the same line, the words "his claim" and insert "all claims", and at the end of the bill strike out the period, insert a colon, and the following: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. R. GILES

The Clerk called the bill (H. R. 3500) for the relief of J. R. Giles.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $121 to J. R. Giles, owner of Giles Safe & Vault Service, of Knoxville, Tenn., to compensate and reimburse him for opening the vault door, welding the top hinge thereof, furnishing and installing combination, bolts, nuts, paint, and labor on the vault in the post office at Vonore, Tenn., and for expenses incident to three trips from Knoxville to Vonore, said repairs being made necessary by reason of a burglary of the post office at Vonore, Tenn., and damages done to the vault in the building where said post office was located, said work and expenses being incurred at the instance of the postmistress at Vonore.

With the following committee amendment:

Line 5, page 1, after the word "appropriated," strike out the remainder of the bill and insert "the sum of $93.80 to J. R. Giles, of Knoxville, Tenn., in full settlement of all claims against the United States for repairs and expenses in repairing post-office vault in the United States post office at Vonore, Tenn., in July 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LONNIE BALES

The Clerk called the bill (H. R. 3829) for the relief of Lonnie Bales.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lonnie Bales the sum of $2,000, in full settlement of all claims against the Government, for damages sustained by said Lonnie Bales on account of injuries received when struck by an ambulance of the Civilian Conservation Corps being negligently operated near Three Rivers, Calif., on March 17, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out the word "Government" and insert the words "United States."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SCHOOL DISTRICT NO. 6, NEWAYGO COUNTY, MICH.

The Clerk called the bill (H. R. 3872) for the relief of Towne School District No. 6, Fractional Monroe Township, Newaygo County, Mich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Towne School District No. 6, Fractional Monroe Township, Newaygo County, Mich., the sum of $325. Such sum represents reimbursement for the partial demolition on June 28, 1939, of a school building by a Civilian Conservation Corps crew, working under the supervision of the Forest Service. Title to the 1-acre tract of land upon which the school building is located and to the building itself is now vested in such school district, but, prior to the date of the partial demolition of the building, the title had been inadvertently transferred from such school district to the United States:

With the following committee amendments:

Page 1, line 7, strike out the period and the words "Such sum represents" and insert ", in full settlement of all claims against the United States for."

At the end of the bill, strike out the period, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MRS. F. A. N. YEAGER

The Clerk called the bill (H. R. 4329) for the relief of Mrs. F. A. N. Yeager.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. F. A. N. Yeager, widow of F. A. N. Yeager, Boydell, Ark., the sum of $10,000, in full settlement of all claims against the United States on account of the death of her husband, F. A. N. Yeager, on December 20, 1935, while acting and being assistant postmaster at Boydell, Ashley County, Ark., and while in lawful charge, control, and custody of the mail, money, and other property of the United States at Boydell, Ark., by two persons robbing him of said property, and murdering him in the perpetration of said robbery, while he was defending said property of the United States and in the performance of his duties; the two robbers later being apprehended, convicted, and one of them electrocuted: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike out the figure "$10,000" and insert in lieu thereof "$4,500."

Page 2, line 4, strike out ", and in the performance of his duties; the two robbers later being apprehended, convicted, and one of them electrocuted."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMILIANO LOPEZ AND ELIZA R. LOPEZ

The Clerk called the bill (S. 820) for the relief of Emiliano Lopez and Eliza R. Lopez.

Mr. HALLECK and Mr. GORE objected, and the bill was recommitted to the Committee on Claims.

EBEN VAUGHN CLEAVES

The Clerk called the bill (S. 849) for the relief of Eben Vaughn Cleaves.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eben Vaughn Cleaves, of Bar Harbor, Maine, the sum of $668.32, in full satisfaction of his claim against the United States for reimbursement of the sums paid by him to Inez L. Wood and Olin Wood in satisfaction of their claims against him arising out of a collision in Bar Harbor, Maine, on September 1, 1935, between an automobile in which the said Inez L. Wood was riding as a passenger and a United States Customs Service vehicle operated by the said Eben Vaughn Cleaves in the performance of his duty as a deputy collector of customs: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$668.32" and insert "$650", and in line 7, strike out "satisfaction of his claim" and insert "settlement of all claims."

The committee amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRIET B. RICKARDS

The Clerk called the next bill, S. 1027, for the relief of Harriet B. Rickards.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay, out of any funds available for payments of adjusted-service credits and the installments due to dependents of deceased veterans, as provided in the act of May 19, 1924, as amended, the sum of $385.80 to Harriet B. Rickards, of Seattle, Wash., in full satisfaction of her claim against the United States for the proceeds of seven checks drawn during the fiscal years 1937 and 1938 to the order of Mary Ellen Butler, the deceased mother of the said Harriet B. Rickards, such checks not having been presented for payment by the said Mary Ellen Butler prior to her death on August 28, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NORMAN CARLIN BROWN

The Clerk called the next bill, H. R. 1352, for the relief of Norman Carlin Brown, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Norman Carlin Brown, a minor, of Alexandria, Va., the sum of $10,000, in full settlement of all claims against the Government for injuries resulting in death, sustained by Chester Brown, the father of the infant named herein, on October 20, 1940, the decedent having been struck by a United States Army truck which at the time was being operated in a negligent manner by an enlisted man in the United States Army: *Provided*, That no part of the money appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike out "$10,000" and insert "$5,000."

Page 1, line 8, strike out the word "Government" and insert "United States."

Page 1, line 10, strike out the word "October" and insert the word "September."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANKLIN G. GALPIN

The Clerk called the next bill, H. R. 1575, for the relief of Franklin G. Galpin.

The SPEAKER pro tempore (Mr. WHITTINGTON). Is there objection to the present consideration of the bill?

Mr. GORE. Mr. Speaker, I object.

The SPEAKER pro tempore. Only one objection is heard. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Franklin G. Galpin, of El Paso, Tex., the sum of $5,000 for permanent disability resulting from an injury inflicted upon him by an inmate of the United States prison at Leavenworth, Kans.

With the following committee amendments:

Page 1, line 6, strike out "$5,000" and insert "$1,500, in full settlement of all claims against the United States."

Page 1, line 10, insert "on July 22, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ELEANOR J. GRIGGS, ET AL.

The Clerk called the next bill, H. R. 1650, for the relief of Eleanor J. Griggs, Dorothy L. Griggs, and Vernon M. Griggs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated: (1) To Edwin H. Griggs, Fitchburg, Mass., for the use of Dorothy L. Griggs and Vernon M. Griggs in equal shares, the sum of $10,000; and (2) to Eleanor J. Griggs, Fitchburg, Mass., the sum of $5,000. The payment of such sums shall be in full settlement of all claims against the United States on account of the death of Marion S. Griggs, mother of the said Eleanor J. Griggs, Dorothy L. Griggs, and Vernon M. Griggs, who died on January 3, 1937, from a disease caused by an injury received in 1934 while boarding a United States Army truck for the purpose of transportation to Camp Devens, Mass., in order to assume her duties as hostess at such camp.

With the following committee amendment:

Page 1, line 5, after the word "appropriated", strike out the balance of page 1 and down to and including the word "camp" in line 7, page 2, and insert "to the estate of Marion S. Griggs, the sum of $5,000, in full settlement of all claims against the United States for personal injuries sustained in July 1934 while boarding a United States Army truck for the purpose of transportation to Fort Devens, Mass., to assume her duties as camp hostess, said injuries causing her death on January 3, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Marion S. Griggs, deceased."

MICHAEL LEWENCZUK

The Clerk called the next bill, H. R. 1905, for the relief of Michael Lewenczuk.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Michael Lewenczuk, of Springfield, Mass., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for losses sustained by the said Michael Lewenczuk on account of the death of his son, George Lewenczuk, who died on November 30, 1939, while an enrollee of the Civilian Conservation Corps camp at Mount Greylock, North Adams, Mass., death being due to faulty diagnosis, treatment, and handling of his illness by the camp doctor.

With the following committee amendments:

Page 1, line 5, before the word "Michael", insert "Mr. and Mrs."

Page 1, line 8, after the word "sustained", strike out "by the said Michael Lewenczuk."

Page 1, line 9, strike out the word "his" and insert the word "their."

Page 2, line 3, after the word "doctor", insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mr. and Mrs. Michael Lewenczuk."

COPPEL COAL CO.

The Clerk called the next bill, H. R. 1914, for the relief of the Coppel Coal Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $72 to the Coppel Coal Co., 454 South Paint Street, Chillicothe, Ohio, which amount is due said company by reason of contractual negotiations between this company and the United States Soil Conservation Service as a result of which said Coppel Coal Co. suffered a loss of $72 on the sale of pipe under purchase order No. 6256-9-Ia-0.

With the following committee amendments:

Page 1, line 7, after the word "Ohio", insert "in full settlement of all claims against the United States."

Page 2, line 1, after the figures, insert: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HIRAM O. LESTER ET AL.

The Clerk called the next bill, H. R. 2183, for the relief of Hiram O. Lester, Grace D. Lester, and Florence E. Dawson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hiram O. Lester, of Glendale, Calif., the sum of $7,684.13. The payment to the said Hiram O. Lester shall be in full settlement of all claims against the United States for hospital, medical, and other expenses, and for damages sustained on account of the injuries received by the said Hiram O. Lester, which resulted from a collision on July 27, 1940, on the Coast Highway, near Corona Del Mar, Calif., when the automobile of the said Hiram O. Lester, in which he and his wife, Grace D. Lester, and Florence E. Dawson were riding, was struck by a panel truck (No. 7069), in the service of the United States Navy.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Grace D. Lester, the wife of Hiram O. Lester, of Glendale, Calif., the sum of $5,116.09. The payment to the said Grace D. Lester shall be in full settlement of all claims against the United States for hospital, medical, and other expenses, and for damages sustained on account of the injuries received by the said Grace D. Lester, who was a passenger in the car of Hiram O. Lester, her husband, in the collision described in section 1.

SEC. 3. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Florence E. Dawson, of Glendale, Calif., the sum of $8,500.24. The payment to the said Florence E. Dawson shall be in full settlement of all claims against the United States for hospital, medical, and other expenses, and for damages sustained on account of injuries received by the said Florence E. Dawson, who was a passenger in the car of Hiram O. Lester, in the collision described in section 1: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to, or received by any agent or attorney, on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$7,684.13" and insert "$5,000."

Page 2, line 11, strike out "$5,116.09" and insert "$5,000."

Page 2, line 21, strike out "$8,500.24" and insert "$6,500."

Mr. HANCOCK. Mr. Speaker, there are three committee amendments, and I wish to offer an amendment to each of the three committee amendments.

The SPEAKER pro tempore. The Clerk will report the amendments offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK to the committee amendment:

Page 1, line 6, strike out "$5,000" as proposed, and insert "$3,500."

Amendment to the committee amendment: Page 2, line 11: In lieu of the sum of $5,000 proposed by the committee amendment insert "$3,500."

Line 21, page 2, insert in lieu of the sum of $6,500 the sum of $5,000.

The SPEAKER pro tempore. Without objection, the amendments offered by the gentleman from New York [Mr. HANCOCK] will be considered together.

There was no objection.

The SPEAKER pro tempore. The question is on the amendments to the committee amendments offered by the gentleman from New York.

The amendments to the committee amendments were agreed to.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAX ADAMS SHEPARD

The Clerk called the next bill, H. R. 2546, for the relief of the estate of Max Adams Shepard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin M. J. Kretzman, administrator of the estate of Max Adams Shepard, the sum of $5,000, in full satisfaction of his claim against the United States for compensation for damages resulting from fatal injuries sustained by Max Adams Shepard on the 28th day of June 1939, when struck by a truck of the Civilian Conservation Corps on Highway No. 30 near Rawlins, Carbon County, Wyo.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LUCILLE PESCHKE

The Clerk called the next bill, H. R. 2717, for the relief of Raymond Peschke.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Raymond Peschke the sum of $65, in full satisfaction of all claims against the United States on account of injuries sustained on August 12, 1939, on a Work Projects Administration project.

With the following committee amendments:

Line 5, strike out the name "Raymond Peschke" and insert in lieu thereof "Mrs. Lucille Peschke."

At the end of the bill add: "by her son Raymond Peschke, when he fell over loose bricks lying on the pavement: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill for the relief of Mrs. Lucille Peschke."

BESSIE MYERS

The Clerk called the next bill, H. R. 2754, for the relief of Bessie Myers.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GORE and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

JOHN E. NEWMAN

The Clerk called the next bill, H. R. 3697, for the relief of John E. Newman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John E. Newman, Bardstown, Ky., the sum of $87. Such sum represents the amount earned by the said John E. Newman for services as United States commissioner between September 15, 1939, and December 21, 1939, during which period he served as a de facto officer, his appointment as United States commissioner having expired on the former date and his reappointment not being effective until the later date.

With the following committee amendment:

Line 3, strike out all after the enacting clause, insert in lieu thereof:

"The Comptroller General of the United States be, and he is hereby, authorized and directed to settle and allow the claim of John E. Newman for compensation for services rendered as a United States commissioner for the western district of Kentucky, from September 14, 1939, to December 31, 1939, notwithstanding the fact that the commissioner's appointment expired at the close of September 13, 1939."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. WILLIE M. MAYE

The Clerk called the next bill, H. R. 3761, for the relief of Mrs. Willie M. Maye.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Willie M. Maye, of Anniston, Ala., who is one and the same person as Mrs. Ross Maye, the sum of $5,000 in full settlement of all claims against the Government of the United States. Such sum represents compensation for personal injuries sustained by Mrs. Willie M. Maye when the truck in which she was riding was, on July 5, 1939, struck by a truck in the service of the Civilian Conservation Corps, which collision occurred at the intersection of Fourth and Noble Streets, Anniston, Ala.

With the following committee amendments:

Line 6, strike out "who is one and the same person as Mrs. Ross Maye,".

Line 7, strike out the figures "$5,000" and insert in lieu thereof the figures "$544."

At the end of the bill, add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWIN B. FORMHALS

The Clerk called the next bill, H. R. 3823, for the relief of Edwin B. Formhals.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of Edwin B. Formhals who allegedly suffered personal injury in 1937, while employed by the Navy Department as an assistant inspector of Navy material, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than 6 months after the date of enactment of this act: *Provided*, That no benefits hereunder shall accrue prior to the approval of this act.

With the following committee amendment:

Page 1, line 9, strike out the words "personal injury" and insert in lieu thereof the following: "an injury to his right hand."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALLEN POPE

The Clerk called the next bill, H. R. 4179, to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Allen Pope, his heirs or personal representatives, against the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction be, and the same is hereby, conferred upon the Court of Claims of the United States, notwithstanding any prior determination, any statute of limitations, release, or prior acceptance of partial allowance, to hear, determine, and render judgment upon the claims of Allen Pope, his heirs or personal representatives, against the United States, as described and in the manner set out in section 2 hereof which claims arise out of the construction by him of a tunnel for the second high service of the water supply in the District of Columbia.

SEC. 2. The Court of Claims is hereby directed to determine and render judgment at contract rates upon the claims of the said Allen Pope, his heirs or personal representatives, for certain work performed for which he has not been paid, but of which the Government has received the use and benefit; namely, for the excavation and concrete work found by the court to have been performed by the said Pope in complying with certain orders of the contracting officer, whereby the plans for the work were so changed as to lower the upper "B" or "pay" line 3 inches, and as to omit the timber lagging from the side walls of the tunnel; and for the work of excavating materials which caved in over the tunnel arch and for filling such caved-in spaces with dry packing and grout, as directed by the contracting officer, the amount of dry packing to be determined by the liquid method as described by the court and based on the volume of grout actually used, and the amount of grout to be as determined by the court's previous findings based on the number of bags of cement used in the grout actually pumped into the dry packing.

SEC. 3. Any suit brought under the provisions of this act shall be instituted within 1 year from the date of the approval hereof, and the court shall consider as evidence in such suit any or all evidence heretofore taken by either party in the case of Allen Pope against the United States, No. K-366, in the Court of Claims, together with any additional evidence which may be taken.

SEC. 4. From any decision or judgment rendered in any suit presented under the authority of this act, a writ of certiorari to the Supreme Court of the United States may be applied for by either party thereto, as is provided by law in other cases.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS PUCCINELLI BAIL BOND CO.

The Clerk called the next bill, H. R. 5026, for the relief of the Louis Puccinelli Bail Bond Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Louis Puccinelli Bail Bond Co., San Francisco, Calif., the sum of $2,500. Such sum represents reimbursement for the loss sustained by such bonding company on account of the forfeiture to the United States of a like amount under a bail bond executed by the Inland Bonding Co. and conditioned upon the delivery in court of one John Campagna, alias Giovanni Catalano. By reason of the nonappearance of the said John Campagna, alias Giovanni Catalano, such bail bond was declared forfeited in the Southern Division of the United States District Court for the Northern District of California on August 24, 1938. The amount of such bond was paid out of collateral deposited by the Puccinelli Bonding Co. Subsequently, through the efforts and at the considerable expense of the Puccinelli Bonding Co., the said John Campagna, alias Giovanni Catalano, was apprehended on October 11, 1939.

With the following committee amendments:

Page 1, line 6, strike out the figure "$2,500", and insert in lieu thereof "$2,000 in full settlement of all claims against the United States."

At the end of the bill add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH PETRIN ET AL.

The Clerk called the next bill, S. 127, for the relief of Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, Angu LeBlanc, William J. Demelle, Samuel Fishman, and Hector LaPointe.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,639 to Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, and Angus LeBlanc; $1,001 to William J. Demelle; and $1,456 to Samuel Fishman and Hector LaPointe, in full settlement of all their claims against the United States on account of damages and losses sustained by them at the hands of representatives of the United States Government through and by delaying each of them in performing their respective contracts, as subcontractors, with the prime contractor, V. & M. Construction Corporation, under its contract, T1sa-3223, for the building of the United States post office, Sanford, Maine, the United States Court of Claims, in its Nos. 43480, 43481, and 43482, having heretofore made special findings of fact that the persons above named so suffered such damages and losses: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

SAMUEL M. LIPTON

The Clerk called the next bill, S. 176, for the relief of Samuel M. Lipton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Samuel M. Lipton the sum of $138 for reimbursement in the payment of his salary for the period August 22, 1939, to September 15, 1939, and for annual leave accumulated as of September 15, 1939, while employed by the National Park Service in Zion National Park: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ST. NICHOLAS PARK CO.

The Clerk called the next bill, S. 281, for the relief of the St. Nicholas Park Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the St. Nicholas Park Co., of Jacksonville, Fla., the sum of $1,550, in full satisfaction of its claim against the United States for reimbursement of amounts expended by such company in removing the hull of a partially burned vessel from a position in the St. Johns River in front of its property, known as St. Nicholas Park, a residential development in South Jacksonville, Fla., such hull having been placed in such position with the knowledge and acquiescence of the United States district engineer, located at Jacksonville, Fla., and without obtaining the permission of such company: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, after the enacting clause, strike out the remainder of the bill and insert the following:

"That jurisdiction is hereby conferred upon the United States District Court for the

Southern District of Florida to hear, determine, and render judgment upon, notwithstanding the lapse of time or any provision of law to the contrary, the claim against the United States of the St. Nicholas Park Co., of Jacksonville, Fla., for reimbursement of amounts allegedly expended by such company in removing the hull of a partially burned vessel from a position in the St. Johns River in front of its property located in South Jacksonville, Fla., such hull having been placed in such position with the alleged knowledge and acquiescence of the United States district engineer, located at Jacksonville, Fla., and allegedly without obtaining the permission of such company. Such suit shall be brought within 1 year from the date of enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. A. WAILES, RECEIVER OF DELTA OIL CO.

The Clerk called the next bill, S. 416, for the relief of E. A. Wailes, receiver of Delta Oil Co.

Mr. GORE, Mr. SCHULTE, and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

J. MAE CHAMBERS AND RETTA E. HULTGREN

The Clerk called the next bill, S. 1142, for the relief of J. Mae Chambers and Retta E. Hultgren.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Mae Chambers and Retta E. Hultgren, of Roy, Wash., the sum of $3,500, in full satisfaction of their claim against the United States for compensation for the loss by fire of their house and certain other property, located on land leased by them to the United States for use as a camp site during the Fourth Army maneuvers, on August 17, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. M. SWINNEY

The Clerk called the next bill, S. 1348, for the relief of J. M. Swinney.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. M. Swinney, of Poplarville, Miss., the sum of $2,719, in full satisfaction of all claims against the United States on account of injuries to the said J. M. Swinney resulting from the explosion of several dynamite caps handed to him loosely by Works Progress Administration employees in his welding and blacksmith shop on May 23, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

R. BRINKSKELLE AND CHARLIE MELCHER

The Clerk called the next bill, S. 1352, for the relief of R. Brinkskelle and Charlie Melcher.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HANCOCK. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment on the claim of R. Brinkskelle and Charlie Melcher for damages for loss of a fishing cabin located on Warrior River, Jefferson County, Ala., on or about March 6, 1937, because of fire allegedly caused by negligence of Government employees in connection with clearing operations along the banks of the Warrior River and its tributaries.

SEC. 2. Suit upon such claim may be instituted at any time within 1 year after enactment of this act and proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL CONFERENCE ON LEGALIZING LOTTERIES, INC.

The Clerk called the next bill, H. R. 4117, for the relief of certain creditors of the National Conference on Legalizing Lotteries, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury available for the payment of money orders more than 1 year old, to W. L. B. Van Dyke, Hartford, Conn., a sum equal to the total amount of unpaid money orders transferred by the payee thereof, the National Conference on Legalizing Lotteries, Inc., to the said W. L. B. Van Dyke as trustee for certain creditors of such corporation.

With the following committee amendment:

Line 8, after the word "thereof", strike out the remainder of the bill and insert in lieu thereof: "to W. L. B. Van Dyke in his own right, and to W. L. B. Van Dyke, trustee for James O'Connell and Edmond Cotty. The payment of such sums shall be in full settlement of all claims against the United States: *Provided*, That payment of said claim shall be made upon the presentation of money orders held by W. L. B. Van Dyke, and upon which refunds have not been made by the Treasury Department: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of W. L. B. Van Dyke."

JOHN HENRY HESTER

The Clerk called the next bill, H. R. 4529, for the relief of John Henry Hester.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Henry Hester, the sum of $5,000, in full settlement of his claim against the United States of America for permanent injuries to him while a Federal prisoner at Petersburg, Va, resulting from being thrown from a truck.

With the following committee amendment:

At the end of the bill, change the period to a colon and add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RYOICHI SUMIDA

The Clerk called the next bill, H. R. 733, for the relief of Ryoichi Sumida.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ryoichi Sumida the sum of $2,153.25. Such sum shall be in full settlement of all claims for damages against the United States for personal injuries when struck by a United States Army truck in Honolulu, T. H., on February 2, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed

guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$2,153.25" and insert in lieu thereof "$1,000."

Page 1, line 7, after the word "claims", strike out "for damages."

Page 1, line 8, after the word "injuries" insert "sustained."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA AND FRED AEBI

The Clerk called the next bill, H. R. 1700, for the relief of Anna and Fred Aebi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Anna Aebi and Fred Aebi, of Monmouth, Oreg., the sum of $6,163.69 in full satisfaction of their claim against the United States for property damage and for damages for personal injuries suffered on May 17, 1938, about 12 miles southwest of Dallas, Oreg., when the automobile in which said Anna Aebi and Fred Aebi were riding was struck by a motortruck owned by the United States and driven by an employee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "Allocated by the President for the maintenance and operation of the Civilian Conservation Corps", and insert in lieu thereof "not otherwise appropriated."

Page 1, line 8, strike out "$6,163.69" and insert in lieu thereof "$4,226.45."

Page 1, line 9, after the word "and", strike out "for damage for."

Page 1, line 11, strike out "said Anna Aebi and Fred Aebi" and insert in lieu thereof "they."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL E. COOK

The Clerk called the next bill, H. R. 2372, for the relief of Paul E. Cook.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul E. Cook, of Lincoln, Nebr., the sum of $2,533.33, which sum represents lost salary, attorneys' fees, costs, and witness fees incurred and accrued between March 25, 1937, and April 25, 1938, during which time he was suspended from the United States Postal Service, having been falsely charged with forging and uttering a postal money order.

With the following committee amendments:

Line 6, after the figures "$2,533.33", insert "in full settlement of all claims against the United States."

At the end of the bill add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES H. DOUGHERTY, SR.

The Clerk called the next bill, H. R. 2782, for the relief of Charles H. Dougherty, Sr.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALLECK and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

GERTRUDE RICKETTS

The Clerk called the next bill, H. R. 3030, for the relief of Gertrude Ricketts.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALLECK and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MR. AND MRS. J. W. JOHNS

The Clerk called the next bill, H. R. 3943, for the relief of Mr. and Mrs. J. W. Johns.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. J. W. Johns, of Artesia, N. Mex., the sum of $1,500. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Mr. and Mrs. J. W. Johns on account of personal injuries and property damage inflicted on November 18, 1938, when the automobile in which they were riding was struck, 20 miles east of Weatherford, Okla., by a car driven by Lanson D. Mitchell, projects supervisor for the Works Progress Administration (now Work Projects Administration) while said Lanson D. Mitchell was engaged in performance of his official duties: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN J. JENKINS

The Clerk called the next bill, H. R. 4019, for the relief of John J. Jenkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 to John J. Jenkins, of Baltimore, Md., in full settlement of all claims against the United States for injuries sustained when he was struck down by a United States mail truck at the corner of Broadway and Madison Street, Baltimore, Md., on February 16, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to any agent or attorney for services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN KING

The Clerk called the next bill, H. R. 4198, for the relief of John King.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of John King, who contracted tuberculosis while employed at the Veterans' Administration Facility, St. Cloud, Minn., prior to September 24, 1936, and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act.

SEC. 2. The monthly compensation which the said John King may be entitled to receive by reason of the enactment of this act shall commence on the 1st day of the month during which this act is enacted.

With the following committee amendment:

Page 1, line 8, after "who", insert "is alleged to have."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. FRANKLIN R. SIBERT

The Clerk called the next bill, H. R. 4803, for the relief of Capt. Franklin R. Sibert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt.

Franklin R. Sibert, United States Army, the sum of $5,824.41, in full settlement of all claims against the United States for the loss of personal effects, destroyed by fire at Fort Benning, Ga., on April 11, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Line 5, after the word "appropriated", strike out all the language down to and including the word *"Provided"* in line 9, and insert in lieu thereof: "such sum as may be certified by the Secretary of War as necessary to reimburse military personnel on account of loss, damage, or destruction of personal property of such personnel as a result of a fire on April 11, 1940, at Fort Benning, Ga.: *Provided*, That no claim shall be settled or paid hereunder which has been or may be settled and paid under the provisions of existing law or unless the Secretary of War shall certify that said property so damaged, lost, or destroyed was reasonable, useful, necessary, and proper for such personnel to have in their possession while engaged in public service at the time of such loss, damage, or destruction: *Provided further,*".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of certain personnel of the Army on account of loss of personal property as a result of a fire on April 11, 1940, at Fort Benning, Ga."

Mr. GORE. Mr. Speaker, we have agreed that no more bills will be called on the calendar.

The SPEAKER. Without objection, further proceedings under the call of the Private Calendar will be dispensed with.

There was no objection.

EXTENSION OF THE FRANKING PRIVILEGE

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BUTLER. Mr. Speaker, I am introducing today a bill to grant the franking privilege to the young men who have been inducted into the armed forces of the United States under the provisions of the Selective Training and Service Act of 1940.

These young men, because of the small monthly pay they receive, should, in my opinion, be permitted to send their personal correspondence through the mails free of postage. It frequently happens that the boys do not have enough money to buy the necessary postage to mail their letters when they have made up their minds to write. I believe that this franking privilege would be a great help to these boys, and I have no fears that any of them will abuse the privilege.

TRANSFER OF CERTAIN GOVERNMENT AGENCIES FROM THE DISTRICT OF COLUMBIA

Mr. SABATH. Mr. Speaker, I call up House Resolution 257.

The Clerk read the resolution, as follows:

Resolved, That there is hereby created a select committee to be composed of five Members of the House of Representatives, who shall be appointed by the Speaker. Any vacancy occurring in the membership of the committee shall be filled in the same manner as the original appointment was made. The committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member thereof designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

It shall be the duty of the committee to investigate—

(a) The feasibility and desirability of transferring to the most practical locations outside the District of Columbia of any of the bureaus or agencies of the Government of the United States.

(b) The location, extent, and cost to the United States of office space and other facilities rented by the various departments, bureaus, and agencies of the United States, both within and without the District of Columbia.

The committee is authorized to utilize the services, information, facilities, and personnel of the departments and of any of the agencies of the Government.

The committee shall report from time to time during the present Congress the result of its investigations, together with any recommendations for legislation which it may deem proper.

Mr. SABATH. Mr. Speaker, it is not necessary for me to take up a great deal of the time of the House to explain the crowded condition that exists here in the District of Columbia. Due to that fact I have been importuned, as have many of you for weeks and weeks, to do something by way of ascertaining whether or not these conditions can be relieved or improved, I have consequently introduced a resolution authorizing the appointment of a committee by the Speaker to consist of five Members to investigate these matters and ascertain whether or not some of the bureaus can be moved to advantage and in the interest of economy to some other sections of our country.

I may say that I have in my files letters from many different cities approving such an investigation. I am of the opinion that a great deal of efficiency and economy can be brought about if some of these bureaus are transferred from the District of Columbia, and at the same time I am satisfied conditions would be relieved here.

I was desirous of knowing what is being done or has been done in the last few days and I obtained from the departments a report showing the number of buildings the Government is renting and using in the city of Washington. The number is 201 and there are included various buildings and apartment houses of every description that have been leased and for which the Government is paying rent. The amount of rent paid is $5,054,000 annually. Just think of it. The Government is paying out that amount for these various premises notwithstanding the fact it has built some of the largest office buildings in the history of any nation.

Mr. LEWIS. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. LEWIS. I hope the gentleman is going to put in the RECORD a statement of the details with respect to the list of buildings.

Mr. SABATH. I ask unanimous consent, Mr. Speaker, that I may insert a list of the various premises being occupied and rented, together with the amount of rent that is being paid for each.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, since this resolution has been introduced, my attention has been called to the situation with respect to the Dupont Circle Apartment Building that has been taken over by the Government. I consider that the most outrageous action that could possibly take place. I am informed that the people who control that building knew quite well that the Government was going to take the building over and, notwithstanding that fact, they made new leases with some tenants only a week or 10 days ago, subjecting them to tremendous expense. I am further informed that the rental to be paid for that building is unreasonably high, and consequently I feel that something should be done about it.

Mr. DOWNS. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. DOWNS. I introduced a resolution for an investigation of the Dupont Circle Building last week, and I understand that this resolution will empower the committee to investigate the conditions at Dupont Circle and the proposed leasing of that building.

Mr. SABATH. Yes.

Only yesterday or the day before I saw an article in the newspapers dealing with the tremendous increase in real-estate bonds in the District of Columbia; and this reminds me of the fact that 5 years ago when the Real Estate Bondholders Committee, of which I was chairman, made an investigation, or prior thereto, these bonds were selling for 2, 3, and 5 cents on the dollar. This applied to the Mayflower and many of the other hotels and apartment buildings. After the investigation was started the bonds began to go up, and today I am pleased to note that some of these bonds are selling in the District of Columbia as high as 108—at a premium, in other words, whereas they were selling at that time for about 3 or 4 or 5 cents on the dollar. However, this is not true in other sections of the country. In other sections of the country these real-estate bonds do not command a premium. In fact, they are selling at a very low price. The condition here is due more or less to the

fact that there is such a centralization in the District of Columbia, so that only the District of Columbia is benefited at the expense of all other cities which could properly take care of many of the bureaus and agencies.

I have also prepared another statement; but I am not going to take the time of the House to read now the names of the various bureaus of the departments which could easily be transferred, some to New York, some to Philadelphia, some to Baltimore, some to Detroit, and some to other cities of the country.

Mr. BULWINKLE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BULWINKLE. Why do they not go south a little bit?

Mr. SABATH. Well, that would apply also; I mentioned Baltimore, and referred to other cities.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. McGREGOR. Will the gentleman include Ohio?

Mr. SABATH. Cleveland, Ohio; of course. I have a list of many of them.

Mr. NORRELL. Will the gentleman also include a few for Arkansas as he goes along?

Mr. SABATH. I do not know whether we can take many down to Arkansas, although I have a very friendly feeling toward Arkansas.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Texas.

Mr. RUSSELL. How about including Texas?

Mr. SABATH. Well, Texas now is getting more than it can possibly take care of as it is.

Mr. BULWINKLE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes.

Mr. BULWINKLE. Why have a National Capital up here at all?

Mr. SABATH. Oh, I am not going to try to advocate the removal of the War or the Navy Departments, or the State Department or any of those institutions that properly belong here, but we have many bureaus in the Department of the Interior and in the Department of Agriculture and in many of the newly created boards, commissions, and agencies that could easily be transferred somewhere else and save the Government money.

Mr. BULWINKLE. And a good many of them we could be rid of entirely.

Mr. SABATH. Yes, some of them perhaps should be gotten rid of. I agree with the gentleman there.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes.

Mr. WILLIAM T. PHEIFFER. Does the gentleman believe that in carrying out the decentralization program, with which I am entirely in accord, we should combine the practical features of the matter in considering the location for these various agencies? For example, I am taking up the cudgels in every way possible and at every opportunity for my home city of New York in connection with the moving of the Securities and Exchange Commission to lower Manhattan, which is the hub of the financial universe. Does not the gentleman believe that in considering these various towns and cities we should disregard political expediency, and take into consideration not only the practical features and feasible features of the proposed location?

Mr. SABATH. That is in my mind; and I assure the gentleman that has been in my mind all of the time. And I know that in addition to New York there are other cities that are so situated that to move the agencies there will bring about economy and greater efficiency in government.

Mr. DEWEY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes.

Mr. DEWEY. I know that due to the gentleman's native delicacy he has not mentioned his and my home town of Chicago, but in keeping with what the gentleman from New York [Mr. WILLIAM T. PHEIFFER] has just stated, I know that there could be no better site for the Interstate Commerce Commission than the city of Chicago, which is the hub of all the railroad systems and the air systems of the country.

Mr. SABATH. I thank my colleague for calling my attention to Chicago, but I always leave the best to the last, and that is the reason I had not reached Chicago. I do hope, however, that some of these bureaus will reach Chicago, and I know that we have plenty of office space there and plenty of accommodations for employees.

Mr. LEWIS rose.

Mr. SABATH. And that also applies to Denver. I think some of those bureaus can be located in Denver to much advantage—perhaps the Bureau of Mines and others.

Mr. McLAUGHLIN rose.

Mr. SABATH. And the same thing applies to the city of Omaha. I know that the gentleman from Nebraska [Mr. McLAUGHLIN] is very much interested in his city and also in the country and that he believes in efficiency and economy, which I hope will be brought about if this committee will properly function.

Mr. McLAUGHLIN. I thank the gentleman. If I understand the situation correctly with respect to this resolution, it will be the province of the committee to make a dispassionate survey of the entire country.

Mr. SABATH. Correct.

Mr. McLAUGHLIN. To determine whether agencies can or perhaps cannot operate effectively and efficiently in places other than in Washington, D. C.?

Mr. SABATH. That is the case.

Mr. McLAUGHLIN. And certainly it will be the province of this committee to enter upon the discharge of its duty without any preconceived notions of what should or should not be done, and with a sole purpose of rendering a service in making the report which will indicate what should, in the opinion of the committee, be done for efficiency in the operation of governmental agencies.

Mr. SABATH. I thank the gentleman for his observation. That was in my mind when I introduced this resolution; and although I am naturally interested in the city of Chicago, which has suffered a great deal due to conditions, I am still more interested in the welfare of the entire Nation, and I would not advocate bringing any bureau or department to the city of Chicago if I thought for one moment that it would not be for the best interest of the Government and the Nation.

Mr. BARDEN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes.

Mr. BARDEN. The gentleman from Illinois [Mr. DEWEY] mentioned moving the Interstate Commerce Commission to Chicago.

Mr. SABATH. Yes.

Mr. BARDEN. Permit me to say in that connection that for the past 50 years we in the South have not been able to make that Commission hear our cries against discriminatory freight rates, when they have been located here in the city of Washington, and I certainly hope there is no disposition on the gentleman's part or on the part of any one else to move that Commission any farther away from us than it has been heretofore.

Mr. SABATH. Oh, the fact that it may be moved farther away does not signify that there would not be even greater consideration shown to the South, if that Commission, say, should be moved to Chicago, because Chicago has been mindful at all times of the South and the interest of the South, and the city has the friendliest feeling for the South. I feel sure that those of the South would receive much greater consideration if the Commission were moved to Chicago than the South has received heretofore.

Mr. THILL. I am deeply interested in my home city of Milwaukee. I know that we have there the technical help and the clerical help necessary to man these various Government agencies.

I hope that when the committee make its survey it will consider Milwaukee and certify that city as an ideal site for the location of Government agencies.

Mr. SABATH. I have heard of Milwaukee, but I do not know whether the inducements that would be offered in Milwaukee would not be too great. So I have not mentioned that city.

As I said, I am not going to take up any more time of the House. I believe I have made a very fair statement; not as good a statement as some of you gentlemen could make for such a noble cause, but I am going to conclude and reserve the balance of the time.

I wish now to yield to the gentleman from Indiana [Mr. HALLECK] 30 minutes, or so much thereof as he desires to use. I reserve the balance of my time, and I ask unanimous consent that I may revise and extend my remarks and include some further information and statements in my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HALLECK. Mr. Speaker, I yield myself 10 minutes.

First, I would like to suggest to all of you that I am not in favor of moving the

capital to Indiana. In spite of that fact, I am supporting this resolution. I think it should be adopted.

I suspect that probably we have had plenty of investigating committees. However, there has been much talk about congestion in Washington and I think any of us who has had occasion to try to locate some of the Government departments and to travel around the city trying to find living quarters realize that there is a considerable problem. Beyond all that, it seems to me that if there is to be any decentralization, if there is to be the moving of any bureau or agency or commission from Washington, where it is presently located, to some other location in the country, the Congress of the United States should have something to say about the agency or the bureau that shall be moved, and the place to which it shall be moved. At least, the Congress should be informed as to anything that is proposed to be done.

It seems clear to me that this committee, if it functions properly and actively, can obtain that information. The adoption of this rule does not mean that any agency or any bureau is to be moved from Washington. There is no authority for any such final action as that on the part of the committee that would be set up. The rule simply seeks to investigate the problem and permits the special committee that would be created to report to the Congress as to its findings, and to recommend legislation, if legislation seems desirable.

On the whole matter of decentralization, and if there is to be any decentralization, I think the Congress would want to see to it that the great established agencies of the Government, like the Interstate Commerce Commission, for instance, that has been here for upward of 50 years, operating as an independent quasi-judicial agency of the Government, an agency that in the time of its operation has gathered around itself a great retinue of other operations and other people who are dealing with that agency from day to day are not moved from Washington. There may be some parts of other bureaus and agencies and possibly some entire agencies or bureaus that could well be moved from Washington, at least during the period of this emergency, in order that some of the pressure that is here present could be removed.

While I am discussing this matter and have your attention, I cannot refrain from suggesting that I wish this resolution, too, would investigate in some detail the general proposition as to abolishing some of the bureaus and agencies that have been created in recent times. I wish the resolution would hark back to the Democratic platform of 1932, in which the administration now in power pledged to the people of this country the abolition of useless boards, bureaus, and commissions. That platform pledge has not been kept, and everybody knows it. Rather than keeping that pledge, the administration has added board on board and bureau on bureau until we seem to have a veritable government by bureaucracy. Then, too, in these times when we are in an emergency and we are confronted with danger from without and we are finding it is necessary to set up here in Washington as a part of the operation of our Government a great many different functions and agencies having to do directly with the national defense, it has seemed to me all along, and I have voiced this feeling before and I voice it again at this time, that some of these bureaus and agencies that were created in depression times to meet an emergency then existing because of severe economic depression could well be done away with, now that the country is experiencing at least an illusion of prosperity resulting from our great defense effort.

Instead of witnessing the abolition of any of these functions and the doing away with any agencies or bureaus, we see agency and bureau piled one on the other. After all, I think that is one of the most important factors in the whole problem of concentration and congestion here in Washington.

While this resolution does not so specifically provide, I hope that if the resolution is adopted and this committee enters upon its work, it will see fit to recommend to the Congress the abolition of and doing away with such agencies and bureaus as are outdated, outmoded, and should be gotten out of our system of government, now that the necessity for them, if ever there was any necessity, has expired. I think that is all I care to suggest with respect to this resolution. I hope it will be adopted. I do not know how much good the committee can do, but I think the Congress and the House owes it to itself to be informed about the problem before us.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman has consumed 8 minutes.

Mr. HALLECK. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

A DECADE OF DEFICITS—NEW TAXES AHEAD

Mr. BENDER. Mr. Speaker, some day the people of the United States are going to find themselves paying a good-sized accumulation of back debts. We have been using the word "deficit" so long now that we have forgotten that it really means unpaid bills. But this last month we wound up more than a decade of deficit finance. Starting in 1931 when we ran half a billion dollars behind, our income has steadily failed to meet our expenses. Since then we have gotten progressively worse. In 1932 we were two and a half billion in the red; 1933 put us back an additional billion eight hundred million; 1934 added almost three billions to the deficit, and since then we have gone on and on until in 1941 our deficit hit five billions.

Nineteen hundred and forty-two is expected to set a new record of eleven billions in red ink. And some day, sooner than most of us expect, we shall have to start paying. The new tax bill in Congress is expected to produce about $11,000,000,000. Congress has voted three times this sum in expenditures for the fiscal year which began on July 1. No wonder we cannot get Americans to take our tax proposals seriously. They know that no matter how high they go they will scarcely begin to meet the obligations we have incurred.

But the White House still refuses to take seriously repeated demands for sharp cuts in nondefense spending.

We have before us at the present time House Resolution 257 creating a committee to move departments of the Government out of the District of Columbia. I am not interested in having departments of the Government moved to Detroit, or to Denver, or to Chicago, or to Savannah, Ga., or to Los Angeles, or to any other place; I am interested in moving them out the window. The sooner we begin moving them out the window the sooner we shall begin financing as we have to in our own homes and our own businesses unless we expect to feel the hand of the sheriff on our shoulder.

We ought to vote down this resolution. It is nonsense. Let us cut out this additional investigating and continued spending. Secretary Morgenthau said we needed to cut nondefense spending. If we did this we would not have a housing problem in Washington. If we would spend our money wisely, if we would abolish the unnecessary bureaus, if we would sever from the pay roll people walking around holding fancy jobs at the taxpayers' expense without giving the taxpayers a proper return for the expenditure we would give the taxpayers a break.

We ought to vote down this expenditure and vote down every expenditure that calls for investigations to spend more money or to transfer the money. Stop spending it right here and throw out the window most of these bureaus we are talking about transferring to Congressman Jones' district, to Congressman Smith's district, to Congressman Anderson's district in California, to Congressman Carter's district, or to Congressman Somebody Else's district.

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, I am sure we are all interested in retaining and maintaining the dignity and the jurisdiction of our committees of the House of Representatives. I am sure also that we are interested to the extent practically and economically feasible in the decentralization of some of these subsidiary activities of the Government. I am sure also that we wish to minimize as much as possible the burden upon the taxpayers of this country. Now, I want to bring some information to your attention which I think very pertinent.

On the 15th day of May the gentleman from Illinois [Mr. SABATH], introduced two identical resolutions: One, House Resolution 209, and the other, House Concurrent Resolution 36. They are exactly alike in their terms and each calls for an investigation with reference to the decentralization of certain kinds of governmental activities in Washington. In pursuance of those resolutions, which were referred to the Committee on Public Buildings and Grounds of which I have the honor to be chairman, 2 days later, on the 17th day of May, we requested

reports from all the departments with reference to this subject. We now have practically all of those reports before us. The Bureau of the Budget has advised us that it has been making a very diligent study of this situation.

Now, without taking away authority from our regular congressional committee to which this matter was referred on resolutions introduced by the gentleman from Illinois, without any expense to the Government through the establishment of a select committee, through the issuance of subpenas and bringing of witnesses from all over the country, we are prepared through hearings before our committee to get the information upon which the House can act deliberately and, I think, intelligently.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. The gentleman's committee also has the right to report legislation to cover this question?

Mr. LANHAM. To be sure.

Mr. Speaker, I have here before me reports from the War Department, the Federal Works Agency, the Department of Agriculture, the Navy Department, the Postmaster General, the Secretary of Commerce, the Bureau of the Budget, and the Treasury Department, reports which have been sent to our committee upon this identical question with reference to resolutions introduced by the gentleman from Illinois. I think it comes with rather poor grace, without hearings and without any information upon which to predicate judgment to pass a resolution involving additional expense and designed to do the very thing which your regularly organized committee is endeavoring to do on the resolutions introduced by the gentleman from Illinois.

Mr. RANKIN of Mississippi. If this special committee were to go out and investigate and make a report, you would still have to go to a regular committee of the House to get the legislation?

Mr. LANHAM. To be sure. I assume it would come to the same committee if the resolutions were accurately referred in the first instance.

Of course, there is some interest and activity on the part of various cities. For instance, the Public Buildings and Grounds Committee received a resolution passed by the city council of the city of Chicago, based on the resolutions offered by the gentleman from Illinois, to this effect.

Whereas Chicago is centrally located and therefore a logical point of meeting for interested citizens having duties to perform with the Government agencies: Therefore be it

Resolved by the city council of the city of Chicago, That the Congress and the President of the United States be memorialized to have the Department of Agriculture and the Interstate Commerce Commission permanently located in Chicago.

I may say with reference to the resolutions which the gentleman introduced and which are now pending before the Committee on Public Buildings and Grounds, that they are of the same tenor as the pending resolution, except that they start out with several "whereases."

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. LANHAM. Mr. Speaker, I want to read one or two of these whereases:

Whereas adequate building and housing facilities may be had without delay not only in the city of Chicago but also in other cities favorably located where the cost of living is more reasonable than in the city of Washington; and

Whereas, due to its central location and accessibility, many Government agencies conduct hearings and carry on other activities in the city of Chicago; and

Whereas, if such agencies are located in the city of Chicago, the Government will save tremendous sums in rentals, traveling expenses, and the time of its officials, and the removal of such agencies to Chicago will afford Government employees lower costs in living, better working and housing facilities, and will tend for higher efficiency: Therefore be it resolved—

And so forth. Mr. Speaker, those are whereases, but the resolution itself deals with this very matter, and just as soon as the Committee on Buildings and Grounds has concluded further hearings in which it is now engaged with reference to defense housing, we intend to have hearings on the resolutions introduced by the gentleman from Illinois and on which we already have reports. So if you want to maintain the dignity and the jurisdiction of your House committees, if you want to save the taxpayers money, if you want to have some hearings on which you can predicate accurate judgment concerning this matter, I ask you to vote down this resolution and let our regular parliamentary procedure take its due course.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker, I would like to have the attention of all those who are complaining about bureaucratic development. There is no use talking about the increase in the number of bureaus so long as we increase Federal power. Bureaucratic development is a thing that cannot be avoided so long as the total governmental responsibility concentrated in Washington is beyond the capacity of a nonbureaucratic government to handle. That is the situation here now. It is a waste of time, it is nonsense to decry our bureaucratic development while this trend to bring all governmental powers to Washington continues. You can put that in your pipe and smoke it, as the expression goes. What is the use of being absurd about this thing. Bureaus are not the cause; they are the result. In order to get at the result we have to reach the cause. We Members of Congress do not know what it is all about here in Washington. I do not mean we do not know something about it. I mean that under the policy of taking from the States powers which are within their governmental capacity, we have so overloaded the Federal Governmental machinery that we cannot properly take care of the Federal business, and everybody knows it.

As a result bureaus are created as a matter of necessity to take care of this overload. No doubt the number gets too great, their powers too great; abuses develop. Who has time to find out about it? The quicker the country knows it, the quicker we let the people of the country know the truth about the matter and let them know that we are destroying the States and overloading the Federal machinery with these powers which we have taken from the States during the process of their destruction, the sooner we will have a chance to do something about it. This getting all "het up" about democracy and wanting to fight about it while we are doing a complete job, an inside job, of destroying our own democracy and erecting in its stead a great Federal bureaucracy, does not make sense nor statesmanship nor common honesty.

We are going along the wrong route. Powers ought to be sent away from Washington but they ought not to be sent through the machinery of a scattered Federal organization. It is hard enough to know what they are doing when they are located here. All that can possibly be sent back to the States ought to be sent to them.

Let me see if I have time to get this across. We started in this country with 13 democracies, 13 States. They were capable of popular government. In them our democracy was rooted. Theirs was a functioning machinery through which a democracy could operate because these States functioned in the main through small units of government, countless municipalities, districts, and so forth, where the people elected their officials. These subdivisions were sufficiently small for the people to control. These States, after the Revolution, agreed they needed one Army, they needed one Navy, they needed one diplomatic agency, they needed one system of coinage, weights, and measures; they wanted to pass freely among themselves, and so forth, and they sent some people to Philadelphia to provide those specific things for these democracies, retaining all the other general governmental powers to themselves. That was a great set-up. It was a natural development. It was suited to a democracy of great territory and population acting in accord in matters beyond the capacity of single States. They pooled their interests under a common necessity. They pooled their powers as a protection against common dangers and entered into certain neighborly arrangements but retained in themselves general governmental powers and responsibilities. That was a perfect set-up which we inherited.

We are now engaged in the perfectly silly attempt of having this Federal agency created for special purposes and equipped only to do them, take care of our general governmental duties which it was never created to do and which it never can be made to do. There is no governmental machinery that makes it possible for it to function as the general governmental agency of a democracy. It has less than 600 elected officers.

The people could not control so great an agency discharging general governmental duties even if they had the machinery to do so. I venture the assertion,

unless we soon reverse the direction in which we are traveling, that when the pathetic, tragic governmental history of this period is written the thing most difficult for the historian to understand will be that which in this period happened to our own Government—how it could have been even possible for it to have happened. How it could have been possible for a people with our historical background, with our governmental instincts, with our heritage of governmental machinery, evolved and perfected through the experience of ages—the most perfectly adapted to the functioning of a great democracy which has ever been the heritage of any people—how they could have wrought such destruction to so great a democracy in so short a time, will puzzle the historian, the political philosopher, and will puzzle all others who take the time to examine our history.

What will be most confusing will be the fact that this was being done to our own democracy at the very time we were proclaiming ourselves to be the champions of democracy in all the earth. I have watched these developments. I have examined the nature of democracy, the character of governmental machinery essential to its life and operation. I have thought about this a long time. As nearly as a human judgment can be made certain, mine is certain with reference to these observations. I have been trying to do something about this for a long time but no one would be interested. Seventeen years ago I introduced a resolution proposing to create a committee to see if we could not do something about that but it did not stir up enough interest even to provoke adverse criticism. I am going to print at the conclusion of these remarks excerpts from a resolution and an explanatory statement made by me at that time. At least it ought to protect against having what I say considered as a criticism of any persons now in office except ourselves. It would be interesting perhaps if we really were interested in what we are doing to our democracy to note how fast we have progressed during these past 17 years in the substitution of a Federal bureaucracy for our democracy. I may undertake that sometime, but everybody knows of that progress in a general way.

There is one other observation I want to make about this proposed dispersing of Federal departments and bureaus. We Members of Congress are now the only possible liaison between our constituencies and these bureaus which are now largely the Government. A man was in my office this morning who had been up here about a week trying to find out who is the person to talk to about a matter of great importance to him. In desperation he came to me. I got on the telephone. I had to take advantage of my official position and I told the folks who I am. I hope I finally got him directed to the right person. I was glad to do it but it took time from the job the people have hired me to do. There is not time left to properly take care of the Federal business.

Suppose the Department of Agriculture or any of the other departments is sent away from Washington. The average citizen would be as powerless as the average citizen in England was when the King governed, aided by his appointed privy council and surrounded by court favorites. I am discussing not individuals but a system of government, which we are substituting for our democracy. We are moving in the direction of having in effect a lot of little kingdoms while those in charge make rules which have the force of law; construe these rules and enforce them. There is no doubt about it. The people do not elect those into whom we are moving this governmental power and who exercise it without any effective supervision by anybody whom the people elect. Nobody is going to question that. We are developing a system of government in America that is more like the system of government during the days of the Louises of France than a democracy—when court favorites were powerful in determining governmental policy. I say this not in criticism, and I mean that. I am talking about this system of government which we are substituting for our democracy and its inevitable characteristics and the functioning machinery through which by its nature it operates. I wish I could get by with that. I hope if the press notices what I say, they make that clear. I do not criticize individuals. I am talking about a system. We are compelled to delegate these powers that are brought up from the States, and in addition the Federal powers which we cannot properly attend to because of the overloading of the Federal machinery with State displaced powers, to individuals who are beyond the reach of any force which the people can themselves command.

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield 2 additional minutes to the gentleman from Texas.

Mr. SUMNERS of Texas. I am anxious that these fundamental things which I am presenting be considered fundamentally. I want to get across to the people some of these fundamental things without their being considered controversial or in criticism of anybody. It would be fatal to a proper consideration by the people if what I am saying should be considered to be a criticism of Mr. Ickes or Mr. Hopkins or the President or Mr. Anybody Else. I apologize for mentioning names, but I want to stress the point. I do not care whether Republicans are in control or Democrats, or whoever may come into control next, the things I have been mentioning are the natural and inevitable characteristics of governmental operation of the sort of Government into which we are converting ourselves. The Federal organization by its purpose, by its nature, by its size, by the character of its machinery, can never be the functioning agency of a democracy in the discharge of its general governmental powers. Only as a bureaucracy can it operate in this general field. The silliest thing about the whole business is that we bring these powers up here from the States and in addition extend the Federal power. Then we complain because the Federal Government proceeds to discharge these powers through the only agencies at its command, the bureaus, and further complain that these powers are administered the way they are when such is the nature of practically unsupervised governmental agencies in administering governmental powers they possess.

If you folks want to do something to save democracy in America, and it is difficult now—more difficult than it was 17 years ago, there is a way to decentralize. We have the State governments already organized. When we do decentralize, if we will, we will have to put back into these States the governmental responsibilities which they once had and which they must have again if they are to survive. I have studied this question for a long time. I may not have much sense, but I have used all I have in the examination of this question. We have to get these powers back to the States or the States are gone, and with them goes our democracy. They are the body of our democracy. Nature will not permit power to remain where that power is not used. If you want to destroy this democracy take from the States governmental power which is within their capacity. Take from the States the governmental responsibilities they have to exercise in order to preserve their governmental vigor, and you destroy the States. Destroy the States and you destroy democracy. If we had sought to devise a plan for the destruction of this democracy, and get by the people with it, we could not have devised a plan more suited to that purpose and more certain of results than the one we are pursuing.

At this point I ask that there be printed the statement referred to, including excerpts from the resolution included in those remarks, and I ask that it be noted that the date is February 26, 1925:

"OUR CHOICE—DECENTRALIZATION OF GOVERNMENTAL RESPONSIBILITY OR GOVERNMENT BY A CENTRALIZED BUREAUCRACY"

[Extension of remarks of Hon. HATTON W. SUMNERS of Texas, in the House of Representatives, Thursday February 26, 1925]

[Mr. SUMNERS of Texas, under general authority, extended his remarks on the creation of a joint committee to investigate and report to the next session of Congress with reference to the reduction of Federal governmental responsibility.]

Mr. SUMNERS of Texas. Mr. Speaker, leave having been obtained, there is being printed herewith in part copy of a resolution pending before the Rules Committee, together with a statement made before that committee with reference thereto.

I wish it clearly understood that in what is said no reflection upon the personnel of Federal bureaus and departments is intended. Whatever of criticism there may be is directed against the policy of government under which bureaucracy develops and not against those who are carrying out that policy. I hope there will be no confusion on this point.

The resolution is as follows:

"Whereas the vast increase since its organization of the territory in which the Federal Government has jurisdiction, the natural development in such territory, and the shift of new governmental responsibility to the Federal Government have created an aggregate of Federal responsibility which is overloading its machinery and rendering it increasingly difficult to discharge with efficiency and economy through the agencies at

its command either its original or its acquired responsibilities, and under which increasing responsibilities it is difficult, if not impossible, to prevent the Federal Government from becoming distinctively bureaucratic in its operations: Therefore be it

Resolved, etc."

STATEMENT OF HON. HATTON W. SUMNERS, MEMBER OF CONGRESS FROM THE STATE OF TEXAS, BEFORE THE RULES COMMITTEE OF THE HOUSE

Mr. SUMNERS. Mr. Chairman, this resolution proposes the creation of a joint committee to investigate and report back to the next Congress, if it can determine, how the Federal Government may be relieved of its governmental overload, in order that it may be able thereby properly to discharge its Federal duties. That is the primary purpose. Conferences with State officials and, as far as practicable, with the people are contemplated.

Let us consider briefly the condition in which the three branches of the Federal Government find themselves at this time. First, the legislative branch.

The legislative branch

In the legislative branch of the Government gentlemen know from observation and from experience that matters of tremendous importance are acted upon without the membership, generally speaking, having had an opportunity to give the consideration which safety and good legislation require. Congress must have to do with the vast country between the oceans, from Canada to Mexico, with the Territory of Alaska extending up into the Arctic region; to the south in the West Indians are the Virgin Islands and Puerto Rico; farther down is the Panama Canal Zone; out in the middle of the Pacific Ocean are the Hawaiian Islands; and on the other side of the earth are the Philippines. Congress not only has to legislate for this territory in interstate, national, and international matters, but under our present system Congress is more and more being called upon to legislate as a State legislature, going further and further into the domain of State responsibility.

There are thousands of bills coming in each session. If Congress legislates wisely it must not only study the proposed legislation, but it must know conditions in the sections of the country with which it deals. If a personal reference will be excused, during vacations I go into the country and get all the first-hand information I can. But there are several States in which I have never been. I have not been in Alaska, the Virgin Islands, the Hawaiian Islands, or the Philippines, and yet I must help legislate for them. We have our committee work; we are called upon by our constituents to aid them in getting consideration of their matters with these bureaus which we are creating; and thousands of letters must be replied to in the course of a session. It is not a question of the ability of the present membership of Congress, but of human capacity. I do not care whom the people send here, this accumulated governmental responsibility cannot properly be discharged by them. Nobody thus pressed can give the time and thought to the problems of the Federal Government which those problems require. There is not the slightest use for us longer either to deny or to undertake to hide that fact. That condition has to do not merely with efficiency but with the possibility of efficiency.

Delegation of responsibility to committees

In trying to take care of the ever-increasing demands the Congress has already divided itself into what in many respects are little legislative bodies—we call them committees, but they are more than committees as committees were originally intended to function. The Members of Congress, not because they wish to do it, but because they are compelled to do it, follow to a dangerous degree the judgment of these small groups of men as distinguished from their own independent judgments based upon knowledge. It is beyond human capacity.

Development of a bureaucracy

Not only that, but even with this dangerous arrangement, which increases capacity to handle volume at the sacrifice of safety, the legislative branch of the Government cannot take care of its overload, so that it makes a further sacrifice by turning over important legislative powers to the various rapidly multiplying bureaus of this Government; that is to say, the Congress will enact a general law and delegate to these bureaus the power to legislate as to details. We call their enactments rules and regulations. But in practical operation, insofar as the average citizen is concerned, they are laws. Not only that, but there is given to these bureaus the power to construe the rules and regulations which they make and the power to enforce them—the three powers of government. Contrary to our traditions, to our philosophy of government, contrary to all the things we profess to believe and against all the warnings of history, we are placing the three powers of government—legislative, executive, and judicial—into the hands of the same personnel, not one of whom is elected by the people.

Not only has that happened and is happening to a greater and greater degree each year, but, as the power delegated to these bureaus accumulates around the heads of the bureaus those nearer to direct responsibility in turn are compelled to pass them on down to subordinates and from these subordinates to other subordinates, until the point is reached where some subordinate many times removed from anybody whom the people have had the opportunity to elect goes to the private citizen carrying with him all the powers of the great Federal Government.

When he goes to that individual he does not go as one whom that individual has had a voice in selecting. He goes not as a responsible agent of popular government, responsible to the public; he goes as an appointed governor of the private citizen. As a practical proposition what can the private citizen 2,000 miles from this Capitol do to resist such an agent of the great Federal Government? That is the test. We have gone so far in increasing numbers and in increasing Federal powers that there is not, in fact, any elected person who in good conscience can be held responsible for the acts of these appointed persons. There are now between 500,000 and 600,000 persons scattered over this vast territory operating the machinery of the Federal Government. Only 533 of them are elected by the people, and all of them are located here in Washington, one little spot on the eastern border. There is no elected person who it can be charged, knows what the individuals of this appointed personnel are doing.

The judicial branch

Passing to the judicial branch of the Government, the thing which has happened with regard to the Federal judiciary is very interesting and indicative of what has happened with reference to the increase of governmental responsibility of the other branches of the Government. Until 1891 practically all appellate jurisdiction in the Federal system was vested in the judges of the Supreme Court of the United States. At that time Congress created circuit courts of appeals to relieve the Supreme Court. We now have nine of such circuit courts exercising appellate jurisdiction, much of which the Supreme Court formerly had.

Notwithstanding that, the Supreme Court, in the judgment of this Congress, is compelled to have further relief and by a unanimous vote of both Houses a bill was passed by this Congress shifting much of the obligatory jurisdiction from the Supreme Court to these circuit courts of appeals. But no such possibilities of relief for the other two branches are to be found in our system. There can be but one President and but one Congress. It is true the State Governors and State legislatures afford possibilities of relief, but instead of moving legislative and executive responsibility away from Washington, as we are moving judicial responsibility away from Washington, the current of movement is toward Washington, the point where the overload already is.

The executive branch

I beg to direct your attention to the executive branch of the Government. There is but one man belonging to that branch of the Government, the President of the United States, elected by the people, and that only in a qualified sense. Under the President there are more than 500,000 people on the Federal pay roll, operating the machinery of that one branch of the Government. I shall not discuss the element of expense, of unnecessary burden upon the taxpayers, of the system which we have developed of having the Federal officers and State officers working at the same governmental jobs, or of the policy of sending the tax gatherers into the States to collect money from the people, bringing it up to Washington and sending it back to the people from whom it was collected, or rather, whatever part of it has not been eaten up by the army of nearly 600,000 Federal employees now on the pay roll, and fooling the people into the belief that they are getting something for nothing from Uncle Sam. I am talking about the result upon general governmental efficiency of this policy of concentration, without regard to cost.

Has anybody little enough sense to imagine—when the duties of the President, dealing with all sorts of international questions and great national questions are considered, with the duty to make recommendations to Congress, the duty to examine and the power to veto every bit of legislation that we pass here, the necessity to make nomination of all the chief officers, and to do hundreds of other things—that Calvin Coolidge, or anybody whom God has ever created or ever will create, can supervise and direct any considerable part of what is being done by these 500,000 people who are operating the executive machinery of this Government within our own territory out among the States everywhere and into the farthest corners of the earth? Of course, he does not know what they are doing. And yet he is the only elected person of all that half-million people, the only one directly responsible to the people.

There is no use complaining of bureaucracy so long as the total of governmental responsibility concentrated in Washington is beyond the capacity of a government of the representative type to discharge.

When the capacity of the ordinary machinery of the Federal Government becomes overloaded, these bureaus are the only agencies to which the overload can be shifted. When these bureaus have transferred to them such powers of government as it is necessary now to place in them, and they exercise those powers without effective supervision by elected agents of the people, as is now the case, we have a great Federal bureaucracy for toward its full development, regardless of what the Constitution provides.

Nature and development of our system of government

In this connection I would like to say a few things with reference to our Constitution, which I believe pertinent to this consideration. I will attempt only to touch a few high points. I am convinced that much of our confusion and of our difficulty has come from our acceptance as actual facts the

mythological tales peddled over this country by "Fourth of July orators" and others of like sort as to the origin and nature of our system of government. These stories are all very fine and thrilling, and during our formative period were helpful, no doubt, to hold us together until we could develop into a nation, but they are utterly hurtful and confusing since that stage of national development has passed and the serious prosaic task of operating the governmental machinery which was established has come to challenge the genius of this generation. We must get it out of our heads that the "fathers" established a self-adjusting, self-operating, bomb-proof, fool-proof government. Our history runs counter to the fairy tales told to us by these "Fourth of July orators." The "fathers" all honor to their memory, were too wise and too patriotic to attempt so impossible a thing as is ascribed to them. They well understood—those who assembled in the State constitutional conventions and those who assembled in the Federal conventions to complete the work begun in the State conventions—they understood that written constitutions cannot create a popular government, but that popular governments create written constitutions. The "fathers" in 1787 understood that the constitution of popular government inheres in the nature of things; that it can no more be placed in the pages of a book than can a living human being be written into the pages of a book. What they wrote was descriptive, declaratory, interpretative, facilitatory, in a sense fixative, and was supplemental to the State constitutions which had already been adopted.

Insofar as our Constitution is written, and in the sense that it is written, for each citizen, it is to be found in the document called the constitution of his State; there is where most of his constitution is to be found; and in the Federal Constitution. They are parts of the same thing. In theory, no; in fact, yes. We have passed the theorizing stage and are dealing with the facts of government now.

I am taking a little time here, because I am convinced that there are a few basic things which we must get straightened out before we can properly consider what we should do in our present circumstances or how to do it.

Our Constitution within historical times has been in process of development under natural law since the second century. I cannot cover that. It is an important thing, however, to have in mind. As a bearing upon our own task, it is necessary for us to have in mind also that in our own country we have passed through two periods and are now in the third. It would be more exact to say that we have passed through one period and are in the second. The colonial period was, in fact, a part of the formative period of our separate national development.

During the formative period of our National Government, of any national government, where different territorial units are brought together into one governmental organization, there is tremendous pressure from the inside outward. During that period strength moves—it seems to move naturally—to the point of weakness. That is the period of concentration of governmental power, naturally and properly so.

A constitution, written words, can never hold within itself the element of cohesive strength, especially among a people whose philosophy of government was as expressed in the words of the Declaration of Independence, which became the battle cry of the Colonies, that governments "derive their just powers from the consent of the governed."

During that period the Constitution acted as does the tape of the horticulturist, binding parts of different plants together. But the tape does not unite. It can only hold in proper adjustment and give nature a chance. Our Federal Constitution held exactly that relationship during the formative period of our National Government.

I do not know when we had grown together, but it is clear from the views expressed with reference to the annexation of Texas that by 1843 no minority of States in point of military strength could have left this Union without a civil war. If New England had undertaken to separate, we of the South would have joined with the other sections of the country to coerce those States back into the Union. There was one great weakness. I do not want to inject a matter that may raise controversy, but the tariff and slavery together helped to put an element of weakness between the two great sections, North and South. Those issues were as foreign substance between the sections. There was not the possibility of complete union between those sections until slavery at least was gotten rid of. At every other point there had been complete union. The States of these sections had united, but the sections had not. Suffice it to say that the union of the States is now a fact. The first period is now history. We have reached the point where no controversy can ever again reach through to test the strength of the Federal compact, whatever it may be. We are a nation created not by words nor Federal compact but by nature. To all practical purposes we have ceased even to have a dual system of government. I know gentlemen will question that. I am just stating my judgment.

We have a system of government, a Nation, a part of the governmental power of which is lodged in the municipality, part in the smaller units of government, part in the county, part in the State, and part here. In its construction it was built from the smallest unit upward. It functions from the bottom upward. That is its nature. We seem to have overlooked that fact. We are trying to operate it from the top downward. It cannot be done.

Our responsibility

Our duty now and our responsibility is entirely different from that of those who in the constitutional conventions undertook to recognize and to declare the fundamental laws of popular government and to set up the machinery through which such a government may properly function. Our duty and our responsibility is also entirely different from that which obtained during the period when it was a question whether the central government—I do not use that designation in an exact sense—could hold the States together until they could grow together and thus form a nation. That has been an accomplished fact, at least since the Spanish-American War.

We now have no further need for our very interesting mythology. I do not underestimate its former usefulness. Of the composite virtues, magnified, of the great men who wrought in that period, we builded a national shrine around which all the people of all the States could gather. That helped to strengthen at the point of weakness. I would not detract from those men or lessen in the slightest degree popular love and gratitude for them, but I would put them where they belong, upon a sane, humanly possible, historically true basis. That would better enable us truly to honor them by preserving the fruits of their labors and the heritage of centuries of governmental development, which, in a very definite sense, they transmitted to us.

Popular governments grow as a tree grows. Man can help but he cannot create, and he can help only when he works in harmony with Nature. Not only must those who establish the visible evidences of a popular government and provide its functioning machinery work in harmony with natural law, but those who operate that machinery must do that thing also. We seem to have overlooked that fact. We seem to have overlooked the fact that everywhere there is law which directs and limits human discretion. The physician recognizes it, the farmer recognizes it, the builder recognizes it, and those who operate the machinery of this Government must begin to recognize it. We will have to face about. Nature compels respect for her plan as much by the limitation imposed upon human capacity as by the capacities given to human beings. When the limit of human capacity is reached, that is the end of argument.

Is there anybody in position to know the facts—Democrat, Republican, Socialist, or what not—who does not know that the total of governmental responsibility concentrated at Washington is beyond human capacity to discharge through any agency susceptible of popular control?

Reactionary movement

Gentlemen, the present direction of movement is not progress. It is reaction; I do not care what sort of brand the individual puts upon himself who advocates it. I lay down this proposition, sound in theory, sound in governmental philosophy, and established by history, that after the completion of the formative period of a popular government all true governmental progress, by the very nature of that system of government, must be in that direction which moves governmental power away from the central governmental agency where it accumulates during the formative period back toward the people into those governmental agencies more directly and more completely under popular control. The reasons for that are not founded in theory; they are founded in necessity. We face that necessity now. That is why I have introduced this resolution. This is not left to the will of statesmen. It is fixed in the economy of nature. Popular government is not an accident. It is necessary for human development, and nothing necessary for human development is left to chance. Human respect for Nature's plan is secured by natural laws which human beings must respect or pay the penalty. We are paying the penalty not only here but in the States.

Destroying state efficiency

We are not only destroying the efficiency of our system of government at the Federal end by an overloaded governmental machinery but we are destroying the efficiency of the States. If we want to destroy the States as virile, efficient agencies of popular government, there could be no more effective method than our present policy of taking from them the necessity to discharge the powers that rest naturally within the scope of their governmental jurisdiction. That is what we are doing and doing largely by State and popular surrender as distinguished from Federal usurpation. That is a most remarkable fact. Can anybody question that the States are losing their dignity, their independence, their importance, and their vigor as sovereign units of government when he sees them bereft of responsibility, begging at the door of the Federal Treasury? That is not a beautiful figure. It is not a beautiful fact, either. There are exceptions as to individual States and as to individual officials of States, but this is true generally, not only as to States but as to the citizenship of the States.

That is not all. We are not only destroying the efficiency of the Federal Government by the overload, and the vigor and governmental capacity of the States by this process, but we are doing a far greater harm than that. By taking governmental responsibilities from those units of government that are close to the people we are taking from the private citizens the necessity of a more direct grapple with the problems of their government, which problems and the

necessity to work them out in good providence come to develop them for the bigger responsibilities of tomorrow.

System dependent upon governmental capacity of citizens

If this system of government is to endure, it must depend for its strength in the crises that are to come not so much upon its laws or upon the written provisions of its Constitution, or even upon the capacity of men in official position, but upon the virtue and the governmental capacity of its private citizenship. The present policy of creating a feeling of dependence upon a great central government is not calculated to develop such a citizenship. It is the sense of responsibility that sobers judgment, that develops civic virtue; it is the strength which comes from the struggle, from the grapple with the difficulties incident to the operation of a system of popular government which gives capacity. Nor can the lesson, taught by the penalty imposed for mistakes made, be dispensed with. How can we hope to develop a citizenship capable of dealing with the greater difficulties of tomorrow when we are constantly moving the power and responsibility, the necessity to govern, away from the people, away from those units of government wherein the private citizen has the more direct control and the larger share of responsibility? We have turned our backs on the lessons of history and are trying to operate our system of government from the top downward, in violation of the laws of its nature, and in violation of the laws of human nature as well.

I do not care what the form of that government is, I do not care what the political philosophers say; if you injure the governmental capacity of the people, you strike at the foundation of governmental strength and at the ability of the people to protect their right against governmental and private oppression. We have not only to stop concentration, but we have to begin an intelligent decentralization of governmental responsibility.

Whatever may be thought of the other reasons which I have given, there is one reason which no informed person will question either as to the fact or as to its sufficiency. This Federal Government has accumulated a total of governmental responsibility which is beyond human capacity to discharge through any governmental agency susceptible of popular control. I do not know whether or not what I have proposed would do any good. I believe it is the way to begin. I believe that if a joint committee were created to study our problems from the Federal end, to confer as I have indicated with State officials, to go really to the bottom of this situation and let the people of this Nation know the truth, it would help. We have not been telling them the truth about this situation because men do not like to go home to their respective constituencies and confess their lack of knowledge or the limit of their capacity. We are too much like a certain type of the old-fashioned school teacher who seemed to have the idea that they had to impress their students that all knowledge was an open book to them. I am willing to admit the truth when I say that important items of legislation pass through this Congress, with regard to which I have very imperfect information, because it is the fact.

Mr. BERTRAND Have you any plan in mind?

Mr. SUMNERS. As indicated in this resolution. I know we cannot drift along this way; I know this Federal Government is today more bureaucratic than it is representative, and is drifting more rapidly each day in that direction. I am not unmindful of the difficulties before us. It is a big job. It is getting bigger all the while. The quicker we move the less will be the task. We can do it because it has to be done. Things which have to be done can be done.

I do have some ideas as to how to start, but I do not believe it would be good strategy for me to indicate now how I think this thing should be done. I mean decentralization brought about. I will say this: It cannot be done—I am speaking now as a practical proposition—unless the people will that it be done. Of that I am certain. That was had in mind when the resolution was framed. I have the most profound confidence in the capacity of the people of the United States to operate a system of self-government if those with official responsibilities will discover the facts and tell them the truth. I do not underestimate the importance and the necessity of wise leadership. If the material for such leadership is not here now, it is in the body of the citizenship and can and will be sent here when the facts are made known to them.

The CHAIRMAN. The general proposition with you is that you want someone to study the situation that has grown up here of concentration of power at Washington. That is the general idea?

Mr. SUMNERS. Yes, sir; and to confer with State officers. This matter has to be handled as much at the State end as here. There is no use of the States deploring the loss of powers to govern unless they exercise the powers they have. They have to stand on their own legs. They cannot hold the strength they have, much less grow stronger, by leaning on the Federal Government in matters which lie within their governmental capacity.

The CHAIRMAN. There is no question but that this is a very important proposition and so considered by very many Members of the House. It is an interesting study and will take a lot of time to accomplish definite results.

Mr. NELSON. You would have to delegate a great deal of power to people who are not responsible.

Mr. SUMNERS. Yes. And if we could get rid of non-Federal matters which destroy the possibility of supervision, it would be all right to do that.

There are some things the Federal Government ought to do which it is not doing, but which under its present overload Members of Congress hesitate to commit the Federal Government to do. We hesitate to place more power in these bureaus because not only do we create these bureaus and turn over to them these powers but the little group of elective agents of the people are so busy with responsibilities, which cannot be shifted, that they cannot supervise or control for the people what is being done by the appointed personnel which operates these bureaus. We are not only turning over the governmental powers to an appointed personnel, but to an unsupervised personnel. They are becoming with tremendous rapidity not agencies of popular government effectuating the public will but the unsupervised actual governors of the people, not only expending their money but exercising over them the most absolute and far-reaching governmental powers. Somebody elected by the people may find out about things that are done months and years afterward, more often never at all. There are things which this Federal Government ought to do and would do if it could get rid of those things which the States can do, which are cluttering up the whole Federal machinery.

Mr. NELSON. What the gentleman said was enormously true during the war. One lieutenant somewhere could bind the Government in a marvelous way.

Mr. SUMNERS. Gentlemen, the plain facts about the matter are that we have made an awful mess of our job. It was the business of the fathers to establish this system of government, and it is ours to operate it. They established the machinery for a system of governmental powers as to render it susceptible of popular control. And we, with a rapidity unequaled in the governmental history of the world, by a concentration of those powers, are converting that marvelous system into a great Federal bureaucracy, a type of government in many respects the least efficient, the most expensive, the most susceptible of corruption and of tyranny of any of the known systems of government. Nobody can deny that. Is that not an important fact? Is it not time we were giving that fact earnest, patriotic consideration?

Regardless of who is responsible for the condition in which we find ourselves, whether the Congress in not having more vigorously resisted the pressure for centralization, or the State governments in not having insisted on the retention of their powers, or the people in having urged their Representatives in Congress to function for them in shifting these governmental responsibilities, we face a situation which requires the united, cooperative effort of the people and of their officials, State and Federal.

It is my opinion that in one way or another responsibility is fairly well distributed. I will accept mine and have no time to quarrel with those who say they have none. I am trying to help deal with this situation. I feel confident that if a joint committee should be created and during this coming vacation devote itself to a study of our general governmental problems and of our governmental resources, consult with State officials, and wherever opportunity presents itself, with citizens of the country, and formulate a clear statement presenting the situation as it is, I believe—I am certain to whatever degree judgment can give me certainty—that great good would result. Gentlemen, the general attitude of the public mind gives promise of helpful cooperation at this time. This is the time to act.

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, let me quote from the Democratic platform of 1932:

> We advocate an immediate and drastic reduction of governmental expenditures by abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance, to accomplish a saving of not less than 25 percent in the cost of Federal Government.

Why do you not carry that promise out?

If you do what you seek to do by this resolution and take away from Washington the various offices and then have the extravagance that has been going on for the last 8 years, it will not be long until the Nation is doomed. We are just about on the verge of it now.

It seems to me we should abolish the useless offices we have in Washington in order to make room for necessary functions of government just as the Democratic platform of 1932 said you would do. Instead of that you have increased by about 300 percent the number of Government employees, you have quadrupled the national debt, and you have not done anything you promised in that plank of the platform in 1932. Why do you not do it? The gentleman from Illinois, as chairman of the Committee on Rules, ought to be in here trying to cut down the cost instead of to increase the cost of government. If you take the Treasury statement since the 1st of July you will find you have gone in the red over $41,000,000 a day, you have spent that much more than you have taken in.

Let us get a little common sense into the House of Representatives and vote down this resolution so that we can save this Nation. I have not any object to criticise except for the good of the Nation. I have never seen such inefficiency in the operation of anything in my life as the Federal Government at the present time. Clean out these political leeches and do away with all the offices and employees that are not necessary. I wish I had the opportunity to cut off the political leeches. You certainly would have an exodus from Washington, D. C. And I will promise you they would not go to St. Louis, Chicago, Denver, or Kansas City—they would be off the Government pay roll not for a month or a year but forever.

Mr. HALLECK. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. McGREGOR].

Mr. McGREGOR. Mr. Speaker, I first want to say that I certainly am in favor of investigating the bureaucracies set up by the present Federal administration and to take out a large number of the political parasites that are members of these bureaus and give no service whatsoever to the people. However, I do feel that we have a regular way in which it should be done.

The House has a Committee on Rules and a group of standing committees. A few days ago the gentleman from Chicago [Mr. SABATH] introduced a resolution which was referred to the Committee on Public Buildings and Grounds. This was House Resolution 209. House Concurrent Resolution No. 36 was likewise referred to the Committee on Public Buildings and Grounds. These two resolutions cover the same subject as this resolution H. R. 257, introduced by the gentleman from Illinois [Mr. SABATH] but H. R. 257 seeks to strike out the duties of your standing committees and to set a precedent on the floor of the House. Under our regular procedure, we give every consideration to every rule and regulation. Let us follow that procedure.

The distinguished chairman of the Committee on Public Buildings and Grounds, the gentleman from Texas [Mr. LANHAM], is one of the most fair and capable chairmen any man or woman would want to appear before. He is always courteous and gives everyone a chance to be heard. Let us give that gentleman and the members of his committee the right to determine whether or not we shall move certain Federal agencies out of Washington.

If this resolution introduced by the gentleman from Illinois [Mr. SABATH] is agreed to, we will spend a great deal of money, and I wonder what the result will be. The information found will be referred to a standing committee of the House. What committee will that go to, in all probability? The very committee before which these resolutions, House bill 209 and Concurrent Resolution 36, are now pending for consideration, whose chairman is the gentleman from Texas [Mr. LANHAM]. I believe we should retain our regular procedure and back the chairman of the Committee on Public Buildings and Grounds and let him and his committee give a thorough and fair investigation to these resolutions, and then decide. Why set up a new committee to spend thousands of dollars to find information that the standing Committee on Public Buildings and Grounds now have at their disposal?

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield as much of my remaining time as he may desire to use to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON. Mr. Speaker, if I thought this committee was necessary I would be for the resolution. Being a member of the Committee on Public Buildings and Grounds I know of the effort, time, and energy that the chairman of that committee, the gentleman from Texas [Mr. LANHAM], has given to this problem. I also know of the consideration that members of the committee have given to the problem of decentralization. We have discussed that problem many times in our committee meetings. We all realize the fact that we do need some decentralization during this emergency, but we do not realize that we need a special committee to make such an investigation. I am sure every member of the Committee on Public Buildings and Grounds would be willing to work overtime and extra time when the House is in session or in recess in order to acquire such information as may be necessary to bring about legislation to alleviate congested conditions in Washington. I also want to call your attention to the chairman of our committee [Mr. LANHAM], who, I think, has been very efficient in his investigations and who has carried on his committee work in a manner that is 100 percent democratic. Every member of the committee has been given all the time necessary to discuss facts or problems that have been brought before the committee, and I feel that the committee is entirely capable of handling any investigation that may be necessary. I therefore urge the defeat of the Sabath resolution.

Mr. HALLECK. Mr. Speaker, I yield such time as he may desire to use to the gentleman from Missouri [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, concentration of industry and governmental activity in this country has reached such proportions as to endanger the social and economic structure of the Nation.

We are concentrating our people, just as they are in China, along the principal rivers and along the seacoasts, to the detriment of the fast-withering interior.

The time has long ago passed when the principle of decentralization should have been established. It is not, however, too late to start now with this corrective measure. With all due deference for the opinions of my distinguished friend, the gentleman from Texas [Mr. LANHAM], the Public Buildings and Grounds Committee has no special or exclusive jurisdiction over this question. Scattering the agencies and the personnel of the agencies, bureaus, and departments is quite properly to be separated from the function of the Committee on Public Buildings and Grounds, which has to do with the physical properties of the Federal Government. The question of decentralization is an important and a pressing matter which should be solved without much debate at the earliest possible moment. The crying need at the present time in the city of Washington is the elimination of some of the excess population we have here by ransferring some of the permanent agencies to the West or to the interior. There is no earthly reason why we should retain here in the city of Washington, for example, the Indian Bureau when nearly every Indian tribe or reservation is located in the West. There are a few of them in Wisconsin, 1 or 2 in Michigan, and a few small ones scattered in the East, but the great bulk of the Indian activities is in the West and that entire function and the Bureau should therefore be transferred out there. The same thing is true of Forestry, the same thing is true of Reclamation and of Irrigation. There are 101 activities that should be transferred.

A function of this kind is not a matter for the Committee on Public Buildings and Grounds to perform. Here is a policy which we must determine. This is a problem for the Irrigation and Reclamation Committee or the Committee on Indian Affairs, to decide whether certain agencies ought to be transferred; or is it a question of all of these en toto to be considered by a special committee? There is nothing wrong with that at all. The Committee on Public Buildings and Grounds has to do primarily with the physical properties and not with the question now being presented here before the House. I think the time has long passed when we should quibble about trivialities. We should act affirmatively on this measure now.

Mr. SABATH. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 4 minutes remaining.

Mr. SABATH. Mr. Speaker, I desire to be notified after I have consumed 3 minutes. The gentleman from Texas [Mr. LANHAM] made a great hue and cry over the fact that two similar resolutions have been referred to his committee. That is true. They were referred on May 15. He says that he has reports ready on them now. I have talked to him several times and he said that he would furnish me with some information, and that because of the clamor and the demand on the part of Members, something should be done. This is the first time that I have received any information from him. He calls attention to these two resolutions which are similar to the one now under consideration and which were referred to his committee. That is true, but after consulting with the Speaker, who thought that instead of a joint committee it should be solely a House committee, and consequently,

acting on the advice of the Speaker, I introduced a simple resolution, which properly belongs to the Committee on Rules. It was referred to that committee, which after due consideration acted favorably upon it. Personally I feel it is absolutely necessary that something should be done to alleviate conditions. The gentleman from Pennsylvania [Mr. RICH] says that it will cost something. I don't think it will require very much money, because if we continue to obtain information such as I have submitted to the House, the work of the committee will be simplified.

I think the House should be informed as to whether some of these bureaus and departments might be transferred to some other locality. It is not intended that the committee would ever for a moment think of recommending the transfer of the War Department, the Navy Department, the Department of Justice, or the major departments, but only such of the newly created bureaus and agencies that could be easily and advantageously transferred to other places. The gentleman also says that my original resolution set out the advantages of Chicago. Certainly. If that is a crime, I plead guilty. I have called attention to the advantages that would arise to the Government if some of the bureaus or agencies were transferred to the Middle West, and as Chicago is centrally located, it is entitled to consideration. However, that is a matter that would be up to the committee to recommend.

Personally, as I informed the Speaker, I do not wish to be appointed on the committee. I introduced the resolution, as I have stated, because many members urged that something be done to eliminate the overcrowded conditions in the District of Columbia, where it is well-nigh impossible to obtain living quarters. It is apparent that some people are taking advantage of the situation, due to the lack of hotel accommodations and the housing shortage, to increase rentals to an excessive amount. In my opinion, conditions will become more serious and I felt that a House investigating committee should cope with the situation as soon as possible. However, had I actually known that the chairman and members of the committee on Public Buildings and Grounds were strongly opposed to my resolution, I would not have pressed it.

Mr. Speaker, as all of the time has been consumed, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. DICKSTEIN) there were—ayes 20, noes 64.

Mr. DINGELL. Mr. Speaker, I make the point of order that there is no quorum present and object to the vote upon that grounds.

The SPEAKER. Evidently there is no quorum present. The Clerk will call the roll.

The question was taken; and there were—yeas 72, nays 204, not voting 156, as follows:

[Roll No. 91]

YEAS—72

Allen, Ill.	Howell	Pierce
Arnold	Hunter	Rabaut
Barnes	Jackson	Reed, Ill.
Beam	Jacobsen	Rees, Kans.
Bloom	Johnson, W. Va	Rolph
Byrne	Kelly, Ill.	Sabath
Cartwright	Keogh	Sauthoff
Chenoweth	Kocialkowski	Schuetz
Clark	Kramer	Scrugham
Colmer	Leavy	Secrest
Copeland	Lesinski	Smith, Wash.
Cox	Lewis	Snyder
Curtis	McCormack	Stefan
Day	McKeough	Stratton
Dewey	McLaughlin	Sutphin
Dickstein	Maciejewski	Taylor
Dingell	Maciora	Tenerowicz
Flannery	Magnuson	Thill
Granger	Moser	Thom
Halleck	Mundt	Walter
Healey	Murdock	Wasielewski
Heffernan	Nelson	Weiss
Hobbs	Paddock	Young
Hook	Pheiffer, William T.	
Houston		

NAYS—204

Allen, La.	Gore	Patrick
Anderson, Calif.	Gossett	Patton
Andresen, August H.	Graham	Peterson, Ga
Andrews	Gregory	Pittenger
Angell	Guyer, Kans.	Plauché
Arends	Gwynne	Poage
Baldwin	Hall, Leonard W.	Powers
Bates, Ky.	Hancock	Priest
Bates, Mass.	Hare	Ramspeck
Beckworth	Harness	Rankin, Miss.
Bender	Harris, Ark.	Reece, Tenn.
Bennett	Harris, Va.	Reed, N. Y.
Bland	Hart	Rich
Bolton	Harter	Rizley
Bonner	Heidinger	Robertson, N. Dak.
Boren	Hendricks	Robertson, Va.
Boykin	Hill, Colo.	Robsion, Ky.
Brooks	Holmes	Rodgers, Pa.
Brown, Ga.	Hope	Rogers, Mass.
Bryson	Isac	Rogers, Okla.
Bulwinkle	Jarman	Russell
Burgin	Jarrett	Sanders
Butler	Jenkins, Ohio	Sasscer
Camp	Jennings	Shanley
Canfield	Jensen	Shannon
Cannon, Fla.	Johns	Sheppard
Case, S. Dak.	Johnson, Calif.	Sikes
Chapman	Johnson, Ill.	Simpson
Clason	Johnson, Ind.	Smith, Conn.
Clevenger	Johnson, Luther A.	Smith, Maine
Coffee, Nebr.	Johnson, Lyndon B.	Smith, Va.
Cooley	Johnson, Okla.	South
Cooper	Jones	Sparkman
Costello	Jonkman	Spence
Courtney	Kean	Springer
Crawford	Kee	Stefan
Creal	Keefe	Stearns, N. H.
Crowther	Kerr	Stevenson
Cunningham	Kilday	Sullivan
Davis, Ohio	Kinzer	Sumners, Tex.
Davis, Tenn.	Kirwan	Taber
Disney	Kunkel	Talle
Ditter	Lambertson	Thomas, Tex.
Domengeaux	Landis	Thomason
Dondero	Lanham	Tibbott
Doughton	Larrabee	Tinkham
Downs	Lea	Traynor
Drewry	LeCompte	Treadway
Duncan	Ludlow	Van Zandt
Durham	McGehee	Vincent, Ky.
Dworshak	McGregor	Vorys, Ohio
Eaton	McMillan	Wadsworth
Elliott, Calif.	Mahon	Weaver
Ellis	Manasco	Welch
Elston	Martin, Iowa	Wene
Engel	Martin, Mass.	West
Englebright	Mason	Whittington
Fellows	May	Wickersham
Fenton	Meyer, Md.	Wigglesworth
Flannagan	Mills, Ark.	Williams
Fogarty	Mills, La.	Wilson
Folger	Monroney	Wolcott
Fulmer	Mott	Woodruff, Mich.
Gale	Norrell	Woodrum, Va.
Gamble	O'Brien, N. Y.	Worley
Gathings	Osmers	Wright
Gearhart	Patman	Youngdahl
Gibson		Zimmerman
Gilchrist		

NOT VOTING—156

Andersen, H. Carl	Anderson, N. Mex.	Barden
Barry	Baumhart	Beiter
Bell	Bishop	Blackney
Boehne	Boggs	Boland
Bradley, Mich	Bradley, Pa.	Brown, Ohio
Buck	Buckler, Minn.	Buckley, N. Y.
Burch	Burdick	Byron
Cannon, Mo.	Capozzoli	Carlson
Carter	Casey, Mass.	Celler
Chiperfield	Claypool	Cluett
Cochran	Coffee, Wash.	Cole, Md.
Cole, N. Y.	Collins	Connery
Cravens	Crosser	Culkin
Cullen	D'Alesandro	Delaney
Dies	Dirksen	Douglas
Doxey	Eberharter	Edmiston
Eliot, Mass.	Faddis	Fish
Fitzgerald	Fitzpatrick	Flaherty
Forand	Ford, Leland M.	Ford, Miss.
Ford, Thomas F.	Gavagan	Gehrmann
Gerlach	Geyer, Calif.	Gifford
Gillie	Grant, Ala.	Grant, Ind.
Green	Haines	Hall, Edwin Arthur
Harrington	Hartley	Hébert
Hess	Hill, Wash.	Hinshaw
Hoffman	Holbrook	Hull
Imhoff	Jenks, N. H.	Kefauver
Kelley, Pa.	Kennedy, Martin J.	Kennedy, Michael J.
Kilburn	Kleberg	Knutson
Kopplemann	Lynch	McArdle
McGranery	McIntyre	McLean
Mans	Mansfield	Marcantonio
Merritt	Michener	Mitchell
Murray	Myers, Pa.	Nichols
Norton	O'Brien, Mich.	O'Connor
O'Day	O'Hara	O'Leary
Oliver	O'Neal	O'Toole
Pace	Pearson	Peterson, Fla.
Pfeifer, Joseph L.	Ploeser	Plumley
Ramsay	Randolph	Rankin, Mont
Richards	Rivers	Robinson, Utah
Rockefeller	Romjue	Rutherford
Sacks	Satterfield	Scanlon
Schaefer, Ill.	Schulte	Scott
Shafer, Mich.	Sheridan	Short
Smith, Ohio	Smith, Pa.	Smith, W. Va
Somers, N. Y.	Starnes, Ala.	Sumner, Ill.
Sweeney	Tarver	Terry
Thomas, N. J.	Tolan	Vinson, Ga.
Voorhis, Calif.	Vreeland	Ward
Wheat	Whelchel	White
Winter	Wolfenden, Pa.	Wolverton, N. J.

So the resolution was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Cullen for, with Mr. Short against.

Mr. Chiperfield for, with Mr. Gillie against.

Mr. Delaney for, with Mr. Brown of Ohio against.

Mr. Hill of Washington for, with Mr. Hess against.

Mr. Martin J. Kennedy for, with Mr. Baumhart against.

Mr. Coffee of Washington for, with Mr. Smith of Ohio against.

Mr. Joseph L. Pfeifer for, with Mr. Carlson against.

Mr. Beiter for, with Mr. Ploeser against.

Mr. Barry for, with Mr. Vreeland against.

Mr. Celler for, with Mr. Kilburn against.

Mr. Fitzpatrick for, with Mr. Michener against.

Mr. Gavagan for, with Mr. McLean against.

Mr. Michael J. Kennedy for, with Mr. Cole of New York against.

Mr. Lynch for, with Mr. Rockefeller against.

Mr. Merritt for, with Mr. Culkin against.

Mrs. O'Day for, with Mr. Rutherford against.

Mr. O'Leary for, with Mr. Wolfenden of Pennsylvania, against.

Mr. O'Toole for, with Mr. Hartley against.

Mr. Somers of New York for, with Mr. Douglas against.

Mr. Capozzoli for, with Mr. Wolverton of New Jersey against.

Mr. Buckley of New York for, with Mr. Grant of Indiana against.

Mr. Schaefer of Illinois for, with Mr. Thomas of New Jersey against.

Until further notice:

Mr. Doxey with Mr. Dirksen.

Mr. Cochran with Mr. Hoffman.

Mr. Cravens with Mr. Knutson.

Mr. Kefauver with Mr. Oliver.
Mr. Boehne with Mr. Scott.
Mr. Hébert with Mr. Gifford.
Mr. Boland with Mr. Wheat.
Mr. Peterson of Florida with Mr. Jenks of New Hampshire.
Mr. Burch with Mr. Maas.
Mr. Kelberg with Mr. H. Carl Andersen.
Mr. Grant of Illinois with Mr. Bishop.
Mr. Ford of Mississippi with Mr. Murray.
Mr. Whelchel with Mr. Carter.
Mr. Barden with Mr. Plumley.
Mr. Mansfield with Mr. Fish.
Mr. Vinson of Georgia with Mr. Shafer of Michigan.
Mr. Tarver with Mr. Hinshaw.
Mr. Richards with Mr. Blackney.
Mr. Cannon of Missouri with Mr. O'Hara.
Mr. Rivers with Mr. Bradley of Michigan.
Mr. Imhoff with Miss Sumner of Illinois.
Mr. Pace with Mr. Cluett.
Mr. Pearson with Mr. Gerlach.
Mr. Crosser with Mr. Burdick.
Mr. Collins with Mr. Leland M. Ford.
Mr. Claypool with Mr. Edwin Arthur Hall.
Mr. Nichols with Mr. Gehrmann.
Mr. Green with Miss Rankin of Montana.
Mr. O'Neal with Mr. Winter.
Mr. Satterfield with Mr. Buckler of Minnesota.
Mr. Starnes of Alabama with Mr. Marcantonio.
Mr. Terry with Mr. Eliot of Massachusetts.
Mr. Ramsay with Mr. Harrington.
Mr. Romjue with Mrs. Byron.
Mr. Holbrock with Mr. Connery.
Mr. Sweeney with Mr. McArdle.
Mr. Sheridan with Mr. Robinson of Utah.
Mr. Bell with Mr. Haines.
Mr. Geyer of California with Mr. Smith of West Virginia.
Mrs. Norton with Mr. Eberharter.
Mr. Forand with Mr. Ward.
Mr. McIntyre with Mr. Faddis.
Mr. O'Connor with Mr. Schulte.
Mr. Bradley of Pennsylvania with Mr. Fitzgerald.
Mr. O'Brien of Michigan with Mr. Kopplemann.
Mr. Cole of Maryland with Mr. Flaherty.
Mr. Myers of Pennsylvania with Mr. Edmiston.
Mr. Tolan with Mr. Scanlon.
Mr. Buck with Mr. Kelly of Pennsylvania.
Mr. Randolph with Mr. Dies.

Mr. STEVENSON changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

The doors were opened.

EXTENSION OF REMARKS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent that together with the remarks which I received permission this morning to put into the RECORD I may insert a letter from Paul J. Raver, administrator at Bonneville.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix by including an address delivered by Lieutenant Colonel Betts before the Alabama State Bar Association.

The SPEAKER. Is there objection?

There was no objection.

Mr. MILLS of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a statement prepared by Mr. George Holland, dealing with the Ouachita River.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New York [Mr. MARTIN J. KENNEDY] may be permitted to extend his remarks by including a letter addressed by Bishop William Manning, of New York, to the editor of the New York Times.

The SPEAKER. Is there objection?

There was no objection.

Mr. MASON. Mr. Speaker, yesterday I asked unanimous consent to insert a speech on The American Way of Life. It has been returned to me by the Public Printer, showing that it is one-third of a page over the amount allowed, with an estimate of the cost. I again ask unanimous consent that it may be inserted in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TINKHAM. Mr. Speaker, with unanimous consent I desire to include in the Appendix of the RECORD a communication sent to the New York Tribune which was rejected.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House the gentleman from Wisconsin [Mr. THILL] is recognized for 5 minutes.

VICIOUS PROPAGANDA, DECEPTION, AND SMEAR TACTICS ARE USED BY PROMOTERS OF WAR

Mr. THILL. Mr. Speaker, the use of diabolical war propaganda is designed to close the ears and shut the eyes of those true Americans who desire peace. Those who make the appeal that we will be invaded fail to tell the Americans that this Nation is well situated away from the wars now going on overseas and that this country is protected by the best navy in the world, a rapidly developing mechanized army, and an efficient air force which is slowly but surely gaining in strength. The sly and skillful promoters of war do not tell the people that it would take hundreds of ships or thousands of planes to transport an invading army, its equipment, and supplies; that, further, most military experts are agreed that this country is virtually invulnerable to successful attack for many years. If we build up our defenses to offset the offensive powers of any combination of aggressors, we can maintain our freedom and our form of government for many generations to come.

Those of us who are anxious to preserve the liberties handed down to us by our forefathers; those of us who see the horrors of war and the blessings of peace; those of us who have dedicated ourselves to preserve America over and above any nation on the face of the earth, have been subjected to a smear campaign. We are denounced as "pro-Hitler, pro-Nazi, pro-Fascist, anti-Semitic, and antidefense." We are called appeasers, "fifth columnists," and many other epithets. This is the vilest form of bigotry and deception. Because the warmongers cannot answer fact with fact, reason with reason, they indulge in abuse and vituperation.

I have denounced on many occasions the foreign doctrines of nazi-ism, fascism, communism, and other isms which are opposed to true Americanism. Further, I have condemned the persecution of race or creed. I have assailed the tendency on the part of some to make a certain group of people the scapegoat for economic ills. I have denounced the persecution of members of minority religious groups. Those who seek to distort the views of our people by sordid appeals to their baser emotions are making a travesty of liberty. I have said this before, but I shall repeat it: I am more concerned with the preservation of my country, its ideals of freedom, and the welfare of its people, than I am for my political skin. No matter what vile terms are used by those who oppose my efforts to keep this country out of war, no matter what foul tactics are employed by those who want to sabotage our Nation and the liberty it stands for, I will not turn away from the path which leads to peace and the preservation of our constitutional Republic.

The SPEAKER pro tempore (Mr. NORRELL). Under the previous order of the House, the gentleman from Virginia [Mr. SMITH] is recognized for 15 minutes.

THE C. I. O. AND THE MAY BILL

Mr. SMITH of Virginia. Mr. Speaker, on last Thursday the House had under consideration and debate the so-called May bill, which had for one of its objects the outlawing of violence in strikes in defense industries. During the course of that debate I made some remarks with which some of my good colleagues and friends took issue.

I made the assertion then and I make it now that all the May bill does or undertakes to do to organized labor is to see that organized labor is accorded the same privileges as well as the same responsibilities as are enjoyed by other citizens of the United States. All the May bill does with respect to labor is first to provide that when production is stopped in any defense industry the President shall have the right and the power to order work to begin and if it does not begin to put the Army there to see that it does. That did not seem to me like asking too much when we consider the fact that we have taken 950,000 boys from their homes and put them in the Army. No. 2: The other thing the May bill would have done, and I want to refresh the recollection of some of my colleagues on that—I will read it:

> It shall be unlawful to prevent or attempt to prevent by force or violence or by threats thereof any person from accepting or continuing in employment in any defense plant or from entering or leaving any defense plant in the course of such employment. Nothing in this section shall limit the right of any person or organization to strike or to engage in peaceful picketing.

Then followed drastic penalties for the violation of those provisions. That is all the May bill does, and I challenge anyone to say to the contrary. All it does in that section is to take away from labor unions the right to bend a piece of lead pipe over the heads of the workers who do not wish to join.

During the course of that debate I made the statement that the C. I. O.—and I repeat it now—had conducted the most disgraceful lobby against the May bill that had occurred on Capitol Hill since the investigation which followed the passage of the so-called "death sentence" in the utilities bill. Some of my friends took issue with me on that. I recall that one of my good friends on the Republican side [Mr. BENDER of Ohio] described my assertion as "moonshine." I took that to mean that he doubted the accuracy of my assertion. Now, I am not gifted with the powers of oratory enjoyed by the gentleman from Ohio and so frequently displayed by him, but there is one thing I do try to do, I try to make no statement upon the floor of this House that is not accurate; and so I am taking this time this afternoon to complete the record.

I said the C. I. O. had conducted a lobby here to defeat this bill, and a widespread lobby. I call to witness the truth of my assertion whom? I call as my witness the C. I. O. itself. The C. I. O. has an official publication that reaches the desk of every Member of Congress once a week. I am afraid some of those gentlemen who had not heard that there was any lobbying going on had not been reading the C. I. O. News as diligently as they should. I take care to see what appears in the paper every week. Sometimes they have something uncomplimentary to say about me, and I enjoy reading it. So let us see what the C. I. O. News has been saying on the subject. Let us see whether the C. I. O. News thinks they have been doing any effective lobbying around the House of Representatives. We will take the issue of July 7. That was the week before the May bill came out. We find spread across the front page of that paper in large headlines:

Murray calls C. I. O. conference to resist antilabor bill. Asks all unions to send delegates to July 7 meeting.

July 7 was the day prior to the day on which Congress was to begin consideration of the May bill. The article goes on to say that the C. I. O. mobilized its full resources to fight antilabor legislation pending in Congress when President Philip Murray issued a call to all national affiliates and State councils to send representatives to the conference he called for July 7. And so on it goes at some length, telling how many are going to be here and what vigorous efforts they are going to make to see that the Congress does not pass this May bill.

Well, we came along and we had the May bill up, and the May bill was defeated by a very large vote on last Thursday. The C. I. O. News, which some of my friends have not been reading, came out on July 14 and appeared on the desk of every Member of Congress, I assume, that morning; and across the front page is spread this great headline in large letters which one can read across the room:

Antilabor May bill killed by C. I. O. drive.

It does not claim it was killed by anything that had to do with the merits of the bill. It did not claim it was killed by any of the fine eloquence and oratory of my friend from Ohio, who took issue with me and my statements. It did not claim they had anything to do with the defeat of this obnoxious bill, but it said it was killed by the C. I. O. drive. Down underneath that article is a picture of a large aggregation of C. I. O. leaders from all over the country which is headed "Declare War on Anti-Labor Bill." The picture has underneath it the statement:

Some of the 225 representatives of C. I. O. unions and State councils who gathered in Washington last week at the call of President Philip Murray to offer strong resistance to the current flock of antilabor bills in Congress.

It will be recalled that this is the same Philip Murray who is also a member of the so-called impartial Mediation Board which is supposed to settle all of these labor disputes in defense industries. They came at the call of President Murray to offer strong resistance to the current flock of antilabor bills in Congress. The article goes on to say:

Delegates unanimously voted opposition to reactionary measures, later went to call upon Senators and Congressmen.

It seems they did not call on the gentlemen who took issue with my remarks and who said I was spreading moonshine all over the floor of the House, indicating that what I said was inaccurate. I do not know whom they selected to call on. Perhaps they called on some; perhaps they did not think it was necessary to call on others. The fact is that the C. I. O. itself says that we, the C. I. O., by this lobbying drive, by which we called from all over the United States men to come here and tell the Congress what to do, are the people who defeated the May bill.

The article goes on to say:

In a smashing 220–149 roll-call vote that directly reflected C. I. O.'s political strength the House of Representatives late today killed all antilabor sections of the Connally-May bill, passing only the clause lowering the draft age limit to 28.

Now, this following sentence is significant:

The vote, coming after 2 days of bitter debate in which antilabor Congressmen charged the C. I. O. with marshaling labor's opposition, showed the result of intensive mass lobbying by a force of 250 C. I. O. representatives who came to Washington from all parts of the country to fight down the drive against labor's right to organize, bargain collectively, and strike.

Of course, they did not mention that the fight was also against labor's so-called right to use a piece of lead pipe over the heads of American citizens who did not happen to agree with them.

There is another significant article in this C. I. O. News, and I commend this to all Members of the House. In my opinion, if we do not read this paper our education is being seriously neglected. We ought to know what is going on. We ought to know what is behind our votes. The C. I. O. News tells you, and I hope you gentlemen in the future will glance over it instead of throwing it in the wastebasket, as I am afraid some of those gentlemen who disagreed with me last week do.

There is a gentleman by the name of Jones. I do not know which Jones he is. There are a lot of Joneses, like there are a lot of Smiths. Mr. Jones is described as the legislative representative of the C. I. O. My understanding of the legislative representative of one of these lobbying outfits is that he is the fellow whose job it is to call you out in the lobby and tell you to vote so-and-so on this bill or so-and-so on that bill. When Mr. Jones found he could not handle the May bill by himself, he called this great aggregation of C. I. O. people from all over the United States, and he made a speech to them at this meeting. The C. I. O. News goes on to tell you what he stated in that speech. It is a rather long speech, but I want you to become familiar with a few extracts from it, and I refer to those gentlemen who neglect their education by failing to read the C. I. O. News. He stated:

In addition to refusing to speak against the Vinson bill, House Leader MCCORMACK swung his support to the Case amendment at the last moment during the debate of June 9, thereby assuring its passage, Jones charged. The Case amendment, he said, completely eliminated the right to strike and imposed compulsory arbitration upon all defense industry.

Mr. Jones is there complaining because the majority leader of the Democratic House does not seem to agree with him that he—the majority leader—was supposed to represent the C. I. O. The majority leader apparently seemed to think he was here to represent the people of the United States, and he disagreed with Mr. Jones and declined to make a speech. So Mr. Jones issued this blast against the majority leader, and he concludes with this statement:

While professing friendship for labor and claiming labor's political support on the basis of that friendship, the majority leadership has pursued an antilabor course.

We ought to listen to this gentleman with a great deal of care and respect; he is the C. I. O.'s legislative representative.

Labor will not be satisfied with fair-weather friends. Those who can justly claim the right to labor's support must defend labor and all of labor's rights, especially in times when it is difficult to do so, when labor's ancient enemies and the traditionally anti-labor press are howling the loudest for labor's scalp.

That was relative to the majority leader, but here is something for the garden variety of Congressman. That is, Congressmen like you and me—the small fry.

It must be made clear that regardless of what a Congressman's or a party's record may have been in the past, labor will evaluate their friendship on the basis of their attitude toward these present crucial issues. I emphasize these matters to you because in my humble opinion they constitute a major consideration if we are to evolve a successful opposition to those elements that would destroy the American labor movement.

By the way, there is another article that appears in the same issue of this paper relative to the same thing. It states:

Embittered charges by such tory diehards as Representative SMITH of Virginia that the C. I. O. workers' lobby was directly responsi-

ble for the defeat of the antilabor sections of the bill were seen as proof of the vigor and effectiveness of C. I. O. opposition, both as shown in the special C. I. O. conference and demonstrated during a period of weeks after the antilabor bills came up.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. SMITH]?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, it was asserted that what I said about the C. I. O. lobby was all "moonshine," and that it did not exist around here at all. I call as a witness the C. I. O. News, the official agency and the official publication of the C. I. O. You heard what it said about its efforts and about its alleged influence on this House. But the fact remains that they made every possible effort, how effective I am unable to say, to control the legislation that was being considered by this House.

There is one thing I did not say the other day, though, because I did not know it. There is a gentleman of notorious reputation on the west coast named Harry Bridges. So notorious is he in his anti-Americanism, so notorious in his communistic activities, so notorious in his violent radicalism in carrying out his labor policies, that this very House less than 1 year ago, with only 20 negative votes, voted to deport him, an alien, from this country. There were also deportation proceedings by the Department of Justice against this alien, Harry Bridges, when hearings were held and a report was issued by the so-called trial examiner in which it took 150 pages of printed matter to find some excuse for not deporting Harry Bridges. Then again this year the people of the United States, dissatisfied with that decision, have so clamored for the deportation of this radical Communist that deportation proceedings are again pending against him right this minute.

To my amazement, I learned after I had spoken here on last Thursday, that not only the C. I. O., but Harry Bridges, the big C. I. O. boy himself, had come all the way from the west coast to lobby with Members of this House of Representatives against the May bill, had gone to their offices and told them what they were supposed to do to defeat the May bill. If anybody doubts that statement, there are Members of this House to whom I can refer you and whom he went to see.

Can you imagine an alien radical Communist, under proceedings for deportation at the moment, coming to Members of the American Congress and undertaking to tell them what they are supposed to do in their vote on a labor measure?

Some say that it does not make much difference about the passage of the May bill or any other antistrike bill because there is nothing to this strike business. I conclude my brief remarks by reading you an official report from the War Department, appearing in this morning's paper:

TWO MILLION FOUR HUNDRED AND FIFTY-EIGHT THOUSAND DAYS LOST IN STRIKES—OFFICIALS COMPILE 6 MONTHS' RECORD

A total of 2,458,150 man-days of employment on vital Army defense work was lost during the first 6 months of the current fiscal year because of 187 strikes, an official survey revealed last night.

The study showed that the greatest volume of tie-ups came in the basic- and raw-materials field, when 41 disputes affected 87,300 workers and caused the loss of 777,850 days of employment.

This article did not include the west coast shipping strike, the Ford Motor Co. strike, or, I believe, the coal strike.

Two million four hundred and fifty-eight thousand man-days. Translate that, if you will, into bullets and machine guns and tanks and airplanes that the boys you have drafted into the United States Army at $21 a month are begging for this very moment and you will understand why the American people are clamoring for Congress to do something to stop strikes in defense industries.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. VOORHIS of California asked and was given permission to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Oklahoma [Mr. RIZLEY] is recognized for 15 minutes.

WHEAT-MARKETING QUOTAS

Mr. RIZLEY. Mr. Speaker, yesterday I obtained permission to address the House for 15 minutes. I shall probably not use all of the allotted time. I requested this time for the purpose of again calling to the attention of Members of the House some of the things that are happening to the farmers of this country by reason of an amendment this Congress made to the Agricultural Adjustment Act. Of course, history is replete with examples that a legislative body usually gets into a lot of trouble when it attempts to pass and does pass an ex post facto law or a retroactive law such as this. If it is not technically retroactive, certainly in effect it is retroactive.

In 1938, when the A. A. A. was passed, the Congress, in its wisdom, decided that when the Secretary of Agriculture should at some future date make a survey and determine that it was necessary to have marketing quotas, he could so decree, and that marketing quotas after that decree, and by vote of the farmers, could be made effective. That act provided that if marketing quotas for wheat were made, anyone who had violated the provisions of the Agricultural Adjustment Act by planting too much wheat would be subjected to a penalty of 15 cents per bushel.

On the 26th day of May this year this Congress passed what is known as Public Law No. 74, which amended that act and changed the rules of the game, so to speak, right in the middle, and after the farmers had planted their crop and about 5 days before harvest was to start they said to the farmer, "You had a right to plant your wheat last fall believing that you could overseed and only pay 15 cents per bushel, but we have decided now, at harvest time, after the crop is planted, that we want to charge you 49 cents a bushel."

So the law became effective. It is true that a so-called referendum was held and the question was submitted to the farmers of the country as to whether they wanted marketing quotas; but I say to you, Mr. Speaker, that many of the farmers of this country did not realize all the implications of that act. Many of them did not realize that the penalty on that wheat had been increased.

Many of the Members of this Congress who voted on the bill evidently did not realize all the complications, because I am told upon reliable authority that one distinguished Senator—and I understand he is a member of the Committee on Agriculture—when some of his constituents wired him after harvest that they were having a lot of trouble about this wheat, that it was not wheat they could put upon the market, that it was of such poor grade and weight that it was not fit for milling purposes, wired back and said, "Just go ahead and feed it and avoid the penalty." As a matter of fact, if the farmer wants to feed the wheat himself he has to pay the penalty.

Can we say when a distinguished Member of the other body did not understand that the penalty applied to wheat the farmer wanted to feed on his farm that the farmer would understand all the implications of this somewhat technical bill?

Mr. WICKERSHAM. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from Oklahoma.

Mr. WICKERSHAM. From looking at these two pictures I hold in my hand, would the gentleman say that this is a group of Oklahoma Congressmen and Senators or do they look like groups in Enid and Blackwell constituting 3,000 of the gentleman's people?

Mr. RIZLEY. I believe I can recognize from here that one of the pictures which my colleague holds in his hand represents a meeting of 1,100 irate farmers in convention at Blackwell, Okla., protesting this thing. Another is a meeting held in Convention Hall in Enid just a few days ago, last Monday night, in fact, about which it is reported to me that more than 5,000 farmers from Texas, Oklahoma, and Kansas met in convention assembled and then sent to the President of the United States and to the Congressmen from those various States a petition asking for redress of their grievances.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. DONDERO. In my State one farmer had 2 acres more than he should have had and he was told he could not sell any of his wheat. So he burned his entire crop. Did the gentleman notice that?

Mr. RIZLEY. I saw that in the press reports, and just let me take a moment to show you how this thing actually works. Here is a farmer who had an allotment of 50 acres of wheat. Of course, every farmer has an allotment. Some do not understand that.

Some think if you do not belong to the farm program you do not have an allotment, but under the act itself every farm in the United States on which wheat is raised has an allotment. Here was a farmer that had an allotment of 50 acres. They not only give every farm a certain specified allotment, but they have gone around and fixed what they say is to be the normal yield on the farm and here was a farmer that had an allotment of 50 acres with a normal yield of 10 bushels per acre.

Last fall he decided that he would plant 100 acres to wheat. He talked it over with his wife and they decided that on this small allotment they had they could not raise enough wheat to pay the interest on the mortgage and pay the taxes, so he planted 100 acres in wheat. Instead of getting his normal yield, he just got 5 bushels to the acre on the whole 100 acres, or a total of 500 bushels of wheat. Under this law that we enacted, 250 bushels of that wheat is free wheat and on the other 250 bushels he must pay a penalty of 49 cents a bushel, and that is not the only penalty. That is just one of the penalties. On that same wheat he must pay, in addition to that 49 cents, under the provisions of the triple-A act, another 50 cents per bushel; in other words, that is withheld from him, together with his parity payments, which penalizes him, as a matter of fact, on that 250 bushels, $1.08 a bushel for every bushel of that wheat.

Let us look at another comparison. Here is another farmer living a couple of miles away and he had an allotment of 50 acres, so he decided he would overplant and put out another 50 acres, and he made 20 bushels to the acre. He made, on that 100 acres, 2,000 bushels where his neighbor only raised 500 bushels, but under this law that we passed he is only penalized on 500 bushels. In other words, he has 1,500 bushels of free wheat and 500 bushels of penalty wheat. While he has free wheat six times as much as his neighbor, his penalty is only twice as much.

Let me tell you of another case, and I could go on here all afternoon, but here is another case that was presented to our committee. Here is a farmer out in Indiana who had an allotment of 40 acres and last fall he seeded 75 acres. A freeze came along on Armistice Day and destroyed all but 12 acres of his wheat. He harvested that 12 acres and it made 10 bushels to the acre, but because he overseeded his allotment he was still compelled to pay the penalty.

Let me tell you of an actual case coming from my own district. I had a man who wrote me about this case. He had an allotment of 50 acres with a normal yield of 12 bushels, but last fall he planted 80 acres. His whole acreage only made 8 bushels to the acre or 640 bushels of wheat, but because he overseeded by 30 acres he had to pay a penalty on 240 bushels of that wheat. It was a pitiful letter. His farm was mortgaged to the Federal Land Bank at Wichita. Mind you, he had already been penalized 50 cents plus 9 cents on that 240 bushels. It was a pitiful letter in which he said that he was unable to pay his harvesting expense, that his interest was coming due and that he could not pay it, that he did not know how he was going to keep his wife and three children through the winter.

Oh, our friends say that the farmers voted this thing and they knew what they were doing. Let us see, Mr. Speaker, whether they knew exactly what they were doing or not. I hold here a notice that was sent out to the farmers in connection with this voting program. It must have been important because it says right at the top, "Important." Let us see whether the farmer knew he was penalizing himself 49 cents a bushel. I go on down through a number of paragraphs and then it states that if these quotas are not voted wheat will be selling for 25 cents or 30 cents a bushel. Then they take an exact case and they say "Loans" and then I go on down to "Penalties," and let us see what they say about penalties:

> Producers not exceeding their wheat allotment may market all wheat produced penalty free.

Then the next number:

> Producers who exceed their wheat-acreage allotments shall be subject to a penalty of 15 cents per bushel on wheat marketed or presumed to be marketed.

There is a notice sent out, telling the farmer that his penalty was still 15 cents a bushel. I say to you, Mr. Speaker, that this Congress can ill afford, in my humble opinion, to pass a law that in effect, if not actually, is retroactive, and changes the rules in the middle of the game and then with good face stand up and say, well, the farmer voted this upon himself.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. Yes.

Mr. CASE of South Dakota. I would like to have the gentleman say who that notice is from.

Mr. RIZLEY. This notice was sent out by one of the committee in Oklahoma.

Mr. CASE of South Dakota. Of course, the gentleman knows that if that notice was sent out after the penalty was increased, it was a direct misrepresentation of the law. Even so, it is not fair to say that the majority of the farmers voted the penalty on themselves, because a majority of the wheat farmers, the country over, were signed up on the program and, of course, were not subject to the penalty. They were told, and honestly told, that if quotas were voted, wheat became eligible for loans at 85 percent of parity, for those who were cooperators. In other words, the vote of the majority of the farmers was a vote, not on whether they were putting on a penalty, but whether they would vote for 85 percent parity loans. The penalty did not apply to them; the loans did.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CASE of South Dakota. So that the votes of the farmers who were cooperators were not on the penalty issue but on an increase in the loan values for themselves as cooperators. That is the reason they voted as they did. It was a foregone conclusion that they would do so. The other farmers were helpless in the situation. Those who were not cooperators could not protect themselves. It was not a case of a majority rule. It was simply a case of those who were in the majority voting to give themselves additional loan privileges and no one would expect them to do otherwise. The fact that incidentally they voted a penalty on the noncooperators was not an issue for them. And the fact that Congress, over the protest of many of us, raised the penalty from 15 cents to 49 cents after the wheat was planted was an injustice which should not be charged to the farmers. That injustice was created here in Congress, and this is where it should be corrected.

Mr. RIZLEY. I thank the gentleman for his contribution, and, right in line with that, inasmuch as it is being contended by some gentlemen that we cannot afford to change this act because it was so recently passed, due to the fact that 80 percent of the farmers voted for this change, as has been stated to me.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. Let me finish this statement. I call attention now to some language that is used in the triple A act itself when it was passed in 1938. It is said there:

> Wheat is a basic source of food for the Nation and is produced throughout the United States by more than a million farmers.

The point I make, without quoting further, is that that is true. More than a million farmers in the United States are producing wheat for commercial purposes, and I am not including in that the small farmer who plants less than 15 acres of wheat, and when they say to you that 80 percent of the farmers of this country voted this program on themselves, I say to you that that is an inaccurate statement. I call attention to the fact that it was suggested we have more than a million wheat farmers in this country raising wheat for commercial purposes. The total number of farmers voting on this act, and I say it is a pretty good vote, more than I figured they would get, was 559,630. Of that sum, 453,569 voted in favor of marketing quotas, but, as compared with a million eligible voters, we find that this act is now effective by a vote of less than 50 percent of the eligible farmers in the country, voting for loans. I yield to the gentleman from Michigan.

Mr. DONDERO. I have listened with great interest to the tragic cases the gentleman has stated and it seems to me the remedy would be to change the law from a quota so far as it relates to acreage to a quota so far as it relates to bushels that might be raised on the farm. That would seem to me to take care of the cases that the gentleman has given the House.

Mr. RIZLEY. I may say that that would help, but what I really got up to say this afternoon was to suggest to Mem-

bers of the House that we will have a bill before this House, probably this week, which will somewhat remedy this situation, but it does not go as far as it should. We will bring out a bill that will permit the normal production to be used instead of the actual production for the purpose of determining the marketing of the quota acreage, which will greatly help, but I think the bill ought to go further, and permit the farmer at least to feed that part of the wheat that has been determined as unmarketable wheat, to his livestock on the farm.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. JOHNSON of Oklahoma. The gentleman has made a very informative address, and I am sure the Members of the House are very much interested in what he has said. The gentleman is a member of the Committee on Agriculture of the House of Representatives, and I am sure each Member, especially from the agricultural districts, will be glad to know that that committee is reporting a bill. I agree with the gentleman that that part of the excess wheat that cannot be marketed certainly should be permitted to be fed to livestock without penalty. I hope that when the bill reaches the House it will contain such a provision. I may say to the gentleman that I have introduced a bill to that effect.

Mr. RIZLEY. I thank the gentleman for his contribution.

[Here the gavel fell.]

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. KEEFE. I have listened with great interest to the most splendid contribution which the gentleman has made on this most important subject. I do hope that the Committee on Agriculture, of which the gentleman is a member, will see that this bill is reported promptly to the Congress for action. I am in full accord with what the gentleman has stated.

Mr. RIZLEY. I thank the gentleman from Wisconsin for his contribution.

Mr. DISNEY. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. DISNEY. Has the committee received the consent of the Department to pass this bill which you are proposing?

Mr. RIZLEY. I think we have the consent of the Department as to certain features of the bill.

Mr. DISNEY. I am gratified to know that.

Mr. RIZLEY. I was somewhat interested this afternoon in the statement of the gentleman from Texas. I served for quite a while in a legislative body in Oklahoma. I had always been of the opinion until I came here that the Representatives elected by the people themselves had some right to propose at least some legislation. I have changed my mind a great deal in that respect. With all due respect to the distinguished gentleman who occupies the Speaker's chair, I said in a joking way to my wife the other night, and I have about come to believe it, that if our Speaker wanted to get a bill through here and was anxious to get it through, unless he could get the approval of the Department which it affected, he would not have much chance.

Mr. CLEVENGER. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. CLEVENGER. The gentleman from Oklahoma has been a member of the Committee on Agriculture about as long as the present Secretary of Agriculture has been in office. Is that not true?

Mr. RIZLEY. Yes.

Mr. CLEVENGER. Has the gentleman ever seen him before our committee?

Mr. RIZLEY. No; I have not.

Mr. CLEVENGER. The paper says this morning that he is resting out on an Indiana farm from his exertions all over the country in behalf of war. Does not the gentleman think that when he comes back from that country he may know something more about the problems of the wheat farmers than he does now, and that he can pay a little more attention to agriculture and not so much to war?

Mr. RIZLEY. I hope so.

May I say in conclusion to those gentlemen who say we cannot afford to change this law as a matter of public policy at this time, I say again that we can ill afford not to change it. As the gentleman has suggested, from the sunkissed plains of Texas to the rolling prairies of Illinois and Indiana these meetings have been held by hundreds upon hundreds and thousands of farmers who are complaining against this act. Mr. Speaker, gentlemen have stood upon the floor of this House, the press of the country, the radio, and the pulpit have been begging for unity in this country. I say to you that of all times in the world when we can ill afford to have disunity, it is right now. If we, by our own act, array one class against another class, one class of farmers against another class of farmers, we are only adding to the thing that will breed disunity in this country. Simply because these farmers are noncompliers they are not law violators. They are the best men and women in this country. We have spent more than $30,000,000,000 of the taxpayers' money since I have been in Congress for the purpose of fighting tyranny, for the purpose of fighting aggression, for the purpose of fighting dictators, against regimentation, and against all those things. The farmers were told when the original act was passed that it would be of their own free will and accord as to whether they wanted to come under it; that it was not a program to regiment them or a compulsory program. Now, let us live up to it.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has again expired.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Ohio [Mr. BENDER] is recognized for 15 minutes.

THE UNITED STATES AND EUROPEAN WARS

Mr. BENDER. Mr. Speaker, about 2 weeks ago in the Washington Post there appeared an article, copyrighted by the New York Times, which said as follows:

> Col. Jesse C. Wedgwood, British Parliament member, in fact, dean of the British Labor Party, told 75 members of the British Empire Chamber of Commerce in the United States the following:
>
> "England is through with the responsibility of solving the problems of Europe which she has done for the past 300 years. We have had enough of it. It is time we passed on the 'baby' to the Americans."

For a member of the British Parliament to come over on this side of the pond and tell us that we are going to take on this "baby" when we have all the "babies" we can possibly carry of our own, is more than I can take without saying something about it.

Last evening I found a New York newspaper, in its issue of yesterday, carrying another statement from this same leader. It says:

> British leader says United States is up to neck in war.

He is quoted:

> The trouble with you Americans is that you are afraid to assume responsibility. Your President has assumed a large share of responsibility, it is true, but why haven't you got a sensible Congress?

This member of the British Parliament has the idea that we have already become a British colony. Maybe some administration leaders have given him the idea. Although the American people are not aware of it and although the Congress is not aware of it, is it true that we have already been taken over, lock, stock, and barrel? How easy it is for the administration to ooze things through here and to get things done by indirection or sleight-of-hand performance. They are operating as a magician: "Now you see it and now you don't"; and you do not know whether you are afoot or horseback. They make promises and statements to us that they have no thought of carrying through. For example, only a year ago about this time or a little later in the year there were debates on this floor in which the promise was made that our boys would be called to the camps and kept for only a year. Apparently they did not mean what they said then. They are trying to keep them for a longer period, to break their contract with the Congress and the American people; and they are trying to bludgeon us into changing that law. Frankly, if the service of these men is not to be lost to the American people in the event that we are attacked, I would suggest that they form home-guard units, meet once a week, and keep on with their training; but to keep these boys in camp longer than a year when we are not at war is entirely unwarranted. It is, however, consistent with the administration's policy in not telling the people the whole truth.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to my good friend.

Mr. KEEFE. Does not the gentleman feel that common honesty to the American people today demands that the administration bring before this Congress a plain, simple declaration of war and let the representatives of the people pass on that question, so we shall have an opportunity to vote on the question as to whether this Nation is going to war? The people are not being given an opportunity to be heard upon this proposition. If the situation is so critical as to demand the extension of the period of training beyond the year, then certainly the situation is critical enough to have the President come before this Congress and tell the Congress the facts and ask the Congress to act and give the people's representatives a chance to pass upon this question.

If a declaration of war is voted, then these men who have been drafted automatically under the law, will be kept in the service of the Government; but until that time comes and until I have had an opportunity as a representative of the people and until the gentleman from Ohio has had an opportunity as a representative of the people to pass upon this question, I for one do not intend to vote to extend the period beyond that which the Government contracted for with these boys when they took them under the Selective Service Act.

Mr. BENDER. My distinguished colleague from Wisconsin is absolutely right; but you see we have a government here by trial balloon, a government by signposts, a government by Gallup poll.

Mr. KEEFE. Mr. Speaker, will the gentleman yield further,

Mr. BENDER. I yield.

Mr. KEEFE The gentleman, I am sure, agrees with the statement that this administration does not dare to bring before the Congress of the United States, who represent the people, a request for a declaration of war, and so they are in an invidious manner driving us in step by step so that when the crash comes and the incident occurs that they are looking for, we shall be in a position where we are helpless as the people's representatives. I, for one, feel that the time is here now when the Congress of the United States ought to assert itself and demand that either we "fish or cut bait"; either we are going to war or we are not, and that the Congress should have the right as the people's representatives to here and now determine that question. If the Congress votes "no," then these steps that are surreptitiously leading us into the war should stop and we should devote ourselves to the problem of providing for our common defense.

Mr. BENDER. The gentleman is absolutely correct. You know this administration considers this a "rubber stamp" Congress. In fact, ever since the present administration has been running the show we have had nothing but "rubber stamp" Congresses and naturally the administration assume that they can kind of ease it into the American people that they can continue this steady process of legerdemain and get away with it. Ickes, Pepper, Knox, and Stimson are sent out into the highways and byways to put up these trial balloons for the administration. They are sounding boards for the administration, although they create the impression they are speaking for themselves and not the President. We know, however, they could not hold their present positions—with the exception of PEPPER—if it were not for the fact that they had abdicated as far as their thinking is concerned and had said "Me, too," to the President—had become "Me too's" in this administration.

Clarence Buddington Kelland, a prominent writer, recently wrote the following:

Today we have no leadership. In Washington we see fear and vacillation. We see the hampering of political expediency. We see that theorists have at last come face to face with reality and do not know what to do about it. We see that they hesitate to step in any direction, that instead of showing the way to the people they sit hesitant and aghast waiting for the people to shove in one direction or in another.

Today we have a leadership of trial balloons. The air is daily filled with them. Trial balloons sent aloft by Pepper, by Knox, by Stimson, by Ickes. It shows to us the picture of a leader who is not marching ahead of his army, planning their campaign, issuing orders for their victory, but sitting in the rear until news can come to him of where the army wants to go.

You cannot unite America behind a barrage of trial balloons.

You cannot unite America behind a leadership that is groping for signposts.

You cannot unite America behind a leadership that waits to read the Gallup poll before it makes up its mind.

The only flags behind which you can unite this Nation are the flags of frankness, of truth, of fearlessness, of definite disclosed purpose. The only flags behind which you can unite this Nation are the flags of integrity, of honor, of love of this land and of its institutions. You cannot unite behind the limp flag of vacillation or the flag of partisanship in national emergency.

We are demanding a flag to follow; we are demanding that it be held high in steady hands; we are not demanding a reed shaken by every political wind; what we plead for is a battleflag of the Republic upon which shall be written as was written of old, give us liberty or give us death. And a firm, fearless hand to hold it aloft to every wind, even if that wind be the tornado of war.

You can unite and weld this country into an unbeatable, invincible unit, behind men it knows it can trust. You cannot unite America behind a coterie of such appointees as we now see mishandling the affairs of this Nation. You cannot unite America behind Madam Perkins. You cannot unite America behind "Tommy the Cork," and Cohen. You cannot unite America behind that amiable and ailing man, Harry Hopkins. Most emphatically you cannot unite America behind Harold Ickes.

It is to such appointees as these, incompetent, inexperienced, visionary and even vindictive, that this administration is now entrusting our destinies. It is their hands that will have the spending of our billions and the control of our lives and of our life's blood.

Already the country is seething with rumors of inefficiency in our tremendous program of preparedness. Already the country is seething with rumors of things more malignant than inefficiency. A complacent people may tolerate incompetency, or even dishonesty, in the handling of its treasure. It dares not tolerate inefficiency when it comes to the shedding of the blood of our sons.

So, as a first guaranty, let this administration place our affairs in the hands of men who are worthy to handle those affairs. Let it remove and cast into oblivion those individuals whose gross caperings and intolerance and inefficiency and social scheming have brought our domestic affairs to their present dire pass. Give America back to Americans. Take it away from pets and parasites. Take it away from "yes" men and bungiers. Take it away from those whose sole desire is a perpetuation of their own political power. Give it back—give back those powers—to men whose sole thought shall be for the welfare of this land we love.

This, and only this, can be the road to complete unity.

Mr. CLEVENGER. Will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Ohio.

Mr. CLEVENGER. The gentleman would not deprive the Secretary of Agriculture of honorable mention among the warmongers, would he?

Mr. BENDER. I would include him by all means. If the article carried in this New York paper yesterday is a correct report of this British statesman's utterance, I deplore the fact that a Britisher, a member of the British Parliament, comes over here to this country for the purpose of telling the American Congress and the American people what to do and what not to do. It seems to me he has plenty to do on his side of the fence and he ought to attend to his own business while we are attending to ours.

Mr. KEEFE. Will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Does not the gentleman think it is about time that instead of writing a new lease-lend bill we ought to write a new declaration of independence?

Mr. BENDER. It appears that way to me. As far as this gentleman is concerned, I would suggest that the President send a note to Mr. Churchill and ask him to invite him back home. It is entirely proper that he is here as our guest, but he is out of order when he assumes that we have already become a British colony.

Mr. Speaker, we are at the crossroads today. Every poll and every barometer we have from back home indicates that our people are overwhelmingly against our active participation in this war.

Are we in the war? A member of the British Parliament seems to know more about it than we do. He says we are. Apparently the President of the United States is not being truthful with us.

The closing of German consulates throughout the United States on order of the Department of State, the freezing of Axis assets, and the recent redeclaration of the traditional freedom of the seas by the President are drastic measures which must inevitably call public attention to the imminence of American intervention in the European war. The order expelling all Nazi diplomatic representatives from the country marks the first time in our history when foreign consulates have been ordered shut in time of peace. Its significance can scarcely be exaggerated.

Taken together with the White House's virtual rejection of the principles enunciated by Congress in the Neutrality Act and the representations entered into by our State Department and the German Government growing out of the sinking of the *Robin Moor*, the unprecedented diplomatic rebuff administered to Nazi Germany by our State Department must be viewed as a step of the utmost gravity.

Events at home no less than our conduct of negotiations with foreign governments point to a determined effort by the national administration to involve us in war. The national-defense program has extended its control to include almost 300 critical items. Increasing numbers of curbs on production and materials, first established in February, have made their impress upon American business of every kind. Priorities and price controls have already been established in many important industrial areas, affecting the daily lives of thousands of workmen and families throughout the Nation.

Orders issued by the Office of Production Management have already confined all work on machine tools, magnesium, cork, synthetic rubber, nickel, tungsten, and neoprene to defense purposes. Partially confined to defense with civilian needs regarded as secondary only is all industrial production of aluminum, nickel-bearing steels, copper, zinc, borax, and boric acid. Priorities which may be either full or partial at the discretion of the O. P. M. include such normal products as blankets, brass, fuel, tin, various kinds of underwear, brass, cordage, ammonia, binoculars, parachute silk, hoists, electric generators and motors, and photographic equipment.

Closely identified with the issue of priorities and complete elimination of civilian uses is the question of prices. Price controls have already been established by the Office of Price Administration and Civilian Supply, fixing maximum prices for second-hand machine tools, scrap aluminum, zinc, nickel, steel, combed cotton yarn, with scrap copper, brass, and hides on the list for early price fixing. In the steel industry, prices have been frozen at the level which they had reached on the day when the order was issued.

All these indications of war-geared activity point to the belief that the national administration anticipates American participation in the war at an early date. The major question still remains to be answered, despite the attitude of our Government. Do the American people approve these steps? Is there any real desire on the part of the people of the United States to participate in the European war?

Every activity of the national administration points toward our direct involvement. Congressional approval of our Government's attitude has been sidetracked through the exercise of White House powers. We are being maneuvered rapidly into a position in which there may be no possible alternatives to war. The American people living under a Republic have the right to demand a voice in the determination of this decision. War or peace, the men and women who will be called upon to do the fighting, sacrificing, and dying, should be consulted before the last irrevocable step is taken.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York, [Mr. DICKSTEIN], is recognized for 15 minutes.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert in connection with those remarks excerpts from a certain magazine appearing in New York and other places.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York, [Mr. DICKSTEIN]?

There was no objection.

INTOLERANCE

Mr. DICKSTEIN. Mr. Speaker, the latest developments abroad call attention to the seriousness of the national situation, and the necessity for extreme vigilance on the part of our American democracy.

Only a short time ago, it was necessary to dismiss from this country consular representatives of Germany and of Italy. From time to time acts of sabotage and destruction leak out to the public, showing how our efforts to create a strong national defense are being undermined by the work of spies and saboteurs.

Mr. Speaker, in 1934 I appeared on this floor not once but at least a hundred times, and I called the attention of the Congress and the country to the well-organized German consuls and how they were speading propaganda in an attempt to divide the people of our country. My cries were in vain until late in 1934, when I was able, through all the efforts I could possibly bring about, to have created the Dickstein—now known as the McCormack—committee. During that investigation I particularly called the attention of the House and the country to how the consuls were organized in the spread of propaganda against this democracy and all other democracies of the world. As an illustration, we had a consul over here—thank the Lord, he is leaving today by order of the President—Dr. Borschers, who engaged a number of so-called native American citizens, among others a Father Gross, a Catholic priest. He had him on the pay roll for about $400 a week to reprint certain propaganda attacking democracy and trying to antagonize and divide our people. This Father Gross carried on his propaganda work with other so-called Americans, who were paid for their work by the German consul not only in New York but in Philadelphia, San Francisco, and Los Angeles. It took a long time to rid this country of these consuls, but today is the judgment day. I understand they are leaving on the *West Point*.

Mr. KEEFE. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I read many of the gentleman's speeches during that period of time, and I have also read the report of the McCormack committee. My recollection is that during that period of time the gentleman from New York directed his attention mainly against Communists.

Mr. DICKSTEIN. Not quite.

Mr. KEEFE. Almost exclusively.

Mr. DICKSTEIN. No.

Mr. KEEFE. And the report of that McCormack committee was directed almost exclusively against Communists. The gentleman has never offered any suggestion during this period of time that would take out of this country and kick out of this country Communists and communistic consuls and communistic spies, has he?

Mr. DICKSTEIN. I have advocated kicking out of this country all saboteurs and spies, whether Communists, Fascists, or Nazis. If my good friend will read the report again, I am sure he will correct his statement. I do not believe he would intentionally accuse me of being biased. It is quite a report, and he may have overlooked other provisions of the report in which we condemned all isms in this country.

Mr. KEEFE. I may say to the gentleman, I think that is true, but the investigation was primarily directed toward communism, was it not?

Mr. DICKSTEIN. No.

Mr. KEEFE. You devoted most of your attention to that?

Mr. DICKSTEIN. We devoted our attention to both nazi-ism and communism. The official investigation lasted from about March 20, 1934, until January 1935. All we had was about 6 or 7 months, and then the Congress refused to renew the investigation, because it said I was afraid of bugaboos under the bed and of Nazis walking around. That happened right on this floor. It took me from 1935 until 1938 to bring about another investigation, knowing then and knowing now the danger with which democracy is confronted.

Mr. KEEFE. Does the gentleman feel, in view of the present international situation in Europe, that we should relax our vigilance against the activities of Communists?

Mr. DICKSTEIN. No; I did not say that; in fact, I am urging the gentleman and all of us to continue our activities against all subversive groups. I do not care by what name they may be called.

I also call attention to the fact that there is a minority group in this country composed of native Americans, some of whom claim the distinction that their forefathers came over on the Mayflower, an organized group that is spreading propaganda to divide our own people within our own borders because of race, creed, and religion. This is just as dangerous to democracy as the work of the Fascists, the Nazis, or the Communists in this country. I know the gentleman is with me on that question.

Mr. KEEFE. I want the gentleman to know, and the gentleman does know from the many utterances I have made on this floor, that I am in complete accord, but I should like to have the gentleman make it clear that he is not in any sense at the present time relaxing the fight which he made in 1934, 1935, and 1936 against communism.

Mr. DICKSTEIN. I believe the record will speak for itself. The gentleman will agree also that for many years I fought a lone, single-handed fight, until I awakened the country to the condition which has existed. If we had this present Congress in 1934 and 1935 we might have done a better job than we have, because an attempt was made by a group of Members of that Congress to prevent us from continuing our committee, which was the McCormack committee.

The gentleman and I know that there is not a single recommendation by any present committee on the question of un-American activities which would eradicate the evils mentioned. The only bill that was passed on that subject was the McCormack bill on the registration of aliens, under which we have obtained quite a number of convictions of persons who represent foreign governments. This law has done a great deal of good for the country at the present time.

In spite of the fact that the German Nazi consuls and the Italian consuls have been shipped back to their native land, they have left a number of sympathizers in this country, for whom we have to watch out, so I do not intend to relax my vigilance against them. I believe they are just as dangerous as were their own consuls, because, from my experience, almost every consul was not only doing his work as a consul but he was really a "fifth columnist" and an agent for his government, seeking to destroy democracy and building up a machine here to accomplish this.

I call the attention of this Congress, as I said a moment ago to my colleague, to the fact that what I am afraid of is disunity in this country. Why should we give a license to any group of Americans to use our mails to spread the gospel of hate and intolerance? By what license have they the right to do what we are trying to prevent others from doing? I should like to show you some of the mail. If you read some of the material, you would find it is the action of somebody in this country who is financing certain groups and using our mails to array brother against brother, Catholic against Jew, and Jew against Protestant. I say it is most unfair and tragic to have that continue. Who is the "fifth columnist"? The postmaster who delivers that mail, even though he does not know what it contains. They spread the gospel of hate and intolerance right through your own mails. What is being done about it? Nothing.

Someone said, "Why don't you propose some laws?" I have proposed some laws, but I have not gotten very far with them. They say, "There is a committee making an investigation." That committee has been investigating now for 3 years.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Has the gentleman ever taken that matter up with the Post Office Department? We have existing laws to deal with that subject.

Mr. DICKSTEIN. I am sorry to say it is a difficult proposition under the present law to stop these subversive movements by certain groups within this country—the groups that are practicing and preaching hate and intolerance for pay and compensation.

Mr. KEEFE. I understand that; but the gentleman was specifically referring to the "fifth column" activities of the postmasters and mail carriers who were delivering the mail.

Mr. DICKSTEIN. The letter carrier innocently delivers mail which is subversive, which is sent through the mail by certain organized groups in this country to array brother against brother and American against American because of race, creed, and religion.

Mr. KEEFE. I am calling the attention of the gentleman to the fact that the Post Office Department is prepared to deal with that very subject under existing law. If the gentleman would file his complaint with the Post Office Department, certainly he could get relief under existing law.

Mr. DICKSTEIN. I assure the gentleman that I have filed not only one complaint but dozens of complaints. I assure the gentleman that I have a bill before the Committee on the Post Office dealing with that question, but so far we have been talking figures and not getting anywhere.

We are a slow-moving people and this applies both to the Congress and the American people. It takes a certain number of weeks or years to advise the people of the dangers that we are facing as a democratic people.

Mr. Speaker, we are in a crisis now that will require the energy of every true-blooded American to stand up and be counted, and in order to proceed along such lines we must try to clean our own country of so-called American subversive groups that are seeking by their own acts to divide our people because of religion, race, or creed. This is the most unhealthy thing that could happen at this time. I do not care who they are, or what they are, or what form of worship they prefer, if they are true Americans they should have the right of freedom like every other American. Just because they happened to have been born black or white or into one religious sect or another, they should not be discriminated against.

The war in Europe has reached a decisive stage. The powers of evil which were unleashed by Hitler when he attacked a peaceful world in September 1939 are forever growing and seeking to engulf the rest of the world. The United States, by reason of its being the arsenal of democracy and the only possible help to the embattled countries of Europe, is particularly the target of attacks by those who would like to see our way of life destroyed, and our effort at national defense go to naught.

We in Congress have a tremendous responsibility, a much greater responsibility than is generally credited to us by the public. The public press speaks of what the President will do, or what the State Department will do, or what the War Department will do, or what the Navy Department will do, but very rarely does the press take into consideration that it is we, in Congress, who have the responsibility of organizing our national effort. The responsibility therefore being ours, we cannot delegate it to others. The responsibility being ours, we should at all times be aware and know all the facts and circumstances which call for action on our part.

There is undoubtedly a Fascist front which seeks to create a division in our councils, stir up hatred, preach disunion, engage in religious or racial intolerance, and even threaten civil war. This issue of undermining our democracy is nothing new at all in the history of this country but its present manifestations are on a new track.

When in 1933 I called the attention of this body to the necessity of the union of our forces to withstand this evil tendency that came upon us from Europe, very little attention was paid to it in this House. For many years my efforts were snubbed and I was made the object of ridicule by many Members of this body. At last I was successful in organizing an investigating committee to make a study of subversive activities against the United States, and on the basis of the findings of that committee, we passed some very fine remedial legislation. Thereafter another committee was organized, of which committee, I am not a member, and which committee, let us hope, will find the detailed confirmation of the statements which I am about to make.

I charge that there has been a suppression of the true facts in this matter because a good many pressure groups in the United States are opposed to full disclosure of all the facts. Many of the pressure groups are seeking to becloud the issue by labeling it as a Catholic issue, or a Jewish issue, or a Protestant issue. However, I have very often had occasion to call the thing by its true name. It is not any particular racial or religious issue, it is the issue of Americanism against foreign "isms." That issue continues irrespective of any label one may attach to it, and it is on this issue that the American public should be aroused, and this body should do something constructive.

As I stated before, these pressure groups which seek to array Americans against Americans, Jew against Catholic, Catholic against Protestant, and so on through the various strata of our religious or racial divisions, are working toward a more definite object than merely passing phrases of a day-by-day battle of various groups against others in the United States. These pressure groups are formulating those disturbances of our national life with the view of eventually making this not a United States, but a country divided against itself where brother will fight brother, and son will fight father, and where no one will be secure, and where all our efforts to pre-

sent a strong front to the world will have availed us nothing.

Fascism received a great spurt by the successes which the German military machine was able to record in the 2 years of European war. There is an old saying that nothing succeeds like success, and human beings, being what they are, are always apt to applaud the successful rascal. When Hitler first came into power no one in the wide world suspected that Germany could become the great military power which it showed itself to be in the course of this war. In 1933 Germany was weak, ineffectual, and had no army of any consequence to fight. In a bare 2 or 3 years, because of the supine indifference which the democracies have shown to the growth of Hitlerism, Germany was able not only to become a strong military power, but to outstrip all the other powers and create the largest, strongest, and best-equipped army in the world. How was that done? It was done on two distinct fronts and both simultaneously. Germany's military effort owes its success to the support which the people of Germany have given to Hitler. Germany's successes are also due to the fact that the other nations which could have resisted Germany's aggression could not agree among themselves, but by fighting one another they made it easy for Hitler to swallow them one by one.

From these two facts we must learn two important lessons. The first lesson is that we will never become a strong power unless all of us will collaborate to create a united American front. Without the union of all our elements, and without a united effort to prepare our national defense so that no power or combination of powers will ever dare to attack us, there can be no thorough preparedness for defense.

The second lesson which we must learn is that the democracies must stick together or else they will be absorbed by Hitler one by one. As Benjamin Franklin said many years ago, "We shall either hang together, or we will hang separately." Just as Hitler found it easy to destroy the European nations because of their lack of unity to resist the aggressor, so unless we, who believe in democracy, will aid and assist one another to fight Hitler, Hitler will find it easy to fight us. The countries of this hemisphere, particularly, must exhibit that solidarity which is the very essence of success. United we stand, divided we fall, and by aiding one another we shall be able to overcome, resist, and subdue the forces of evil which seek to engulf us.

The occurrences a few weeks ago, where another nonagression treaty was violated by Germany, is a case in point. Treaties, according to the conception of the Nazi regime, are made to be broken and not to be kept. It is, therefore, quite apparent that the democracies cannot "do business" with governments which enter into treaties for the purpose of gaining time or achieving some ulterior purpose for themselves.

In their desire to destroy the achievements of our democracies, it has been the aim of the Nazi regime to divide our people and to bring about a cleavage among our citizens. The principal way by which this division was accomplished was by unleashing the forces of intolerance and by making the weak minorities an easy target of attack. The German Government felt that by taking the helpless Jewish minority and making it a scapegoat they will bring about a union of the German people and divert all their hate and feeling of frustration, which had been the portion of the German people from 1918 to 1933, against the Jews. It is these same Nazi propagandists who are stirring up antisemitism in the United States, and who are seeking to make the Jews hated and despised throughout the length and breadth of the land. Stories are told that the Jews are managing all the business in America; that the Jews own all the wealth of the country; that the Jews own all the banks, railroads, and other industrial establishments; and that the Jews are all-powerful in the theater and the moving-picture industries. Such stories are told with only one object in view, and that is to do the same thing that was done in Germany, to create a spirit of hatred against the Jews and making all Americans anti-Semites.

Fortunately for the fate of minorities in the United States, the people of this country are tolerant and not given to fairy tales. You cannot do with the American people what Hitler did with the people of Germany, and that is tell them lies and make them believe that they are gospel truths The American people can tell a lie when they hear one, and we are not as gullible as Hitler's countrymen have proved themselves to be.

There is, for instance, the story of Jewish bankers. Statistics show that out of the 93,000 bankers in the United States only six-tenths of 1 percent are Jews. The editors of Fortune, a very fair magazine, have recently compiled the real facts relating to the Jewish population of this country and the world at large and have reached some very interesting conclusions. They found that in the year 1800 there were altogether two and one-half million Jews throughout the world, of whom one-half lived in the old Kingdom of Poland, and not more than 3,000 in the United States. In 1933 the total Jewish population of the world was 16,000,000, of whom about one-fourth are residents of the United States. They also compiled facts relating to Jewish activities in American business and industry, and the conclusions they have reached are as follows:

First of all and very definitely, they do not run banking. They play little or no part in the great commercial houses. Of the 420 listed directors of the 19 members of the New York Clearinghcuse, in 1933 only 30 were Jews and about half of these were in the Commercial National Bank & Trust Co. and the Public National Bank & Trust Co There were none in the Bank of New York & Trust Co., National City, Guaranty Trust, Central Hanover, First National Chase, Bankers Trust, or New York Trust. Indeed there are practically no Jewish employees of any kind in the largest commercial banks—and this in spite of the fact that many of their customers are Jews. In the investment field, although there are, of course, Jewish houses, of which Kuhn, Loeb & Co., Speyer & Co., J. & W. Seligman & Co., Ladenburg, Thalmann & Co., and Lehman Bros. are the best known, they do not compare in power with the great houses owned by non-Jews. If these houses are ranked upon the amounts of foreign loans outstanding on March 1, 1935, J. P. Morgan, with 19.87 percent; National City Co., with 11.71 percent; Dillon, Read, with 11.44 percent; Chase, Harris, Forbes, with 8.45 percent, Guaranty Co., with 6.68 percent; Bancamerica-Blair, with 6.18 percent; and Lee Higginson, with 4.23 percent; all rank above the highest Jewish house, which is Kuhn, Loeb, with 2.88 percent. Ranked on the basis of domestic activity, Kuhn, Loeb, which has a long and honorable record of general activity in American business, would, of course, stand very near the top; but even in the domestic field non-Jewish interests are still far and away the most influential.

Furthermore, these so-called Jewish houses are by no means exclusively Jewish. In Kuhn, Loeb, Messrs. Elisha Walker, Bovenizer, Wiseman, and Knowlton, none of them Jews, are extremely active; while control of J. & W. Seligman is now shared with Frederick Strauss by Earle Baille and Francis Randolph, a member of the proudest family in the Virginia Tidewater.

On the New York Stock Exchange, 252 of the 1,375 members, or 18 percent, are Jews, while 55 of the 637 firms listed by the Exchange directory are Jewish, 24 are half Jewish representation follows the Jewish fluence.

The absence of Jews in the insurance business is noteworthy. In the insurance-agency field, however, about half the business is Jewish in New York. And the New York insurance-brokerage business is predominantly Jewish, although the three or four Nation-wide brokerage houses with New York offices are non-Jewish. Outside New York, Jewish representation follows the Jewish population proportion.

If the Jews have a subordinate place in finance, which they are often said to control, they have an even more conspicuous place in heavy industry. The only outstanding Jews in that field are the Blocks, largely interested in Inland Steel, and Mr. Max Epstein, chairman of the board of General American Transportation Corporation, which manufactures tank cars. Inland Steel is a successful company, well liked and much respected in the trade, but its share of the steel business is relatively small. The only exception to the rule that steel is not a Jewish industry is the scrap business. Scrap iron and steel is owned 90 percent by Jews, being an outgrowth of the junk business, which at the end of the last century was in the hands of Russian Jews. It may be added in passing that practically the whole waste-products industry, including nonferrous scrap metal (a $300,000,000 a year business in 1929), paper, cotton rag, wool rag, and rubber, is Jewish.

Something of the same situation exists in automobiles. There are only three Jews of any prominence in the executive end of manufacturing. There are only two Jews in positions of importance on the financial end. And there are few Jews in the new-car distributing business. No considerable number appears until the second-hand trade is reached.

The coal industry is almost entirely non-Jewish. It is doubtful whether the roster of the leading 25 companies would show a single Jew from miner up to the board of directors.

Rubber is another non-Jewish industry. Of the tire manufacturers only Kelly-Springfield was ever Jewish, and Kelly-Springfield is now in non-Jewish hands There are Jewish concerns in rubberized fabric and to a lesser extent in the rubber-heel and shoe business, but they are not dominant. Neither do they control petroleum. The chemical industry is in a comparable position. Neither in Du Pont,

Allied Chemical & Dye, United States Industrial Alcohol, or Air Reduction is there a single Jew in a managerial position. There are two Jewish directors, Alfred A. Cook, of Allied Chemical, and Jules Bache, of United States Industrial Alcohol. Otherwise Jews appear as researchers and laboratory men, in which positions several of them have made considerable reputations.

Shipping and transportation are equally non-Jewish. There are no Jews of any importance in railroading save Jacob Aronson, vice president in charge of the legal department of the New York Central, and the only notable Jew in shipping is Samuel Zemurray, managing director of United Fruit. There are no Jewish shipbuilders of any kind. In passenger-bus transportation the Jewish interest is minuscule. In aviation the situation is about the same.

A vast contingent of heavy industry and finance may therefore be staked out in which Jewish participation is incidental or nonexistent.

To find Jewish participation in industry it is necessary to turn to the light industries. And even there it is necessary to turn from the manufacturing to the distributing end. There is an entire group of industries like wool, silk, cotton, and rayon weaving where the Jewish interest in production is small, being 5 to 10 percent in wool, 15 percent in silk, 5 percent in cotton, and 16 percent in rayon-yarn production. But in these same industries the Jewish interest in distribution is large, half the wool sales agents and jobbers, three-quarters of the silk converters being Jews. In the underwear and dress-cutting trades using rayon 80 to 90 percent are Jews. Only in the traditional Jewish bailiwick of the clothing industry can any claim or a Jewish monopoly be made. There, about 85 percent of men's clothing and about 95 percent of women's dresses, and about 95 percent of furs and almost the whole wearing-apparel business are in Jewish hands.

But the clothing business is the spectacular and outstanding exception to the statement that Jewish industrial interests are generally in the minority. Not even in the liquor business, which was always the prerogative of the Jew in Poland, nor in the tobacco business, in which many a rich Jew made his start, are Jewish interests dominant.

JEWS IN RETAILING

With the perspective of a broad review such as this it becomes apparent that Jews are most frequently to be found in those reaches of industry where manufacturer and merchant meet. Consequently their predominance in retailing might be expected. It will not be found. The Jewish interest though easily dominant in New York and in the northeastern cities in general, is not as great throughout the country as is commonly supposed. Department stores are largely Jewish-owned in New York,, where Macy, Gimbel, Saks, Abraham & Straus, Bloomingdale, Hearn, all are Jewish. The chief non-Jewish concerns being Stern, Wanamaker, McCreery, Loeser, Lord & Taylor, and Best. But in Chicago the two leading stores are Marshall Field and Carson, Pirie, Scott & Co., one of Yankee origin and the other Scotch. The third in rank, Mandel Bros. is Jewish. And farther west the relative number of Jewish stores in importance further decreased. The department-store chains like May, Allied, Interstate, and Gimbel are Jewish, but the 5 and 10, etc., chains like Woolworth and Kress are 95 percent not. In the food and grocery field, where the greatest number of chains operate, 95 to 99 percent including A. & P. are non-Jewish. Montgomery Ward in the mail-order field is non-Jewish while Sears-Roebuck has a Jewish history (Julius Rosenwald) but active management of Sears-Roebuck now is in the hands of Gen. Robert Wood. Drug-store chains are about 90 percent non-Jewish and apparel-store chains 90 percent the other way Jews are in a definite retailing minority over the country.

As to the newspapers, the facts are strongly the other way round. Save for the prestige of the New York Times, which must rank on any basis of real distinction as the leading American newspaper, the interest of Jews is small. There are only 4 important Jewish chains in the field. On the basis of daily circulation these 4 groups total, respectively, 489,871, 391,209, 289,126, and 198,610. These figures may be compared with the 5,500,000 daily of Hearst, who is not a Jew; Patterson-McCormick's 2,332,156; and Scripps-Howard's 1,794,617.

The magazine situation is even more striking. Save for the New Yorker, in which the largest stockholder is Raoul Fleischman but the directing head Harold Ross, the only important Jewish general magazines are the Esquire group. And Esquire is closely related, through its male fashion department, to the traditionally Jewish clothing business.

The Jewish participation in advertising may be put at about 1 to 3 percent. Of the 200 large agencies, 6 may be Jewish, the most important being Lord & Thomas, of which Albert D. Lasker is president.

So far as book publishing is concerned, there were practically no Jews in the business prior to 1915, and today Viking, Simon & Schuster, Knopf, Covici, Friede, and Random House do not rank in size of annual list with such non-Jewish houses as Macmillan, Scribner's, Harpers, Houghton, Mifflin, Appleton-Century, Doubleday, Doran, and the like.

In radio the Jewish interest is extremely important. Of the two great broadcasting chains one, Columbia, is under Jewish control. The other, N. B. C., though non-Jewish in management, is headed by David Sarnoff. Of the local stations the vast majority outside New York, however, are non-Jewish.

As to theater, the theater being a New York institution, and New York being the largest Jewish city in the world, and Jews being drawn to the amusement business and to the dramatic arts, a Jewish monopoly might be expected. In the days of Erlanger and the Shuberts it may have existed. Today, however, a count of active New York producers shows 58 non-Jewish and an estimate of their relative importance shows them pretty much in balance.

The movies are the chief point of anti-Semitic reliance. And there a persuasive case may be made. Jews were the first exhibitors of movies because the early movie theaters could be operated with little capital. They were commonly empty stores with folding chairs for seats and a derelict piano. Large returns in such ventures tempted them into production. American movies, in consequence, were made for years as Marcus Loew, Adolph Zukor, Sam Goldwyn, Carl Laemmle, Louis Selznick, Louis B. Mayer, Jesse Lasky, and William Fox thought they should be made. That certain of the Jewish producers were men whose influence upon the popular taste was unfortunate no one, least of all the cultivated Jew, will deny. But neither can the Jew baiter deny that the greatest artist so far produced by the moving pictures is a man named Chaplin, whom all Jews are proud to claim.

Today Jewish control of the great moving-picture companies is less than monopolistic. Three of the eight principal companies are owned and controlled by Jews, two are probably owned and controlled by non-Jews, and in three, management and ownership are divided. But though Jews do not monopolize the industry moneywise they do, nevertheless, exert pretty complete control over the production of pictures. A majority of directors, including such men as Frank Borzage, Howard Hawks, John Ford, W. S. Van Dyke, King Vidor, and Frank Capra, are non-Jews. But the directors are subordinate in authority to producers. Of 85 names engaged in production, either as executives in production, producers, or associate producers (including independents), 53 are Jews. And the Jewish advantage holds in prestige as well as in numbers.

It is difficult on these figures to conclude that American organs and instruments of opinion are predominantly Jewish. Granted the great power of the movies in the influencing of modern society and the great influence of Jews in the movies, it still remains true that the Jewish interest in journalism and advertising is extraordinarily small and that journalism and advertising also have their persuasiveness.

Now, as to Jewish activities in Government service, the total number of Jews employed by the Government in Washington numbers less than twenty-five hundred out of a Federal working force of 120,000. Thus the percentage of Jews in Government service is sharply lower than the percentage of Jews in the total population. In high administrative and policy-making positions the Jewish fraction is much smaller than the Jewish population of this country. This brings us to the consideration of Jews in the professional field, particularly law and medicine:

The anti-Semitic contention is that the Jews have crowded out the rest of the population and are monopolizing all opportunities. Anti-Semites say a third to a half of the lawyers in New York City and at least a third of the doctors are Jews. One obvious reminder is that a third of the population of New York is also Jewish, and that the percentage of Jewish lawyers and doctors in other cities with smaller Jewish populations is correspondingly smaller.

Another equally obnoxious reply is that 50 percent of New York lawyers does not mean 50 percent of New York's lawyer power. The most important office law business in America such as the law business incidental to banking, insurance, trust-company operation, investment work, railroading, patents, admiralty, and large corporation matters, in general is in the hands of non-Jewish firms. The Jewish legal activity will be found most commonly in litigation. In other words, Jews are largely to be found in those branches of law which do not interest non-Jewish lawyers or in those branches of law related to commercial activities like real estate and textiles, where Jews are peculiarly active. It is for that reason that the importance of Jews in trial work is significant. Their presence in the courts means not only that Jews are able trial lawyers but also that non-Jewish lawyers tend to prefer the fat fees and regular hours and routine, solicitor-like labors of their offices to the active, combative, professional service of the law courts.

The medical situation is not unlike the legal. There is the same disparity between numbers of Jewish doctors and extent of Jewish medical influence. New York, for example, has numerous good Jewish doctors and a very few great Jewish doctors. But Jews do not occupy a position of power corresponding to their abilities or their numbers in the profession. Hospital medical boards and the like are apt to be controlled by non-Jewish doctors.

The chief difference between law and medicine is that the feeling between Jews and non-Jews is much stronger in the latter profession than in the former. The reason for that feeling is this: Of approximately 14,000 young men and women attempting annually to enter the 76 reputable United States medical schools 50 percent are Jews, while of the 6,000 more or less who get in only 17 percent are Jews. Non-Jewish doctors cite these

figures as proof of the danger of Jewish aggressiveness and commercialism in the profession, while Jewish doctors cite them as proof of discrimination. The truth seems to be that medicine is merely the most obvious point of collision between forces set in motion by the peculiar development of Jewish life in America. Given the desire of Jews to see their sons in the learned professions, and given their urbanization, and hence their access to free college education, and given the assiduity of Jewish children, a clash was inevitable.

There is also quite a bit of talk, specifically in publications like Social Justice, or other magazines of that ilk, that Jews are inclined to be radical and the enemies of the existing social order. On the other hand, statements are also made very promiscuously that Jews are inclined to be opposed to radicalism and tend to become bankers and brokers. While the two statements cannot both be true, it is worth while to examine into the real facts and conditions, insofar as the participation of Jews in radical movements is concerned. In April 1939, Harper's Magazine published an article by one Philip S. Bernstein, which is very illuminating on this point, and I shall now quote some portion of it dealing with Jewish activities in the Communist movement.

If Jews are not the chief beneficiaries of the existing order, are they its worst enemies? This question will be answered affirmatively by multitudes throughout the world who have been influenced by Nazi propaganda to associate communism with Jews. This charge has proved to be the most powerful weapon of the anti-Semite in this turbulent period. As Hitler won millions of followers by his attacks on "Jewish bolshevism," so Father Coughlin, who has made effective use of Nazi propaganda sources, is attracting a large following by linking anti-Semitism with anti-communism. On January 8, 1939, the Gallup Institute of Public Opinion reported that in December, when Father Coughlin devoted his sermons to this theme, his radio listeners increased from 3,500,000 to 15,000,000.

There are reasons why communism might be expected to have a special appeal for Jews. For it makes generous promises to the disinherited of the earth, and no group in history has been more consistently persecuted. Furthermore, Jews live for the most part in the larger cities, where many of them are employed in industry, and radicalism makes its strongest appeal. Also, their emotions are easily stirred, and they are articulate. No; it would not be surprising if the brains and sinews of communism were Jewish.

Actually, the reverse is the case. Even leaders like Marx and Trotsky can no more be regarded as representatives of Jewry than can Hitler or Mussolini (who were reared as Catholics) or Stalin (who was trained for the Greek Orthdox priesthood) be considered representatives of Christianity; Karl Marx, though born of Jewish parents, was baptized a Lutheran at the age of 6 and was an embittered anti-Semite for the rest of his life. When, after the triumph of bolshevism, a delegation from the Petrograd Synagogue pleaded with Trotsky to resign his leadership in order to prevent the terrible reprisals which Jews would suffer because of him, he replied, "Go you home to your Jews and tell them that I am not a Jew, and I care nothing for the Jews and their fate."

Contrary to common opinion, the overwhelming majority of Russian Jews, despite their persecution under the Czar, were hostile to bolshevism. It was atheistic; they were religious. It was anti-Zionist; they were Zionists. It was totalitarian; they were individualists. It was violent in its methods; they were innately pacifistic. It sought to destroy the bourgeoisie; most of them were petty tradesmen and craftsmen, conducting their own businesses. All of the available records prove that, although most Jews welcomed the democratic revolution of March 1917, they were opposed to the Communist revolution. The majority of Russian Jews belonged to the Constitutional Democratic Party which was bourgeois and liberal. The three chief Jewish workers' organizations, the Serz, the Poale Zion, and the Bund, all declared against bolshevism. On March 15, 1918, Lenin's Commissariat for Jewish Affairs publicly denounced the Jewish workers for their anti-Bolshevik attitude. Uritzky, the Cheka chief, was assassinated by a Jewish Menshevik, Leonid Kannegiesser, and Lenin was shot, not fatally, by a social democratic Jewess, Dora Kaplan. The official statistics of the Petrograd Communist Party in 1918 showed that of its 124,021 members, 74.3 percent were Russian, 10.5 percent Latvians, 6.3 percent Poles, 3.7 percent Esthonians, 2.6 percent Lithuanians, and only 2.6 percent Jews. Even in 1922, after 5 years of Bolshevik dictatorship and propaganda, only 5.2 percent of the Communist Party membership were Jews; and these Jewish party members were less than 1 percent of the total Jewish population of Russia.

I believe that my remarks have definitely convinced Congress of how futile and improper are these accusations against the Jewish people, either in the United States or the world. But the theme of my remarks was the fact that dictators use propaganda for their own purposes, and anti-Semitism is a very convenient method by which our Nation may become divided, and the dictators can have their will with us. This is the insidious part of anti-Semitism, and as a Member of Congress I am well aware of the fact that even our colleagues might become influenced by the insidious propaganda of anti-Semites.

I therefore wish to be very emphatic in stating here and now that there is no truth, substance, or any intelligent basis for the many anti-Semitic charges leveled against the people of the Jewish race, and particularly Jewish citizens in the United States. I am sure that the time will come when the American public will become as sincerely convinced of the impropriety of these charges as I am.

Intolerance breeds intolerance, and once a portion of the population is singled out for attack no element of our population is secure. Today one may attack the Jews, tomorrow the attack may be leveled against the Negroes, or against the Italians, or against the Irish, or against the Catholics, or against the Protestants, and what not. Forces of intolerance wherever found are forces of evil, and it is up to us, the Members of this legislative body, which is untrammeled in its deliberation and unbossed in its make-up, not to permit intolerance to gain the upper hand in the public life of America, and to stamp it out at its root wherever it may show itself.

PERMISSION TO ADDRESS THE HOUSE

Mr. KEEFE. Mr. Speaker, I ask unanimous consent that on tomorrow, after the regular order of business and following any previous special order, I may be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 138. An act granting a pension to Mary Jane Blackman; to the Committee on Pensions.

S. 206. An act to authorize the course of instruction at the United States Military Academy to be given to 20 persons at a time from American republics; to the Committee on Military Affairs.

S. 314. An act for the relief of certain Basque aliens; to the Committee on Immigration and Naturalization.

S. 353. An act to provide for the extension of enlistments in the Navy; to the Committee on Naval Affairs.

S. 816. An act for the relief of John Horvath; to the Committee on Immigration and Naturalization.

S. 1071. An act authorizing the naturalization of Nasli M. Heeramaneck; to the Committee on Immigration and Naturalization.

S. 1074. An act for the relief of Austin L. Tierney; to the Committee on Naval Affairs.

S. 1099. An act for the relief of Leslie Charteris (Leslie Charles Bowyer Yin) and Patricia Ann Charteris; to the Committee on Immigration and Naturalization.

S. 1161. An act for the relief of Cecilia Pitt; to the Committee on Immigration and Naturalization.

S. 1216. An act for the relief of Henry (Heinz) Gabriel; to the Committee on Immigration and Naturalization.

S. 1569. An act to amend the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940 (Public, No. 861, 76th Cong.), to provide for the termination of leases in certain cases, and for other purposes; to the Committee on Military Affairs.

S. 1667. An act for the relief of Mike Chetkovich; to the Committee on War Claims.

S. 1709. An act conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc.; to the Committee on Claims.

ADJOURNMENT

Mr. BYRNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 7 minutes p. m.) the House adjourned until tomorrow, Wednesday, July 16, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Wednesday, July 16, 1941, for consideration of H. R. 5211.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, July 16, 1941, for the consideration of private bills.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on Thursday,

July 17, 1941, on the following-named private bills:

H. R. 1360. A bill granting a pension to Albert E. Wells. (By Mr. TARVER.)

H. R. 1759. A bill granting an increase of pension to James J. Scanlon. (By Mr. VOORHIS of California.)

H. R. 1932. A bill granting a pension to Willard Fulk. (By Mr. CLAYPOOL.)

H. R. 3312. A bill granting an increase of pension to Grizelda Hull Hobson. (By Mr. JARMAN.)

H. R. 3560. A bill granting an increase of pension to Jeannette W. Moffett. (By Mr. RIVERS.)

H. R. 4301. A bill granting an increase of pension to Imogen Morris Taylor. (By Mr. SMITH of Virginia.)

H. R. 905. A bill granting a pension to Venia Moody. (By Mr. REECE of Tennessee.)

H. R. 1506. A bill granting an increase of pension to Alice Shaw. (By Mr. HANCOCK.)

H. R. 4706. A bill granting an increase of pension to Bertha M. Knapp. (By Mr. ARENDS.)

H. R. 4720. A bill granting an increase of pension to Mary E. Simmons. (By Mr. DAVIS of Ohio.)

H. R. 4772. A bill granting an increase of pension to Margaret Butler. (By Mr. CLEVENGER.)

H. R. 4797. A bill granting a pension to Ruby Ellen Hogg. (By Mr. HEIDINGER.)

H. R. 4878. A bill granting a pension to John W. Arnold. (By Mr. ROBSION of Kentucky.)

H. R. 4891. A bill granting a pension to Elsie Israel. (By Mr. ARENDS.)

H. R. 4939. A bill granting an increase of pension to Annie A. Riggs. (By Mr. EDMISTON.)

H. R. 5020. A bill granting a pension to Mary Harvey. (By Mr. ELSTON.)

H. R. 5022. A bill granting an increase of pension to Anna Houghtlin. (By Mr. O'BRIEN of New York.)

H. R. 5151. A bill granting an increase of pension to Eva A. Kinney. (By Mr. H. CARL ANDERSEN.)

H. R. 5165. A bill granting an increase of pension to Mary Murphy. (By Mr. TIBBOTT.)

H. R. 5227. A bill granting an increase of pension to Maria Wren. (By Mr. REED of New York.)

The hearings will be held in room 247, old House Office Building at 10:30 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

760. A communication from the President of the United States, transmitting a draft of a proposed bill to promote the national defense and the conservation of electrical energy by permitting the establishment of daylight saving time (H. Doc. No. 312); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

761. A letter from the Acting Secretary of War, transmitting a draft of a joint resolution to further provide for the strengthening of the national defense by authorizing the retention in active military service of members and units of the Reserve components of the Army of the United States and for other purposes; to the Committee on Military Affairs.

762. A letter from the Acting Secretary of War, transmitting a draft of a joint resolution to further provide for the strengthening of the national defense by removing the restrictions of numbers and length of service of selectees, and for other purposes; to the Committee on Military Affairs.

763. A communication from the President of the United States, transmitting the draft of a proposed authorization for the expenditure of $900,000 additional in the fiscal year 1942, of funds of the United States Housing Authority, Federal Works Agency, for administrative expenses, together with a supplemental estimate of appropriation for the Public Buildings Administration, Federal Works Agency, for the fiscal year 1942, amounting to $6,500,000 (H. Doc. No. 313); to the Committee on Appropriations and ordered to be printed.

764. A letter from the Clerk of the House of Representatives, transmitting a communication of Mr. W. A. Denson, of Birmingham, Ala., contestant for a seat in the House of Representatives, dated June 16, 1941 (H. Doc. No. 314); to the Committee on Elections No. 3 and ordered to be printed with accompanying papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURCH: Committee on the Post Office and Post Roads. Supplemental report to accompany H. R. 965 (pt. II); with amendment (Rept. No. 898). Ordered to be printed.

Mr. SECREST: Committee on the Library. H. R. 3261. A bill to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces; with amendment (Rept. No. 950). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4446. A bill relating to the manning of vessels; with amendment (Rept. No. 951). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. H. R. 5300. A bill to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended; without amendment (Rept. No. 952). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. Senate Joint Resolution 1. Joint resolution directing the Comptroller General to readjust the account between the United States and the State of Vermont; without amendment (Rept. No. 953). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. House Joint Resolution 199. Joint resolution to authorize temporary appointments of officers in the Army of the United States; without amendment (Rept. No. 954). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. House Joint Resolution 203. Joint resolution to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army; without amendment (Rept. No. 955). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 4961. A bill to amend section 9 (b) of the Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935; with amendment (Rept. No. 956). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 1110. An act to amend section 1118 of the Revised Statutes, as amended, to eliminate the prohibition against enlistments in the military service of the United States of any persons convicted of a felony; without amendment (Rept. No. 957). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 5319. A bill providing that soldiers, sailors, and marines may send letters through the mails free of postage, under rules and regulations prescribed by the Postmaster General; to the Committee on the Post Office and Post Roads.

By Mr. BENNETT:

H. R. 5320. A bill to amend the Railroad Retirement Act of 1937, as amended, so as to provide for eligibility for full annuities in the case of individuals who shall be 60 years of age or over, have completed 15 years of service, and are totally and permanently disabled; to the Committee on Interstate and Foreign Commerce.

By Mr. BUTLER:

H. R. 5321. A bill to extend the franking privilege to individuals selected and inducted into the armed forces of the United States under the provisions of the Selective Training and Service Act of 1940; to the Committee on the Post Office and Post Roads.

By Mr. FULMER:

H. R. 5322. A bill to provide that during the marketing year July 1, 1941, to June 30, 1942, the feeding of wheat to poultry or livestock shall not constitute marketing of such wheat for the purpose of marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

H. R. 5323. A bill to repeal the provision limiting loans on wheat of the 1941 crop available to noncooperators to loans on only so much of their wheat as would be subject to penalty if marketed; to the Committee on Agriculture.

By Mr. JOHNSON of Oklahoma:

H. R. 5324. A bill to provide that the feeding of wheat to poultry or livestock shall not constitute marketing of such wheat for the purposes of marketing quotas under the Agricultural Adjustment Act of 1938, as amended; and to amend Public Law No. 74 of the Seventy-seventh Congress relating to wheat quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. PADDOCK:

H. R. 5325. A bill to provide for the establishment of a Coast Guard station on the shore of Lake Michigan at or near Waukegan Harbor, Waukegan, Lake County, Ill.; to the Committee on the Merchant Marine and Fisheries.

By Mr. McCORMACK:

H. R. 5326. A bill authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell; to the Committee on Military Affairs.

By Mr. SUTPHIN:

H. R. 5327. A bill to promote the national defense and preparedness through the creation of a vast reservoir of potential airplane pilots and mechanics, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER:

H. R. 5328. A bill to authorize the Secretary of the Interior to accept property for the Fort Necessity National Battlefield site, Pennsylvania, and for other purposes; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLMER:

H. R. 5329. A bill for the relief of J. J. McIntosh; to the Committee on Claims.

By Mr. HEFFERNAN:
H. R. 5330. A bill for the relief of Robert Bennet; to the Committee on Naval Affairs.
By Mr. JENNINGS:
H. R. 5331. A bill for the relief of Paul W. Mankin; to the Committee on Claims.
By Mr. LESINSKI:
H. R. 5332. A bill for the relief of Alderic Ovila Gemme; to the Committee on Immigration and Naturalization.
By Mr. MACIEJEWSKI:
H. R. 5333. A bill for the relief of William Chomiak; to the Committee on Immigration and Naturalization.
By Mr. THOMAS of Texas:
H. R. 5334. A bill for the relief of Lena R. Burnett; to the Committee on Claims.
By Mr. VOORHIS of California:
H. R. 5335. A bill for the relief of Richard Julius Herman Krebs; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1649. By Mr. LUDLOW: Petitions of members of the Indianapolis Association of Credit Men, favoring reduction of expenditures in nondefense agencies to save an estimated $2,031,000,000 for national defense; to the Committee on Appropriations.

1650. By Mrs. NORTON: Petition of Ukrainian and Russian American citizens of Jersey City, N. J., urging whole-heartedly the President of the United States, under the powers given him under the lend-lease bill, to aid and assist all victims and enemies of Hitlerism with the implements of war and materials to defend themselves; to the Committee on Foreign Affairs.

1651. By Mr. WOLCOTT: Petition of Fred Willis and 49 others, urging the defeat of House bills 4611 and 4834, to amend the Packers and Stockyards Act of 1921; to the Committee on Agriculture.

1652. Also, petition of Herb Hiest and 45 others, urging the defeat of House bills 4611 and 4834, to amend the Packers and Stockyards Act of 1921; to the Committee on Agriculture.

1653. By Mr. STEARNS of New Hampshire: Petition of the Veterans of Foreign Wars of the United States, Department of New Hampshire, urging that Brig. Gen. William Mitchell be issued the Congressional Medal of Honor; to the Committee on Military Affairs.

1654. By the SPEAKER: Petition of the American Legion, Memphis Post No. 1, Memphis, Tenn., petitioning consideration of their resolution with reference to service of selectees and National Guard; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 16, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We bless Thee, our Heavenly Father, that the memory of Thy providential goodness in times of need is an expression of man's utmost hope, dispelling the shadows of the overwhelming years. From the wealth of memory's treasure store we pray that we may hear Thy voice as it takes our souls captive, leading us to realize that there is the personal presence and the ministry of a good God in the darkest cloud which hovers over this tormented earth. Oh, let a valiant faith pulse through the American heart and ingrain it in the very fiber of humanity. We pray Thee to open our eyes that we may behold wells of comfort in the most desolate wilderness; when our vision is cleansed we shall have a new charity for the good and bad; when we lift our eyes unto the hills we shall discover the rainbow; and when our souls are awakened we shall learn that men are better than they appear. We praise Thee, O God, that the Light of the world is no longer hidden in the darkness of the tomb. In His holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a joint resolution and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. J. Res. 88. Joint resolution to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army; and

S. Con. Res. 11. Concurrent resolution authorizing the printing, with illustrations, and binding of the proceedings held in Statuary Hall in the Capitol upon the occasion of the unveiling and acceptance of the statue of Huey P. Long presented by the State of Louisiana.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 814. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil; and

H. R. 4816. An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1524) entitled "An act to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. SCHWARTZ, Mr. HILL, Mr. AUSTIN, and Mr. GURNEY to be the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of the Interior.
2. Department of Justice.
3. Department of State.
4. Department of War.
5. Federal Security Agency, Social Security Board.
6. Office for Emergency Management.

LEAVE TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I have two unanimous-consent requests to submit: First, I ask unanimous consent that tomorrow, following any orders heretofore made, following the legislative program of the day, the gentleman from Pennsylvania [Mr. DITTER] be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Massachusetts. Also, Mr. Speaker, that on Monday next, following the legislative business and any special orders heretofore entered, the gentleman from Ohio [Mr. JENKINS] be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD to include an article on the purchase of Argentina eggs.

The SPEAKER. Is there objection?

There was no objection.

THE 49-CENT WHEAT PENALTY

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, Mr. George Koch, superintendent of the Williams County Home, in my district, believes in raising wheat to help feed those who reside there. He operates the farm under supervision of the commissioners, and it is owned by the county. On June 28 the county was asked by the A. A. A. to pay a penalty of 49 cents per bushel on 254 bushels of wheat, amounting to $123.46. This is the first time Williams County has ever been penalized for raising wheat to feed the poor on the county farm.

DEFERMENT OF MEN BY AGE GROUPS UNDER SELECTIVE TRAINING ACT OF 1940

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, I reserve the right to object. Is this the bill where you changed the age of men so as to defer those who are over 28 years of age from going into active service?

Mr. MAY. This is Senate bill 1524, which amends section 5 (e) of the Selective Training and Service Act, which contains, as far as the House is concerned, only that provision, the labor provisions having been stricken out.

Mr. RICH. I am sorry the labor provisions were stricken out. The purpose is to eliminate men over 28 years of age

from going into the service at the present time?

Mr. MAY. All men who arrived at the age of 28 years on the 1st day of July of this year, and all men arriving at that age on the 1st day of each succeeding July will be deferred mandatorily, and not in the discretion of the Executive.

Mr. RICH. And as to those men who have already been put into service, who are 28 years of age or over, are they going to compel them to remain there until their year is up?

Mr. MAY. Those over 28 years of age who have already been inducted into the service will remain until the expiration of their year of training. I have been informed by the War Department that a large percentage, probably 70 percent of them, desire to remain, because of the fact that they have severed their connections in their communities, and their business relations, to take their year of training, and that to break that now and go back home and be subject to call again they might lose out by a few months.

Mr. RICH. Now we hear a great deal of talk over the radio and we read in the newspapers that you are going to change the law and compel those men to be enlisted for 3 years. They took them in with the assurance that they were going to have training for 1 year, and 1 year only. If the law is changed and you put in the Army those men who are already 28 years of age and try to compel them to stay in for 3 years, where is the justice in that? It is not just to any of them; it shows your words are not to be counted on. You are just fooling them into 3 years in the Army.

Mr. MAY. The Congress of the United States is a great deliberative body, and I am sure it will not do anybody any injustice. We will have to await action by that body.

Mr. RICH. Since when did you make that statement about it being such a great deliberative body and doing all justice? I would say, if you put the men in the Army for 3 years when you stated it would be 1 year it is not honest nor is it just. We are not at war, nor should we get into it.

Mr. MAY. I have been hearing it for the 11 years I have been here, and I have believed it all the time. If they are kept in, the Congress, and not I, will do it.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? (After a pause.) The Chair hears none and appoints the following conferees: Mr. MAY, Mr. THOMASON, of Texas, Mr. HARTER, of Ohio, Mr. ARENDS, and Mr. ELSTON.

DR. GUSTAV WEIL ET AL.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 814), for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 11, after "quotas", insert ", and if Dr. Weil is also found admissible under the provisions of the immigration laws other than the second clause of section 3 of the act of February 5, 1917 (39 Stat. 875, U. S. C., title 8, sec. 136 (a))."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

EXTENDED SERVICE FOR DRAFTEES

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, it has always been customary for the Federal Government to observe scrupuously contracts entered into with foreign countries. I do not believe there is anybody in this House or in the Federal Government holding a position of conspicuous importance who would in any way want to jeopardize the provisions incorporated within the Lease Lend Act. They want these provisions carried out in such a manner that they will be honorable and aboveboard. I consider my pledge to the draftees and to the men of the National Guard just as sacred, that they will remain in service 1 year and not any longer, as it is my privilege to insist on the lease-lend bill being carried out with Great Britain. We are not double-crossing Russia, or Great Britain. So why do we break faith with the draftees and the National Guard? Let us be square with our own American boys in the same way we are fair with those who might double-cross when this war is over. I for one will strenuously oppose any legislation asking for these men to be held longer than the 1 year.

[Here the gavel fell.]

COMMUNISM IN THE MERCHANT MARINE

Mr. MASON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. MASON addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a radio address I made on July 14.

The SPEAKER. Is there objection?

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an editorial from the Milwaukee Journal of July 14, 1941, entitled "Sending Men Anywhere."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article from the Arkansas Legionnaire and an editorial in re the Lear incident.

The SPEAKER. Is there objection?

There was no objection.

PRESIDENT ROOSEVELT'S STATEMENTS WITH REFERENCE TO WAR

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. McGREGOR. Mr. Speaker, experience has taught me that the actions of some people speak so loud that we cannot hear what they say. For fear the President will continue his present attitude relative to war, which, in my opinion, will lead us to war, I would like to call your attention to a few of the speeches he made prior to the last election.

I refer to his address of September 11, 1940, before the teamsters' union, and I quote:

> I hate war now more than ever. I have one supreme determination—to do all that I can to keep war away from these shores for all time. I stand, with my party and outside of my party as President of all the people, on the platform, the wording that was adopted in Chicago less than 2 months ago. It said: "We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas except in case of attack."

I hope he keeps that pledge.

[Here the gavel fell.]

CONTRACTS LET BY QUARTERMASTER CORPS

Mr. TABER. Mr. Speaker, in the fore imous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, in the fore part of June the Quartermaster Corps sent out invitations for bids for mattresses to 30 firms. On June 18 they announced contracts for 150,000 mattresses to cost $724,000 on those bids. A week later, on June 25, they let a contract for the same number of mattresses to cost $614,000 on the same bids, or $109,000 less.

That seems to me to be a queer way of doing business. I think that that outfit ought to have little more business management. Just think of it. On the same bid they contract 1 day for 150,000 mattresses at a cost of $724,000, and 1 week later on the same bid for the same number of mattresses they contract to pay $614,000, or $109,000 less.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an address I made over station KFK at Greeley, Colo.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution of the Sixty-second Illinois General Assembly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WAR DEPARTMENT PROPAGANDA

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, I have received, and I suppose all the Members in the last few days have received, copies of the publication I hold in my hand, labeled "Citidals of Democracy." I imagine many of these booklets found their way into the office wastebasket. It looks like a good propaganda job to stir up war spirit, but what an unconscionable waste of the taxpayers' money. These booklets could not have cost less than 20 cents apiece plus handling charges. Yet this extravagance is indulged in at a time when we face an emergency, at a time when the taxpayers are asked to give of their money wholesale, when we are asking the boys to go to the camps at $21 per month, and yet the War Department itself is putting out a fancy booklet to serve no good purpose, or to serve no purpose at all except that of propaganda. They make the patient sugar-coat his own pills.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. PIERCE addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. PIERCE. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks and include a speech delivered by the publisher of the Portland Oregonian.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and that they may be printed in the Appendix.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. SHAFER of Michigan. Mr. Speaker, I desire to submit two unanimous-consent requests. First, to extend my own remarks, and second, to extend my remarks and include a letter I wrote to my constituents.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARNESS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a newspaper article from the Frankfort Morning Times of Frankfort, Ind., relative to a farmers' organization meeting to protest the A. A. A. wheat penalty.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WAR PROPAGANDA

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, the gentleman from Ohio held up the booklet here this morning that was so extravagantly published by the War Department. I am told the Army has 500 men now working on such booklets. What a waste of public money on such war propaganda! Can we afford such waste and extravagance? This must be coupled up with the extravagance and waste that is going on now in the form of expenses of people who go out over the country trying to get this country into war. The things they say and do trying to get us into this terrible, horrible war in Europe is not sound Americanism. I am against war for America.

I think the most disgraceful thing a man can do is to go out and publicly say we have got to send an army across to Europe to defend America. I do not share that opinion. To get in this terrible European war is suicide for the United States. I am not ready to commit suicide yet, but I am ready to fight for the defense of America, and I believe I am doing it now. God only knows we want to defend America and the United States over here in the United States, not in Europe, not in Asia, and not in Africa.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Washington Times.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article appearing in this morning's Times-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. HOPE]?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an editorial from a New York City newspaper commenting on the recent Gallup poll.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter with regard to Representative HAMILTON FISH, which appeared in the Newburgh (N. Y.) News.

The SPEAKER. Is there objection to the request of the gentleman from Idaho [Mr. DWORSHAK]?

There was no objection.

CONGRESSIONAL INSPECTION OF ARMY EQUIPMENT

Mr. THOM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. THOM]?

There was no objection.

Mr. THOM. Mr. Speaker, a few days ago I made the suggestion during consideration of an Army appropriation conference report that arrangements be made for a review of our military equipment at some nearby fort or camp for the education of the Members of the House of Representatives. We have been hearing reports of a verbal nature on the progress the Army has been making. I thought it would be wise for the Army actually to show us these weapons and show us how they operate.

I am glad that the suggestion has been accepted by General Marshall, Chief of Staff of the United States Army. He writes to me that the Army is now in the process of arranging a demonstration of Army equipment, the date and place to be announced later, for the benefit of the Members of Congress.

[Here the gavel fell.]

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

CHIEF WARRANT OFFICERS

Mr. MAY (when the Committee on Military Affairs was called). Mr. Speaker, by direction of the Committee on Military Affairs of the House, I call up H. R. 4851, to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, and I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole House on the state of the Union.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter there shall be two grades of warrant officers in the Army of the United States; first, chief warrant officer, who shall receive the same base pay as authorized by existing law for warrant officer, chief engineer, Army Mine Planter Service; and second, warrant officer (junior grade), who shall receive the same base pay

and allowances as are authorized by existing law for warrant officers of the Army other than those of the Army Mine Planter Service: *Provided*, That warrant officers of the Army Mine Planter Service in the grade of master shall receive the same base pay as authorized by existing law. Chief warrant officers shall receive the same money allowances for subsistence and rental of quarters as are authorized by existing laws for officers receiving the pay of the second pay period, and all warrant officers shall receive, as a permanent addition to their pay, an increase of 5 percent of their base pay for each 4 years of active service now counted for pay purposes, not to exceed 25 percent.

All warrant officers of the Army shall receive an increase of 50 percent of their pay when by orders of competent authority they are required to participate regularly and frequently in aerial flights, and when in consequence of such orders they do participate in regular and frequent aerial flights as defined by such Executive orders as have heretofore been, or may hereafter be, promulgated by the President.

SEC. 2. Hereafter, original permanent appointments in the grade of warrant officer (junior grade) shall be made only from among those persons who have served at least 1 year on active duty in the Army of the United States and original permanent appointments in the grade of chief warrant officer shall be made only from among those warrant officers who have completed at least a total of 10 years' active service, next preceding their appointment, either as warrant officer (junior grade) or as warrant officers under existing law, or both. All such permanent appointments shall be made in the Regular Army and may be terminated under such regulations as the Secretary of War shall prescribe, and the action of the Secretary of War in terminating the appointment of a warrant officer shall be final and conclusive. The total number of permanent appointments in the grades of chief warrant officer and warrant officer (junior grade) shall be as prescribed by the President from time to time, but shall not exceed 1 percent of the enlisted strength of the Regular Army as authorized by law: *Provided*, That not more than 40 percent of the total actual number of permanent warrant officers in active service shall be appointed in the grade of chief warrant officer: *And provided further*, That no person who is serving, or who has served, as an Army field clerk; a field clerk, Quartermaster Corps; or as a quartermaster clerk, shall be eligible for appointment in the grade of chief warrant officer.

SEC. 3. In time of war or during the period of any national emergency declared by Congress or proclaimed by the President, the Secretary of War is authorized, under such regulations as he shall prescribe, to make temporary appointments in the grades of chief warrant officer and warrant officer (junior grade). Such temporary appointments shall be in the Army of the United States, shall not exceed a number equal to one-half of 1 percent of the enlisted strength of the Army in the United States in active military service, and shall remain in effect at the pleasure of the Secretary of War, but in no case shall they continue beyond 6 months after the termination of the war or period of national emergency. Persons appointed in the Army of the United States as temporary chief warrant officers or as temporary warrant officers (junior grade), while in active Federal service, shall, while so serving, be entitled to the rank, pay, and allowances of the grades to which they are temporarily appointed, (a) and shall be entitled to count such service as warrant or enlisted service for all purposes: *Provided*, That the Secretary of War is hereby authorized to designate by name a number of temporary chief warrant officers (not exceeding 1 percent of the maximum authorized number of permanent and temporary warrant officers) to receive the base pay and allowances provided by existing law for officers in the fourth pay period, and to designate by name an additional number of temporary chief warrant officers (not exceeding 2 percent of the maximum authorized number of temporary and permanent warrant officers) to receive the base pay and allowances provided by existing law for officers in the third pay period, but no chief warrant officer so designated shall receive such base pay and allowances except during the period prescribed by the Secretary of War. Such temporary appointees shall be entitled to the benefits of all existing laws and regulations governing retirement, pensions, and disability as are applicable to members of the Army of the United States when called or ordered into the active military service by the Federal Government under existing statutory authorizations. All persons temporarily appointed as chief warrant officers or as warrant officers (junior grade) in the Army of the United States under the authority of this section, shall, as long as they continue to hold such appointments, be available for assignment to active duty with any unit of the Army of the United States. Persons temporarily appointed as chief warrant officers or as warrant officers (junior grade), in the Army of the United States under the authority of this section who, at the time of their respective temporary appointments have a military status in the Army of the United States or any component thereof, may accept such temporary appointments without prejudice to the military status which they so held and upon termination of such temporary appointments such persons may revert to the grades which they held at the time of their temporary appointments.

SEC. 4. Warrant officers may be assigned to such duties as may be prescribed by the Secretary of War: *Provided*, That when such duties necessarily include those normally performed by commissioned officers they shall be vested with the power to perform such duties under regulations to be prescribed by the President: *Provided further*, That when a warrant officer is serving as assistant adjutant of any command, he shall have power to administer oaths for all purposes of military administration. Warrant officers appointed under existing laws, other than masters and chief engineers of the Army Mine Planter Service, shall be deemed to be warrant officers (junior grade), and masters and chief engineers of the Army Mine Planter Service shall be deemed to be chief warrant officers, on the date this act shall become effective. All warrant officers shall take rank next below second lieutenants and among themselves under regulations prescribed by the Secretary of War.

SEC. 5. Warrant officers shall be entitled to retirement under the same conditions as commissioned officers: *Provided*, That hereafter warrant officers may, in the discretion of the Secretary of War, be retired after 15 years of active service: *Provided further*, That a warrant officer retired after 15 years of active service shall receive retired pay at the rate of 2½ percent of his active pay multiplied by the number of complete years of active service in the Army, but not to exceed a total of 75 percent of his active pay.

SEC. 6. Subject to the provisions of this act, the Secretary of War is hereby authorized to prescribe such rules and regulations as he may deem necessary to govern and administer properly the personnel in the grades of chief warrant officer and warrant officer (junior grade), including warrant officers of the Army Mine Planter Service. This act shall become effective on the date specified in regulations issued by the Secretary of War, but not later than October 1, 1941.

SEC. 7. The provisions of any laws heretofore enacted which are in conflict with the provisions of this act are hereby repealed, except that appointments, temporary appointments, and promotions in the Army Mine Planter Service shall continue to be made as now provided for: *Provided*, That no rights or benefits to which warrant officers now in active service are entitled under existing laws shall be affected in any manner by reason of the enactment of this act: *Provided further*, That the provisions of this act shall not be retroactive and no back pay or allowances shall accrue by reason of the enactment of this act

With the following committee amendments:

Page 4, line 4, strike out "in" and insert "of."

Page 4, line 13, strike out "(a)."

Mr. MAY. Mr. Speaker, I move to strike out the last word for the purpose of making a very brief explanation of this bill for the benefit of the membership.

This bill creates a new rank of chief warrant officer. It does three things: First, it creates the rank of chief warrant officer; in the second place, it provides for the appointment of more than 600, which is the present limit in the existing law. In other words, it lifts that limit. It then provides for the grade of junior warrant officer.

The Committee on Military Affairs heard considerable testimony in reference to this matter and was well pleased with it. After that I took the precaution of appointing two members of the House Military Affairs Committee whom I thought best informed on the subject under consideration. They went over the bill and the committee amended it according to the report which they made to the whole committee. I think they did a good job and the bill should pass.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. MAY. Mr Speaker, by direction of the Committee on Military Affairs of the House, I call up the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, and I offer as an amendment to that bill the striking out of everything after the enacting clause and substituting the provisions of the House bill that has just been passed for the Senate bill.

The Clerk read the title of the bill.

The Clerk read the Senate bill as follows:

Be it enacted, etc., That hereafter there shall be two grades of warrant officers in the Army of the United States; first, chief warrant officer, who shall receive the same base pay as authorized by existing law for warrant officer, chief engineer, Army Mine Planter Service; and second, warrant officer (junior grade), who shall receive the same base pay and allowances as are authorized by existing law for warrant officers of the Army other than those of the Army Mine Planter Service: *Provided*, That warrant officers of the Army Mine Planter Service in the grade of master shall receive the same base pay as authorized by existing law: *Provided further*, That chief warrant officers shall receive the same money allowances for subsistence and rental of quarters as are authorized by existing laws for officers receiving the pay of the second pay period: *And provided further*, That all warrant officers shall receive, as a permanent addition to their pay, an increase of 5

percent of their base pay for each 4 years of active service now counted for pay purposes, not to exceed 25 percent.

SEC. 2. Hereafter the number of permanent appointments of warrant officers in the Regular Army, excluding those of the Army Mine Planter Service, shall be as prescribed by the President from time to time. Appointments shall be made and may be terminated by the Secretary of War in accordance with such regulations as he may prescribe from time to time: *Provided*, That whenever the authorized enlisted strength of the Regular Army shall exceed 280,000 the Secretary of War is authorized to make temporary appointments in the grades of chief warrant officer and warrant officer (junior grade): *Provided further*, That the total number of such temporary and perr anent appointments shall not exceed a number equal to 1 percent of the total authorized enlisted strength of the Regular Army: *And provided further*, That members of the Regular Army appointed as temporary chief warrant officers or warrant officers (junior grade) shall be entitled, while so serving, to the rank, pay, allowances, and retirement privileges of the grades to which they are temporarily appointed, and may revert to their original grades, upon honorable termination of their temporary appointments, under conditions to be prescribed by the Secretary of War.

SEC. 3. Promotions to the permanent grade of chief warrant officer shall be made by the Secretary of War from among those warrant officers (junior grade) who have completed a total of 10 years' active service either as warrant officers (junior grade) or as warrant officers under existing law, or both, subject to such examination as the Secretary of War may prescribe: *Provided*, That not more than 40 percent of the total actual number of warrant officers in active service shall be appointed in the grade of chief warrant officer: *Provided further*, That warrant officers appointed under existing laws, other than masters and chief engineers of the Army Mine Planter Service, shall be deemed to be warrant officers (junior grade), and masters and chief engineers of the Army Mine Planter Service shall be deemed to be chief warrant officers, on the date this act shall become effective: *And provided further*, That all warrant officers shall take rank next below second lieutenants and among themselves under regulations prescribed by the Secretary of War.

SEC. 4. Warrant officers may be assigned to such duties as may be prescribed by the Secretary of War: *Provided*, That when such duties necessarily include those normally performed by commissioned officers, they shall be vested with the power to perform such duties under regulations to be prescribed by the President: *Provided further*, That when a warrant officer is serving as assistant adjutant of any command, he shall have power to administer oaths for all purposes of military administration: *Provided further*, That warrant officers of the Army shall receive an increase of 50 percent of their pay when by orders of competent authority they are required to participate regularly and frequently in aerial flights, and when in consequence of such orders they do participate in regular and frequent aerial flights as defined by such Executive orders as have heretofore been, or may hereafter be, promulgated by the President.

SEC. 5. Warrant officers shall be entitled to retirement under the same conditions as commissioned officers: *Provided*, That hereafter warrant officers may, in the discretion of the Secretary of War, be retired after 15 years of active service: *Provided further*, That a warrant officer retired after 15 years of active service shall receive retired pay at the rate of 2½ percent of his active pay multiplied by the number of complete years of active service in the Army, but not to exceed a total of 75 percent of his active pay.

SEC. 6. Subject to the provisions of this act, the Secretary of War is hereby authorized to prescribe such rules and regulations as he may deem necessary to govern and administer properly the personnel in the grades of chief warrant officer and warrant officer (junior grade), including warrant officers of the Army Mine Planter Service. This act shall become effective on the date specified in regulations issued by the Secretary of War, but not later than July 1, 1941.

SEC. 7. The Secretary of War is authorized, during the period from the date this act shall become effective until June 30, 1943, to designate by name a number of chief warrant officers (not exceeding 1 percent of the maximum authorized number of warrant officers) to receive the base pay and allowances provided by existing law for officers in the fourth pay period, and to designate by name an additional number of chief warrant officers (not exceeding 2 percent of the maximum authorized number of warrant officers) to receive the base pay and allowances provided by existing law for officers in the third pay period, but no chief warrant officer so designated shall receive such base pay and allowances except during the period prescribed by the Secretary of War or for any period after June 30, 1943.

SEC. 8. The provisions of any laws heretofore enacted which are in conflict with the provisions of this act are hereby repealed, except that appointments, temporary appointments, and promotions in the Army Mine Planter Service shall continue to be made as now provided for: *Provided*, That no rights or benefits to which warrant officers now in active service are entitled under existing law shall be affected in any manner by reason of the enactment of this act: *Provided further*, That the provisions of this act shall not be retroactive and no back pay or allowances shall accrue by reason of the enactment of this act.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Kentucky [Mr. MAY].

The Clerk read as follows:

Amendment offered by Mr. MAY: Strike out all after the enacting clause and insert in lieu thereof the following:

"That hereafter there shall be two grades of warrant officers in the Army of the United States; first, chief warrant officer, who shall receive the same base pay as authorized by existing law for warrant officer, chief engineer, Army Mine Planter Service; and second, warrant officer (junior grade), who shall receive the same base pay and allowances as are authorized by existing law for warrant officers of the Army other than those of the Army Mine Planter Service: *Provided*, That warrant officers of the Army Mine Planter Service in the grade of master shall receive the same base pay as authorized by existing law. Chief warrant officers shall receive the same money allowances for subsistence and rental of quarters as are authorized by existing laws for officers receiving the pay of the second pay period, and all warrant officers shall receive, as a permanent addition to their pay, an increase of 5 percent of their base pay for each 4 years of active service now counted for pay purposes, not to exceed 25 percent.

"All warrant officers of the Army shall receive an increase of 50 percent of their pay when by orders of competent authority they are required to participate regularly and frequently in aerial flights, and when in consequence of such orders they do participate in regular and frequent aerial flights as defined by such Executive orders as have heretofore been, or may hereafter be, promulgated by the President.

"SEC. 2. Hereafter, original permanent appointments in the grade of warrant officer (junior grade) shall be made only from among those persons who have served at least 1 year on active duty in the Army of the United States, and original permanent appointments in the grade of chief warrant officer shall be made only from among those warrant officers who have completed at least a total of 10 years' active service, next preceding their appointment, either as warrant officer (junior grade) or as warrant officers under existing law, or both. All such permanent appointments shall be made in the Regular Army and may be terminated under such regulations as the Secretary of War shall prescribe, and the action of the Secretary of War in terminating the appointment of a warrant officer shall be final and conclusive. The total number of permanent appointments in the grades of chief warrant officer and warrant officer (junior grade) shall be as prescribed by the President from time to time, but shall not exceed 1 percent of the enlisted strength of the Regular Army as authorized by law: *Provided*, That not more than 40 percent of the total actual number of permanent warrant officers in active service shall be appointed in the grade of chief warrant officer: *And provided further*, That no person who is serving, or who has served, as an Army field clerk; a field clerk, Quartermaster Corps; or as a quartermaster clerk, shall be eligible for appointment in the grade of chief warrant officer.

"SEC. 3. In time of war or during the period of any national emergency declared by Congress or proclaimed by the President, the Secretary of War is authorized, under such regulations as he shall prescribe, to make temporary appointments in the grades of chief warrant officer and warrant officer (junior grade). Such temporary appointments shall be in the Army of the United States, shall not exceed a number equal to one-half of 1 percent of the enlisted strength of the Army of the United States in active military service, and shall remain in effect at the pleasure of the Secretary of War, but in no case shall they continue beyond 6 months after the termination of the war or period of national emergency. Persons appointed in the Army of the United States as temporary chief warrant officers or as temporary warrant officers (junior grade), while in active Federal service, shall, while so serving, be entitled to the rank, pay, and allowances of the grades to which they are temporarily appointed, and shall be entitled to count such service as warrant or enlisted service for all purposes: *Provided*, That the Secretary of War is hereby authorized to designate by name a number of temporary chief warrant officers (not exceeding 1 percent of the maximum authorized number of permanent and temporary warrant officers) to receive the base pay and allowances provided by existing law for officers in the fourth pay period, and to designate by name an additional number of temporary chief warrant officers (not exceeding 2 percent of the maximum authorized number of temporary and permanent warrant officers) to receive the base pay and allowances provided by existing law for officers in the third pay period, but no chief warrant officer so designated shall receive such base pay and allowances except during the period prescribed by the Secretary of War. Such temporary appointees shall be entitled to the benefits of all existing laws and regulations governing retirement, pensions, and disability as are applicable to members of the Army of the United States when called or ordered into the active military service by the Federal Government under existing statutory authorizations. All persons temporarily appointed as chief warrant officers or as warrant officers (junior grade) in the Army of the United States under the authority of this section, shall, as long as they continue to hold such appointments, be available for assignment to active duty with any unit of the Army of the United States. Persons temporarily appointed as chief warrant officers or as warrant officers (junior grade), in the Army of the United States under the authority of this section

who, at the time of their respective temporary appointments have a military status in the Army of the United States or any component thereof may accept such temporary appointments without prejudice to the military status which they so held and upon termination of such temporary appointments such persons may revert to the grades which they held at the time of their temporary appointments.

"SEC. 4. Warrant officers may be assigned to such duties as may be prescribed by the Secretary of War: *Provided*, That when such duties necessarily include those normally performed by commissioned officers they shall be vested with the power to perform such duties under regulations to be prescribed by the President: *Provided further*, That when a warrant officer is serving as assistant adjutant of any command, he shall have power to administer oaths for all purposes of military administration. Warrant officers appointed under existing laws, other than masters and chief engineers of the Army Mine Planter Service, shall be deemed to be warrant officers (junior grade), and masters and chief engineers of the Army Mine Planter Service shall be deemed to be chief warrant officers on the date this act shall become effective. All warrant officers shall take rank next below second lieutenants and among themselves under regulations prescribed by the Secretary of War.

"SEC. 5. Warrant officers shall be entitled to retirement under the same conditions as commissioned officers: *Provided*, That hereafter warrant officers may, in the discretion of the Secretary of War, be retired after 15 years of active service: *Provided further*, That a warrant officer retired after 15 years of active service shall receive retired pay at the rate of 2½ percent of his active pay multiplied by the number of complete years of active service in the Army, but not to exceed a total of 75 percent of his active pay.

"SEC. 6. Subject to the provisions of this act, the Secretary of War is hereby authorized to prescribe such rules and regulations as he may deem necessary to govern and administer properly the personnel in the grades of chief warrant officer and warrant officer (junior grade), including warrant officers of the Army Mine Planter Service. This act shall become effective on the date specified in regulations issued by the Secretary of War, but not later than October 1, 1941.

"SEC. 7. The provisions of any laws heretofore enacted which are in conflict with the provisions of this act are hereby repealed, except that appointments, temporary appointments, and promotions in the Army Mine Planter Service shall continue to be made as now provided for: *Provided*, That no rights or benefits to which warrant officers now in active service are entitled under existing laws shall be affected in any manner by reason of the enactment of this act: *Provided further*, That the provisions of this act shall not be retroactive and no back pay or allowances shall accrue by reason of the enactment of this act."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4851) was laid on the table.

MAINTAINING CORPS OF CADETS OF UNITED STATES MILITARY ACADEMY AT AUTHORIZED STRENGTH

Mr. MAY. Mr. Speaker, by direction of the Committee on Military Affairs, I call up the bill (S. 1447) making provision for maintaining the corps of cadets of the United States Military Academy at authorized strength, and I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. TARVER. I object, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, will the gentleman reserve his objection so that I may make a brief statement?

Mr. TARVER. I reserve the objection, Mr. Speaker.

Mr. ANDREWS. May I say to the gentleman that for the past 10 years we have been running on an average 140 deficiencies in the full complement at the Military Academy. Each Member of Congress at one time or another has a qualified alternate for whom there is no vacancy. The provisions of this bill in no way infringe upon the right of every Member of Congress to fill the regular vacancies as they come up, but any Member of the Congress in any year having a qualified alternate may be the beneficiary of the bill in that the academic board at the academy may select from the qualified alternates a sufficient number of qualified men to fill out the existing vacancies. Therefore the right of no Member of Congress is infringed in any way in regard to his regular appointment.

Mr. TARVER. May I say to the gentleman that the bill has only been called to my attention within the last few minutes. I was not aware that the committee proposed to call it up today. If I understand its provisions, they would amount to this, that if a Member of the House appoints a principal and alternates for admission to West Point, and all of them shall fail of admission, then not he but the academic board selects an appointee from among alternates named by other Members to fill that place, and there is not even any requirement that the appointee shall be selected from the State of the Member who made the original appointment. There is no requirement except that they shall be fairly apportioned, whatever that may mean, among the various States as a whole.

It occurs to me that with the great demand for the appointment of the sons of Army officers to West Point and their inability to get the Members' appointments they desire, it might be possible that appointees of Members would be rejected for admission to West Point in order that the Academic Board might take care of these sons of Army officers who are desirous of entering that institution. At least, I am impressed with the idea that this bill involves the surrender of very important privileges of the Members of this House.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Kentucky.

Mr. MAY. I call the gentleman's attention to the language on page 2 of the bill, which provides:

(1) Any appointment made under this subsection in any year to fill a vacancy in the number of cadets allowed at the Academy shall be in addition to all other appointments authorized by law, and without prejudice thereto.

This is an amendment inserted in the bill by the House Committee on Military Affairs because they hold the identical view the gentleman from Georgia holds. We were particularly anxious to see to it that the bill was not left in such shape that the favored sons of Army officers, as the gentleman says, could be put into the Academy in disregard of the rights of Members of the House.

Mr. TARVER. I regret that I disagree with the gentleman's conclusion that the provision to which he refers would have that effect. I believe that there is danger that the effect would be to bring about the disqualification of the regularly selected appointees in order to make room for these Army officers' sons. The fact that the Member might have the opportunity next year to appoint notwithstanding the appointment made by the Academic Board would not remove the objection which I made.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not true that even though it be an additional appointment, the Member whose principal and alternate failed would lose his appointment?

Mr. TARVER. Absolutely so; for the time being, at least.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from New York.

Mr. ANDREWS. I am sorry to say that both gentlemen are quite incorrect. The adoption of this bill would in no way infringe upon your own vacancies whenever they come up.

Mr. TARVER. At any rate, this bill is one of such importance that the usual rules of procedure for its consideration ought not to be waived. Therefore I am prepared to insist upon my objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. TARVER, Mr. LESINSKI, and Mr. SCHULTE objected.

The SPEAKER. Under the rule, the House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1447) making provision for maintaining the Corps of Cadets of the United States Military Academy at authorized strength, with Mr. SHEPPARD in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. MAY. Mr. Chairman, I yield myself 5 minutes.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. MAY. I yield to the gentleman from New York.

Mr. TABER. The result of this bill would be that all alternates of Presidential appointees and all alternates from all other sources would be eligible to appointments for the vacancies in our districts, where we had made appointments,

and the temptation would be upon the War Department to see that our appointees did not enter but that the appointments might be made under this bill from among the qualified alternates of Presidential appointees. That is the effect of this bill. It would create a great temptation to the Department to do just what it ought not to do.

Mr. MAY. That can happen only in the event the Member himself does not designate one of his alternates, and it would not happen under any other circumstances. This bill in no sense and in no manner bars the Members of the Congress from any of the rights they have under existing law, but it gives one additional alternate to each Member of Congress in addition to the ones he already has.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from New York.

Mr. ANDREWS. May I say to the gentleman from the Committee on Appropriations, the gentleman from New York [Mr. TABER], that his statement with regard to the effect of this bill is quite incorrect. Let me read section (1) on page 2:

(1) Any appointment made under this subsection in any year to fill a vacancy in the number of cadets allowed at the academy shall be in addition to all other appointments authorized by law, and without prejudice thereto.

May I say to the gentleman from New York, in order to explain the situation in his own district, that if he has a principal candidate and an alternate who passed this year, both eligible, but no vacancy exists in his district for the alternate, then the gentleman is the beneficiary of this bill in that his alternate may be taken by the academic board and go to the academy, without taking anything from any other Member of Congress. On the other hand, if the gentleman's principal candidate fails and his alternates all fail, any other alternate named to fill up the general deficiency of the academy would not infringe upon the gentleman's right to fill his own vacancy at any time.

Mr. TABER. But the temptation would be right there for the War Department to flunk the principal and the alternate from my district.

Mr. ANDREWS. The gentleman knows that is not correct.

Mr. TABER. I know from experience it is correct.

Mr. MAY. Mr. Chairman, I do not yield any further for a controversy between the two gentlemen from New York. There is one other thing I want to say about this bill before my time expires.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. MAY. Not just now. There is one other thing I desire to say about this measure before my time expires and that is that in the course of the hearings before the House Military Affairs Committee we were frankly told by the Superintendent of the academy at West Point that there was no effort on their part to take charge of any appointment due any Member of the House or any Senator, and furthermore they suggested to us a provision that is contained in this bill that would prevent the number of appointees to be selected from all going to some particular State where there was a larger number qualified than in other States.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Georgia.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield myself 5 additional minutes and yield to the gentleman from Georgia.

Mr. PACE. I would like to ask the gentleman if the whole trouble about which there is complaint would not be corrected if you simply permit each Member to designate four or five alternates for each principal so as to be sure that among the number each year there would be an alternate qualified as designated by the Member?

Mr. MAY. What we do in this bill is to increase the number of alternates from 2 to 3, and the purpose of the legislation is not to increase the number of principals but to enable the academy to provide for the entrance therein of about 150 vacancies that exist at the beginning of this school year. In other words, they have facilities for that many more cadets than they have now, due to the fact they have not qualified under previous appointments or nominations made by Representatives and Senators.

Mr. EDMISTON. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield.

Mr. EDMISTON. It seems to me, in this time of national defense stress, we should not waste the facilities we have appropriated for to educate another 140 or 150 West Point officers.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Virginia.

Mr. BLAND. Could not the difficulties referred to here be cured by making this applicable only for this year? The danger that is anticipated here seems to be for future years. Now it has been determined what the vacancies are and there is a need for these additional men. If it were to be made general legislation applicable in the future, probably it would need further consideration. But for this year there is so great a demand that there shall be officers, would not any objection be met by making it applicable only for this year?

Mr. MAY. That would probably correct some objections that are made to the bill, but the same condition might exist even next year or the year following or any subsequent year when they might have the same number of vacancies. However, I have no objection to such a provision.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Georgia.

Mr. TARVER. In furtherance of the suggestion made by the gentleman from Virginia [Mr. BLAND], if it should be made applicable to this year only, why should we not go further and require the selection to be made from among alternates named by Members of Congress?

Mr. MAY. That is exactly what the bill does.

Mr. TARVER. Oh, no; it permits the naming of Presidential alternates.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from New York.

Mr. ANDREWS. I think it might be wise to accept the amendment suggested by the gentleman from Virginia [Mr. BLAND] because I am quite certain that at the end of 1 year the great majority of the Congress will be so well informed on the situation that they will want to continue it permanently.

Mr. COSTELLO. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from California.

Mr. COSTELLO. With regard to the question of these appointments, I would call the gentleman's attention to the fact that the House committee struck out the language which appeared in line 5, page 2, of the Senate bill and provided that the appointments were to be made from qualified alternates, and the use of that language specifically limits them to the alternates appointed by Members of Congress, either of the House or the Senate, and, therefore, they have to be alternates appointed by the Members.

Mr. MAY. They cannot otherwise qualify, because their only method of qualifying them is upon the nomination of Members of the House or the Senators.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield.

Mr. TABER. They could also be from the Presidential alternates.

Mr. MAY. Oh, no.

Mr. TABER. Oh, yes.

Mr. MAY. No.

Mr. TABER. That is the way it reads.

Mr. FLANNERY. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman.

Mr. FLANNERY. If the expression "qualified alternates" means those recommended by Members of the Congress, why not say that and end this discussion? I would offer that as an amendment.

Mr. MAY. The words "eligible applicants" would include those who qualified by a college credit or a certificate of education filed with the academic board, but that cannot be done without having first been nominated or designated as an alternate or as a principal by a Member of the House or a Member of the Senate.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. MAY. In a moment. In line 5 on page 2, as stated by the gentleman from California [Mr. COSTELLO] we struck out the words "eligible applicants" and inserted the words "qualified alternates," which can include only those alternates nominated by a Representative or Senator. That is the only way they can be qualified.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Chairman, there is a complete misunderstanding about this bill. Nearly all the members of the House Committee on Military Affairs shared the same opinion that the gentleman from Georgia [Mr. TARVER] has when this bill first came to the committee from the Senate, and strenuous objection was made to the same. I was one of those objecting, and one of the reasons I objected so strenuously was that, if you will observe the language stricken out on page 2 of the Senate bill, the words "eligible applicants" would have included all Presidential applicants, provided they had passed, and they would be eligible for these appointments. The situation is this, and I would have no objection to limiting it to 1 or 2 years; but, as suggested by the gentleman from West Virginia [Mr. EDMISTON], we have a great plant at West Point, and, due partly to the fault of the Members of the House and the Members of the Senate, they have permitted their quotas to remain unfilled, until there are now 140 vacancies. There are sufficient facilities there to take care of the full quota of about 1,950. The War Department, acting in complete good faith, said, "Help us work out some plan by which we can fill our quota for the immediate future." So, when the House committee took up the bill, we struck out the words "eligible applicants," in line 5, page 2, and inserted the words "qualified alternates." When this bill was called on the Consent Calendar last Monday week, anticipating this question might be raised, I asked the War Department to give me an official letter on the subject, and if you will refer to the CONGRESSIONAL RECORD, page 5862, of July 7, you will find where I inserted the notes sent to me by the Secretary of War. Paragraph 2 of those notes says:

> The words "qualified alternates" were substituted for the words "eligible applicants" so as to assure that the appointments made by the Secretary of War to fill the vacancies in the number of cadets each year would be made from among the qualified alternates nominated by the Members of Congress. The change made here was deemed necessary in order to retain language in the bill which would carry out the apparent desires of the Senate as indicated by the language stricken from the measure by change (3).

I now invite the attention of the gentleman from New York [Mr. TABER] to this note from the Secretary of War to the committee:

> This change precludes consideration of any Presidential candidate who may have passed the required examination but who failed to secure an appointment because of his standing on the list of candidates.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. In a moment. Please follow me to where the committee struck out the last half of the paragraph (1) in lines 13, 14, and 15, and added this:

> shall be in addition to all other appointments authorized by law and without prejudice thereto.

If I may sum up the situation, it is this: This bill came here with the unanimous approval of the entire committee, after it had been rewritten. There are perhaps three or four hundred alternates over the country today who are qualified as a result of examinations and who were appointed by Senators and Representatives. It may be, as the gentleman from Georgia [Mr. TARVER] indicated, that we would have a very few who are the sons of Army officers, but if there is any son of an Army officer on that list of qualified alternates, some Senator or Representative appointed him, because he has no right there unless some Senator or Congressman did put him on that list. If he is on there he has the same rights and privileges as any other qualified alternate, and should have.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MAY. Mr. Chairman, I yield 5 minutes more to the gentleman.

Mr. THOMASON. These appointments would be made by the academic board on a merit basis and fairly apportioned among the several States. Many of you have qualified alternates and some will gain an extra appointment. It may be if you have no principal or alternate, who is now on the qualified list of alternates, then some colleague from your own State will have perhaps one or two boys who are qualified, and it may be that one of them will get it. It will go to your State and to one of your colleagues, but in nowise affect your rights. It does not affect the rights or privileges that a single Member has now, because his appointment only rides over until next year, just as it is doing now. It is only a means of filling up the present quota from qualified alternates in the several States.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. HARNESS. I think the gentleman has very ably explained this bill, and I think accurately. I think the gentleman should tell the Members of the House one thing, that if a Member of the House nominates a principal and alternates for the academy and all of them fail, he does not lose his appointment, but it carries over.

Mr. THOMASON. His rights are just exactly as they are under the law today. That vacancy rides over until next year, but it may be that some Congressman from your same State has two alternates who have passed and yet his principal passed and the academic board could take one of those boys. He would profit by the law and not hurt himself or anybody else.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. LEWIS. What is the meaning of "qualified"? That he has passed an examination?

Mr. THOMASON. Why, surely. That you appointed a principal and two alternates and that they passed physical and mental examinations, but perhaps your principal got in and you now have two qualified alternates, and it may be that my friend from Colorado would get one of these additional places, but it would not affect any other rights that you have now or would have next year in the appointment of the regular number of cadets.

Our committee has gone very carefully into this, because I share the view of Judge TARVER, in saying that I am not trying to give preference to sons of Army officers. I want to fill up that quota so long as the rights of every Member remain as they are today.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mrs. ROGERS of Massachusetts. Will the gentleman explain how the alternates will be divided among the different States?

Mr. THOMASON. That is left to the discretion of the academic board, but assurance was given in this statement that I placed in the RECORD that these appointments will be made upon a basis fairly representative of the States. If you will refer to lines 17, 18, 19, and 20, on page 2, you will observe "persons selected for appointment under this paragraph shall be those considered best qualified by the academic board fairly apportioned from year to year among the States."

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. ARENDS. The fact remains that if this legislation is defeated we simply fail to fill these vacancies at the academy, and while no Member of Congress gains in any way, he may lose?

Mr. THOMASON. Well, there are 140 vacancies to be taken care of, and this is the quickest and the best way to do it. Not a single right is lost.

Mr. TARVER. Will the gentleman yield?

Mr. THOMASON. I yield.

Mr. TARVER. If it is so necessary to fill these vacancies, why not let the Members themselves make appointments from eligible applicants?

Mr. THOMASON. Because it would probably result in unfairness, because my friend's principal may have passed, and yet he might also want to appoint a qualified alternate.

Mr. TARVER. Oh, no. This is a matter of filling vacancies. You say it is urgently necessary that the vacancies be filled. Appointees who have been named by a certain Member have not qualified. Why not give that Member 30 days or some other reasonable time to name an eligible alternate? Why leave the matter to the academic board?

Mr. THOMASON. Well, all right. Let us see if that would work out fairly. Suppose the gentleman's principal has already been admitted this year——

Mr. TARVER. But I am supposing a case where the principal and the alternates were all rejected. A vacancy exists in the district. Why should the Member not fill it?

Mr. THOMASON. If both your principal and alternates failed, you do not have anybody qualified to enter at all this year, and you should not have.

[Here the gavel fell.]

Mr MAY. Mr. Chairman, I yield the gentleman from Texas 5 additional minutes.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. TABER. The gentleman has overlooked the fact that the President makes alternate appointments as well as Members of the House and Senate.

Mr. THOMASON. Oh, but the gentleman is mistaken about that, because it says "qualified alternates," and the President cannot appoint one of your alternates to West Point.

Mr. TABER. But he appoints alternates to his own principal.

Mr. THOMASON. Oh, he has his own Presidential competitive examination, but if you will read the act it says not only "qualified alternates" but also if you will read the letter which the War Department sent me—and certainly we can rely on that—they say on page 5862 of the RECORD—

> This law precludes consideration of any Presidential candidate who may have passed the required examination—

And also says in that opinion from the War Department officially to me, which I placed in the RECORD at their request, that the words "qualified alternate" mean a qualified alternate nominated by Members of Congress.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. BULWINKLE. In order to settle this, you say there are 140 vacancies. Why did not your committee just bring in a bill giving each Senator 1 additional appointment?

Mr. THOMASON. The way the bill came over from the Senate it would have permitted the Senators to have named all of them or else qualified sons of Army officers. I do not believe you could work out a fairer solution of the problem than this bill.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. RABAUT. I want to ask this simple question: There are 140 vacancies. Evidently they were created by failure of candidates to make the grade. These vacancies are the result of the action of Members of the House and Members of the Senate in appointing people who did not make the grade. Why should not these appointments be returned to the particular Senators and Congressmen whose candidates failed to be appointed and let them name new men? That would be a simple answer to the question and solution of the problem. What is the gentleman's answer?

Mr. THOMASON. If a Congressman appoints a principal and two alternates and they should fail to pass both the physical and mental tests the Member's rights for the next year are not affected in any way whatever. You are certainly not entitled to an extra appointment if your principal and two alternates were all so dull that not one of them could pass.

Mr. RABAUT. This bill would pass the rights over to this board.

Mr. THOMASON. We do not pass the rights over to anybody.

Mr. RABAUT. Then leave it the way it is.

Mr. THOMASON. Nobody has lost any rights, and will not under this bill. You just do not understand it.

Mr. RABAUT. But the result is going to be that 140 more men will be appointed to the academy. Who is going to make the appointments?

Mr. THOMASON. The Members will still have their appointments from their States and the President will have his principals and alternates from his own competitive examination.

Mr. RABAUT. I am talking about the 140 additional.

Mr. THOMASON. That does not affect a Member's right of appointment. He will have the same number and the same rights as now.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. MAY. What the defeat of this bill would actually do would be to prevent Members of Congress from having 140 more of their alternates in school this year, yet the full cost of overhead and operation would go right on.

Mr. THOMASON. It sums up that no Member loses any right, but we are going to have 140 Senators and Congressmen pick up an additional alternate without having their status changed.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. WHITE. Under the mechanics of the bill will not some Congressmen and Senators have four candidates in the Academy, the principal and three alternates qualified?

Mr. THOMASON. No. We may assume there are perhaps 300 or 400 qualified alternates, but only 140 will be appointed.

Mr. EDMISTON. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. EDMISTON. In answer to the gentleman's question, the language of the bill states very clearly that they shall be apportioned from time to time among the States. No one man could get all three of them.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. TREADWAY. Mr. Chairman, in view of the excerpts of the letter from the War Department that the gentleman read referring to the fact that these qualified alternates should be from the list of alternates appointed by Members of Congress, would the gentleman and the committee accept an amendment reading in effect:

> From among the list of qualified alternates appointed by Members of Congress who shall be recommended by the Academy Board.

Mr. THOMASON. That would be very agreeable to me.

Mr. TREADWAY. Why should not that language be in the law rather than in a letter from the Department?

Mr. THOMASON. So far as I am concerned I will accept such an amendment. There was only one thought in the mind of the committee and that was to work out a solution of the problem which would be equitable.

Mr. TREADWAY. And the gentleman will accept the amendment?

Mr. THOMASON. I will accept it as far as I am concerned. I cannot speak for the chairman.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 3 additional minutes to the gentleman from Texas.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. HANCOCK. I think the House ought to be reminded of the fact that twice in recent years without any opposition whatever we have passed bills to authorize the Naval Academy to accept these qualified alternates.

Mr. THOMASON. The objective sought by this bill is exactly the same as that at Annapolis. The method of procedure may be a little different. I want especially to call the attention of Members to the fact that this bill also increases the alternates from two to three, which might prove very helpful to the Members.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. WHITTINGTON. With respect to the bills relating to the Naval Academy it is but fair to say that those bills were limited in duration to 1 year, whereas this is permanent law.

Mr. THOMASON. I do not object to that. The thing we want to do now is to help out the academy, and to give these young fellows who have qualified as alternates a chance to fill these vacancies. It will help them and not hurt us.

Mr. WHITTINGTON. My thought was that in comparing this with the Naval Academy bills the comparison is not exactly the same.

Mr. THOMASON. I think in some respects the Navy bill works unfairly, because I know that among Members from my own State some did not get a single appointment whereas others got two or three. The appointments ought to be apportioned fairly among the qualified alternates from each State.

Mr. ENGLEBRIGHT. Will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from California.

Mr. ENGLEBRIGHT. Suppose a State has one vacancy to be apportioned; suppose there are three congressional districts that have qualified alternates; which congressional district would be selected?

Mr. THOMASON. The authorities from West Point appeared before the committee and said that would be decided upon merit. They expect to make a full investigation of the boys to determine their mental and physical fitness, and select those best qualified.

Mr. ENGLEBRIGHT. In other words, the board would select the congressional district from which that alternate would come?

Mr. THOMASON. They would select the best boy from that State, without regard to congressional districts and I hope without regard to partisanship.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. FLANNERY. Will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Pennsylvania.

Mr. FLANNERY. Will the gentleman ascertain from his committee chairman whether or not the committee will accept the proposed amendment?

Mr. THOMASON. I will let him speak for himself.

Mr. KERR. Will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from North Carolina.

Mr. KERR. In the last analysis, this bill provides for the filling of 140 vacancies at West Point and it affects nobody's rights, is that correct?

Mr. THOMASON. It does not affect anybody's rights at all. At least, that is the unanimous opinion of the members of the committee.

Mr. WHITTINGTON. Would not the rights of the Members be better protected if a bill were passed or if a regulation were passed extending the time and giving the Member whose principal and alternates had failed the opportunity to submit the names of other alternates?

Mr. THOMASON. I would say that is a matter worthy of consideration, but you cannot do that in a day. This is a matter for immediate attention. Many Members have not read or studied this bill. They are permitting their prejudice to run away with them. The bill is fair and just and has the unanimous support of the Committee on Military Affairs.

Mr. WHITTINGTON. Yes; but you can do it in a month.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. ANDREWS], the ranking minority member of the House Military Affairs Committee.

The CHAIRMAN. The gentleman from New York [Mr. ANDREWS].

Mr. MAY. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman.

Mr. MAY. In view of the suggestion of the gentleman from Massachusetts [Mr. TREADWAY], and in order that all of this turmoil may be avoided, perhaps we could agree to an amendment reading something like this: After the words "qualified alternate", on page 2, line 6, insert the words "to be selected from lists of alternates named by Representatives and Senators."

Mr. WHITTINGTON. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is there any objection to a further amendment limiting the provisions of this bill to 1 year, as in the case of the Navy?

Mr. MAY. Yes; I object to that.

Mr. ANDREWS. Mr. Chairman, I have already discussed the language of this bill, but I would like to point out one or two things to some of those who seem to be wondering why there are 130 or 140 vacancies each year.

It happens that the full complement at the academy is about 1,960. Looking at the matter in a practical way, you may say there are 140 tops each year that are not used. In other words, the instructors in the set-up at the Military Academy could handle a full complement of 1,960, whereas on the average for 10 years there have been 120, 130, or 140 short after July 1 of each year. That is why occasionally one class is smaller than a succeeding class.

It is rather hard to realize that by simply selecting and filling for 1 year you will not destroy the natural vacancy of any Member of Congress when it occurs. I note that it is a perfectly natural concern of Members in regard to infringement upon their own rights, their districts, and their State, but I want to point out to those who suggest that this be limited to 1 year that a limitation to 1 year would make only those Members of the House and Senate who have qualified alternates this year the beneficiary of the act during the first year. By letting it go on as a permanent proposition any Member at any time who has a qualified alternate but no vacancy will at that time be the beneficiary of this act. It is equally fair to one Member of Congress as it is to the others.

Mr. GWYNNE. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Iowa.

Mr. GWYNNE. This bill will result in quite an increase in the total number at West Point?

Mr. ANDREWS. It results in no increase at West Point beyond the full complement at any one time, that is beyond 1960. It equalizes the classes. It will assist in the general program of instruction. It will bring us 140, on the average, qualified graduates of West Point each year in addition to what we have now. We are now somewhat behind.

Mr. KEEFE. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I am still a little bit in the dark as to the operations of this bill. Let us take this assumption: I have appointed a principal and two alternates to West Point. The principal and both alternates are rejected. Thus it created a vacancy that is credited to the district I represent.

Mr. ANDREWS. I understand that.

Mr. KEEFE. Now, under the terms of this bill that vacancy will be filled, if it still continues to exist 30 days before the 1st of July, as I understand it, in the manner indicated in this bill?

Mr. ANDREWS. No; the gentleman is incorrect.

Mr. KEEFE. I am seeking information. You are going to make an appointment to fill that vacancy.

Mr. ANDREWS. If your principal candidate and alternates have failed on July 1, that vacancy still accrues to you, and you may name a new principal candidate and new alternates for the vacancy the following year.

Mr. KEEFE. The gentleman is referring to the vacancies that now exist and that he says have existed year after year.

Mr. ANDREWS. There is no infringement whatever.

Mr. KEEFE. I am unable to understand how, if you fill those vacancies up to the apportioned or legal strength of the organization, you can help taking away from a Member of Congress a vacancy in his district. I cannot understand that, and I do not think other Members of Congress understand it. I wish the gentleman would explain it.

Mr. ANDREWS. Those vacancies might go for certain years. Your vacancies perhaps do not amount to one man each year. For instance, at Annapolis I happened to make three appointments in 1 year, and those three men go through together. I cannot make another appointment until those three men are out. But this system, with the overage of rooms at West Point, works out in such a way that on the average in 10 years, with every Congressman making appointments in the way you have, there have always been 120, 130, or 140 vacancies.

Mr. KEEFE. Then, if I understand the gentleman correctly, the assurance he gives the Members of Congress that the vacancy will not be filled is due to the fact that ordinarily, as he says, from year to year there is, as a usual number, from 120 to 140 vacancies.

Mr. ANDREWS. That is right.

Mr. KEEFE. But if those vacancies did not occur as they have occurred in the past, usually, and you fill this vacancy from my district——

Mr. ANDREWS. They do not fill the vacancies from the gentleman's district. These are in addition to all other vacancies.

May I point out to the gentleman from Wisconsin the language on page 2, line 11:

> Any appointment made under this subsection in any year to fill a vacancy in the number of cadets allowed at the academy shall be in addition to all other appointments authorized by law, and without prejudice thereto

Mr. KEEFE. Therefore I say to the gentleman that if every Member of Congress appointed a qualified principal who was accepted, you would not have any vacancies to make appointments to under this provision.

Mr. ANDREWS. There are not the same number of students in each class for the reason that appointments to vacancies do not come up from the Congress in equality each year. Does the gentleman understand that?

Mr. KEEFE. Yes; I understand that.

Mr. ANDREWS. That creates this situation.

Mr. KEEFE. There are vacancies that occur due to boys that have been accepted being kicked out during the course of the academic period; is not that true?

Mr. ANDREWS. Yes; that is true.

Mr. KEEFE. But you have a limitation of how many at West Point? What is the over-all limitation?

Mr. ANDREWS. One thousand nine hundred and sixty.

Mr. KEEFE. If every Member of Congress were to make his appointment of principals and alternates that were accepted every year, there would still be a deficiency?

Mr. ANDREWS. There would still be a deficiency.

Mr. KEEFE. Where would the deficiency arise?

Mr. ANDREWS. Because there is not an equal number of appointments that come up from the Congress each year.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Illinois.

Mr. ARENDS. And it is because some of the Members of Congress who have appointments cannot fill them every year. One Member just told me that his principal and alternate both failed and now he has a vacancy which he cannot fill at the present time, because it is too late, and that vacancy goes over until next year. In other words, there is 1 vacancy of the 140 or 150 that are available for those who are qualified.

Mr. COSTELLO. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from California.

Mr. COSTELLO. Is it a fact that the graduating class next year will provide a number of vacancies which it will be necessary to allow room for the Members to fill for the next year's class?

Mr. ANDREWS. That is correct.

Mr. COSTELLO. As a result of this bill, there may not be any vacancies.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Is not this bill very important as far as national defense is concerned, because you will have more carefully trained officers?

Mr. ANDREWS. It seems to me that is the sound thing to do, in that we take full advantage of the picture at West Point, and for our own benefit.

Mr. MAY. Mr. Chairman, I yield myself 1 minute to say that the gentleman from Georgia made the objection to this bill and, if I am not mistaken, my good friend the gentleman from Mississippi [Mr. WHITTINGTON] made the statement on the floor a while ago that he would take an hour's time on the bill, which he has the right to do. I merely wish to say that I am just as zealous in guarding the rights of the Members of the House in the selection of the students for that school as anybody else. The committee was particularly cautious about it. If time is desired by others, I shall be happy to yield to them as far as I have time; otherwise, after I yield 5 minutes to the gentleman from Pennsylvania [Mr. DITTER], I shall reserve the remainder of my time.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield myself 1 additional minute, and yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not true that under the terms of this bill the number of cadets at the academy will be increased?

Mr. MAY. That is correct. It is for the purpose of filling all vacancies.

Mr. WHITTINGTON. Not only for 1 year but for the subsequent years, inasmuch as the terms of the bill are not limited to 1 year. My question is this: If the number is to be increased and if the Member whose principal and alternates fail this year does not lose his rights, if he names two, if he is entitled to one this year where there is a failure and one next year, then how, unless you provide for a permanent increase in the number of students at the academy, will there be provision for them to go to the academy?

Mr. MAY. There will be no vacancies. If there are no vacancies, there will be no appointments. That is all that means. This is providing for 150 vacancies, and when they are filled, vacancies will occur in the regular way by graduations, resignations, deaths, and so forth.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield myself 2 additional minutes.

Mr. DITTER and Mr. WHITTINGTON rose.

Mr. MAY. I yield to the gentleman from Pennsylvania.

Mr. DITTER. Do I understand that the minority—and I speak not of the minority politically—have the right to request 1 hour's time; and is it the intention of the gentleman from Kentucky to accord to the minority 1 hour of time for debate?

Mr. MAY. The opposition is entitled to 1 hour's time, and, as I understand the rule, any Member of the House can take the 1 hour; but I was just trying to avoid that and trying to be agreeable, and I have said I would yield time to the gentleman, and I now yield him 5 minutes.

Mr. DITTER. Rather than accept the very gracious tender by the gentleman from Kentucky, I ask on behalf of the opposition the hour's time, and ask that it be yielded to me.

Mr. MAY. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Is the gentleman from Pennsylvania, a member of the minority party, a member of the committee that has this bill in charge?

Mr. DITTER. I cannot qualify, but I find the situation to be that the committee as a whole, both the minority and the majority, are in favor of the bill.

The CHAIRMAN. Is there a member of the minority party on the committee who desires recognition in opposition to the bill? If not, is there a member of the minority party who desires recognition in opposition to the bill?

Mr. DITTER. I shall be pleased to qualify, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania qualifies and is recognized for 1 hour.

Mr. MAY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MAY. Was my request to reserve the remainder of my time considered 'y the Chair?

The CHAIRMAN. The gentleman from Kentucky has 16 minutes remaining. The gentleman from Pennsylvania is recognized for 1 hour.

Mr. DITTER. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, when I objected to the consideration of this bill in the House as in Committee of the Whole, I had, as I then indicated, very little opportunity to study the provisions of the bill and I did feel that it is a subject matter that deserves the most careful scrutiny by the membership of the House and for that reason made the objection. Such further study as I have been able to give the matter and the consideration of the arguments which have been advanced in support of the bill, confirm me in my belief that this proposed legislation ought not to be enacted.

May I say at the beginning of my remarks that I do not conceive myself to be one of the Members of the House who would be directly affected. I have served in the House for 15 years. I have always made my appointments to West Point as a result of merit examinations held for me by the Civil Service Commission, and I have never had a vacancy not filled by either a principal or an alternate and I have never had a cadet to fail at West Point and to be discharged on account of such failure. So, if this bill had been in effect for the last 15 years, my district would not have been in any way affected thereby, but I am complaining of the principle which it is sought here to introduce into the legislation governing appointments to West Point, the abdication or proposed abdication of the House and the Senate as the responsible and capable authorities to be charged with the duty of selecting these cadets. Assuming that the present law is a wise law and that the membership of the House and the Senate is capable of making proper selections for admissions to West Point, there is no reason whatever for undertaking to relieve them of that responsibility in the event a vacancy, because of the failure of principals and alternates to qualify, shall come about in the academy at West Point from their districts. If it is better, under the circumstances detailed in the bill, that is, the occurrence of a vacancy by reason of the failure of principals and alternates to qualify, to have the academic board make the selections rather than the Members of the Congress, then it seems to me it would also be better to have the academic board make all selections. If they are better qualified to make selections to fill vacancies, why are they not better qualified to make selections to fill the original appointments, and why should we be charged with that responsibility at all?

There is no reason in the world that I can see for deleting the words "eligible applicants", in line 5, on page 2. I think

those words ought to be allowed to remain in the bill, and I further think that we should strike out the words in the following line "by the academic board" and insert "by Members of Congress from whose districts such vacancies exist", and allow to the Members of the Congress the privilege of naming qualified eligible applicants for admission to the Academy at West Point within a limited period of time.

A great deal has been said regarding whether or not this bill is in the interest of Army officers who are anxious to secure the admission of their sons to West Point and who, as we all know, have some difficulty in securing the number of appointments that they desire. I do not want to say anything that reflects upon the type of men whom we have in control of the War Department and its activity. I do not think anything may be appropriately said that does reflect on a great majority of them, but I was told by a Member of the House since this debate began that he made an appointment to West Point on the basis of merit examination, and appointed as a principal a young man who made the highest mark, and gave the appointment as the first alternate to the son of an army officer. I think gentlemen know the procedure usually followed. These young men come to our offices and they say, "If you can't give me a principal's place, give me an alternate's place."

I had a young man from California in my office yesterday with such a request. They want an appointment as a first or second alternate. This member yielded to an appeal of that sort, and appointed the son of an Army officer as his first alternate. What was the result? His highly qualified principal, who had established his eligibility as the result of examination and made the highest mark, was flunked, and the first alternate, the son of an Army officer, was permitted to enter. I am not saying that there was any maneuvering on the part of the officials of the War Department, or on the part of the academic board, to bring about that result, but I do believe that if you enact this into law, you will have a considerably larger percentage of your appointees as principals and alternates to West Point fail to make the grade, thereby creating vacancies for which these alternates who are the sons of Army officers may be considered then you have had heretofore. As I say, I have the highest regard for a vast majority of those who are connected with the administration of the affairs of the War Department, and I do not want to say that there are many politicians among them down there, but I can say from my examination of the work they have done in carrying out this defense program, that they do not decide everything on the basis of merit, by a long shot, and we have no reason to believe that in every case, in the selection of these alternates, if given the power, they will fairly apportion them over the country or that they are going to make their selections entirely upon the basis of merit. I do not think this legislation ought to be enacted into law. If it should be, then I think it is manifest that it ought to be changed in many vital particulars, and I think the Congress ought to reserve to itself the powers and privileges that it has had heretofore, and that if more men are needed in the academy the membership of Congress should be given the opportunity of selecting them.

The gentleman from New York [Mr. ANDREWS] rose a moment ago, and if he desires to ask a question now, I should be very glad to yield to him.

Mr. ANDREWS. Mr. Chairman, I am rather surprised at the gentleman's remarks in saying that all these things might be done by the War Department after the high regard he has expressed for the officers in that Department.

Mr. TARVER. Oh, I respect the great majority of them, but not all. May I say that I have observed recently in the decisions of the Department with reference to the location of defense activities of one sort and another, that many such decisions are being governed by petty politics rather than by merit, and I am not one of those who would entrust the responsibility heretofore devolving upon Members of Congress to the brass hats in the War Department. I say that with the utmost respect for the vast majority of those who are concerned in the administration of the affairs of that Department, but with the feeling that they have men down there who have not decided questions that come within their jurisdiction upon the basis of merit, and with the feeling that if this law is enacted, we will find that a great many of our principals and our alternates will fall down in order to make way for some alternate who is the son of an Army officer. As I said in the beginning, this is not a matter of any very great concern to me. I have never had all appointees for a cadetship fail. I have never had an unfilled vacancy, because I use the merit system, and so long as I follow the merit system in making appointments, I do not think I shall have.

Mr. MAY. If a man has no vacancies, and all of his appointees are qualified, he is not affected by this bill.

Mr. TARVER. Oh, I am not against the bill just upon the ground that my district would be affected. I do not expect to have any unfilled vacancies. I have never had one in 15 years, because I follow the merit system of making appointments, but I do think that you are much more likely to have a principal fail who has a first or second alternate who is the son of an Army officer.

I am afraid that that principal appointee of yours will be flunked in order to make way for the entrance of the son of an Army officer.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. MAY. Does the gentleman mean to say that an Army officer's son cannot get in unless some Representative or Senator nominates him?

Mr. TARVER. Oh, no; but I explained awhile ago, and I think the gentleman understood it, the method which is used by these Army officers' sons in trying to get in. They come around to your office and mine and they say, "We know you have to name a principal from your district, but give me the first or second alternate's place, although I do not live in your district." That is the way they get appointments from Members of the House and the Senate.

Mr. SMITH of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. SMITH of Connecticut. Is not that perfectly possible under the present system? If they were going to do it under this amendment, certainly they could do it today. If anyone gives an Army officer's son an appointment they could flunk the principal and put in the Army officer's son now, without this roundabout method.

Mr. TARVER. Oh, yes, that is true, but this is almost an express legislative mandate for bringing about that sort of a result.

I think this bill was fostered by the War Department with the Military Affairs Committee, which usually responds to every suggestion made by the Department, with the idea of trying to take care of these sons of Army officers. I think that is the objective that they had in view, and I do not think any other purpose could be served. If what they need is more cadets, then give to the Members of Congress authority within a reasonable time to name qualified cadets.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. VAN ZANDT. I wonder if the gentleman is not a little suspicious of this academic board when they start to fill vacancies?

Mr. TARVER. Well, I would rather trust Members of Congress than the academic board. If the academic board is the proper one to be trusted, then we ought to give them all the power to name all of the appointees to West Point, and not undertake to discharge a part of that responsibility ourselves and then give them authority in the event our appointees fail to enter.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman.

Mr. DONDERO. Does this bill make it more probable or less probable that a Member of Congress will have a right to make a selection rather than the academic board?

Mr. TARVER. Oh, I think it makes it more probable that the academic board will be allowed to make the selection, and I am fearful that the academic board will take steps to make the tests more rigid, either the physical test or the mental requirements more rigid so as to be sure that they will have places where they can take care of these Army officers' sons.

My observation is the Army goes about as far as any organization in the Government in taking care of itself. I think this is one of the ways it intends to try to take care of itself.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. HOLMES. There are about 140 vacancies today, according to the report?

Mr. TARVER. That is correct.

Mr. HOLMES. Those vacancies are caused because some members' principals or alternates failed?

Mr. TARVER. Yes.

Mr. HOLMES. And if this board fills those vacancies this year, how can they carry those over for the benefit of the Members next year?

Mr. TARVER. That is something for the members of the Military Affairs Committee to explain, but it is significant that the Military Affairs Committee, by amendment, struck out of this bill even the language which would have insured that the appointee named to fill a vacancy by the academic board should come from the State where the vacancy existed.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. DITTER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. TARVER. The language is on page 2 in line 13 and the succeeding lines, where it was provided in the Senate bill that appointments "for a Member of Congress from any State may be filled only by the appointment of a person who is a qualified alternate candidate from such State." They propose to strike that language from the bill and they propose to allow the naming of an alternate to fill the place from Michigan, from the State of Georgia, if the academic board decides to do it, or perhaps if the officer, whose son desires entrance to West Point should happen to be stationed at Fort Benning. In other words, the only limitation they have is that the number of alternates so appointed shall be fairly apportioned from year to year among the States. What is a fair apportionment is not a matter for mathematical determination. It is a matter for decision by this academic board.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. WHITTINGTON. If it so happens that there were no vacancies at all in any particular State, how could we by apportionment give that State representation in any year?

Mr. TARVER. If there were no vacancies from that State, I do not know just how it could be done, but this language proposed to be inserted in the bill by the committee is so general in character that it would depend on who was construing it as to just exactly what it does mean.

Mr. WHITTINGTON. Assuming there were 125 vacancies and there were 375 alternates, it might well be that many of those alternates would go in greater number to one State than to another, because it is left to the academic board?

Mr. TARVER. I think it would all depend on where the sons of the Army officers were located at the time the academic board made its decision.

That is all, Mr. Chairman, that I desire to say. I have tried to point out that the matter does not affect me directly one way or the other, but I think it is bad legislation and ought to be rejected.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, I have observed an increasing intolerance of those who disagree with the Military Affairs Committee on any proposition. I dislike very much to be an "aginer." I follow the Military Affairs Committee many, many times without question, and have shared in the high regard they on various occasions expressed for each other, but I am greatly disturbed when a man of the long experience of the gentleman from Georgia [Mr. TARVER] expresses concern over the steady growth of a military hierarchy in this country. We as Members of Congress have certain rights.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BENDER. No; not now.

It is getting so, however, that we are treated with such contempt that even a Member of the British Parliament comes over here and tells us we are not sensible.

I have had some experience with the brass hats. I have never been as high-pressured since I was elected to Congress as I have been on a number of occasions by Army officers who felt I was committing a sacrilege in not naming one of their sons to an alternate's position. It seems there is something in what the gentleman from Georgia [Mr. TARVER] says, that somehow or other they work this thing out so that it accrues to the advantage of the annointed individuals by whom we are being high-pressured to appoint their sons to these academies. I do not believe that because a man is a general or an officer he is any more nearly right on all occasions than is a Member of Congress or a member of any other group or body.

I pointed out this morning some of the terrible waste that is engaged in by the War Department in the issuance of this bulletin Citadels of Democracy. I know the printing business and have spent a lot of money for printing; I have had to do it in line of my duty. If you can produce a booklet like this for less than half a dollar you will be doing better than I believe possible when you consider the many illustrations, halftones, quality of paper, and all the expenses connected with it. I understand the War Department today has between 400 and 500 propagandists passing this sort of stuff on to you and me. Each of us got five of these booklets and I understand the newspaper men got a couple apiece, and that other copies were distributed wherever public opinion is molded. I understand the War Department has run out of copies, but intend to print many thousands more. Is this a part of the vital defense money we appropriated? It is high time we began questioning some of the things they ask us to concur in and provide money for. To me the spending of money for this publication is criminal. Day after day and month after month we are calling on our people for greater and greater sacrifice. This is issued in the name of national defense. How Hitler can be defeated by a publication like this is more than I can understand.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, does the gentleman from Kentucky intend to yield any time at this time?

Mr. MAY. Not until the gentleman from Pennsylvania is through.

Mr. DITTER. Mr. Chairman, I shall yield myself for the moment just 1 minute to say that I am rather surprised that the gentleman from Kentucky feels the defense must put on its case completely before he will yield any time to the proponents of the measure. Since he brings this bill to the floor, however, and finds himself in this very embarrassing position, I shall not embarrass him further and will continue to yield time to those who are in opposition. I cannot help expressing my surprise and disappointment at the weakness of the case of the proponents of the measure, that it is such they feel we must put on our case before they present the case for the bill.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield? I yielded to him. He should yield to me.

Mr. DITTER. Mr. Chairman, I yield myself 1 additional minute in order that I may yield to my distinguished colleague from New York.

Mr. ANDREWS. I merely want to state to the gentleman from Pennsylvania that this bill comes to the floor with the unanimous approval of the Committee on Military Affairs; and almost all members of the Military Affairs Committee have already spoken in favor of the bill.

Mr. DITTER. Mr. Chairman, of course my regard for my distinguished friend from New York would certainly prevent my saying anything in any way critical about his observation. The statement I made was a statement that applied wholly to my distinguished friend from Kentucky, whose refusal to yield time at that particular point was an indication of weakness rather than strength.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I now yield 5 minutes to my distinguished friend, the gentleman from Pennsylvania [Mr. MOSER].

Mr. MOSER. Mr. Chairman, Sunday's Washington Star published a list of 21 cadets admitted to the Military Academy this year from the District of Columbia. On the 2d of this month a bill passed the Senate to provide 15 appointments to the District of Columbia for the Naval Academy at Annapolis with the announced intention that it was in order to more equitably distribute the appointments between the different States and the District of Columbia.

Mr. Chairman, I come from a State with 10,000,000 population, and I feel safe in venturing to say that Pennsylvania is not sending 21 cadets to the Military Academy this year. I want to point out an experience I had last year. I nominated three young men to take the qualifying entrance mental examination to the Military Academy, in the relative order each had established for himself by open competitive preliminary examination conducted by the Civil Service Commission, the only method I pursue. The principal had National Guard training in Pennsylvania and also had a nomination by the Governor of Pennsylvania as

a National Guard nominee and competed for one of the 25 nominations accredited annually to the National Guard of the several States.

The first alternate had training at Fort Monroe, Va., and had a nomination from the Secretary of War. The second alternate showed up as having a nomination from the Secretary of War and the same training course at Fort Monroe, competing for 1 of 25 appointments from United States Army training courses to enlisted men.

A concrete example of how well commissioned officers manage to provide for their families is evidenced by investigation of a bill referred to me by the chairman of the Committee on Invalid Pensions, where the widow of a late admiral seeks a doubling of her pension as such because of being the widow of a high ranking officer. Her three sons are of record as being educated in the Naval Academy and commissioned, each having at least attained the rank of lieutenant, and I have been protestingly informed that all her daughters are married to naval officers.

In the case of these three nominations of mine last year, they all passed qualifying mental examination and had these other nominations in addition.

The young man who entered the academy was the principal. To determine his physical qualifications he was taken to the city of New York and placed in a dispensary there for a period of 8 or 10 days in order that they might be satisfied as to his physical condition, because he was in a high state of nervousness on account of his anxiety and zeal to enter the academy.

The second young man who had been at Fort Monroe and who had had frequent medical examinations and entered the Army for the purpose of getting the benefit of this training course. He had taken the competitive examination and stood No. 3 on the list for the entire United States. He was sent to Walter Reed Hospital and was kept there for something like 10 or 11 days for physical tests. He was rejected, presumably, so that No. 26 on the list could move up. His physical condition was presumed to have been approved. Had he been the principal nominee he would have entered by my appointment.

The young man who was 38 on the list fell by the wayside.

A bill passed the House by unanimous consent last year, affecting appointments and nominations to the Naval Academy, and that bill provided that where a Member of Congress had a principal and one, two, or three alternates who had passed the entrance examination, were all taken into the academy by the 10th day of last September and admitted, subject to qualifying physically, of course, to be given the benefit of the training and education there. There was nothing passed over to any academic board such as has aroused the suspicion of the gentleman from Georgia [Mr. TARVER], and from the experience I have cited, has aroused mine.

I would not want to impugn the integrity of anybody on the academic board, I would not want to impugn the integrity of a high-ranking officer of the Army, but it is a well-known fact that every one of us here has been canvassed very hard this year to give alternate nominations to boys who are sons of Army officers, some just out of high school right here in Washington. Thus, we have the system publicized in the District of Columbia where they have 21 cadets designated to the Military Academy this year from the District of Columbia and we have a bill that has already passed the Senate, now pending in the House Naval Affairs Committee, to give the District of Columbia 15 midshipmen at Annapolis, for the announced purpose of more equitably providing appointments for the District of Columbia as compared to the various States. We have States with a greater population than the District of Columbia that do not get 15 appointments.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, I have tried diligently to understand this legislation. I have asked numerous questions upon the floor and I have had a number of discussions out in the lobby with the proponents of this bill. I confess that I am still in a quandary as to the operation of this bill in the event it passes, and while I am thus minded, I cannot support legislation that I do not thoroughly understand. I am of the opinion, despite the assurances that have been given by many members of the House Military Affairs Committee, that there are a large number of Members on the floor this afternoon who are of the same opinion that I have just expressed.

The justification for this bill, as has been expressed repeatedly, is the fact that the enrolled strength permitted at the West Point Academy is 1,960. It is said that there is a vacancy list of 140 existing at the present time and that this bill proposes to recruit the strength of West Point up to its full capacity, namely, 1,960.

I understand from all of the arguments that have been made that the real purpose of this legislation is to permit the utilization of the facilities at West Point to the full extent of 1,960 enrollees, appointees, or cadets. If anybody challenges that statement to start with, I would like to have them do it. I understand there is no challenge to that statement.

It is a fact that is admitted and conceded by those with whom I have talked on the Military Affairs Committee that these 140 vacancies have been occasioned by a variety of reasons; first, due to the failure of Members of Congress to appoint qualified cadets that have been accepted; secondly, due to resignations from the academy; third, due to dismissals from the academy due to failure of cadets to meet the academic requirements even after they are admitted; and, fourth, due to graduations from the academy.

I have asked this simple question: I have under existing law the right to have in the Military Academy from the district I have the honor to represent three cadets. There are three cadets there now. We will assume that one of those cadets graduates this year, thus creating a vacancy which would automatically permit me to appoint a successor to fill that vacancy. If one of those cadets died I would have the right to appoint to that vacancy. If one of them resigned I would have the right to appoint to that vacancy. Thus the right to fill those vacancies is under the existing law in the hands of the Representative of the district to which those vacancies are credited.

If this bill passes, it will give the examining board the right to fill from the list of qualified alternates throughout the whole Nation 140 vacancies which they claim presently exist, and this will build up the strength of the academy to a full 1,960. I have made the assertion repeatedly to those with whom I have discussed the problem that if all of those who are appointed, starting August 1, 1941, remain in the academy during the full academic year, there will be no vacancies except the vacancies created by graduations next year.

Mr. ANDREWS. May I say that the gentleman is quite correct.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Wisconsin.

Mr. KEEFE. The distinguished gentleman from New York says that thus far I am absolutely correct. I am glad to have that admission thus far in the picture. The point he makes in his argument, as I understand, is that that will not affect my right to appoint to a vacancy that accrues to my district, because we are always going to have vacancies. There are always going to be resignations, there are always going to be deaths, there are always going to be cadets that are going to be kicked out, so that on a simple actuarial basis over a period of 10 years, he says, we have the expectation from past experience that there will always be from 120 to 140 vacancies.

If that so-called experience is not realized next year, then I certainly am going to lose my appointment, because the law limits the total number that can be appointed to West Point to 1,960. Therefore, it ought to be clear to the Members of Congress that when you vote upon this bill in the affirmative you are taking the chance that you may deny yourself the right to an appointment which would otherwise accrue to the district you represent. I confess that, of all the discussion that I have heard, I have yet to hear anybody that has offered a statement that would be proof convincing to me, at least, to the contrary.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, I rather hesitate to detain the House. I felt that in justice to the many young men from the district that I represent who want to go to West Point I should undertake, as their Representative, to protect their rights on the floor of the House. For that reason I wanted to get

some information from the Committee on Military Affairs respecting this bill, and I regret I have not received satisfactory answers to the questions I propounded to the chairman of the Military Affairs Committee.

I have high regard for the members of the committee, just as I have high regard for the members of the similar committee in another body, but, Mr. Chairman, when this bill passed the other body and came over to the House I was doubtful about its meaning. That is not the fault of the Committee on Military Affairs. I called up the proper officer in the Adjutant General's office in the War Department to ask that officer if under the terms of this bill as it passed the Senate if my candidate failed for this year, whether the academic board would automatically fill such vacancy. For the information of the House, I was informed by the officer that he could not tell me.

I then said, "I should like you to tell me what the bill means as it passed the other body." He said, "I have studied it diligently, and I am unable to advise you what it means."

When the Committee on Military Affairs, for whom I have high regard and whom I generally have followed, have stricken out certain language in one part of the bill; for instance, the language, "apportioned among the States," which was stricken out on page 3 and inserted on page 2, I, as a Member of this House, am just a little bit doubtful as to whether that has clarified the situation. For that reason I have propounded a number of questions that have occurred to me, and have received, as stated, no satisfactory replies.

Mr. Chairman, if we need cadets at the Military Academy, and if the committee will bring in a measure for filling the positions temporarily in this emergency, limiting it to this year, I will gladly follow the committee. That is exactly what was done last session by the Committee on Naval Affairs. That committee furnished each Member of Congress with a list of those who would be appointed, and the bill was applicable for 1 year and 1 year alone. I asked the distinguished chairman of the committee if the pending bill did not mean that the number of cadets in the academy would be increased under the terms of this bill, and he responded that they would not be increased. The chairman also stated he opposed limiting the bill to 1 year, in response to my questions.

It is said that the facilities contemplate 1,960 cadets at the academy, but that over a period of 10 years there have been annually between 125 and 140 cadets fewer than that number, from failures, and dismissals. I say that the officers in charge of the academy are not dealing fairly with Congress if they did not limit their requests for appropriations for operating the academy with the understanding that they needed 120 to 140 places fewer than are contemplated.

I am at a loss to understand—and it is not the fault of the committee—how, if we do not lose our appointments without increasing the number in the academy, and the number is filled this year, there will be adequate provision for those who are carried over where there are failures this year and our appointments that accrue next year are made and both appointees are qualified, assuming that we are going to fill all the places at present allowed to Members. I am unable to understand why this bill does not increase permanently the number of men in the academy. Until some member of the committee explains that situation to me I am doubtful about not only that provision of the bill but other provisions of the bill. How are you going to apportion these appointments in Mississippi, for instance, if there are no alternates that are qualified? How are you going to apportion them in Kentucky? I am not surprised that the officer in the War Department told me that he could not explain the terms of the Senate bill. I am unable to interpret satisfactorily the language of the House amendment.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from New York.

Mr. ANDREWS. There always are alternates who qualify.

Mr. WHITTINGTON. With all deference, let me say that there happens to be some cases in the State that I represent of alternates who are not qualified.

Mr. ANDREWS. In any one year that may be, but the next year or in other years you at times have qualified alternates.

Mr. WHITTINGTON. Yes; there is one thing we have been pretty careful about. We have determined the number of young men who may be sent to the academy from each State and each congressional district in the United States, but under the pending bill as the committee has reported it, I do not know what the number will be. You say you are going to leave it to the academic board. I believe we ought to be definite and certain and, if it is necessary to provide for these temporary appointments, bring in a bill for that purpose, limiting its provisions to the present calendar year. During the World War cadets were graduated, as I recall, in 2½ or 3 years. It occurs to me that Members in whose districts vacancies occur should be permitted to appoint principals and alternates where there have been failures so that the vacancies could be presently filled. There might be a delay of some 30 days but such delay would not be fatal, in their admission, and all States and districts would receive equal and fair treatment.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Mississippi.

Mr. WHITTINGTON. I am in sympathy, if you need men up there now at the academy, with bringing in a bill that will do that thing, but do not bring in a bill that will be permanent law and that will clog and render uncertain this matter for years to come. In my judgment, that is just what this bill will do. This bill is uncertain. Heretofore the number in the academy has been definitely fixed. The number is left to the academic board. It will be impossible to apportion. The qualified alternates should be limited to appointments by Members of Congress.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Virginia.

Mr. BLAND. I propose to offer an amendment to the effect that section 1 of this bill shall be effective only during the calendar year 1941, and no Senator, Representative, Delegate, or Resident Commissioner shall lose by reason of the passage of the bill any rights of appointment to which he is now or shall hereafter be entitled.

Mr. WHITTINGTON. That amendment is understandable, and I believe it will improve the bill.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Kentucky.

Mr. MAY. I not only will be willing to accept that amendment, but I have an amendment written out here that clears up the question in the mind of any honest man. This is a tempest in a teapot.

Mr. WHITTINGTON. It is not a question of honesty; it is a question of the uncertainty of the meaning of the pending bill and of the inability of the committee to answer satisfactorily pertinent questions that have been propounded, and to answer objections that have been offered to the bill. I believe that the tenor of the statement of the chairman of the committee is the strongest statement that could be made in opposition to the bill, and I rest my case with his statement.

[Here the gavel fell.]

Mr. DITTER. I yield 5 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Chairman, I start out by viewing with suspicion any measure coming out of the War or Navy Departments. Just recently I called up to find out how much bombers cost. The answer was they could not tell me because it was a military secret, but there were 500 newspapermen in Washington who knew what they cost, and all I had to do was to ask a group of them, and they were all ready with the figures.

One more little item to show you why I am suspicious. We are not getting any camps in the Northern States, and when I ask why, they say it is because of the cold weather. Well, how are we going to dispense the "four freedoms" with the aid of pal Joey unless we do a little fighting in Siberia and Alaska and Iceland and Greenland and northern Norway, and the Scandinavian Peninsula, and, perhaps, proceed against that great dictatorship, Finland?

I am wondering why, when the committee found out there were 120 to 140 vacancies every year in the academy—and, by the way, I wonder if we have been appropriating for those 120 to 140—why did not the committee say, "Well, let us give the Members of Congress the right to appoint these 120 to 140, apportioning

them to the several States according to population, and let the Congress make the appointments." No; you cannot do that, because we are in the business of taking powers away from Congress, not giving any powers to Congress. So we will start in by taking away from the Congress a few of the remaining prerogatives which it still holds, and I suspect next year we will have a bill limiting the number of pages we can appoint, and if there are any vacancies they can be appointed by the executive department. It is about the only thing we have left to appoint. We do not decide anything here any more. We are no longer a deliberative body. We just meet to pass what is handed out to us.

Now, the thing for us to do is to get our feet back on the ground and restrict the limitations that are being put upon us and reserve our own powers and keep them and hold on to them and quit letting everybody and anybody chisel away from us anything they see fit.

My appointments are not affected, because I have the civil-service board back home make the examinations for me, and I select from those that pass the examination, the highest as my appointee and the rest in rank as alternates. I never have any difficulty. They always pass, and they always do pretty well in the two academies. Why cannot the other States do the same thing? I see no reason for this legislation, but, of course, you have got to pass something or other to take power away from Congress.

I feel the thing for us to do is to put an end to this business of chiseling on our powers. Let us keep them, hang on to them, and say that this is far enough, we will keep these powers for ourselves.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield the remainder of my time to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, there is but one nation and one nation only in the entire world that can defeat the United States, and that is the United States itself, and we had better keep this fact in mind while we are considering legislation relating to national defense. The heart of national defense is the morale of those who must do the fighting and lead the fighting forces. We cannot afford to do anything in this Congress that will break the faith and the spirit or the morale of the young people of this country. What is it that is invincible in national defense? Those who have followed the line of battle in our wars bear witness to the fact that in the dying hour the soldier unclasps his weapon and reaches to his inner pocket to touch some faded letter or picture of wife or mother. That is evidence of the fact that men do not fight for the abstract rights of man alone, but for love of home and native land. Men fight to protect that which they love and in which they have faith. We cannot afford by any act of legislation to shake the faith of the young men of this country, the defenders of this country, in the fair-play spirit of their Government. I do not know how the rest of you handle your West Point and Annapolis appointments, but for 23 years I have had competitive examinations held in my district, and it is a tradition and a fact that the boys who receive the highest marks, whether they come from the homes of the rich or from the humble cottage, know that they will be the appointees. As a result of that system, boys no more than 10 years old in my district are aiming and pointing their educational course to the end that they may try a competitive examination for entrance to one of the two great institutions, West Point and Annapolis. Many of you are following a similar system, and you cannot afford now in the so-called hour of peril, to violate the good faith which you bear to those boys by changing one iota the system upon which they have come to rely. I know from experience that great pressure is brought to bear on me by Army officers who seem to think that their sons are better than the sons of somebody else because they are Army officers. If there is one thing that they should teach it is that the boys should be made to realize that every step they take in the progress of life must be based upon their own merit. The Army officer who endeavors to make out that his boy should have preference because his father has been an officer is making a grave mistake.

We cannot afford to degenerate into a military caste system in this country. One of the weaknesses of England today is the fact that she is constantly drawing from the families of the nobility for her officers in her Army and Navy. Some of the outstanding generals in our Army have come from the humblest homes. They have rendered historic, heroic service.

So I urge you, on these broad, general principles today, not to break faith with the boys of this country, whether rich or poor. If you keep faith with the young men you will build up their morale, which is the very heart of national defense. Without that morale you can build all the tanks, planes, and guns you like and you will not have a fighting army for your defense. So, I urge you today, if you feel you must fill up these so-called vacancies, to turn to those of the enlisted branch of the service and let them fill up the vacancies.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back 1 minute.

Mr. DITTER. Mr. Chairman, the only observation I would make at this time is that the splendid statements made by those who have opposed the bill indicate very definitely that the bill is subject to substantial objection. If the 140 vacancies must be filled now, why not give the enlisted force the opportunity of filling those vacancies and give the enlisted man the urge of promotion; that would certainly do much for the morale of the entire establishment.

No better incentive could be provided to the men in the ranks than the opportunity for promotion. As these opportunities are enlarged, as these choicer posts are made available to the enlisted personnel, the urge becomes the greater to extend effort looking toward advancement and promotion. The morale of the men is a factor that should be a matter of primary concern. As the morale of the men develops, so the efficiency of the Army develops. As the means for advancement are made the greater, as the latitude of opportunities is made the wider, the spirit of the men is quickened.

Again it should be pointed out that this proposal cannot be considered as an emergency move. Such men as would be appointed to West Point under the provisions of this bill will not be available for service for years. In the meantime, R. O. T. C. units at our colleges are giving courses which will enable the training of men for more immediate need.

I fail to see any justification whatever for the enactment of the measure. Certainly no persuasive or convincing arguments have been advanced by the proponents which would warrant a departure from established practices. It is high time, Mr. Chairman, that this Congress take notice of the threat of a military domination which can very easily be advanced by the enactment of measures such as this.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Kentucky [Mr. MAY] has 16 minutes remaining.

Mr. MAY. Mr. Chairman, I yield to the gentleman from New York [Mr. ANDREWS] 2 minutes.

Mr. ANDREWS. Mr. Chairman, following the remarks of the gentleman from New York [Mr. REED], I will say, with the same realization of our point of view toward young men who wish to be candidates for the Military Academy, very plainly and simply all this bill does and all the Military Affairs Committee had in mind was that, realizing that every boy who is named as an alternate is selected by his Member of Congress, the only beneficiary of this bill is the Member of Congress himself and the alternate whom he has named and who is qualified. Everyone here will at one time or another have a qualified alternate who may, unless this legislation is passed, not have an opportunity to go to West Point. That is all there is to it. There is no infringement whatever on any Member of Congress or any Member of the Senate so far as his rights are concerned.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield to the gentleman from California [Mr. COSTELLO] 5 minutes.

Mr. COSTELLO. Mr. Chairman, almost invariably the opposition has come into the Well and stated that while they did not distrust the War Department, yet they indicated that they did to a great extent. One Member said he was suspicious of any matter that came out of the War Department. Another said that while he did not impugn the motives of the academic board, he inferred very definitely that he would not trust them. The fact is that the entrance examinations today are being handled by the academic board. If the academic board wanted the principals to fail in the examination in order that an Army officer's son might be appointed, they could do it now. I

think to infer that this legislation is being brought in for some ulterior motive of that kind is not only unfair but is certainly far from being warranted.

I think if the Members of the House would look at this bill and read the language they would dissipate all their doubts regarding the effects of this legislation. On page 2, line 12, the language reads:

To fill a vacancy in the number of cadets.

That does not say to take a vacancy away from any Member of the House, but "to fill a vacancy in the number of cadets." In other words, to keep the corps of cadets at West Point at its full number. The result would be that if you have a vacancy now, and you are unable to fill it, a boy would be sent to the academy to occupy the space, and next year you would have the same right you now have of filling the vacancy. You could not do it now. You can do it next year. You still will be able to do it under this bill.

The question arises, How are you going to get the space? We had a flare of mathematics awhile ago. We appoint 140 this year and 140 next year and we are up to 280. Under this bill we may appoint 140 boys right now. That would fill the academy and the only vacancies that would occur would be when the class graduated next year. You, by naming your candidates next year, would fill up the space of the graduating class and it is quite possible that next year the academic board would not be able to appoint 10 boys, because they have filled all the vacancies this year, and that annual vacancy that goes on from year to year would not occur. It might require 4 years before the academic board would have an opportunity to again appoint a new 140 boys, namely, when this group has gone out—when these vacancies that have existed right along again recur by reason of graduation.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. COSTELLO. I yield.

Mr. COOLEY. How many cadets do you have at West Point regularly?

Mr. COSTELLO. They are authorized to have 1,960. There are approximately 120 to 140 vacancies at all times.

Mr. COOLEY. When you have a vacancy at West Point that vacancy belongs to some certain congressional district in this country, does it not?

Mr. COSTELLO. The gentleman is correct.

Mr. COOLEY. And when you permit the academic board to fill that vacancy you certainly are increasing the number, if you are going to permit the congressional district to fill the vacancy next year.

Mr. COSTELLO. I may state to the gentleman very definitely that the language of the bill provides that these appointments shall be in addition to all other appointments.

Mr. COOLEY. Then, one further question, if the gentleman will permit: Suppose we are increasing the number of cadets at the academy——

Mr. COSTELLO. No; we are not increasing the total number of students at the academy, because there are accommodations for 1,960. Annually there are over 100 places vacant. What we are doing is authorizing the academic board to fill these places that the Members of Congress or the President could not fill, or that were not filled for various reasons.

Mr. COOLEY. Let us say there will be a vacancy next year.

Mr. COSTELLO. The gentleman will find that unless this bill is passed there will still be 140 vacancies next year and the year after.

Mr. COOLEY. That is problematical.

Mr. COSTELLO. Oh, no. That has been shown year after year.

Mr. COOLEY. What is the objection to letting Members of Congress fill the additional vacancies?

Mr. COSTELLO. Unless the board is given the power to fill the vacancies, they will remain. It is only because the Members of Congress who have vacancies do not have available candidates, eligible for admission now, that this proposal has been offered.

The sole purpose of the legislation is to fill these vacancies at this time in order that we may have the students in the academy. The method of filling these vacancies is the same as was proposed and accepted in filling the vacancies at the Naval Academy, only we are not increasing the number of cadets and instead of the President appointing all eligible alternates of the past 2 years, the academic board would be given authority to appoint approximately half of the eligible alternates of this year.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIRMAN. The gentleman from Kentucky has 9 minutes remaining.

Mr. MAY. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Kentucky is recognized for 5 minutes.

Mr. MAY. Mr. Chairman, I could very easily settle this question by withdrawing this bill or moving to recommit it to the House Military Affairs Committee, but there are two very good reasons why I do not want to do that and why I am not going to do it. The first reason is that the Congress has appropriated the taxpayers' money to provide certain facilities at the academy at West Point, N. Y.; and this academy has from 125 to 140 vacancies there now, and has had year after year, due to failure of Members of Congress, for one reason or another, to fill the vacancies.

The reason I am not willing to see this bill scuttled is the fact that I do not want to deny to 140 young men in this country who have been passed back on account of the principals' qualifying, an opportunity to get an education; and I do not want to have my colleagues going back to their districts and being asked by their young constituents why they voted against the bill that might have given them an opportunity to get into the academy.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield.

Mr. ELSTON. Is it not a fact that if these vacancies are not filled in accordance with the provisions of this bill they will not be filled at all?

Mr. MAY. I think that is true, and I think that will be the result.

The other reason I do not want to see this bill defeated and why I am not willing to scuttle it is that the evidence before the Military Affairs Committee was conclusive on the fact that we need officers in the Army. The same day we reported out this bill we authorized the United States War Department to provide for temporary promotions in order to get officers for the personnel of the Army.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MAY. Not just now.

Then there is an additional reason why I do not want to see the bill defeated, and that is that I should have to explain perhaps to some of my constituents that I voted for appropriations here for the maintenance of 1,960 students at the West Point Military Academy and then I voted against the bill that would authorize the filling of these vacancies and using the facilities of the academy.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. MAY. In just a minute. I am sorry. I have just a few minutes remaining.

Now I want to give attention to the attitude of my friend the gentleman from Pennsylvania [Mr. DITTER]. He started out by charging me with being unfair about this legislation. Now, let us see how unfair I was. I rose on the floor and asked if any other gentleman wanted any time, and I called the special attention of the gentleman from Georgia [Mr. TARVER] and the gentleman from Mississippi [Mr. WHITTINGTON], who had said he would perhaps take an hour's time, and asked them if they desired time. The next thing I did was to turn to the gentleman from Pennsylvania [Mr. DITTER] and ask him if he desired time. I yielded him 5 minutes. He said he declined my generosity and would take an hour's time. Then he yielded to everybody else and at the end took but 1 minute.

Mr. BULWINKLE. Will the gentleman let me ask a question now?

Mr. MAY. Yes; I always yield to my good friend from North Carolina.

Mr. BULWINKLE. The gentleman has stated that he is not willing to go back to his constituents and tell them he has voted for appropriations for 1,960 students. The gentleman has been doing that for the last 5 years, since he has been chairman of the committee, has he not?

Mr. MAY. I said I was not willing to go back to face my constituents and tell them I had been voting for appropriations and at the same time voting against an opportunity for some young man in my district to avail himself of the money which I voted.

Mr. BULWINKLE. Why did not the gentleman bring in a bill before this, then?

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield myself the remainder of my time.

The CHAIRMAN. The gentleman is recognized for 4 minutes.

Mr. MAY. Mr. Chairman, I have been very unfair again—and I hope my colleagues will get this—I agreed to accept an amendment suggested by the gentleman from Massachusetts [Mr. TREADWAY] that would strike out the words "qualified alternate" and substitute in lieu thereof the language that the persons nominated should be selected from a list of qualified alternates appointed by Members of Congress. In addition to that I announced that I would accept an amendment to be offered by the gentleman from Virginia that would tighten up, that would make definite and certain beyond any question, that these alternates are to be selected by the Members of Congress and not by the so-called brass hats. Let me make this statement, that the United States Army does not have one thing in the world to do with the selection of these cadets. They are selected on nominations made by Representatives and Senators and on nominations made by the President from the lists submitted by the Senators and Representatives, and they cannot go outside of it. Some gentlemen take the board to task. I do not know a man on the academic board; not one, but I do know that over the years I have been in Congress I have had to leave it to that academic board, and whether you pass this bill or not, you are going to leave it to the academic board. I am not willing to say that a board that has been fair enough to allow 150 vacancies to exist in the academy for several years is going to start out this year and put a lot of sons of Army officers in the academy, and they cannot do it unless some Congressman has nominated the boy.

May I add one thing more. I had a lady in my office this morning from Pittsburgh, Pa., who wanted one of these appointments for her boy. I told her plainly that under the law he had to come from my district, and that is the only place he could come from. Every eligible must be an actual resident of the district of the Congressman nominating him.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 1317 of the Revised Statutes is amended to read as follows:

"SEC. 1317. (a) Cadets shall be appointed during the year prior to the time of their admission to the academy, except in cases where, by reason of death or other cause, a vacancy occurs which cannot be provided for by such appointment in advance: *Provided*, That all appointments of cadets for any class, except appointments made under subsection (b) of this section, shall be made prior to the thirtieth day preceding the prescribed time for the admission of such class to the academy.

"(b) After such thirtieth day, appointments may be made by the Secretary of War from among eligible applicants recommended by the academic board, to fill any vacancy in the number of cadets authorized at the academy by other provisions of law which has not been filled by an appointment made prior to such thirtieth day, subject to the following limitations:

"(1) Any appointment made under this subsection in any year to fill a vacancy in the number of cadets allowed at the academy for a Member of Congress from any State may be filled only by the appointment of a person who is a qualified alternate candidate from such State. Persons selected for appointment under this paragraph shall be those considered best qualified by the academic board.

"(2) The total number of cadets appointed under this subsection for admission in any class shall not exceed that number which the academic board determines will result in the admission of the desirable number of cadets in such class.

"(3) Appointments made under subsection (b) shall be as fairly apportioned as is practicable, from year to year, among the States from which such appointments may be made.

"(c) For the purposes of subsection (b) of this section—

"(1) the term 'Member of Congress' means Senator, Representative, Delegate in Congress, or Resident Commissioner from Puerto Rico.

"(2) the term 'State' includes the District of Columbia, Alaska, Hawaii, and Puerto Rico.

"(d) No pay or other allowances shall be given to any appointee to the academy until he shall have been regularly admitted and all appointments shall be conditional until the provisions relating to admission shall have been complied with."

Mr. TARVER. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. TARVER moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. TARVER. Mr. Chairman, I am offering this motion at the present time in order to ascertain the sentiment of the Committee of the Whole with regard to whether or not it desires to consume the time which would be necessary in the consideration of the various amendments which undoubtedly will be offered. Many Members of the House—whether they constitute the majority or not may be determined by the vote on this motion—are of the opinion that the responsibility for making any further necessary appointments to West Point should devolve upon the Members of Congress, and that the effort to shift a portion of the existing responsibility to the academic board is not justified and should not be considered.

It will require only a brief time for the Committee on Military Affairs, if it desires to have these appointments filled, to report to the House legislation which would authorize the making of the necessary appointments by the membership of the House and Senate. If we proceed with the consideration of the bill, undoubtedly the amendments which have been referred to in the discussion by the chairman of the committee will be considered and perhaps voted, but I think we should remember that, after all, this being a Senate bill, the subject matter of the differences raised by the House amendments to the Senate bill will be the subject matter of conference. On that conference committee there will serve gentlemen who are unanimously in favor of this bill as it has been reported to the House. So the fact you may obtain some amendments today which, in your opinion, ameliorate some of the possible errors in the language of the bill does not mean that in its final enactment after the conferees have acted and reported there will be any substantial difference.

It seems to me that now is the time for us to determine, without consuming further time unless that is necessary, whether or not the House desires to consider this particular legislation further, and it is for that reason that I have offered the motion.

Mr. WADSWORTH. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from New York.

Mr. WADSWORTH. I gathered from the first portion of the gentleman's remarks that he suggests that the Committee on Military Affairs give consideration to a proposal that the Members of Congress select the men to fill the 140 vacancies?

Mr. TARVER. Fill whatever places it may be necessary in our present defense situation to fill at West Point. The responsibility of naming the cadets should rest on Congress and there is no reason why it should be shifted to the academic board.

Mr. WADSWORTH. Assuming that that there are 140 vacancies now in the academy and the gentleman urges that the Members of the House and the Senate fill them, which 140 Members of the House and Senate will do the filling?

Mr. TARVER. I am not suggesting that there are only 140 places which ought to be filled under the necessities of the defense program. The committee should determine, not how many vacancies may exist but how many men are needed for training in this present emergency. The committee should work that out. That is your responsibility. Some equitable method of apportioning these appointments between the membership of the House and Senate should be worked out by that committee.

Mr. VINCENT of Kentucky. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Kentucky.

Mr. VINCENT of Kentucky. In answer to the gentleman's question, may I say that you would fill them from the congressional district in which the vacancies exist. They exist by districts.

Mr. TARVER. I would prefer to answer the question by saying that the method of approach to the question is one within the responsibility of his committee. The question here to be determined is whether or not the responsibility shall be shifted from the House and the Senate, where it rests at present, to the academic board, and I insist that if that should be done with regard to these vacancies it should be done with all such appointments.

Mr. COOLEY. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from North Carolina.

Mr. COOLEY. The chairman of the committee made the statement that the

War Department needed more officers in the Army. Is it not a fact that they are not conducting officers' training schools? Is it not a further fact they are not granting any commissions in the Reserve Corps at the present time because, they say, they have all the officers and more than they need?

Mr. TARVER. I am not in position to answer the gentleman's question with authority.

Mr. WADSWORTH. Training schools have been started.

Mr. EDMISTON. And there are 2,500 men in them now.

Mr. WADSWORTH. The gentleman's information is not up to date.

[Here the gavel fell.]

Mr. SMITH of Connecticut. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I am opposed to this preferential motion because the arguments which have been made have already been considered by your committee and language has been adopted to meet the arguments which have been brought up.

I believe there is considerable confusion about the situation, but we know there is an average number of vacancies at the academy. If we want to increase the enrollment of the academy in the normal course by that many, and fill them in the normal way, we would have the full number of 1,960 men in the academy and we still would have about the same average number of vacancies. What we do here in effect is to increase the total number authorized in the academy to the extent that will bring into the academy the full number of 1,960 men. We do that in a way which will enable men to be taken from among the alternates we have named and no one else, after the normal method of appointment has been followed and vacancies exist; we take men from among the alternates we have named who have already qualified and fill those vacancies to bring the academy up to the full number.

We provide specifically that this shall be in addition to the normal methods of appointment, so that it will not take away a single appointment from any Member. In other words, we name our men to fill positions, and in the bill we increase the number of alternates by one so that they take the examinations. If the alternates do not pass at the time the examinations are held, so there is no one from my district, for instance, qualified to enter the academy, instead of leaving that space in the academy vacant they will take someone else who has taken the examination, someone who has been named by another Member of Congress as an alternate and who has passed the examination, and fill that vacant place. However, I still would have the vacancy to fill next year as I normally would if this bill were not passed. All we do is to take from among the alternates named by Members enough men to fill up the vacant places.

We went over this bill very carefully. I believe the language of the bill as drawn, and certainly with the one or two amendments which will be accepted, meets every objection that has been raised to it. Therefore, I ask that this motion be defeated.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Connecticut. I yield to the gentleman from North Carolina.

Mr. COOLEY. The more vacancies that exist the more appointments will be made by the academic board.

Mr. SMITH of Connecticut. The more vacancies that exist, the more other alternates appointed by us will be used to fill them.

Mr. COOLEY. The gentleman said "appointed by us," but the fact remains that if a vacancy exists in my congressional district, which does not happen to be the case, the academic board could appoint someone from the gentleman's district to fill the vacancy which under the law belongs to the Fourth Congressional District of North Carolina.

Mr. SMITH of Connecticut. No; that vacancy which belongs to the Fourth Congressional District of North Carolina still exists, as it does under present law. If this bill were not passed the gentleman would fill that vacancy next year, but there is a place at the academy vacant so we increase the number of men actually at the academy up to the number authorized and say that from the pool of qualified alternates named by all Members of Congress the academic board can take a man to use that space during this time when the gentleman would not have filled it; but the vacancy still exists.

Mr. COOLEY. After this bill has operated for 4 or 5 years how many men will be at the academy? Far in excess of the 1,960 men.

Mr. SMITH of Connecticut. No; because it only authorizes sufficient to bring it up to that total number.

[Here the gavel fell.]

The CHAIRMAN. The question is on the motion offered by the gentleman from Georgia [Mr. TARVER].

The question was taken; and on a division (demanded by Mr. MAY) there were—ayes 113, noes 57.

So the motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOEHNE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (S. 1447) making provision for maintaining the Corps of Cadets of the United States Military Academy at authorized strength, had directed him to report the same back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on the recommendation of the Committee of the Whole House on the state of the Union that the enacting clause be stricken out.

The question was taken; and on a division (demanded by Mr. MAY) there were—ayes 122, noes 53.

Mr. MAY. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 199, nays 96, not voting 137, as follows:

[Roll No. 92]

YEAS—199

Allen, La.	Grant, Ala.	Pittenger
Anderson, Calif.	Guyer, Kans.	Plauché
Anderson, N. Mex.	Grant, Ind.	Powers
	Gwynne	Rabaut
Andresen, August H.	Halleck	Ramsay
	Hare	Randolph
Angell	Harris, Ark.	Rankin, Miss.
Barnes	Harris, Va.	Reece, Tenn.
Bates, Ky.	Hart	Reed, Ill.
Bates, Mass.	Heffernan	Reed, N. Y.
Bell	Heidinger	Rich
Bender	Hendricks	Rizley
Bennett	Hill, Colo.	Robertson, N. Dak.
Boehne	Hobbs	
Bonner	Holmes	Robinson, Utah
Boren	Hook	Rodgers, Pa.
Bradley, Pa.	Houston	Rogers, Okla.
Brown, Ga.	Howell	Rolph
Bryson	Hunter	Sabath
Buck	Jackson	Sanders
Bulwinkle	Jarrett	Sauthoff
Butler	Jennings	Schuetz
Byron	Jensen	Schulte
Camp	Johns	Scrugham
Cannon, Fla.	Johnson, Calif.	Secrest
Carlson	Johnson, Ill.	Shanley
Carter	Johnson, Ind.	Shannon
Case, S. Dak.	Johnson, Okla.	Sheppard
Chapman	Jones	Sikes
Chenoweth	Jonkman	Simpson
Chiperfield	Kee	Smith, Wash.
Clark	Keefe	Springer
Claypool	Kinzer	Stefan
Clevenger	Kirwan	Stevenson
Coffee, Nebr.	Kocialkowski	Stratton
Cooley	Lambertson	Sullivan
Cox	Landis	Sutphin
Cravens	Leavy	Sweeney
Creal	LeCompte	Taber
Crowther	Lesinski	Talle
Cullen	Ludlow	Tarver
Cunningham	Lynch	Tenerowicz
Curtis	McGehee	Thill
Day	McIntyre	Thom
Dickstein	McKeough	Tibbott
Dingell	McLaughlin	Tinkham
Ditter	McMillan	Tolan
Domengeaux	Maciejewski	Traynor
Dondero	Maciora	Treadway
Downs	Mason	Van Zandt
Dworshak	Meyer, Md.	Vincent, Ky.
Elliott, Calif.	Mills, Ark.	Vreeland
Englebright	Mills, La.	Walter
Fenton	Mitchell	Wasielewski
Fitzgerald	Moser	Weiss
Flaherty	Mundt	Welch
Flannagan	Murray	White
Flannery	Nelson	Whittington
Fogarty	Norrell	Wigglesworth
Ford, Miss.	O'Brien, Mich.	Williams
Ford, Thomas F.	O'Brien, N. Y.	Wilson
Fulmer	Osmers	Winter
Gale	O'Toole	Wolcott
Gamble	Paddock	Woodruff, Mich.
Gibson	Peterson, Ga.	Woodrum, Va.
Gilchrist	Pheiffer, William T.	Wright
Graham		Young
Granger	Pierce	

NAYS—96

Allen, Ill.	Crosser	Gregory
Andrews	Davis, Ohio	Haines
Arends	Davis, Tenn.	Hall, Leonard W.
Arnold	Doughton	
Baldwin	Drewry	Hancock
Beckworth	Duncan	Harness
Bland	Durham	Harter
Bolton	Eaton	Healey
Brooks	Edmiston	Hope
Burdick	Ellis	Jarman
Burgin	Elston	Jenkins, Ohio
Canfield	Engel	Johnson, Luther A.
Cartwright	Faddis	
Clason	Folger	Kean
Colmer	Cathings	Kefauver
Cooper	Gearhart	Keogh
Costello	Gore	Kerr
Courtney	Gossett	Kilday

Lanham	Patrick	Spence
Larrabee	Patton	Stearns, N. H.
Lewis	Pearson	Sumners, Tex.
McCormack	Peterson, Fla.	Terry
McGregor	Poage	Thomas, Tex.
Mahon	Priest	Thomason
Manasco	Rees, Kans.	Vorys, Ohio
Martin, Iowa	Robertson, Va.	Wadsworth
Martin, Mass.	Rogers, Mass.	Weaver
May	Russell	West
Merritt	Shafer, Mich.	Wickersham
Monroney	Smith, Conn.	Worley
Mott	Smith, Va.	Youngdahl
Pace	Snyder	Zimmerman
Patman	South	

NOT VOTING—137

Andersen, H. Carl	Gavagan	Nichols
Barden	Gehrmann	Norton
Barry	Gerlach	O'Connor
Baumhart	Geyer, Calif.	O'Day
Beam	Gifford	O'Hara
Beiter	Gillie	O'Leary
Bishop	Green	Oliver
Blackney	Hall, Edwin Arthur	O'Neal
Bloom	Harrington	Pfeifer, Joseph L.
Boggs	Hartley	Ploeser
Boland	Hébert	Plumley
Boykin	Hess	Ramspeck
Bradley, Mich.	Hill, Wash.	Rankin, Mont.
Brown, Ohio	Hinshaw	Richards
Buckler, Minn.	Hoffman	Rivers
Buckley, N. Y.	Holbrock	Robsion, Ky.
Burch	Hull	Rockefeller
Byrne	Imhoff	Romjue
Cannon, Mo.	Izac	Rutherford
Capozzoli	Jacobsen	Sacks
Casey, Mass.	Jenks, N. H.	Sasscer
Celler	Johnson, Lyndon B.	Satterfield
Cluett	Johnson, W. Va.	Scanlon
Cochran	Kelley, Pa.	Schaefer, Ill.
Coffee, Wash.	Kelly, Ill.	Scott
Cole, Md.	Kennedy, Martin J.	Sheridan
Cole, N. Y.	Kennedy, Michael J.	Short
Collins	Kilburn	Smith, Maine
Connery	Kleberg	Smith, Ohio
Copeland	Knutson	Smith, Pa.
Crawford	Kopplemann	Smith, W. Va.
Culkin	Kramer	Somers, N. Y.
D'Alesandro	Kunkel	Sparkman
Delaney	Lea	Starnes, Ala.
Dewey	McArdle	Steagall
Dies	McGranery	Sumner, Ill.
Dirksen	McLean	Taylor
Disney	Maas	Thomas, N. J.
Douglas	Magnuson	Vinson, Ga.
Doxey	Mansfield	Voorhis, Calif.
Eberharter	Marcantonio	Ward
Eliot, Mass.	Michener	Wene
Fellows	Murdock	Wheat
Fish	Myers, Pa.	Whelchel
Fitzpatrick		Wolfenden, Pa.
Forand		Wolverton, N. J.
Ford, Leland M.		

So the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Scott for, with Mr. Eliot of Massachusetts against.

Mr. Ploeser for, with Mr. Bishop against.

Mr. Gillie for, with Mr. Dewey against.

Until further notice:

Mr. Doxey with Mr. Dirksen.

Mr. Boland with Mr. Knutson.

Mr. Gavagan with Mr. McLean.

Mr. Richards with Mr. Oliver.

Mr. Cochran with Mr. Michener.

Mr. Beiter with Mr. Brown of Ohio.

Mr. Ramspeck with Mr. Crawford.

Mr. Burch with Miss Rankin of Montana.

Mr. O'Neal with Mr. Fellows.

Mr. Cannon of Missouri with Mr. Copeland.

Mr. Martin J. Kennedy with Mr. Fish.

Mr. Sparkman with Mr. Gifford.

Mr. Starnes of Alabama with Mr. Wolfenden of Pennsylvania.

Mr. Delaney with Mr. Cluett.

Mr. Kleberg with Mr. Kilburn.

Mr. Michael J. Kennedy with Mr. Hess.

Mr. Johnson of West Virginia with Mr. Wolverton of New Jersey.

Mr. Buckley of New York with Mr. Douglas.

Mr. Rivers with Mr. Plumley.

Mr. Satterfield with Mr. Baumhart.

Mr. Imhoff with Mr. Kunkel.

Mr. Beam with Mr. Maas.

Mr. Green with Mr. Blackney.

Mr. Kelly of Illinois with Mr. Robsion of Kentucky.

Mr. Barden with Mr. Gerlach.

Mr. Joseph L. Pfeifer with Mr. Cole of New York.

Mr. Whelchel with Mr. O'Hara.

Mr. Vinson of Georgia with Mr. Culkin.

Mr. Celler with Mr. Bradley of Michigan.

Mr. Mansfield with Mr. Rockefeller.

Mr. Murdock with Mr. Short.

Mr. Hill of Washington with Mr. Leland M. Ford.

Mrs. Norton with Mrs. Smith of Maine.

Mr. Coffee of Washington with Mr. Hoffman.

Mr. Smith of West Virginia with Mr. Wheat.

Mr. Collins with Mr. Smith of Ohio.

Mr. O'Leary with Mr. Hartley.

Mr. Lyndon B. Johnson with Mr. Hull.

Mr. Somers of New York with Miss Sumner of Illinois.

Mr. Hébert with Mr. Rutherford.

Mr. Bloom with Mr. Hinshaw.

Mr. Kramer with Mr. Jenks of New Hampshire.

Mr. Nichols with Mr. Edwin Arthur Hall.

Mr. Magnuson with Mr. Thomas of New Jersey.

Mr. Barry with Mr. Gehrmann.

Mr. Kelley of Pennsylvania with Mr. Buckler of Minnesota.

Mr. Boggs with Mr. Marcantonio.

Mr. Byrne with Mr. Romjue.

Mr. Harrington with Mr. Capozzoli.

Mr. Holbrock with Mr. Sasscer.

Mr. Jacobsen with Mr. Sheridan.

Mr. McArdle with Mr. Fitzpatrick.

Mr. Wene with Mr. O'Connor.

Mr. Disney with Mr. Steagall.

Mr. Scanlon with Mr. Izac.

Mr. Casey of Massachusetts with Mr. Schaefer of Illinois.

Mr. Lea with Mr. Forand.

Mrs. O'Day with Mr. Ward.

Mr. Dies with Mr. Geyer of California.

Mr. Kopplemann with Mr. Connery.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will notify the Senate of the action of the House.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT OF FEDERAL-AID ROAD ACT

Mr. SABATH, from the Committee on Rules, submitted the following resolution (H. Res. 270), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5110) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Roads, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

SHIP-REPAIR BILL

Mr. SABATH, from the Committee on Rules, submitted the following resolution (H. Res. 271), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5256, a bill authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDMENT OF RULE XIII OF THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Virginia, from the Committee on Rules, submitted the following privileged resolution (H. Res. 240), which was referred to the House Calendar and ordered to be printed:

Resolved, That rule XIII of the House of Representatives be amended by adding a new paragraph after paragraph 2–A as follows:

"2–B. Whenever a committee shall report a bill amending an existing law, such bill shall set forth the language of the amendment in full as the section or sections to be amended will read after such amendment is adopted."

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the practices and policies of the telephone companies and to insert excerpts from a certain brief.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert therein an article on defense program and silver and my answer thereto which appeared in the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to extend my re-

marks in the RECORD by including therein a speech I made at the dedication of the Stonington, Conn., post office.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to proceed for 30 seconds.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I was unable to be present yesterday during the consideration of the so-called Sabath resolution. Had I been here, I would have voted "yea" on roll call 91.

I believe that the establishment of a committee of this Congress to look into the feasibility of shifting some of our agencies from Washington to other parts of the country is a matter that might well be considered by the House.

AMENDMENT OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Ohio [Mr. ELSTON] may be withdrawn as a conferee on the bill S. 1524 and that the name of the gentleman from Indiana [Mr. HARNESS] be substituted in his stead.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that my request made today to extend my remarks in the RECORD may be withdrawn.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

STATE NAUTICAL SCHOOLS

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 139, to provide suitable vessels for the use of certain State nautical schools, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER. The Clerk will report the title of the joint resolution.

The Clerk reported the title of the joint resolution.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read as follows:

Page 2, line 13, strike out "not more than four."

Page 2, line 16, strike out "at the time of enactment of this joint resolution."

Page 3, after line 17, insert:

"SEC. 5. The Maritime Commission is authorized to extend the benefits of this joint resolution to a State nautical school, established and maintained by any State in accordance with the applicable provisions of the act entitled 'An act for the establishment of marine schools, and for other purposes,' approved March 4, 1911, as amended, at such port as may be designated by the State."

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. As I understand it, the amendments simply give the right to the Maritime Commission to loan ships to State nautical schools.

Mr. BLAND. If established in accordance with the applicable provisions of the Nautical School Act. There is an additional provision in the Nautical School Act that if a nautical school is established and the State puts up its portion, $50,000, the obligation of the Federal Government is $50,000, but the establishment of these schools is not compulsory at all; it is entirely in the discretion of the Maritime Commission.

Mr. MARTIN of Massachusetts. How many States now conduct nautical schools?

Mr. BLAND. There are four at the present time, New York, Massachusetts, Pennsylvania, and California.

Mr. MARTIN of Massachusetts. And I understand that they are invaluable in training men for the merchant marine?

Mr. BLAND. They are.

Mr MOTT. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes.

Mr. MOTT. Under this law now as amended, the gentleman says any State could elect to set up a nautical school?

Mr. BLAND. I am not so sure whether it would be limited to the States mentioned in the act of 1911.

Mr. MOTT. That is what I wanted to know.

Mr. BLAND. I am not sure about that. I think that is the intent, and that was contemplated, but it is not definite.

Mr. MOTT. In the act, as I recall it, a number of ports are mentioned, and schools may be maintained only at those ports.

Mr. BLAND. That is in the original act.

Mr. MOTT. Is that still in it?

Mr. BLAND. Yes.

Mr. MOTT. Then how does this proposal amend it?

Mr. BLAND. This proposal would be supplementary as to what the act would permit. The Maritime Commission is authorized to extend the benefits of this joint resolution. As it passed the House, this resolution was applicable only to the four schools, but that limitation is stricken out. I mean by that that it is so amended that the act is not limited to those four schools. I think it extends now to a State nautical school established and maintained by any State in accordance with applicable provisions of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, at such port as may be designated by the State.

My interpretation of that is that if the Maritime Commission in the exercise of its discretion approved of the action, any State would be permitted to do it.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendments.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. SHAFER] may extend his remarks and include a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

THE LATE ARCHIE DOVELL SANDERS

Mr. WADSWORTH. Mr. Speaker, it is with deep regret that I rise to announce to my colleagues in the House the death of a man with whom many Members were well acquainted. Yesterday Archie D. Sanders, my immediate predecessor in this House, representing the Thirty-ninth Congressional District of New York, passed away at Rochester, N. Y. He served here 16 years. Among his other distinguished services was that as chairman of the Committee on the Post Office and Post Roads. The affairs of that committee he managed with infinite skill and success. For a long period prior to coming to this House he served in the New York Legislature with marked fidelity, as well as having occupied a Federal post of high responsibility in the western district of New York. I feel his death personally very deeply, because he has been my friend literally since I was a youngster. We lived only 17 miles apart, and before he was my friend he was my father's friend and political associate for thirty-odd years. So I have known him all this period. I have known him to be a faithful, honest, public servant with a high public spirit. He has lived in the western New York country since he retired from this Chamber, respected by everybody, in and out of public life, and in both parties. We have lost in our part of the country one of our most distinguished citizens. Indeed, I may say that to us Arch Sanders has been an institution for 50 years. It is a pity he had to go.

CALENDAR WEDNESDAY

Mr. MAY. Mr. Speaker, I ask unanimous consent that further business under Calendar Wednesday be dispensed with today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. KEEFE] is recognized for 25 minutes.

PRICE STABILIZATION

Mr. KEEFE. Mr. Speaker, some months ago there was created an agency of government within the Council of

National Defense known and designated as the Price Stabilization Division, under the sponsorship and leadership of Mr. Leon Henderson. I have been unable to ascertain the legal basis for the creation of such an organization, but it has been stated in the press and upon the floor of the other body that this organization was set up due to the exigencies of the situation, and its justification lay in the necessity for some stabilization of the price of commodities in the United States.

We are advised that legislation is about to be introduced in the Congress to give legal justification and authority for the acts of this so-called Price Stabilization Division. If the authority is given, as set forth in the Merry-Go-Round, published in the Times-Herald this morning, we may expect in this country the build-up of a huge organization devoted to the problem of fixing price ceilings upon all commodities, and regulating, through a licensing system, of all dealers and brokers in commodities within the United States, as well as all importers of commodities from abroad.

I shall not, this afternoon, say anything critical of the spirit or purpose which prompts such legislation or the objectives which prompted the creation of Mr. Henderson's organization. It is stated in many of the orders which have been issued that the reason the organization was set up was because the inflationary pressure upon prices of commodities threatened speculative activity and the withholding of certain commodities from the market, thus causing an inflation of commodity prices with inevitable detriment to the consuming public.

With the objectives as announced by this organization I can say that perhaps I am in accord. With the results of the operation of the organization I cannot agree. The dangers that are inherent in the exercise of the broad powers now exercised by this organization, and the broad powers contemplated to be given to it in the legislation about to come before this body, ought to cause thoughtful Members of Congress some very grave concern.

I want to direct your specific attention this afternoon to the actual operations of price stabilization orders as they have affected one industry in the district that I have the honor to represent. There is located in my district a large concern which for many years has devoted itself to the production of plumbing supplies and fixtures and other items known as the Kohler Co. This corporation is one of the great industrial organizations of this country. It has 4,500 skilled workmen upon its pay roll today. In the practical operation of its business it consumes each month approximately 3,000 tons of scrap metal. The welfare of 4,500 workmen and all of their dependents in a great community is now dependent upon the continued operation of this business. The purpose of the Government has been to increase employment, and to increase production. What is the threatened effect of the price stabilization orders that have been issued by Mr. Henderson's organization, relating to a ceiling upon prices of scrap iron, as those orders affect the company to which I have referred?

We may, in matters of legislation, have a great altruistic purpose in mind and, like the noble experiment of prohibition, in actual operation, find that it produces a nation of crooks, saboteurs, and bootleggers. The noble experiment of the N. R. A. must be within the vivid memory of each of us, which again produced a nation of chiselers who would not abide by the rules of fair play and the rules and regulations enunciated under the codes sponsored under the N. R. A.

Under this scrap-iron price stabilization order, entered under date of April 3, the price of a stipulated character of scrap, known as No. 1 cupola in the Chicago area, within which the Kohler Co. operates, was fixed at a price not more than $2 under the price of pig iron. Therefore, all of the plants located within the area of the Chicago consuming district, of which there are a large number, were required to pay a price not greater than $2 under the price fixed for pig iron. This price of pig iron fixed the price of scrap for all purchasers of scrap within the area. We make no complaint about that order. It was fair and reasonable and equitable, and we could purchase scrap under that order and continue to function. However, just a short time later, and upon may 8, that order was modified and a new order issued, fixing the price of scrap in this district at $21.50 per ton, less the freight from point of origin to Chicago. Now let us see what happened. The Kohler Co. nor any other company, if they comply with the rules of this organization, can pay more than $21.50 per ton, less the freight from the place of purchase to Chicago. That is the price fixed. The city of Kohler, where the Kohler plant is located, is just 4 miles from the city of Sheboygan, which is a big scrap center and one of the places naturally contiguous to the Kohler plant. They have purchased large amounts of scrap metal at this point. They cannot pay more than $21.50 per ton to a scrap dealer in Sheboygan, 4 miles distant, without deducting from that price the freight from Sheboygan to Chicago. That permits the Chicago man to come to Sheboygan and purchase the scrap in the territory naturally contiguous to the Kohler Co. and pay exactly the same price that the Kohler Co. pays. Have I made that clear?

That would not be so bad. It may be said that that would be fair and equitable; that would entitle every dealer in scrap to receive from every processor or manufacturer using scrap $21.50 per ton base price less the freight from the place where the scrap is brought to Chicago. I object to such a program, however, because it seems to me to be one based upon waste and extravagance, because the Kohler Co., situated as it has been for many, many years, should enjoy the natural advantage in this territory contiguous to its plant, of being able to purchase the scrap from the people with whom it has done business for many years and have an advantage of the freight rate from the place of purchase to its plant, which is much less, of course, than the freight rate from Sheboygan to Chicago. We would not object to that so much, and we could perhaps continue to operate if all purchasers of scrap obeyed the price order. I want to direct the attention of the Congress and of the country to the way this is operating in practice.

This corporation intends to comply with the law. They intend to comply with the rules of Mr. Henderson's organization. They do not intend to violate those rules, because if they did, they would be the first ones upon which this Government would crack down. They have scrupulously complied with the rule. What is the result? The result is that when they go to the scrap dealers with whom they have done business for 30 years and offer them $21.50 a ton less the freight to Chicago the dealer just laughs and says, "I am sorry. We have had pleasant relations for all these years, but I cannot turn my scrap over to you at that price." The scrap is being shipped not to Kohler but to Rockford, to Chicago, to Gary, and to other places; and we cannot buy it. Why?

What is happening? Is it not perfectly clear that the chiselers are at work? Of course, they are. I know that these chiselers, who have no respect for the orders of the price stabilization organization, are going to the scrap dealers from whom this company used to buy its metal and upon whom it depends for its continued operation and are saying to the scrap dealers: "Oh, yes; we will give you $21.50 a ton for your scrap less the freight to Chicago in accordance with the order, but you have a couple of old automobile tires lying around your plant. If you will throw some of those on the load we will give you a couple of hundred dollars for those old tires." Device after device is being indulged in to prevent scrap purchases by reputable organizations with the result that compliance with price stabilization orders threatens to drive them out of business. Is this fact not perfectly clear?

Last month, with requirements of over 3,000 tons to keep this plant operating they were able to purchase only 250 tons of scrap metal; and I am advised that the plant faces the necessity of curtailing its production or closing down entirely due to its inability to secure the necessary materials which they are using in their business. And what is their business? Practically all of their business is devoted to the Government defense. Practically all of their bathtubs and bathroom supplies and plumbing fixtures are being used in national-defense housing projects. Practically all of their lighting plants and other things they manufacture are being sold to the Government for defense purposes.

What protection has this concern, Mr. Speaker, or any other concern in America that seeks to comply with the law as against the operations of the chiselers and price cutters who make it impossible for them to purchase the very vital thing which they need to continue the operations of their plant? We are told that each order contained an enforcement section. A wonderful protection. This is true—let me read it to you. I was interested to know what Mr. Henderson's organization would do when these facts

were laid before them, showing the operations of chiselers. Here is what the order provides. I will read it to you verbatim:

Enforcement: In the event of refusal or failure to abide by the price limitation, record requirements, and other provisions contained in this part, or in the event of any evasion or attempt to evade the price limitation or other provisions contained in this part, this division will make every effort to assure: (a) That the Congress and the public are fully informed of any failure to abide by the provisions of this part; and (b) That the powers of the Government are fully exerted in order to protect the public interest and in the interest of those persons who conform with this part in the maintenance of the ceiling prices set forth herein.

Just imagine. Here is this company dependent for its very existence from month to month upon a continuous supply of scrap metal. They are offering the scrap dealer what this order provides, but they are not getting the scrap. The scrap, however, is moving into the market. It is obvious therefore that somebody is offering an incentive to make it move into the market and by surreptitious devices is offering more for the scrap than the ceiling price stipulated in this price-stabilization order.

Henderson's organization in effect says, "Well, you give us the facts, let us know the fellows who are violating it, and tell us who the scrap-metal dealers are that are selling for more than the ceiling price and then we will bring the facts to the Congress and tell them about it and we will publicize it in the newspapers and see why these people are not complying with our rules."

Well, that is a tremendous protection to a concern employing 4,500 skilled workers, who want to have a job and who are contributing practically their entire effort to the national defense, when they cannot get scrap which is needed to operate that plant.

Legislation is going to be brought in that will give some legal authority to this price-stabilization group, and I suppose there will be some penalty for violations of the act. Can you not see what is coming? You will have to have every other man in the country deputized and appointed as an inspector and investigator of price-stabilization control to ferret out the chiselers, just as we found them under the N. R. A. and under the various codes adopted in the various States, which were all ultimately invalidated and tossed out of the window as being impossible of performance. The thing that I can see in the future in connection with this price-stabilization matter is not only the question whether the price stipulated is going to be such as will insure a fair return and a fair price based upon cost of production, but that when the price is set there will be such an army of chiselers working under that price that it will destroy every honest manufacturer and every honest dealer who seeks and tries to comply.

I want the Congress of the United States to give some thought to this question. Admit, if you please, and for the sake of argument, that price stabilization is necessary to prevent inflation, price spiraling, and ultimately, perhaps, a very desperate inflationary movement and tendency; admit that this is necessary. How in the name of conscience are we going to enforce it without creating within the Government another great bureau with hundreds and thousands of inspectors going from one end of the country to the other and drawing their pay out of the taxpayers' pockets in a vain effort to try to enforce the price order.

When you fix the price of butter at 3, 4, or 5 cents, for instance, under what should be a fair market, and try to stabilize that price under such an inequitable situation, you are bound to have a natural public reaction that will result in chiseling and in all sorts of devices being resorted to in order to evade the plain letter of the law.

Here is this company located in my district that is now face to face in the Chicago area with being unable to purchase scrap by paying the price stipulated in this price stabilization order. Somebody is paying a greater price and nobody is in a position to do anything about it. In the meantime this plant is threatened with such curtailed production that it must perhaps close down, putting 4,500 people under the possibility of loss of employment. Is not that a question that ought to demand the earnest attention of Congress and of Mr. Henderson? What I say with reference to this particular concern applies to hundreds of concerns located throughout the whole country. I merely used this one as an example.

Let us see what further they did, and what justification for it exists. Duluth, Minn., is another consumer point established in this order. In the order of May 8, 1941, they stipulated the price of scrap at the Duluth point at $22.50 a ton. The junk dealers went out and bought scrap based upon that price, inventoried it in their stock piles, and had it there in stock. It was a fair price that stimulated the little peddlers to go out in the highways and byways and gather junk and take it in to these dealers, a process with which you are all familiar. One month later, without any apparent reason that I am able to discern in the order, the price was arbitrarily reduced to $19 a ton for the same identical type of scrap.

[Here the gavel fell.]

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. KEEFE]?

There was no objection.

Mr. KEEFE. Mr. Speaker, what has happened? I am talking realities. I am talking about what is happening under these orders. I am not criticizing the necessity for the orders being made in some cases or the advisability of price stabilization. But we must judge these things by what happens under them.

The result is that this junk up here in the Duluth area is not moving at all. We cannot go up there and buy a pound of junk, where we used to buy thousands of pounds of scrap metal. We cannot buy a pound of it today for $19, less the freight to Duluth. Somebody is cashing in on this somewhere. I do not have available data to form a distinct opinion, but I do know that such scrap as is moving out of that area is moving principally to chiselers and to those who are paying more than the price stipulated in these price-stabilization orders. Again, we have the result that the Kohler Co. is precluded from going into that area and buying from those scrap dealers that have sold to them for a period of over 30 years.

I challenge the attention of the Congress and the country to the necessity for some thought and some study being given to this problem of price control and the problems arising thereunder. Over and above the great problem of priority, which is inflicting so much harassment today upon business throughout this country, there now looms this threatened legislation to control the whole system of prices for all commodities.

It is time that the Congress gave some very thoughtful consideration, not to the altruistic purposes behind it but to just how is this situation going to react in the event this sort of thing continues. Are we going to put patriotic citizens and patriotic organizations, devoting their energies to national defense, into the position where they must fight fire with fire by violating these orders in order that they may be able to survive? The company which I have mentioned is right up against that very situation today. Shall they violate that order in order to keep their plant going, or shall they sit idly by and see their plant closed up and their employees discharged when a bunch of chiselers in some other part of the country are taking the raw materials naturally contiguous to their plant away from them by violating the orders of the Price Stabilization Committee? I say to the Members of the Congress and the people of this country that we are faced with a tremendously serious problem in this situation.

When this matter comes before us I hope that in our anxiety and emotionalism over the necessity for and the altruistic purpose of price stabilization we shall not lose sight of the practical realities that exist when we attempt to apply price-stabilization orders and enforce them.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ELIOT of Massachusetts (at the request of Mr. HEALEY), indefinitely, on account of illness.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, when the national campaign was on last fall, the platforms of both the Republican and Democratic Parties

were read and referred to time and time again by all candidates from the Presidential contenders down. These platforms declared against any participation in foreign wars.

Time and again Mr. Roosevelt, in various phrases and sentences and paragraphs, over and over assured the fathers and the mothers and the boys of America:

Your boys are not going to be sent into any foreign wars.

They are going into training to form a force so strong that by its very existence it will keep the threat of war far away from our shores.

The purpose of our defense is defense.

Mr. Wendell Willkie said, in a speech, and, dictating it by electrical transcription, had it repeated over the radio each morning for weeks and weeks during the campaign:

If I am elected President of the United States I shall never lead this country into any European war. As a matter of fact, I shall never lead the country into any kind of a war unless the people, through their Representatives in Congress, insist upon it, and I shall also refrain from indulging in extravagant attacks upon other nations. The best way for us to keep out of this war is by rebuilding our domestic economy and by the building of a great national defense and by bringing our people into one united, common purpose to develop our own country and to keep out of other people's troubles.

Poll after poll up to the present hour has disclosed—and this will undoubtedly be of interest to Mr. Roosevelt and Mr. Willkie—that at least 85 percent of the people of the United States want to keep out of other people's troubles; to keep out of other nations' wars. They want to keep out of a shooting war.

It will be of further interest undoubtedly to both Mr. Roosevelt and Mr. Willkie to learn that to establish bases, and to send to those bases American troops not properly equipped or trained, in Scotland and Ireland, might by a little stretch of the imagination be regarded as sticking our noses, or rather plunging our boys, into other people's troubles.

Six months ago, or thereabouts, the Congress reluctantly passed a draft bill, taking from their homes, their businesses or their jobs, the National Guard men of the United States and more than a million young men, and put them into the Army. That act was passed under the solemn assurance by everybody from the White House down, on the administration side, and from Mr. Willkie down, on the Republican side, that those men were going into service for only 1 year, and that they would not be sent for service anywhere outside the Western Hemisphere, and would be sent nowhere to fight until they were thoroughly trained and equipped for the job.

It will also be of interest—if not information—to Mr. Roosevelt and Mr. Willkie that Iceland is barely on the fringe of the Western Hemisphere, and unless world geography has changed overnight, Ireland and Scotland are not generally conceded by either the Irish or the British to be in the Western Hemisphere at all.

Now, it is proposed to break those solemn promises made to the fathers and mothers, and the youth of the country now in the armed services. It is now declared by General Marshall and by the Commander in Chief of the armed forces, Mr. Roosevelt, that to release those men from military service in accordance with the solemn promise reiterated hundreds of times during the debates on the draft bill, will be to "disintegrate the Army" and would be "a national tragedy."

Are the American people expected to believe that barely 6 months ago General Marshall and the Army General Staff, and the Commander in Chief, Mr. Roosevelt, did not know this would be so? If it was not so then, how can it be so now? How has the world situation changed sufficiently to make a solemn promise voiced by every responsible authority in the United States Government 6 months ago, a "national tragedy" and "unthinkable" now?

If General Marshall, the Chief of Staff of the Army, if the General Staff and the Commander in Chief of the armed forces of the United States did not know this 6 months ago, then God help America and the American people. If it was not true 6 months ago, it cannot be true now and will not be true 6 months from now.

Nothing that has occurred in more than 8 years of broken promises and inconsistencies and contradictions of policies under the New Deal could possibly have done as much to destroy the confidence of the people in the integrity of their Government, and to destroy any morale or esprit de corps that may exist in the armed forces, than this incomprehensible and utterly inexcusable change of front.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech I made at Columbus Junction, Iowa, on July 4.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S Con. Res 11. Concurrent resolution authorizing the printing, with illustrations, and binding of the proceedings held in Statuary Hall in the Capitol upon the occasion of the unveiling and acceptance of the statue of Huey P. Long, presented by the State of Louisiana; to the Committee on Printing.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Thursday, July 17, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Thursday, July 17, 1941, for consideration of H. R. 5211.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on Thursday, July 17, 1941, on the following-named private bills:

H. R. 1360. A bill granting a pension to Albert E. Wells. (By Mr. TARVER.)

H. R. 1759. A bill granting an increase of pension to James J. Scanlon. (By Mr. VOORHIS of California.)

H. R. 1932. A bill granting a pension to Willard Fulk. (By Mr. CLAYPOOL.)

H. R. 3312. A bill granting an increase of pension to Griselda Hull Hobson. (By Mr. JARMAN.)

H. R. 3560. A bill granting an increase of pension to Jeannette W. Moffett. (By Mr. RIVERS.)

H. R. 4301. A bill granting an increase of pension to Imogen Morris Taylor. (By Mr. SMITH of Virginia.)

H. R. 905. A bill granting a pension to Venia Moody. (By Mr. REECE of Tennessee.)

H. R. 1506. A bill granting an increase of pension to Alice Shaw. (By Mr. HANCOCK.)

H. R. 4706. A bill granting an increase of pension to Bertha M. Knapp. (By Mr. ARENDS.)

H. R. 4720. A bill granting an increase of pension to Mary E. Simmons. (By Mr. DAVIS of Ohio.)

H. R. 4772. A bill granting an increase of pension to Margaret Butler. (By Mr. CLEVENGER.)

H. R. 4797. A bill granting a pension to Ruby Ellen Hogg. (By Mr. HEIDINGER.)

H. R. 4878. A bill granting a pension to John W. Arnold. (By Mr. ROBSION of Kentucky.)

H. R. 4891. A bill granting a pension to Elsie Israel. (By Mr. ARENDS.)

H. R. 4939. A bill granting an increase of pension to Annie A. Riggs. (By Mr. EDMISTON.)

H. R. 5020. A bill granting a pension to Mary Harvey. (By Mr. ELSTON.)

H. R. 5022. A bill granting an increase of pension to Anna Houghtlin. (By Mr. O'BRIEN of New York.)

H. R. 5151. A bill granting an increase of pension to Eva A. Kinney. (By Mr. H. CARL ANDERSEN.)

H. R. 5165. A bill granting an increase of pension to Mary Murphy. (By Mr. TIBBOTT.)

H. R. 5227. A bill granting an increase of pension to Maria Wren. (By Mr. REED of New York.)

The hearings will be held in room 247, old House Office Building at 10:30 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

765. A letter from the Secretary of the Navy transmitting reports of negotiated contracts entered into by the Navy Department during the quarter ended June 30, 1941; to the Committee on Naval Affairs.

766. A letter from the Secretary of the Navy transmitting a report of contracts entered into for buildings, facilities, etc., for the quarter ended June 30, 1941; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. SECREST: Committee on the Library. House Joint Resolution 208. Joint resolution providing for the representation of the Government and people of the United States in the observance of the two-hundredth anniversary of the coming of Rev. Henry Melchior Muhlenberg to the American Colonies; without amendment (Rept. No. 958). Referred to the House Calendar.

Mr. HENDRICKS: Committee on the Post Office and Post Roads. H. R. 2528. A bill to clarify the employment status of special-delivery messengers in the Postal Service; with amendment (Rept. No. 959). Referred to the Committee of the Whole House on the state of the Union.

Mr. MOSER: Committee on the Census. House Joint Resolution 213. Joint resolution authorizing the Director of the Census to furnish certain information for national-defense purposes; without amendment (Rept. No. 960). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 270. Resolution providing for the consideration of H. R. 5110, a bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; with amendment (Rept. No. 961). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 271. Resolution providing for the consideration of H. R. 5256, a bill authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes; without amendment (Rept. No. 962). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 240. Resolution to amend rule XIII of the House of Representatives; without amendment (Rept. No. 963). Referred to the House Calendar.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1030. A bill to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes; without amendment (Rept. No. 964). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McGEHEE: Committee on Claims. H. R. 5349. A bill for the relief of sundry claimants, and for other purposes; without amendment (Rept. No. 965). Referred to the Committee of the Whole House.

Mr. TALLE: Committee on Immigration and Naturalization. H. R. 3315. A bill for the relief of Tibor Hoffman and Magda Hoffman; with amendment (Rept. No. 966). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FULMER:

H. R. 5336. A bill to provide for improving the functioning of the cooperative features of the Federal Land Bank System, to establish a method for relieving Federal land-bank borrowers of stock liability, for organizing the Federal land banks and the national farm-loan associations as membership corporations, and for placing Federal land banks on a self-supporting basis and increasing the functions and responsibilities of national farm-loan associations; to establish a method for determining the interest rates on Federal land bank and the Land Bank Commissioner loans; to provide for refunding and guaranteeing certain bonds of such banks; to establish a method for adjusting and refinancing agricultural indebtedness; to provide for limiting the taking of deficiency judgments by Federal land banks and by the Federal Farm Mortgage Corporation; and for other purposes; to the Committee on Agriculture.

By Mr. BISHOP:

H. R. 5337. A bill to authorize the Cairo Bridge Commission, or the successors of said commission, to acquire and to improve, maintain, and operate the existing toll bridge across the Mississippi River between the city of Cape Girardeau, Mo., and a point opposite in Alexander County, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. POWERS:

H. R. 5338. A bill to provide for the sale of certain real property owned by the United States to Howard L. Emmons; to the Committee on Military Affairs.

By Mr. SMITH of Washington:

H. R. 5339. A bill granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection; to the Committee on Pensions.

By Mr. DOMENGEAUX:

H. R. 5340. A bill to authorize the lowering of the minimum age limit of enrollees of the Civilian Conservation Corps from 17 years to 16 years; to the Committee on Labor.

By Mr. HARE:

H. R. 5341. A bill to provide for special Federal aid to certain of the States for their public-assistance programs, and for other purposes; to the Committee on Ways and Means.

H. R. 5342. A bill to amend the Social Security Act by providing special Federal aid to certain States, and for other purposes; to the Committee on Ways and Means.

By Mr. LEA:

H. R. 5343. A bill to promote the national defense and the conservation of electrical energy by permitting the establishment of daylight-saving time; to the Committee on Interstate and Foreign Commerce.

By Mr. McGEHEE:

H. R. 5344. A bill to amend an act entitled "An act in relation to taxes and tax sales in the District of Columbia," approved February 28, 1898, as amended; to the Committee on the District of Columbia.

By Mr. O'CONNOR:

H. R. 5345. A bill to exempt certain Indians and Indian tribes from the provisions of the act of June 18, 1934 (48 Stat. 984), as amended; to the Committee on Indian Affairs.

By Mr. PIERCE:

H. R. 5346. A bill to provide for improving the functioning of the cooperative features of the Federal Land Bank System; to establish a method for relieving Federal land-bank borrowers of stock liability, for organizing the Federal land banks and the national farm-loan associations as membership corporations, and for placing Federal land banks on a self-supporting basis and increasing the functions and responsibilities of national farm-loan associations; to establish a method for determining the interest rates on Federal land-bank and the Land Bank Commissioner loans; to provide for refunding and guaranteeing certain bonds of such banks; to establish a method for adjusting and refinancing agricultural indebtedness; to provide for limiting the taking of deficiency judgments by Federal land banks and by the Federal Farm Mortgage Corporation; and for other purposes; to the Committee on Agriculture.

By Mr. RANDOLPH:

H. R. 5347. A bill to provide for the completion of the lot-and-square system of indexing of land records of the District of Columbia, in the office of the Recorder of Deeds, District of Columbia, and for other purposes; to the Committee on Appropriations.

By Mr. YOUNG:

H. R. 5348. A bill to permit members of the military or naval forces of the United States to cast absentee ballots free of postage; to the Committee on the Post Office and Post Roads.

By Mr. McGEHEE:

H. R. 5349. A bill for the relief of sundry claimants, and for other purposes; to the Committee on Claims.

By Mr. SECREST:

H. J. Res. 214. Joint resolution to amend the Internal Revenue Code; to the Committee on Ways and Means.

H. J. Res. 215. Joint resolution to amend the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. McGEHEE:

H. Res. 273. Resolution creating a special committee to investigate social, economic, and industrial conditions in Puerto Rico; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States to consider their House Joint Resolution No. 42, with reference to House bill 1036; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Indiana:

H. R. 5350. A bill for the relief of Raymond Nelson Hickman; to the Committee on Naval Affairs.

By Mr. O'TOOLE:

H. R. 5351. A bill for the relief of Johan Arnulf Olsen; to the Committee on Immigration and Naturalization.

By Mr. VINSON of Georgia:

H. R. 5352. A bill for the relief of R. E. Colton Co.; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 5353. A bill for the relief of Rufus F. Gowen; to the Committee on War Claims.

H. R. 5354. A bill for the relief of Rufus F. Gowen; to the Committee on War Claims.

H. R. 5355. A bill for the relief of W. L. Tomlinson; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1655. By Mr. LECOMPTE: Petition of sundry citizens of Keokuk County, Iowa, urging the enactment of House bill 2475 and Senate bill 280, to protect the health and morals of the boys in Army camps; to the Committee on Military Affairs.

1656. By Mr. CLASON: Petition of Hampden County Council, American Legion, calling on the President and Congress to freeze prices of necessities such as food, clothing, fuels, rents, gas, and electricity; to the Committee on Ways and Means.

1657. By the SPEAKER: Petition of the Women's Auxiliary of the L. I. U. 74, Chicago, Ill., petitioning consideration of their resolution with reference to the general-welfare

bill (H. R. 1410); to the Committee on Ways and Means.

1658. Also, petition of the National Parents of Selectees, Inc., Frank J. Murray, president, petitioning consideration of their resolution with reference to industrial and military defense worker; to the Committee on Military Affairs.

SENATE

THURSDAY, JULY 17, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, who hast made of one blood all nations of men for to dwell on the face of the whole earth, and didst send Thy blessed Son to preach peace to them that are far off and to them that are nigh: Release us, we pray Thee, from memories of broken hopes wherein by war we strove to end war, that, with fresh courage, we may challenge anew the political and economic conditions of life which culminate in war. Save us from indifference that breeds an attitude of compromise; help us to serve Thee as though every hour were the eleventh and every crisis the last; and hasten the day when we, with all the children of men, may know not our peace only, but Thy peace, which passeth all understanding. Grant this, O most merciful Father, in the name and for the sake of Him who is the Prince of Peace, Thy Son, our Lord and Saviour, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, July 15, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on July 15, 1941, the President had approved and signed the following acts:

S. 215. An act to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938; and

S. 1289. An act authorizing the Copper River and Northwestern Railway Co. to convey to the United States its railroad right-of-way and other railroad properties in Alaska, for use as a public highway, tramroad, or tramway, and for other purposes.

AUTHORIZATION TO SIGN BILLS, RECEIVE COMMUNICATIONS, AND FOR COMMITTEES TO REPORT

Mr. BARKLEY. I ask unanimcus consent that during the recess or adjournment of the Senate following today's session the Vice President may be authorized to sign bills and resolutions ready for his signature; that the Secretary of the Senate may be authorized to receive and refer to appropriate committees bills and resolutions from the House of Representatives, and that committees may be authorized to report bills or resolutions or nominations if they have them ready.

The VICE PRESIDENT. Without objection, it is so ordered.

TRIBUTE TO THE LATE SENATOR HARRISON BY NATIONAL EDUCATION ASSOCIATION

Mr. THOMAS of Utah. Mr. President, as all Senators know, the late Senator Pat Harrison, of Mississippi, was the coauthor and was for a number of years the chief sponsor of the Federal-aid-to-education bill, a bill to equalize educational opportunities throughout the country.

On July 3, 1941, at Boston, the Representative Assembly of the National Education Association of the United States convened. At that assembly a resolution was offered honoring the memory of the late Senator Harrison. I ask unanimous consent that the resolution be printed in the RECORD at this point as a part of my remarks.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

The National Education Association regrets the untimely death of Senator Pat Harrison, of Mississippi, a splendid American and a true friend of education. The loss of his leadership in sponsoring legislation looking to equalizing educational opportunity is a severe blow to the schools of the United States.

INTER-AMERICAN STATISTICAL INSTITUTE (H. DOC. NO. 317)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Acting Secretary of State to the end that legislation may be enacted to enable the United States to become an adhering member of the Inter-American Statistical Institute and to authorize an annual appropriation for the payment of the share of the United States in the support of the institute.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 17, 1941.*

DAYLIGHT SAVING TIME

The VICE PRESIDENT laid before the Senate the following communication from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Interstate Commerce:

THE WHITE HOUSE,
Washington, July 15, 1941.

MY DEAR MR. VICE PRESIDENT: The electrical energy of the country is to a large extent the prime energy of our national-defense effort. In these times of emergency it is, therefore, essential for us to insure the conservation of electricity in all possible ways. The performance of our work upon the basis of daylight-saving time is a practicable method of conserving electrical energy.

Summer daylight-saving time is already in effect in many of the highly industrialized areas of New England and the Middle Atlantic and North Central States. The Government agencies primarily interested in the fullest utilization of electricity for national defense—the Federal Power Commission, the Department of the Interior, and the Office of Production Management—have advised me that there is immediate need for the extension of this daylight-saving time to other parts of the country, including in particular the Southeastern States, and that there is also a need for the establishment in various parts, or all, of the country of year-round daylight-saving time.

The Federal Power Commission has investigated the further saving of electricity—in addition to the summer daylight saving now being secured—that would result from the establishment of year-round daylight-saving time; and the following table indicates the probable reductions in peak loads and consumption of energy which year-round daylight-saving time would accomplish:

Probable effect of year-round daylight saving

Region	Expected peak load, 1941 (kilowatts)	Probable reduction in peak (kilowatts)	Probable annual reduction in energy (kilowatt-hours)
Northeastern	10,690,000	372,750	137,910,000
Southeastern	4,733,000	50,000	104,500,000
Middle Western	11,625,000	287,530	222,353,000
Mountain and Plain	1,881,000	10,390	43,000,000
Pacific Northwest	1,960,000	9,500	39,355,000
Pacific Southwest	3,133,000	11,000	119,164,000
Total, major systems in United States	34,022,000	741,160	736,282,000

It will be seen from this table that the possible reductions of electricity vary from region to region. These reductions would depend upon the proportion and nature of industrial, residential, and commercial loads, and, to some extent, upon the habits of the consuming public. Moreover, some utilities with small industrial loads, particularly municipally owned systems, reported that daylight-saving time might seriously cut their revenues and jeopardize the interest and amortization payments on bonded indebtedness. Thus, while it is important that additional electricity for national defense be made available by the establishment of daylight-saving time, it is also important that such a program have sufficient flexibility to meet varying regional conditions.

I am, accordingly, recommending the enactment of legislation, along the lines of the attached draft of bill, that would permit the President to provide daylight-saving time upon such a regional or national basis, and for such part or all of the year, as he might deem necessary in the interest of our national defense.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

The honorable the VICE PRESIDENT.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORTS BY THE SECRETARY OF THE NAVY

Letters from the Secretary of the Navy, transmitting, pursuant to law, reports for the quarter ended June 30, 1941, of negotiated contracts awarded under authority of section 2 (a) of Public Act No. 671, Seventy-sixth Congress, and of contracts entered into for buildings, facilities, etc., in accordance with section 8 (b) of Public Act No. 671, Seventy-sixth Congress, as amended (with accompanying reports); to the Committee on Naval Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, and referred as indicated:

A memorial of sundry citizens of the State of Missouri, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A letter in the nature of a petition from W. E. Sturdevant, of Milwaukee, Wis., praying for the enactment of legislation to establish and stabilize prices and to control inflation; to the Committee on Education and Labor.

Letters in the nature of petitions from several citizens of the United States, praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A letter in the nature of a petition from Pearl Fox, of Blandinsville, Ill., praying that the United States supply necessities to the Belgians so as to prevent destitution in that country; to the Committee on Foreign Relations.

The petition of Albert J. Gerlach and sundry other World War veterans located at the Veterans' Hospital, Pittsburgh, Pa., praying that the Senate investigate the connections of the America First Committee and also of certain Senators, a Member of the House of Representatives, and Charles A. Lindbergh; to the Committee on Foreign Relations.

A paper in the nature of a memorial from Beatrice Behr, of Trafford, Pa., remonstrating against the enactment of legislation to retain draft selectees in Army service for more than 1 year; to the Committee on Military Affairs.

Petitions of sundry citizens of the United States, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

RESOLUTION OF BOARD OF SUPERVISORS OF MILWAUKEE COUNTY, WIS.—EMPLOYMENT FOR NEEDY PERSONS

Mr. WILEY presented a resolution of the Board of Supervisors of Milwaukee County, Wis., which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Whereas the Civil Aeronautics Authority is operating an airport ground service men's training program throughout the Nation under official Work Projects Administration project No. 165-2-002, authorized by Presidential letter E-221; and

Whereas Milwaukee County has made application for a similar training program for Milwaukee County; and

Whereas other Federal programs of similar nature, such as National Youth Administration, provide work opportunities for persons who are not relief clients: Be it therefore

Resolved, That the county board of supervisors respectfully request the assistance of the Congressmen from the Fourth and Fifth Wisconsin Districts and of the United States Senators from Wisconsin in broadening the regulations of the Civil Aeronautics Authority and the Work Projects Administration so that needy persons who are not on relief may be employed on this program; and be it further

Resolved, That a certified copy of this resolution be transmitted to the Honorable ROBERT M. LA FOLLETTE, JR., ALEXANDER WILEY, LEWIS D. THILL, and THADDEUS WASIELEWSKI, all of Washington, D. C.

RESOLUTION OF GERMAN-AMERICAN CLUB OF NEWARK

Mr. SMATHERS. Mr. President, I was very pleased this morning to receive a copy of a resolution adopted by the German-American Club of Newark, N. J., condemning Hitler and the power-drunken clique in Germany today who are attempting to subjugate the world.

I ask unanimous consent to have the resolution, unanimously adopted by this German-American organization, printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

GERMAN-AMERICAN CLUB,
NEWARK, N. J.

At a meeting of the German-American Club of Newark, held Friday evening, July 11 at the Newark Labor Lyceum, the following resolution expressing the sentiment of the membership with regard to the war situation abroad, was passed by unanimous vote:

"Whereas

"1. Hitler has decided to attack still another people. He has made it clear that he will not respect the boundaries of any nation, however great the desire of its people for peace may be. He has now decided to attempt to bring under his heel the peoples of the Soviet Union, who were obviously determined to work and live in peace.

"2. He wants the German people and the world to believe that he is now waging a holy crusade, but everybody feels the phoniness of such a pretension. The peoples in all countries realize that this is just another stepping stone to stamp the mark of a maniac upon the farthest corner of the world. They are already aroused at this prospect and so are the German people themselves, who suffer most from this dreadful ambition; already we hear of actions on their part against the Hitler war machine.

"3. We, the German-Americans, who have strong ties to the German people, support their actions and their desire for a well-respected and loved Germany, rid of a power-drunken clique. We know that this clique will be defeated.

"4. We want to let the American bearers of Nazi medals, who like to save Hitler from an inglorious end know that we know that they are not the friends but the enemies of the German people as well as of all freedom-loving peoples.

"*Resolved*, the United States is already giving all aid to Britain. Let us now also give all aid to the Soviet Union and thereby match fully the actions of the German people against their masters and help them realize their desire to be a free and respected nation."

GERMAN-AMERICAN CLUB,
DECK, *Secretary*.

EXECUTIVE REPORTS OF COMMITTEE ON BANKING AND CURRENCY

As in executive session,

Mr. GLASS. From the Committee on Banking and Currency, I report favorably the nomination of Edmund Burke, Jr., of New York, to be a member of the Securities and Exchange Commission, and also, from the same committee, I report favorably the nomination of Henry A. Mulligan, of New York, to be a member of the Board of Directors of the Reconstruction Finance Corporation. In this connection I may say that there has been no meeting of the committee, but the committee was polled and favored the nominations.

The VICE PRESIDENT. Without objection, the reports will be received as in executive session, and placed on the calendar.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WHEELER, from the Committee on Indian Affairs:

S. 1725. A bill to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.; without amendment (Rept. No. 560).

From the Committee on Interstate Commerce:

S. Res. 128. Resolution to investigate the incidence and social economic consequences of injuries and diseases incurred by employees in the railroad industry (submitted by Mr. WHEELER on June 11, 1941); without amendment (Rept. No. 561).

By Mr. BARKLEY (for Mr. GEORGE), from the Committee on Foreign Relations:

S. 1736. A bill to authorize the payment of an indemnity to the British Government, for and on behalf of John Bailey, former stoker of His Majesty's ship *Orion*, in full and final settlement of a claim arising as a consequence of injuries inflicted by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939; without amendment (Rept. No. 562).

By Mr. REYNOLDS, from the Committee on Military Affairs:

H. R. 3933. A bill to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover; without amendment (Rept. No. 563).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NORRIS:

S. 1755. A bill to extend the benefits of Federal old-age and survivors insurance to certain State employees, and for other purposes; to the Committee on Finance.

By Mr. THOMAS of Oklahoma:

S. 1756. A bill for the relief of Franklin Benjamin McNew; to the Committee on Claims.

By Mr. BONE:

S. 1757. A bill for the relief of Clyde Kingery; to the Committee on Claims.

S. 1758. A bill to authorize certain corrections in the tribal membership roll of the Puyallup Tribe of Indians in the State of Washington, and for other purposes; to the Committee on Indian Affairs.

FEDERAL EXPLOSIVES ACT—AMENDMENT

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 3019) to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917 (40

Stat. 385), which was ordered to lie on the table and to be printed.

FLOOD-CONTROL WORKS ON BIRCH CREEK, OREG. (S. DOC. NO. 89)

On motion by Mr. OVERTON, a letter from the Secretary of War addressed to the chairman of the Senate Committee on Commerce, transmitting a report dated March 25, 1941, from the Chief of Army Engineers, on reexamination of Columbia River and tributaries, with a view to determining the advisability of the construction of flood-control works on Birch Creek, Oreg., a tributary of the Umatilla River, was referred to the Committee on Commerce and, with the report, ordered to be printed, with illustrations.

BRITISH WAR AIMS—STUDY BY JOHN KNOX

Mr. NYE. Mr. President, any study which goes authentically to the subject of British war aims, it seems to me, is deserving of availability to all Members of the Congress. A splendid study by John Knox, of Chicago, Ill., starting with September 1939, is, to my way of thinking, such a study. Mr. Knox is a graduate of Chicago University, of Northwestern University, and of Harvard; he was law clerk in the Supreme Court of the United States from 1936 to 1937 and was a member of the editorial committee of the Chicago Bar Association. His study, Mr. President, is exceedingly deserving of perusal. I am aware of the fact that its printing will require an estimate, but, in spite of the lack, at the present moment, of an estimate of cost, I ask unanimous consent that the study may be printed in the RECORD and the estimate furnished later.

Mr. CONNALLY. Mr. President, reserving the right to object, has the Senator consulted the Committee on Printing in regard to the matter?

Mr. NYE. No, but, of course——

Mr. CONNALLY. I will object until the Committee on Printing is consulted.

Mr. NYE. Does not an estimate come back to the Senator making the request, and then the request is arranged through the Committee on Printing?

The VICE PRESIDENT. The Senator must first obtain an estimate, as the Chair understands.

Mr. McNARY. Mr. President, the correct procedure is that the manuscript is given to the clerk and an estimate requested. After it is returned, then the Senator can submit it and make the request for the printing of the manuscript.

Mr. NYE. I will submit the manuscript for an estimate, Mr. President.

The VICE PRESIDENT. The Chair will request the clerk to read the rule adopted by the Joint Committee on Printing which governs the publication of matter in the RECORD.

The legislative clerk read as follows:

10. Estimate of cost: No extraneous matter in excess of two pages in any one instance may be printed in the CONGRESSIONAL RECORD by a Member under leave to print or to extend his remarks unless the manuscript is accompanied by an estimate in writing from the Public Printer of the probable cost of publishing the same, which estimate of cost must be announced by the Member when such leave is requested.

ADDRESS BY SENATOR BURTON ON PLACE OF UNITED STATES IN THE WORLD SITUATION

[Mr. BURTON asked and obtained leave to have printed in the RECORD an address delivered by him on July 15, 1941, at the Summer Institute for Social Progress, Wellesley, Mass., on the place of the United States in the world situation, which appears in the Appendix.]

CHICAGO DAILY TRIBUNE WAR POLL

[Mr. BROOKS asked and obtained leave to have printed in the RECORD an article from the Chicago Tribune relative to the war poll conducted by it, together with a tabulation of the result of the poll, which appears in the Appendix.]

SENATOR TYDINGS' ATTITUDE ON JACKSON NOMINATION—EDITORIAL FROM FORT WAYNE NEWS-SENTINEL

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an editorial entitled "So Justice Also Got a Brass Ring," published in the News-Sentinel of Fort Wayne, Ind., of the issue of July 12, 1941, which appears in the Appendix.]

PLANNING FOR DEFENSE—ARTICLE BY E. D. CANHAM

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article by Erwin D. Canham entitled "Down the Middle of the Road," which appears in the Appendix.]

STRIKES IN DEFENSE INDUSTRIES

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from a previous day, which will be stated.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 12) submitted by Mr. BYRD on May 26, 1941, relative to strikes in defense industries.

Mr. BARKLEY. Let the concurrent resolution go over.

The VICE PRESIDENT. Without objection, the concurrent resolution will be passed over.

The morning business is closed.

DISABLED AMERICAN VETERANS OF WORLD WAR

Mr. BONE. Mr. President, it was very gratifying and encouraging to me to learn, during a recent conversation with Mr. Millard W. Rice, national service director for the Disabled American Veterans of the World War, that the D. A. V., as it is commonly called, has decided that one of the best things it can do in the Nation's "all-out" efforts to build up an adequate national defense against enemies inside and outside the United States is to extend the expert advice and counsel of the service officers in its Nation-wide service set-up to selectees and volunteer regulars who become disabled by reason of their military training and service. I know of no veteran organization that has any finer Nation-wide service set-up to take care of this essential national-defense job than that maintained by the D. A. V.

FORMATION OF D. A. V.

Formed in 1920 and chartered by Congress in 1932 to render service to, for, and by disabled veterans, the Disabled American Veterans of the World War has been generally recognized as the official spokesman for America's disabled World War veterans.

Active membership in the D. A. V. can be secured only by Americans whose bodies bear the scars of wounds or injuries, or the blight of disease or disability, incurred by reason of World War service.

During its 21 years the D. A. V. has successfully pressed for liberalizing legislation on behalf of disabled veterans and their dependents and for more liberal application of such laws by the Veterans' Administration, too numerous and too technical here to set forth.

D. A. V. NATIONAL HEADQUARTERS

Its national headquarters has, almost since its inception, been at 2840 Melrose Avenue, Cincinnati, Ohio. The Disabled American Veterans' semi-monthly newspaper, containing accurate, up-to-date information as to all legislation, Presidential Executive orders, court decisions, Attorney General's opinions, Comptroller General's opinions, Veterans' Administration regulations, service letters, and much other information of value and of interest to disabled veterans and their dependents, is published there. National Adjutant Vivian D. Corbly has been secretary-manager of the organization and editor of its newspaper since 1925. Capt. Cicero F. Hogan is his assistant.

The largest bank in Cincinnati—the Fifth Third Union Trust Co.—has been for many years the treasury for the funds of both the D. A. V. and the D. A. V. Service Foundation. Officials handling funds have always been adequately bonded by the Fidelity & Deposit Co. of Maryland.

NATIONAL SERVICE SET-UP

The offices of the National Service Bureau of the D. A. V., almost since its inception, have been located in the Munsey Building, Washington, D. C., where it now has nine service experts to advise and to assist deserving disabled veterans in the technical and legal handling of their equitable claims for compensation, pension, medical treatment, hospitalization, insurance benefits, civil-service appointments, employment, and so forth.

Heading up the National Service Bureau in Washington, D. C., the national service director, Millard W. Rice, with his able assistant, Thomas J. Kehoe, also exercises supervision over the organization's 38 nationally paid national-service officers—who, incidentally, receive very inadequate salaries, ranging from only $20 to $200 per month, depending on the number of D. A. V. members in their respective States—as well as over its 56 unpaid national-service officers and its 807 voluntary State and chapter officers.

These unselfish, self-sacrificing service officers themselves are all disabled veterans. Each of them has had the experience of pushing his own claim for service connection and compensation. Every one of them personally knows of the difficulties and handicaps by which disabled veterans are baffled in their efforts to secure and to hold suitable gainful employment. These D. A. V. service officers know about the complexities that disabled veterans must overcome, factually to prove the service connections of their disabilities to the satisfaction of rating agencies of the United States Veterans'

Administration, under the limitations and restrictions of existing law, as legalistically interpreted and as administratively applied.

D. A. V. SERVICE ACCOMPLISHMENTS

Being equitably entitled to service connection and compensation for disability is not the same as being legally entitled thereto.

Understanding such baffling problems, these D. A. V. service officers are naturally more sympathetic and therefore more effective in helping disabled claimants to overcome such difficulties.

During the past 12 years for which records are obtainable, the paid national D. A. V. service officers have extended service as indicated by the following brief résumé:

Claims handled	672,695
Hospitalizations and examinations obtained	73,064
Appearances before rating agencies	164,608
Favorable decisions obtained	90,787
Total monetary benefits	$51,433,774.88

It is, of course, impossible for a brief statistical résumé to indicate the many different types of service extended by service officers. It must also be remembered that many liberalizing precedents have been established by cases handled by D. A. V. service officers, which subsequently have proven of value to hundreds or thousands of disabled veterans having similar claims, the result of which cannot appear in their reports.

The original and increased compensation payments obtained for more than 90,000 disabled veterans and their dependents have converted such beneficiaries from local liabilities into local community assets, thereby bringing increased purchasing power into such communities, with consequent benefits to each community and its citizens, as well as to each State.

This comparatively small organization of disabled American veterans has freely helped thousands of disabled veterans each year to secure compensation for disabilities finally rated as service connected, medical treatment, hospitalization, pensions for dependents, insurance benefits, vocational training, civil-service appointments, private employment, and so forth.

DIFFICULTIES OF PROVING SERVICE ORIGIN

Most citizens insist that the burden of providing for the Nation's defenders should be borne by the Federal Government, but only when it has been established that the veteran's disabilities were caused by his military service. To prove service connection of a disability is not an easy thing to do, however, unless official records show its inception in service.

An equitable claim cannot necessarily be legally established. A disabled veteran may be conscientiously convinced that his disability was caused by his service without being able legally to prove that fact.

Records, if any, which were made during the time of his military service may have been destroyed or lost or may be incomplete. "Buddies" with whom he served may have been killed in action, may since have died, or possibly their memories have faded with the passage of time. Again, the veteran may no longer remember the names or addresses of those with whom he served, possibly having been in each outfit only a few weeks, and therefore becoming acquainted with "buddies" only by their nicknames of "Mack" or "Bill" or "Ed."

Because of such factors beyond the reasonable control of many a disabled veteran, he now frequently finds it very difficult, if not impossible, to prove, either by official records or by fact-giving affidavit evidence, that he underwent such hardships and exposure, was subjected to such stress and strain, shock and shell, mud and blood, filth and vermin, hunger and thirst, concussion and sleeplessness, rain and cold, long hikes with heavy packs, too little or badly prepared food, as might well have contributed to the development of the ailment from which he is now suffering.

Probably he was so anxious to get back home, with its peace and quiet, and mother's cooking, that after the armistice came he decided to skip mention of any of his ailments for fear that if he did so he might be retained in camp for one or more days, weeks, or months; and, therefore, to avoid any such delay, when passed by the examining doctors—who, by the way, were also in a hurry to get home—he bravely threw out his chest, said he was all right, and had his honorable-discharge certificate marked: "Physical condition, good." That good faith on his part is now, in effect, held against him.

Possibly, too, when he did get back home he honestly figured that normal living would bring back normal health. He did not want to admit, even to himself, that something was wrong with him. Hope lives eternal, it is said, in the human heart. Consequently, in many instances he delayed going to any doctor, constantly thinking that he would soon get better; possibly, therefore, not having himself examined by any doctor until several years after he returned to his home.

Many doctors who examined veterans within a few days, weeks, months, or years after they returned from military service failed to keep records of such examinations and no longer have any accurate memories as to their findings, and therefore can give affidavits on behalf of the veterans which are of very little or no value to the veteran. Many other doctors have died without leaving any records behind them. Neighbors knew that a veteran had gone to a doctor, knew the veteran's condition was not good, that he did not have the old vim, vigor, and vitality, but unfortunately are unable to submit pertinent affidavits describing detailed symptoms and incidents, specifically indicating the nature and severity of the ailments with which the veteran may then actually have been suffering.

A hundred and one different factors may, therefore, make it extremely difficult, and in many cases impossible, for the veteran legally and technically to prove that his disabilities were caused by his World War service.

The fight for justice, however, must still be carried on by and for such disappointed disabled veterans, not only for the sake of themselves but also for the sake of their wives and their growing children. The D. A. V. is striving to maintain faith with the Nation's disabled defenders.

WE MUST KEEP FAITH

During time of war, all patriotic citizens sincerely and freely promised that "nothing will be too good for those who return." Unfortunately, many disabled veterans have become so disillusioned by their abortive efforts to secure gainful employment or adequate compensation as to have become convinced that the cheering patriots safe at home literally meant "nothing," for nothing has been their reward in too many just cases.

We cannot permit such a feeling to prevail. It is definitely in the interest of the Nation—all of us—that the faith must be kept with those who have sacrificed their youth and a part of their bodies and of their health in the Nation's most hazardous occupation—its military and naval service during time of war.

The faith must be kept with those who have made such sacrifices in the past, so that young men who may in the future be called upon to make similar sacrifices will have the assurance, on the basis of past performance, that if they, too, shall be so unfortunate, they will not be permitted to become mere forgotten heroes. Truly, seeing to it that the disabled veterans of the World War are adequately provided for is a big investment in the future patriotism of our youth. Providing adequately for the Nation's defenders is an investment in patriotism which brings huge dividend returns to every community, to every State commonwealth, and to our country.

FINANCING THE D. A. V. SET-UP

The D. A. V. has been enabled to maintain its extensive service program primarily out of the funds contributed by disabled veterans themselves, by their payment of membership dues in the D. A. V., through its 37 departments and 807 chapters.

A national per capita tax of $3 is paid by each member each year to the national headquarters.

The disabled veterans who have supported the D. A. V., representing the united collective voice of and for disabled veterans, have so earnestly believed in its past accomplishments, in its current service program, and in its objectives for the future, as to be willing to make the necessary sacrifices for payment of annual membership dues, which, by the way, average about $4 in most of the local chapters.

Local D. A. V. chapters finance their own service and relief activities out of the portion of annual membership dues which they retain, after having sent in the national per capita tax of $3, by annual forget-me-not drives, dances, and so forth.

D. A. V. SERVICE FOUNDATION

Some donations, but not nearly enough, are made each year to the Disabled American Veterans' Service Foundation, incorporated under the laws of

the State of Ohio, and regarded as the D. A. V.'s incorporated trusteeship. Five trustees—all of them now past national commanders—are elected by each national convention for a 5-year term, the term of one of them expiring each year, whereas two additional trustees—generally the current national commander and judge advocate—are elected each year for 1-year terms. This method of electing the trustees was designed to give assurance of real continuity as to the policies of the D. A. V. Service Foundation, as to the conservation and administration of its funds—now totaling less than $35,000—and as to the appropriations therefrom once each year to the national D. A. V. itself, exclusively for the maintenance of the national service bureau and of national D. A. V. service officers in the various States.

Some of the disabled veterans who have received benefits by reason of the assistance of the National Service Bureau or of some national service officer, and other disabled veterans who know of its deserving purposes, have made donations to the D. A. V. Service Foundation each year in sums ranging from $1 to $200, generally, however, totaling only about a thousand or more dollars each year.

The D. A. V. Service Foundation has also been the beneficiary of bequests made in the wills of several disabled veterans who have died and will probably be remembered in the bequests of other disabled veterans whose deaths will occur in the future. Some contributions, but altogether too few, have also occasionally been received from other social-minded citizens.

The national commander of the D. A. V.—Vincent E. Schoeck, of Detroit, Mich.—has advised me that membership fees received from eligible disabled veterans, and donations which they make to the incorporated trusteeship, have not proven sufficient to enable the organization to pay living salaries to many of its national service officers and employees, much less to be able to provide any salaries for its 56 national service officers who have volunteered their services in other regional offices and facilities of the Veterans' Administration, where needed.

NEED FOR FINANCIAL AID

Commander Schoeck tells me that the D. A. V. ought to have an additional income of at least $100,000 per year to enable it more adequately to maintain such invaluable Nation-wide service set-up for the benefit of the Nation's disabled defenders of World War I, and for the selectees and volunteer regulars who inevitably will become disabled in the future, many of whom will need the expert technical advice and assistance which can be furnished to them by the experienced service officers of the D. A. V.

The D. A. V., therefore, plans to submit this serious situation—important in maintaining and building up the morale of the Nation's past and future disabled defenders—to social-minded individuals, with the hope that they may be prompted to make contributions to the D. A. V. in such amounts as will enable it to take care of its present Nation-wide service program, and, if possible, as will build up a trust fund of two or three million dollars to guarantee the continued maintenance of such needed Nation-wide service set-up for the next 15 to 25 years.

It is hoped that there may be some generous-hearted individuals who may feel inspired to make such sizable donations as will guarantee the maintenance of rehabilitation service in some of the poorer States for a period of several years, or to maintain its national service department in Washington, D. C., for one or more months, at a cost of nearly $2,500 per month.

WHY D. A. V. NEEDS OUTSIDE HELP

Some may wonder why more disabled veterans do not become paid-up members of the D. A. V., and thus help to maintain its Nation-wide service set-up on behalf of those less fortunate. Certainly there are many eligibles not now members who could afford to make payment of membership dues. Some of them know very little about the D. A. V.; some of them are indifferent; others have continued to neglect it because of other matters which take up their attention; and many others simply cannot afford it.

It is not generally realized that many disabled veterans, medically diagnosed as only partially disabled, are actually totally disabled from an employment standpoint. Neither is it generally realized that nearly 60 percent of all compensated veterans receive less than $40 per month compensation, and that about 80 percent receive less than $60—an amount entirely inadequate with which to maintain a decent existence for themselves and families, particularly in the case of those who are unable to secure gainful employment because of their handicapping disabilities.

The D. A. V. believes—and I share in that conviction—that the American public is desirous of fulfilling its obligation, that those who return from hazardous military employment in the armed forces of the United States handicapped by some physical or mental scars incurred by reason of such military or naval service shall be adequately provided for by a grateful Nation, and that such deserving disabled veterans should be given such technical assistance as will help them legally to establish their equitable claims for lawful benefits provided through the Veterans' Administration. The D. A. V. is convinced that it is helping to protect and advance the best interests of disabled veterans and of the general public by maintaining its Nation-wide set-up of national service officers and its national service bureau in Washington, D. C.

COMMENDATIONS OF D. A. V.

Many letters of commendation have been received by the D. A. V. as to the great value of its rehabilitation services. The following are a few samples:

There is ample evidence that the use of these contributions in maintaining a free rehabilitation service to assist disabled men in the preparation and presentation of their claims has been helpful to both the veteran and the Government. (Franklin D. Roosevelt, President.)

Please express for me to the Disabled American Veterans my continued appreciation of their services to the country and my sympathy with their efforts to meet the practical needs for rehabilitation and restoration. (Herbert Hoover, former President.)

You have always my most sincere sympathy, admiration, best wishes, and assurances of active support. (Gen. John J. Pershing.)

We all know the work of this great organization, I have many times in my life wished that, having had the privilege of serving in three of our wars, I, too, might be eligible to be a Disabled American Veteran; but I was not disabled in the World War. I want to say that I admire you and congratulate you upon your service to your country. (Brig. Gen. Frank T. Hines, Administrator of Veterans' Affairs.)

In spite of its small number, I feel that the D. A. V. has, in years since I have been in Congress, been the most effective organization for the benefit of the ex-service men. (Senator Bronson Cutting, deceased.)

The Disabled American Veterans are a heritage of proven patriotism. Let's serve God by serving humanity. (Congressman WRIGHT PATMAN.)

The Military Order of the World War passed a resolution endorsing the Disabled American Veterans of the World War * * * for the purpose of assisting disabled veterans in the preparation and presentation of their claims * * * a most important work. (Col. George E. Ijams, past commander in chief, Military Order of the World War.)

It affords me real pleasure to heartily endorse the Disabled American Veterans of the World War * * * to assist individual deserving veterans in their local needs and in the technical prosecution of their equitable claims for compensation resulting from war-incurred disabilities. (Hon. James E. Van Zandt, past commander in chief, Veterans of Foreign Wars of the United States.)

Certainly the men and women who were actually disabled deserve and will receive the united and generous support of every real American. That support should be demonstrated in substance, not just in word. (Edward A. Hayes, past national commander, American Legion.)

For the maimed victims of the World War I have the tenderest sympathy. I am proud to be given the opportunity of aiding in any way to alleviate their conditions. (William Green, president, American Federation of Labor.)

Americans who help to provide security for America's disabled defenders thereby help to provide security for America.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. CONNALLY, from the Committee on Finance:

Fred C. Pabst, of Galveston, Tex., to be collector of customs for customs collection

district No. 22, with headquarters at Galveston, Tex. (reappointment).

By Mr. REYNOLDS, from the Committee on Military Affairs:

First Lt. William Thayer Smith, Medical Corps Reserve, to be first lieutenant in the Medical Corps, Regular Army, with rank from date of appointment, under the provisions of law;

Lt. Col. Lee Roland Watrous, Jr., Finance Department (colonel, Army of the United States), for promotion in the Regular Army, under the provisions of law;

Several officers for appointment, by transfer, in the Regular Army; and

Sundry officers for appointment to temporary rank in the Air Corps, Regular Army, under the provisions of law.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Caldwell S. Johnston, of Nevada, to be consul.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. BARKLEY. I ask that the nominations in the Public Health Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Public Health Service are confirmed en bloc.

The calendar is completed.

SECURITIES AND EXCHANGE COMMISSION

Mr. GLASS. Mr. President, earlier in the day, from the Committee on Banking and Currency, I reported favorably the nomination of Edmund Burke, Jr., of New York, to be a member of the Securities and Exchange Commission. I now ask unanimous consent for the consideration of the nomination.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none. The nomination will be read.

The legislative clerk read the nomination of Edmund Burke, Jr., of New York, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1944.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

RECONSTRUCTION FINANCE CORPORATION

Mr. GLASS. Mr. President, likewise earlier in the day, from the Committee on Banking and Currency, I reported the nomination of Henry A. Mulligan, of New York, to be a member of the Board of Directors of the Reconstruction Finance Corporation. I ask unanimous consent for the present consideration of the nomination.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none. The nomination will be read.

The legislative clerk read the nomination of Henry A. Mulligan, of New York, to be a member of the Board of Directors of the Reconstruction Finance Corporation for the unexpired term of 2 years from January 22, 1940.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all these confirmations.

The VICE PRESIDENT. Without objection, the President will be immediately notified of the confirmation of all nominations acted on today.

NOTICE OF HEARING ON NOMINATION OF CHARLES J. VOGEL

Mr. BARKLEY. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. VAN NUYS. Mr. President, the Committee on the Judiciary has a rule requiring that in the case of a judicial nomination the committee must accord a hearing, and shall give notice at least a week prior to the hearing.

As chairman of the subcommittee of the Committee on the Judiciary I am required, under the rules, to make the announcement on the floor of the Senate and to put the notice in the CONGRESSIONAL RECORD. So, in the absence of the junior Senator from North Dakota [Mr. LANGER], I now formally and legally announce that on Friday, July 25, at 10 a. m., the subcommittee to which was referred the nomination of Mr. Charles J. Vogel, of North Dakota, to be judge of the United States District Court for the District of North Dakota, vice Hon. Andrew Miller, retired, will hold a hearing in the room of the Judiciary Committee, and all men who desire may there appear and show cause why he should not be confirmed, if they so wish.

NOTICE OF HEARING ON SENATE BILL 1280, RELATIVE TO PAYMENT OF POLL TAX

Mr. O'MAHONEY. Mr. President, I desire to give notice that a subcommittee of the Committee on the Judiciary which was appointed to consider Senate Bill 1280, introduced by the Senator from Florida [Mr. PEPPER], concerning the qualification of voters or electors within the meaning of section 2, article I, of the Constitution, will hold a public hearing in the Judiciary Committee room at 10:30 o'clock on Saturday morning, July 19. This notice is given because the chairman of the subcommittee has received many inquiries with respect to the bill, and I desire to put on notice the persons who may desire to be heard.

DIPLOMATIC AND FOREIGN SERVICE—ALFRED T. NESTER

Mr. BARKLEY. Mr. President, as in executive session, I report favorably, from the Committee on Foreign Relations, the nomination of Alfred T. Nester, of New York, now a Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America. I ask unanimous consent for the present consideration of the nomination.

The VICE PRESIDENT. Is there objection to the present consideration of this nomination as in executive session? The Chair hears none. The nomination will be read.

The legislative clerk read the nomination of Alfred T. Nester, of New York, now a Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask that the President be notified.

The VICE PRESIDENT. Without objection, the President will be notified.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 127. An act for the relief of Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, Angus LeBlanc, William J. Demelle, Samuel Fishman, and Hector LaPointe;

S. 176. An act for the relief of Samuel M. Lipton;

S. 347. An act authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel;

S. 851. An act for the relief of Edson E. Downs;

S. 1027. An act for the relief of Harriet B. Rickards;

S. 1142. An act for the relief of J. Mae Chambers and Retta E. Hultgren;

S. 1166. An act for the relief of Daniel Steele;

S. 1348. An act for the relief of J. M. Swinney; and

S. 1352. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of R. Brinskelle and Charlie Melcher.

The message also announced that the House of Representatives, having considered the bill (S. 1447) making provision for maintaining the Corps of Cadets of the United States Military Academy at authorized strength, had stricken out the enacting clause.

The message further announced that the House had passed the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 281. An act for the relief of the St. Nicholas Park Co.; and

S. 849. An act for the relief of Eben Vaughn Cleaves.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 814) for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil.

The message also announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 139) to provide suitable vessels for the use of certain State nautical schools, and for other purposes.

The message further announced that the House insisted upon its amendments to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAY, Mr. THOMASON, Mr. HARTER, Mr. ARENDS, and Mr. HARNESS were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 4816) to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLE of Maryland, Mr. LEA, Mr. KELLY of Illinois, Mr. WOLVERTON, and Mr. HOLMES were appointed managers on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 413. An act for the relief of Arma Lee Hogan;

H. R. 733. An act for the relief of Ryoichi Sumida;

H. R. 734. An act for the relief of Kula Sanatorium;

H. R. 1352. An act for the relief of Norman Carlin Brown, a minor;

H. R. 1354. An act for the relief of Herman R. Allen;

H. R. 1369. An act for the relief of Jose J. Perez;

H. R. 1575. An act for the relief of Franklin G. Galpin;

H. R. 1650. An act for the relief of the estate of Marion S. Griggs, deceased;

H. R. 1677. An act for the relief of Ernest P. Leavitt;

H. R. 1700. An act for the relief of Anna and Fred Aebi;

H. R. 1905. An act for the relief of Mr. and Mrs. Michael Lewenczuk;

H. R. 1914. An act for the relief of the Coppel Coal Co.;

H. R. 2183. An act for the relief of Hiram O. Lester, Grace D. Lester, and Florence E. Dawson;

H. R. 2372. An act for the relief of Paul E. Cook;

H. R. 2378. An act for the relief of Arthur G. Moyer;

H. R. 2431. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.;

H. R. 2459. An act for the relief of Arnold H. Sommer;

H. R. 2463. An act for the relief of the heirs of Donald Crump and Mrs. John N. Crump and for the relief of Emma Jane Crump and Mildred Lounedah Crump;

H. R. 2546. An act for the relief of the estate of Max Adams Shephard;

H. R. 2712. An act for the relief of the Branchland Pipe & Supply Co.;

H. R. 2717. An act for the relief of Mrs. Lucille Peschke;

H. R. 2783. An act for the relief of Louis H. Pink, superintendent of insurance in New York, as liquidator of New York Indemnity Co.;

H. R. 3003. An act for the relief of Lueberta Wilson;

H. R. 3032. An act for the relief of J. G. Fox;

H. R. 3086. An act for the relief of Harold E. Marquis;

H. R. 3116. An act for the relief of Ernest Melotte and Mary Melotte;

H. R. 3118. An act for the relief of the State Compensation Insurance Fund of California;

H. R. 3270. An act for the relief of John K. Blackstone;

H. R. 3403. An act for the relief of Louis M. McDougal;

H. R. 3468. An act for the relief of the Edward Gillen Dock, Dredge & Construction Co.;

H. R. 3499. An act for the relief of Frank E. Day;

H. R. 3500. An act for the relief of J. R. Giles;

H. R. 3647. An act for the relief of the San Diego Consolidated Gas & Electric Co.;

H. R. 3697. An act for the relief of John E. Newman;

H. R. 3723. An act amending the act of October 14, 1940, entitled "An act to record the lawful admission to the United States for permanent residence of Nicholas G. Karas";

H. R. 3761. An act for the relief of Mrs. Willie M. Maye;

H. R. 3823. An act for the relief of Edwin B. Formhals;

H. R. 3829. An act for the relief of Lonnie Bales;

H. R. 3872. An act for the relief of Towne School District No. 6, Fractional Monroe Township, Newaygo County, Mich.;

H. R. 3943. An act for the relief of Mr. and Mrs. J. W. Johns;

H. R. 4019. An act for the relief of John J. Jenkins;

H. R. 4100. An act for the relief of the legal guardian of Louise Holcombe, a minor, George Holcombe, and Cliff Evans;

H. R. 4117. An act for the relief of W. L. B. Van Dyke;

H. R. 4179. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Allen Pope, his heirs or personal representatives, against the United States;

H. R. 4182. An act for the relief of Mollie S. McHaney;

H. R. 4198. An act for the relief of John King;

H. R. 4329. An act for the relief of Mrs. F. A. N. Yeager;

H. R. 4529. An act for the relief of John Henry Hester;

H. R. 4622. An act for the relief of Catherine Schultze;

H. R. 4803. An act for the relief of certain personnel of the Army on account of loss of personal property as a result of a fire on April 11, 1940, at Fort Benning, Ga.;

H. R. 4921. An act for the relief of Antonio or Anthony Maurin; and

H. R. 5026. An act for the relief of the Louis Puccinelli Bail Bond Co.

HOUSE BILLS REFERRED OR PLACED ON THE CALENDAR

The following bills were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated:

H. R. 413. An act for the relief of Arma Lee Hogan;

H. R. 733. An act for the relief of Ryoichi Sumida;

H. R. 734. An act for the relief of Kula Sanatorium;

H. R. 1352. An act for the relief of Norman Carlin Brown, a minor;

H. R. 1354. An act for the relief of Herman R. Allen;

H. R. 1369. An act for the relief of Jose J. Perez;

H. R. 1575. An act for the relief of Franklin G. Galpin;

H. R. 1650. An act for the relief of the estate of Marion S. Griggs, deceased;

H. R. 1677. An act for the relief of Ernest P. Leavitt;

H. R. 1700. An act for the relief of Anna and Fred Aebi;

H. R. 1905. An act for the relief of Mr. and Mrs. Michael Lewenczuk;

H. R. 1914. An act for the relief of the Coppel Coal Co.;

H. R. 2183. An act for the relief of Hiram O. Lester, Grace D. Lester, and Florence E. Dawson;

H. R. 2372. An act for the relief of Paul E. Cook;

H. R. 2378. An act for the relief of Arthur G. Moyer;

H. R. 2431. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.;

H. R. 2459. An act for the relief of Arnold H. Sommer;

H. R. 2463. An act for the relief of the heirs of Donald Crump and Mrs. John N. Crump and for the relief of Emma Jane Crump and Mildred Lounedah Crump;

H. R. 2546. An act for the relief of the estate of Max Adams Shepard;

H. R. 2712. An act for the relief of the Branchland Pipe & Supply Co.;

H. R. 2717. An act for the relief of Mrs. Lucille Peschke;

H. R. 2783. An act for the relief of Louis H. Pink, superintendent of insurance in New York, as liquidator of New York Indemnity Co.;

H. R. 3003. An act for the relief of Lueberta Wilson;

H. R. 3032. An act for the relief of J. G. Fox;

H. R. 3086. An act for the relief of Harold E. Marquis;

H. R. 3116. An act for the relief of Ernest Melotte and Mary Melotte;

H. R. 3118. An act for the relief of the State Compensation Insurance Fund of California;

H. R. 3270. An act for the relief of John K. Blackstone;

H. R. 3403. An act for the relief of Louis M. McDougal;

H. R. 3468. An act for the relief of the Edward Gillen Dock, Dredge & Construction Co.;

H. R. 3499. An act for the relief of Frank E. Day;

H. R. 3500. An act for the relief of J. R. Giles;

H. R. 3647. An act for the relief of the San Diego Consolidated Gas & Electric Co.;

H. R. 3697. An act for the relief of John E. Newman;

H. R. 3761. An act for the relief of Mrs. Willie M. Maye;

H. R. 3823. An act for the relief of Edwin B. Formhals;

H. R. 3829. An act for the relief of Lonnie Bales;

H. R. 3872. An act for the relief of Towne School District No. 6, Fractional Monroe Township, Newaygo County, Mich.;

H. R. 4019. An act for the relief of John J. Jenkins;

H. R. 4100. An act for the relief of the legal guardian of Louise Holcombe, a minor, George Holcombe, and Cliff Evans;

H. R. 4117. An act for the relief of W. L. B. Van Dyke;

H. R. 4179. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Allen Pope, his heirs or personal representatives, against the United States;

H. R. 4182. An act for the relief of Mollie S. McHaney;

H. R. 4198. An act for the relief of John King;

H. R. 4329. An act for the relief of Mrs. F. A. N. Yeager;

H. R. 4529. An act for the relief of John Henry Hester;

H. R. 4622. An act for the relief of Catherine Schultze;

H. R. 4803. An act for the relief of certain personnel of the Army on account of loss of personal property as a result of a fire on April 11, 1940, at Fort Benning, Ga.; and

H. R. 5026. An act for the relief of the Louis Puccinelli Bail Bond Co.; to the Committee on Claims.

H. R. 3723. An act amending the act of October 14, 1940, entitled "An act to record the lawful admission to the United States for permanent residence of Nicholas G. Karas"; to the Committee on Immigration.

H. R. 3943. An act for the relief of Mr. and Mrs. J. W. Johns; to the calendar.

FOREIGN PROPAGANDA IN THE UNITED STATES

Mr. NYE. Mr. President, I inquire of the Senator from Kentucky whether there has yet been named a chairman of the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BARKLEY. No; there has not.

Mr. NYE. Is there contemplated the early reorganization of the committee?

Mr. BARKLEY. Yes. I will say to the Senator that I have not called together the steering committee, which passes on such matters from the standpoint of the majority, because within a few days three new Senators are coming, and I have been waiting until they could come here and probably look over the vacancies and give some indication as to their committee preferences. As soon as I hear from them I expect to call the steering committee together. One of the important things we shall have to decide is as to the chairmanship of the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. NYE. I may say that my interest in the matter was occasioned by a desire to see early consideration afforded to Senate Resolution No. 8, submitted by the Senator from Missouri [Mr. CLARK]. The resolution has been pending for a long while. It calls for an investigation of foreign propaganda in the United States. In the light of what we are witnessing more and more of each and every day it seems to me there is increasing occasion for the existence of such a committee. I have in mind not alone the things that are being said by the distinguished visitors who come here from Britain; I have in mind the activities of some Americans whose interest is at least under suspicion by reason of their connections abroad.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. NYE. I yield.

Mr. BARKLEY. Unless it was brought about by reason of something the Committee on Foreign Relations did during my absence, I do not understand that the resolution is before the Committee to Audit and Control the Contingent Expenses of the Senate. As a matter of fact the Senator from Missouri [Mr. CLARK] introduced in the last Congress a resolution to investigate propaganda which pended in that committee for quite a while, and was not acted upon. In January he reintroduced the resolution, and it was again referred to the Committee on Foreign Relations. The Senator from Oklahoma [Mr. LEE] likewise introduced a resolution which was referred to the same committee. Soon thereafter the resolutions were brought up before the committee, and the committee took no action except to appoint a subcommittee to consider both of them. So far as I know, the Committee on Foreign Relations has taken no action on either one of them.

Mr. NYE. I am confused, then, because I was laboring under the impression that the resolution was pending before the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BARKLEY. No.

Mr. NYE. I was confused because of the status which existed during the last session.

Mr. BARKLEY. Of course, the Senator realizes that resolution No. 8, referred to by him, died at the end of the last session.

Mr. NYE. That is true.

Mr. BARKLEY. And a new resolution was introduced, in addition to another one on the same subject. Neither one of them has been reported by the Committee on Foreign Relations, and therefore neither one is pending in the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. NYE. The Senator is correct.

I have before me the July 1941 issue of the Insurance Examiner, an independent monthly publication printed in Chicago, conveying rather startling information, I thought, which I desire to read.

The article is as follows:

[From the Insurance Examiner of July 1941]

WENDELL "JUST CAMPAIGN ORATORY" WILLKIE GETS INSURANCE COMPANY DIRECTORSHIP WITH BRITISH HOOK-UP

On June 6, 1941, Indiana's gift to Wall Street, Wendell Willkie, the erstwhile New Dealer or Democrat who was jockeyed into the Republican candidacy for President by Atlantic seaboard vested interests last summer, was named director of the Federal Insurance Co., of Jersey City, N. J.

This company writes aircraft, inland and ocean marine, along with various other casualty coverages. And being air-minded as well as ocean-minded, Indiana's barefoot Wall Street lad apparently picked a company best suited to his purposes.

And Wendell will not be among strangers on the Federal board, for his clipper companion on his lend-lease hop to England early this year, Landon K. Thorn, is a director of Federal Insurance Co.

Management for the Federal is provided by Chubb & Sons, 90 John Street, New York, N. Y., who in turn are United States managers of the Alliance Assurance Co., Ltd., of London, England; Sea Insurance Co., Ltd., of Liverpool, England; marine branches of the London Assurance, and other companies businesses in part or whole.

Other directors of Federal are Hendon Chubb and J. Russell Parsons, both of Chubb & Sons; Gordon S. Rentschler, president of National City Bank; John W. Stedman, vice president of the Prudential Insurance Co. of America (his boss, D'Olier, it will be recalled, clippered to and from England with Warner, of the American Legion); Albert C. Wall; and Harold T. White.

Who are some of the other advocates of convoys for goods and munitions to Britain besides Willkie?

Well, there is Lewis W. Douglas, recently appointed president of the Mutual Life Insurance Co. of New York. Mr. Douglas is chairman of the national policy board of the Committee to Defend America by Aiding the Allies. On the use of convoys, Mr. Douglas has said:

"It means shooting, but the risks we (wonder who he means?) take by doing it are incalculably less than by indolently, fearfully, cravenly waiting until we shall stand without a friend on earth in desperate solitude."

Among the trustees of the Mutual Life who put Douglas in office are William Bullitt, Emory W. Clark, John W. Davis, Robert C. Stanley, and Elihu Root, Jr.

Equally as insistent on convoys as have been Douglas and Lamont is Lawyer Clark, of the New York law firm of Root, Clark, Buckner & Ballantine, lawyers closely identified with eastern insurance, particularly the New York Life Insurance Co.; Arthur Ballantine, Mortimer, and Thomas Buckner being directors of the company. Clark, by the way, drafted the present conscription law.

Thomas S. Lamont, of the House of Morgan, is a director of North British and Mercantile Insurance Co., Ltd., of London, Edinburgh and 150 William Street, New York City, N. Y. Associated with him as directors are David F. Houston, also a director of Mutual Life Insurance Co; Sir Ashley Sparks, K. B. E. (Knight of the British Empire); and Philip J. Roosevelt, a distant cousin of the Franklin Delano Roosevelt family.

This British insurance company controls the Mercantile Insurance Co. of America, the Commonwealth Insurance Co. of New York, the Pennsylvania Fire Insurance Co. of America, and three other British insurance companies.

With British-controlled capital stock casualty and fire-insurance companies planted in probably more than half of the agencies (agents and brokers) in this country, and with British insurance interests owning a substantial part of the United States insurance structure, it goes without saying that such interests are for an all-out effort on the part of this country to save Great Britain.

And don't think these same interests won't move heaven and earth to thwart any and all attempts to liquidate or otherwise dispose of their vast money-making British insurance companies here to provide Britain with funds for war supplies.

Why should they until the last American dollar is consumed in the lend-lease program for the financing of Great Britain's current war?

At least that's the feeling along Park Avenue, Maiden Lane, Wall, William, John, and Nassau Streets in worried old Manhattan.

BRITISH DOMINATION UNITED STATES INSURANCE

British companies with which Willkie is connected through his directorship of Federal are leaders in the marine-insurance business. The president of Federal is Herndon Chubb, of New York, the leading expert in this country on marine insurance, who has had close relations with the English marine underwriters for many years.

There are in all 86 British-owned or controlled companies that write fire and casualty insurance in the United States. This includes 45 American companies which are controlled by British interests and operate as affiliates of British companies. The remainder are branch offices of British firms.

Assets of the American affiliates and branches of the British companies aggregate nearly $650,000,000. Premiums collected last year by the companies totaled about $270,000,000 out of a total of nearly two and one-half billion dollars for all companies.

AMERICAN INCOMES LISTED

The American assets and 1940 premium income of a number of British-owned and

controlled companies operating here are shown in the following table:

FIRE COMPANIES

	Assets, Dec. 31, 1940	Income, 1940
Alliance Assurance Co.	$3,072,320	$1,599,494
Marine Insurance Co., Ltd.	6,141,576	2,457,552
Sea Insurance Co., Ltd.	4,904,187	2,264,557
Commercial Union Assurance	13,976,690	6,984,130
Commercial Insurance Co. of New York	7,535,281	1,585,373
Eureka-Security Fire and Marine Insurance Co.	7,535,954	3,579,892
Liverpool & London & Globe Insurance	18,287,494	8,554,810
London & Lancashire Insurance Co.	7,515,290	3,237,101
London Assurance	9,695,014	4,682,309
Newark Fire	10,417,236	5,032,365
North British & Mercantile	15,535,679	6,429,481
Northern Assurance Co.	8,204,211	4,296,869
Pearl Assurance Co.	17,339,182	5,992,865
Queen Insurance Co. of America	23,763,366	7,970,063
Royal Insurance Co.	21,563,924	9,051,133

CASUALTY COMPANIES

	Assets, Dec. 31, 1940	Income, 1940
Eagle Indemnity Co.	$10,018,133	$4,182,855
Employers Liability Assurance Corporation	45,081,856	24,738,651
General Accident Fire & Life Assurance	40,621,509	18,000,032
Globe Indemnity	42,316,964	16,292,525
London Guaranty & Accident Co.	15,487,068	6,941,082
Ocean Accident & Guaranty	18,442,360	7,876,376
Royal Indemnity Co.	35,667,433	13,589,462

The British insurance investments in this country have remained intact since the beginning of the war, although British holdings in a number of American industrial concerns have been sold or are in the process of liquidation. While the total assets of the insurance companies aggregate nearly $650,000,000, a large part of this total is earmarked to meet policyholders' claims and other liabilities. The actual value of the English insurance investments is not known but it is probably in the neighborhood of one-third of the total reported assets.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. Mr. President, I move that the Senate adjourn until 12 o'clock noon Monday next.

The motion was agreed to; and (at 12 o'clock and 24 minutes p. m.) the Senate adjourned until Monday, July 21, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 17, 1941:

COLLECTOR OF CUSTOMS

Fred C. Pabst, of Galveston, Tex., to be collector of customs for customs collection district No. 22, with headquarters at Galveston, Tex. Reappointment.

COAST GUARD OF THE UNITED STATES

The following-named officers in the Coast Guard of the United States to be chief machinists, to rank as such from July 1, 1941:

Machinist Charles Jerabeck
Machinist William E. Lowe

APPOINTMENTS IN THE REGULAR ARMY

TO BE FIRST LIEUTENANTS, DENTAL CORPS, WITH RANK FROM DATE OF APPOINTMENT

First Lt. David Chase Hazard, Dental Corps Reserve.

First Lt. Edward Ernest Rose, Dental Corps Reserve.

First Lt. Robert Clay Sample, Dental Corps Reserve.

PROMOTION IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONEL, WITH RANK FROM JULY 15, 1941

Lt. Col. Joseph Dowd Brown, Coast Artillery Corps (colonel, Army of the United States), subject to examination required by law.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY OF THE UNITED STATES

TO BE LIEUTENANT COLONELS

Maj. James Milliken Bevans, Air Corps.
Maj. Paul Hanes Kemmer, Air Corps.
Maj. Donald Boyer Phillips, Air Corps.
Maj. Cecil Elmore Archer, Air Corps.
Maj. Louis Meline Merrick, Air Corps.
Maj. Dudley Warren Watkins, Air Corps.
Maj. Lyman Perley Whitten, Air Corps.
Maj. Ray Henry Clark, Air Corps.
Maj. Homer Wilbur Ferguson, Air Corps.

TO BE MAJORS

(All officers listed below now hold rank as temporary captains, Army of the United States:)

First Lt. Elvin Seth Ligon, Jr., Air Corps.
First Lt. Charles Burton Winkle, Air Corps.
First Lt. John Monroe Hutchison, Air Corps.
First Lt. Arno Herman Luehman, Air Corps.
First Lt. Paul Lawrence Barton, Air Corps.
First Lt. Raymond Judson Reeves, Air Corps.
First Lt. William Harvey Wise, Air Corps.
First Lt. Richard Andrew Legg, Air Corps.
First Lt. Harvey Thompson Alness, Air Corps.

NOTE.—The dates of rank are omitted, as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 17, 1941:

RECONSTRUCTION FINANCE CORPORATION

Henry A. Mulligan to be a member of the board of directors of the Reconstruction Finance Corporation.

SECURITIES AND EXCHANGE COMMISSION

Edmund Burke, Jr., to be a member of the Securities and Exchange Commission.

DIPLOMATIC AND FOREIGN SERVICE

Coldwell S. Johnston to be a consul of the United States of America.

Alfred T. Nester to be a consul general of the United States of America.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE A PASSED ASSISTANT SURGEON

Howard T. White

TO BE ASSISTANT SURGEONS

Selwyn H. Drummond
Timothy J. Haley
Trawick H. Stubbs
Frank P. Marturano
Randall W. Snow
Douglas S. Nisbet
Samuel C. Ingraham
Joseph A. Moore
Robert E. Miller
Samuel C. Duhon

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 17, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We praise Thee, O Lord God, that Thou dost adapt Thy providence and grace to the needs of Thy servants. As Thou art greater than thrones, dominions, principalities, and powers, Thy will and spirit have been mightier than all visible things, wonderfully working, bringing forth out of darkness, light; out of tears, joy; and out of groans, songs, which no man can number. We rejoice that Thou are of infinite patience and dost not weary in serving us with gentleness against reproach, and tenderness against rudeness and cruelty. How blessed is the promise that in the ages to come we shall know of the truth that passeth all understanding; how adorable it will be to our astonished and enraptured vision. Stay not the day, Heavenly Father, when a glorious release shall come, liberty of faith and companionship among the sons of men. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On July 8, 1941:

H. R. 2074. An act to amend section 353 (b) of the Communications Act of 1934, as amended;

H. R. 4224. An act relating to the manning of certain vessels of 500 gross tons and less;

H. R. 4225. An act relating to the manning of certain sail vessels; and

H. J. Res. 22. Joint resolution authorizing the Secretary of War to convey certain lands to the State of West Virginia.

On July 9, 1941:

H. R. 531. An act to amend the act of April 6, 1938 (52 Stat. 201), entitled "An act authorizing the Secretary of the Treasury to exchange sites at Miami Beach, Dade County, Fla., for Coast Guard purposes";

H. R. 3191. An act to amend the act entitled "An act to make unlawful the transportation of convict-made goods in interstate commerce, and for other purposes," approved October 14, 1940;

H. R. 4359. An act authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Lizzie Smith;

H. R. 4841. An act to establish a National Archives Trust Fund Board, and for other purposes; and

H. R. 4903. An act to authorize the Secretary of the Treasury to exchange certain land owned by the United States for a site for a road right-of-way needed for access to the Coast Guard Light Station Reservation, Au Sable, Mich.

On July 11, 1941:

H. R. 2475. An act to prohibit prostitution within such reasonable distance of Military and/or Naval Establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy;

H. R. 3857. An act authorizing the construction of a crypt for the remains of Gutzon and Mary Borglum;

H. R. 4258. An act to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States; and

H. R. 4658. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes.

On July 14, 1941:

H. R. 4700. An act to provide for priorities in transportation by merchant vessels in the

interest of national defense, and for other purposes; and

H. R. 4839. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

On July 15, 1941:

H. R. 2308. An act to ratify a lease entered into by certain Mission Indians of California; and

H. R. 4887. An act to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties, and for other purposes.

On July 16, 1941:

H. J. Res. 194. Joint resolution making an additional appropriation for the Tennessee Valley Authority for the fiscal year ending June 30, 1942.

INTERSTATE PETROLEUM PIPE LINE

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 4816, to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce, with a Senate amendment, disagree to the Senate amendment and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland? (After a pause.) The Chair hears none and appoints the following conferees: Messrs. COLE of Maryland, LEA, KELLY of Illinois, WOLVERTON of New Jersey, and HOLMES.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD and to include a brief statement of statistics.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. SMITH of Washington addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an article concerning Senator TOM CONNALLY, of my State.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein an editorial from the Galesburg Daily Register-Mail.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent that the special order, which I have to address the House tomorrow, may be canceled, and I ask unanimous consent that I may address the House for 20 minutes on Monday next at the completion of the legislative program of the day and following any previous special order.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes on next Tuesday at the conclusion of the legislative program and following any previous special order.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks and to include therein certain excerpts and editorials from the Second District of Colorado.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

[Mr. HILL of Colorado addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two particulars, including a letter from a constituent and also a poem by Nick Kenny.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to have printed in the RECORD the remarks I referred to day before yesterday. I have an estimate from the Printer and the cost is $255.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address which I delivered on July 4, at Lyndon, Vt., their sesquicentennial day.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent that my colleague from Michigan [Mr. SHAFER] be permitted to extend his remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from a constituent.

The SPEAKER. Is there objection?

There was no objection.

THE PRESIDENT'S JULY 4 ADDRESS

Mr. RICH. Mr. Speaker, reports are finally drifting into Washington exposing the shameful manner in which citizens of the United States were held up on the public roads in various parts of the Nation and compelled to listen to the President's Fourth of July address.

Mr. Speaker, if this is the first exhibition of Hitlerism in this country, I hope it will also be the last.

In Nebraska, a farmer from Kansas who was driving to Lincoln was stopped and compelled to park his car by a State highway patrolman although he had no radio in his car and could not have listened to the President if he wanted to. Every hour of the day and far into the night the American people are being subjected to the organized propaganda by the warmongers who, despite the wishes of more than 75 percent of the common people of this Nation, are carrying forward the nefarious propaganda to get us into a shooting war as quickly as possible.

Mr. Speaker, when are we going to have an investigation of this organized propaganda to get us into war?

Why should agents and emissaries of any foreign government be allowed the use of the radio, the theater, and the pulpit to deceive our people? The people of the United States are against war. This Congress, as a representative body, should respect the wishes of the people. Let us stop this propaganda. Let us keep out of war. Let us keep our liberty.

VOTES ON NATIONAL DEFENSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, I address my remarks especially to those on the Democratic side. Perhaps they will remember that the gentleman from Massachusetts [Mr. MARTIN], the minority leader, criticized the Democrats for not stepping up in the matter of national defense. Last Monday I made reference to the votes that the Republicans cast regarding such matters, and so by the help of the gentleman from Massachusetts I have today 30 minutes in which to address the House. I have compiled the votes on national-defense matters, Republican and Democratic, from 1935 down, the best I could find, and I ask gentlemen on the Democratic side to stick around and perhaps they will hear something.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Yes.

Mr. REES of Kansas. Will the gentleman also discuss the manner in which the defense has been progressing in the last several months?

Mr. PATRICK. I hope so. I hope to cover everything that I can relating to the subject.

The SPEAKER. The time of the gentleman from Alabama has expired.

INTER-AMERICAN STATISTICAL INSTITUTE (H. DOC. NO. 317)

The SPEAKER laid before the House the following message from the President of the United States which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Acting Secretary of State to the end that legislation may be enacted to enable the United States to become an adhering member of the Inter-American Statistical Institute and to authorize an annual appropriation for the payment of the share of the United States in support of the Institute.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 17, 1941.*

ADDITIONAL SHIPBUILDING AND REPAIR, ETC., FOR NAVY

Mr. SABATH. Mr. Speaker, I call up House Resolution 271, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5256, a bill authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, does the gentleman from Indiana desire any time?

Mr. HALLECK. Just a few minutes.

Mr. SABATH. Mr. Speaker, this bill makes in order H. R. 5256, authorizing appropriations for the United States Navy, additional shipbuilding, ship repair and ordnance manufacturing facilities, and for other purposes, and authorizes the appropriation of $585,000,000, of which $300,000,000 will be expended for essential equipment and facilities at either private or naval establishments for building or equipping any complete naval vessel heretofore or hereafter authorized; $160,000,000 for essential equipment and facilities at either private or naval establishments for repairing, altering, or converting any vessel operated by the Navy or being prepared for naval use; and $125,000,000 for essential equipment and facilities for the manufacture or production of ordnance material, munitions, and armor at either private or naval establishments. The chairman of the Naval Committee informed the Rules Committee, that there was only one vote cast in the committee against these authorizations. I understand another bill will be reported by the Committee on Naval Affairs shortly.

Though I am for the bill, which this resolution makes in order, I do not wish to take up a great deal of time; nevertheless, I feel it my duty to call to the attention of the House the fact that of these large sums of money a great deal is being allocated, advanced, or loaned to private corporations, mostly to the largest ones in the United States. It is frequently stated that some of them hesitate to take on extraordinary risks by taking on these contracts, but still I observe that they are here day in and day out seeking more work, especially those in New England and along the coast. Why they should be advanced all this money I cannot understand. They could obtain it from the banks; that is not true of the smaller corporations or firms, who unfortunately are not given the same consideration as these large corporations like the Bethlehem, the Westinghouse, the Crucible, the Du Pont, and the Midvale, which are being given millions by this bill. We have in the Middle West hundreds upon hundreds of plants which could, with advantage to the Government, and at lower cost to the Government, produce many of these needed supplies, but, unfortunately, those plants have not the men experienced to submit their plans and ability and are at a disadvantage because they are not acquainted with the men in charge who are authorized in giving out this work.

Many of them have been here from time to time. They are invited here, and they come here, and they are referred from one department to the other, and after a week, when the money gives out, due to the excessive price they are obliged to pay for their rooms in the Washington hotels, they go home not only dissatisfied but disgusted.

I have called the attention of the chairman of the Naval Affairs Committee to the fact that his committee should bring this home to those in authority; those who have the power to let this work. I have been informed that that has been done, but notwithstanding that fact these gentlemen still follow the same course as they have heretofore. I am informed that in these big plants they have more work on hand now than they can possibly complete in due time as needed by the Government.

On the other hand, we have hundreds of smaller plants in the Middle West that are ready and willing to do the work and complete it in time. They have the facilities. They have the manpower. Unfortunately everything is overcrowded in New England, and the Middle West is suffering. For instance, in my own city we have over 45,000 vacant living quarters because that number of men have been withdrawn from Chicago by the eastern manufacturers and those on the coast. It is manifestly unfair. They have been drawn out of Chicago and families have been separated, all to the disadvantage of the people of my section. I am not speaking for my district alone, because in my district very few of these facilities are available. There are some plants that could do the work to advantage, but they have been here many times and have failed to obtain any consideration. But there are many around Chicago and in Chicago that I think should be utilized.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. AUGUST H. ANDRESEN. What the gentleman has said about Chicago is true throughout the entire Middle West. There are thousands of small plants that are begging to take part in the national-defense program and to produce some of these articles, but they are not given an opportunity to do so. Will the gentleman permit this question: I take it the gentleman is against this resolution?

Mr. SABATH. No; I am not.

I am for the resolution and the bill, but I am calling attention to the injustice and unfairness that is being practiced against my section of the country.

Mr. AUGUST H. ANDRESEN. From the way the gentleman was speaking I thought perhaps he was against it. But does the gentleman know whether or not the War Department is doing anything to get these contracts out from the big manufacturers to the small industries of the country?

Mr. SABATH. I have been informed that the War Department is trying and that they have sent out their men to make surveys; but unfortunately these small manufacturers do not have the ability to convey to those gentlemen their position and to explain their ability to comply with the requirements of the Government. There is too much red tape and many of these small fellows are not familiar with all the technical requirements on the part of Government agencies.

Mr. AUGUST H. ANDRESEN. These few large companies who are getting hundreds of millions of dollars' worth of back-logs, if they are to get buildings to produce these materials themselves, it will take them years to comply. It seems to me the War Department should force those large manufacturers to sublet some of these contracts to the smaller contractors throughout the country.

Mr. SABATH. The gentleman is right.

Mr MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the distinguished minority leader.

Mr. MARTIN of Massachusetts. I want to commend the gentleman from Chicago for bringing this subject up, because I think he has put his finger on one of the weak spots in our defense production. There is not any question but what there are hundreds of good concerns equipped with small tools, able to do the work if they get a chance. I want

to say to the gentleman for his information there has been a survey made, as he has well said, and several million dollars were given to the committee which made the survey. These names are all available, but somehow those concerns heard nothing further about it.

Mr. SABATH. I thank the gentleman. He explains the situation correctly.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. VINSON of Georgia. I desire to call the attention of the House to the fact that if you will examine the report on page 9 you will see where the expansion is to take place in private industry, and it is scattered all over the United States. Yes; I urge the membership to examine and read the report and they will then understand why I am obliged to call attention to these matters.

Mr. MARTIN of Massachusetts. Will the gentleman yield further?

Mr. SABATH. I yield.

Mr. MARTIN of Massachusetts. I agree with that; but I am trying to bring out that there are hundreds of other concerns that could be put to work, which for some reason or other have not had a chance.

Mr. VINSON of Georgia. The gentleman is absolutely correct. If that could be brought about it would reduce the cost of the whole program.

Mr. SABATH. There is no question that if work were parceled out and the smaller manufacturers were given a chance, the Government would save money. The gentleman's statement recalls to my mind this matter: A few days ago a small manufacturer from my city came to me and said, "Well, I finally succeeded, after about 5 months, in getting a small contract." It was some electrical device or machinery. He said, "Of course, they could not help giving it to me, because my bid was about $2.65 per piece, whereas they have been paying about $7 to the large corporations for the same thing."

I agree that if the Navy Department and the War Department would utilize some of the smaller concerns we could save millions upon millions and at the same time eliminate the discord and dissatisfaction that exist in the United States. We are, unfortunately, only utilizing the large concerns and aiding them financially, when, as a matter of fact, they can obtain all the money and have all the money that is needed available in their cash boxes or banks, while the smaller manufacturer is being discriminated against and cannot obtain the financial aid or assistance that is being accorded the large ones.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. DONDERO. I think it is pertinent to this discussion and to the gentleman's testimony to point out the fact that the greater part of this fund, the $580,000,000, is for new shipyards and shipyard facilities. We have 45 shipyards on the Great Lakes now that could be used if the door were unlocked and the St. Lawrence waterway deepened.

Mr. SABATH. The gentleman is right, but I feel that many of the small boats could be manufactured to advantage in these shipyards to which he calls attention. Of course, no doubt, as soon as the St. Lawrence project will be completed, we could then also build the larger vessels and relieve New England and increase the construction of these much-needed vessels.

The gentleman may be interested to know that when the $150,000,000 authorization was up I made it a point to ascertain if smaller boats would be built on the Great Lakes, and was assured that all of them would be built there. But, to my great surprise, I learned that not even one-third of these contracts had been let to plants on the Great Lakes.

Most of them went to the big shipbuilders, already crowded with the production of battleships, destroyers, cruisers, submarines, aircraft carriers, and other larger types of vessels, to whom most of this money will go for the extension of their plants and shipyards, which would not be necessary if the Department would let the smaller shipyards in the East and on the Great Lakes undertake the construction of the smaller craft, because it would be unnecessary to authorize these millions if that were done, as they have their plants ready for production.

I do not wish to state that these smaller shipyards and manufacturing establishments in the Middle West may not need some financial aid, but it would not be nearly as great as that being given to the Bethlehem Steel, the Crucible Steel, the Midvale, and many of the large plants and shipyards. Unfortunately it is impossible to satisfy or to obtain consideration from the gentlemen in Washington as do the representatives of these larger concerns. In this bill millions are being provided to expand plants, to manufacture machine tools, and things of that kind, and munitions. I maintain that it is not necessary to go to the same plants, overcrowded plants, which are building these tremendous numbers of ships and airplanes. This work of manufacturing machine tools, munitions, and so on, can be done in localities which are not overcrowded, localities where manpower is available and where facilities can be obtained at lesser cost than at these big plants.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. RICH. In looking over the list of places where they are going to do this work, and then going back and seeing the amount of money we are spending for increased facilities, it is going to cost a whole lot more than if we utilized the smaller industrial plants. Certainly the expansion and addition of new facilities to existing plants cost the Government fabulous sums of money. If we are going to be able to get 100 cents' worth of value for every taxpayer's dollar spent, we ought to economize at every place possible. I think the gentleman is right in trying to give these little fellows an opportunity.

Mr. SABATH. That is the reason why I am calling this to the attention of the House, because I know that many of the large plants on the coast are being increased unnecessarily. It will require not only the advancing of the money to build these plants but also the advancing of money to build housing facilities. We already have appropriated $400,000,000 for housing facilities to take care of the employees who are being brought to work in the new plants. This would not be necessary if this work were properly allocated, because in other sections of the country there is plenty of housing available today and we would not be obliged to spend the tremendous number of millions of dollars we are spending under the present set-up.

I have called attention to this before and I dislike to do it again, but I feel honor bound and consider it is my duty to familiarize the House with the conditions. We are going to have before us a roads bill next Monday. A rule has been granted for its consideration.

This road bill carries authorizations for $285,000,000, of which $160,000,000 is provided for the construction and improvement of access roads to military and naval reservations and industrial defense plant sites. Therefore I again say that if these defense industrial sites had been located more judiciously, the $400,000,000 we have already appropriated for housing purposes would suffice, but I am informed that within a few weeks there will be a demand for between $300,000,000 and $500,000,000 for additional housing facilities. This, notwithstanding that we have thousands of vacant houses, flats, and apartments in large cities which have become vacant due to the moving of thousands of mechanics from those cities to the localities where new plants have been constructed. I appreciate that some plants should not be within city limits, but many established plants engaged in the manufacture of tools, machinery, shells, gun mounts, aircraft equipment, and an endless number of other items could be utilized in the large cities without danger and, therefore, would not necessitate the expenditures of all these millions for new housing projects. The roads bill also provides $100,000,000 for correcting critical deficiencies in routes in the strategic network and $25,000,000 for the repair of roads.

Mr. Speaker, right here I wish to say that the National Government has done enough for the States, and they should absorb some of the cost of repairing these roads, and, further, it is my opinion that these costs of repair should be borne by the owners of the plants to which these roads are being constructed. This would not be necessary if this work were divided fairly and equitably.

I do not want to be misunderstood. I am for the defense program heart and soul and have voted for all the bills that have come up so far, and I shall continue to; but I feel that the War Department and the Navy Department should pay some attention to the conditions existing in the United States. The people down my way pay taxes the same as do the people of New England, of the South, or on the west coast. My people feel they are being discriminated against; and it is so. It is not really the fault of the President, I realize that; it is the fault of the Army and Navy

officials having charge of these matters, and some of the gentlemen who have been brought in by them who cannot see the little fellow, who will not waste their time on little fellows, who have time only for the extremely large concerns.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield at that point?

Mr. SABATH. I yield.

Mr. VINSON of Georgia. Does not the gentleman know and does not the House know that under the rules and regulations neither the War Department nor the Navy Department can enter into a contract involving over $500,000 without the approval of the O. P. M.? The O. P. M. in the final analysis does the placing of all these contracts.

Mr. SABATH. I have nothing against the O. P. M., but we know most of these men represent the largest concerns in the United States and they feel that only the very largest can serve the Government. I believe they are wrong. It is manifestly unjustified and I know that if the smaller fellows, the medium-sized plants, were given consideration the Government would save millions of dollars and we would eliminate the resentment that is growing up all through the United States against the unfair treatment of the smaller men.

Mr. ZIMMERMAN. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. My distinguished colleague from Georgia made the statement awhile ago that a reference to page 9 of the report would show that the proposed expansion plants were to be scattered all over the country. I respectfully submit that, outside of California, there is not a single plant west of the Mississippi River. It seems that the Mississippi River is the dividing line.

Mr. VINSON of Georgia. The gentleman is in error because many of them go to Chicago.

Mr. SABATH. I regret that the gentleman from Georgia should make that statement. He knows that there are only a few items in this bill that will provide work in the ninth naval district, which takes in the city of Chicago. With particular reference to the item of $160,000,000 for ship-repair facilities, not a cent will go to the ninth naval district. The following statement will show the allocations by naval district for ship-repair facilities:

Navy yards and bases:	
Portsmouth	$4,000,000
Boston	10,000,000
New York	5,000,000
Philadelphia	3,000,000
Norfolk	1,250,000
Charleston	1,250,000
Mare Island, including Hunters Point	5,000,000
Puget Sound	3,000,000
Pearl Harbor	20,000,000
Submarine Base, New London	2,000,000
Naval station, Key West	100,000
San Juan drydock reservation	1,250,000
Canal Zone	2,000,000
Miscellaneous	11,000,000
	68,850,000
Private yards (appendix II, table 1):	
First naval district	$5,000,000
Third naval district	25,000,000
Fourth naval district	4,000,000
Fifth naval district	10,000,000
Sixth and seventh naval districts	6,000,000
Eighth naval district	13,000,000
Eleventh naval district	7,000,000
Twelfth naval district	7,000,000
Thirteenth naval district	7,000,000
Contingent	7,150,000
	91,150,000
	160,000,000

I would not expect, however, that any of the appropriation for work of this type would go to the Middle West as the Navy Department has not seen fit to utilize any shipyards on the Great Lakes for the construction of smaller craft, and very little of the other appropriations provided in the bill will go to the Middle West for the manufacture of machinery, ordnance, armor, and other items. Some may point out that the Carnegie-Illinois Steel Corporation will receive orders under this authorization, but their plant is in Pittsburgh, Pa. The statement of the gentleman from Georgia that Illinois and other States are getting their share is not borne out by the report. Their share is but a pittance compared to what is going to the coastal States.

I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. Chicago is not west of the Mississippi River, may I inform the gentleman from Georgia. I want to say that last year the midwestern Congressmen appointed a committee, and I had the honor to be a member of that committee, to go to the National Defense Council and ask them to make a survey and try to find out what plants could be placed in the Midwest; but up until this time nothing has been done and we are still without any consideration. Everything has been placed east of the Mississippi River. I would like to know why.

Mr. SABATH. I fully appreciate the interest that the gentleman from Missouri [Mr. ZIMMERMAN] has taken in the people of his district and that section of the country, and I commend him highly for it. I hope that each and every Member will do likewise and if they would do so I think we could get somewhere.

It is absolutely necessary that something be done and that these Departments be notified that before they can place new plants at tremendous cost out in the sticks, away from the populated sections of our country, building new housing facilities at a tremendous cost and at the expense of the larger communities in the United States that are suffering due to this unfair and unjustifiable policy that has been pursued by the War and the Navy Departments, that they should investigate some of these existing plants.

Mr. RICH. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. RICH. I call attention to the fact that whenever you build these new plants they are permitted to deduct 20 percent of the cost of those plants as depreciation, whereas if you take the old plants they would be able to deduct only 3 percent and we would get that much more money into the Treasury of the United States. Goodness knows, and the gentleman from Chicago knows, that we ought to get additional revenues from some place, somewhere, some time.

Mr. SABATH. This time the gentleman is right. We will need it. I agree with him that the time has arrived when we will have to look around and find out where we can get more money; but if we can save millions of dollars we will not have to worry so much as to where we are going to get it. I am interested in saving this money because then we will not be obliged to look around to find out where we can get additional funds required for the maintenance of the Government.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. There is an old saying that charity begins at home. I call the attention of the distinguished gentleman from Pennsylvania [Mr. RICH] that he should invoke this rule now, because in the report it shows that a large portion of this expansion takes place in the State of Pennsylvania.

Mr. SABATH. That is correct. A great deal of these appropriations for materials go to Pennsylvania, the East, and to New England. Pennsylvania obtains a greater share of these appropriations and notwithstanding these larger allocations the companies from those sections are clamoring for more and more, and still more.

Mr. RICH. May I say to the gentleman that we want good business all over the United States, not only in Pennsylvania. We want sound business every place, and the only way we are going to save this Nation is by doing that very thing, that is, having sound business.

Mr. SABATH. Mr. Speaker, in conclusion may I say that I felt I should give these facts to the House. I am only doing my duty. I feel also that the pending resolution making the consideration of this bill in order should be agreed to. I hope what has been stated on the floor today will be taken into consideration by all those in power and that henceforth the smaller men in the Middle West and other sections will be given the consideration to which they are entitled.

Mr. McKEOUGH. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Illinois.

Mr. McKEOUGH. Is the gentleman in any way confident that such consideration will be given in the future?

Mr. SABATH. No; I am not. If these promises had been carried out, I would not be obliged to call attention again to the same things that I have directed attention to before. Promises have been made and they have not been kept. From now on they should be. I am for and with the administration 100 percent, because I know the President is trying to do the right thing, but unfortunately he

cannot watch everybody and see everywhere. I believe that these men in whom he has placed confidence will from now on carry out his views and his wishes and obtain the best in the quickest possible time and in the interest of our national defense.

Mr. McKEOUGH. I want to commend the gentleman for his consistent and persevering effort to spread this work throughout the country through facilities already existing, where no defense housing need be considered, where an adequate labor supply is available, where transportation facilities have been long established; but, in passing, may I remind the gentleman that only yesterday before the Truman committee the Assistant Secretary of War, Mr. Patterson, testified that but 15 percent of the available industrial facilities of the United States had become engaged in defense production, which is one of the most eloquent evidences of the position properly taken by the gentleman from Illinois that the work should be better spread.

Mr. SABATH. I thank the gentleman for informing me of what has taken place or what was testified to before the Truman committee. I know of his interest, and I know that his district has many plants available that are equipped to perform a great deal of this work. I know, too, that he is modest, nevertheless he has been insisting that consideration be given to that section which is advantageously located, which has splendid transportation facilities in every way. There is little of it that I know of which has been utilized by the Military or Naval Establishments of the country.

I know of several plants in the gentleman's district, one in particular, with wonderful railroad and switching facilities, cranes, buildings, and appurtenances, covering 60 acres, that I have brought to the attention of some of the Departments that could be obtained for the production of munitions, ordnance materials, and items specified in this bill. It is a plant where formerly 3,000 or 4,000 men were employed and which was equipped for the manufacture of heavy machinery. Though the availability of this plant was brought to the attention of several Departments nearly a year ago and was offered to the Government at an extremely low cost, nothing has been done as to its acquisition for the purpose of manufacturing defense materials. This is one case where those interested in an Illinois plant failed to receive consideration or did not have the proper cooperation whereby the plant facilities could have been utilized for the manufacture of defense needs. I dare say that if some gentleman from New England had offered the plant to one of the Departments due arrangements would have been made and the plant would now be in operation. I have in my files hundreds of letters from plants in Chicago offering their facilities in the defense program, and I am satisfied that every one of them could be utilized if an equitable plan of allocation of defense work were adopted.

Mr. McKEOUGH. I appreciate the gentleman's kindness. May I say in connection with the efforts being made by the administration to develop the St. Lawrence seaway, with which I am in sympathy, that at South Chicago in my district in Illinois, on the Calumet River, there are facilities for the production of vessels in connection with the Navy requirements. The Navy has very kindly given a small contract to build small lifeboats for Navy use, and that is all.

Mr. SABATH. Mr. Speaker, in conclusion, may I direct the attention of the War and Navy Departments and the Office of Production Management to the fact that in Great Britain and Germany the small manufacturing plants are far removed from the coasts and have been utilized to great advantage? Why should we not learn by their experience and take advantage of same?

Mr. Speaker, I now yield 30 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, it is my understanding that there is no particular controversy about this rule or the bill the consideration of which this rule seeks to make in order.

The bill provides an authorization of $585,000,000. As I understand, the Committee on Naval Affairs was either unanimous or practically unanimous in its support of this measure. As I further understand, the added facilities that are sought to be provided in this bill are needed if the shipbuilding program, a matter of our national defense, is to be carried on expeditiously and on time. The operations of the lend-lease program, the necessities and requirements of the Maritime Commission in its shipbuilding program, and the tremendous program of airplane construction which is presently being carried on, have taken some of the facilities that might otherwise have been available for the carrying on of the Navy program, so for that reason these added facilities are being sought.

I believe all of us recognize that the Navy is of tremendous importance in our national defense. We are all for an efficient and strong Navy to defend our shores from attack. For that reason I believe all of us are agreed that if the Committee on Naval Affairs in its considered judgment believes that these expenditures are required for the carrying on of our naval program, there would be no disposition on the part of any of us to interfere with the program or with the favorable consideration of this bill.

Mr. HALLECK. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I am not opposed to the adoption of this rule, neither am I opposed to the passage of the bill. I believe in strong national defense. However, I very much fear that some things are being put over the Congress under the guise of national defense. All of us are convinced that tremendous waste is taking place at this time.

Mr. Speaker, I commend the gentleman from Illinois for his disposition to want to spread this work over the Nation. I notice that the distinguished gentleman from Georgia [Mr. VINSON] made the remark that the business is to be well distributed throughout the Nation. I have looked carefully over the list, and nowhere can I find listed the great State of Missouri, which contains St. Louis, for example, one of the greatest manufacturing cities in all the world, and Kansas City, another great manufacturing center.

I have received from towns in my district that have idle men and idle plants, many letters asking me to try to help them secure defense contracts. I have repeatedly tried to assist them, but to date I have been unsuccessful.

Mr. Speaker, I just wanted to call attention to the fact that this business is not well distributed; that 99 companies east of the Alleghanys and 49 in all that vast area west of the Alleghanys are securing this business.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5256) authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5256, with Mr. GORE in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. VINSON of Georgia. Mr. Chairman, this is a bill to authorize appropriations for the Navy for additional shipbuilding, ship repair, and ordnance manufacturing facilities.

I will not go into the sums involved in this proposal as they are set out fully in the committee report on this bill and the purposes for which they are needed.

In connection with the enormously expanded naval shipbuilding program and the urge to complete this program at the earliest possible moment, the Congress, by prior authorizations has provided a half billion dollars for the expansion of shipbuilding facilities at both Government and private plants.

Under the conditions existing at the time of the prior authorizations, the amount then provided was considered ample for the Navy to continue its building program without delay. However, subsequent to that time, the lend-lease program, the Maritime Commission additional merchant-ship construction program, and the large additional aircraft program have been injected into the picture.

The advent of these programs resulted in an enormous load being thrown on industry in general and has caused bottlenecks to be developed which must be removed if our naval defense program

is to go ahead on schedule. Unless there is to be serious interference with our shipbuilding program, additional facilities must be provided in order that a steady flow of material and equipment is kept coming in to our construction yards.

Existing facilities are adequate to provide the necessary material for our shipbuilding plants if they can be assured of getting it when it is needed.

But with all of the material for the lend-lease program and the other programs, as well as the naval program, being subject to priorities, there is positive indication with the present limited facilities that such material will not be forthcoming for naval construction when it is needed, as much of the work for these other programs have equal or greater priority than naval work.

If the expansion of facilities is not provided, there is no question but that the building program will be slowed down. The rate of shipbuilding being maintained now cannot be kept up, as the drain on industry is too great. These facilities will not speed up the program but will hold it at its present rate. The effect will not be felt this year, but it will be next year and the year after.

It is vital to our naval building program that the additional facilities sought in this bill be provided so that the naval program will go ahead according to schedule.

With world conditions as they are today, every step possible should be taken to get our ships built in the shortest practicable time and in service with the fleet.

As it is, I am somewhat disturbed about the progress that is being made in our shipbuilding program.

Let me point out the progress our program is making now.

On January 1 of this year the Navy had under construction 17 battleships, 12 aircraft carriers, 54 cruisers, 80 submarines, and 205 destroyers, or a total of 368 fighting ships. During the first half of this year 2 battleships, 8 submarines, and 8 destroyers, or a mere total of 18 ships, have been finished and put in service. During the last half of this year 1 aircraft carrier, 2 submarines, and 10 destroyers, or a total of 12 ships, are scheduled to be completed and placed in service. A total of but 31 fighting ships to be added to our fleet during the year, and during the next year, or in 1942, the progress report shows that there will be a moderate improvement, provided the shipbuilders are furnished the material as it is needed to construct these ships on scheduled time.

During the next year there are now scheduled to be completed 1 battleship, 8 cruisers, 25 submarines, and 50 destroyers.

Admiral Robinson, Coordinator of Shipbuilding and also Chief of the Bureau of Ships, stated to the committee that with the prompt expansion of private companies as contemplated by this bill that they would begin to produce the articles needed for shipbuilding from 2 to 3 months in some cases and up to as much as a year in others, depending upon the character of the article.

Conditions in shipbuilding and collateral industries have changed materially since the last shipbuilding facilities bill was enacted into law.

New programs have been initiated which have had the effect of absorbing the output of the industries used by shipbuilders, so that naval building has not got first call on the output, as it is all subject to priorities regulations and is distributed to other activities in accordance with the general national policy. The solution is the expansion of shipbuilding facilities so as to increase the capacity of industry so that it will be in a position to provide the needs for the naval program, and that is what this bill proposes to do; however, the committee was assured that no additional facilities will be provided until after an exhaustive investigation in conjunction with the Office of Production Management has proved beyond doubt that existing facilities are not available which are suitable for the purpose.

REPAIR FACILITIES

Authorization for facilities heretofore have been confined to plants engaged in the building of ships or portions thereof. However, the great increase in new construction, with the increasing work load on navy yards under the Lend Lease Act, has made it impossible for the Navy to carry on all repairs, alterations, and conversions of naval vessels in Government yards. A very considerable portion of such work has, of necessity, been placed in commercial repair yards. This added load in such yards, simultaneously augmented by constantly increasing work on commercial vessels, both United States and foreign, is now beyond their capacity. It is essential, therefore, that added facilities be provided in both Government and private repair yards in order that these repair yards will be capable of handling the greatly increased repair load put on them.

In addition to the above, the repairs of British naval vessels have very much added to the load, particularly at navy yards, so that has also necessitated the transfer of a larger amount of the navy-yard repair load to the private repair yards.

It is considered that the amount carried in this bill will provide the added repair facilities needed by both Government and private repair yards in order to carry on expeditiously repairs, alterations, and conversions of both naval and commercial vessels.

This is a new authority sought by the Navy Department, and is brought about by the constantly increasing repair loads at navy yards and private repair yards caused by the addition of many new ships to the naval forces, by conversion of commercial vessels for naval uses, and by repairs to British vessels, permitted under the lend-lease bill.

Too great an increase in the repair load at navy yards with existing facilities will have the effect of slowing down the naval expansion program at the different yards, and that is a condition that must be avoided. And that can be done only by the expansion of repair facilities as provided in this bill.

Under authority provided in this bill, the Navy intends to utilize the funds for drydocks, piers, cranes, shop buildings, machine tools, additional power supply, service utilities, transportation equipment, work barges, and such other facilities as may be needed to carry on the required work outlined above.

Admiral Robinson stated to the committee that existing facilities were sufficient for the Navy we are building for another 12 months, but from then on, with the number of ships we are putting in commission, that he felt sure the Navy would be pinched by that time even if we were not repairing British ships.

A full and detailed list of the expenditures, with the locations as to where they are to be made, will be found in the committee's report on this bill. This report is in detail and will give the Members of the House a complete break-down as to how the money authorized for the extension of shipbuilding and ship-repair facilities is to be utilized.

ORDNANCE FACILITIES

The bill provides an authorization for essential equipment and facilities for the manufacture or production of ordnance material, munitions, and armor at either private or naval establishments.

Prior authority to the extent of $300,000,000 has been given for the expansion of ordnance facilities.

However, in view of the increased shipbuilding program as relates to destroyers and similar types, the previous authorizations will not be adequate to provide the facilities to meet the demands for certain of the ordnance equipment.

For instance, the Chief of Bureau of Ordnance stated that present known requirements for certain types of antiaircraft gun mounts are barely met.

The construction of ships and acquisition of the ordnance for the ships should go along hand in hand so that when a ship is completed and put in service it will have its guns, ammunition, and all other ordnance material on board, as a ship without guns is of no use to the battle line of the Navy.

One of the facilities to be expanded under the provision of this bill is the additional expansion of armor facilities.

With the facilities already provided the capacity of the steel mills for armor will reach about 7,000 tons a month. It was indicated to the committee that the shortage of armor is delaying the completion of our battleships and one of them may be delayed 8 or 10 months for lack of armor.

Without the authority sought in this bill delays will accumlate and our entire naval building program will be delayed by ever increasing amounts unless there are adequate facilities to produce the armor and other ordnance equipment that are a part of a ship's equipment.

If we are to have a navy, we must not only provide the ships but the guns and ammunition to fight the ships so I urge the House to give its approval to this measure.

Mr. Chairman, let me say that I am thoroughly in accord with the position taken by the distinguished gentleman from Illinois [Mr. SABATH]. For some

time I and a great many other Members of the House have been fighting along the same line, to endeavor to see that the business incident to the national-defense program is distributed throughout the United States.

As pointed out by the distinguished gentleman from Illinois, there are some 45,000 houses vacant in the city of Chicago. No doubt a great many people from the city of Chicago have been drawn by the national-defense program to Detroit, Cleveland, and other industrial centers. All that brings about a maladjustment of the population which ultimately will have to be settled after the national-defense program is over and the emergency is past. So I certainly hope that the O. P. M. and those in charge of this program will endeavor to distribute this business throughout the length and breadth of the country. Only 11 percent of the national-defense program has been spent in the 13 Southern States. That is the way it has run.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. Can the gentleman give us the percentage of these projects that have been established west of the Mississippi River?

Mr. VINSON of Georgia. No. The only one I know that came before my committee was that the Glenn Martin Co. was requested to establish a plant at Government expense in Omaha, Nebr., a $12,000,000 or $15,000,000 aviation plant. It has developed that from an economic standpoint and from a strictly cold-blooded business standpoint this is not justified. Mr. Martin said that if it had been his money he would not have put the plant out there, because it is not justified; yet to carry out the policy of distributing this work and to divide up the whole program, there no doubt have been instances like that where plants have been built to keep the population of the country from running all in one direction, thus depopulating other sections.

Mr. ZIMMERMAN. I will ask my distinguished colleague from Georgia if he does not think, in view of the fact the State of Missouri has the greatest lead and zinc deposits in the country, as well as large iron deposits and other raw materials, it would be in the best interests of the Government to utilize those materials?

Mr. VINSON of Georgia. Let me say to the gentleman that there is no industry greater than the Deisel-engine industry in the great State of Missouri, and that industry is working at full capacity.

Mr. ZIMMERMAN. But we do not see Missouri mentioned here.

Mr. VINSON of Georgia. We do not need any more Deisel engines, because they are manufacturing them out there without any Government aid.

Mr. ZIMMERMAN. But because a State has one industry that is no reason for it not being considered with respect to its other raw materials.

Mr. VINSON of Georgia. I will state to the gentleman what we are proposing to do, and first I will mention manufacturing facilities for propulsion machinery and auxiliaries. If it is necessary to expand in any community that manufactures propulsion machinery and auxiliaries, then those cities are grouped here on page 4. We have all the facilities for Deisel engines we need, and it might develop that Missouri may not have any plants that produce materials of this kind, so it would be folly to take the Government's money to go out there and build a new plant. It would be economical to expand the plants already in existence in other parts of the country.

Mr. ZIMMERMAN. That might be true as to Deisel engines, but what about these other war materials that are necessary which can be manufactured out there where the raw materials are located?

Mr. VINSON of Georgia. They are probably already being manufactured there.

Now, Mr. Chairman, let me call attention to the details of this bill. The bill calls for $585,000,000, and $260,000,000 is for the purpose of expansion of plants to furnish particular things which the Navy is in need of in order to build its ships. Now, what are these things? One of them is facilities for propulsion machinery and auxiliaries, and on page 9 we list the companies that can make these expansions.

The next is manufacturing facilities for auxiliary machinery, and we list the companies that may be expected to expand.

The next is manufacturing facilities for steel, including protective steel, and we list those companies. We include such companies as the Allegheny-Ludlum Co., the American Rolling Mills Co., and the other companies that are engaged in this business.

Another item is for expansion of manufacturing facilities for forgings and castings. If there is any concern in Missouri or any concern in Georgia that is engaged in the forgings and castings business and can meet these requirements, then in all probability they will be expanded to help this program, but I say to the gentleman and I say to the House that it would be a waste of public money for me to stand here and advocate that we go down in Georgia or go out to Missouri and build a new plant to make forgings and castings, when over the United States we already have plants engaged in that business and by expanding them we not only save time but we save money.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. ZIMMERMAN. I will ask my friend if he does not know that St. Louis, Mo., is one of the greatest forgings and castings centers in the United States?

Mr. VINSON of Georgia. If it is, the Navy Department knows that fact, and if it is necessary to expand any of those particular plants they will be expanded.

Mr. ZIMMERMAN. It seems that the trouble is it lies west of the Mississippi River and the eyes of certain people cannot get beyond the Mississippi.

Mr. VINSON of Georgia. No; the gentleman is wrong about that. The eyes of those who have charge of this program are on industry that has been built up. We do not get as much in the South. Why? Because we have not the steel plants, we have not the forgings plants, we have not these other industrial activities, and you cannot afford to go out and build from the very ground up to meet this emergency. You must try to expand those plants already in existence and wherever it is possible relocate on an economical, sound basis. We are relocating because we do not want to congest the industry so as to hazard it to raids from bombs or things of that character.

Mr. ZIMMERMAN. I simply want to say that I think you will find on investigation that the city of St. Louis and some other cities in Missouri, too, have the greatest forgings and castings facilities in the entire country.

Mr. VINSON of Georgia. I hope they have, and I hope——

Mr. ZIMMERMAN. And I do not understand why we cannot be listed.

Mr. VINSON of Georgia. I hope the Government will use every one of them.

This takes up the $260,000,000. There is a new thing in this bill that we are forced to do for the first time, and that is to expand the repair facilities in navy yards and in industrial yards.

Under the policy of the Navy, all Navy ships are repaired in navy yards. Industrial yards are not used by the Navy for its repair work. On account of the great volume of repair work taking place in the United States, it has become necessary that we expand the repair facilities in the amount of $160,000,000 in the navy yards and in the industrial yards. The navy yards are being congested today with ships that are coming here from England and with our own ships, and it is taking up all of the facilities there and overlapping into the private yards. So we have evolved a program of expansion amounting to $160,000,000, to expand the facilities for repairing our ships and repairing the British ships, and repairing the Maritime Commission ships, in both the navy yards and the industrial yards.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. COFFEE of Nebraska. Could the gentleman tell us whether or not the foreign countries are paying us for these repairs?

Mr. VINSON of Georgia. Oh, yes.

Mr. COFFEE of Nebraska. Or are we giving them those repairs?

Mr. VINSON of Georgia. Oh, no; they are paying for them. The United States Government is not giving anything of that nature except under the lend-lease program. The other item in the bill is $125,000,000 for an increase in facilities for the manufacture of ordnance matériels, and so forth. It deals entirely with the manufacture of antiaircraft guns of different caliber, armor, and with the establishment of a $70,000,000 new explosive plant, and I call attention to this particularly, so that the gentleman from Missouri [Mr. ZIMMERMAN] might possibly get in on it. The character of the explosive is confidential and secret, but out of this sum of $125,000,000

somewhere over the country the Navy Department and the War Department are going to build a $70,000,000 explosive plant. It is necessary to build a plant of that kind to make this secret explosive, and I must ask the Committee not to inquire about its characteristics. That plant is going to be built, and is going to be built in a thinly populated community. It should not be built in a crowded industrial area, and if there are any thinly populated communities in the great State of Missouri or any place else in that neighborhood, I trust the gentleman will get busy and go after the plant.

Several Members rose.

Mr. VINSON of Georgia. I see that brought up several different gentlemen. I yield to the gentleman from the thinly populated State of Nebraska.

Mr. COFFEE of Nebraska. I just wanted to point out that we have plenty of space for such a plant in Nebraska.

Mr. VINSON of Georgia. But at the same time it should be remembered that the chemicals which would enter into this explosive must be made in other sections of the country, where there are chemical factories, and, while the gentleman's State may be thinly populated, yet when they come to carry these chemicals long distances over the country it may prove to be a very expensive thing. So that there are many factors to be considered.

Mr. COFFEE of Nebraska. Yes. I realize also that our prospects are equally thin.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. HARE. At first I had a great deal of hope and encouragement on hearing the statement of the gentleman that this explosive plant would have to be located in a thinly populated district.

Mr. VINSON of Georgia. Yes.

Mr. HARE. But I notice that in the last statement of the gentleman he has hedged quite a little, and he seems to be getting away from that thinly populated district he spoke of and to be gradually getting the plant back where the chemicals are manufactured.

Mr. VINSON of Georgia. Oh, no. I do not know where it is going to be located, but they would not think of locating it in a populated area where it might be blown to pieces by an accidental explosion, and I know the gentleman's district, and I do not think he can qualify.

Mr. Chairman, that covers all the phases of the bill. This bill is recommended by the Budget, and if this bill is not passed, then it will slow down the battleship and cruiser and airplane construction, because it is not the construction or the building of hulls that is concerned, but it is a question of building the integral parts that go into the construction of the ships, and if we do not pass legislation of this kind expanding the industry, we will slow down our shipbuilding program, which, incidentally, I might say, from my viewpoint, is not progressing quite as rapidly as it should.

Mr. LEWIS. What requirements has the gentleman in mind in regard to the chemical factories, and also the sparsely populated regions?

Mr. VINSON of Georgia. Oh, I do not know what the yardstick is going to be, but I know it will have to be in a thinly populated area. I know that the Government will require approximately 8,000 or 10,000 acres of land, and I know it must be on a stream where there is ample water, and all that sort of thing. I know that from general information.

Mr. Chairman, if there are no further questions from members of the Committee, I reserve the remainder of my time.

The CHAIRMAN. The gentleman has consumed 13 minutes.

Mr. MOTT. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, as has been the case with most important bills heretofore reported from the Naval Affairs Committee, I am able to detect no opposition in the House to this particular bill. Long experience in the trial of cases has taught me that it is always a good rule not to argue with the judge after he has ruled in your favor. In this case the House is the judge. Since no opposition to the bill has been expressed and since it is plain that the House will rule in favor of the bill, no extended discussion of it is necessary. The chairman has told you in very concise fashion just what this bill is for and what the necessity for it is, and I think his statement was such as to satisfy everyone.

I am glad to say that the Navy building program, although it is not progressing, as the chairman said, quite as fast as he would like to see it progress, nevertheless is the one arm of our service which is ahead of schedule—from 6 months to a year ahead of schedule—and we want to keep it that way. This bill will help to do that.

One of the important reasons why we need these additional facilities for the construction and repair of war vessels is that after the Navy had built the facilities it was not permitted to use them exclusively for naval construction and repair. Other agencies of the Government, the O. P. M., the Army, the merchant marine, and other agencies came in and used a great deal of them. They are still using them. So, in order to take care promptly of the needs of the Navy, we are now obliged to build additional facilities. The Navy has always been far ahead of every other part of the defense establishment in supplying itself with everything it needed, from men to ships, and we desire to maintain that lead.

I was a little discouraged when I read the report of General Lear the other day on the progress of training and equipping of the Army after the maneuvers in the South. I was more disappointed and discouraged when I learned that the Chief of Staff of the Army had come to the conclusion that we could not go on with the present training program for the Army in the way we had at first designed it under his guidance and recommendations last year. I was disheartened to learn that after a year's effort to build and train and equip an army the Chief of Staff was obliged to say, in effect, that in order to secure the military defense of the country we would have to have a permanent conscript army in peacetime for the whole duration of this emergency.

And I thought in that connection that the Congress and the country should thank God that they had at least one arm of the service which always functions—a Navy, which, ship for ship and man for man, is the best in the world, and which in a short time will be better and more powerful than the combined navies of all the world; a Navy that is always ready, always fully trained, always fully equipped and prepared to fight, not next year, not next month, but right now, should the security of the country require it.

This bill will help to keep it that way, and it will help to bring it more quickly to the point where the Navy itself, with its incomparable air arm, which is an integral part of the Navy, will stand as an absolute barrier against any aggression and as an absolute guarantee that no foreign power or combination of powers will ever dare attack us. [Applause.]

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, I believe I can claim—and I am very happy that the distinguished gentleman from Georgia [Mr. VINSON] is present so that he may take issue with me in the claim I am about to make—that, long before the emergency, I advocated and urged a Navy second to none, for the defense of America. I believe I have tendered, in my position as a member of the Appropriations Committee for the Navy, cooperation and assistance to the Naval Affairs Committee in carrying out its program. If there is any question on that, of course, I shall accept contradiction at the hands of the distinguished gentleman from Georgia.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I will be very happy to yield to the gentleman from Georgia.

Mr. VINSON of Georgia. Let me say to the House and the country that it is indeed a pleasure to have always had the full and hearty cooperation of the distinguished gentleman from Pennsylvania [Mr. DITTER] on every naval expansion bill and every naval authorization bill that has been submitted to the House since he has been a Member. By his untiring efforts he has made available through the Appropriations Committee, the large appropriations that have been necessary to carry out the naval programs. I wish every Member of the House had been as ardent in supporting the national-defense program, starting back in 1934, as has been the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Now, Mr. Chairman, I must confess that I do feel embarrassed. I had not even hoped in the wildest flights of my imagination, that I would have laid at my feet such a splendid tribute. I accept it, of course, as a sincere statement. I know that my distinguished friend from Georgia would not be given to a statement other than that founded upon sincerity. So I tender to

him my appreciation for the tribute that he has paid me.

I want to take occasion, Mr. Chairman, to make one or two observations about this authorization bill. I am in general accord with what has been said here in support of the measure. I cannot help but feel that we should be mindful and cautious, lest the present hysteria drive us to a point where we accept without much analysis every recommendation that comes from the Army or the Navy. I apply that to the Army as well as to the Navy. The disposition at the present time, because of the popularity of national defense, is to accept without question the recommendations that come from both of the establishments. I feel that we should, in fact, that we are challenged to exercise a higher degree of caution and care under the circumstances than we would be under ordinary conditions. The tendency in times such as these, I repeat, is to accept every recommendation lest we be charged with obstructing the program. I contend that as the needs for national defense become the greater, our responsibility becomes the greater, so that the funds which are authorized will be in line with the avowed purposes and the accepted policies of the American people.

Insofar as these new facilities, these expansions are made necessary to provide for our own Navy the best possible equipment in line with the national policy as expressed through the Congress of the United States I am in hearty accord.

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. DITTER. I repeat that insofar as this program is necessary to carry out the policies of the Government as expressed through the Congress every facility that is necessary should be provided. On the other hand, Mr. Chairman, I cannot help but feel that if policies are being projected, if measures are being advocated, if suggestions are being made emanating solely from a covey of individuals who personally enjoy the favor of the administration in Cabinet berths and who attempt to formulate a policy which has not had the support of the country and which has not been submitted to the Congress but which leads us perilously close to conditions that have not been approved, then I say that this Congress is chargeable with the duty of holding up the authorizations, of holding in check the appropriations lest by our silence it may be presumed that we acquiesce.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I am happy to yield to my distinguished friend from Georgia.

Mr. VINSON of Georgia. Does the gentleman mean then that until Congress adopts a policy, authorization should be withheld until it becomes the policy of Congress to do a certain particular thing?

Mr. DITTER. No. Since the gentleman challenges me I shall be specific. I have yet to find that either the Congress of the United States or the country has placed its stamp of approval upon certain pronouncements of the Secretary of the Navy which would carry us far afield from the solemn assurances that heretofore have been made to the American people by the Commander in Chief of our forces. Now, sir, I repeat that insofar as the policy of the Government is concerned as determined by the Congress, insofar as that policy is concerned, we owe a solemn duty to support it, but for the abortive efforts of certain bellicose individuals, blatant in their pronouncement, enjoying in no sense the support of the country or the approbation of this Congress, for such blatant bellicosity we have no responsibility. Have I made myself plain to the gentleman?

Mr. VINSON of Georgia. Exactly, except this: The gentleman is anticipating that we are going to make authorizations or appropriations on mere word of mouth requests or statements that may be uttered by, for instance, as the gentleman said, the Secretary of the Navy. We are not doing anything of that character and, of course, we shall not be called upon to do so. When we adopt a policy then, of course, we are bound to carry out that policy; but the gentleman certainly did not mean to say that utterances of the Secretary of the Navy on anything of the character the gentleman from Pennsylvania is talking about now is the policy of the Congress.

Mr. DITTER. Mr. Chairman, apparently I have not made myself plain to the distinguished gentleman from Georgia. Under ordinary circumstances his keen sense of perception I feel confident would have made it possible for him to have understood and realized, but the defensive position he finds himself in apparently makes it difficult for him to accept. Again, I repeat——

Mr. VINSON of Georgia. No.

Mr. DITTER. Again I repeat, Mr. Chairman, that I started by saying I was sounding a warning.

Mr. VINSON of Georgia. Yes.

Mr. DITTER. I am sounding the warning.

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. DITTER. I again repeat that I am sounding the warning that we should not permit the hysteria of the moment to carry us to the point where a very ambitious member of the Cabinet may feel that his program can be superimposed upon the will and the wish of the Congress and the expressed will of the people, and that therefore in an acquiescent mood we must unquestionably accept. I was sounding a warning. That warning I feel is necessary by reason of the efforts to which I have referred.

Mr. VINSON of Georgia. May I say in response to that——

Mr. DITTER. And I am certainly happy to note that my distinguished friend from Georgia has now made the commitment, given the solemn assurance, as I had anticipated he would, that until this Congress acts the Secretary of the Navy has no power to act. Nor has he the right to presume that he speaks for the Congress or the country.

Mr. VINSON of Georgia. That is right.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I yield.

Mr. MOTT. The gentleman inquired whether what he described as the blatant bellicosity of the Secretary of the Navy had anything to do with the policy of the Congress. The chairman of the committee assured him it did not. I think I can give the further assurance that it has not even anything to do with the policy recommended to the Congress by the Naval Affairs Committee.

Mr. DITTER. Mr. Chairman, that is one of the most assuring things I have heard. I do hope that the authoritative statement by the distinguished gentleman from Oregon and by the distinguished gentleman from Georgia will go to the country as a reassurance and will also serve a very timely purpose as it, in turn, is conveyed to the Cabinet members in question. I cling to the hope that this Congress represents the bulwark of our system of self-government—that Cabinet members, safe and secure in their appointive berths, do not represent anything other than a present Presidential favor. And their privileges and rights are measured by the same yardstick. They are administrative officers. They are not policy makers. As I see, the task of administering the Naval Establishment is a job unto itself. That task should satisfy the ambitious yearning of any man if the job is to be well done.

If the processes of self-goverment are permitted to function under constitutional limitations, the destiny of the American people will be determined by the Congress of the United States. Unless the Congress is permitted to make such determination, the very substance of self-goverment is destroyed. And in its place the tyranny of one-man government is forced upon a free people. The freedom to choose would then become the submissive obedience of a vassal and a slave. Our free institutions would be transformed into the despotism of Executive domination. Our form of government would be destroyed.

As for myself, I am unwilling to concede that the transformation has been made. I guard and guard jealously the right, which I believe is the prized possession of the people I represent, to determine their destiny.

Mr. MOTT. Mr. Chairman, I yield to the gentleman from Idaho [Mr. DWORSHAK] 2 minutes.

Mr. DWORSHAK. Mr. Chairman, this bill authorizes the appropriation of $160,000,000 for essential equipment for repair and alterations of naval vessels. Will the distinguished chairman of the committee tell us whether the repair of British ships in our existing facilities and yards is in any way responsible for this?

Mr. VINSON of Georgia. Yes; that is one of the things that brings it about. As I stated upon presenting the bill in

the first instance, the bill authorizes an appropriation of $160,000,000 to expand the repair facilities in navy yards and in industrial yards. This is a new policy, and what is making it necessary is the great number of ships being built in our navy yards. We would have to have certain facilities expanded in any event to take care of the increased Navy we are building, but, were it not for the fact we are called upon to make these repairs, the expansion program would not be as large as it is. But, nevertheless, we have to have a certain expansion in our navy yards and in our industrial yards, irrespective of taking care of the British ships.

Mr. DWORSHAK. It is reported that about 100 British ships are now being repaired in American shipyards.

Mr. VINSON of Georgia. The Committee on Naval Affairs considers all that kind of information confidential, and we do not care to make public any utterances on that subject.

Mr. DWORSHAK. And that secret information is not available to Members of Congress?

Mr. VINSON of Georgia. It may be information that this community may know and that that community may know, but it is not given out as public information with reference to what ships are being repaired.

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. DWORSHAK. Did not the lend-lease bill specifically provide for the authorization and construction of facilities for the repair of British ships so that it would not be necessary to confuse them with the repair and conversion of our own naval craft?

Mr. VINSON of Georgia. I do not know about that, but this is absolutely necessary even if the British ships were not in our navy yards. However, they are in there. What makes it more imperative is the fact that a naval ship must be repaired by people in the navy yards who are familiar with the work on that character of ship. We have ships down in the Norfolk Yard and we have ships up at the Boston Navy Yard, we have a great fleet, and our fleet has to be repaired. When we fill our yards with British ships why, then, we must go somewhere else for our repairs, but even if we were not repairing the British ships, we would have to expand our own facilities.

Mr. DWORSHAK. It is very likely then that the repair of the British ships is retarding the construction of our own ships and our repair program?

Mr. VINSON of Georgia. It is not interferring with the building program at all. It would interfere with it provided we did not make the expansions called for in this bill.

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I have no further requests for time.

Mr. VINSON of Georgia. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, $300,000,000 for essential equipment and facilities at either private or naval establishments for building or equipping any complete naval vessel or portion thereof heretofore or hereafter authorized; $160,000,000 for essential equipment and facilities at either private or naval establishments for repairing, altering, or converting any vessel operated by the Navy or being prepared for naval use; and $125,000,000 for essential equipment and facilities for the manufacture or production of ordnance material, munitions, and armor at either private or naval establishments.

"DR." ROOSEVELT AND "MR." KNOX

Mr. BENDER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, one of the seven wonders of the modern world is the dexterity with which the national administration manages to say "Yes" and "No" simultaneously on virtually every question. Much as our Government would resent the analogy, their frequent exhibitions of this Janus-like capacity are strikingly reminiscent of Herr Hitler in his early days. Every aggressor step which he took was accompanied by resounding protestations of peace. On a dozen occasions he said that he was now satisfied with his new achievements. He would ask no more. The steps he was taking were directed at the establishment of permanent peace.

President Roosevelt is also doing everything in his power to maintain American tranquillity. The Neutrality Act, the cruiser-base swap, the Selective Service Act, the lend-lease program, the occupation of Iceland, the implied order to our Navy to shoot if necessary are all steps in the process of preserving peace. Yet their sum total gives a very definite implication of decisive preparations for war. At the moment official Washington is convinced that when the time is ripe we shall be in.

Col. Frank Knox, our Secretary of the Navy, and President Roosevelt are in seeming disagreement on the vital question of involvement or nonintervention. The disagreement is only superficial. The colonel has simply taken the place of other agencies normally used for trial-balloon purposes. When he speaks of our direct participation in the war as a likely or necessary thing it is for the specific purpose of discovering the American reaction to his observation. If the reaction is a loud and vehement "No," the President trims his sails to the prevailing wind. He has not made the speech which provoked the outburst. No "heat" is on him, and Colonel Knox knows full well that his boss will not be angry, because his boss knew all about it all the time.

This elaborate side show cannot conceal the facts. At the present moment the record reveals Mr. Roosevelt's own declaration that "convoying means shooting and shooting means war." Today the American Navy is engaged in convoying ships to Iceland. That convoying means that ships on the surface and submarines under the waters may be summoned by American vessels to identify themselves. If they refuse, or if they shoot, our Navy will shoot in return. American preparations for war are no longer something in the far-distant future. Simultaneously with our occupation of Iceland it has been revealed that important land forces have been sent to reinforce our garrisons in Alaska. Marine Corps have been sent to the Philippines. Guam and Wake Island are being rapidly fortified and manned. Volunteers are being dispatched to China. And the bases which we acquired from Great Britain in the Western Hemisphere are being rushed to completion.

Yet all this time the American people are being lulled to sleep with the fairy tale that we expect to preserve peace. Let us not be caught unaware. The national administration is determined not on peace but on direct intervention.

Mr. SNYDER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, my distinguished friend the gentleman from New York [Mr. TABER] made a statement on the floor yesterday to the effect that the Quartermaster of the Army had bought certain mattresses at a certain price one week and the next week bought the same mattresses at another price. As chairman of the subcommittee on Army appropriations I took this matter up with the Quartermaster, because I thought the gentleman's information was wrong. I was sure he would not have made the statement if he had not received the wrong information.

The Quartermaster sent me the following statement:

JULY 17, 1941.

Yesterday Mr. TABER made a statement that early in June the Quartermaster Corps had announced contracts for 150,000 mattresses to cost $724,000 and that a week later they let contracts for the same number of mattresses to cost $614,000 on the same bid. Mr. TABER's statement that these mattresses were on the same bids was incorrect. The facts are these:

The mattresses on these two awards were different mattresses. The old specifications of the War Department prescribed that mattresses be manufactured from not more than 75 percent linters and not less than 25 percent cotton. (I might explain to those of you who are not familiar with the cotton industry that linters are the cotton which adheres to the seed after the first ginning. These are usually removed by a second ginning at the oil mill. They are not suitable for manufacture into cloth but are used for matress filling, explosives, and for the manufacture of rayon.)

Last fall the Secretary of Agriculture requested the Assistant Secretary of War to revise the Army specifications for mattresses so that future requirements would be fulfilled on the basis of 100-percent cotton. The Secretary of Agriculture stated, in part, that his Department was engaged in a program to encourage a more extended use of cotton and thus afford some relief to a somewhat acute situation. He further stated that he believed it to be a sound policy for other agencies of the Government to avoid procurement practices which might be in conflict with the program to encourage wider uses of cotton. He stated that a modification of specifications would result in a superior product with only a slight increase in cost.

The War Department, in its desire to cooperate with this announced administration

policy, has in the past year purchased part of its mattresses from 100 percent cotton and part of 50-percent cotton and 50-percent linters. The 150,000 mattresses to which Mr. TABER refers as costing $724,000 were 100-percent cotton mattresses purchased at an average cost of about $4.80. The 150,000 which cost $614,000 contained 50-percent cotton and 50-percent linters. The War Department felt that it could not go the whole way with the Secretary of Agriculture and buy all its mattresses of all cotton, but felt that it should contribute something to the cotton program by buying a part of the mattresses of all cotton and the balance of a mixture of cotton and linters.

Mr. TABER. Will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from New York.

Mr. TABER. May I say to the gentleman that the letter the gentleman just read makes the situation worse. I called up the Quartermaster Corps and I obtained the man who had charge of this matter. I was told that all of the items were bid for at one time, on one bid, and that all of these contracts were let on the same bid for the same thing. I cannot understand that way of doing business—one statement to the gentleman yesterday and another to me.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

Mr. SNYDER. Mr. Chairman, data taken from the files of the Quartermaster Corps of the War Department substantiating the above statement follow:

EXHIBIT G

Awards of 100,000 mattresses or over

Procurement directive No.	Date	Total quantity	Number of—		Firm	Quantity	Net unit price	Total amount	Type	Prices on procurement		
			Bidders	Contracts awarded						High	Low	Average
179	June 4, 1940	37,500	20	2	----------	----------	----------	----------	75-percent linters and 25-percent cotton.	$3.4475	$3.30	$3.424
194	June 15, 1940	100,000	29	2	----------	----------	----------	----------	do	3.2875	3.27	3.28225
P-9	July 9, 1940	66,000	26	3	----------	----------	----------	----------	do	3.33	3.10	3.3045
P-E-28	Aug. 13, 1940	225,000	27	12	Taylor Bedding Manufacturing Co., Taylor, Tex.	100,000	$3.75115	$375,115.00	do	3.89	3.19	3.54
P-E-38	Sept. 10, 1940	400,000	47	16	do	150,000	3.91035	586,552.50	60-percent linters and 40-percent cotton; 50-percent linters and 50-percent cotton.	4.32	3.68	4.00
					do	200,000	3.71135	742,270.00	50-percent linters and 50-percent cotton.	4.12925	3.71135	3.8671
P-E-53	Oct. 17, 1940	650,000	22	25	Crawford-Austin Manufacturing Co., Waco, Tex.	200,000	3.6976875	740,643.76	100-percent cotton	4.2294	3.640875	3.8197
P-E-120	May 7, 1941	200,000	59	10	Taylor Bedding Manufacturing Co., Taylor, Tex.	50,000	4.76115	237,307.50	do	5.00	4.2434	4.7975
					Crawford-Austin Manufacturing Co., Waco, Tex.	50,000	4.877775	243,888.75				
					Douglas Co., Waco, Tex.	50,000	4.85642	242,821.10				
P-E-137	June 4, 1941	225,000	32	5	Crawford-Austin Manufacturing Co., Waco, Tex.	150,000	4.0999725	614,958.75	50 percent linters and 50 percent cotton.	4.16905	3.95	4.105198
P-E-143	June 26, 1941	100,000	(1)	6	Taylor Bedding Manufacturing Co., Taylor, Tex.	60,000	4.16905	250,143.00	do	4.78	4.16905	4.298077
					Douglas Co., Waco, Tex.	30,000	4.414475	132,434.25				
Total mattresses procured.		2,003,500										

[1] Negotiated with all manufacturers.

The Clerk read as follows:

SEC. 2. The authority herein granted shall include the authority to acquire lands at such locations as the Secretary of the Navy, with the approval of the President, may deem best suited to the purpose, erect or extend buildings, and acquire the necessary machinery and equipment, and shall be in addition to all authority heretofore granted for these purposes.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GORE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 5256) authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes, pursuant to House Resolution 271, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

MANNING OF VESSELS

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 4446, relating to the manning of vessels.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman from Virginia explain the bill?

Mr. BLAND. Mr. Speaker, the sole purpose of the bill is to aid in securing a larger supply of seamen for ships as to which there is a feared shortage. Under the law, 65 percent of the crew must be able seamen. There is another law which provides that 25 percent of the able seamen may be able seamen with 1 year's experience at sea or on the Great Lakes, but the other class has to have 3 years' experience at sea or on the Great Lakes.

Take the case of many cargo ships, which have 6 men in the crew. You can very readily see that with first 65 percent and then a percentage of that, you have to have a fraction of a man to make it applicable. It is believed that by placing a larger number of 1-year men on the ships the 3-year men will be available for other ships. This will not impair security or safety in the slightest.

Mr. MARTIN of Massachusetts. This is a unanimous report of the committee?

Mr. BLAND. It is a unanimous report of the committee, after careful consideration.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 13 (a) of the act of March 4, 1915, as amended (U. S. C., 1934 ed., Supp. V, title 46, sec. 672 (a)), during any national emergency declared by proclamation of the President, or whenever the President shall proclaim that the security of the national defense makes it advisable, the Secretary of Commerce, with respect to any vessel or any group of vessels or any industry and upon a finding, after investigation, that qualified able seamen are not available in sufficient numbers to man such vessels as required by said section, may, in his discretion, allow seamen, examined and rated able seamen under said section after having served on deck 12 months at sea or on the Great Lakes, to compose not more than one-half of the number of able seamen required by such section to be shipped or employed upon any vessel, for such period or periods as he deems necessary and as he may by regulation or order prescribe, but in no event beyond June 30, 1942.

With the following committee amendments:

Page 1, line 5, after "during", strike out the rest of line 5 and all of lines 6, 7, and 8 down to the word "advisable" and insert "the emergency declared by the President on May 27, 1941, to exist, but not after June 30, 1943."

On page 2, line 10, strike out "but in no event beyond June 30, 1942."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I take this time for the purpose of inquiring of the majority leader what the program is for next week.

Mr. McCORMACK. On Monday the Consent Calendar will be called. After the call of the Consent Calendar the Cartwright road bill will be taken up. I believe this is a $250,000,000 authorization having to do with activities relating in whole or in part to the national defense.

On Tuesday if the Committee on Naval Affairs reports out another authorization bill relating to bases, hospitals, and so forth, that bill will be considered. As I understand, the passage of that bill should be obtained before the supplemental appropriation bill comes out of the Committee on Appropriations. If that bill is not ready, then some other bill will be considered, but I am hopeful that that bill will be ready.

On Wednesday there will be the Calendar Wednesday call of committees. I believe the Committee on Naval Affairs has the call. I do not know that the Committee on Naval Affairs will have any bills to consider. If not, then the Committee on the Post Office and Post Roads has the call, and it is my understanding that it will have bills to consider. I know that if that committee had been called on yesterday and had time for the consideration of its bills it had three bills to consider, one relating to fourth-class postmasters, another being the so-called longevity bill, and a third being a bill the name of which I do not now recall, but I am informed that it is a bill of minor importance.

Mr. MARTIN of Massachusetts. Some of these bills may be passed when the Consent Calendar is called on Monday?

Mr. McCORMACK. That may be so.

If the authorization bill from the Committee on Naval Affairs is reported and passed, and if the supplemental appropriation bill is reported, which is reasonably probable, then on Thursday and Friday that bill will be considered. If it is possible to consider a bill from the Committee on the Merchant Marine and Fisheries, H. R. 5074, to prevent subversive activities among radio operators, that bill will also be called up.

That is the program for next week. It may be that the inability to carry out some of it may compel other legislation to be considered. If so, I will so advise the gentleman from Massachusetts and will give the House that information as far in advance as I can.

Mr. MARTIN of Massachusetts. I appreciate the gentleman's consideration.

EXTENSION OF REMARKS

Mr. LAMBERTSON and Mr. DITTER asked and were given permission to extend their own remarks in the RECORD.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Rotarian magazine.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article, Who Wants the Seaway?

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] be permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a poem by Mr. Carlisle.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Louisiana [Mr. BOGGS] is recognized for 40 minutes.

Mr. BOGGS. Mr. Speaker, it has been several weeks since the Committee on Agriculture reported favorably the Coffee bill (H. R. 3582), the purpose of which is to insure to the consumers of the Nation the availability of supplies of sugar sufficient to meet their demands. Specifically, the Coffee bill reallocates to foreign countries other than Cuba any deficits in the dutiable portion of the Philippine quota and reallocates to domestic areas any deficit in the duty-free portion of the Philippine quota. There is every indication that these deficits will occur, because of the tightening of the shipping situation on the Pacific.

The United States Senate has already adopted the Adams bill (S. 937), which has practically the same purpose as the Coffee bill. The decisiveness of the vote in the Senate, which was 45 to 26, and which came after 3 full days of debate, impresses me as being a significant demonstration of the growing realization that the United States Government should adjust its programs to guarantee supplies of sugar to the consumers by permitting domestic areas to furnish a larger share of our home market.

I am sure all of you have read about the recent decision of the O. P. M. on priorities, by which the rubber consumption has been cut 25 percent in peacetime rubber-using industries in order to build up an emergency stock pile. We have also read about price fixing for tires and tubes. It is natural that those of us who represent districts which produce sugar should find ourselves in agreement with those who represent districts where the rubber-using industries are located on the desirability of a coordinated Government policy in which both industries are affected. We can well jointly wonder whether the O. P. M. and the Maritime Commission are investigating the possibility of increasing current imports of rubber by 25 percent in order to provide sufficient rubber for normal consumption requirements and for the projected stock piles. It seems practical to suggest that ships which have been bringing sugar from the Philippines might be more effectively used, from a national-defense standpoint, by diverting this shipping to the rubber trade shipping tonnages, for the simple reason that we have no supplies of rubber in the Western Hemisphere, while we do have known supplies of sugar. The same may be said of copper and tin.

As far as I know, there has been no official Government decision published with respect to shipments of sugar across the Pacific Ocean, but there have been newspaper reports indicating that shipping priorities are being given to strategic materials, such as rubber, tin, and zinc. It should follow that there can be little shipping space available for sugar cargoes if such priorities are enforced. When consumers of rubber have their raw material supplies curtailed they naturally begin to have common cause with domestic-sugar producers who are likewise curtailed in their acreage and production; although in the one case domestic production of rubber cannot be readily stimulated, and, in the other case, domestic producers of sugar are able and anxious to expand.

The sugar program of the United States is based upon quotas to producing areas,

and I have never been able to understand why, or to be convinced of the justification for restricting and limiting the domestic production of sugar. I have sought to secure a better understanding of the sugar policy of our Government because the sugar industry in Louisiana has been for more than 100 years a major source of the periods of prosperity which our people have enjoyed from time to time. The welfare of the farmer in his district is necessarily a primary concern of any Congressman. My interest in the welfare of the Louisiana sugar industry is primarily in behalf of the farmers and laborers employed; but my experience and study convince me that this industry is a major factor in the economy of the whole State.

The Second District of Louisiana, which I have the honor to represent in Congress, comprises some of the better farm lands and establishments of the sugar industry, and it also includes about one-half of the city of New Orleans. It follows as a natural consequence that production from these farm lands and establishments within the commercial trade territory of the city of New Orleans, with the improved systems of water, rail, and highway transportation, contribute largely to the commerce of the city and to the progress of the State. The Sugar Belt of Louisiana is within the business area of a metropolitan section whose geographical boundaries cover the southern half of Louisiana, extending from New Orleans to Baton Rouge, thence to Alexandria and Lafayette, and back to New Orleans. Hundreds of thousands of acres contiguous to these cities have for more than 100 years produced sugar. Too many of those acres now lie idle or have been forced into the production of surplus crops. They are now available for a progressive, efficient expansion of the sugar industry, so that lands with sugarcane experience would be restored to former productivity and prosperity. Sugar being a nonsurplus or a deficiency crop, with our continental producers restricted to a production of less than 30 percent of the national consumption of sugar, I find myself inquiring into the reasons for continued curtailment in production at a time when world-wide conditions have convinced every important nation of the necessity and wisdom of self-sufficiency. Most of our agricultural problems are caused fundamentally by the existence of huge surpluses which cannot be disposed of in foreign markets or at a price which brings a fair return to the producer, such as cotton and wheat. However, in sugar we have an agricultural commodity which does not involve this difficult problem but should be the easiest problem of the Federal Government by simply allowing our domestic producers to furnish more and more of a product which the home market will absorb readily.

When setting out to inquire into the reasons for the extremely controversial characteristics of sugar legislation, I have found it necessary first to inquire into the make-up of the opposition to the domestic sugar industry. Primarily, that opposition is composed of international bankers who have tremendous loans and investments in foreign countries. As Cuba supplies more sugar to the United States than any other country, let us analyze the Cuban sugar industry:

According to the 1939 Sugar Annual of Cuba, 174 mills are operating in Cuba. Of these sugar mills in Cuba, 67 are American owned, at least 5 are Cuban-American owned, and 10 are Canadian owned, as shown by the following table:

Nationality	Number of sugar mills	Production (bags)	Percent of production
United States	67	10,218,375	56.81
Cuba	55	3,814,265	21.20
Spanish	33	2,549,483	14.17
English	4	321,938	1.78
Canada	10	816,186	4.54
French	3	116,913	.93
Holland	2	104,280	.57
	174	17,991,440	100.00

From the Annuario Axucarero de Cuba, 1939, compiled and edited by the Cuba Economica y Financiera, Habana, Cuba.

According to a report issued by the Foreign Policy Association of New York City, 9 sugar mills in Cuba are controlled by the National City Bank of New York, 3 are controlled by the Chase National Bank of New York, 10 or more are controlled by the Royal Bank of Canada, 2 are controlled by the First National Bank of Boston, 1 is controlled by the National Shawmut Bank of Boston, and 1 is controlled by the Canadian Bank of Commerce.

Among the sugar-refining companies of the United States, Cuban properties have the following ownerships: Two mills belong to the American Sugar Refining Co., two mills belong to the United Fruit Co.—including the largest mill in Cuba—six are owned by the Cuba-American Sugar Co., and three are owned by the Hershey Corporation.

In addition, American sugar brokers in New York City have large interests in Cuban mills. Czarnikow Rionda & Co. have controlling interests in 5 mills, some of which have been recently involved in receiverships. Some of the mills continue to be financed by sugar brokers and refiners. In 1 year the Hershey Corporation financed 11 mills, most of whose sugar it took for refining. The National Sugar Refining Co., and Farr & Co. of New York have known interests in several sugar mills in Cuba.

The American-owned mills have gone through processes of liquidation and reorganization which have washed out American bondholders, debenture holders, and stockholders. The most spectacular of these transformations was the Cuba Cane Co. Ten mills involved were carried on their own books at $64,097,398.61 before reorganization and had been appraised at $19,839,803.81 before foreclosure. At final auction a banking group, headed by the Central Hanover Bank & Trust Co., bought the consolidated mills for $4,000,000 and accrued interest. Similar action has taken place in other large holding companies such as the Cuban Dominican Sugar Corporation, the Beattie Sugar Corporation, and the American Fruit & Sugar Co., which were bought in at greatly reduced prices which eliminated American security holders. The American Molasses Co. has interest in at least two Cuban sugar mills.

It has been variously estimated that American investments in the Cuban sugar industry represent over $1,000,000,000, although the present valuation of American holdings is given as follows:

Sugar industry	$600,000,000
Public utilities	115,000,000
Railways, public	120,000,000
Mines	50,000,000
Tobacco industry	20,000,000
Hotels and amusements	15,000,000
Mercantile	30,000,000
Agriculture	25,000,000
Factories	15,000,000
Office buildings and city real estate	50,000,000
Government debt	100,000,000
Total	1,140,000,000

Cuban nationalists and well-known patriots claim openly that Cuba is being drained of its wealth by foreign exploiters and the Cuban Congress, only a year ago, acted favorably upon legislation to tax the flight of capital from Cuban industry into foreign countries. A United States commission investigating Cuban affairs has reported that—

excessive foreign investment, particularly in sugar, has stimulated an economic growth injurious to Cubans and foreigners alike.

The Commissioner of Agriculture of Cuba, Carlos Gonzales, attended a meeting of the National Association of Commissioners, Secretaries, and Directors of Agriculture, in New Orleans on December 9, 1940, and at that time he made the following statement:

The actual volume of sugar exported from Cuba is produced by Americans with American capital and not by the Cuban people; Americans own 70 percent of the Cuban sugar business.

As is always the case with a government policy which is founded upon idealism, there are predatory interests which seek to exploit other countries and other people under the guise of sustaining the ideal of international good will. It serves no good purpose for Congress or the American people to shut their eyes to the fact that American international bankers and financiers have done more to create ill will for the United States among other nations than to secure international friendships. There is no secret about the feeling of the Cuban natives in connection with the practices of American financial lords. There have been many demonstrations in Habana which could not be submerged. These movements have been termed revolutionary and more recently have been blamed on "fifth columnists"; but we can be realistic about the whole business, when we examine the scale of wages paid to laborers in Cuba and the payments made to the native farmers of Cuba for sugarcane. In recent years this shameful exploitation of natives has been partially remedied by laws passed in the Congress of Cuba, but the enforcement of these laws has been notoriously comparable to the enforcement of prohibition regulations in some of our great metropolitan

centers. That condition has aggravated an already bad situation. The case of Cuba is not an isolated one. The recent oil troubles in Mexico can be traced to the same practices of international financiers.

The good-neighbor policy is now accepted and supported by the vast majority of the American people, and I agree with its purposes and objectives; nevertheless, there are always reasonable limits within which international policies must be kept, in order to avoid having them transgress upon accepted and meritorious domestic policies. I believe as much in the principle of developing the domestic market for our producers as I do in the principle of the good-neighbor policy. I likewise believe that both principles can be put into practice by the Federal Government, with benefits for all. But the normal progress and expansion of an American industry, and particularly an agricultural industry, should never be subordinated to an international policy which has the effect of favoring foreign producers as against our producers at home. We are not permitted to produce more than 30 percent of the sugar consumed in the United States. With idle acres and idle men, capable and willing and anxious to produce sugar in the continental United States, it is sound public policy for the United States Government to encourage that production.

But the success of the good-neighbor policy cannot be achieved or assured by granting further favors and greater advantages to American exploiters of foreign laborers and farmers. Our good-neighbor policy can only succeed if the United States insists upon the benefits reaching down into the native masses of our neighbor countries, which we are supposed to assist. Our domestic sugar producers are just as patriotic Americans as any other citizens of the United States, and they fully appreciate the advantages of Western Hemisphere solidarity; but, in my conversations with them, I can see that they are fully justified in objecting to the expansion of benefits and international subsidies which flow in great volume into pan-American countries, but in too many cases only driblets reach the natives of those countries and the main stream is diverted back into the coffers of American corporations and the banks of New York. This procedure does not obtain confidence and good will, but acts as a boomerang to create suspicions and hatred by placing a dollar sign in the minds of the unfortunate natives, who hear of benefits but are denied participation.

Mr. Speaker, I repeat that I favor the good-neighbor policy, but there are two objections which I offer with the sincere hope that they may be corrected: First, the expected benefits which are to flow from the good-neighbor policy will be enjoyed by all citizens of the United States, and it is manifestly unfair that the carrying out of the good-neighbor policy should place the burdens of that policy upon the backs of a single industry of the United States, like the sugar industry, or upon the backs of agriculture exclusively. Second, the control which the United States can exert over the expenditure of funds and the granting of favors to foreign countries has not been applied to make sure that the direct benefit of our contribution reaches the natives and the masses of the beneficiary countries. We are acting as a nation in the carrying out of the good-neighbor policy; and, as far as is practicable, it must be the purpose of our Government to have all citizens bear equally whatever burdens are involved, just as they enjoy equally the benefits of international good will. If cordial relations are desired with Cuba, let that be brought about by concessions on the part of the Nation as a whole, not concessions exclusively yielded at the expense of the domestic sugar industry. If it is the good will of the Cuban people we desire, then let us cultivate that good will by forcing the extension of the advantages to the laborers, farmers, and the natives of Cuba, instead of diverting the major part into the banks of New York City and the corporations of Wall Street.

The record of the domestic-sugar industry shows that increases in domestic production have brought about decreases in the price of sugar to the American consumer.

At the time of the first World War we were importing more sugar than we were producing. Taking all of the domestic areas, which pay no tariff, as a whole, the United States has an available supply of duty-free sugar amounting to 5,000,000 tons, as compared to an available supply of duty-free sugar at the time of the World War of 2,000,000 tons. During the war the retail price was around 10 cents, and in 1940 the average retail price was 5.2 cents. Following the World War the price of sugar went up to 25 cents, when you could get it.

There has been a direct relationship maintained in the past several months between the increases in the transocean freight rates on sugar and the price of sugar in the United States. The price of sugar in 1940 was at the lowest levels in history, and it was only when freight rates on sugar cargoes from Cuba and the Philippines were stepped up rapidly in the first several months of 1941 that the price of sugar advanced. As proof of this relationship, when ocean freight rates had reached extremely high levels and the Maritime Commission began to take an interest in connection with strategic war materials, there was a recession in freight rates on sugar and a sympathetic decrease in the price of sugar.

The significance of this relationship is more striking when we remember that the United States depends upon ocean transportation for 70 percent of its sugar supplies. In the interest of accuracy, we should note that the rates from Hawaii and Puerto Rico to the United States are under better control of the American Government and coastwise shipping; therefore there have not been as great advances in these rates as on sugar from foreign countries, although these domestic areas, too, have shipping problems.

The following table shows the normal rates which existed prior to the World War disturbance, and the highest levels to which these rates have climbed since January 1, 1941:

Ocean freight rates on sugar

[Per short ton]

	Normal (1938 and before)	1941 highest level
Cuba	$2.40-$2.80	$10.00
Philippines	6.75	35.00
Peru	4.75	15.00
Dominican Republic	2.60	8.40

In addition to ordinary cargo insurance, each shipper must carry war-risk insurance, which, in the case of Philippine sugar, amounts to another $1.40 per ton when carried in foreign bottoms. Eventually the consumer pays most of these added costs.

The records of the United States Sugar Equalization Board, which was the Government agency in charge of sugar from 1917 to 1920, show that the problem in those days was not the quantity of sugar available in the world, but instead was a problem of shipping. There was sugar in existence, but there were no means of transporting the sugar from the remote places of production to the concentrated areas of consumption. At that time, Java was one of the chief sources of sugar supply for the world; but there were no ships, and the round trip consumed more than 100 days. To a great extent, we are facing the same situation today. There are great stocks of sugar in the world, but there is a scarcity of ships, freight rates are advancing, and the oceans are infested with submarines and bombers sinking shipping of all kinds, including those carrying sugar.

In 1917, when Mr. Herbert Hoover was Food Administrator, he wrote a memorandum to President Wilson asking for authority to buy sugar crops and fix prices. It is significant that the necessity which led Mr. Hoover to request authority from the President contained this illuminating paragraph:

> Certain Cuban sugar producers (who are out of our reach) have combined to force up the price of the remaining 1917 Cuban crop, prior to the new crop in December, and have lifted the price of raw sugar in New York from 5.9 cents in June to 7.5 cents, duty paid, on August 16, and this against a 3-year pre-war average of 4.2 cents. The recent advance of 1.6 cents alone would represent an added tax upon the American people of over $30,000,000 by the end of December.

Acting upon the authority granted by the Food Control Act, the United States Government entered into agreements with the various domestic producing areas and Cuba for the purchase of sugar in 1917, 1918, and 1919. Under the circumstances, Mr. Hoover recognized the importance of encouraging domestic production and he issued the following circular letter to sugar-beet farmers on October 22, 1917:

> One of the most vital problems confronting the Nation is that of procuring sufficient sugar to meet the requirement of our people and of the allied nations, fighting our common battle. The production of cane sugar in this hemisphere can and will be increased to a limited degree. But we must rely upon

the farmers in sugar-beet producing sections of the country for a part of the needed supply. I therefore earnestly appeal to every farmer, so situated, to come to his country's aid in this hour of need. Without the cooperation of the American beet grower our task will be very difficult and our ability to respond to the calls to be made upon us for this very essential commodity will be curtailed. It is at least the duty of every beet grower to maintain in 1918 his normal acreage of sugar beets. It is his privilege to increase the acreage to the extent that a well-balanced production of crops will permit, and in this manner effectively demonstrate his patriotism.

Although the price of sugar was under control during the war, it increased over pre-war prices because of the general advances in prices of all foods. But there was no run-away price until the war was over and the exercise of control by the Government over the distribution and price through purchase agreements had been terminated. In the summer of 1920 just before the mainland crops of beet sugar and cane sugar were to be harvested and the crops from the domestic islands had been sold the price of Cuban raw sugar went from 13.55 cents per pound duty paid to 23.57 cents per pound duty paid. The retail price reached 25 cents and 30 cents per pound. Without going into an elaborate discussion of detail, the salient facts are that in 1919 the reconstruction period had begun in Europe, and there was a market for all available sugar. The Cuban sugar barons gave as an excuse that their crops had been curtailed by a severe drought; but the simple fact remains that those Cubans—who had stocks of sugar which temporarily at that time was the only available sugar for the United States market which had not already been sold—took complete advantage of the American people and made them pay the highest price that has ever been charged for sugar in the history of the United States. And this in the face of the fact that the American people had bought the entire Cuban crop for 3 years running at prices extremely profitable to Cuba.

These facts are important for us to think about when we are called upon as Members of Congress to determine the sugar policy of the United States. In my opinion, the best safeguard we can establish against a repetition of similar experiences following the second World War is to give every encouragement and stimulation to the production of sugar within the mainland confines of the United States.

Let our farmers be given the right to produce more sugar, so that they in turn may have increased purchasing power to buy in the domestic market at the high level of the American standard of living. By the adoption of that policy not only will the farmers who produce sugar—beets and cane—be benefited but there will be a fair share for distribution among the laborers employed in the sugar industry and in all of the industries which produse the goods our farmers buy. Our Government is confronted with the need for the greatest revenues which have ever been collected in the United States. In order to increase the Federal revenues there must be a substantial increase in the national income. If there is a more ready, a more facile, and a more meritorious means of increasing the national income than by expanding the production of an essential food, of which we do not produce more than 30 percent of what we consume, then my search has been unsuccessful, because I have found none.

The purpose of the Coffee bill, which, I understand, will be considered by the Rules Committee next week, does not in any way affect the international policy of our country. I firmly believe in the good neighbor policy. I think that our program of Western Hemisphere solidarity is absolutely essential to our Nation. In addition to that, my home district, the city of New Orleans, stands to gain by the promotion of that policy. Because of our location at the mouth of the Mississippi River, we are the natural center for the carrying of South and Central American trade, but I do not believe that a domestic industry, one industry alone, which fails now to meet domestic demand in its domestic production, should be used as the only instrumentality for the promotion of that policy.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman.

Mr. WILLIAM T. PHEIFFER. The gentleman from Louisiana is aware of the fact in speaking of the good neighbor policy of the effect that the restriction of sugar imports might have on that policy. Does the gentleman realize that just recently the leading newspaper of Lima, Peru, one of the South American countries with which we are trying to foster good neighborliness, came out with a very strong editorial decrying any movement that might be put on foot that would restrict or limit the import of cane sugar as affecting the trade and commerce between, for example, the port of my home city of New York and other ports in the country, in favor of the domestic sugar producers?

Mr. BOGGS. I will answer the gentleman by saying that the bill under consideration has absolutely no effect insofar as Peru is concerned. What this bill seeks to prevent is the allocation of new import quotas to Peru, which Peru has never enjoyed. In other words, this bill takes away nothing from Peru or any other South American country and, as a matter of fact, your imports to the port of New York do not come from the country of Peru, but 90 percent of them come from the Caribbean area which includes our possession of Puerto Rico, and, of course, from the Republic of Santo Domingo and from the Republic of Cuba, but the very purpose of this bill is to give to domestic producers the quota which the Philippine Islands will not be able to fill because of the shipping shortage. It does not take a thing in the world away from Peru or from any other area in South or Central America.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. The gentleman is probably aware of the fact that in the beet-sugar-producing areas they are not able to produce their full quota in some respects right now, due to a shortage of farm labor, and still they are asking for a further increase in their quotas.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. Gladly.

Mr. COFFEE of Nebraska. I would like to point out to the gentleman from Pennsylvania that the beet-sugar area had sugar enough on hand the first of January to supply their full marketing quota of this year, together with 165,000 tons in addition from the 1940 crop. Furthermore, the sugar-beet area was curtailed in the amount of acreage they could plant this year 16.2 percent because of that surplus which is hanging over the market.

Mr. MURRAY. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. Gladly.

Mr. MURRAY. I should think it would be a rather embarrassing position if the people from Louisiana should ask for protection on this sugar.

Mr. BOGGS. We are not asking for protection.

Mr. MURRAY. I know it goes under a different name, but it is here, and many of us believe in the American market for the American farmer, so far as he can produce efficiently; and during the last few years under the New Deal we have continually lowered the tariff on livestock and livestock products up in the North, and then you in the South come in for an increase of 3 cents on peanuts and 3 cents on cotton, and now the sugar people want to have protection. This does not apply to Florida, because the Florida people all voted against the reciprocal trade treaty, whereas the Louisiana Representatives seem to have not only voted for the trade treaties to start with, but last year they voted for 3 years more of that kind of a foreign agricultural program, so I say to you from Louisiana, if you will come up here with your hands clean and vote for an American market for the American farmer and quit taking the tariff off cheese, I am sure that everybody from the North will be glad to go along with you and give the people of the South their share of the American market.

Mr. BOGGS. Mr. Speaker, I will answer the gentleman in this fashion: I am just as much interested in his cheese market as I am in the sugarcane market, and I am not standing here asking for any protection for the Louisiana cane growers. All that we are asking is to have the restrictions removed and to be permitted to grow sugarcane, and in that relation let me say this: We are perfectly willing if the restrictions are removed to forego any provisions about benefit payments and all those things under the agricultural plans. We have only one program.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. Yes.

Mr. WILLIAM T. PHEIFFER. That is a very vital consideration I believe in the consideration of this legislation

which is coming up. I refer to the possibility of a plea being made on behalf of the beet-sugar farmers, that they are big enough and extensive enough in their operations to bring them in under the various acts with regard to getting benefits, parity payments, and so forth. The gentleman has stated that we—and I presume when he says "We" he is speaking for the beet-sugar industry?

Mr. BOGGS. Yes.

Mr. WILLIAM T. PHEIFFER. Now vouchsafe any plan that might otherwise be made for farm benefits, parity payments, or soil conservation or what not, and if this bill is passed and the beet-sugar industry is allowed to produce more sugar, that we will be not asked to extend grants and benefits out of the United States Treasury to the beet farmer. Is that correct?

Mr. BOGGS. As long as we have quota restrictions, as long as we are prevented from planting our crops just as the cotton planter and the wheat planter are prevented from planting wheat or cotton, we will necessarily have to participate in the benefit program, and I further inform the gentleman from New York that we are now presently participating in the benefit plan. We are participating in the plan. The gentleman from New York ought to know that.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield.

Mr. BOGGS. Yes.

Mr. COFFEE of Nebraska. I think it should be pointed out to the gentleman from New York [Mr. WILLIAM T. PHEIFFER] that this tax on sugar brings in more to the Federal Treasury than is paid out in the way of benefit payments, and that the producers themselves have to pay that tax, which is turned back to them in the way of benefit payments.

Mr. BOGGS. That is correct.

Mr. BRADLEY of Pennsylvania. And the tax is also paid by the consumer.

Mr. BOGGS. Oh, that is absolutely untrue. As a matter of fact the price of sugar in the United States over the last few years has been lower than ever in the history of the country.

Mr. SANDERS. And in addition to the fact that the sugar program pays its own freight, its own way, is it not a fact that that is the only farming industry in this country which is not permitted under existing regulations to have entire access to the United States domestic market? All of the other producing farm industry, as I recall it, have exports—wheat, corn, cotton—but the sugar industry shares its market with others.

Mr. BOGGS. That is correct.

Mr. SANDERS. And it is the only one that does.

Mr. BOGGS. As far as I know that is absolutely true and that is the point that I want to make this afternoon. The sugar-producing area in this country, unlike the people who grow cotton and wheat and corn—and I have consistently supported those areas of the country along with many of the interests in the district of the gentleman from New York—we come here and we are not asking for benefit payments.

We are not asking for any particular subsidy. We are not asking for any program. We are simply making a very simple demand that our producers be allowed to produce, and that we be allowed to supply our own domestic market.

I have never been able to understand why a domestic industry which does not meet more than a fraction of the domestic demand has not been allowed its normal expansion. I have heard too much about sugar produced on this continent being an artificial crop. For the benefit of the gentleman from Pennsylvania [Mr. BRADLEY] we have produced sugarcane in Louisiana profitably for over 100 years, and in 1938 we produced more sugarcane in the State of Louisiana than ever before in the history of the State.

Mr. BRADLEY of Pennsylvania. Will the gentleman yield?

Mr. BOGGS. I yield.

Mr. BRADLEY of Pennsylvania. I wish the gentleman from Louisiana produced more cane sugar, because if you did there would probably be less beet sugar produced and we would have more work for our refineries in the East, which refine only cane sugar. So that I am sympathetic with the gentleman's problem.

Mr. BOGGS. As I pointed out, the sugar program is based upon quotas to producing areas. I have never been able to understand or to be convinced of the justification for restricting and limiting the domestic production of sugar. I have sought to secure a better understanding of the sugar policy of our Government, because the sugar industry in Louisiana has been for more than 100 years the major source of periods of prosperity which our people have enjoyed from time to time. The welfare of the farmers in his district is necessarily of primary concern of any representative. My interest in the welfare of the Louisiana sugar industry is primarily in behalf of the farmers and laborers employed, but my experience and study convinces me that this industry is a major factor in the economy of the whole State.

I know, too, I might add here, that during the last 10 years we have had a splendid development in sugar production in Louisiana in that it has been broken down from the old system of great, large plantations to many small independent producing units. As the production of cane has increased during the last several years, that production has not come from the large land owners, but it has come from the little farmers, all contributing to the economy and to the prosperity of our section, and all employing literally thousands of people in the area and in the industry.

Mr. SANDERS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. SANDERS. In connection with that point, will the gentleman permit me to call attention to the fact that both the Democratic and Republican Parties in the last election made assurances to the public and to the farmers, including the sugar farmers, that they would expand the production of just the people you are talking about, namely, the small farmers, as well as the large. The Democratic platform, adopted in Chicago in 1940—and I was a member of the platform and resolutions committee that adopted this, and I know that sugar was one of the things intended to be covered by it—declared:

(1) To make parity as well as soil-conservation payments until such time as the goal of parity income for agriculture is realized.

(2) To continue to provide for adjustment of production through democratic processes to the extent that excess surpluses are capable of control.

(3) To safeguard the farmer's foreign markets and expand his domestic market for all domestic crops.

I will ask the gentleman to state if it is not his opinion that the Coffee bill, to which you referred, simply attempts to insure the American public that the sugar that has been allocated to the Phillippines, which cannot be brought to this country on account of lack of bottoms to bring it here, shall be reallocated to the very people talked about in that plank of the platform—to permit to that very small extent the American farmer to expand his domestic market for the domestic crop.

Mr. BOGGS. In answer to my distinguished colleague, I will say that I think the Coffee bill is definitely a step in the right direction and that all of us, of course, are supporting it, but that as a matter of fact it is a long way from actual fulfillment of that campaign promise made by both of the major parties last summer.

Mr. SANDERS. It is merely a step in that direction?

Mr. BOGGS. Yes; it is a step in that direction.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. BRADLEY of Pennsylvania. It is not true that the Coffee bill will allocate to the beet-sugar growers the cane production which is now coming from the Philippines?

Mr. BOGGS. That is true. But, of course, the cane growers are included.

Mr. BRADLEY of Pennsylvania. And we have to bear in mind that the refineries of this country are of two classes, those which refine beet sugar and those which refine cane sugar.

Mr. BOGGS. Let me answer the gentleman in this fashion: We feel that the beet-sugar industry and the domestic cane-sugar industry have the same interest at stake in this Nation. They are both domestic industries. They both employ American labor. They both contribute to our State, local, and Federal Governments, and from every standpoint they have the identical interest. I will say that I have found little evidence that the seaboard refiners, referred to by the gentleman, have ever been of any great help to the domestic sugar-producing areas, whether they be cane or beet.

Mr. WILLIAM T. PHEIFFER. Will the gentleman yield?

Mr. BOGGS. I yield.

Mr. WILLIAM T. PHEIFFER. Following the avenue opened by the gentleman who just made comment about the lack of shipping, that prevents the bringing in of cane sugar imports from the Philippines, it will not be many years before the Philippines will have achieved their complete independence.

Mr. BOGGS. That question is not before us at this time, but go ahead.

Mr. WILLIAM T. PHEIFFER. On that hypothesis is it not true that if we should now take the quota that normally would be given to the Philippines on sugar imports, give that to our beet sugar producers, later on when the affairs of the world get back on an even keel and we emerge into smooth waters and we want to resume our normal trade relations with the Philippines and all other cane sugar growing countries it would then be difficult if not impossible to take away from the beet sugar farmers that which had been given them and restore the quota to the Philippines. Conceivably we might have to do that. I should like to have the gentleman's views on such a contingency.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman let me answer that?

Mr. BOGGS. I gladly welcome the assistance of the gentleman from South Dakota.

Mr. CASE of South Dakota. May I answer that by asking this question: If the Philippine quota is going to be given to somebody is there any reason under God's heaven why it should not be given to American producers?

Mr. BOGGS. That of course is my answer. In addition I may say to the gentleman from New York that practically all legislation that is being considered by this Congress is emergency legislation. If we could foresee the future possibly we would not enact much of the legislation that is being enacted. It is necessary, unfortunately, that we improvise and meet situations as best we can; and in this particular instance we are simply trying to help our American people without hurting in any fashion the good neighbor policy or hurting any nation engaged in friendly trade with us.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. CURTIS. I think the gentleman may be interested in having this fact called to his attention: That for a given amount of sugar produced offshore and shipped into this country, that same amount of sugar if grown in this country would employ eight times as much American labor.

Mr. BOGGS. I think that is correct and I think it is a very significant point.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. COLMER. The gentleman from Louisiana is, of course, aware of the fact that I entertain a very high regard for him.

Mr. BOGGS. I appreciate that.

Mr. COLMER. I feel that he is to be complimented upon the industry he is exhibiting here in behalf of his Louisiana sugar industry. I notice, however, the gentleman says we should pursue this good-neighbor policy, we should not do anything that would be offensive to the good-neighbor policy. How does the gentleman reconcile his desire to cooperate with the State Department in its foreign policy in this time of extreme national emergency and his support of this bill which the State Department opposes?

Mr. BOGGS. That is a difficult question to answer because frankly I do not understand the opposition of the State Department. Let me in turn ask the gentleman who comes from the great cotton-producing State of Mississippi a question. I have information that cotton can be profitably produced in Brazil for 5 cents a pound. I understand further that for the last 10 years the production of cotton in Brazil has increased from 100,000 bales to 1,200,000 bales. Does the gentleman subscribe to the theory that in the promotion of the good-neighbor policy we should let American cotton be displaced by 5-cent Brazilian cotton?

Mr. COLMER. If the gentleman will yield further, since the question was directed to me I take it I should at least attempt to answer. The gentleman propounds a question which is calculated to evoke my own opinion where my own selfish interests are involved, as are his in the particular case. My answer to that, of course, would have to be in the first place that cotton has been discriminated against by the foreign policy of this Government more than has sugar. Cotton has been constantly reduced while the sugar allotments have been increased. That is one thing. The other is that in a time of great national emergency such as we now face is it not true that all of our selfish, our provincial interests must yield to the common welfare of the country?

In other words, what would the cotton lands of Mississippi or the sugar lands of Louisiana be worth if our Government, our American way of life, our Nation, were to succumb to the conflagration of Hitlerism which is sweeping the world?

Mr. BOGGS. I quite agree with the gentleman in everything he has said. I say, however, that one of my principal purposes in discussing this matter today has to do with national defense. Sugar not being produced in excess quantities in the country, we may sometime have to store it. The gentleman remembers quite well that toward the end of the last war we paid in this country from 20 to 25 and even 30 cents a pound for sugar, and in many areas sugar was rationed. In addition to that, sugar is an essential foodstuff and enters into the national-defense picture in every sense of the word. I feel with the shipping shortage which is growing every day—and the gentleman from Mississippi knows it because his district in many ways is similar to mine, being a port—he knows that many, many ships have been removed from our coastwise service. He knows that they have been put into the run to Great Britain. With the ship shortage that has developed, there is every reason to believe that the time might come when we cannot import from the offshore area the domestic requirements for sugar, particularly if we have a large standing Army. I say that this matter is just as much a question of national defense as any other essential foodstuff. Food is as important to an army and to a civilian population as guns and ammunition are, as everybody knows.

Mr. ALLEN of Louisiana. Will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. My colleague has almost anticipated my question. A great deal has been said here about our foreign policy and about our good-neighbor policy, but it appears to me that all of our policies yield to the paramount question of national defense. May I ask the distinguished gentleman if it is not true that we are almost committing suicide when we depend practically entirely in times like these for sugar upon our offshore areas?

Mr. BOGGS. Well, I would not say it is quite that bad, but I think it is a serious situation, particularly in view of what Cuba did after the last war. You will recall that during the war from 1914 through 1917 we bought practically the entire Cuban sugar crop. But after the war, when the trade routes of the world were open and commerce again plied back and forth across the ocean, when Europe was crying for foodstuffs and after we had subsidized Cuba for 4 years, they ran out of the American market and sold every pound they could to Europe at an exorbitant profit, which ran the price up domestically to 25 or 30 cents in this country.

Mr. ALLEN of Louisiana. We hope the situation never reaches that point, but it could get to the point where we would have to depend upon our own continental sugar resources here.

Mr. BOGGS. There is no doubt about that, in my opinion, particularly if the war spreads to the Western Hemisphere.

Mr. ALLEN of Louisiana. And it is almost suicidal to permit it to reach that point.

Mr. BOGGS. I think the gentleman is dead right.

Mr. CANNON of Florida. Will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Florida.

Mr. CANNON of Florida. With reference to what the gentleman from Mississippi had to say about cooperation with the State Department, may I suggest that the gentleman be advised that the superproduction or the overproduction and the quota to which the gentleman now addresses his effort is that which cannot be marketed by the Philippine Islands even with the assistance of the State Department?

Mr. BOGGS. That is correct.

Mr. CANNON of Florida. If the State Department is to embark on a policy whereby the American market will be taken away from the American people and the American farmer, why, then, is it not about time to break even with the State Department as far as the Congress is concerned?

Mr. BOGGS. I appreciate the gentleman's contribution.

Mr. H. CARL ANDERSEN. Will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. I want to congratulate the gentleman on his viewpoint in reference to this matter and at the same time welcome the delegation from Louisiana into the Republican Party.

Mr. BOGGS. I am afraid I cannot accept that offer. This is not a question of partisan politics at all. Both parties subscribed to what I have said in their 1940 platforms.

Mr. Speaker, there is one thing I want to point out about the good-neighbor policy, and that is actually the effect behind some of these policies. If any of you will take the trouble to investigate the Cuban situation, for instance, we hear a great deal about Cuba, and all of us take it for granted that when we increase the Cuban quota we are helping the Cuban people. Well, possibly we are a little bit, but if you will investigate you will find that a large portion of the Cuban sugar industry is owned by Wall Street, and that they have used their same old policy of weeding out the small producers. The great opposition to the domestic sugar policy does not come from the Cuban people and all the masses of people living in these other South American countries. It comes from the same old crowd, from the same old street, who are again making a tremendous profit out of exploiting the people of Cuba and other South American countries, and out of using an American subsidy to do it at the same time.

Mr. OSMERS. Will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New Jersey.

Mr. OSMERS. Is the gentleman suggesting that the State Department is being controlled by Wall Street because of its attitude on sugar?

Mr. BOGGS. No; I have definitely not suggested any such thing. I am suggesting that the State Department necessarily has to negotiate with those who are in power in Cuba, and the State Department in negotiating with the Cuban Government cannot look into the ownership of the Cuban mills and into the ownership of the Cuban plantations. They are dealing with the Government, not the private ownership of that property down there. Unfortunately, the property is owned in the vast majority of cases by people who are not interested in Cuba, who are not interested in the problems of the people down there, but who are interested primarily and solely in exploiting those people and using American capital to do it with.

Mr. CANNON of Florida. If it be true that Wall Street owns a substantial interest in the sugar operations in Cuba, then it is just as true that it would not reflect its direct ownership down there?

Mr. BOGGS. That is true. I do not intend to stand up here and pretend to be any type of authority on sugar or on international affairs, but it stands to reason that the people of Cuba, the people of Peru, the people of Mexico, and the people of all of the South and Central American countries have resented, and deeply resent, the exploitation of their natural wealth and resources by foreigners, and I do not care who those foreigners are, and sometimes our policy in place of helping those people actually creates additional resentment, and in place of building up good will it actually helps to defeat that very policy.

Mr. WOODRUFF of Michigan. Will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Michigan.

Mr. WOODRUFF of Michigan. Is the gentleman familiar with the situation which existed in 1920 when, because of the fact that there was little American-produced sugar in this country, the parties the gentleman referred to, the owners of the sugar control in Cuba, ran the price of sugar up in this country, until the housewife paid as high as 32 cents a pound for a very necessary food product?

Mr. BOGGS. I made that statement, I believe, just before the gentleman came in.

Mr. WOODRUFF of Michigan. May I say to the gentleman that I only just came in, but I am already greatly intrigued by his speech and shall read it very carefully.

Mr. BOGGS. I thank the gentleman, and appreciate his contribution.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York.

Mr. WILLIAM T. PHEIFFER. While we are on the subject of trying to make Wall Street the whipping boy in this situation, I should like to make the observation that if Wall Street holds the reins with regard to the cane-sugar industry, by the same token it has control over the beet-sugar industry, because under our complex system of business and finance in these days there are just as many corporations listed on the Stock Exchange—and, of course, the Stock Exchange is the apex of Wall Street, we will say—that are interested in the beet-sugar industry, I dare say, as there are corporations listed there that are interested in the cane-sugar industry. I believe that before we say that Wall Street should be chargeable with the effort to perpetuate any sort of cane-sugar import system, inquiry should be made as to whether the same argument would not apply to the beet-sugar industry.

Mr. BOGGS. I shall answer that simply by saying that there is no evidence to that effect. The beet and domestic cane sugar growers for the most part are small farmers, just as are the cotton and the wheat farmers and the other domestic farmers.

In conclusion let me say that I have made no plea here for any special benefit, for any appropriation out of the United States Treasury, for any special consideration of any industry in this Nation. I simply ask that the American producers—and, after all, our first interest must be our own country—be given at least an equal chance with foreign producers in other areas of the world.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a newspaper article.

The SPEAKER pro tempore (Mr. RUSSELL). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article and an editorial on David Lasser appearing in the Washington Daily News of July 14.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SCOTT (at the request of Mr. DITTER), until August 26, on account of active duty with the United States Naval Reserve.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. PATRICK] is recognized for 30 minutes.

HAVE REPUBLICANS SUPPORTED NATIONAL DEFENSE?

Mr. PATRICK. Mr. Speaker, I should like to have you remember that this cry was raised by the Republicans and not by the Democrats. I just did not think it would be fair for us Democrats to sit around and let the Republicans get away with the pretense that they were building the national defense when they were not, and that they were fighting for and favoring building toward national defense when that simply was not at all the case.

The minority leader announced to the world, and he got a certain amount of publicity on it, while we were taken to task as the Democratic Party, with a Democratic program, for not going forward faster, holding us responsible for there being a lag in defense. It is in response to that challenge that I rise today.

After fighting, holding back, and obstructing the defense and preparedness program for years, they now "about face" and we hear, of all things, the minority leader shouting at the Democrats for not having done a faster and a better job in getting our national-defense plans into full swing. In other words, he is complaining because we did not drag him further and harder and longer when we did drag him, with him kicking against the dashboard every minute and leading his crowd against it.

Let us admit that there is a lag, and that we are not where we should like to be. We should have been so much better off had the Republicans not been so heavy with the brakes all down the road. You know that is true.

We shall start with 1935 on the tables. What we really ought to do is hark back to the day when the Republicans foolishly sank the Navy. While we cannot sink a battalion like one can a battleship, they at the same time were sinking the Army until it got down to less than 160,000 men—no men, no guns, no tanks, nothing—until the Democrats relieved them and relieved the Nation.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. It will be a whole lot better for both of us if I yield later.

Mr. KEEFE. I want the gentleman to yield at that point.

Mr. PATRICK. Make a note of it. We will talk about it later. The gentleman can make a note of his point. I do not wish to yield now.

Mr. MOTT. Mr. Speaker, will the gentleman yield for an inquiry?

Mr. PATRICK. I want to state that the gentleman standing over there has a good national-defense record, far better than the average Republican, I will say that, but not better than the average Democrat. I will not yield at this time, however.

Mr. MOTT. Mr. Speaker, will the gentleman yield for an inquiry?

Mr. PATRICK. No; I do not yield for an inquiry.

Mr. MOTT. I wanted to inquire at what point——

Mr. PATRICK. If the gentleman will hold up his inquiry, in all probability it will be answered.

Just the other day, when we had to resort to a draft bill to keep our whole Army from being made up of volunteer Texans, Kentuckians, Tennesseans, Georgia "crackers," and hillbillies from Alabama, bless their little hearts, if the Republicans did not line up and vote against the draft bill to the rollicking tune of 112 Republicans against it and 52 Republicans for it. The Democrats voted 211 for it and 33 against it.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Congressman MOTT, of Oregon, who has not been here long enough to catch on to how his Republican brothers operate, jumped to his feet in all sincerity and asked when the Republicans voted against any national-defense bill. With his hand out and his head uncovered, he asked it. I am sure the gentleman from Massachusetts, the Honorable JOE MARTIN, would not have had him do so—but the fat was in the fire, and the show was on. So brethern and sistern, here we are today—and we have a few indisputable figures that will speak like rolling thunder down the caverns of the Grand Canyon. By the way, when I referred to the fact that the Republicans had not supported the bill to increase the Navy, the minority leader declared that they voted against a battleship on one vote in order to give that proposed money to airplanes, but he never explained why he could not support the Navy and an airplane-defense program at the same time.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. No; I cannot yield to the gentleman right now. I wish I could. Do not beg me, because you will break my heart.

The gentleman said himself they were farsighted at the time——

Mr. DITTER. Mr. Speaker, will the gentleman yield in view of the conversation we had over the telephone?

Mr. PATRICK. If I yield to the gentleman, he will run off. I will yield to the gentleman if he will wait until my speech is over.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. No; I will yield at the end of my speech, but not now.

We looked up their votes on the national-defense airplane bill.

Mr. MOTT. Mr. Speaker, I make the point of order there is not a quorum present, and I make it for the reason the gentleman said he would not yield until the conclusion of his speech, at which time, of course, there will be no opportunity to interrogate him.

Mr. PATRICK. That will suit me; get a quorum call, and we shall have more folks here. I should have known they would commence hollering.

The SPEAKER. Evidently there is not a quorum present.

ADJOURNMENT

Mr. LEWIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 30 minutes p. m.) the House adjourned to meet, in accordance with its previous order, on Monday, July 21, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 3094, entitled "A bill granting pensions and other benefits to veterans and former service men, and for other purposes." The hearings will be held Tuesday, July 22, 1941, at 10:30 a. m., in Room 247, House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZAION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, July 23, 1941, to consider private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

767. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1942, amounting to $75,000, for salaries of the Criminal Division, Department of Justice (H. Doc. No. 316); to the Committee on Appropriations and ordered to be printed.

768. A letter from the Administrator, Federal Security Agency, transmitting a draft of a proposed bill to authorize the printing of additional copies of the Annual Report of the Social Security Board; to the Committee on Printing.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. IZAC: Committee on Naval Affairs. House Resolution 158. Resolution requesting the Secretary of the Navy to appoint a board to investigate and report on the need for constructing a bridge between Hunters Point and Bay Farm Island; with amendment (Rept. No. 967). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Washington: Committee on Pensions. H. R. 5339. A bill granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection; without amendment (Rept. No. 968). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Washington: Committee on Pensions. H. R. 1782. A bill to provide Spanish War veterans wartime pension rates for service-connected disability or death of certain veterans of the Spanish-American War recognized by veterans regulations as "veterans of any war," and for other purposes; without amendment (Rept. No. 969). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Washington: Committee on Pensions. H. R. 2310. A bill to amend section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes," approved May 1, 1926; without amendment (Rept. No. 970). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Washington: Committee on Pensions. H. R. 2096. A bill to provide that pensions otherwise payable for a child of a deceased veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall continue until the child reaches the age of 21 where he is attending accredited school, and for other purposes; without amendment (Rept. No. 971). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1360. A bill granting a pension to Albert E. Wells; without amendment (Rept. No. 972). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1759. A bill granting an increase of pension to James J. Scanlon; without amendment (Rept. No. 973). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1932. A bill granting a pension

to Willard Fulk; without amendment (Rept. No. 974). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 4301. A bill granting an increase of pension to Imogen Morris Taylor; without amendment (Rept. No. 975). Referred to the Committee of the Whole House.

Mr. RIVERS: Committee on Invalid Pensions. H. R. 3560. A bill granting an increase of pension to Jeannette W. Moffett; without amendment (Rept. No. 976). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 3312. A bill granting an increase of pension to Grizelda Hull Hobson; with amendment (Rept. No. 977). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KILDAY:

H. R. 5356. A bill to constitute an Army Chaplains' Corps with a major general as chief; to the Committee on Military Affairs.

By Mr. DAVIS of Tennessee:

H. R. 5357. A bill authorizing the issuance of a special postage stamp in honor of the one hundred and fiftieth anniversary on June 1, 1946, of the statehood of the State of Tennessee, admitted to the Union on June 1, 1796; to the Committee on the Post Office and Post Roads.

By Mr. MAHON:

H. R. 5358. A bill to amend the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. ROGERS of Oklahoma:

H. R. 5359. A bill to declare that the United States holds certain lands in trust for Indian use; to the Committee on Indian Affairs.

By Mr. BLAND:

H. J. Res. 216. Joint resolution to expedite the transportation of certain strategic materials from the Territory of Alaska to the United States, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SAUTHOFF:

H. R. 5360. A bill for the relief of Clarence H. Lowell, deceased; to the Committee on Military Affairs.

By Mr. JENKS of New Hampshire:

H. R. 5361. A bill for the relief of Jerry McKinley Thompson; to the Committee on Claims.

By Mr. MERRITT:

H. R. 5362. A bill for the relief of Joseph J. Curcio; to the Committee on Pensions.

By Mr. TARVER:

H. R. 5363. A bill for the relief of Johnston-Hall Hospital, Calhoun, Ga., and Dr. Z. V. Johnston, Calhoun, Ga.; to the Committee on Claims.

By Mr. WILSON:

H. R. 5364. A bill for the relief of James C. Rose; to the Committee on Pensions.

H. R. 5365. A bill for the relief of Mrs. Charity Cooper; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1659. By Mr. BEITER: Petition of the United Association of Journeymen Plumbers and Steam Fitters Local Union No. 36, Buffalo, N. Y., urging the prompt adoption of legislation which will insure the granting of loans and subsidies to local authorities for the initiation and development of slum-clearance and low-cost housing program designed to remove workers from disease-infested, crime-breeding slums, and to speed up employment when our defense program terminates; to the Committee on Appropriations.

1660. Also, petition of the United Association of Journeymen Plumbers and Steam Fitters Local Union No. 36, Buffalo, N. Y. urging the passage of a bill providing that no labor union or any labor organization shall be permitted to have as an officer, agent, or representative an alien, Communist, Nazi, or Fascist, or any person who has been convicted of a serious crime; to the Committee on Immigration and Naturalization.

1661. By Mr. HALLECK: Petition of 148 citizens of Medaryville, Ind., and vicinity, expressing their opposition as average Americans to our participation in the European war; to the Committee on Foreign Affairs.

1662. By Mr. LUTHER A. JOHNSON: Petition of W. A. McMillan, of Calvert, Tex., favoring Senate bill 860; to the Committee on Military Affairs.

1663. By the SPEAKER: Petition of the Board of Chosen Freeholders, Cape May County, N. J., urging adoption of Senate bill 1723; to the Committee on Roads.

SENATE

MONDAY, JULY 21, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God of Peace, who willest that men should dwell together in peace and godliness: Look, we beseech Thee, with pity upon nations torn by mortal combat, and punish them not by the loss of Thee. Awaken in them a sense of the futility of war, and turn their steps into paths of peace in which anguish, oppression, and conflict shall be forgotten in the regeneration of a war-stricken world.

In particular we ask Thy compassion upon all in war-torn areas, praying that Thy love may encompass and safeguard the aged and infirm, innocent women, and little children. Defend them both in body and in soul, speedily removing the perils that threaten them. Ease their burdens, heal their wounds, calm their fears, comfort those who mourn, and give them peace.

And yet, O Lord, amid our mindfulness of these, grant us never to forget those near at hand, who suffer in our midst through differences of race and creed, political corruption or economic abuse. Awaken us all to a deep sense of responsibility for their well-being, and hasten the day when all men will seek anew the roots of hope by which they have grown, and will again grow upward unto Thee. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 17, 1941, was dispensed with, and the Journal was approved.

SENATOR FROM SOUTH CAROLINA—CREDENTIALS

The VICE PRESIDENT laid before the Senate the credentials of ALVA M. LUMPKIN, appointed a Senator from the State of South Carolina, to represent that State in the Senate until December 8, 1941, and thereafter until the vacancy in the office of Senator, caused by the resignation of James F. Byrnes, is filled by election as provided by law, which were read and ordered to be placed on file.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

EXTENSION OF SERVICE OF MEMBERS OF MILITARY FORCES (H. DOC. NO. 318)

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

Mr. HILL. Pending the reading of the message, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gillette	Rosier
Aiken	Glass	Schwartz
Andrews	Green	Shipstead
Austin	Gurney	Smathers
Bailey	Hayden	Smith
Barkley	Herring	Stewart
Bone	Hill	Taft
Bridges	Hughes	Thomas, Idaho
Brooks	Johnson, Calif.	Thomas, Okla.
Burton	Lee	Thomas, Utah
Butler	McCarran	Truman
Byrd	McFarland	Tunnell
Caraway	Maloney	Tydings
Chandler	Mead	Vandenberg
Chavez	Norris	Van Nuys
Connally	O'Mahoney	Walsh
Davis	Overton	Wheeler
Downey	Pepper	Wiley
Eastland	Radcliffe	Willis
George	Reynolds	

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Nevada [Mr. BUNKER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GERRY], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from New Mexico [Mr. HATCH], the Senator from Colorado [Mr. JOHNSON], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], the Senator from Arkansas [Mr. SPENCER], and the Senator from Washington [Mr. WALLGREN], are necessarily absent.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], the Senator from Maine [Mr. BREWSTER], the Senator from Minnesota [Mr. BALL], the Senator from New Jersey [Mr. BARBOUR], and the Senator from North Dakota [Mr. LANGER] are necessarily absent.

The Senator from Oregon [Mr. HOLMAN] is absent on public business.

The Senator from North Dakota [Mr. NYE] is absent because of the death of his aunt.

The VICE PRESIDENT. Fifty-nine Senators have answered to their names. A quorum is present. The clerk will read the message from the President of the United States.

The legislative clerk read as follows:

To the Congress of the United States:

Last year the Congress of the United States recognizing the gravity of the world situation held that common prudence required that American defense, at that time relatively very weak, be strengthened in its two aspects. The first called for the production of munitions of all kinds. The second called for the training and service of personnel. The Selective Training and Service Act authorized the annual induction into military service of a maximum of 900,000 men for this training and service, of whom 600,000 are now in the Army. The Congress also authorized the induction into service of the National Guard, the Reserve officers, and other reserve components of the Army of the United States.

In the absence of further action by the Congress, all of those involved must be released from active service on the expiration of 12 months. This means that beginning this autumn about two-thirds of the Army of the United States will begin a demobilization.

The action taken last year was appropriate to the international situation at that time. It took into consideration the small size and the undeveloped state of our armed forces. The National Guard, which then formed the bulk of these forces, had to be seasoned; its technical training and general efficiency greatly improved. The ranks of the National Guard and the Regular Army had to be brought to full strength; and, in addition, the Army required for its tremendous expansion the services of approximately 50,000 Reserve officers.

In effect, two steps were taken for the security of the Nation. First, the Selective Service Act initiated annual military training as a prime duty of citizenship. Second, the organization and training of field armies was begun, training in teamwork, company by company, battalion by battalion, regiment by regiment, and division by division. The objective was to have ready at short notice an organized and integrated personnel of over 1,000,000 men.

I need scarcely emphasize the fact that if and when an organized and integrated company, battalion, regiment, or division is compelled to send two-thirds of its members home, those who return to civil life, if called to the colors later on, would have to go through a new period of organization and integration before the new unit to which they were assigned could be depended on for service. The risks and the weaknesses caused by dissolving a trained army in times of national peril were pointed out by George Washington over and over again in his messages to the Continental Congress.

It is, therefore, obvious that if two-thirds of our present Army return to civilian life, it will be almost a year before the effective Army strength again reaches 1,000,000 men.

Today it is imperative that I should officially report to the Congress what the Congress undoubtedly knows: That the international situation is not less grave but is far more grave than it was a year ago. It is so grave, in my opinion, and in the opinion of all who are conversant with the facts, that the Army should be maintained in effective strength and without diminution of its effective numbers in a complete state of readiness. Small as it is in comparison with other armies it should not suffer any form of disorganization or disintegration.

Therefore, we would be taking a grave national risk unless the Congress were to make it possible for us to maintain our present full effective strength and during the coming year give training to as many additional Americans as we can, when immediate readiness for service becomes more and more a vital precautionary measure, the elimination of approximately two-thirds of our trained soldiers, and about three-fourths of the total officer personnel, would be a tragic error.

Occasional individuals, basing their opinions on unsupported evidence or on no evidence at all, may with honest intent assert that the United States need fear no attack on its own territory or on the other nations of this hemisphere by aggressors from without.

Nevertheless, it is the well-nigh unanimous opinion of those who are daily cognizant, as military and naval officers and as Government servants in the field of international relations that schemes and plans of aggressor nations against American security are so evident that the United States and the rest of the Americas are definitely imperiled in their national interests. That is why reluctantly, and only after a careful weighing of all facts and all events, I recently proclaimed that an unlimited national emergency exists.

It is not surprising that millions of patriotic Americans find it difficult in the pursuit of their daily occupations and in the normal lives of their families to give constant thought to the implications of happenings many thousands of miles away. It is hard for must of us to bring such events into focus with our own readily accepted and normal democratic ways of living.

That is why I must refer again to the sequence of conquests—German conquests or attacks—which have continued uninterruptedly throughout several years—all the way from the coup against Austria to the present campaign against Russia.

Every move up and down and across Europe, and into Asia, and into Africa has been conducted according to a time schedule, utilizing in every case an overwhelming superiority not only in material but in trained men as well. Each campaign has been based on a preliminary assurance of safety or nonaggression to the intended victim. Each campaign has been based on disarming fear and gaining time until the German Government was fully ready to throw treaties and pacts to the winds and simultaneously to launch an attack in overwhelming force.

Each elimination of a victim has brought the issue of Nazi domination closer to this hemisphere, while month by month their intrigues of propaganda and conspiracy have sought to weaken every link in the community of interests that should bind the Americas into a great western family.

I do not think that any branch of the Government of the United States will be willing to let America risk the fate which has destroyed the independence of other nations.

We Americans cannot afford to speculate with the security of America.

Furthermore, we have a definite responsibility to every country in the Western Hemisphere—to aid each and every one of them against attack from without the hemisphere. I do not believe that any branch of the American Government would desire today to abrogate our pan-American pacts or to discard a policy which we have maintained for nearly a century and a quarter.

If we do not reverse this historic policy, then it is our duty to maintain it. To weaken our Army at this particular time would be, in my judgment, an act of bad faith toward our neighbors.

I realize that personal sacrifices are involved in extending the period of service for selectees, the National Guard, and other Reserve components of our Army. I believe that provision now can and will be made in such an extension to relieve individual cases of undue hardship, and also to relieve older men who should, in justice, be allowed to resume their civilian occupations as quickly as their services can be spared.

Nevertheless, I am confident that the men now in the ranks of the Army realize far better than does the general public, the disastrous effect which would result from permitting the present Army, only now approaching an acceptable state of efficiency, to melt away and set us back at least 6 months while new units are being reconstituted from the bottom up and from the top down with new drafts of officers and men.

The legislation of last year provided definitely that if national danger later existed, the 1-year period of training could be extended by action of the Congress.

I do not believe that the danger to American safety is less than it was 1 year ago when, so far as the Army was concerned, the United States was in a woefully weak position. I do not believe that the danger to our national safety is only about the same as it was a year ago.

I do believe—I know—that the danger today is infinitely greater. I do believe—I know—that in all truth we are in the midst of a national emergency.

I am not asking the Congress for specific language in a specific bill. But I can say frankly that I hope the Congress will acknowledge this national emergency either for a specific period or until

revocation by the Congress or the President.

The objective is, of course, the all important issue. It is to authorize continuance in service of selectees, National Guard and Reserve components of the Army and the retired personnel of the Regular Army, with the understanding that, should the exigencies of the situation permit, early return to civil pursuits will follow in due course.

Because of the swiftness of modern events, I think the Congress should also remove the restrictions in regard to the numbers of selectees inducted each year for training and service.

And, in order to reduce individual hardships to a minimum, I urge that the Congress provide that employers be asked to continue to keep jobs open for their employees who have been held in the Army. For my part I will direct the return to civil life of officers and men whose retention on active duty would impose undue hardship and that selectees and enlisted men of the National Guard, who have reached the age of 28, be transferred from active service to a Reserve component as rapidly as possible.

At great cost to the Nation, and at increasing dislocation of private buying, we are accepting the material burdens necessary for our security. In such matters we accept the fact of a crisis in our history.

It is true that in modern war men without machines are of little value. It is equally true that machines without men are of no value at all. Let us consolidate the whole of our defense—the whole of our preparation against attack by those enemies of democracy who are the enemies of all that we hold dear.

One final word: time counts. Within 2 months disintegration, which would follow failure to take congressional action, will commence in the armies of the United States. Time counts. The responsibility rests solely with the Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 21, 1941.*

MESSAGE FROM THE HOUSE DURING ADJOURNMENT

Under authority of the order of the 17th instant,

A message was received from the House of Representatives during adjournment of the Senate, as follows: That the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4446. An act relating to the manning of vessels; and

H. R. 5256. An act authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance-manufacturing facilities, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON THE CALENDAR

Under authority of the above-mentioned order, the foregoing bills were referred or ordered to be placed on the calendar, as indicated:

H. R. 4446, to the Committee on Commerce; and

H. R 5256, to the calendar.

PETROLEUM PIPE LINES

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 4816) to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. STEWART. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. STEWART, Mr. TRUMAN, and Mr. GURNEY conferees on the part of the Senate.

ST. NICHOLAS PARK CO.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 281) for the relief of the St. Nicholas Park Co., which were, to strike out all after the enacting clause and insert:

That jurisdiction is hereby conferred upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon, notwithstanding the lapse of time or any provision of law to the contrary, the claim against the United States of the St. Nicholas Park Co., of Jacksonville, Fla., for reimbursement of amounts allegedly expended by such company in removing the hull of a partially burned vessel from a position in the St. Johns River in front of its propery located in South Jacksonville, Fla., such hull having been placed in such position with the alleged knowledge and acquiescence of the United States district engineer, located at Jacksonville, Fla., and allegedly without obtaining the permission of such company. Such suit shall be brought within 1 year from the date of enactment of this act.

Amend the title so as to read: "An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claim of the St. Nicholas Park Co."

Mr. ANDREWS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

FLOOD CONTROL WORKS IN CONNECTION WITH HOUSE BILL 4911

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, which was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, July 19, 1941.

The VICE PRESIDENT,
Washington.

DEAR MR. VICE PRESIDENT: Since my letter of July 3, 1941, addressed to the Speaker of the House, with reference to flood-control bill H. R. 4911, I have given further consideration to the provision of the bill authorizing flood-protection works at Chattanooga, Tenn., and Rossville, Ga.

It appears that the works in question do not constitute a part of the planned development of the resources of the Tennessee River Basin but that they are rather works for local protection of the communities in question. For this reason and in view of the fact that the planning of these particular works has so far been done by the United States Corps of Engineers, I have come to the conclusion that the construction should be left within the jurisdiction of that agency. I, therefore, withdraw my objection to the provision.

At the same time, I wish to emphasize my conception of the Tennessee Valley Authority as an agency whose scope should be in every sense region-wide. In view of the fact that the Tennessee and Cumberland River Basins are essentially parts of the same region and involve correlative problems of development, I am convinced that the Cumberland Basin development should be placed under the jurisdiction of the Tennessee Valley Authority. I hope, therefore, that early consideration will be given to the desirability of enacting the bill now before Congress to accomplish that purpose.

Sincerely,

FRANKLIN D. ROOSEVELT.

(Copies to: Chairman, Senate Commerce Committee; chairman, House Flood Control Committee; Speaker of the House; chairman, Senate Agriculture and Forestry Committee.)

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT PERTAINING TO SPECIAL ATTORNEYS, DEPARTMENT OF JUSTICE

A letter from the Acting Attorney General, transmitting, pursuant to law, a statement showing the names of persons employed under the appropriation "Compensation of special attorneys, etc.," with rates of compensation or fees paid during the period from January 1, 1941, to July 1, 1941 (with an accompanying statement); to the Committee on the Judiciary.

ADDITIONAL COPIES OF REPORT OF THE SOCIAL SECURITY BOARD

A letter from the Administrator of the Federal Security Agency, transmitting a draft of proposed legislation to authorize the printing of additional copies of the annual report of the Social Security Board (with an accompanying paper); to the Committee on Printing.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the thirty-ninth regular meeting of the Rocky Mountain Coal Mining Institute, assembled at Denver, Colo., protesting against proposals for the construction of hydroelectric power plants and favoring the construction of coal-burning, steam-turbine electric power plants, and also protesting against the development of the St. Lawrence River project; to the Committee on Commerce.

A resolution of the thirty-ninth regular meeting of the Rocky Mountain Coal Mining Institute, assembled at Denver, Colo., favor-

ing a justifiable and reasonable priority rating to meet the needs of the coal industry; to the Committee on Mines and Mining.

The memorial of Mrs. Mabel Drysdale and Leonard Drysdale, of Versailles, Mo., remonstrating against the enactment of legislation to retain draft selectees in Army service for more than 1 year; to the Committee on Military Affairs.

A resolution of Memphis Post, No. 1, American Legion, of Memphis, Tenn., favoring the enactment of legislation to stop unwarranted increase in the prices of consumer commodities and products; to the Committee on Banking and Currency.

A resolution of Memphis Post, No. 1, American Legion, of Memphis, Tenn., favoring the enactment of legislation to retain draft selectees in Army service for more than 1 year, and also to authorize the use of all components of the Army outside the Western Hemisphere and American possessions; to the Committee on Military Affairs.

Petitions of sundry citizens of the United States, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

By Mr. NORRIS:

A petition signed by several hundred citizens of the State of Nebraska, praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

RESOLUTION OF CROATIAN LODGE "JEDNAKOST", NO. 391, WEST ALLIS, WIS.

Mr. WILEY presented a resolution of Croatian Lodge "Jednakost", No. 391, Croatian Fraternal Union of America, of West Allis, Wis., which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

"JEDNAKOST" LODGE No. 391,
CROATIAN FRATERNAL UNION OF AMERICA,
West Allis, Wis., July 15, 1941.

Hon. ALEXANDER WILEY,
United States Senator, of Wisconsin,
Senate Office Building,
Washington, D. C.

Resolution on aid to all those nations fighting Hitler fascism

Whereas our organization has always opposed Hitler fascism and its brutal aggression over other peoples which has brought suffering, poverty, and death to these people; and

Whereas in its sweeping ambition to set up its rule over all nations, Hitler has now attacked the Soviet Union; and

Whereas our country and our people are directly threatened by the expansion of Fascist aggression: Therefore be it

Resolved, That our organization strongly condemns this latest Fascist aggression and supports Great Britain, and the Soviet Union, and all those countries fighting Hitler aggression, be it further

Resolved, That we call on our Government to increase its aid to Great Britain and to the Soviet Union in their fight against Fascist aggression.

Sincerely yours,
CROATIAN LODGE "JEDNAKOST"
No. 391, OF THE C. F. U. OF AMERICA,
MARTIN JUROVICH, *President.*
JOHN W. BABICH, *Secretary.*

RESOLUTION OF LOCAL UNION NO. 72, UNITED AUTOMOBILE WORKERS OF AMERICA, KENOSHA, WIS.

Mr. WILEY presented a resolution of Local Union No. 72, United Automobile Workers of America, of Kenosha, Wis., which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas the automobile industry will curtail its manufacture of motorcars in order to devote its equipment to defense work; and

Whereas the automobile industry, with one exception, may do so without loss of employment to its employees; and

Whereas this exception is the Nash division of the Nash-Kelvinator Corporation, where many now employed will not be reemployed due to this curtailment; and

Whereas loss of employment does immediate and irreparable damage to the employees of the Nash division of the Nash-Kelvinator Corporation; and

Whereas the Nash Motors division has facilities to manufacture automobiles without interfering with its defense work; and

Whereas a large number of defense workers depend entirely upon the automobile for transportation to and from work; and

Whereas, in order to prevent a serious disruption of our transportation system and thus endanger the success of the defense program, it is a necessity of the first order to manufacture automobiles: Now therefore, be it

Resolved by Local 72, United Automobile Workers of America, C. I. O., That we respectfully urge and request the Office of Production Management to permit the Nash Motors division of the Nash-Kelvinator Corporation to manufacture 100,000 automobiles during the 1942 season; and be it further

Resolved, That copies of this resolution be sent to President Roosevelt, Senator ROBERT M. LA FOLLETTE, JR., Senator ALEXANDER WILEY, and the Office of Production Management.

Adopted by Local 72, U. A. W. A., C. I. O., July 11, 1941.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under authority of the order of the 17th instant,

The following reports of committees were filed during adjournment of the Senate:

On July 18, 1941:

By Mr. WALSH, from the Committee on Naval Affairs:

S. 1731. A bill to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes; without amendment (Rept. No. 564).

By Mr. CHANDLER, from the Committee on Military Affairs:

S. 1579. A bill to authorize the President of the United States to requisition certain property for the use of or disposition by the United States; with amendments (Rept. No. 565).

On July 19, 1941:

By Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs:

S. 1476. A bill providing for Federal assistance in eradicating the cattle tick in the Seminole Indian Reservation in Florida; with amendments (Rept. No. 566).

EXECUTIVE REPORTS OF COMMITTEES DURING ADJOURNMENT

Under authority of the order of the 17th instant,

The following favorable reports of nominations were filed on July 18, 1941, during adjournment of the Senate:

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry citizens for appointment as second lieutenants in the Marine Corps.

By Mr. REYNOLDS, from the Committee on Military Affairs:

Several Dental Corps Reserve officers to be first lieutenants in the Dental Corps, Regular Army;

Lt. Col. Joseph Dowd Brown, Coast Artillery Corps, Regular Army, to be colonel; and

Sundry officers for appointment to temporary rank in the Air Corps of the Army.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CONNALLY:

S. 1759. A bill granting a pension to Creed M. Click; to the Committee on Pensions.

(Mr. DOWNEY introduced Senate bill 1760, which was referred to the Committee on Military Affairs and appears under a separate heading.)

By Mr. AUSTIN (for Mr. MCNARY):

S. 1761. A bill granting the consent of Congress for the construction of a dike and tide gate across the mouth of Netarts Bay in Tillamook County, sections 5 and 6, T 2 S, range 10 west, Williamette meridian, in the State of Oregon; to the Committee on Commerce.

By Mr. HAYDEN:

S. 1762. A bill to authorize the Secretary of Agriculture to release the claim of the United States to certain land within Coconino County, Ariz.; to the Committee on Agriculture and Forestry.

S. 1763. A bill to modify section 4 of the Permanent Appropriation Repeal Act, 1934, with reference to certain funds collected in connection with the operation of Indian Service irrigation projects; to the Committee on Appropriations.

S. 1764. A bill for the relief of Samuel J. Poteete and Julia Poteete; to the Committee on Claims.

By Mr. HAYDEN (for himself and Mr. MCFARLAND):

S. 1765. A bill for the relief of the minor children of Mrs. Jesús Zamora Felix, deceased; to the Committee on Claims.

By Mr. REYNOLDS:

S. 1766. A bill for the relief of John Snure, Jr.; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

S. J. Res. 94. Joint resolution authorizing the Court of Claims to make certain finding of facts with reference to the value of the Kiowa, Comanche, and Apache Indian Reservation, and for other purposes; to the Committee on Indian Affairs.

By Mr. THOMAS of Utah:

S. J. Res. 95. Joint resolution declaring the existence of a national emergency, and for other purposes; to the Committee on Military Affairs.

By Mr. GEORGE:

S. J. Res. 96. Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute; to the Committee on Foreign Relations.

ADDITIONAL COMPENSATION FOR SERVICE IN THE ARMED FORCES

Mr. DOWNEY. Mr. President, I desire at this time to introduce a bill, the subject matter of which I have already presented to the Military Affairs Committee. The bill may be generally described in its effect as seeking to secure for selectees, National Guard men, and National Reserves additional compensation of $30 a month for their service after 1 year, that $30 a month additional compensation to be paid them in monthly installments of $30 after their discharge.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1760) to provide for the payment, after the termination of service, of additional compensation to certain persons on account of service in the land or naval forces of the United States, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

Mr. DOWNEY. Mr. President, in connection with my remarks I wish to read a letter written from Alaska by a young selectee there, who happens to be a nephew of mine, Jack Downey. I believe Senators will find the letter gives a fascinating description of what our young boys are doing up in Alaska. The letter is as follows:

To STEPHEN W. DOWNEY,
Sacramento, Calif.

DEAR DAD: The entire company has been called back to the fort en masse for this week. Field parties are moving in from the dozens of camps scattered over thousands of square miles to claim their compensatory time for Saturdays and Sundays worked in the field and spend a few days of relaxation. So here's my chance to tell you something about the darndest adventure I ever stumbled into and to make up for those letters I didn't write because the Alaskan wilds were just too much of a distraction.

I guess I'd better start in by telling something of the work we're doing and how we operate, so you'll have an idea of what takes us to the remote spots we reach and what we do there. I'm on the triangulation party of nine men. Our job is simply to turn angles between various points. By starting this procedure from two points of known position and turning on new points, the position of those new points can be determined. The same process is then carried on from there. Preliminary to turning the angles, however, it is necessary to erect signals to sight on and towers to observe from. So far our work has consisted of that. Enough of that has been done now, though, so that after the 4th, when we go back out, three of us will do the actual triangulating while the others continue to erect signals and towers on up ahead. The distance of a single shot ranges from 15 to 30 miles, so you can see the territory we cover and the amount of country we have an opportunity to see.

Before telling of our experiences, maybe I'd better say a little something about the Alaska we've gotten into, because it's the unique characteristics of this country that make all our experiences so new and different. It's simply that things here just aren't like anything I've ever known before. Everything that happens is unusual. From 1 minute to the next and from one place to the next it's unpredictable.

The tide especially is chock full of surprises. It's no wonder, because the tide here at times is as great as 40 feet. It's been our prize menace, because so far our work has kept us on or around Cooks Inlet, where it seems to go through special contortions. People who live or work on the inlet regulate their lives by the tides. There is no night or day—it's light all summer anyway—it's just incoming tide or outgoing tide, high tide or low tide. If asked the time, they'd say the tide's 2 hours in or 4 hours out; not that it's 2 p. m. or 10 a. m. The tidal tables are the bible and the best seller both. Not only are there the daily highs and lows of the tide, but over the course of a phase of the moon the high tide itself is higher or lower. Thus every 28 days there is an extremely high tide ranging up to as high as 40 feet, while at other times it may not reach 30 feet.

I guess it's these tides that account for the strange topography of the land around the inlet. Above where the tides never reach is the timber line. Below that are the swamps. This is land that is sometimes covered by very high tides, but only about once each month. In places the swamps extend as far as 20 miles from the timber out to the edge of the bay. They are covered with grass and shrubs and moss, but the water stands a foot or so in them everywhere. There are even actual lakes that are hidden under growths, and too often have I stepped on what looked to be solid to find myself cursing and gasping in several feet of cold water. At the bank at the edge of the swamp is the main outline of the bay—that is, at a normal high tide. But when the tide goes out, miles on miles of mud flats stretch out from the shore line. How often several miles out in the bay have we found ourselves tugging and shoving our skiffs on dry land. And that's why we've had to run our skiff as much as 15 miles out in the inlet to reach our big boat, the *Helmar*, though it draws only 6½ feet of water.

But such tides and that kind of a shore line fits in perfectly with the rest of Alaska. It's as if all proportions are changed—as if you are looking at the world through a huge magnifying glass like Gulliver must have seen it in the land of giants. To begin with, at the water's edge, the tides are 10 times normal size. And as a result and beaches and the marshes and the mud flats stretch way out beyond any sensible size. And then the mountains take up out of the swamps on every side and rise to almost unbelievable heights. Mount Whitney, with its 14,000 feet, the tallest in the States, would be dwarfed by a hundred peaks up here. And on a clear day, from a bluff or a hill, we can spot Mount McKinley, 150 miles away but so big and majestic I always have to take just one more look. And to see it silhouetted against a midnight sunset is a sight I'll not forget. Then between the mountains are lakes and valleys so numerous and so vast they seem to spread out to infinity. And to cap it all and in perfect harmony with this world through a magnifying glass, is the daylight which lasts all summer and gives a day proportionate in size with the rest of the country.

That's the kind of world we stepped into about the middle of May when we rolled our sleeping bags and climbed abroad the *Helmar*. Our adventure began before we left the boat that night. We set out for a point on the south shore of the inlet where we were to start work and the captain of the boat wanted to get us as close to shore as possible before putting out in skiffs. But the tide and sandbars started playing tricks already. As a result the *Helmar* got onto a sandbar. It wouldn't have amounted to anything with a flat-bottomed boat but ours was a real ocean-going vessel and as the water washed out from under us and as we hit the shallower spots the boat went into some prize antics It flopped back and forth and over so far that much of our supplies went overboard and all the dishes in the kitchen were dumped on the floor. The tide made a current too swift to get into the skiffs while the boat was listing and with the sandbar continually shifting and the tide moving so fast, it took some clever maneuvering before the boat was gotten off the bar. But the captain got her out to sea again and we put ashore that night in the two skiffs we were to keep with us.

It didn't take us long to discover that all the bear stories about this country weren't just tall tales. For the very next morning we made the mistake of starting out without our guns. We had expected to stick near the beach and thought we'd have no need for guns there but we had our minds changed and from then on we carried them wherever we went. We got up on a bluff and a little ways into the timber for a little while that day. It wasn't long before we realized a bear was stalking us. Of course, we knew it was only curious but we wondered a little if its curiosity might be as to how we'd taste. We never did see it but the way it trampled down the brush it sounded as close as 20 or 25 feet through the thick underbrush at times. In fact it was so close our main worry was because it wouldn't yell "timber" when it bowled over good-sized trees. We heard it cough a couple of times and could tell from the sound it was the real thing. Of course, we weren't afraid, but after seeing pictures of some that have been killed here and hearing about the one that batted a man's head 40 feet from his body I think our feet could have moved pretty fast if they'd had to. Though we have run across a good deal of bear and moose since then we have never been quite so close since then nor felt as uncomfortable.

That first camp was one of our best. Its only jinx was that we had to carry water about half a mile and up a 75-foot embankment to camp. But the mosquitoes were comparatively scarce; and the chow was good, because we'd raided the mess hall ourselves to get that first supply. So we were happy boys that first week.

We worked every day, Saturdays and Sundays included, and sometimes very late at night. But we did find time now and then for a little fun—this daylight-saving system up here took care of that. The Government pays bounties on eagles, coyotes, seals, and a few other animals we run across. So we wasted some ammunition on them. But we have yet to collect our first bounty. Seals were the easiest, and I guess we did kill our share of those, but we never quite mastered the technique of getting one out of the water after we'd shot it before it sunk.

Our next job was on the other side of the inlet, and we found a fair camp site on the Beluga River. We camped several miles up the river and clear out of sight of the inlet. But the tide was at work even up there. After seeing what happened there no one can ever tell me now that water doesn't run uphill. At one time of day it ran pell-mell upstream. Then later there would be an even stronger current downhill. It threatened our camp site more than once. Just another trick of the tide, but one would think a river at least should behave more normally. That river takes its name from the Beluga whales, which throng around its mouth and elsewhere in the inlet. They're a large white fish called a whale for lack of a better name. They generally weigh about a ton, so they almost deserve their name. We've seen schools of them as close as a hundred yards away and have even taken pot shots at them now and then.

As for other fish, we always had a supply of them. Though none of us ever caught a fish on a hook, we could pick them up by hand on the mud flats when the tide would go out. Even the fish couldn't escape the deception of the tides and would suddenly be squirming on dry land without knowing why or having any way off. Most of those were smelt. But we'd run into fishermen occasionally who would always be good for a salmon. So we often had fish on the menu.

It was at our Beluga camp that we got our first real initiation to that Alaskan form of torture and the biggest worry and pet grieve of every man in the company—the mosquitoes. At first you laugh at them and listen without believing to the weird stories the old-timers tell about them. Then you try to convince yourself it's all mental and try to imagine them away. Then you try nets and Sta-way and smoke and a dozen other professed remedies. But finally in the middle of some night you'll find yourself jumping out of your bunk, swinging wildly at all parts of your body, running in crazy circles, and yelling at the top of your lungs—then you're initiated. The nets never work at night, no matter how many thicknesses you use. And the Sta-way just makes

them stick to you when they light. We thought the head nets would be O. K. till they got so thick on the nets we actually couldn't see through them. I only hope Hitler takes a try at Alaska—we'll match a mosquito blitzkrieg against any he can produce.

But we finished our work at Beluga, and then came a few days that left us mighty weary but had us imagining maybe we were pretty rugged hombres after all. We moved from the Beluga River and down the inlet about 8 miles. It took two trips in the skiffs, and I went with the first bunch on the first tide. The boats got back for the second load, but by the time the tide was right quite a storm was brewing. They got as far as the mouth of the river, but by then the boats had swamped and had to be beached. It was 8 p. m., and they couldn't sleep where they'd beached because it was all swamp. There was no way back to the old camp, so they decided to leave the boats and make for the new one. It wasn't far, but it was all swamps, and the result was that they waded waist deep in water all night and didn't show up till 4 a. m. They tell some tall tales about that night in the swamps, and I guess, with their sleeping bags to haul and no place to sit down or rest, they didn't exactly have a picnic. At least it didn't leave them with much pep the next morning. So it fell our lot to go back after the boats. We did the swamps again and rescued the boats. We got them afloat about 2 p. m., when the tide was still right for a couple of hours. We started out. But the tide was too far out and moving too fast, and we soon found ourselves bone dry on a mud flat 4 miles out in the bay. We spent several hours of tugging and pushing and getting wet and then getting stuck all over again—then repeating the process again and again. But it wasn't till the tide changed that we really had the boats floating. That meant we were going to have to buck the tide, and on top of that the sea had gotten pretty rough. We set out, anyway. I think we all had a few worries before we got there, but our luck was with us, and we made it and had an eyedropper full of gas in each tank to spare.

We were tired but our numerous delays had left us with only 1 day to do our job at the new site. For the big boat was due to move us the next night. So we didn't spend much time resting. We managed to finish our work late the next day and crawled into bed where they let us stay till 2:30 a. m. The *Helmar* had arrived and that was the hour to catch the tide to the Susitna River. So 3 a. m. found us on board and headed back up the inlet. But the nearest the *Helmar* could take us was about 12 miles from the shore, so it was back into the skiffs and another long, rough trip. And early as we had climbed out of bed we were again too slow for the tide, and at 1 p. m. our skiffs sat on a sand bar again some distance from land with the tide only about one-half out and still outward bound. That meant it was useless to try to get in, and we had nothing left to do but sit tight and wait for the water to come back to us. So till 9 o'clock that night we shivered and shook on our little mud island out in the bay. With our 3 weeks' growths of beard and our wet and dirty clothes, we only needed the customary blond to match any Esquire picture of shipwrecked sailors.

When we did finally get to shore all wet and worn, we found ourselves in a swamp again with maybe 10 or 15 miles of it stretching over to the tree line. But the very high tides had just passed and weren't due again for about a month. So in our desperation we decided to stick it there—at least for the night. We rolled our sleeping bags on brush branches we cut and spread on the marshy grass. In short order we were in them. That was about 11 that night. When I rolled over it was noon the next day, and to our amazement we'd hit on a great discovery. Swamps or no swamps, we were in paradise. Not a mosquito had touched us the whole night. We knew then that that would be home for us as long as we had work in those parts. And although some mosquitoes found us a little later on, it was the best spot we found in our wanderings. It seems the mosquitoes stick to the timber where it's sheltered and don't venture into the wide open swamps unless it's a very still day or the hunting is especially good. That's one lesson we've learned that we'll put to use regularly from now on.

On top of that the *Helmar* had brought us out a cook to end all our worries about who was to mix the muck for the next meal and which can we'd eat out of next. When that morning we got our eggs with the yolks unbroken and bacon only a quarter inch thick we actually thought the day of salvation had come. The next few days things really ran along smoothly. We were eating swell with a good cook, and we had our signal and tower going up in a good spot right there at camp. Then one night about 11 a boat washed ashore about a quarter of a mile from camp with six tired and hungry guys aboard. Their motor had gone haywire, and they were as good as shipwrecked. We moved them into camp and fed them a couple of days until a seaplane out looking for them spotted our distress flag and in a little while was flying them home. The whole thing was an exciting diversion, but it left us a little low on groceries. So we had to slow down a little on our chow, but the supply boat was due soon, so no one worried much. But conditions changed in a hurry. The day the supply boat was to have arrived a heavy wind blew up, and we knew there was no chance of getting anything in to us in that weather. The blow lasted 3 days, and by that time our supply had dwindled to flour and coffee and some of the good old iron rations—the Army emergency supplies of hardtack and their special bean mixtures. However, it was food and that was enough.

But the worst part of those few days was the work we had to do. We'd finished our tower at camp and had an old United States Geodetic Survey station to look for. It was named Misery, and it didn't take us long to find out why. We found it all right sitting on a little knoll about 3 miles through the swamps from camp. We had to put up a tower there, and the days we spent lugging all our tools, building supplies, cement, etc., across that muck were the ones we cursed the most. And to get back at night to hardtack and coffee didn't help too much. When the supplies finally did get in we were a good deal happier crew. However, those days we worked at Misery were the toughest, I guess, of the whole job. We erected a 50-foot tower which in itself was not so much of a job, but the attending circumstances made it a very choice lemon. The daily hike through knee-deep swamp was what made it tough. We considered moving camp to the station, but it would have meant packing all our grub and bedding and a steady detail to bring in water, so we chose the daily swamp walking instead. Those days were mostly just plain, hard work, but we did have a few diversions.

Water, as usual, was a problem. After we got tired of drinking the dark swamp stuff we ran a skiff several miles up the river in search of clearer water. We eventually found some that looked clear even if it did taste muddy. But with our chlorine tablets we made sure it was pure if we could manage to swallow it.

Then there was the day the pursuit squadron out on maneuvers spotted us and gave us quite an air show as a salute. When they finished diving on us we had a good idea of how the fleeing refugees must feel when a squadron of those German ships takes after them.

We also set up our airplane target to spot the place where supplies should be dropped. It was a thrill when they dropped them in, but not very successful. It was only canned goods, and they were pretty well battered up. It may come in handy for emergency work, but I think they'll try to keep us supplied by boat mostly. I guess parachutes are a little too expensive to use on the ditch-digging engineers.

Another problem that kept us busy was trying to keep clean in that swamp camp. We did take some dips in the swamp sloughs, but it didn't have much cleansing effect. It just substituted a little different kind of dirt for what we already wore. And, incidentally, the warm-water tap didn't work too well. But it did help some, I guess.

And here's a story that may sound a little tall, but, as I've said, everything's different in Alaska. In a country chuck full of moose and bear you'll laugh when I say we found ourselves attacked by sea gulls. And, believe it or not, they got vicious. Our route to work was through their nesting grounds. It would sound a little awkward to explain to a game warden that we shot sea gulls in self-defense, so we saved our ammunition and batted them down with clubs. I think that was more effective, anyway, but they still gave us some pretty jittery moments. It seems like everything in this darned country figures it's got to be vicious.

We received our two-way radio set about a week before we came in and were supposed to be able to talk to the fort with it. But for some reason we never were able to connect. However, we felt a little closer to home to be able to pick up some short-wave stations and to make calls into the ether that might be picked up by someone. We'll get the set going while we're in now, and when we go out next time we'll be talking home regularly.

Our work on Misery lasted 'till the day the boat appeared to take us in for our holiday. The last few days were the toughest. We ran out of food again and a steady rain had set in. When you don't have chow to eat and wake up each morning with puddles on top of your sleeping bag and swamp under you and then must muck through rain and swamp to work you can't stay too happy. So you can realize we were ready for this holiday when the boat did arrive. It was a month and a half of some real excitement and novelty to all of us, but a little rest will come in handy now. It seems good to have a bed under, and a tent over us when it rains. And to eat real food again is just plain luxury. But I'm betting we'll all be itching for the second chapter of our adventures in the Alaskan wilds when our week is up and we set sail again on July 8.

And now I've completely run down, and there's nothing more I'm able to say but just good night.

JACK DOWNEY,
First Class Private, Twenty-ninth Engineers, Fort Richardson, Alaska.

STATUS OF SPECIAL-DELIVERY POSTAL MESSENGERS—AMENDMENT

Mr. HAYDEN submitted an amendment intended to be proposed by him to the bill (S. 594) to clarify the employment status of special-delivery messengers in the Postal Service, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

INVESTIGATION RELATING TO THE PUBLIC LANDS—LIMIT OF EXPENDITURE

Mr. McCARRAN submitted the following resolution (S. Res. 147), which was referred to the Committee to Audit and

Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution 241, Seventy-sixth Congress, third session, relating to the investigation of the purchase, withdrawal, and allocation of lands and the administration and use thereof by or on behalf of the Federal Government or any agency thereof; and with respect to the filming of motion or sound pictures on areas under the jurisdiction of the Department of the Interior, and any other matter with respect to the filming of motion or sound pictures on land belonging to the United States which the committee may deem it appropriate to investigate, agreed to on May 24, 1940, is hereby increased by $20,000. In addition to the authority heretofore conferred upon such committee, the committee is authorized to request the use of the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government.

ADDRESS BY SENATOR WALSH AT STATE COLLEGE GRADUATION EXERCISES, AMHERST, MASS.

[Mr. WALSH asked and obtained leave to have printed in the RECORD the commencement address delivered by him at the State College graduation exercises, Amhurst, Mass., Monday, June 9, 1941, which appears in the Appendix.]

FOURTH OF JULY ADDRESS BY SENATOR SHIPSTEAD

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a Fourth of July address delivered by him at Morris, Minn., which appears in the Appendix.]

YOUTH MATCHES THE HOUR—ADDRESS BY SENATOR HILL

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an address delivered by Senator HILL at the seventy-ninth annual convention of the National Education Association, Boston, Mass., July 1, 1941, on the subject Youth Matches the Hour, which appears in the Appendix.]

SERVICE THROUGH POLITICAL PARTIES—STATEMENT BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD a statement made by him at the Summer Institute for Social Progress, Wellesley, Mass., July 15, 1941, on the subject How to Serve Your Community in Time of Crisis Through Political Parties, which appears in the Appendix.]

ADDRESS BY BRECKENRIDGE LONG AT GETTYSBURG BATTLEFIELD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address delivered by Hon. Breckenridge Long at Gettysburg battlefield on July 3, 1941, relative to the erection of a monument to Gen. James Longstreet, which appears in the Appendix.]

ARTICLE FROM WASHINGTON SUNDAY STAR ON SALVAGING PHYSICALLY DISABLED PERSONS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article from the Washington Sunday Star of April 20, 1941, entitled "Salvaging of Physically Disabled Presents Possibilities for Defense Program," which appears in the Appendix.]

COMMENTS OF COL. JOSIAH C. WEDGWOOD—ARTICLE FROM WASHINGTON TIMES-HERALD

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article entitled "A British Official Tells This Nation Where to Get Off," published in the Times-Herald of July 19, 1941, which appears in the Appendix.]

BLAINE-CONKLING DEBATES

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a newspaper clipping sent to him by C. C. Justus, county historian and vice president of the East Tennessee Historical Society, giving an account of the Blaine-Conkling debates, which appears in the Appendix.]

EXTENSION OF SERVICE OF MEMBERS OF MILITARY SERVICE—ARTICLE BY WALTER LIPPMANN

[Mr. LEE asked and obtained leave to have printed in the RECORD an article by Walter Lippmann entitled "The Army in the Hands of Congress," which appears in the Appendix.]

ARTICLE BY MARK SULLIVAN ON THE ARMY WE NEED

[Mr. BRIDGES asked and obtained leave to have printed in the Appendix an article by Mark Sullivan entitled "The Army We Need," published in the Washington Post of July 21, 1941, which appears in the Appendix.]

ARTICLE BY BARNET NOVER ON SIGN OF THE "V"

[Mr. BRIDGES asked and obtained leave to have printed in the Appendix an article by Barnet Nover entitled "Sign of the 'V'," published in the Washington Post of July 21, 1941, which appears in the Appendix.]

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 127. An act for the relief of Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, Angus LeBlanc, William J. Demelle, Samuel Fishman, and Hector LaPointe;

S. 176. An act for the relief of Samuel M. Lipton;

S. 347. An act authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel;

S. 851. An act for the relief of Edson E. Downs;

S. 1027. An act for the relief of Harriet B. Rickards;

S. 1142. An act for the relief of J. Mae Chambers and Retta E. Hultgren;

S. 1166. An act for the relief of Daniel Steele;

S. 1348. An act for the relief of J. M. Swinney;

S. 1352. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of R. Brinskelle and Charlie Melcher;

H. R. 814. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil; and

H. J. Res. 139. Joint resolution to provide suitable vessels for the use of certain State nautical schools, and for other purposes.

AID FOR STRICKEN PEOPLES OF EUROPE

Mr. AIKEN. Mr. President, in a war-torn and badly dislocated world, the voice of the United States is still the most important voice. During its entire existence our country has always been committed to higher and higher national and international morality. In the United States we believe in the dignity of man; in his right to personal freedom, and in his right to live a life of peace and progress without molestation.

One of the most important voices in the United States continues to be that of Herbert Hoover, only living former President. For 25 years or more his voice has been raised unceasingly on behalf of protecting and saving precious human life—never on behalf of the destruction of the souls and bodies of men and the starvation of babies, children, and women.

Since August of last year, Mr. Hoover and those associated with him on the National Committee on Food for the Small Democracies, of which he is honorary chairman, have been working toward a solution of the tragic dilemma confronting millions of unarmed and helpless fellow humans in the small invaded democracies. His efforts have not as yet been successful, but Mr. Hoover and his committee associates, who come from every State in the Union, have been progressing steadily and determinedly toward the goal that millions of thoughtful and compassionate citizens throughout the country, and many of us here in the Senate of the United States, want to see achieved. There is pending in the Committee on Foreign Relations, and we will have before us for consideration in the near future, Senate Resolution 124, which seeks a life-saving formula for 40,000,000 helpless fellow humans in these small countries.

One of the most thought-inspiring messages I have read since the outbreak of the present European holocaust was delivered on July 16 at the International Congress of Christian Education, now being held in Mexico City, Mexico, under the auspices of the World Sunday School Association. It was a message to that great assemblage of the followers of the Prince of Peace written by Herbert Hoover, and delivered to the hundreds of delegates present from those parts of the world not yet embroiled in war by the Reverend Dr. Forrest L. Knapp, general secretary of the World Sunday School Association.

Herbert Hoover's message, which should be read and pondered by all Americans, reads:

I have received a request from your officers that I should send a message to your convention. You assemble in your World's Sunday School Association in a tragic time. It is splendid that, in spite of this, you meet to reaffirm and support the ideals of Christian brotherhood.

The sad condition of humanity and the world dimensions of your organization give you new opportunity for good. You reach into 52 national and international interdenominational Sunday-school organizations, in whose ranks are 37,000,000 young people. You have developed this fellowship across interdenominational national and racial barriers. There is greater service back home today for your 3,000,000 teachers and workers than ever before. The words they carry into nearly 400,000 Sunday schools and other organizations can hold firm the moral and spiritual loyalties of youth in the midst of this cataclysm. It is a time of increasing anxiety for the Christian organizations in the world. There are permanent moral and spiritual values in our personal, national, and international life which must be defended against the degeneration of war.

The challenge of the future is for a higher national and international morality which can root itself only in the growth of a finer individual morality and character in the youth. It lies in the development of their

higher regard for human dignity and their greater faith in self-government. The Sermon on the Mount has survived the conflicts and wars between men over these 1,930 years. And, if civilization is to live, that teaching must live. If civilization is to make progress, it must be taken into national action. Today 37,000,000 young people are coming to you with their problems and anxieties. They are the human materials for building a better order in the world. The character we cultivate in them we implant in that future civilization. But there are also immediate questions which may well concern you. Chief among them is the fate of the children and youth of countries now involved in war.

Your organization extends over some of the countries which are now involved. If these children are to be stunted in mind, body, and soul by starvation, then your hopes for the future are indeed stricken. It has been my experience to conduct famine relief in 23 countries in the last 25 years. To call the names of the various people I have worked with in their bitterest national hours, is like calling the roll of this world convention. May I say, with all the emphasis and gravity at my command, that what the first World War did to the bodies and souls of children this second World War has started to do, and will continue to do, unless we can halt it with the compassionate example and teachings of Christ.

These starving children are in a peculiar sense your children; many of them are actually out of your Sunday schools. And they are looking to you to plead their cause. We have taught these children since their babyhood to pray, "Give us this day our daily bread." From this prayer comes now a searching inquiry of our religious faith: "What man is there of you, whom if his son ask bread, will he give him a stone?"

We cannot answer their cry with indifference. You have heard—you will hear—a hundred cross-currents of voices and excuses and avoidances. We saved such children in the last war. We have now asked that we be allowed to make an experiment to demonstrate that these children can be saved without military consequence to belligerents in this war. The argument that must weigh with you comes from a source higher than military measures. In spiritual fog you go direct to the example of Christ. Does one of you doubt what Christ would have done today? You will remember who said, "Suffer little children to come unto me."

In Finland, Norway, Holland, Belgium, Poland, and France alone, there are today at least 10,000,000 undernourished children. And to that we may add the numbers in China, Greece, and even enemy countries. They must have a chance to live without impaired minds, bodies, and spirits, if civilization is to live. If you are planning the future of your 37,000,000 youth, let us remember that many of them will have no future unless we save their present. To you I say what I said to the British Government during the first World War: "It would be an ironic thing if, when a British army enters Belgium they find nothing but her people dead and a shell left."

And there is another great and fundamental function in Christianity. That is to lessen these blasts of hate. War breeds hate of a thousand kinds. War propaganda and war action are the products of hates. And it is hate which prevents adequate peace at the end of war. Hate is the negation of all Christian teaching. And surely hate cannot be applied to children. They have no responsibility in these actions, in these deeds. The faith, the determination, the steadfast friendliness you have shown in your own organization is proof to the rest of us that you will fight through these present valleys of spiritual desolation in the world.

But I might give you one word for your own hours of discouragement. These things have been before. Men have lived through such nights, and stayed steadfast, because of the faithful torches that were held high. And it need not be the torches of appointed leaders. Even the small torch shines against a storm with the promise of compassion and peace.

WAR DEPARTMENT ORDER ON ARMY REENLISTMENTS

Mr. VANDENBERG. Mr. President, I present for the RECORD and ask to have referred to the Committee on Military Affairs copy of what purports to be a general order issued from the Adjutant General's Office on June 24, 1941. I understand the order has been posted on the bulletin boards in the various military camps, and there is certainly nothing secret about it. I may say before I present it that I sent the order to the War Department last week with a request for its comment before I presented the matter to the Senate, but thus far my letter has been unanswered.

The order refers to "Reenlistment in the Regular Army," and it appears to recommend a policy of complete discouragement to reenlistment of Regulars at the end of their 3-year enlistment. I read from the order:

> The object of placing a limitation on the number of 3-year enlistments is to build as large a reserve of trained men as is possible. The retention in the service of any enlisted man beyond the time necessary to give him the maximum training he is able to absorb denies opportunity to an untrained individual and offers little benefit to the Army.

Whereupon all officers are instructed to "carefully scrutinize the application for reenlistment of all privates and privates first class," in the Regular Army," with a view to reenlisting only those men" who show some possibility of promotion to higher grades.

Mr. President, I am presenting the matter today with the request that it be referred to the Military Affairs Committee, because it seems to me it pertinently bears upon the general draft extension question which is now being canvassed by the committee.

Undoubtedly it may be said that 1 year of training for guardsmen and draftees does not provide the maximum training such soldiers are "able to absorb," quoting from the order of the Department, but the thing that puzzles me and bears directly on the general Army status is why at a time when we are warned of immediate extraordinary national danger which requires the maintenance of the greatest possible degree of efficiency the reenlistment of the most highly trained and the most greatly experienced of troops should apparently be discouraged as a matter of settled War Department policy. If it is so desperately necessary to retain 1-year men involuntarily I do not understand why it is advisable as a general policy to dismiss the 3-year men voluntarily. Or, put the other way around, if 3-year volunteer regulars are unwanted, I am unable to understand why 1-year conscripts are indispensable. There may be a complete explanation for the order. I repeat that I sought the explanation from the Department for the purpose of bringing the matter to the attention of the Senate, but inasmuch as this is probably the only meeting of the Senate before the Military Affairs Committee will conclude its consideration of the draft-extension legislation, I want to bring the order before the Senate today for whatever it is worth, with the request that it be referred to the Military Affairs Committee for its consideration in this general connection.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. BRIDGES. I am amazed at the subject matter of what the Senator from Michigan has presented. It is beyond my comprehension that any such proposal could be advanced at this time in a great emergency. May I inquire if the Senator is asking the Military Affairs Committee to investigate the Department's order, or is he presenting the matter in the form of a resolution, or what is the Senator proposing?

Mr. VANDENBERG. No; I am assuming that this matter will form at least the basis of pertinent questions which might be addressed to representatives of the War Department when they are testifying upon the great need for efficient and reliable men.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. HAYDEN. Mr. President, I think perhaps one explanation is that a man who has served 3 years in the Regular Army automatically goes back into the Regular Army Reserve, and he is available to be called back to the service any time his services are needed.

Mr. VANDENBERG. Whatever the explanation, I am sure the Senator from Arizona will agree that it will be interesting to know what the answer is, because there ought to be some consistency running through this pattern.

Mr. HAYDEN. That would seem to me to be perfectly consistent. The man is available at any time if we should become involved in actual war. He would then be called back into the service. A man who has been in training for 3 years would be called back under those circumstances, and then in his place the Army would have been training another man.

Mr. VANDENBERG. I ask that the order be printed in the RECORD at this point in connection with my remarks, and that it be referred to the Committee on Military Affairs.

There being no objection, the order was referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

> WAR DEPARTMENT,
> THE ADJUTANT GENERAL'S OFFICE,
> *Washington, June 24, 1941.*
>
> Subject: Reenlistment in the Regular Army.
> To: Chief of each Arm or Service, Chief of the Armored Force, all Army, Army Corps, Corps Area, Department, Division, and exempted station commanders, Chief of Staff, General Headquarters, and Commanding General, General Headquarters, air force.
>
> 1. Attention is invited to War Department letter AG 341 (March 4, 1941), E–A, March 13, 1941, subject: Strength of the Regular Army, fiscal year 1942.

2. The object of placing a limitation on the number of 3-year enlistments is to build as large a reserve of trained men as is possible. The retention in the service of any enlisted man beyond the time necessary to give him the maximum training he is able to absorb denies opportunity to an untrained individual and offers little benefit to the Army.

3. In accordance with the above policy, commanding officers of all units and installations will carefully scrutinize the application for reenlistment of all privates and privates first-class, with a view to reenlisting only those men who have clearly demonstrated an ability which warrants reappointment to a higher grade or whose specialist training is such that their retention in the service is desirable.

By order of the Secretary of War:

E. S. ADAMS,
Major General, The Adjutant General.

(Reproduced, Headquarters, Second Army, file AG 341–2, July 8, 1941, distribution A.)

Mr. VANDENBERG subsequently said: Mr. President, since discussing the general order of the War Department earlier today I have received a letter from the Secretary of War commenting on the subject in answer to my letter to him. I ask that the letter be printed in the RECORD at the same point at which the previous discussion occurred.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, July 21, 1941.

Hon. ARTHUR H. VANDENBERG,
United States Senate.

DEAR SENATOR VANDENBERG: The War Department instructions, to which you refer in your letter of July 18, 1941, have a proper and useful purpose, in my opinion, but the purpose is different from what you apparently believe it to be.

The order in question was not the medium by which 3-year enlistments were limited to 500,000 men. That limitation was established by me in the fall of 1940, shortly after the passage of the Selective Training and Service Act. The figure was arrived at by blending the mandates of Congress with the military requirements of national defense. In brief, we set up a permanent force of a half million men to augment the air force, to garrison our overseas departments, to man the Atlantic bases, to operate our overhead establishments, and to train 600,000 selectees. Taken together, these measures, I believe, reflect the national policy regarding the composition and strength of the enlisted component of the Army as prescribed in the appropriation and the Selective Training and Service Acts.

It was not the intention of the order you mention to limit 3-year enlistments to 500,000, and it has not had that effect. The purpose of that order was to build up gradually the quality of the individuals constituting the permanent force. This is to be accomplished in two ways, first by refusing reenlistment to those men who after 3 years' training are still privates and who give no promise of ever being qualified for any grade above the lowest; and, second, by filling these vacated places by the enlistment of some of the high-type young men who have entered the Army through selective service.

It is obvious that this order can have little influence at present or within the next year in reducing the number of our 3-year men. Those now affected are confined obviously to men who enlisted in 1938 or earlier and who made up our Regular Army prior to 1939. This force, you no doubt remember, consisted of approximately 165,000 men. In view of the fact that our Army of those days was small but efficient, it is anticipated that very few of these men will fail to qualify for reenlistment. In short, the only effect of this order will be to weed out the few ineffectives of the old Regular Army.

However, the real facts with regard to the questions you raise are to be found in the following comments: Despite determined efforts we have not yet been able to recruit these 500,000 3-year men. On June 30 the number was 475,080.

Recently it was necessary to ask Congress to authorize an increase of 142,000 3-year men for the air force. We are now engaged in an intensive campaign throughout the Army to enlist this number of men for a service that has far greater appeal to young men than any other. We hope to succeed in this effort, but we can already foresee that the endeavor will entail relentless effort and considerable time. The result of this all-out campaign in its first month, June 1941, was 18,300, including reenlistments.

It is apparent to me that if we succeed in meeting our present quota of 642,000 3-year men we will have depleted our present Army as an important source of 3-year enlistments.

I hope that this reply has given you the information you desire. If not, will you please let me know wherein the present War Department policy is not clear or in what respects this program still appears to you to be inconsistent with any other activity of the Department?

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

ST. LAWRENCE RIVER DEVELOPMENT

Mr. MALONEY. Mr. President, I ask unanimous consent that a letter which I have received from the secretary of the Hartford Chamber of Commerce, Inc., Hartford, Conn., referring to the St. Lawrence-Great Lakes project, be printed in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed, as follows:

THE HARTFORD CHAMBER
OF COMMERCE, INC.,
Hartford, Conn., July 16, 1941.

Hon. FRANCIS T. MALONEY,
United States Senate, Washington, D. C.

DEAR SENATOR MALONEY: At a meeting of the board of directors of the Hartford Chamber of Commerce, held recently, consideration was given the St. Lawrence-Great Lakes project, and it was unanimously voted that the board of directors voice its opposition to this project at this time for the following reasons:

1. It cannot be completed in time to have any national-defense value. Its power could not be made available in less than 4 years, and its channels could not be opened for navigation in less than 8 years.

2. Its estimated power possibilities can be obtained in half the time and at half the cost by utilizing the surplus hydroelectric power of Niagara Falls and of steam plants which can be built quickly wherever needed.

3. Its navigation possibilities are nonexistent for 5 months of every year when it would be closed by ice, and other transportation agencies would have to maintain standby facilities to serve shippers during these months.

4. It would require immediately vast amounts of money, materials, machines, and manpower at a time when all of these things are needed for pressing national-defense work.

5. Its long-range value in national defense is doubtful because its electric generating plant and 47 miles of its canals and locks would be less than 250 miles from the Atlantic Ocean—within bombing range of hostile aircraft.

6. Its cost, estimated as high as a billion and a quarter dollars, is prohibitive, piled, as it would be, on top of the heaviest tax burden the American people have ever had to bear.

7. Its benefits, if any, would be confined to a few special interests in a limited area. In fact, 85 percent of the cost would be borne by citizens whose interests would be damaged by it. To New England the project has always seemed especially harmful in that its interests would be damaged by the navigation end without any expectation of gain from power production.

It is therefore resolved that the board of directors voice its opposition to the project at this time and communicate that opposition to our congressional delegation.

In the above we have given you the complete report that you may have the facts on which we based our conclusion.

Yours very truly,

HARTFORD CHAMBER OF COMMERCE,
F. G. FARRELL, *Secretary.*

TREATMENT OF APPLICANTS FOR NAVAL ENLISTMENT OR COMMISSION

Mr. WALSH. Mr. President, I ask to have printed in the RECORD a recent directive order issued by the Navy Department with regard to courtesy in the treatment of applicants for commission or enlistment in the United States Navy or the United States Naval Reserve, which I feel certain will meet with general public approval and be informative to the Senate.

There being no objection, the order was ordered to be printed in the RECORD, as follows:

NAVY DEPARTMENT,
BUREAU OF NAVIGATION,
Washington, D. C., June 19, 1941.

NAVAL RESERVE MULTIPLE ADDRESS LETTER NO. 75–41

From: The Chief of the Bureau of Navigation.
To: Commandants, all naval district; commandant, Navy Yard, Washington, D. C.; and naval recruiting service.
Subject: Courteous treatment of applicants for commission or enlistment in the United States Navy or Naval Reserve.

1. The Bureau of Navigation has received reliable reports to the effect that applicants for commission or enlistment in the Naval Reserve have in some instances been received with apparent indifference or have been given erroneous information regarding qualifications or eligibility for appointment or enlistment in the Naval Reserve.

2. The Bureau is endeavoring to obtain suitable officer and enlisted material for the expanding Navy. Former officers of the Regular Navy have been requested to apply for commissions in the Naval Reserve. Applicants for class V–5 and V–7 are needed. Enlistments in the Regular Navy and in all classes of the Naval Reserve are greatly desired

3. The Bureau appreciates that under present conditions officers are required to work under much pressure and that a considerable part of the work connected with receiving applications for commissions or enlistments and advising applicants as to the proper method of procedure must be delegated to inexperienced officers. However, brusque or discourteous treatment cannot be tolerated. Applicants for commission or enlistment are offering their services to their country, often at great personal and financial sacrifice. They should be received and treated with courtesy, kindness, and consideration, advised as to the opportunities offered by the Navy, and not kept waiting longer than is actually necessary. The fact should always be kept in mind that the applicants are in general unfamiliar with naval discipline and customs.

4. It is believed that there have been but a few instances of discourteous treatment, but the fact should be borne in mind that more

is heard of a single instance of discourtesy than a hundred instances of great courtesy.

5. Commandants are requested to bring this to the attention of all officers in their districts and to take such steps as are necessary to prevent cause for future complaints.

C. W. NIMITZ.

OIL TANKERS

Mr. BRIDGES. Mr. President, I ask to have printed at this point in the body of the RECORD an item from the Washington Merry-Go-Round, entitled "French Oil Tankers," published in the Washington Times-Herald of July 21, 1941.

I should like to call the attention of the Senate to the fact that in this country we have an oil and gasoline shortage, and the entire eastern section is certain to be placed on rations. At the same time we read that certain departments of our Government are allowing gasoline to be sold to Japan on the one hand, and now, on the other hand, to the Vichy government of France, probably to be used against the British, and certainly against our best interests. I think that is something very worth while for the country to consider, and for the State Department and the Department of the Interior to look into.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Times-Herald of July 21, 1941]

FRENCH OIL TANKERS

What particularly incenses the British is that the State Department is allowing two tankers to load up with American oil and aviation gasoline. This will permit the 300 to 400 grounded airplanes in Morocco to be used—possibly against the British.

In the end, the British decided not to make a last-ditch fight. "We have so many other problems of major importance to settle," they told friends, "that we don't think it best to object further to this."

What the Maritime Commission and Secretary Ickes covet most are the nine French oil tankers now gathering barnacles in the harbor of Martinique.

The Maritime Commission proposes chartering them and if necessary paying good hard dollars to the French. These tankers, making one trip a month with oil from Venezuela, could carry 560,000 barrels a month, which would practically remove Secretary Ickes' fears of an oil shortage.

But, desperately as oil is needed on the Atlantic coast, the State Department leans over backward not to offend the French.

NOTE.—British sources report about 3,500 Nazi technicians in French Africa, from Dakar to Casablanca, busy building airdromes and installing big guns, pointed toward the coast of South America.

ANTHRACITE BOARD OF CONCILIATION

Mr. DAVIS. Mr. President, in these days when happy relationships are necessary between labor and management, it is encouraging and pleasing to note the success of the Anthracite Board of Conciliation, which now begins its 39th year. It is the oldest labor conciliation agency in the United States and has a fine record. This Board has served as a model for other conciliation agencies.

The Anthracite Board of Conciliation began its 39th year in the settling of labor grievances within the framework of a collective agreement with the formal signing in Hazleton, Pa., of the contract between the anthracite operators and mine workers.

It is the oldest grievance-adjustment machinery in the country, having continuous facilities for handling day to day disputes between employees and employers on the job 365 days out of the year.

Nearly 300 coal operators from the 5 anthracite-producing counties of northeastern Pennsylvania were present to sign the new 2-year contract, and 91,000 anthracite coal miners were represented by national and district officers of the United Mine Workers of America.

The history of the Anthracite Board of Conciliation goes back to the long 1902 strike which was finally settled when the mine workers and operators agreed to abide by the recommendations of an investigating commission appointed by President Theodore Roosevelt. Under the awards of this commission a conciliation board, consisting of three miners and three operators, was created to adjust any grievance or complaint arising in or around the mines. In case of a deadlock an umpire was to decide the question at issue.

Much credit for the peaceful adjustment of labor grievances in the anthracite industry is due to the fact that the conciliation Board, during its entire history, has had umpires whose integrity was constantly respected by the miners and operators. Because the umpire must understand the technical phases of coal mining the Board members have insisted upon a permanent arbitrator of grievances. They have been against the general practice found in many industries of selecting a temporary umpire for a particular dispute, because the chances are that such a referee would not understand the hard-coal mining business nor would he be acquainted with the personal equations among its employees or employers.

Dr. Thomas E. Larkin, of Mount Pocono, Pa., was reappointed umpire by the Conciliation Board. He is the fourth umpire, first being named in 1937. During the first 34 years of its existence, between 1903 and 1937, only three umpires served for this Board. Dr. Larkin became associated with the anthracite industry in 1925 and was assistant to the two previous umpires.

Mr. President, the gradual mechanization of the anthracite mines and other technological changes so increased the grievance-adjustment work of the Conciliation Board that a full-time umpire has been necessary since 1929. While the mine committees and company officials at the 350 various workings settle most of the labor disputes on company property, still many grievances end in a deadlock and are eventually referred to the umpire for a decision, the grievances thus turned over to the umpire average about 15 per month.

In addition to reading the testimony and records on all grievances referred to him, the work of the umpire also requires him to make personal investigations of the miners' working places inside of the mine, hold hearings at colliery offices, investigate pay rolls, and perform such other necessary work that will facilitate the adjusting of pending grievances.

During the 38 years of its existence the Conciliation Board has done much pioneer work in the building up of workable and speedy grievance-adjustment procedures, as well as creating better day-to-day relationships between employees and employers. Many of the labor grievances adjustment set-ups found in the defense industries today operating under a declared "no strike" policy were patterned after the successful experiments of the anthracite industry.

I ask unanimous consent that a letter addressed to me by Paul A. Strachan, Washington representative of the Progressive Labor World, together with an article from that publication, be printed in the RECORD as a part of my remarks.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *July 14, 1941.*

Hon. JAMES J. DAVIS,
United States Senate, Washington.

MY DEAR SENATOR DAVIS: Your attention is respectfully directed to the marked copy of the Progressive Labor World, of Philadelphia, attached, with especial reference to the story on the Anthracite Board of Conciliation.

In view of the long and successful record of this Board in the field of labor arbitration, it seems to me that its workings would be of general interest at this time, when there appears to be such a general lack of knowledge and information as to methods which may be used by both employers and employees to bring about stabilization of industry through proper labor relations.

It would be greatly appreciated if you will have this story reprinted as an extension of remarks in the CONGRESSIONAL RECORD.

With best wishes, I am,

Sincerely,

PAUL A. STRACHAN,
Washington Representative,
Progressive Labor World.

[From the Progressive Labor World of July 3, 1941]

COAL MEDIATION BOARD BEGINS ITS THIRTY-NINTH YEAR—OLDEST LABOR CONCILIATION AGENCY IN UNITED STATES HAS FINE RECORD—MAPPED NEW COURSE—MACHINERY OF ANTHRACITE BOARD HAS SERVED AS A MODEL FOR OTHERS

HAZLETON, PA., July 3.—With the formal signing of the contract between the anthracite operators and mine workers in the ballroom of the Altamont Hotel in this city, the past week, the anthracite board of conciliation began its thirty-ninth year in the settling of labor grievances within the framework of a collective agreement. It is the oldest grievance adjustment machinery in the country having continuous facilities for handling day to day disputes between employees and employers on the job, 365 days out of the year.

Nearly 300 coal operators from the five anthracite-producing counties of northeastern Pennsylvania were present to sign the new 2-year contract. The 91,000 anthracite mine workers, who recently ratified this agreement by a 7 to 1 majority, were represented by the international and district officers of the United Mine Workers of America. John L. Lewis, president, and Thomas Kennedy, secretary-treasurer of the United Mine Workers journeyed from Washington for the signing.

The history of the Anthracite Board of Conciliation goes back to the long 1902 strike which was finally settled when the mine workers and operators agreed to abide by the recommendations of an investigating commission appointed by President Theodore

Roosevelt. Under the awards of this commission a Conciliation Board, consisting of three miners and three operators, was created to adjust any grievance or complaint arising in or around the mines. In case of a deadlock an umpire was to decide the question at issue.

FULL-TIME UMPIRE

Much credit for the peaceful adjustment of labor grievances in the anthracite industry is due to the fact that the Conciliation Board, during its entire history, has had umpires whose integrity was constantly respected by the miners and operators. Because the umpire must understand the technical phases of coal mining the Board members have insisted upon a permanent arbitrator of grievances. They have been against the general practice found in many industries of selecting a temporary umpire for a particular dispute, because the chances are that such a referee would not understand the hard-coal mining business nor would he be acquainted with the personal equations among its employees or employers.

Dr. Thomas E. Larkin, of Mount Pocono, Pa., was reappointed umpire by the Conciliation Board. He is the fourth umpire, first being named in 1937. During the first 34 years of its existence, between 1903 and 1937, only three umpires served for this Board. Dr. Larkin became associated with the anthracite industry in 1925 and was assistant to the two previous umpires.

The gradual mechanization of the anthracite mines and other technological changes so increased the grievance-adjustment work of the Conciliation Board that a full-time umpire has been necessary since 1929. While the mine committees and company officials at the 350 various workings settle most of the labor disputes on company property, still many grievances end in a deadlock and are eventually referred to the umpire for a decision; the grievances thus turned over to the umpire average around 15 per month.

In addition to reading the testimony and records on all grievances referred to him, the work of the umpire also requires him to make personal investigations of the miners' working places inside of the mine, hold hearings at colliery offices, investigate pay rolls, and perform such other necessary work that will facilitate the adjusting of pending grievances.

During the 38 years of its existence the Conciliation Board has done much pioneer work in the building up of workable and speedy grievance-adjustment procedures as well as creating better day-to-day relationships between employees and employers. Many of the labor grievances adjustment setups found in the defense industries today operating under a declared "no strike" policy were patterned after the successful experiments of the anthracite industry.

When several of the C. I. O. leaders were interviewed over the Columbia broadcasting network a few months ago, it was developed that many of the C. I. O. contracts in the aircraft, automobile, steel, and other defense industries contained "no strike" provisions for adjusting labor troubles in the plants through conciliation and arbitration instead of resorting to strikes.

Thomas Kennedy, secretary-treasurer of the United Mine Workers, was one of the C. I. O. leaders interviewed on this broadcast. He was a former member of the Anthracite Board of Conciliation for 12 years and at the present time is also a member of the National Defense Mediation Board. Mr. Kennedy pointed out over the radio that the grievance adjustment machinery now found in the airplane, steel, automobile, and other defense industries is an adaptation of the procedures developed in the anthracite industry since 1903.

The members of the present Anthracite Board of Conciliation, who reside in different Pennsylvania cities, are: For the operators, Maj. W. W. Inglis, Scranton (chairman); J. B. Warriner, Lansford; and J. R. Sharp, Pottsville. For the miners, Michael J. Kosik, Scranton; Hugh V. Brown, Tamaqua; and Mart F. Brennan, Shamokin.

Mr. John Boyland, of Scranton, was reappointed secretary of this board, a position he has held since 1935. The board headquarters are in Hazelton.

STRIKES IN DEFENSE INDUSTRIES

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from a previous day, which will be read.

The Chief Clerk read the concurrent resolution (S. Con. Res. 12) submitted by Mr. BYRD on May 26, 1941, relative to strikes in defense industries.

Mr. BARKLEY. Let the concurrent resolution go over.

The VICE PRESIDENT. Without objection, the concurrent resolution will be passed over.

The morning business is closed. The calendar, under rule VIII, is in order.

ORDER DISPENSING WITH CALL OF CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent that the calling of the calendar be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

REQUISITION OF PROPERTY FOR DEFENSE PURPOSES

Mr. CHANDLER. Mr. President, I ask that the Senate proceed to the consideration of Senate bill 1579.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1579) to authorize the President of the United States to requisition certain properties for use of or disposition by the United States.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment.

Mr. VANDENBERG. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. VANDENBERG. Has the first reading of the bill been dispensed with?

The VICE PRESIDENT. The bill has already been read twice.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. TAFT. Since there is only one committee amendment, to strike out all after the enacting clause and insert new matter, may we have an understanding that amendments may be offered later to the committee amendment? Or should they be offered at this time?

Mr. CHANDLER. Mr. President, I have no objection to the course suggested. Opportunity will be given to offer amendments.

Mr. TAFT. I ask unanimous consent that if the committee amendment is adopted, the committee amendment may then be amended.

Mr. BARKLEY. Mr. President, I think the better procedure would be to ask unanimous consent—which I now do—to consider the one amendment offered by the committee as the text of the bill, to which amendments may be offered prior to the adoption of the amendment itself.

Mr. TAFT. I withdraw my suggestion.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

The clerk will state the committee amendment.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and to insert in lieu thereof the following:

That whenever the President, during the present national emergency but not later than June 30, 1943, determines that (1) the use of any military or naval equipment, supplies, or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions is needed for the defense of the United States; (2) such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and (3) all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted, he is authorized to requisition such property for the defense of the United States upon the payment of fair and just compensation in the manner provided for by the act of October 10, 1940 (Public, No. 829, 76th Cong., 3d sess.), and to dispose of such property in such manner as he may determine is necessary for the defense of the United States.

SEC. 2. Whenever the President determines that property acquired under this act and retained is no longer needed for the defense of the United States, he shall, if the original owner desires the property and pays the fair value thereof, return such property to the owner; but, in any event property so acquired and retained shall, if the owner desires the property and pays the fair value thereof, be returned to the owner not later than December 31, 1943.

SEC. 3. The President from time to time, but not less frequently than once every 6 months, shall transmit to the Congress a report of operations under this act.

SEC. 4. The President may issue such rules and regulations and require such information as may be necessary and proper to carry out the provisions of this act, and he may exercise any power or authority conferred on him by this act through such department, agency, board, or officer as he shall direct or appoint.

Mr. MALONEY. Mr. President, I inquire whether the proposal just read at the desk is the same as the amended copy of Senate bill 1579, which we now have on our desks?

Mr. AUSTIN. It is. I have followed the reading.

Does the Senator from Kentucky [Mr. CHANDLER] wish to proceed with an explanation?

Mr. CHANDLER. Mr. President, I think it might be well to offer some explanation of the bill, although it is fairly simple. I shall not consume very much time. Then the Senator will have an opportunity to offer any amendment he may desire to offer.

Mr. AUSTIN. That is satisfactory to me.

Mr. CHANDLER. Mr. President, the bill authorizes the President of the United States to requisition property required for the defense of the United States. It is fairly definite in its terms. During the present national emergency, but not later than June 30, 1943, if at any time the President determines that certain property is necessary for the defense of the United States, he may requisition such property. He must determine that—

(1) The use of any military or naval equipment, supplies, or munitions, or component parts thereof, machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions is needed for the defense of the United States; (2) such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and (3) all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. VANDENBERG. What does the word "supplies" mean? Is it to be read in connection with the previous phrase "military or naval equipment"? Does the word "supplies" mean something related to military or naval equipment, or is the word "supplies" a generic word which might include wheat or anything else which might ultimately be needed for defense purposes?

Mr. CHANDLER. I think it ought to be broad enough—it is intended to be broad enough—to cover supplies needed for the military or naval establishments of the United States, and would include foodstuffs, if necessary, to feed the Army and Navy.

Mr. VANDENBERG. The word "supplies" is broad enough to make the bill practically all-inclusive?

Mr. CHANDLER. We were so informed by the War Department and by the Navy Department. Let me say to the Senator that personally I advocated giving the President authority during this emergency to take any property if he should determine that it were necessary to take such property for the defense of the people of the United States.

Mr. VANDENBERG. The Senator got his wish, did he not, with the word supplies"?

Mr. CHANDLER. I hope so.

Mr. President, before any such property is requisitioned, three things must take place. First, the President must determine that such property is necessary for the defense of the United States. Second, such need must be immediate and impending, and such as will not admit of delay or resort to any other source of supply. I should like to read that language, because I believe it was submitted by my distinguished and learned friend the senior Senator from Vermont [Mr. AUSTIN]. The President must determine that—

(2) Such need is immediate and impending and such as will not admit of delay or resort to any other source of supply.

Third, all other means of obtaining the use of such property must have been exhausted. The President must exhaust his efforts to find elsewhere property for the defense of the United States. It is well known to everyone that the Government does not want to go about the country taking supplies from people for no reason at all. During the previous World War 17 attempts were made to requisition property for use in the defense of the United States. Those acts started on the 31st of June 1916, and did not wind up until the last one was passed on the 10th day of June 1920.

Mr. VANDENBERG. Mr. President, will the Senator yield for another question?

Mr. CHANDLER. I yield to the Senator from Michigan.

Mr. VANDENBERG. For our information, can the Senator illustrate the sort of situation which might be contemplated by the bill as necessary under its terms? If any specific situations are available by way of illustration, what is the nature of the necessity?

Mr. CHANDLER. I think I can answer that question for the Senator. I read excerpts from a letter from John Lord O'Brian, the general counsel of the O. P. M., in response to a request such as the Senator from Michigan has just made:

With the defense program gathering momentum and thereby causing greater stringencies in various products and materials, there will be an increasing number of occasions where it will be impractical to secure the necessary articles unless adequate requisitioning authority exists in law.

Even at this stage of the program there are various situations which could be handled much more expeditiously if such a requisition statute existed.

There have been instances where contractors working on defense orders have made every feasible effort to secure needed second-hand machine tools from dealers but have failed to secure them because the sellers were unwilling to part with them on any reasonable terms.

As another example, our machine-tools section has tried in vain to have some larger machine tools transferred from regular commercial work to defense use. This has occurred in connection with the larger or more special kind of tool not customarily found in or used by the smaller plants and machine shops. Suitable requisitioning authority would enable us to put these big tools to work on the defense program.

In addition to such situations a requisitioning measure would be especially valuable in preventing excessive piling up of inventory and in controlling the distribution of materials, whether held in inventory or not, so as to assure the best interests of national defense and afford a measure of protection against unjustifiable interruptions in production.

Mr. President, I desire to have printed at this point in the RECORD a list of the 17 laws which Congress passed between the dates I indicated.

There being no objection, the list referred to was ordered to be printed in the RECORD, as follows:

The act of June 3, 1916 (39 Stat. 215; 50 U. S. Code 79), which authorizes the condemnation of lands, rights-of-way, materials, minerals, and processes necessary for the construction and operation of nitrate plants.

The act of August 29, 1916 (39 Stat. 645; 10 U. S. Code 1361), which empowers the President in time of war to take possession and assume control of any system or systems of transportation, or any part thereof.

The act of September 7, 1916 (39 Stat. 731; 46 U. S. Code 809), which authorized the President to take possession, absolutely or temporarily, for any naval or military purpose of any vessel purchased, leased, or chartered from the United States Shipping Board.

The act of March 4, 1917 (39 Stat. 1193), which authorized the President, upon certain conditions, to take possession of and use any factory, or any part thereof, for the production of ships or war material for the Navy.

The act of June 15, 1917 (40 Stat. 182), which authorized the President to requisition any contract for the building, production, or purchase of ships or material, any plant for the production of ships or any part thereof, or any ship or the charter of any ship.

The act of August 10, 1917 (40 Stat. 279), which authorized the President to requisition foods, feeds, fuels, and other supplies necessary to the support of the Army or the maintenance of the Navy, or any other public use connected with the common defense, together with storage facilities for such supplies, and any factory, packing house, oil pipe line, mine, or plant, or part thereof.

The act of August 10, 1917 (40 Stat. 282), which authorized the President to commandeer any or all distilled spirits for use in the manufacture of munitions, and for other purposes.

The act of August 10, 1917 (40 Stat. 284), which authorized the President, under certain conditions, to take over and operate the plant or business of any producer of or dealer in coal or coke.

The act of March 1, 1918 (40 Stat. 438), which authorized the President to requisition or condemn land, houses, buildings, fixtures, furnishings, and facilities for the use of employees of shipyards in which ships were being constructed for the United States.

The act of April 22, 1918 (40 Stat. 535), which authorized the President to take possession of any street railroad, interurban railroad, or part thereof, and all cars, appurtenances, and franchises, or parts thereof, for the transfer and transportation of employees of shipyards or plants engaged in the construction of ships or equipment therefor for the United States.

The act of May 16, 1918 (40 Stat. 550), which authorized the President to requisition or condemn land, houses, buildings, furnishings, improvements, local transportation and general community utilities for the purpose of providing housing, local transportation, and other general community utilities for industrial workers engaged in arsenals, navy yards, and industries essential to the national defense.

The act of July 9, 1918 (40 Stat. 888; 50 U. S. C. 172), which authorizes the condemnation of timber, sawmills, camps, machinery, logging roads, rights of way, equipment, materials, supplies, and any works, property, or appliances suitable for the effectual production of lumber and timber products when such property is needed for the production, manufacture, or building of aircraft, drydocks, or vessels, their apparel or furniture, for housing of certain Government employees, and for the procurement of materials and equipment for aircraft, drydocks, and vessels.

The act of July 18, 1918 (40 Stat. 915), which authorized the President to requisition the use or temporary possession or control of any drydocks, wharves, or loading or discharging terminal facilities in any part of the United States, or warehouses, equipment, or terminal railways connected therewith.

The act of October 5, 1918 (40 Stat. 1010), which authorized the President to requisition and take over certain specified mineral and chemical compounds, described as necessaries, and any undeveloped or insufficiently developed or operated idle land, deposit, or mine, and any idle or partially operated smelter, or plant, or part thereof, producing or capable of producing said necessaries.

The act of November 4, 1918 (40 Stat. 1022), which authorized the President to requisition land for the purpose of constructing, establishing, or extending any shipbuilding plant.

The act of November 4, 1918 (40 Stat. 1029), which authorized the President to requisition and take over lands, buildings, and their equipment for hospital facilities.

The act of June 10, 1920 (41 Stat. 1072; 16 U. S. C. 809), which authorizes the President to take possession of project works erected by holders of Federal licenses for the purpose of manufacturing nitrates, explosives, or munitions of war, or for any other purpose involving the safety of the United States, whenever the President deems such action necessary for the national safety.

Mr. CHANDLER. I have been informed by the War and Navy Departments that if we pass this bill they can accomplish any purpose they now desire to accomplish, or any one that they can foresee.

Of course, however, it will be recalled that in the President's letter of the 21st of June to the chairman of the Military Affairs Committee he indicated that it was almost impossible to foresee what the demands of the country would be in the days far ahead if the emergency should become more aggravated.

I hope what I have just said answers the question of the Senator from Michigan; at any rate that is the information I have.

Mr. VANDENBERG. I thank the Senator for his response. I am still a little doubtful about the meaning of the word "supplies." Suppose it were the opinion of the President, in a given emergent situation, that he ought to take over a radio station; would that be a supply?

Mr. CHANDLER. I am glad the Senator asked that question, because I took some pains to have looked up the present authority of the President. There is nothing in this bill that would give the President the right to take over a radio station or a newspaper, and it is not contemplated under any circumstances that that would be necessary in the defense of the people of the United States; but, if the Senator is really interested in the matter, section 606 of the Communications Act of 1934 provides that—

upon proclamation by the President that there exists war or a threat of war or a state of public peril or disaster or other national emergency—

And I think the President has indicated that there is a national emergency—

or in order to preserve the neutrality of the United States the President may suspend or amend for such time as he may see fit the rules and regulations applicable to any or all stations within the jurisdiction of the United States as prescribed by the Commission, and may cause the closing of any station for radio communication and the removal therefrom of its apparatus and equipment, or he may authorize the use or control of any such station and/or its apparatus and equipment by any department of the Government under such regulations as he may prescribe upon just compensation to the owners.

There has never been any suggestion that the Government would or should take over any newspaper or radio station, but I submit that under the Communications Act, when a national emergency is declared in force, the President might have a right to do it.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield first to the Senator from Michigan. Then I will yield to the Senator from California.

Mr. VANDENBERG. I simply want to conclude this particular colloquy. I am familiar with the authority under the Communications Act. I am only trying to find out now whether the word "supplies" itself, in the Senator's opinion, goes as far as I have indicated.

Mr. CHANDLER. No; I will say to the Senator that I do not think it does. I do not think it is intended that it should, and I do not think it does. I think it is beyond the stretch of anyone's imagination to conclude that the taking of a radio station or a newspaper would be necessary for the defense of the United States.

Mr. VANDENBERG. The Senator from Kentucky told me just a short while ago that he hoped it took in everything.

Mr. CHANDLER. I want it broad enough to cover everything that is necessary to defend the United States. When we are asked to give our sons, and perhaps to sacrifice their lives, I do not want, and the people in my part of the country do not want, any citizen to hold possession of any property the Government needs in such a situation.

Mr. VANDENBERG. That is correct.

Mr. CHANDLER. But the property must be necessary for the defense of the Government of the United States and its people.

Mr. VANDENBERG. That is correct. I simply want to know what I am doing, because during the past several years we have seen words expand their circumference to a perfectly amazing extent.

Mr. CHANDLER. The Senator from Kentucky has not expanded any words and does not intend to expand any words in connection with this bill; but the Senator from Kentucky and the people of Kentucky are anxious not to hinder or delay the Government of the United States in acquiring property which is necessary for its defense. I may say to the Senator that there were numerous instances of the taking of property during the last war that even the 17 statutes did not cover. If we should actually get into war, the Government would take such property anyway, if it was necessary to defend the people of the United States

I now yield to the Senator from California.

Mr. DOWNEY. Mr. President, I should like to say to the Senator from Kentucky that I am not familiar with the statute he read, but I was struck by one phrase in it—"in order to preserve the neutrality of the United States." I must admit that I did not understand exactly what portion of the act that phrase modified, and what was the effect of it; and I shall be glad to have the Senator from Kentucky tell me.

Mr. CHANDLER. No; the word used was "or." The authority was to do one thing or another, or still another.

Mr. DOWNEY. Will the Senator again read the particular part relating to that modifying phrase?

Mr. CHANDLER. The language is:

Upon proclamation by the President that there exists war or a threat of war or a state of public peril or disaster or other national emergency—

The President now has invoked the clause relative to a proclamation of national emergency—

or in order to preserve the neutrality of the United States.

That is one of a series of circumstances in which the President may be able to take this action. The Government always has paid and will now pay just and fair compensation for anything it takes from its own people.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to the Senator from Colorado.

Mr. ADAMS. Will the Senator be good enough to elucidate briefly the clause in the bill which provides that fair compensation shall be paid as provided for by the act of October 10, 1940? What is the method there provided?

Mr. CHANDLER. I was about to get to that, and I shall be glad to answer the Senator's question.

In the manner provided for by the act of October 10, 1940 (Public, No. 829, 76th Cong., 3d sess).

That is as far as I will go at the moment, because the rest of the language is intended to cover some other feature. Under act No. 829 of the Seventy-sixth Congress, if the President first determines that the property is necessary and that the need is immediate and impending and such as will admit of no delay or resort to any other source of supply, and he has exhausted all other possibilties and cannot get the property he may requisition it and pay forthwith 50 percent of the damages, as provided under the act, to the man whose property is requisitioned, and the owner is permitted to sue for the balance—

Provided, That recovery shall be confined to the fair market value of such article or material, without any allowance for prospective profits, punitive or other damages.

That is fair, because, as I shall go further and show, under this bill, if it passes, the President, when he finds that the property is no longer necessary for the defense of the people of the United States, up until December 31, 1943, must give it back if the original owner wants it and it is still in existence, if the original owner pays a fair and reasonable price for the return of the property.

That provision was not in the original bill. This bill has been altered a great deal since it was originally introduced. It has been changed two or three times, but the last time it was changed we were careful, for everyone who was for the passage of the bill was anxious to have a bill that would not work any hardship on the people of the country.

If property is taken and it is still in existence when the authority to use it expires on December 31, 1943, on payment of a fair price, the President, if he still has the property, will have to return it to the owner. Under the bill authority is given the President—

to dispose of such property in such manner as he may determine is necessary for the defense of the United States.

For example, if he determines that he ought to send certain things to England for the defense of the United States he may do so; but I submit if it is a question of machinery to make tools for the people of the United States or for England, there is no thought of sending machine tools across the ocean to England or otherwise getting rid of them, because they belong to the people of the United States and I do not think the English would want them because their machines are not the same as ours. We have to change our machines in the aviation factories of the country in order to make British versions of planes. I have seen that happen. In many instances we have to make changes in the machine tools in order to manufacture the British version of the article desired.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TAFT. I do not understand the Senator to say that this bill does not give power to give machine tools to England.

Mr. CHANDLER. I know the Senator is hoping that will not be done, because the Senator said in the lend-lease debate that if we passed that bill we were going to give away our Navy. I never did believe that, and it makes me somewhat impatient to hear it said that the President of the United States wanted to give away the Navy.

Mr. TAFT. I merely want to know what the Senator's construction is. There is no question that under the bill machine tools can be given to England if that is desired.

Mr. CHANDLER. Yes, sir; if the President of the United States should want to give them away.

Mr. TAFT. Also, I think the Senator is mistaken in his statement that they do not like our machine tools. Cincinnati concerns for years have been shipping machine tools to England and many machine tools used by the English come from this country. So, I think the Senator must be mistaken in that respect.

Mr. CHANDLER. The Senator is mistaken if he indicates that I said they do not like our tools, for, if we make them according to their specifications, they do like our tools. What I intended to say was that we in this country have had to change our machines and tools in order to make the British version of a plane that otherwise we would not make. Of course, the English like our machines if we make them to suit their ideas.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. BARKLEY. I understand that what the Senator was saying was that in order to conform some of our factories and machinery to the British type of airplanes it was necessary to change our tools. The Senator did not mean to intimate that the British were dissatisfied with our tools.

Mr. CHANDLER. Not at all.

Mr. BARKLEY. But because of long use of a particular type it became necessary to change the tools in order to make the articles desired, just like it is necessary to change automobile tools in order to make airplanes at all.

Mr. CHANDLER. I hope the main business in the United States in the future will not be to make machines for any other country than the people of the United States; but whenever they demand a certain type of machine we have to change the tools in order to accommodate their needs. That is what has gone on; that is going on now.

Under a further provision of this bill the President is to report every 6 months, but not less than once every 6 months, to the Congress of the United States what he is doing under the provisions of this bill; and under section 4 the President is given authority to issue rules and regulations in order to make effective the provisions of this proposed act.

Any property retained he must give back to the original owner, if the owner makes demand or request for it, on the basis of the fair value not later than December 31, 1943.

Mr. President, this is a good bill. The need for it is urgent. There is the testimony of numerous men who undertook to conduct the defense of the people during the last war which is adequate proof that we were hindered and delayed because we did not have the right to requisition property needed for the defense of the people of the United States.

The historical background, of course, goes back to 1554, when Parliament gave the city of London the power to take land by eminent domain. Ever since 1916 the President has had the power in time of war or when war is imminent in this country to place orders with any company for any material or product needed by the War and Navy Departments and to take immediate possession of any plant refusing to furnish such materials for the use of the Army and Navy or for the military use of the United States.

The need for drafting the means for producing material for the national defense has already been recognized and partially satisfied by legislation. But section 9 of the Selective Service Act deals only with plant facilities; and the Vinson Priorities Act is directly applicable only to articles to be produced in the future. These statutes are not appropriate for obtaining existing inventories of materials. For example, if a large manufacturer producing nondefense products for private account has acquired several years' supply of aluminum, the Government has no adequate power, under existing statutes, to make any of this aluminum available for national defense or to prevent its being consumed in production of nondefense articles. The present bill meets the pressing need for the power to draft such existing inventory of materials and specific machines and equipment into national-defense production.

I have heretofore referred to numerous laws enacted during the last emergency. I should like to refer to the President's letter to the chairman of the Military Affairs Committee on the 21st of January in connection with those numerous laws. In his letter the President said:

> These piecemeal statutes separately gave the Government requisitioning power over virtually everything from distilled spirits required in the making of munitions to lumber needed for making aircraft. This procedure caused unwarranted delays in waiting for the necessary legislation. * * *
>
> This prior experience shows that it would be difficult, and even impossible, for us now to catalog each and every one of the Government's needs in advance.

Mr. Baruch, who had considerable to do with America's conduct of the last war, has said:

> There should also be enacted a general commandeering statute giving the President plenary authority in the usual terms to commandeer in time of war any manufacturing facility or any supplies deemed by him necessary to the successful conduct of war.

I take it there would be no disposition on the part of anybody to withhold from the President such authority, but I think delay is dangerous. We cannot afford to withhold this power if and until we actually become involved in war. I hope we shall not become so involved, and, contrary to numerous statements made by some, I do not believe the President wants us to become involved in war. There is this much to be said to his credit and in his favor on that score: Nearly every other nation is in the war except the United States of America; we are not in it, although it has been going on in the world. If it be admitted that he could have taken us into the war, then I think he ought to get credit for the fact that we are not in it.

Every power necessary to mobilize industry for national defense must be available in time of emergency before actual conflict. Modern war has taught us that to delay in preparation of defense invites the attack of aggressor nations. Only complete preparation may avoid actual conflict. Delay may be fatal. It has been fatal in the case of many other nations. I come from the South, and when I hear men say that no enemy will come here and overrun us, I recall that my grandfather was shot at the battle of Shiloh. I do not want to be overrun, and I do not want to wait to prepare until I am overrun. I want to get ready to defend myself and defend the people. I have listened this week to statements regarding service in the Army. It is absolutely ridiculous to me, in an emergency such as this, to train an Army and then say that a large part of the men may go home. Do we expect the Chief of Staff of the Army of the United States to send garrisons to Hawaii and Alaska so that they can take a boat trip and come back in September?

Mr. CHAVEZ. Mr. President, getting back to the pending bill. [Laughter.]

Mr. CHANDLER. It is an unusual thing to restrict a Senator to any pending subject, although I am willing to be restricted.

Mr. CHAVEZ. I meant it in good faith. The President is authorized to requisition property "upon the payment of fair and just compensation in the

manner provided by the act of October 10, 1940."

Mr. CHANDLER. Yes, sir.

Mr. CHAVEZ. Then, after the emergency is over, the owner may buy back the property at its fair value.

Mr. CHANDLER. Yes, sir.

Mr. CHAVEZ. Would the Senator have any objection to inserting a modification of that part of the bill saying that the "fair value" shall not be less than the amount the Government paid for the property?

Mr. CHANDLER. I do not know about that. I think the "fair value" would be the fair, just, and reasonable market value at the time, because the act of the Seventy-sixth Congress of the 10th of October 1940 is fairly clear.

Mr. CHAVEZ. I do not mean that.

Mr. CHANDLER. I do not think there would be any trouble in determining what the fair market value of the article was at the time it was turned back. I have no objection if anything can be offered that would make it clearer, but I think it is clear.

Mr. CONNALLY. Mr. President, if the Senator will yield, the amount paid by the former owner upon the return of the property ought to be less than the amount originally paid by the Government, because when the former owner buys back the property it certainly is not as valuable as it was when he turned it over to the Government. The use, and the wear and tear, would be worth something.

Mr. CHAVEZ. I understand that; but I should not want it to be so much less than the amount paid by the Government that the former owner could buy it for a song.

Mr. CONNALLY. I should not want to agree that it must not be less than the original purchase price, because otherwise the owner would not get anything for the rental of the property. If the Senator from New Mexico will permit me a minute, instead of taking over the property by purchase, it might be that the Government would simply use it, and pay the fair rental value to the owner.

For instance, we are going to take yachts, as I understand, if the Senator from Massachusetts will bear with me. Here is a man who has a yacht. It is capable of use with the Navy, and he will not surrender it. The Government may take over his yacht and use it and pay him a fair rental, and, when the emergency is over, give him back his yacht. That would seem to me better than to buy his yacht and then depend on him to buy it back, because the market for yachts is not as universal as it is for something to eat, or clothes, or things of that kind. Not many of us can have yachts.

Mr. CHAVEZ. Does the Senator feel that the determination of "fair and just compensation" means rental, also?

Mr. CONNALLY. I think it ought to mean that. If it does not, it ought to mean rental as well as purchase.

Mr. CHAVEZ. I am asking for information.

Mr. CONNALLY. I doubt it.

Mr. CHANDLER. I think I can answer my friend from New Mexico. The Government always pays the fair market value of the articles it takes. There is no disposition on the part of the Government to take property from its people and be unfair about it.

Mr. CHAVEZ. That is true.

Mr. CHANDLER. So, in that event, when property was taken and had been used, I do not think there would be any trouble about the Government paying what was right, because the owners would still have the right to sue for the fair value of it. I think "fair and reasonable value" covers the matter in both instances.

Mr. SCHWARTZ. Mr. President——

Mr. CHANDLER. I yield to the Senator from Wyoming.

Mr. SCHWARTZ. I have in mind the case of the Government taking over a machine tool, or three or four machine tools, and paying the value of them at the time they are taken over. The Government uses them for 2 or 3 years. In the meantime the man who owned the tools has received their full value. At the end of the period the machine tools are still in existence, but they are practically worn out. Manifestly, we would not say it was proper for the original owner to pay the old value of them upon their return.

Mr. CHANDLER. He should pay whatever is fair under the circumstances, taking into consideration the use which the Government has made of the property, and the wear and tear; but I think "fair and reasonable" is intended to and will cover that. I do not anticipate any trouble with that.

Mr. AIKEN. Mr. President——

Mr. CHANDLER. I yield to the Senator from Vermont, who is on his feet. Then I will yield to the Senator from Florida [Mr. PEPPER].

Mr. AIKEN. Mr. President, I desire to ask the Senator from Kentucky if, in his opinion, the bill goes so far as to allow the President to requisition tools and materials from a concern which is already engaged in manufacturing defense material, and to turn over such tools to another concern which, in his opinion, would use them more efficiently than was being done at the time they were requisitioned.

Mr. CHANDLER. I think I can answer that question. Some of the committee raised the objection that it might be intended to raid small manufacturing plants and help large ones. There is no such intention, although under this language the President would have authority to requisition a machine and put it to a greater and better use than that which was being made of it. No one should have any objection to that, although in such circumstances it seems to me it is absolutely foolish to suppose that the President of the United States could not find a machine that was not making defense tools and helping in the defense of the United States. It is not in the interest of the War and Navy Departments to take out of active production for defense some machine that is doing a good job, and it is inconceivable to me that the President would do such a thing; but he could take it—that is, if all these things happen, if he cannot successfully negotiate for it, and he cannot get it otherwise, and the need for it is urgent and he has to prostrate himself. What more do we want a man to do besides making every effort and then just falling down flat and prostrating himself?

There is every safeguard in the world in this bill. The President cannot do anything under it until he does everything else that a human being can do. Why, read the Bible. It says that the Lord said, "My spirit shall not always strive with man." He will not always strive with us. We are going to make the President of the United States prostrate himself. What more could he do after that?

Mr. AIKEN. It is inconceivable to me that he would use the power in any such way. At the same time, this language would place upon the President the burden of determining what group or what concern would use the material and supplies and tools to the best advantage.

Mr. CHANDLER. That is true. Somebody has to do it, and the one designated to do it is the President, three times elected by the people.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CHANDLER. I promised to yield to the Senator from Florida. Then I will yield to the Senator from Ohio.

Mr. PEPPER. Mr. President, I notice that the standard for the payment of compensation which is prescribed in the bill reads:

> Fair and just compensation.

A good many persons have suggested to me that the Congress should, in a general way, endeavor to prescribe some standards by which the agency fixing the price should at least be influenced, if not governed. The approximate language suggested was that immediately after the words "just compensation", there should be inserted "based on fair market value or fair replacement value, so far as practicable."

Mr. CHANDLER. I do not think there would be any objection to that. What we are doing, of course, is providing for fair and just compensation in the manner provided for by a specific act; and under that act the owner of property is not permitted to anticipate allowances for prospective profits, or punitive or other damage. He is not permitted to do that; but we must pay the fair market value of his property. I do not agree with the expression "fair replacement value", because under the bill the Government has no obligation to replace the machine; but if the man wants the machine back he may get it back by paying for it.

Mr. PEPPER. I will say to the Senator that I mean replacement cost as the standard of the measurement of value. As the Senator knows, frequently we say "the fair market value," or "the fair cost of getting another one." That is what I mean.

Mr. CHANDLER. If the Senator will put his amendment in some sort of shape, I shall be glad to consider it. We have other amendments to be considered; and, if the Senator will do that, we will take a look at the amendment.

Mr. PEPPER. I appreciate that.

Mr. HUGHES. Mr. President——

Mr. CHANDLER. I yield to the Senator from Delaware.

Mr. HUGHES. As to the question raised by the Senator from Florida, it occurred to me that in acquiring property from the owner we do not have to fix a value that he is bound by, but we might say that if he is not satisfied with the amount offered, we will pay him 50 percent of that amount.

Mr. CHANDLER. And permit him to sue the Government for the balance.

Mr. HUGHES. Then he will have a right to sue the Government and obtain a fair value by the usual process.

Mr. CHANDLER. The Senator is correct.

Mr. HUGHES. So it seems to me the owner of the property is protected in every way as to that; but I wondered whether the provision in section 2 as to the return of property is entirely clear. I recall that during the last war the property of a brass company, I believe in Ohio, was taken, and was scattered practically all over the country. The dies and other things were taken out and put in other plants, and of course it was impossible, if the owner had asked for the return of it, to have returned it to him. So I wonder if it is clear to say that if the owner desires the property back, and pays the fair value thereof, such property shall be returned to him, because the Government could not return it to him.

Mr. CHANDLER. I think that is taken care of in the first few lines of section 2:

> Whenever the President determines that property acquired under this act and retained is no longer needed—

If he has acquired it and retains it, as I have said——

Mr. HUGHES. Of course, the Government has retained it.

Mr. CHANDLER. There are a few lines up above that which give the President the right to dispose of the property if it is no longer needed for the defense of the United States. That provision was intended to make the bill clear and not to restrict the operation of the lease-lend act; but if the property is retained and the owner wants it back, and it is no longer needed for the defense of the people of the United States—if those two conditions exist—then, if the owner pays fair and reasonable compensation for it, he may get it back. That is fair; and, if he does not, he will not get it back.

Mr. HUGHES. I want him to be able to do so.

Mr. CHANDLER. That is right. I think it is clear.

Mr. HUGHES. That is right; and I do not think the question that has been raised as to what he would have to pay to get it back is an important one. I think he is amply protected in that respect.

Mr. CHANDLER. I agree with the Senator from Delaware. I yield now to the Senator from Ohio.

Mr. TAFT. Mr. President, I wish first to make it clear to the Senator that I am not opposing the bill. I think the committee has done an extraordinarily good job in trying to confine the bill to the real purpose in view. I was very much concerned with the original bill, which covered any property of any kind or character, real or personal, tangible or intangible. But as I understand the bill now before us, it is confined to military or naval equipment, supplies or munitions, or parts of them, or machinery necessary for making them. So I take it the bill is intended to provide only for the acquisition of property which may be necessary to carry out a military or naval program. Is that the Senator's interpretation?

Mr. CHANDLER. To take property necessary for the defense of the people of the United States. Of course the Senator and I both know that means the Army or Navy.

Mr. TAFT. No; I know that the defense of the United States is a broad term. One might take the newspapers, or the railroads, or the telegraph companies, or anything else of that kind, for the defense of the United States. As I understand, that does not apply to the bill before us. It must be confined to military or naval equipment, supplies, or machinery necessary to make them.

Mr. CHANDLER. I agree it is limited, when we take into consideration the first bill submitted, but the War Department and the Navy Department, the Under Secretary of War, Mr. Patterson; and Captain Jones of the Navy, and the office of the President, have all said that with this bill they could do anything they wanted to do, at least anything they could foresee at the present time, to acquire property necessary for the defense of the United States. The Senator wants to make me say something I do not know, and I will not say it.

Mr. TAFT. The bill reads—

> the use of any military or naval equipment, supplies, or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions—

And so on.

Mr. CHANDLER. The language speaks for itself. I think that is a fair interpretation. That is the Senator's interpretation.

Mr. TAFT. Does the Senator think, for instance, that this would authorize the Government to take over the railroads? Under the original bill that would have been possible. Does the Senator think this bill makes such a provision?

Mr. CHANDLER. I do not think it does and I think the President would request additional authority.

Mr. TAFT. I am glad to have the Senator's opinion in regard to that.

Mr. CHANDLER. That is not the law; that is merely my view.

Mr. TAFT. In the first place, it certainly does not include real property. Is not that true?

Mr. CHANDLER. Unless that property could be construed as necessary, unless the bill is broad enough to give the President power to take the property in the defense of the United States. The Senator is asking me for a legal interpretation, and, so far as I am concerned, the Supreme Court makes the legal interpretations for the people.

Mr. TAFT. I cannot see how equipment, supplies, munitions, machinery, tools, or materials, could possible include real estate.

Mr. CHANDLER. Nor can I.

Mr. TAFT. I should like to know whether the Senator agrees with me in that interpretation.

Mr. CHANDLER. I do not think it is contemplated that we put into the law power to take what the Senator suggests.

Mr. TAFT. Does the Senator think the President would be justified in using the proposed law to enforce a price-fixing regulation?

Mr. CHANDLER. No; I think messages will be sent about that. That will come a little later.

Mr. TAFT. Does the Senator think the proposed act is intended to be used for the purpose of fixing prices for the general public, say upon cotton yarn, or any other material?

Mr. CHANDLER. It is not intended by me to be used for that purpose.

Mr. TAFT. The Senator does not think it should be used as a club?

Mr. CHANDLER. I will reserve my judgment on that until a little later.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. THOMAS of Utah. Would not all worry and concern be removed regarding radio stations and newspapers and such other property which might be construed as supplies, or something of the kind, by reading on page 4, line 13, "When such need is immediate and impending and such as will not admit of delay or resort to any other source of supply"?

I was wondering whether, with the multiplicity of radio stations and newspapers, the time would ever come when there would be a particular station or particular newspaper which would make it necessary to resort to any other source of supply.

Mr. TAFT. Mr. President, will the Senator from Kentucky yield?

Mr. CHANDLER. I yield.

Mr. TAFT. While I thoroughly like the provision the committee has inserted, to the effect that the need must be immediate, until all other means are exhausted, I may say that in my opinion it does not mean anything so far as the administration of the act is concerned. The President does not handle these matters himself. Some clerk in the War Department writes an order and sends it to the White House. The President does not go into the findings, he could not possibly do it, and the restrictions we put on the power of the President are wholly and completely unenforceable, and in most cases no attention will be paid to them by the departments, particularly the departments drawing up the orders. There will be an approximate finding that certain conditions exist, but there will not be anyone who can investigate and determine whether they exist or not. The President is wholly unable to go into all these things—there may be hundreds of them—and determine for himself whether or not the law is being carried out. No doubt he will be anxious it should be carried out, but, in my

opinion, this kind of restriction, when we give the President all-inclusive power, affords no practical limitation on the President's power.

Mr. THOMAS of Utah. Mr. President, will the Senator from Kentucky yield further?

Mr. CHANDLER. I yield.

Mr. THOMAS of Utah. The Senator does not imagine that the President is going to have hundreds of cases of this kind; or does he think there ever was a time when there were hundreds of cases of this kind?

Mr. TAFT. The testimony was to the effect that during the World War there were two or three hundred cases.

Mr. THOMAS of Utah. Yes; but not resting on the President's desk at any one time.

Mr. TAFT. Oh, no.

Mr. THOMAS of Utah. Or causing any confusion. I think it is a reflection on American industry, I think it is a reflection on the American people, when we consider the way in which they have responded to practically every demand the President of the United States and the Congress of the United States imposed upon them in regard to defense, to imagine that the President is going to have hundreds of cases wherein he will have to seize and take over property in order to provide the materials, the tools, or whatever else may be necessary for the national defense.

We all know that this bill becomes essential because of an extremely small minority, and if we think in terms of the situation as it is, I am sure no one need be disturbed.

Mr. LEE. Mr. President, will the Senator from Kentucky yield?

Mr. CHANDLER. I yield.

Mr. LEE. In regard to the point just discussed, Mr. Baruch, who was chairman of the War Industries Board during the World War, in his memorandum to the Joint Congressional and Cabinet Commission—389-390 of American Industry in the War, Prentice-Hall, 1941—made this statement:

> In practice the power to commandeer was very rarely used. It remained in the background as the effective persuasive force which vitalized the whole program of regulation.

Mr. CHANDLER. I thank the Senator for that observation. He anticipated me somewhat. I was about to reach that. Only the existence of the power of immediate requisition will make it possible for the Government to meet the growing crisis. It is the existence of the power rather than the exercise of it that seems to me the most important thing.

There is a scarcity of certain essential materials, and the scarcity is becoming more acute. There is one weapon which is of inestimable value to the United States. It is the considered opinion of those familiar with the subject that equipping the armed forces is a tremendous task, and its importance is increasing rather than diminishing as the program progresses, and that such a law as that proposed, is not only necessary, but urgent. The experience of the country indicates that supplying the necessary materials cannot be accomplished without the power to requisition essential materials from those who, as the Senator from Utah says, may be unwilling to give up essential supplies and equipment. There are not many of them, but if there is the power, the Government will be in position to defend the people.

I agree with the Senator from Ohio. The President of the United States will not be able to handle all these things himself. They are not all going to the President of the United States. The Senator's distinguished father was President, and I wish when people criticize the present President they would be just as generous to him, when some things are said, as in criticizing him for things they claim he does not do. It is said he will not know about everything; but whenever something happens people do not like, the President gets the blame, whether he deserves it or not. He has to take the responsibility. Every man he appoints he hopes will do a good job. There are many at the head of boards and commissions who will take the credit for a good thing, but when something bad happens, they will put the blame on the President of the United States. In a small way, as the Governor of my own State, I found a few fellows who were always ready to get publicity and to have their pictures made, and who would say, "Look at what we did; we killed a bear." If something went wrong they would say, "Well, the Governor did that, and he cannot escape the results of it." The President is not trying to escape the responsibility. The President must deal with manifold and divers things, and because of the great pressure of duties upon the President, Senators ought to be a little generous to him if sometimes he gets in trouble. If Senators were in his place they would make mistakes also.

The other day a witness came before the Military Affairs Committee and said, "If we do not give the President certain powers, yet he would have an obliging Attorney General who would let him do what he wanted to do anyway." If the Senator from Ohio [Mr. TAFT] were President, or if the Senator from Michigan [Mr. VANDENBERG] were President—and if elected I expect they would be good Presidents—the first thing either one of them would do would be to appoint an Attorney General—an obliging Attorney General. He would have to be obliging; if he were not, he would not have a chance. An obliging Attorney General? Of course, one would want an Attorney General to be obliging. That is the least one would want him to be.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. PEPPER. I was looking at the language on page 4, in line 9, "any military or naval equipment." I wonder if the able Senator and the distinguished committee have used that language in the sense of "equipment, supplies," and so forth, that were strictly speaking and technically military or naval equipment, or whether it meant articles of a military or naval value? Is there any distinction between them?

Mr. CHANDLER. I do not think there is. It presupposes that in order to defend the United States the President will find it necessary to obtain the use of any military or naval equipment, or supplies, or anything that is necessary to defend the people of the United States. I will ask again: What more are we going to require the President to do than to find that the proposed action is necessary; that a delay might invite disaster; and to say that he has exhausted every other means in trying to find a way out, or trying to make arrangements with some persons who can furnish such materials to the Government. After he found he could not make the arrangements he would then say, "All my effort has failed, I cannot get these materials for defense; I must take the property for the defense of the United States at a fair price." The Navy Department, the War Department, and the Office of the President insist that, so far as they can now foresee, if the measure is passed they can do what is necessary for them to do in order to defend the people of the United States.

Mr. President, I do not desire to detain the Senate any further. The bill has been carefully considered. It received the unanimous vote of the Senate Committee on Military Affairs. If it did not, I am mistaken, because no word was said in opposition to it when Senators who are members of the committee were asked to approve the bill. It seemed to me to be a unanimous approval. There was no record vote on the matter. When the question was asked if there was any opposition no one uttered a sound. I do not know what member of the Military Affairs Committee is opposed to the measure now, but I know the need for this measure is urgent, that the bill is a good one, that proper safeguards are placed in it, and that it ought to be passed. I hope the bill will be passed.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HILL. Must we not have this bill? Do we not need it, so to speak, to fill out the circle of our defense? As the Senator knows, we passed the Selective Service Act for the drafting into service of men. We passed section 9 of that act giving to the Government the right to take over plants in the event their owners and operators refused to fill Government orders. Then we passed a priorities Act, giving to the Government the power to establish priorities. Of course, priorities deal with things in the future, things that are to come into being. Now in order to round out this circle so that if need be the Government can requisition or take existing inventories, material, or specific machines, or equipment, the Government must have the power embodied in this measure. Is that not true?

Mr. CHANDLER. I agree with that statement.

Mr. HILL. Until we pass this measure we have an opening in the circle; the circle is not complete; we have not taken the last step and the necessary step in order that we may have manpower and then have the necessary supplies and equipment needed for such manpower. Of course, there is no Senator on this floor who would vote to draft a man into the armed service and then not be willing to vote to give him the equipment which

he must have if he is to be properly trained and prepared, and which he should have if, Heaven forbid, he should be sent into battle, in order to give him the best possible chance to protect his life and take care of himself. Is that not true?

Mr. CHANDLER. Mr. President, I agree with the statement of the Senator from Alabama. This week the Chief of Staff of the Army of the United States, and other high-ranking generals have appeared before the Senate Committee on Military Affairs. They all say—there is no division among them so far as I am able to find—that the country faces a dangerous emergency. We are responsible to the people of the United States for the armed forces of the United States.

A while ago I started to say—and it was not in connection with this bill, but I thought it ought to be said—that I would hate to put my own judgment against that of the Chief of Staff of the Army of the United States, General Marshall, or against that of General Haskell, or General Williams, or General Devers, who is the new commander of the armed forces at Fort Knox. I would hate to put my judgment against theirs with respect to the military situation in the United States of America at this time. If the emergency is as grave as those generals say it is, I think the Congress of the United States ought to have courage enough to declare, so far as we are able to find out, what the situation is. Then every patriotic man and woman in the United States will support the President of the United States, and there will not be any talk about sending home a young man in the Army who is about two-thirds trained, to forget what he has learned, so that he will be at home or some place else if an emergency should arise.

We hear much perfervid talk about losing the lives of American boys. I know of no one who wants any American boys killed. It is about as foolish a thing as I have ever heard for a speaker at a public gathering to ask the question of the gathering, "You do not want your boy killed, do you?" The answer, of course, is "no." No one wants any boy killed. Another question that is asked is, "You are for the flag, are you not?" Of course, everyone is for it. Another question that is asked is, "You do not want the Government to spend so much money that it will go bankrupt, do you?" Why certainly not; no one wants the Government to do that.

Mr. President, I shudder to think that might have happened to the country if we had been attacked a year ago, because military men say—I do not mean some military men; I mean the Chief of Staff of the Army, and I mean the high-ranking officers who are trying to train these boys—what would have happened to us if we had been attacked a year ago would have been terrible. We are in better shape today, thank God.

We hear talk about the boys being killed. Of course, a boy may be killed if we go to war. But it seems to me inconceivable that there should be talk about permitting an owner to keep a machine or to keep material for a more advantageous price when American boys in the Army of the United States need to be backed by those supplies and those materials. I think the Congress of the United States, based on the information it has, should tell the people of the United States what the understanding of the Congress is with respect to the situation. Then Senators would not receive letters from boys saying, "I do not want to stay in service more than a year."

Mr. President, I have a couple of little boys. They play soldiers. They can move their soldiers more quickly than General Marshall can move his, and they can do it with fewer restrictions than surround General Marshall, who is playing for keeps against a man who makes a friendship pact with you and then hits you in the eye.

Mr. SMITH. Mr. President——

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from Kentucky yield to the Senator from South Carolina?

Mr. CHANDLER. I yield.

Mr. SMITH. Does the Senator have any accurate knowledge of just what is the condition that confronts this country?

Mr. CHANDLER. No more than has been transmitted to me by the Chief of Staff of the United States Army.

Mr. SMITH. I think it is time for the Congress to know some facts. Ananias and Sapphira were Sunday school teachers compared to some of those from whom we receive reports. One report says that one side is winning, and another report says that the other side is winning. Both reports are published in the same headlines in the newspapers.

I think the American people are entitled to know just what is the situation, without fear or favor. I was somewhat astonished when the Senator said to a couple of our colleagues who may be President—I think they stand a chance—that they would appoint attorneys general who would be obliging. He did not mean to say that they would appoint attorneys general who were not qualified for the office or who would not administer the office without fear or favor.

Mr. CHANDLER. No.

Mr. SMITH. I think it is time for us to stop favoring men with big jobs because of political work which they do. If we do not "get down to brass tacks" and get away from brass heads, we shall be in a terrible situation. Every single sacred office we have is polluted with rotten politics; and I am sick and tired of having the American people believe that if I will pay the price of subserviency and crook the pregnant hinges of the knee, thrift will follow fawning. That seems to be the doctrine of America today. God grant that we may have some men who will put their country and their duty above selfish interest. I know that is a difficult thing to do.

I should like to know what is the great menace to America now. If it is infinitely worse than it was a year ago, we should know it. We should find out what is threatening us. I know that there is a possibility that someone may come from across the ocean and attack us. I say there is such a possibility. I do not say there is any such a probability.

I think it is about time for us as a body—if there are enough of us here who are worthy of the seats we occupy—to demand the facts. If we cannot get them we should appoint a committee to find out the real facts. Why should the facts be withheld from the American people? The American people will defend this country when it is threatened. We need not worry about that. There is plenty of patriotism left in this country. I become weary in my efforts. I may be like the man who was on the jury. The judge said to him, "What in the world is the reason why you cannot reach a verdict?" The man replied, "There are 11 of the damnedest fools in there, and every one is against me." [Laughter.]

Mr. President, I believe in open discussion with the American people, rather than star-chamber proceedings. I believe that the committee amendment, as compared with the part which is stricken out, is really a happy—not a compromise, but a happy exercise of common sense. The original language was enough to give every American citizen mental, moral, and physical indigestion.

Mr. CHANDLER. Mr. President, I agree with the statement of the Senator from South Carolina that the people of the United States ought to be apprised of the situation. I think the President has undertaken to apprise them of the situation. I know that last week General Marshall undertook to apprise them of the military situation of the country. I know that no general in charge of the Army of the United States can be expected to defend the people of the United States in case of attack if his Army is at home.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to the Senator from New Mexico.

Mr. CHAVEZ. That idea was just as good last year as it is now.

Mr. CHANDLER. I think so.

Mr. CHAVEZ. Then why did we not pass such a bill at that time?

Mr. CHANDLER. I cannot answer that. I do not know anyone else who can. If I could see as far ahead as I can see behind, some of the bumps I have would be on somebody else. [Laughter.] However, I cannot see as far ahead as I can see behind. I think it is becoming increasingly more important for everyone of us in the United States Senate to be a little less critical of those who are in charge of the Government because, God knows, if they do not steer us through I do not know what chance we have. We should be a little more helpful to those in charge of the Government.

Mr. CHAVEZ. Congress is a part of the Government.

Mr. CHANDLER. Yes; but there are times when I would not want to argue about that point. When we are in distress, I should not be wholly unwilling to sacrifice some of the pride I feel because I am a Member of the United States Senate. I should be willing to give up a little of that in the interest of the people of the country.

Mr. CHAVEZ. A little while ago the Senator cited some historical facts in order to make his point concerning the pending bill.

Mr. CHANDLER. Yes.

Mr. CHAVEZ. As a matter of history, so far as our armies are concerned, the legislative body has always had control, has it not?

Mr. CHANDLER. I am not interested in the question of who has control. Perhaps in the past the legislature always has had control. The thing in which I am interested in the future is that that branch of the Government shall have control which by its action can more nearly guarantee the defense of the people of the country. I should be willing to give up the control if I thought someone else could do the job more successfully and in the long run achieve the best results for the people of the country.

Mr. CHAVEZ. For years we have been talking of democracy. We are talking about saving democracy now. Does not the Senator from Kentucky feel that the proper way to preserve democracy is to permit the various branches of the Government of the only democracy to function the way they should function?

Mr. CHANDLER. I can conceive of a situation which would be so desperate that if someone had to ring a bell and call the Senate together in the hope that by what the Senate did the situation might be saved, such action would be too late. In the desperate hours of last year I do not think England was concerned with what Parliament said. I think England was more concerned with tanks, guns, bullets, barbed wire, and boats to keep the enemy off.

Mr. CHAVEZ. Mr. President, I am one Senator who worries more about the future of the United States than about England. I can conceive of the same things as can the Senator. But can he conceive of preserving a democracy such as the United States in any other way than by the processes we have continued for 150 years?

Mr. CHANDLER. I am glad that democracy is still an issue in this country. It is dead nearly everywhere else. No man, no matter how patriotic he may be, can exceed my concern for my own country. I bow to no other citizen in the country in that respect. I was born here. I have four children who were born here. All I have is here. I have never been to England. I am not concerned about England, except as a hope of delaying the prospective invader until my people can get ready to take care of themselves.

Mr. CHAVEZ. I agree with the Senator.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. BARKLEY. Is not the fact that we are now discussing a bill giving the President power to do certain things which Congress cannot physically do an evidence that our democracy still functions? Congress cannot itself obtain materials and supplies. It must authorize someone to do so. In this case we are seeking to authorize the President, as our agent, and also as Commander in Chief of the Army and Navy, to do the job. There is nothing in such action which violates the processes of democracy. We are now discussing the question whether we shall confer such authority on the President.

The President has just sent a message to us asking us to amend the law so as to enable the Army to retain the draftees, the National Guard, and the Reserve components for a longer time. Is not that a part of the process of democracy? The President will not attempt to retain them in service unless Congress authorizes him to do so. Congress cannot itself train men and keep them in the service, or release them. Someone who is the agent of Congress must do so. It seems to me that the very thing we are doing is a confirmation of democracy in what has been described as the only democracy left in the world. I think we are all bound to admit that we cannot ourselves, either individually or as a body, take command of an army. Nor can we buy anything. We can only authorize someone to do it, because that is an executive or administrative function. Our function is to legislate.

I do not see anything that has happened in regard to this matter that is in any way an impingement upon the democratic processes which have always existed in this country. Of course, when there has been an emergency, when there has been a war or threatened war, or a great emergency, from the date of the Declaration of Independence down to now, Congress has authorized someone to do some things which it could not do. Such action by Congress has been in furtherance of the process of democracy, and we are furthering that process right now by discussing this matter and determining whether we will confer this authority.

Mr. CHANDLER. The statement of my colleague is entirely correct.

I was glad a while ago to have my good friend, the Senator from South Carolina, interrupt me. Let me say that I think the Congress ought to be apprised of the situation; I think the President should enlighten Congress if he knows, and I think General Marshall should enlighten them if he knows as, indeed, he undertook to tell us in the Committee on Military Affairs, but if the Senator says he does not believe the statement, I do not know how to tell him to go about finding out the facts.

Mr. SMITH. I do not know, myself.

Mr. CHANDLER. I do not know, either. I am not trying to tell the Senator. I shall endeavor to find out, and if the Senator will listen to me, I will undertake to tell the Senator. But I have not undertaken to tell him because I am not sure I know. But if I undertake to tell him that the President says that the emergency is more dangerous and more acute than it was a year ago, and that General Marshall says it is very much graver than it was a year ago—and I say this to every Senator—then, if we would say we believe that, and if we would tell all the people of the United States that that is true, does any Senator think any patriotic boy or his mother would try to stop him from doing the maximum of service to his country, if it was in need of his service?

Mr. SMITH. If the Senator will allow me, I think this country should always have an adequate army and navy regardless of a menace. There is no use for us to become hysterical because men are fighting over in Europe. I think it is our duty at all times to have an adequate army and navy, thoroughly trained, and ready to defend this country against all aggression.

Mr. CHANDLER. Let me interrupt my friend. Whose word is he willing to take that we have an adequate army and navy, even now?

Mr. SMITH. Oh, I do not think we have; no.

Mr. CHANDLER. If the Chief of Staff says we have not, would the Senator take it that he is fairly correct about it?

Mr. SMITH. No; I would rather find out for myself. I do not take anyone's word any more. I do not know what is the matter with the country. Something is wrong somewhere.

The point I desire to make is, why do we not have an adequate army and an adequate navy? We have spent about $70,000,000,000 in times of profound peace at home. If that is an overstatement, put it at $60,000,000,000. When we speak of billions I am out; I do not know anything about it. I just use the word. But still we do not have an adequate army and navy, and we are inadequately prepared.

I do not believe in this draft business, either. I believe that if the American boys cannot volunteer to protect their country it is not worthy of protection. Someone may say, "Well, the really worthy ones would come and the unworthy ones would not." I believe in giving the boys of this country a chance to come to the defense of the country.

Mr. CHANDLER. Of course, we do down home; because the Kentucky boys led all others in volunteering for the service of the people of the country. But if we cannot get the people of the other States to come along, what are we going to do about it? And now if we are not adequately prepared, should we agree that it is right or smart or the part of wisdom to send the boys home?

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. CHANDLER. I will yield in a moment.

Mr. SMITH. I think when we made a contract with a boy and said, "You are going in for a year," and after we get him in say, "We have to keep you longer," it is not good faith. I believe in keeping faith, even if I lose. A man's word is all he has, in the last analysis, and when we drafted the boys with the understanding that it would be for a year, and now put it up to them and say, "How many of you are willing to stay," is that keeping faith with them?

Mr. CHANDLER. In the selective service and training bill we saved to ourselves the right to declare that the Nation was imperiled, and such a declaration would take the matter out of the category the Senator states. I, for one, am willing to say that I believe the Nation is imperiled, and from what the President says and what the Chief of Staff says we ought to say it; and that puts the matter

in a different category. We foresaw just that situation and saved to ourselves that right when the bill passed.

Mr. SMITH. But not 1 percent of the American people ever read the Constitution, and less than that number knew just what was in the Draft Act. They were informed that the service was to be for 1 year. Every boy I have talked to has said, "I am in here for a year." He believes his Government called him for a year. Now it transpires that either actually or fictitiously the situation is very much graver, and that therefore we are going to keep the boys for a longer time. I do not believe in breaking faith.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to my colleague, and then I will yield to the Senator from Illinois.

Mr. BARKLEY. I do not desire to take precedence over the Senator from Illinois. Of course, I do not want to get into a discussion of the recommendations made today by the President. I believe they will be thoroughly discussed when we reach that measure. But in view of the remark of my dear friend from South Carolina, that he still thinks the volunteer system ought to prevail, let me say that it has been repeated over and over again that in modern warfare it is utterly impossible to adopt that system and to proceed on that theory. If it were possible to adopt it, and if, as he says, we could get an adequate army by having those who are worthy and willing go forward and volunteer, and by having those who are not willing to volunteer, and who, therefore, are not worthy, remain at home, the result in any war that caused the death of any great number of men would be that the worthy men would be killed, and all the unworthy men would be left at home. I do not accept that theory. I have never been willing, and I am not willing now, to have the battles of this Nation fought only by the brave young fellows who are willing to rush forward, and to have all those who prefer to do so stay at home and reap the benefits of the sacrifices of the others. I have never been willing to agree to any such theory as that, and I never will agree to any such theory. I do not agree with the opinion of the Senator from South Carolina.

Mr. SMITH. That is the Senator's opinion, and it does not change mine.

Mr. BARKLEY. Nothing can do that.

Mr. SMITH. Nothing of the kind has been presented. All I insist is that if the spirit of loyalty to this country cannot cause its people to go out and defend it, it is not worth defending. If cowards are put into the Army, I think the result will be bad. Some of the greatest generals we have had were killed by men of that very kind. I have one such instance in mind now.

But be that as it may, I think we are entitled to know what terrible cloud is on the horizon menacing America. I know it is a pretty big job for us to go out and police the world. I do not know about the South American countries. They may be all right, but I do not know the character of their people sufficiently well to know that we can depend upon them any more than we can depend upon ourselves.

Mr. CHANDLER. I now yield to the Senator from Illinois.

Mr. BROOKS. Mr. President, I think we have been talking a great deal about extraneous matters.

Mr. CHANDLER. I will say that I may be responsible for that, Mr. President, but I do not apologize for it, because they are matters I desire to discuss; and when a Senator is here to talk he usually can talk as he pleases as long as he can hold out. I do not take the floor very often; so if I have used the Senate too roughly in discussing these matters, I am sorry. I will get back to the matter in hand.

Mr. BROOKS. I think the bill in its present form is a good bill; I think the original bill was a bad bill and I should have opposed it with every means at my command. I believe, however, our problem is principally this—that so far as patriotism is concerned we would not have to pass a bill such as this in order to obtain voluntarily all the material there is in America for defense if the businessmen who have been employing the materials felt that it was just for the defense of America. Furthermore, I do not believe we would have any trouble with any selectee not wanting to come back from Alaska or any other place if he felt sure that he was not going to be sent on to Asia or Africa or Russia. I think that is the problem confronting us. When we talk about the processes of democracy, I sincerely believe that democracy will die just as surely as we are in this Chamber unless the people elected to office, when making pledges while asking the people for office keep their pledges to the people after election. The boys who have been taken under the draft law passed by Congress for 1 year had a right to believe that under that law they were making plans for their 1-year period of service. They had a promise in fact from the Congress as well as from the President that that is what they were being taken into the service for. I am never going to criticize them because they would like to come home, and I say in defense of their wanting to come home that I believe the patriotism of America was never higher than it is today if we do not try to tell them that they have got to police the world or they have got to fight for the democracy of Russia or any other totalitarian country across the sea. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The Chair will admonish the occupants of the galleries that those who applaud violate the rules of the Senate. The Chair requests the occupants of the galleries to refrain from demonstrations of any kind.

Mr. CHANDLER. I am not in disagreement with my friend from Illinois, but if, instead of being a Senator he were General Marshall, who, of course, has an obligation, too, and is trying to defend the United States he might have a different idea about the duty to defend the people of this Republic. General Marshall and other generals indicated in their testimony before the committee that less than 10 percent of the selectees would want to come home or would be seriously inconvenienced. As the Senator states, the selectees are patriotic and are willing to fight for America, if it is in danger; but the Army should have the right to weed the men out; and if some are really homesick—and such men are not going to be able to fight much anyway—and want to go home, and others in the Army do not want to be there, the Army could make proper arrangements. The Senator and I know that has happened in the past.

Mr. BROOKS. It did not happen in my outfit.

Mr. CHANDLER. Nor in mine, but it did happen in other places.

Mr. BROOKS. Mine were all volunteers and they wanted to be where they were.

Mr. CHANDLER. Yes, and mine were all volunteers. But, manifestly, there are some men now who want to go home. It was testified, however, that less than 10 percent might not want to continue in the Army. General Marshall can let them go home, and get somebody else who wants to stay and be a soldier. One of the most foolish things that we have heard proposed is that the Chief of Staff ought to have garrisons in Hawaii and and Alaska made up of men whom he has to send home in September. By the time he got the men there it would be almost time for them to come home; it would be a nice boat ride; but they would be of absolutely no use to the people of the United States. There is no reason or excuse for sending them there under such an arrangement.

Mr. CHAVEZ. Mr. President——

Mr. CHANDLER. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I think the Senator from Kentucky and I are about to reach an agreement. The Senator said a little while ago that we had a saving clause in the last bill.

Mr. CHANDLER. So we did have.

Mr. CHAVEZ. That is exactly what I have in mind.

Mr. CHANDLER. I do not know whether the people know about that. I do not know what laws the people have read. The Senator from South Carolina has read or knows about them; and the people are depending on him to tell them what is in some of those laws.

Mr. CHAVEZ. It is about that saving clause that I wanted to speak. We passed that bill and the boys were promised under that bill that they could get out of the Army in 12 months; but if a certain emergency should occur, the Congress would do certain things. If there is such an emergency, let the Congress be advised of it, and I feel that the Congress will do its duty; but let us do it according to the processes provided in the law.

Mr. CHANDLER. I have no wish that it be done otherwise; but the President and the Chief of Staff have already notified us that that has happened. I prefaced my remarks by saying that I, for one, was willing to tell the people the truth.

Mr. CHAVEZ. But Congress is the one that has the say.

Mr. CHANDLER. Of course, I do not speak for the Congress; I am just one

Member of the Congress, and I can only speak for my part of it.

Mr. CHAVEZ. But it is the responsibility of Congress to declare the emergency.

Mr. CHANDLER. I think the people ought to know the true situation.

Mr. CHAVEZ. If Congress is advised of the emergency, those inside the Congress will say so.

Mr. CHANDLER. I am not going to forecast as to what Congress will do; I have not been here very long, but I have been here long enough to know that I should not guess as to what Congress will do.

Mr. CHAVEZ. If the Congress is advised as it should be advised as to what is going on, Congress will not evade its responsibility.

Mr. CHANDLER. I hope the Senator is right. I am not evading my responsibility.

Mr. SCHWARTZ. Mr. President——

Mr. CHANDLER. I yield to the Senator from Wyoming.

Mr. SCHWARTZ. I realize, of course, that Congress ought to be informed; I realize also that the average Member of the Senate is really a very busy man and has many other things to do except to attend committee hearings, and I think if the Senator would read all the testimony which has been given, not only on this bill but on another bill relating to the extension of the term of service of selectees, and especially the testimony which was given this morning—the Senator from Kentucky was not able to be present at that time—he would find a forecast at least of what the Army view is as to what is the present situation, and not merely a statement that "I believe this" or "I believe that." It would be interesting to read that testimony, not only as to the viewpoint of the Army and the administration, but the testimony of those who are in opposition. The testimony on both sides is very cogent and persuasive. I think the main difficulty is that we do not have the time physically and by the clock to read all the testimony given before the respective committees.

Mr. CHANDLER. The Senator and I are not in disagreement. We owe an obligation to the people of the country to tell them what the situation is. I have got to believe somebody; and after the President of the United States and the Chief of Staff have made deliberate straightforward statements I am constrained to believe them. I do not know what else to do. If the Senator from South Carolina does not want to believe them, very well; but I am going to believe the President of the United States and the Chief of Staff when they say that there is an emergency, because I am not one of those who think they are trying to create an emergency of war.

Mr. BARKLEY. Mr. President——

Mr. CHANDLER. I yield to my colleague.

Mr. BARKLEY. I merely wanted to suggest to my colleague, who is so ably presenting the bill and defending the position which he takes, that when it comes to giving information we all believe that not only Congress but that the country ought to have all the information that could be given, subject, of course, to the reservation that information ought not to be given that would be of value to any potential enemy of the United States.

We have talked about Alaska. I do not know how many soldiers there are in Alaska, but I know there are not so many there as there ought to be.

Mr. CHANDLER. That is right.

Mr. BARKLEY. I know that to be so, because we have not had the men to put there, but it may be a military secret. I do not know whether it is a military secret as to how many men we have in Alaska and just what use they may be put to in any emergency that may be created in that region; but there are possibilities in that region, as we all know. It is not necessary for the General Staff to tell me that; it is not necessary for the Chief of Staff to tell me that we may have difficulty in the Western Hemisphere when only last week the Government of Bolivia was required to declare a national siege because of Nazi efforts to overthrow the Government of Bolivia in South America. The General Staff does not have to tell us that. We know that; we know that it was directly due, as stated by the head of the Bolivian Government, to the Nazi effort in Bolivia that he had to declare a national siege. We know that.

I do not know how many men have been sent to Iceland; it has not been given out, and it ought not to be given out, because that is the sort of information which I do not think any potential enemy ought to possess; and it cannot be given to the American people without being broadcast around the world. I do not know how many men will be required to garrison the bases in Newfoundland, in Bermuda, in Trinidad, in British Guiana, and in other places. It is not necessary for me to know how many men are to be sent there in order to know that we ought to have enough to defend them. If we are not going to defend those places, we ought not to have taken them over.

There is a certain type of information—and I speak in all good faith and the utmost kindness, of course—with respect to the movement of troops, and the number of troops to be sent or withdrawn from any particular point, which I do not think ought to be required to be given out. There are certain specific situations existing in the world and in the Western Hemisphere that it is not wise to go into detail in laying out on the table. There are many sensibilities that enter into the thing—pride of nationality and the fear that may exist in the minds of some persons in other countries that there is some ulterior motive on the part of the United States in respect even to cooperation with them to defend their own countries. There are certain things in that regard that cannot be laid open. The President of the United States and the Secretary of State have intimate knowledge of all the cross-currents of international affairs and are bound to know more about them than anybody else can know. I do not believe that the American people or the American Congress would require that they lay on the table all the information which they have gathered from all parts of the world with respect to our international situation. When we talk about advising the people what the situation is, there are certain intimate things that cannot be laid before the people.

Mr. SMITH. Mr. President, if the Senator will allow me, I did not intimate that I wanted to have made public some secrets that we ought to keep from the people; but I want to know what is the real menace. The Senator can state it in general terms; but why is it more acute today than it was a year ago?

Mr. BARKLEY. If I were required to answer that question, I should say that if there was a menace—and I think there was a menace—a year ago, when Congress passed the draft bill, which was not an administration measure, but was introduced in the House by a Republican Representative and in the Senate by a Senator who is now a Republican——

Mr. SMITH. I hope we have got above party lines.

Mr. BARKLEY. I know, but I am using that situation to show that the draft bill was not an administration measure. It was not sent here by the President of the United States or the Chief of Staff.

Mr. SMITH. That has nothing to do with it.

Mr. BARKLEY. It was not sent here by the War Department. More than any other legislation that has been enacted here since this emergency arose it was a congressional enactment, and, so far as I recall, even the President, as Commander in Chief of the Army, never made any public statement about it. He left it entirely to Congress, and I think Congress did as good a job at the time as it was possible to do with the information at hand. Congress knew then that nobody could look a year into the future. Nobody could look 6 months into the future. The question of whether we entered into a contract in connection with that bill in the sense that the Senator and I might enter into a contract to buy a piece of property, or to pay a certain amount of money in a certain way, it seems to me is subject to a difference of viewpoint. The United States Government is a sovereignty. It is supreme, and it would be a futile thing if it did not have power to draw into its defense at any time all the manpower and all the material power required to defend it under any circumstances.

Whether the provision that the men should be drawn in for a year constitutes an irrevocable contract between the Government and the men is a subject, of course, of legitimate debate, but the Congress said in the very act itself—and that was a congressional stipulation—that when the year is out, or before it is out, if Congress in its wisdom decides that the safety of the United States would be imperiled by the discharge of the men, it may, by so declaring, retain them in the service.

Mr. SMITH. The Senator talks, and others of us have talked, as though we were in war.

Mr. BARKLEY. No; I will say to my friend that I am not talking as though we were in war. I am talking as though I want to be ready if we have to get

into the war. I pray Almighty God that we shall never get into it. I voted for one declaration of war in 1917, and I do not want to have to vote for another one, though, if it is the last resort, I will not shun that responsibility if it comes to me.

Mr. SMITH. I think there are plenty of others who would vote for a declaration of war.

Mr. BARKLEY. None of us want such a situation to arise. I am not talking about a situation such as would exist if we were in war. If we were actually in war we would not have debated this bill as long as we have been debating it, and it probably would have been enacted long ago. If we were actually in war we would not debate any other measure as long as we would debate it under the present circumstances. I am not contending that we are in war; but, as George Washington said in his Farewell Address—and we always refer to George Washington's Farewell Address in regard to other matters that appeal in general to men of common sense—"In time of peace prepare for war."

Mr. SMITH. He also said that we should avoid foreign entanglements.

Mr. BARKLEY. Yes; I have heard that, too; but we should not read some one of George Washington's sentences and discard all the rest of what he said.

Mr. SMITH. That is what the Senator from Kentucky is doing. I am taking all of them.

Mr. BARKLEY. No; not at all. If the Senator will permit me, while I am on the subject which he has injected into the discussion, George Washington said that we should avoid permanent entanglements and alliances; and in the very next phrase he said that we should rely upon temporary arrangements, combinations, and alliances, or whatever term he used, to serve the purposes of the United States. We have never entered into a permanent alliance with any nation, though there have been temporary associations between our Nation and others.

Mr. CHANDLER. Mr. President, I am anxious to conclude.

Mr. SMITH. All I want to say is that I hate to be confused about a situation. A responsibility is on me and on others here; yet I guarantee that there is not a Senator on this floor who has a clear-cut idea of what menace is threatening us, except the possibility that some foreign armies, when they have eaten up Europe, may try to get a bite out of us.

We had promises that no soldiers would be sent abroad, off American soil. Those promises do not look so good now, when we have gone into Iceland and keep inching up. We are constantly extending our limits. The 3-mile limit has been extended now to about 1,500 miles. I do not know how long it will be before it will be 2,000 or 3,000 miles. The point I am making is, I want some information as to what the horrible thing is that is threatening America. That is what I want to know.

Mr. BONE. Mr. President——

Mr. CHANDLER. I yield to the Senator from Washington.

Mr. BONE. I was not privileged to hear all the statement of the Senator from Kentucky; hence, he will excuse my interest in this particular matter.

The original Selective Service Act permitted the President and the Army to induct into the service 900,000 men. That is correct according to my recollection. We were assured at that time, while I was not prepared to agree with that conclusion, that a supreme crisis confronted us.

Mr. CHANDLER. I will say to the Senator that I think the law provides for the induction of 900,000 men annually.

Mr. BONE. Well, "annually" means each 12 months.

Mr. CHANDLER. Very well.

Mr. BONE. The law has been on the statute books for 10 months, and we have inducted only 600,000 men in the face of this assumed crisis, when we could just as well have inducted 900,000 men if the crisis were as compelling as it was alleged to be at that time. I know that many Senators were impressed with the gravity of the situation, and yet the very persons who told us that it was so grave have taken advantage up to only 60 percent or 66⅔ percent of their ability to create a reservoir of manpower with training.

I am unable to reconcile the argument with what has been done since. I may be in error on this subject, but nevertheless, the fact confronts us that in the face of a crisis which we are assured has grown greater day by day we have taken only two-thirds of the opportunity presented to us to get a pool of manpower that is trained. I think that is inexplicable.

Second, I want the Senator to tell me if these figures are correct: I am advised that of the draftees now in service, only 13,000 will have completed their year of training in November. Is that correct?

Mr. CHANDLER. I have not the figures at hand.

Mr. BONE. We could put in 300,000 more now and be giving them training. I am wondering why all this tearing of nether garments over the fact that these men ought to be trained, when there are 300,000 who could have been put in 10 months ago and have been given 10 months of training.

Now let me proceed with the figures.

Five thousand men will complete their training in December. Why not have 5,000 more now receiving training?

Why quibble about 5,000 going out in December as though some awful offense were being committed against the Republic, when those who could induct men into the service do not put 5,000 more in now?

Mr. CHANDLER. Suppose, for instance, the Chief of Staff wanted to send 5,000 of these men to Alaska. He would not want to send 5,000 he had just inducted; he would want to send 5,000 men who had been trained.

Mr. BONE. But he could have given them 10 months' training by this time.

Mr. CHANDLER. The fact that he did not does not affect the fact that he does not want to send untrained men to garrison Alaska.

Mr. BONE. The Senator misunderstands my statement. I said the Chief of Staff could have had not only 5,000, but 300,000 men, with 10 months' training.

Mr. CHANDLER. I am not prepared to deny that. But if he has not, when he needs trained men to garrison Alaska, where is he to get them?

Mr. BONE. Let us not talk all around this question. The Senator is a good lawyer. The power was given the Army to put 300,000 more men into service after September 16 of last year. The point is that if we are so desperately in need of trained men now, why did not the Army, in the face of the crisis, induct 300,000 more men?

Mr. CHANDLER. One answer is, they have not trained the men. They have to train them as they get to it. Does the Senator think the Army is chain lightning? They have no way of putting their hands on a boy and saying "That man is trained." It takes time to train a soldier.

Mr. BONE. I want to stick to my text. I said the Army had the power to train the men.

Mr. CHANDLER. They did not do it.

Mr. BONE. Why did they not?

Mr. CHANDLER. I do not know. Of course, I do not know; but they did not do it.

Mr. BARKLEY. Mr. President, will my colleague yield?

Mr. CHANDLER. I yield.

Mr. BARKLEY. The law provides that not more than 900,000 men shall be inducted in each year for training under the selective-service law.

Mr. BONE. That is not an answer.

Mr. BARKLEY. Let me finish. I did not intend that it should be an answer. We agree at least that far.

There were unexpected dalays, of course, as we all know, in building the cantonments, and in the selection of sites, so that while we thought, when we passed the law, that the number of men who would be drawn in would be taken in forthwith, it turned out afterward that we had been a little too optimistic in that regard. The War Department and the Army officers were subjected to unexpected delays. Even contractors who contracted to build cantonments could not complete them within the time desired by the War Department. It was almost the first of the year before the Army was in a position to take selectees.

Mr. CHANDLER. They did not have the guns, they did not have the tanks, they did not have suits, they did not have pants—there were a thousand reasons why the Army did not take more.

Mr. BARKLEY. There has already been another drawing for the purpose of taking more men into the Army. They may be drawn in. It may be that the 300,000 referred to by the Senator from Washington may be taken into the Army as contemplated by the law. It would not be possible to draw 900,000 in at one time. They have been drawn in in small increments. The Army is going to draw more in. Whether they have drawn in all the men possible, in the circumstances in the last 10 months, I do not know, and I do not know what the explanation of the Army officers would be, except in a

general way. But if the recent drawing, which took place last week, is to move toward drawing in more men, it is entirely possible that the other 300,000 contemplated in the 900,000 maximum will be in process of training before the year ends.

Mr. CHANDLER. The Senator knows the Army had no place in which to put these men. Let me tell the Senator a story which will illustrate the point I make. I am a baseball fan, as I think perhaps the Senator from Washington also is. One time an umpire was broken in who, long afterward, became one of the greatest umpires in the national game. I think his name was "Silk" O'Laughlin. When he first broke in, one day he faced a situation when the bases were loaded and the pitcher walked the next man. The umpire scratched his head and said, "You're out." The batter said, "What do you mean?" The ruling precipitated a near riot. "Silk" said, "You have to be out, because I have no place to put you. There's a guy on each one of the bases. You have to be out." [Laughter.]

The Government had no place in which to put these men. I do not want the Senator to be too harsh with the officials. They need more men than they have, and if they had gotten them in, they would be better off than they are now.

Mr. BONE. If we cannot rapidly build cantonments in this day, God help America!

Mr. CHANDLER. They are building them.

Mr. BONE. This situation reminds me of what is going on in this city. For 2 or 3 years I have been driving under a bridge which crosses Massachusetts Avenue. Month after month I have watched the workers laboring a little while, then abandoning the work, then doing a little more, until I began to conclude that if that was business efficiency, this country of ours was in terrible shape, for apparently no one cared whether the work was done or not. Such delays should not go on with respect to Army cantonments.

Let me go back to the figures again, and I will not burden the Senator overmuch. I merely repeat them so that I may be corrected if I am in error. Thirteen thousand will have completed the year's training by November, so that 13,000, at best, would go out then. It seems to me that would not wreck the Army, because obviously between now and November a great many new men will be inducted and will have training between now and November.

Mr. CHANDLER. Let me tell the Senator where the fallacy of that is. General Haskell used to be the head of the New York National Guard. He is now at Fort McClellan, in Alabama. He has a division composed of about 60 percent National Guard and 40 percent selectees. I am not certain that they want to send this division, but let us suppose they wanted to send this division to Alaska. Suppose 25 to 40 percent of those selectees were due to get out in December. If we do not change the law with respect to the National Guard, the guardsmen will get out, too. In his testimony before the committee, General Haskell said:

> That just destroys my division, which is almost a trained division.

What would the Senator do in a crisis like that, if he were the Chief of Staff?

Mr. BONE. I think that a man who has military training could fit in with any particular kind of military work.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. WHEELER. The Senator has been talking about Alaska as if it were some foreign country, and as if it were not possible to train men in Alaska. As the Senator has pointed out, there are some who came in in September, in November, and in December, and there are others who will still have to serve for nearly a year. These men can be trained in Alaska just as well as in Alabama.

Mr. CHANDLER. I am not going to agree to that.

Mr. WHEELER. The Senator may not agree to it, because many persons feel that men cannot be trained north of the Mason and Dixon Line.

Mr. CHANDLER. They cannot be trained as well.

Mr. WHEELER. Of course, I do not expect the Senator to agree that men can be trained north of the Mason and Dixon Line. But if they are to cross the water and fight, they may have to go to Siberia, and they will not be in very tough condition if they are trained in Florida or Texas, and have to be sent to Siberia or Iceland.

Mr. CHANDLER. I am glad to take issue with the Senator on that. He wants the boys trained in temperatures of 70 or 80 degrees below zero, and I want them trained in Texas. An army cannot be trained in those low temperatures as well as it can down South.

Mr. WHEELER. If they cannot be trained in Montana——

Mr. CHANDLER. Oh, now, the Senator is talking about something else.

Mr. WHEELER. The Senator does not know what the temperature is there.

Mr. CHANDLER. The Senator came from Alaska to Montana more quickly than it was ever done before.

Mr. WHEELER. When the Senator says that the temperature in Alaska is 70 or 80 degrees below zero all the time, he does not know what he is talking about.

Mr. CHANDLER. I did not say that. The Senator from Kentucky does not know what the Senator from Montana is talking about. He would not put his knowledge against that of the Senator from Montana. I did not say that the temperature was 70 degrees below zero all the time, or at any time, but if it was 70 below zero an army could not be trained there as well as in a temperate zone where the corn tassels are waving.

Mr. WHEELER. But they are to be taken to Iceland.

Mr. CHANDLER. The Chief of Staff is going to send them up there to defend the United States. Of course, the Senator from Montana would not send them anywhere. He would keep them at home.

Mr. WHEELER. I certainly would not send them to Africa; I would not send them to Iceland; and I would not send them to Egypt. I would not build bases in Ireland, and I would not do many things that are being done without the consent of the Congress of the United States.

Mr. CHANDLER. The truth of the matter is, the Senator does not know what he would do if he were President. The Senator sought to be President, and I say he would have made a good President if he had been elected, but he does not know what he would do if he were President.

Mr. WHEELER. Well, I know.

Mr. CHANDLER. The Senator really does not know what he would do.

Mr. President, I should like to conclude my remarks.

Mr. O'MAHONEY. Mr. President, I make a point of order.

Mr. CHANDLER. Mr. President, I have the floor.

Mr. O'MAHONEY. The Senator does not.

Mr. CHANDLER. The Senator from Wyoming is mistaken. I do have the floor.

Mr. O'MAHONEY. Mr. President, the debate this afternoon is going on in a perfectly disorderly manner. I desire to call the attention of the Chair and of the Chamber to the fact that a Senator should address the Chair before he speaks or before he interrupts another Senator. That is the rule of this body.

The PRESIDING OFFICER. That is correct. The Chair sustains the point of order, and asks Senators please to proceed in order.

Mr. CHANDLER. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. CHANDLER. Then the Senator from Wyoming is mistaken. I yielded to the Senator from Montana; and the rougher he makes it the better I like it, and that is none of the business of the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I make a point of order.

Mr. CHANDLER. Mr. President, I should like to proceed now.

Mr. BONE. Mr. President——

Mr. CHANDLER. I yield to the Senator from Washington.

Mr. O'MAHONEY. Mr. President, I make a point of order.

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. O'MAHONEY. Mr. President, I make a point of order.

Mr. CHANDLER. The Chair ruled on the Senator's point of order.

The PRESIDING OFFICER. The Chair has ruled on the point of order that the Senators were out of order in that they did not address the Chair in each case when they rose to interrupt each other. The Chair has asked the Senators to proceed in order. At times it has been the practice in the Senate to allow Senators, during an exchange in debate, to proceed without each time addressing the Chair, but when a point of order has been made the Chair has always sustained the point of order that in each case the Senator must address the Chair before securing permission from the Senator who has the floor in order to interrupt him.

Mr. CHANDLER. Mr. President, I have not violated any Senate rule, have I?

Mr. WHEELER. Mr. President, let me say for the benefit of the Senator from Wyoming——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Montana?

Mr. CHANDLER. I yield to the Senator from Montana.

Mr. WHEELER. Let me say that when I first rose I addressed the Chair and asked if the Senator from Kentucky would yield, and he said he would yield.

Mr. CHANDLER. I did.

Mr. WHEELER. And then we got in a colloquy, and of course when we got into that colloquy I supposed the Chair would not require that I immediately turn around every time the Senator from Kentucky interrupted me and say, "Mr. President, will the Senator from Kentucky again yield," but I submit that we were both of us in order. I was, so far as I am concerned.

Mr. CHANDLER. Mr. President, there is a great deal of talk to the effect that other nations cannot run over our Nation. Did not Sherman march from Atlanta to the sea? My grandfather in the Civil War was shot at Shiloh. Other nations can run over us if we go to sleep and do not protect ourselves. I am not going to stand by and submit to any such thing.

Mr. WHEELER. Mr. President, will the Senator again yield?

Mr. CHANDLER. Yes.

Mr. WHEELER. Let me say to the Senator that I do not think anyone has ever accused me of being a pacifist, and I am not a pacifist in any sense of the word.

First of all I wish to say that I intend to vote for this proposed legislation, because when we are in the position in which we now are and since we have given the President the power to draft American boys, I think we cannot do anything else than to vote for this measure.

Mr. CHANDLER. That is what I am interested in now. I will argue about the other matters later on with the Senator from Montana.

Mr. WHEELER. I think if everyone had taken that position it would have cut off much long and useless argument. But when the Senator from Kentucky says that those of us who want to keep this country out of war are willing to let some foreign nation come over here and run over us, he is sadly mistaken, because, in my judgment, there is no one in the Senate who is for one moment willing to let the Nazis, the Fascists, or the Russians come over to the United States and run over us. There is in this body and there is in this country a feeling that we want to keep the country out of war. The President of the United States, Mr. Roosevelt, ran upon that platform. Mr. Willkie ran upon that platform. Both candidates ran upon the platform that they were going to keep this country out of war.

Mr. CHANDLER. Yes; and we are not yet in it. Who gets credit for keeping us out of war? Who does the credit go to for keeping us out of war? We are not yet in it.

Mr. WHEELER. I do not want to argue that matter with the Senator, because I am sure we would not agree at all upon the subject of who has kept us out. I will say who kept us out, if the Senator wants my opinion about it. It is 75 percent of the American people who say, "We do not want any war." It is that portion of the people who have kept us out of war. I say that in spite of the propaganda, of the British propaganda, of the propaganda that is coming from the city of New York, that is coming out in the motion pictures, that is coming out in the newspapers, that is coming from the Cabinet members. Who is it that says we should take action now? Mr. Knox, in his speeches, makes that statement. Mr. Ickes, in his speech at Hartford, made that statement. Mr. Wickard, who goes out talking to the farmers all over the country, makes that statement. So does Mr. Stimson. Does the Senator mean to tell me that those statements are not approved by the President of the United States.

Mr. CHANDLER. The Senator from Kentucky has not made any speech in favor of war and he has not been heard to issue any war propaganda. But the Senator from Montana has gone all over the country and has placed himself in the category of being the savior of his country. That is a great thing. I hope the Senator will be able to save the country. It is a magnificent thing to try to do that. But I will say to the Senator that the Senator from Kentucky has not offered or given any aid or encouragement to any enemy of the United States, and he does not intend to.

Mr. WHEELER. Neither have I.

Mr. CHANDLER. I hope the Senator has not.

Mr. WHEELER. I know there are many propagandists who have tried to smear every Senator——

Mr. CHANDLER. But not the Senator from Kentucky.

Mr. WHEELER. There are many who have tried to smear every Senator and everyone else every time he has made a speech similar to that which the President made before election; and I say that those of us on the floor of the Senate and everyone else who has been making speeches against going to war were only saying the same things Mr. Willkie said before the election and the President said before the election. Yet because we said the same things from one end of the county to the other a campaign was started to smear Lindbergh, to call him a Nazi and a paid agent. Why do we not have an investigation by the Senate? Why does not the administration permit the Clark resolution to be reported, so that we may find out who are the Nazi agents, who are the Communist agents and who are the English agents who are trying to get us into war? The administration will not permit the resolution to be reported.

[Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The Chair again asks the occupants of the galleries not to applaud. It is strictly against the rules. A while ago the Chair suggested that those who applaud are violating the rules. If those in the galleries wish to remain there they will please refrain from applauding.

Mr. WHEELER. Every British agent over here is taken to the bosom of the administration. Such agents are entertained at the White House. Royal refugees are coming here and trying to tell the United States that we ought to go to war. British agents are coming here and saying that Congress ought to do its duty, that we ought to go to war, ought to send men, and ought to do this, that, and the other. They ought to be run out of the country. They ought to stay out of the country. They ought not to be permitted in the Capital or anywhere else in the United States, because they are a subversive element.

Let me say one thing further, Mr. President, and then I shall conclude. There are two ways by which this country can be destroyed. One is by an attack from without. I have yet to find a naval officer who says that our Navy, which is the greatest Navy in the world, is not sufficient to protect this Government against attack from the combined navies of the world. When we have built up our Navy, what do we find? Every time we have an appropriation for the Navy we find the same thing. When Claude Swanson, a Senator from Virginia, was chairman of the Naval Affairs Committee, against whom did he tell us we were building a Navy? Not Germany; not Russia; not Italy. He said we were building a navy against Japan and against England. That is what he always said. Germany has no navy today. She has a number of tugboats and a few submarines, but she has no navy which amounts to anything. Yet we are told that the Germans are coming over here and will take the United States overnight. To me such statements are sheer nonsense.

The second way by which this Government may be destroyed is by breaking faith with the American people, by having our leaders, whether they be Republicans or Democrats, say one thing today to the masses of the people, and turn around and break faith with them tomorrow. That is the way I am afraid democracy will break down in the United States. That is the way we fear that our republic will be destroyed. It will not be destroyed by any invasion from without.

I intend to read about 100 telegrams from boys in various camps in Texas, Alabama, and other States saying that the boys in those camps feel that we are breaking faith with them. The Senator may say that we are not breaking faith with them. He may firmly and honestly believe that. I do not question his sincerity. He has a right to believe it. However, regardless of whether we are breaking faith with them from a technical standpoint, the fact is that many of the boys feel that we are breaking faith with them. When they feel that we are breaking faith with them, that is not a theory. That is a fact, and we must be realistic about it. A moment ago the Senator said that General Marshall stated that 90 percent of the boys were willing to stay in the service.

Mr. CHANDLER. If they thought the country needed them.

Mr. WHEELER. I am delighted to hear that. The 90 percent undoubtedly believe the President when he tells them that they are needed. They believe General Marshall. Why not say to the 90 percent, "We did promise you that you would be sent home at the expiration of a year, but the situation has changed." General Marshall testified before the House committee in April that the boys would return home; according to the press, within the past month the President said that the boys would return home when their year was up. Are we not going back on them? What has changed the situation since last April? What has changed the President's mind in the past 3 weeks?

I want to see a strong army. The way to obtain a strong army is to have good morale, and to have the men in the Army say, "You are not breaking faith; you are keeping your word." If 90 percent of them are willing to remain in the service, we shall have men to send to Alaska.

We shall have men to send to Iceland. We shall probably have men who will be willing to go to Ireland, the Canary Islands, or anywhere else in the world. We do not need to break faith with them. We do not need to have them feel that we are breaking faith. We can have them volunteer for a year, and then we can pass a law in which we say to the new members coming in, "You are being drafted, not for a year, but for the duration of the emergency." In that way we should not be breaking faith. We should be helping morale.

A little later I shall read some of the telegrams coming from the boys in camp. That is the best test as to whether they feel we are breaking faith. What the Senator says or what I say on the floor of the Senate as to whether we are breaking faith is not the important thing. The important thing is, What do the men who are serving their year think about it? What will be the effect upon their morale?

The Senator says that we must follow General Marshall blindly——

Mr. CHANDLER. Mr. President, I hope the Senator will not say "The Senator from Kentucky says that we must follow General Marshall blindly." The Senator from Kentucky has two good eyes, and does not follow anybody blindly. I am giving the Senator most of my time, but not to say that I am going blind.

Mr. WHEELER. The Senator feels that we ought to follow General Marshall's suggestion.

Mr. CHANDLER. In this instance. However, I went further. The Senator did not do me the honor of listening to me.

Mr. WHEELER. Yes. I heard everything the Senator said.

Mr. CHANDLER. If the Senator had listened, he would have heard me say that I think Congress should meet its responsibility and declare that the national security is imperiled. My friend and I had a discussion on that question. The President and General Marshall think the situation has changed. If the Congress thinks the situation has changed, I think we ought to have courage enough to say so. If we think the situation has changed, and so declare, then we shall not break our word to the boys. Such a course would be in accordance with the law which we enacted, which the Senator from South Carolina [Mr. SMITH] said he did not read. I do not know whether he read it or not. It is there; and the Congress should have the courage—I have it—to say that we think the danger is graver today than it was a year ago, and that we want the boys to stay in the service. If that judgment is accurate, we shall have a chance to defend the country. If the Senator is correct, and if we are in no danger, that is fine; but if the Senator is mistaken, we shall be in a dangerous situation if the Army is permitted to go home and there is no trained Army.

I am not willing to speculate on the safety and security of the people of the country. I am willing to say that the national security is imperiled, and that therefore we must keep in service the Army which is two-thirds trained. Some of it is not that far along. General Haskell said he had an army composed of 60 percent National Guard and 40 percent selectees, and that it was almost trained. He was asked, "General, what would happen to your army if the National Guard service were not extended, and if the selectees were not retained?" He said, "That would destroy my army."

If the Senator from Montana were General Marshall instead of Senator WHEELER, and were charged with defending the people of the United States, he would be in a terrible predicament if the Congress should say to him, "You must defend the country, and we are looking to you to defend it. But you must send the Army home, and then get another one and try to defend the country with that new Army."

Complaint is made that they have not trained the boys in the Army. They have not had time to train them. They have not had the equipment; they have not had the material. I do not wish any Member of the Senate any harm, but I wish that sometime some Senator could exchange places with the President or with the Chief of Staff of the Army. Then he would be less harsh and more generous, and would give them a chance.

I do not believe any Senator contributes to the security of his country by adopting the tactics that have been adopted by some persons in criticizing the very course they themselves would pursue if theirs was the responsibility.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. CHANDLER. In a moment. I desire to conclude.

First, let me say that it seems to me that two propositions are involved. One is that the national security of our country is either more greatly endangered than it was or it is not. The President says it is. The Chief of Staff says it is. The Senator from Montana [Mr. WHEELER] may not have said that it is not; I do not know whether he said that, but I do not believe that he thinks our country's security is more greatly endangered than it was.

Mr. President, it looks as if I must make a decision, and rather than go along with the Senator from Montana I prefer to go along with the President and General Marshall, because that is their business and their responsibility.

Mr. President, I want Congress to say to the boys who were called to service, "We told you you would be called to service for a year except in certain circumstances." Suggestion has been made that we might offer them certain inducements to remain in service, but I do not think a boy in the service ought to be offered special inducements to protect his country when it is in danger. I think he ought to be willing to do his part to protect the country which tries to do what it can for him. It does not always succeed, but it tries to take care of its boys.

I belong to an organization that includes in its membership 1,660,000 men and over 600,000 women, and their spokesman came before the committee and said that they approve of this bill because they could not conceive of our creating such a situation as to strip our Army of its manpower in the face of a possible danger. I want the Congress to say, and I am prepared to say, that, "Based on what the President said and on what General Marshall said, the national safety is imperiled; and therefore, boys, we have to keep you a while longer and see what is going to happen."

I am faced with the necessity of deciding which of these men to follow. I am unwilling to go along with the Senator from Montana. He is a great Senator and a great statesman. I never have said that he is not patriotic.

Mr. WHEELER. I know that.

Mr. CHANDLER. Some persons have accused him of being unpatriotic. I never have. I am not going to do so now. But the Senator from Montana must not say that I want to go to war. I do not want to go to war if it can be avoided. But if there is going to be a fight our folks have always been "a hand to be in it," especially in the defense of our country.

I said before, and I repeat, that if I can be of more use to General Marshall and the people of the country by joining the Army, then I am all ready to go into it. I am not anxious to be shot! but if we have a fight I expect that I can be of more use to them by going away from here and by joining the Army than by remaining here and talking.

But the silliest thing that can be proposed is to ask General Marshall to defend the United States, from the point of view of military defense, and send the Army home.

Mr. BONE. May I inquire if the testimony of General Marshall has been printed?

Mr. CHANDLER. I think it has. I do not know.

Mr. BONE. I have not seen it.

Mr. BARKLEY. Practically all of it was printed in the newspapers, but I do not think the record of the committee hearing has been printed.

Mr. CHANDLER. I do not know whether it is printed, but I heard it.

Mr. WHEELER. Let me say to the Senator from Kentucky that he and I

do not disagree upon the proposition. If it is a question of sending the Army home or of passing the bill to extend the service of the selectees, if that is the only alternative, I would say pass the bill to keep them in the Army. But I say that is not the only alternative.

Mr. CHANDLER. What would Hitler and Mussolini say tomorrow if it became known that the great United States was training an army and that the boys were kept in it for 12 months and then were sent home? What would Japan say? They would say, "Why, the Army is at home." I do not know whether they have any designs on us, but that would be a fine time to try them.

Mr. WHEELER. Let me interrupt the Senator again, if I may, and let me say to him that in one breath he says General Marshall contends that 90 percent of the boys would stay in——

Mr. CHANDLER. He thinks so. I do not know whether they would do so. That remains to be seen.

Mr. WHEELER. I do not know. The Senator from Kentucky, depending on General Marshall, in one breath says——

Mr. CHANDLER. I am depending on him if I depend on anyone, from a military standpoint, to defend the continental United States. If General Marshall thinks so, if Senators would stop giving the boys the hope that they will be sent home at the end of 1 year, and if Senators would face their responsibility and would pass this law, since the President says the United States security is imperiled, I believe every mother and father would write to their boys and would say, "The President and the Chief of Staff think the United States is imperiled, and you stay there and see this thing through."

The other night I heard a broadcast by Fulton Lewis. During the broadcast a boy named Stephen McCormack spoke. I do not know him; I never heard of him. They said to him, "You are a selectee?" He said, "Yes, sir."

They asked him, "How long are you going to be in the Army?" He replied, "I don't know; but the boys in my outfit think we have a job to do, and if it takes 3 months or 3 years, we are going to do the job."

That ought to be said by every boy that is in the United States Army, and by everyone else, because that is the sense of the matter.

Mr. WHEELER. A moment ago I said that the Senator from Kentucky and I do not disagree on the necessity for maintaining the Army at this time. There is not any question about that in my mind because of certain things which have taken place in this country, and because we have incurred the ill will of every totalitarian country in the world, whether willingly or unwillingly.

Mr. CHANDLER. It is a sad thing if everyone is mad at everyone else. How can we live and stay in good humor in a world in which everyone is mad at everyone else?

Mr. WHEELER. I am not saying that. I have no quarrel with the Senator from Kentucky about that, as he knows.

Mr. CHANDLER. I want to stay in good humor with everyone if it is possible to do so; but how can that be done in a world that is mad, and in which almost everyone is fighting?

The Senator from Montana and others blame the President of the United States for everything that goes wrong and do not give the President the credit for keeping out of war the only country in the world that has remained out of the shooting. The President deserves some credit for that.

Mr. WHEELER. If the President will keep the country out of war, as he said he would before the election, there will not be anyone in the United States, not even the Senator from Kentucky, who will give him more credit than I will.

Mr. CHANDLER. I will be glad to hear it. I want to be present when such a speech is made by the Senator.

Mr. WHEELER. The Senator from Kentucky will hear it.

I think I have put through the Congress as much or more legislation than the average Senator has. Not only that, but I was campaigning for the President in 1928 and 1932, when many of the Senators on the other side of the aisle were trying to knock him down. But let us not go back and argue about that. The Senator from Kentucky has not been with the President on every issue.

Mr. CHANDLER. I did not say that I had; but I have not talked rough about him when I disagreed with him, as the Senator from Montana has. When I disagreed with him I kept silent, and the Senator from Montana would be better off if he had done so.

Mr. WHEELER. I am glad to have the Senator from Kentucky tell me when I will be better off, and from now on I will take orders from the Senator from Kentucky.

Mr. CHANDLER. No; I would not say that, but the Senator can take someone else's advice to good advantage. I have had my lesson, and the Senator from Montana ought to get his. When I was a boy my daddy told me, "If you learn your lesson once it will stand you in good stead. If you have to be told several times, that is when they will take the hide off you."

I try to learn as I go along.

Mr. WHEELER. In one breath the Senator says that 90 percent of the Army boys would stay in the service——

Mr. CHANDLER. It is thought that they would.

Mr. WHEELER. Very well. If 90 percent of them would stay in, what is the use of talking about all the boys going home, and talking about what Hitler would think and what Mussolini would think?

Mr. CHANDLER. If the measure in question should not pass, General Marshall would have to send the boys home.

Mr. WHEELER. No; he would not have to do that.

Mr. CHANDLER. Unless they reenlisted.

Mr. WHEELER. Of course; and that is what I am saying. If 90 percent of them said they would volunteer, is not that a much better word to send to Mr. Hitler, or Mr. Stalin, or Mr. Mussolini, or anyone else, that when the boys who have been drafted were given an opportunity to go home, 90 percent of them wanted to stay in the Army?

That would be showing that there was unity in the country; that would be showing that there was patriotism in the country; that would be showing that we had an Army that was willing to fight to the death to protect our country.

On the other hand, if they are kept in against their will they will feel that we are breaking faith with them. When that happens I say that that will be breaking down the morale of the Army and weakening the Army; because in order to have a good Army nothing in the world is so important, as the Senator knows, as high morale.

Mr. CHANDLER. The Senator knows that I have not asked that we break faith with the boys who have been drafted. The Senator is mistaken again. I have asked the Members of Congress to declare, based on what they have heard from the President and the Chief of Staff, that the country is imperiled and that we need to keep the boys in the Army; and my further statement was that then all of them would stay. I believe that all of them would stay; and, of course, what the Senator from Montana suggested as news to Mussolini and Hitler would help. Then if the Senator from Montana, and other persons, would stop talking rough about the President and their Government, and stop calling the President a warmonger, and would put their shoulders behind the wheel, that would help, too.

I am merely giving the Senator a suggestion. He asked for it, and I am giving it to him.

Mr. WHEELER. I am very glad to have the Senator's suggestion, but let me call attention to the fact that he has not followed some of my speeches, because in a number of my speeches I have repeatedly said that I thought the President had surrounded himself with persons who were trying to put him into a war, and whom I thought he ought to get rid of—such men as Knox and Stimson, and a number of others surrounding him. I do not think he ought to have such men going around encouraging the warmongers and patting every warmonger on the back and saying, "Keep it up, keep it up"; because I do not think that is the spirit that ought to prevail in the United States of America. So the Senator is wrong when he says I have accused the President of being a warmonger. Names have not been called by me. The names that have been called came from the White House first and not out of my mouth.

Mr. CHANDLER. I have not been here so long as has the Senator, and I am not as old as he is, but I have never seen anyone succeed in creating any advantage for himself by calling others names. When names are called, things get rougher and rougher, and nothing is accomplished.

Mr. WHEELER. I am like the Senator from Kentucky, and I can adapt myself to any kind of fight that anybody wants; but I would rather keep it upon the high basis of issues. However, if others want to get down to personalities, I can get down to that plane.

Mr. CHANDLER. If the Senator wants to go to that level, let him not take me with him, because I am not willing to do that.

Mr. WHEELER. I have heard some of the statements the Senator made in Kentucky in the past. I know he is very good at it.

Mr. BARKLEY. Why bring that up? [Laughter.]

Mr. WHEELER. The junior Senator from Kentucky said he never resorted to such tactics.

Mr. CHANDLER. I said I did not want the Senator from Montana to put me on that level.

Mr. WHEELER. Here are two Senators from Kentucky, who are both friends of mine, and both of whom I respect, but do not tell me that they never call names.

Mr. CHANDLER. I have never done so since I have been here.

Mr. WHEELER. No; the Senator found it better policy after the election in Kentucky not to do it.

Mr. CHANDLER. A wise man learns; a fool never does.

Mr. President, I desire to conclude; I have been on the floor all morning; I have not as yet had lunch, and I would like to get some lunch.

Mr. BARKLEY. Will the Senator allow me to ask him a question based upon the colloquy that just transpired between him and the Senator from Montana?

Mr. CHANDLER. Certainly.

Mr. BARKLEY. I will say frankly that when this proposition was first brought forward I think I was one of those to inquire whether the President, the officers of the Army, and the country had given any thought to the possibility of the volunteer system within the Army itself, among the selectees. The more I thought about that, the further I got away from it, because it goes back to the original proposition, after all, whether we are to be defended, if we have to be defended, only by those who are willing and not by those who would prefer not to. I think it is true that we are all opposed to war. We signed a pact with practically all the nations of the world undertaking to abolish war as an instrumentality of national policy. If a poll taker, whether of a newspaper or of any organization seeking to arrive at public opinion, goes down the street and asks anybody if he favors or wants war, the person interviewed will say, no. That is why I do not know how much credence to give to polls which are taken by any of the poll takers. I do not know what sort of questions they are asking; I do not know how long the interrogator stands on the street talking to the man whom he polls and whether he asks him what he would do under any given set of circumstances and completely lays before him any situation in order to get his answer. Therefore, my vote here on any proposition will not be determined by polls taken by any institute of public information or anybody else, because, until I know what has been laid before the man on which he is supposed to vote, I am not going to be bound by the answer.

The more I thought about the question of leaving it to men in the Army as to whether they would remain there or go home, the more I became convinced that it would be unfair to the men themselves. It would be necessary to hold an election among the draftees to determine whether they would stay or go, and that automatically would put every one of them "on the spot." He would have to determine not by secret ballot but publicly whether he would remain or whether he would go back home.

I will say, for the benefit of my colleague and for the benefit of the committee, if it has any weight, that in any legislation we may enact retaining these men in the service, there ought to be a provision affording a means for the discharge or release of those whose retention would work an undue hardship upon them. I think that would be fair.

Mr. CHANDLER. I will say to my colleague that General Marshall said if the Army were permitted to handle it he thought they could handle it satisfactorily to the selectees, and would give consideration to the obligations and other circumstances which might entitle them to go home.

Mr. BARKLEY. I have no doubt of that, but, in all likelihood, it may require some provision of law itself granting them the right to discharge if their detention would work undue hardship upon them. Of course, we will get to the details of that later—I hope soon—because I think it is important not only to the country, the Chief of Staff, and the President but is important to these men themselves to know what their fate is to be as soon as possible.

Mr. CHANDLER. It is important both ways.

Mr. BARKLEY. It is important both ways. Therefore there ought not to be any undue delay in determining what we are to do about it.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. I should like to ask a question of the senior Senator from Kentucky on that point. Why is it not possible for the Chief of Staff to say that we should have an Army of a definite size which ought not to be composed of 20 percent of green men, and that in order to prevent that we have got to extend the men's time 3 months or 6 months or whatever is necessary? We ought to have a plan. I do not believe we are absolutely bound by the promise made to the men that they will be released in 12 months, but I think the Congress is responsible for seeing that they are not kept beyond the absolute necessity of the case. I think if that can be done—and I believe it can be done by raising a hundred thousand men a month, or whatever may be the proper number, and releasing an equivalent number each month. I do not see why we could not put a limit on any man's service to a specific period.

From the point of view of the draftee, if we declared a national emergency, he might have to remain in the Army for life. This war may go on for 10 years. That is what he feels. It is important for him to know he can get out in some definite time. I do not see why the Army itself has not the duty to come here and say, "We think this Army should not be made of green men only and it will require 18 months' service instead of 12," or whatever the number may be. That seems to me to be a reasonable solution, but I cannot see that the Army is suggesting it.

Mr. BARKLEY. I do not know how practical that suggestion might be because if we provide that they shall be in the service for 6 months or even a year, when that time expires we will be presented with the same situation we have now.

Mr. TAFT. I am proposing that it be based on a definite plan.

Mr. BARKLEY. Congress can terminate the emergency whenever it sees fit; nobody knows how long the emergency will last, but it is in the power of Congress to determine it.

What I rose to suggest to my colleague about is that by the so-called voluntary method of holding an election or taking a poll or plebiscite of the Army, which was never done in any army in the history of the world, there is brought about what may be a form of compulsion even in the Army itself, and such a provision it seems to me should not be enacted, and, in my judgment, it would not be wise.

I do not want to take further time of my colleague because when we get to that bill—and I hope we will get to it soon—we can argue all these questions.

Mr. CHANDLER. Mr. President, what the Senator has said emphasizes how ridiculous it is, in the world we are living in today, to try to meet a deadline on the first day of the month, and say, "Up to this time we are going to be ready to fight if we have to, and after that we are all going away. The game is over. Stack up the arms and everything." We have to be ready if the emergency comes, or when it becomes more acute.

I realize that I probably am responsible for the discussion going as far afield as it has gone, and I apologize to the Senate. However, I have gotten a great deal out of this bill. The Senator from Montana [Mr. WHEELER] is going to support my bill. I am principally interested in this bill, not the one that will be coming before the Senate later. I want to urged speed, because the need for the passage of this property bill is urgent. It is properly safeguarded for all those who believe the President ought to have his authority limited after June 30, 1943. Only in this national emergency, or until June 30, 1943, has he authority to use the power conferred under the bill. He must find that the property is needed for the defense of the United States, that the need for it is immediate and impending and will admit of no delay, and then he must exhaust himself in trying to find it somewhere else; and then, if all those things are true, and a man will not deal with him, he has a right to pay a fair and reasonable compensation and take the property. But if the property is retained until December 31, 1943, the President has to give it back if the man whose property it was pays the proper price for it.

The bill ought to be passed. It was reported to the Senate by the unanimous

vote of the Committee on Military Affairs, the votes of Senators on both sides of the Chamber. If any Senator cast a vote against it, I did not hear it. No vote was cast against it; and I hope the Senate will pass the bill.

WHY THE INTELLIGENTSIA FAVOR WAR

Mr. WALSH. Mr. President, a few minutes ago the able Senator from Kentucky referred to the difference of opinion about the accuracy of the so-called Gallup polls. I think there is general agreement that there is a good deal of inaccuracy in such polls. But the press of today contains an interesting poll on the question, "If you were asked to vote today on the question of the United States entering into war now against Germany and Italy, how would you vote—to go into the war now, or stay out of the war?"

The poll was taken among those whose names appear in Who's Who, and also there was a general poll of those outside Who's Who. The result of the poll was as follows: Among those whose names appeared in Who's Who, 45 percent voted to go in, 55 percent to stay out. The vote of the general public on going in was 21 percent, and on staying out, 79 percent.

I recently read a book entitled "What Makes Lives," written by a Bostonian, Porter Sargent. In the book he deals with the question of why more of the so-called intelligentsia are in favor of war than the so-called uneducated masses. In support of his theory he quotes one of the greatest scientists of our age—Albert Einstein. The proposition that the opinion of the great masses of the American people, rather than the opinion of college professors and the so-called intelligentsia, is more likely to be correct, since the latter merely contact reality in a synthetic form, deserves our most serious study and consideration. I ask to have incorporated in the RECORD a few very brief excerpts from the book.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

UNIVERSITIES PROMOTE WAR

The great eastern universities were in the forefront in putting us into the last war. They took pride in what they thought was patriotism. Later, most of the leaders understood that they had been overcome by war fever induced by propaganda, though now that the fever is returning they again belittle it.

THEY ARE AN EASY MARK

Sir Gilbert Parker, the famous novelist who directed the English propaganda drive in this country from 1914 to 1917, recognized the importance, susceptibility, and ease of getting the university people. In his memoirs he wrote: "We established association by personal correspondence with influential and eminent people of every profession in the United States, beginning with university and college presidents, professors, and scientific men, and running through all ranges of population."

The great advantage of pushing propaganda in the universities is that once the university and college people have accepted the propaganda, or "explanation," as Lord Lothian now calls it, they promulgate it with an air of authority not only to their students but as lecturers in clubs and forums. The stamp of the university gives authority. And it is important to begin the reconditioning of the students early. They are the ones that must do the fighting, and they tend to hang back. It takes time to bring them to the state of emotional idealism which will make them want to kill.

By February 1916, Peterson tells us, Parker "was able to report that the articulate people throughout the United States had joined the Allies. The success of the British propagandists corroborates the statement that there are no limits to the field of propaganda. The only restrictions are on the manner of approach. * * * Educators can be controlled simply through controlling their reading matter. * * * In contradistinction to the easy surrender of American leaders to war hysteria was the stubborn pacifism of the great mass of the people," as today.

DISASTROUS COLLECTIVE SUGGESTIONS

Why college professors are more susceptible to hate psychoses than are the uncultured masses, Einstein attempts to explain in a letter to Freud, quoted by Hogben in his Dangerous Thoughts. Experience proves that it is rather the so-called intelligentsia that is most apt to yield to these disastrous collective suggestions, since the intellectual has no direct contact with life in the raw but encounters it in its easiest synthetic form, the printed page.

QUESTIONING AND CHALLENGING

* * * * *

There are not many of us who have adopted the scientific attitude toward our opinions. We don't like them treated as the scientist treats his. We aren't scientific. We are behind the times. We will seem just as foolish to our grandchildren as our grandfathers' opinions seem to us. "Thou shalt not suffer a witch to live" was one of the firmest convictions not only of Martin Luther but of our English and New England ancestors.

When we have nothing else to boast about, we pride ourselves on our opinions—and the more prejudice, the greater pride. There is even such a thing published as a Journal of Opinion. The time may come when we will be ashamed to hold an opinion. For an opinion is a generalization that has been arrived at from an incomplete investigation prematurely stopped.

Mr. AUSTIN. Mr. President, I send to the desk an amendment to the pending bill which I offer and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Vermont will be stated.

The CHIEF CLERK. At the end of section 1, it is proposed to add:

Provided, That during such time as a state of war does not exist by virtue of a declaration thereof by Congress, this authority shall not be exercised in any manufacturing plant, in operation, if the necessary and unavoidable consequence thereof would be the cessation of the business of such plant, or any parts thereof, dependent solely on the article or articles to be commandeered hereunder.

Mr. AUSTIN. Mr. President, I move the adoption of the amendment, and I shall make a brief statement of what is intended by it. I do not care to argue it at length. If it does not appeal to the Senate upon a brief explanation, I shall not undertake to push it by arguing it.

The bill which we are now considering constitutes the exercise of a war power. We are the element of government that is now excercising the power. That is one reason why the language which lays the constitutional foundation for the bill was offered and was accepted by the committee and engrafted upon it.

It may be said with truthfulness that whoever performs the ministerial or executive duty of making these findings will do so imperfectly. In fact, it may be said that the design and policy of Congress may wholly fail; but it cannot be said that Congress, in exercising in time of peace the war power, failed to regard and recognize the necessary foundations for the authority and power to commandeer private property for public use.

In the bill itself we find, therefore, the constitutional safeguards which heretofore throughout the history of the United States have been regarded by the courts as absolutely necessary, whether the power was exercised in time of peace by Congress or whether it was exercised in time of war by the President. That is why they are there, and that is why they ought to be, as they were for a brief period, in section 9 of the Selective Service and Training Act.

This amendment is designed to prevent, if executed according to its intent, the shutting down of civil activities. I understand from the hearings that there is no intention on the part of the administration to shut down civil activity; that the administration recognizes, as do we who sponsor this amendment, that it would constitute a grave defect in our national defense if we were utterly to destroy production for nonmilitary uses.

An illustration of what might happen is this: A small plant having but one machine tool, upon which its entire operation depended, might be so located with reference to the plant of a munitions manufacturer who had a contract with the United States for the manufacture of munitions that he would find it exceedingly convenient to take the machine tool from its present setting and move it over into his own plant for the purpose of enabling him to proceed at once, instead of waiting until a machine tool could be provided for him in some other way or from some other place. That might mean shutting down the plant engaged in nonmilitary use, and turning out of employment perhaps 100 employees. The witnesses say they do not intend that; and what I want Congress to do is to declare that it does not propose to permit that.

I wish to thank the committee for including the testimony of Under Secretary of War Patterson in the report. It was a generous gesture toward this amendment, I feel sure. I quote from his testimony, as follows:

My own idea is that this act would rarely be availed of in any direct measures. It is one of those powers that will be of very great value to the Government in bringing about the availability of machines or raw materials. I do not think it would be exercised very commonly.

And, as stated by General Rutherford:

I think probably we have not made it clear that the smaller manufacturer is not the one that would suffer most. If a small manufacturer has only one tool of a particular kind in his stock, and by taking that tool you just ruin his whole productive capacity, that is the very last step which would be taken.

What we are aiming at is these larger manufacturers that may have a thousand

tools of the same kind. By taking one or two, and by forcing them to work their second and third shifts on the remaining tools, they can still meet their production schedules and no one will be harmed. It is not aimed at the small man who will be put completely out of business by taking a key machine tool out of a plant when he has only one of them.

The amendment would constitute part of a condition of the authority and power which Congress is now exercising. Mind you, this is a war power, and Congress is exercising it in time of peace; and the agencies, departments, boards, or officers who perform the President's direction in respect of this power will really be carrying out and executing the decision that we make. They will exercise the power we create; and I want that power to have all the safeguards which are necessary not merely to preserve the constitutional rights of the individual and private owner, but in order to preserve the sacred thing which is the only protection against tyranny by the Congress, and that is our own self-restraint.

I wish to put into the RECORD merely a reference, without reading, in order to save time, not the text again, because it is unnecessary. I wish to point out that acts of Congress relating to the control and requisitioning of public supplies will be found in the CONGRESSIONAL RECORD, Seventy-sixth Congress, third session, volume 86, pages 7597 and 7598. I introduced those acts into the RECORD in connection with another subject, but they are pertinent in this debate. They are examples of the exercise of the control of Congress over private property for public use.

There is nothing wrong with our performance of this act and this duty, and the policy of the Congress to adhere to those limitations, which are necessary as an incident of the exercise of the power to raise and support armies, is well guarded in the very text of the bill. I think a practical application of the act, if the bill should become a law, would be rendered more satisfactory to the people of the country if such a limitation were also contained in the act as that set forth in my amendment.

Mr. LEE. Mr. President, I rise in opposition to the amendment. The amendment was submitted to the Committee on Military Affairs was rejected by the committee. In my opinion, its inclusion would destroy the effect of the bill itself, in that it would make it possible for a manufacturer to checkmate the Government if he could prove that the taking of some property or some of his equipment would make it necessary for him to close his factory. Then, even though it should be true, with respect to what the Government needed, that "such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and (3) all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted"—even though that might be the case, the one manufacturer could prevent the Government from taking the necessary material.

Perhaps the Government would want the manufacturer of lipsticks to turn some of his tools over to the manufacture of shells. Our soldiers might be in need of shells at a particular time, but if the manufacturer of lipsticks could show that complying with the request of the Government would result in closing his plant and stopping his manufacture of lipsticks, the Government would be impotent to require him to manufacture shells instead of lipsticks. That would destroy the whole effect of the proposed law.

Mr. President, we did not include an amendment such as this when we drafted the boys; we did not insert in that act a provision that if taking a boy would result in a business which he had built up being destroyed the Government would be prevented from taking him. Therefore I see no reason for putting such a premium on property as above flesh and blood. Furthermore, I feel that it would be entirely a mistake from the standpoint of national defense. That one amendment might prevent the Government from taking one of the most needed tools or plants, or some of the most needed material, at the most critical time of our Nation's history. Therefore I ask that the amendment be rejected.

Mr. CHANDLER. Mr. President, I have just this one word to say. We have worked very hard on the bill and have finally drafted a measure which has the approval of the War Department and of the Navy Department, and I believe it has the approval of the office of the President. We discussed and gave careful consideration in the committee to the amendments presented by the Senator from Vermont, but we did not feel that we were able to incorporate them in the bill. I am not in position to agree to the amendment now pending, and I hope very much the Senate will not adopt it.

Mr. NORRIS. Mr. President, in my opinion, no wrong principle is involved in the amendment offered by the Senator from Vermont. As I understand, it is based on the difference between conditions during the present emergency, and the conditions which would exist if Congress should actually declare war, and it would apply a different method of treatment in the two cases.

I do not see that it would be destructive, but it seems to me it would not add anything to the effectiveness of the law. Personally, it seems to me that we have been proceeding on the theory that everyone admitted that an emergency existed. War has never been declared between Japan and China by either of the Governments, yet the world knows there has been actual war for several years between those two countries. If we should, unfortunately, get into the present war it might be without a declaration of war on our part or on the part of Germany. Yet we might get into the war just as though a declaration of war were made. So I cannot see any difference in reality. It seems to me we ought not to apply one rule in the case of an emergency, which we all know is very great, and another rule in case war actually were declared. I think the proposed amendment would have that effect. Therefore, it seems to me that whatever effect it might have on the general legislation it would be harmful.

Mr. President, I like the bill just as it was reported by the committee. I think the committee has done a very good job. No amendment has been suggested in all the debate today which, in my judgment, would improve the bill. I am therefore constrained to believe it would be a mistake to adopt any amendment, unless it would improve the bill, even though the principle involved in the amendment might be a just principle. It may be we ought to have a different principle to govern us in case of an emergency, or in fighting a war when no declaration of war has been made, than one which would exist if a declaration of war had been made. This amendment would provide such a different principle.

Mr. HILL. Mr. President——

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Nebraska yield to the Senator from Alabama?

Mr. NORRIS. I yield.

Mr. HILL. I think the committee voted this amendment down and refused to accept it for the reason which the Senator from Nebraska has so well stated. For us to draw this line now, as the Senator says, is not the wise thing to do, and it might defeat the whole purpose of the bill. I think the amendment has possibilities which might defeat all the ends and purposes of the bill.

Mr. NORRIS. Mr. President, I do not think I would go that far, but as I see it, the principle of justice involved in the taking of a man's property or part of it ought to be no different in case of a great emergency, such as confronts us now, than in the case of actual war declared by Congress.

Mr. President, I wonder if the Senator from Vermont thinks the following situation could possibly arise: If we do not declare war, and the emergency remains as it is now, or even if it increases, the President could not, under the law as I understand it then would be, do some of the things I think he ought to be authorized to do, whether we have actually declared war or whether the emergency simply continued. In that situation, if an attempt were made to put through Congress a declaration of war, would not this very condition that would be brought about be used as an argument in favor of a declaration of war, because, as I anticipate, it might be said, "We want to do some of the things which the law prevents us from doing, and if we actually declare war we can do them." That may not be considered by some to be a serious question, but I think it is. I should hate to be confronted with the statement, "We will declare war, because some things can be done then which under our law cannot otherwise be done."

If such a situation should be presented to the Congress in the near future I fear that argument may be used in favor of a declaration of war.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. HUGHES. I have not heard the amendment read. I should like to know

what it is. May we have the amendment read?

The VICE PRESIDENT. The amendment will be read.

The LEGISLATIVE CLERK. It is proposed at the end of section 1 to add the following proviso:

Provided, That during such time as a state of war does not exist by virtue of a declaration thereof by Congress, this authority shall not be exercised in any manufacturing plant, in operation, if the necessary and unavoidable consequence thereof would be the cessation of the business of such plant, or any parts thereof, dependent solely on the article or articles to be commandeered hereunder.

CARRYING A MESSAGE TO GARCIA

Mr. WILEY. Mr. President, following the order of business today in which we spent about seven-eighths of the time not discussing the bill, I desire to inject a few ideas on a matter that is also irrelevant. I desire at this time to pay my respects and express my appreciation to a large group of patriotic Americans who in this critical period are rendering great service to our Nation. This same group has, since the beginning of the war in Europe, carried on the spirit of true Americanism.

Who constitutes this group? Thousands of men and women who are never heard of in the newspapers. Some of them are in the Senate, and some of them in the House. They are never heard of because they do not indulge in personalities, they do not indulge in muckraking, they do not attempt by half truths or subterfuge to befuddle and confuse the minds of our citizens, but they do "carry the message to Garcia."

What is that message? It is the need of keeping America safe and free and at peace.

How do they do it? By sensibly and logically presenting the facts to the American people.

They do not indulge in the fear technique. Because other Americans differ with them in their approach to the solution of the multitude of problems that exist, they do not smear their fellow Americans. Neither do they question the right of any American to differ with them.

Mr. President, this great group which thus far has helped to clarify the situation so that he who will can see, has not gone out on an emotional jag attempting to precipitate the Nation into the war contrary to the wishes of 80 percent of the people. It has gone forth calmly, like men and women who had been called to a great undertaking, and they have talked the issues and they have presented the facts.

This great group has spoken the words that have resulted in judgment, in calm reasoning, in perspective in the minds of their listeners. It has not minimized the dangers that are existing as a result of the European conflict. They are for adequate defense of the Nation, but they know that intervention with our armed forces, our Army, our Navy, our air forces, does not make for the defense or security of the land.

The same group knows that there is a very small percentage of our people, and some of our leaders, who for various reasons would like to precipitate the Nation into war, but this group says, "We are a republic; we have elected our Representatives to the Congress of the United States, and they alone have the power to declare war." They know that a majority of the Members of both Houses are against intervention by our armed forces. They also know that in this conclusion they express the will at least of 80 percent of the people.

It is true that we are not a democracy. We are a Republic, peculiarly framed, and the Representatives who are against intervention express not only their own convictions, but also the will of the people.

The group about which I am speaking, which has rendered such valiant service since the war broke out in Europe by unheralded talks and contacts with constituents, has never indulged in the technique of trying to lull the people to sleep.

We have enough to do to love, preserve, and protect things American—the American way of life, and the great freedoms—without hating any other peoples. This great group hates war, and hates the ideologies of the dictators of Europe, but as realistic citizens it recognizes the significant fact that it has a great job to do in the Western Hemisphere.

The great group of unsung and unheralded heroes which I attempt to honor today knows that Patrick Henry became a great patriot because he revolted against abuses heaped upon the people of this land. He had enough to do to serve America. We might well recall some of his words when he said, "Give me liberty or give me death." He did not claim that his job at home was so small that he had to go elsewhere.

This great group of true Americans know that it is the policy of America, now decreed by legislation, to render aid and assistance to Britain. It fully appreciates the magnificent battle Britain is putting up. Almost with unanimity, representatives of the Nation are in favor of continuing such assistance and aid; but in that connection also they ask that our leaders, our managers of government, our servants, in every possible way protect the interests and values of America and refrain from doing anything which might precipitate this country into the war, contrary to the will of the people and the will of the legislature.

We are spending billions of dollars for defense. We are also spending billions of dollars for the defense of Britain and the allied nations. Why? Because so long as those nations stand we recognize that they constitute a barrier and a rampart against a great world movement of totalitarianism.

Mr. President, this fine group of unselfish, patriotic, unheralded men and women, the real leaders of America, men and women who maintain their poise and intellectual serenity, is doing another great job for the country. In a challenging way it is bringing to the attention of the electorate the need of America to be prepared to meet the post-war problems. It is insisting now that a realistic tax bill be passed. It recognizes that unless such a tax bill is passed the tremendous spending program of our leaders may create a domestic situation of economic chaos. It is also insisting that realistic planning be put into effect, creating reserve projects which will absorb the labor of the boys returning from the Army, the Navy, and the Air Corps when the conflict is over.

This group is also insisting that our managers of Government shall not spend all their time and energy aiding Britain while forgetting segments of our own economy at home.

The only thing I wish to say in relation to the pending amendment is that I am in favor of it. Why? Because all our planning and all our talk now relates to aid to Britain. The pending amendment relates to the question of maintaining our morale at home. I heard the junior Senator from Kentucky [Mr. CHANDLER] say that the Government would take the property and pay for it. That is not exactly true. The Government is putting out of work in our Nation tens of thousands of men who will not get their jobs back. It is taking their livelihood away from them. If we want a defense in this Nation we must prepare it basically. The morale of the Nation is the first line of defense; and the first line of defense is dependent upon the people having a livelihood. I think the amendment is basically sound.

I was speaking about the great group of men and women who are unsung and unnoticed by the newspapers. The newspapers never print their words because, of course, the words are of such a character that they do not stink; they do not smell; they do not breed hate or sensation. These men and women are preaching the gospel of understanding and love, the gospel of vision, which will keep America safe.

Who are these men and women who have gone out into the countryside? Some are in the Senate and some in the House. Some are the people at home, who are bringing to our citizens the importance of keeping their heads, maintaining their mental balance, and using horse sense. The result is shown in the recent poll referred to by the Senator from Massachusetts [Mr. WALSH], which shows that 79 percent of the people are against intervention.

What I like about the group which I compliment today is that, without bias or prejudice, without hatred or malice, it is providing the mental ferment which will cleanse America of any sectionalism, bigotry, or hate which may be in her system. It is calling Americans up to the mount of vision, first showing them the greatness of America and the value of being an American, and shooting them through with a flame of patriotic fervor which will keep America safe, free, and at peace.

REQUISITION OF PROPERTY FOR DEFENSE PURPOSES

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN].

The amendment was rejected.

Mr. AUSTIN. Mr. President, I offer a further amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Vermont will be stated.

The LEGISLATIVE CLERK. At the end of section 1, it is proposed to add the following:

Provided, That during such time as a state of war does not exist by virtue of a declaration by Congress thereof, no manufacturing plant whose operation depends upon any article or articles to be commandeered shall be rendered incapable of operation, as a necessary and unavoidable consequence of the exercise of the authority hereby conferred, without just compensation for all of such plant being ascertained and paid in the manner provided for by the act of October 10, 1940, Public, No. 829, Seventy-sixth Congress, third session.

Mr. AUSTIN. Mr. President, I should like to offer a word of explanation with regard to the amendment.

This amendment was also considered by the Military Affairs Committee of the Senate and not agreed to. I offer it on principle and because I think it ought to be in the bill. It is not in any way a departure from the theory of the bill. It conforms to the practice of a great many years in this country with respect to the exercise of eminent domain when real property is taken over.

My conception of the effect of taking a key tool out of a plant, resulting in its collapse industrially and in turning its employees out into the street, is that it is exactly the same as though a proceeding in eminent domain had been followed and the plant itself taken. I cannot conceive of an empty and idle plant being worth very much to its owner when that situation is created by the removal from it of a key tool without which it cannot operate; and I believe that the resultant damages should not be limited to the value of the tool. It is a recognition of the old, familiar doctrine which applies when part of a man's real estate is taken. For example, when the only forest a man has on his farm—his wood lot—is taken, he should be paid something more than the stumpage value of the wood lot.

Up in Vermont agriculture is conducted on a balanced basis and with a diversified-crop procedure. We try to have wood lots on our farms. To give the owner only the stumpage value of the wood lot would not be fair compensation for the taking of his wood lot. So for years we have allowed something additional in the sum of the pecuniary relief that is given the owner in the way of damages. We have allowed a severance value.

That is what the amendment contemplates, except that we are dealing in the reverse. Instead of taking the real estate outright, we are taking a piece of personal property and are destroying certain value of the real estate. We say that in determining the amount of damages, or the just compensation which is allowed, we should consider that the whole plant is ruined by taking a key tool. That is what the amendment means, and I think it ought to be agreed to.

Mr. DOWNEY. Mr. President, I wish to address the Senate very briefly indeed in support of the amendment offered by the Senator from Vermont, which not only seems to me to be most fair and equitable, but also clearly designed in the interest of sustaining the morale of our civilian population.

In order that we may understand exactly the import of the amendment, let me state a concrete case. Let us assume a factory which has a going value of $1,000,000, the machinery of which is worth perhaps $100,000, and let us assume that the Government desires to take out of that factory $35,000 worth of machinery, which will necessitate the cessation of the business as a going concern.

I agree with what the representatives of the Government have said, that probably there will not be many cases in which the Government will have to sabotage an existing factory by taking some of its key machinery. But, Mr. President, the principle which we are discussing in connection with the amendment offered by the Senator from Vermont has a much wider effect and scope in relation to another existing situation. I refer to the condition which is arising because of the priorities rule. Already literally thousands—and perhaps tens of thousands—of businesses are on their way to total destruction.

I am informed that today such a situation prevails in Michigan. It prevails in California, and in Pennsylvania, in certain cases of which I know. In the next year, due to the exercise of the priorities rule, in thousands of businesses built up by men and by families over generations, plant windows will be broken out, their doors boarded up, and their machinery will begin to waste and disintegrate. The personnel will be scattered to the four corners of the land. As in the instance cited in connection with consideration of the amendment immediately before us, taxes, will still have to be paid upon those properties, interest will have to be met upon the bond issues, and some place in society will still have to be reserved for the unfortunate proprietors of such concerns.

Mr. President, not only can this great Government afford to make decent compensation for the destruction of the businesses coming under the amendment offered by the Senator from Vermont, but the Government cannot afford to do anything else. Suppose only one business in a hundred or a thousand should be affected. Has the Government the right, under existing conditions, arbitrarily and entirely to destroy an existing business without giving compensation? Why should we allow perhaps 50 percent or 75 percent of our businesses to wax prosperous and strong, and yet entirely destroy by such a summary action as this a few businesses—and, I suppose, generally the smaller businesses, because I have found that the great business units are better able to protect themselves.

So it is my opinion that not only can we afford to compensate the owners of businesses which are destroyed by the commandeering of their key machinery, but we cannot afford to do anything else.

Mr. LEE. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LEE. Does not the Senator believe that the language on page 4, line 19, covers the situation to which he refers? I refer to the clause:

Upon the payment of fair and just compensation in the manner provided for by the act of October 10, 1940.

Mr. DOWNEY. No. Let me say to the distinguished Senator that I am very sure the language does not cover the situation I mention. The present language in the bill, as I think was admitted before the committee, provides only for payment to the owners of the machines of the value of the machines, and does not consider the total and absolute destruction of the going business itself.

Mr. LEE. I should like to ask a further question of the Senator. The procedure proposed by the amendment would entail an endless amount of litigation, as well as the expenditure of money. I do not remember our including in the bill to draft men a provision to compensate a man for the economic loss he incurred by leaving his law business or his little pressing establishment or his grocery store. Why should we put so much more premium on property than on the man we draft?

Mr. DOWNEY. Let me say that I am grateful to the distinguished Senator from Oklahoma for having asked that question. I have an inherent and deep opposition to the feeling which has developed in the United States, not that we should carry on self-defense with the least possible destruction of human life and property rights and business rights, but that we should carry it on with the utmost dictatorial power that can be granted by the Congress.

I ask, is there any justification for completely destroying the business of a corporation or of a man because we believe that, unfortunately, we have to draft individuals to go into the Army? Is there any connection between the two? Is there any reason why we should single out a small percentage of businesses and totally destroy them, and the bond issues and the mortgages, and the families which own them, because, forsooth, we have also to draft the children of the same owners? What is the connection? Because there is a hardship that is entailed in the matter of self-defense, should we spread that hardship as arbitrarily and as dictatorially as possible, or should we alleviate and make as merciful as possible the tremendous power our Government is being given?

While I am on this subject, let me say that I intend to vote for the bill as it now appears. But when it was first presented to our committee it was unlimited in time, unlimited in scope and objective, and in the committee Senators enthusiastically used the same argument in favor of that bill which they are using against this amendment.

Mr. President, as originally presented, that bill in the event of an economic crisis, in addition to the war crisis, could have been used by the Government legally and constitutionally, within 24 hours to shove this Nation into a fascis-

tic or communistic system; and distinguished Senators, whose devotion and sincerity I do not doubt, believe that, in such an event, if it were necessary, the Government at the same time should have the right to commandeer the newspapers and magazines to uphold that power.

Mr. LEE. Mr. President, did the Senator refer to me?

Mr. DOWNEY. I desire to engage in no personal controversies on this question. If the Senator desires to make any statement about his own position, I will be very happy to have him do so.

Mr. LEE. If the Senator refers to the statement I made, he should change the plural to singular, and say a newspaper or a radio station, for the Senator from Oklahoma never made a statement as to taking over the press or to taking over the radio stations. Since the Senator has brought this matter up—and this is the fourth time it has been brought up on the floor of the Senate today—may I quote from the Supreme Court of the United States with respect to that very point in the case of United States against McIntosh. In that case the Court said:

> From its very nature the war power, when necessity calls for its exercise, tolerates no qualifications or limitations, unless found in the Constitution or its applicable principles of international law. In the words of John Quincy Adams, "This power is tremendous; it is strictly constitutional; but it breaks down every barrier so anxiously erected for the protection of liberty, property, and of life."
>
> To the end that war may not result in defeat, freedom of speech may, by act of Congress, be curtailed or denied so that the morale of the people and the spirit of the Army may not be broken by seditious utterances; freedom of the press curtailed to preserve our military plans and movements from the knowledge of the enemy; deserters and spies put to death without indictment or trial by jury; ships and supplies requisitioned; property of alien enemies, theretofore under the protection of the Constitution, seized without process and converted to the public use without compensation and without due process of law in the ordinary sense of that term; prices of food and other necessities of life fixed or regulated; railways taken over and operated by the Government; and other drastic powers, wholly inadmissible in time of peace, exercised to meet the emergencies of war.

That is from the Supreme Court of the United States and goes much further than the Senator from Oklahoma ever dared to go in a statement here or anywhere else.

Mr. DOWNEY. Mr. President, I have no doubt, of course, of the power of our Government in time of war to destroy every right we have laboriously built up over the decades and generations; I have no doubt of the power of the Congress to sweep them all aside or to place them in the hands of some chief executive to be swept aside; I have no doubt that power can be created; but what I say, Mr. President, is there is undoubtedly a dictatorial spirit abroad in this land which seeks not a minimum of power necessary to carry on our defense but the maximum of power which should be used by the Nation in the actual event of war.

The Senator from Vermont has handed me the quotation which was read by the distinguished Senator from Oklahoma and suggested, very properly, that I emphasize that freedom of speech and other rights may, by act of Congress, be curtailed or denied, and, of course, if we ever deem it necessary that the Government should use our radios and newspapers to build up the public morale or for propagandizing purposes, the Congress would have the power to give such right to the Chief Executive, and to the Army, in derogation of the rights of the existing owners.

Mr. President, I believe this same issue within the next 6 months or a year will be presented to the Congress repeatedly in such a stark and portentous way that it will receive far more serious and lasting attention than we can give it here at this time, because, as I have said, the rationing of commodities, under the priority act, to thousands of businesses spells the death knell of those businesses within the next 6 months or a year, and when taxes cannot be met upon such properties, and bond issues cannot be paid, and their workers are thrown on the breadlines, and cannot find employment in defense industries, then this Nation will begin to realize that, if we would maintain and retain the morale of our people, we had best begin to exercise the power so that it will produce the least injury to our people that is possible.

Returning to the immediate issue raised by the Senator from Vermont, I suggest that every Senator put himself in the place of a factory proprietor who has a business, very likely with a bonded indebtedness, upon which he must pay taxes, whose machinery and buildings he must maintain, whose total property as a going concern is to be destroyed, so that he can no longer use it during this emergency because of the commandeering of certain machinery by the Government: Then I ask Senators to determine whether they believe that equity and fair play would justify their Government in paying them fair compensation or whether their business and property should be destroyed arbitrarily by the Government. As Senators decide that question, they should vote upon this amendment.

Mr. CHANDLER. Mr. President, this amendment was carefully considered by the Senate Committee on Military Affairs and rejected. I am authorized to say that the War Department and the Navy Department expressed the view that the amendment should not be adopted.

Senators will remember that so many things must happen that it seems inconceivable that the hardships referred to by my friend from California could possibly come to pass, because, first, the President, in this desperate emergency, must exhaust his power in trying to do something else. The War Department, in explaining to us, said the policy would be if a man had 20,000 teams to take 1 of his teams and not to take the team of a man who had only 1; that they had no disposition to work a hardship on the small proprietor as differentiated from the large one.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. DOWNEY. If that is true, and that is going to be the policy of our military, the Senate, as a gesture of fairness to the American businessman, can adopt this amendment, because it would not cost the Government 1 cent.

Mr. CHANDLER. I cannot follow the reasoning of my friend, the Senator from California. I say the Military Affairs Committee considered the matter carefully and at some length, and decided overwhelmingly not to adopt the amendment because it was felt that it would not be helpful, and might be hurtful.

We have presented, we think, a fair bill, and, therefore, I regret I am not in a position to accept the amendment, and hope the Senate will not agree to it.

Mr. TAFT. Mr. President, I desire to call attention to only one thing in this bill, and that is that it is said that this power will not be abused because the general of the Army says he does not intend to do so. At the end of the bill, however, it is provided that the President—

> May exercise any power or authority conferred on him by this Act through such department, agency, board, or officer as he shall direct or appoint.

Before the President gets through delegating the powers, as he has done in the various O. E. M. orders, it seems to me we may have persons scattered all over the United States with power to do anything to anybody in their respective districts without any appeal whatever to the President or anyone else. That is the reason why I think we ought not to extend any power and refuse to limit it simply because it is said by one department of the Government that they do not intend to exercise it.

Mr. CHANDLER. Mr. President, the power is definitely limited. It is definite as to time. The bill requires the President to do all the things that I repeated to the Senator from Ohio in a colloquy with him earlier in the day. I thought we had thrashed that matter out, and thought we had a clear understanding about it.

It is absolutely impossible, as we agreed, for the President personally to handle all these matters. He must handle them through some of his appointees. If he does handle them through his appointees, it is assumed that under the limits of the law—a definite time, a definite return—he must find all these things. He must find that he needs the property for the defense of the United States. He is exhausted. He has looked everywhere to find it. He cannot find it elsewhere, and must have it. I do not believe the Senator from Ohio would want, in a serious situation like that, further to limit the right of his President, or the right of the Army to defend itself in getting an important material or important article of equipment. I cannot believe that.

Mr. TAFT. As I understood the Senator, he said we ought not to put this amendment in the bill because the Army say they will not do what the amendment prohibits to any man who has only one machine tool. I am trying to point out that under the bill the

President will appoint some major out in California who never will have to come back to Washington, who can step out, without any regard to what the Army may have said here, and take that single plant and transfer all its machinery to one of the big airplane companies, and practically destroy that man's business.

Mr. CHANDLER. We are faced with this situation: The President may take certain action, and through some of his subordinates he will do it. Are we going to adopt an amendment so that he cannot do it? We must not do that, because that would not be fair, and it ought not to be done. After all the things have been done that the President has to do before he starts on this course of conduct, it seems to me we ought not to require him to do more than exhaust himself; and the very presence of this sort of a law on the statute books will make it unnecessary to use it. The President will not have any necessity to use it, because even if a man is a recalcitrant man or a tough man who does not want to cooperate with the Government, when we pass a law saying to him, "If you do not come in when your time comes we are going to take your property," under definite restrictions, the chances are that he will come in.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. DOWNEY. The Senator's sole argument is directed to the necessity of the Government commandeering some supposed machinery; and he states that we should not limit the Government in doing that. The amendment does not limit the Government in commandeering machinery. It limits the Government in the destruction of the business and property rights of a man without payment of just compensation. The property may still be taken. The Government will merely have to pay just compensation for the injury done.

Mr. CHANDLER. I hope the amendment will not be agreed to, because I do not agree with the Senator's interpretation of what the amendment does. I think it might result in almost making the bill ineffective, and I fear that it would. I hope the Senate will not impose any further limitations on the powers conferred by the bill as the amendment certainly would do.

Mr. WILEY. Mr. President, I speak in favor of the amendment; and I desire to compliment the Senator from California [Mr. DOWNEY], with whom I had the privilege of attending the University of Michigan some thirty-odd years ago.

This amendment, as I see it, simply calls for the application of a rule of reason, the damages that naturally flow from the act. If the Government takes over your property, as the distinguished Senator has said, the Government should pay for it. If the Government does not take the property, but it does something that destroys the property, it should pay for it. But I think the Senator from California has done the country a real service in bringing to the attention of the people something else that is of more significance than the very act we are talking about; I mean, the damages resulting from the application of the law of priorities.

In my own State there are communities which will literally be paralyzed economically, because the Government is taking away the particular articles that provide the economic lifeblood of the communities. I agree with the Senator that that is something that we must consider. Why? Because this whole bill is built around the idea of defense. Basically, the thing that counts most in defense is the morale of our people. If people cannot make a living, if they cannot buy clothes, if they cannot pay taxes, if they cannot pay their bills, naturally we shall have trouble with morale. So I have said to Government officials in departments here, and they have agreed with me—I have talked with Mr. Knudsen, I have talked with Mr. Nelson and others, and they have agreed—that the Government does have an obligation; and, as a result, they have put into the field men who have gone into the various communities with the idea of showing how factories can be turned into the defense program or into some other activity. But, Mr. President, if a return cannot be given for that act of the Government if damages result, the Government should be the last one in the world to say, "We will not pay."

That is why I am in favor of the amendment of the Senator from Vermont.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN].

Mr. BURTON. Mr. President, may we have the amendment read?

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. At the end of section 1, it is proposed to add:

Provided, That during such time as a state of war does not exist by virtue of a declaration by Congress thereof, no manufacturing plant whose operation depends upon any article or articles to be commandeered shall be rendered incapable of operation, as a necessary and unavoidable consequence of the exercise of the authority hereby conferred, without just compensation for all of such plant being ascertained and paid in the manner provided for by the act of October 10, 1940, Public, No. 829, Seventy-sixth Congress, third session.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN].

The amendment was rejected.

Mr. PEPPER. Mr. President, I have sent up to the desk a proposed amendment the purport of which was to provide, in line 20, page 4, the requirement that the "just compensation" referred to should be based on fair market value so far as practicable. After having discussed that proposal with the able Senator from Kentucky [Mr. CHANDLER], I am disposed to believe that it is not necessary, because that is what would be done under the bill anyway.

Mr. CHANDLER. I may say to my friend from Florida that we shall be operating, if the bill becomes a law, under Public Act 829, Seventy-sixth Congress, third session, and the provision of that act is "that recovery shall be confined to the fair market value of such article or material, without any allowance for prospective profits, punitive or other damages." I think that takes care of my friend's amendment.

Mr. PEPPER. The matter is completely covered. I thank the Senator and ask unanimous consent to withdraw the proposed amendment.

The VICE PRESIDENT. Without objection, the amendment will be withdrawn.

Mr. TAFT. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Ohio will be stated.

The CHIEF CLERK. On page 4, line 7, it is proposed to strike out the word "present"; and in line 8 it is proposed to insert "as declared by the President on May 27, 1941."

Mr. TAFT. Mr. President, as the bill now reads it is to apply "during the present national emergency but not later than June 30, 1943." The question becomes important as to when the emergency will come to an end. It seems to me this is ambiguous, as to whether the present national emergency is something we are talking about or whether it is the emergency actually declared by the President. Is the present national emergency the Presidential emergency and can the President end it by proclamation? It seems to me that is what is intended in the proposed act, and I believe it should be perfectly clear, rather than left open as to whether the President has to terminate the emergency or whether we have to terminate the emergency mentioned in the proposed act, in case the war ends before June 30, 1943.

Mr. CHANDLER. The present emergency was declared by the President of the United States, and it will be in force until he declares it ended, or until someone else declares another one. It seems to me the language is clear. It says "during the present national emergency," however long it exists, "but not later than June 30, 1943."

Mr. TAFT. If the Senator wants to make it perfectly clear, and if that is what it means, it would be better to say "the national emergency declared by the President May 27." We referred to it specifically in the Connally amendment to the Selective Service Act, and we referred to it in one other measure. It seems to me it ties it up very definitely, and makes clear when it comes to an end, that is, when the President declares that the particular emergency is ended.

Mr. CHANDLER. I do not think it adds anything or takes away anything.

Mr. TAFT. If the Senator will accept it, it may save a good deal of talk.

Mr. CHANDLER. It seems to me useless to accept a proposition which does not mean anything. Very well; let it go. [Laughter.]

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

The amendment was agreed to.

Mr. TAFT. I propose another amendment, which I ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 5, it is proposed to insert the following new section:

SEC. 5. Nothing in this act shall be construed to authorize the Office of Price Administration and Civilian Supply to take any action with respect to the fixing of prices or with respect to the enforcement of any price order issued by it.

Mr. TAFT. Mr. President, it would seem to me that the bill should not properly and is not intended to authorize anyone to fix prices. Yet the Price Administrator appeared before a subcommittee of the Committee on Agriculture and Forestry of this body and asserted that he had the right to fix prices in the absence of any price-fixing statute or express authority, partly at least because of the adoption by this body of an amendment to the Selective Service Act providing for the commandeering of manufacturing plants, exactly as the pending bill authorizes the commandeering of personal property.

The Administrator filed a brief with the subcommittee in which he said:

Section 9 of the Selective Service and Training Act of 1940 is virtually identical with section 120 of the Army Appropriation Act of 1916, with but slight and immaterial change in language and content. It is, and was, well known that the commandeering power, which was available in the event of failure to produce for the Government at a reasonable price, was invoked during 1917 and 1918 as an ultimate sanction supporting the maximum prices then announced as applicable on all sales, to the public as well as the Government.

He proceeded:

When, therefore, Congress enacted section 9, in language virtually identical with that of section 120, it was in effect reenacting the statute. Reenactment of a statute is generally deemed to constitute legislative approval of the executive or administrative application of that statute. *United States* v. *Bailey* (9 Pet. 238, 256); *McCaughn* v. *Hershey Chocolate Co.* (283 U. S. 488, 492); *Copper Queen Mining Co.* v. *Arizona Board* (206 U. S. 474, 479). The virtual reenactment of section 120 must, therefore, be approval by the Congress of the Government's reliance upon the commandeering power to support reasonable maximum prices announced by the Executive.

Mr. Henderson has clearly given notice that, in his opinion, he has power to fix prices because we authorize the Government to commandeer plants. Frankly, I do not agree with him; I think that is an incorrect interpretation of the law. I think that if he were authorized to use a commandeering statute to enforce prices it would be, in effect, Government blackmail. He would be saying to people, "Although I have not any authority to issue orders to fix prices, nevertheless, if you refuse to obey this order, I will use another power given the Government for an entirely different purpose to force you to do what I have no statutory right to force you to do."

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. Certainly.

Mr. BARKLEY. Does not the provision in the pending bill referring to the statute, Public Document 829, which sets out the method by which this property can be taken over and paid for, set up a special situation wholly independent of any other act which would govern the compensation to be paid to those from whom the property might be taken? By that statute, when the owner of the property is not willing to accept the price fixed by the President, the owner may take 50 percent of the price and then go into court as to the balance. Does not that specifically provide the only method by which compensation or prices can be ascertained with respect to the property taken over under the proposed law?

Mr. TAFT. I do not understand the Senator. I do not see what the method by which it is taken has to do with it. In the President's order giving the Administrator power to fix prices, he mentions the commandeering plan. That is mentioned in the Executive order which he issued, supposedly giving the power to fix prices.

Mr. BARKLEY. It seems to me that, no matter what agency the President might designate, assuming he might designate Mr. Henderson—whether he would I do not know—he would have to take over the plant under the provisions of the act of 1940, which has been referred to in the pending bill as Public, No. 829, which states that the value must be fair market value fixed by the President, and when the owner is not willing to take that fixation, he may accept 50 percent of the price fixed by the President, and then go into court with reference to the balance. Even if Mr. Henderson should undertake to fix a price, as the agent of the President, under the proposed law, if the owner were not agreeable to it he would have to go into court under the provisions of the act of 1940.

Mr. TAFT. Let us suppose a case. Mr. Henderson fixes the price of an automobile, we will say. The company says, "We cannot sell automobiles for that price." Henderson says, "That is pretty good-looking machinery you have here, and I think it would do well in the manufacture of munitions, and we will take the machinery." Then he fixes the price according to the method described by the Senator from Kentucky, but the plant shuts down, and is no longer able to continue in the automobile business. Consequently, that is used as a club to compel companies to abide by some order Henderson has no right to issue.

Mr. BARKLEY. I think the Senator is conjuring up a nightmare which cannot exist under the proposed statute, or by any reasonable interpretation of it. As a matter of fact, so far as price fixing is concerned, I take it that at some time soon some measure dealing with price stabilization will be proposed.

Mr. TAFT. I question that. If Mr. Henderson can get the right to enforce orders he has no right to issue, there will be no price-fixing law. I think there should be a law stating how it should be done. I do not think it should be done indirectly.

Mr. BARKLEY. I can assure the Senator that neither Mr. Henderson nor anyone else is undertaking, so far as I know—I certainly have not heard of it—to make use of this particular proposal as a guise under which to fix prices generally, and I can say to the Senator that I happen to know that in all likelihood in the very near future there will be introduced into the Congress a measure dealing with the subject of price stabilization as a general proposition, and not dealing with it from the standpoint of any property the Government might take over. Besides, it is not conceivable that Mr. Henderson or anyone else would get down to the details of the price of a second-hand automobile someone might have. If that were the extent to which it was undertaken there is no man in the world or no set of men who could follow it up in the individual cases all over the United States and administer it.

Mr. TAFT. Mr. President, I cannot see that my amendment could do any harm. If Mr. Henderson has any power to fix prices he will still have it. The amendment will not take it away from him. It simply says that the act shall not be construed to confer on him the power to fix prices. I would agree with the Senator from Kentucky if it were not for the fact that Mr. Henderson had actually relied on a similar act as authority to fix prices when he appeared before the Committee on Agriculture and Forestry.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. PEPPER. Does the Senator think that the power conferred upon the Government to take over certain plants under the selective service law would give Mr. Henderson the power to fix prices in such cases?

Mr. TAFT. I do not think so, but Mr. Henderson does. He says it in so many words in the brief he filed with the committee, from which I just read.

Mr. PEPPER. Mr. President, in the case just presented it is definitely pointed out, as the Senator from Kentucky indicated, that the test for determining compensation to be paid is by reference to Public, No. 829, Seventy-sixth Congress, third session. That measure, which I have in my hand, to which reference is made, provides that if the property owner does not accept the price tendered by the Government, then the property owner may take 50 percent of the price tendered by the Government, and then may go to court, and here is what the measure of damages shall be, as provided in that statute:

Provided, That recovery shall be confined to the fair market value of such article or material, without any allowance for prospective profit, or punitive or other damages.

A definite law provides what the measure of compensation shall be. So, of course, no administrative officer could set that law aside.

Mr. TAFT. No; but I do not think the Senator understands my position. I do not see what the method of determining compensation has to do with the matter. What I am objecting to is that even though the owner receives compensation, the whole process may do him so much damage that he will be forced to agree to some price-fixing order, which has nothing whatever to do with the particular commandeering Mr. Henderson or the

Government is undertaking to carry through.

Mr. PEPPER. The Senator might just as well provide that no person shall threaten the owner of any factory if he does not sell it at the price provided. The Senator is talking about blackmail or abuse of power. Of course such cases could occur.

Mr. TAFT. I would agree with the Senator if it were not for the fact that Mr. Henderson has been using the other commandeering statute for the express purpose of enforcing price-fixing orders, which he has no authority to do.

Mr. PEPPER. Does the Senator mean to say that there are cases in which Mr. Henderson has threatened to abuse his power in order to get someone to consent to an illegal act?

Mr. TAFT. That is what his brief says. He says that by the virtual reenactment of section 120, in the enactment of the Selective Service Act, the commandeering of plants—

must therefore be approved by the Congress of the Government's reliance—

That is his reliance—

upon the commandeering power to support reasonable maximum prices announced by the Executive.

Which he says applies to sales to the public as well as what the Government wishes to buy.

Mr. PEPPER. I do not think Mr. Henderson is talking about this situation at all.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. ADAMS. I simply want to get this matter clear so that I may know how to vote on it. I am entirely in accord with the Senator from Ohio, that the measure which is now under consideration, could not by any fair or reasonable interpretation, confer power to regulate prices, but the proposed amendment seems to raise an implication that the power to enforce prices is already in the bill.

Mr. TAFT. Perhaps the Senator from Kentucky would tell us whether he thinks the bill would add in any way to Mr. Henderson's price-fixing power.

Mr. CHANDLER. Mr. President, I think the Senator's proposed amendment is a complete stranger to the whole proposition. I told the Senator from Ohio before he offered his amendment that I was willing to entertain any reasonable amendment to the bill, but his amendment is a complete stranger to it, because under the pending measure we are setting up the right to requisition property when certain things happen, and after they happen and it becomes necessary for the President to take over a plant required for the national defense, he must do certain things before he exercises the power, and then we refer to Public, No. 829, which definitely says that if the Government must take over something necessary for national defense it must put up 50 percent of the price, and then the owner of the property can sue to obtain the rest.

Mr. TAFT. So in the Senator's opinion Mr. Henderson could not use this particular measure in any way to enforce any price fixing?

Mr. CHANDLER. I think it is wholly a stranger to that proposition.

Mr. TAFT. I wish the Senator would make the direct statement that in his opinion Mr. Henderson cannot use this measure for that purpose.

Mr. CHANDLER. My own opinion is that he cannot, and that is not the intent. I think it is intended to submit the price-fixing proposition to the Congress within a reasonable time.

Mr. TAFT. Under the circumstances I am willing to withdraw my amendment.

Mr. SMITH. Mr. President, I think it is my duty to call the attention of the Senate to the fact that Mr. Henderson appeared before the committee, and I think it was proven conclusively that there was no law whatever under which he could fix prices. The members of the committee heard that with respect to certain commodities on which he did fix a price, he broke the market, and not until the opposition became so strenuous that he began to modify his dictatorial power did the market recover.

The Senator from Ohio furnished the committee with a brief which was exhaustive, and covered the whole situation, proving that Mr. Henderson's alleged power to fix prices had no more to do with statutory enactments than the number of teeth in a handsaw has to do with the price of chickens. He simply took it on himself arbitrarily to assume the right to fix prices. He says he has the right to do so under an Executive order. Some member of the committee asked him to cite where the Executive got his power. As the Senator said, what Mr. Henderson does is as foreign to his right to do it as it possibly could be.

Mr. President, I think the suggestion made by the Senator from Ohio is a good one, and that if we do not say by some affirmative action that the bill shall not provide for price fixing, Brother Henderson will take it as a license to fix prices. He fixed prices on certain manufactured articles which at a certain period were actually lower than the price for the raw material out of which the manufactured articles were made.

I think we should deal fairly with the producers of the raw material, and stop this arbitrary process by which appointees assume certain rights, to the detriment and damage of thousands of citizens. If no one else does it I shall introduce a bill providing that no price fixing shall be done except by act of Congress. It is up to us to declare for or against price fixing. I hope such action shall be taken by Congress.

The VICE PRESIDENT. If there be no further amendments to be offered, the question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill (S. 1579) was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the President of the United States to requisition property required for the defense of the United States."

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the House had passed without amendment the following bills and joint resolutions of the Senate:

S. 1110. An act to amend section 1118 of the Revised Statutes, as amended, to eliminate the prohibition against enlistment in the military service of the United States of any person convicted of a felony;

S. 1120. An act for the acquisition of Indian lands for the Central Valley project, and for other purposes;

S. 1200. An act to authorize additional appropriations to provide for the further development of cooperative agricultural extension work;

S. J. Res. 1. Joint resolution directing the Comptroller General to readjust the account between the United States and the State of Vermont; and

S. J. Res. 88. Joint resolution to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 1073. An act to amend the Classification Act of 1923, as amended; and

H. R. 4293. An act to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 1548) for the relief of Mrs. H. C. Bivens, Henrietta Bivins, and Irvin Tatum; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. KEOGH, and Mr. JENNINGS were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 4210) to adjust the salaries of rural letter carriers, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to House Concurrent Resolution 47, in which it requested the concurrence of the Senate, as follows:

Resolved, etc., That the Clerk of the House of Representatives is authorized and directed in the enrollment of the bill (H. R. 1073) to amend the Classification Act of 1923, as amended, to insert following the numeral "2" in line 16, page 5, of the engrossed bill the following: "of the Act."

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 281) conferring jurisdiction upon the United States District

Court for the Southern District of Florida to hear, determine, and render judgment upon the claim of the St. Nicholas Park Co., and it was signed by the Vice President.

HOUSE BILL PLACED ON THE CALENDAR

The bill (H. R. 4210) to adjust the salaries of rural letter carriers, was read twice by its title and ordered to be placed on the calendar.

PLANT PROTECTION FORCE FOR NAVAL SHORE ESTABLISHMENTS

Mr. WALSH. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 509 House bill 4671, to authorize a plant-protection force for naval shore establishments, and for other purposes.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 4671) to authorize a plant-protection force for naval shore establishments, and for other purposes.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with amendments.

Mr. BARKLEY. Mr. President, it is the understanding that the bill will not be taken up this afternoon.

Mr. WALSH. My purpose was to make it the unfinished business, but not to proceed with the explanation or discussion of the bill until tomorrow.

LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, while a number of Senators are present I should like to make an announcement. I assume that the bill which has just been made the unfinished business will not require a great length of time tomorrow; and it is my hope that following the disposition of that bill we may call the calendar for the consideration of measures to which there is no objection.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. Will the Senator go further and discuss what he anticipates for the remainder of the week?

Mr. BARKLEY. So far as I can see, there is not much legislation of importance that can be taken up during the remainder of the week. The Committee on Military Affairs is holding hearings on the amendment to the Draft Act, which has been discussed today. I do not know when the committee will be ready to report, but I am hoping that it may finish its hearings, complete consideration of the bill, and report it this week. It is hardly possible that it will report it in time for us to take it up on Thursday, because I understand the hearings will last 2 or 3 days longer. However, it is my hope that the committee will report the bill in time for us to take it up and dispose of it next Monday, or certainly early next week. If that be true, I see nothing of any great importance for the remainder of this week after the disposition of the unfinished business. Under those circumstances I contemplate adjournment from tomorrow until Thursday and from Thursday until Monday.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WALSH. I think it ought to be stated that the able leader has consented to have the pending bill disposed of tomorrow for the very purpose of making the remainder of the week as free as possible for Senators.

CORRECTION OF AN ENROLLED BILL

Mr. MEAD. Mr. President, I ask unanimous consent for the present consideration of House Concurrent Resolution 47.

There being no objection, the concurrent resolution (H. Con. Res. 47) was considered and agreed to, as follows:

Resolved, etc., That the Clerk of the House of Representatives is authorized and directed in the enrollment of the bill (H. R. 1073) to amend the Classification Act of 1923, as amended, to insert following the numeral "2" in line 16, page 5, of the engrossed bill the following: "of the act."

PETROLEUM PIPE LINES — CONFERENCE REPORT

Mr. STEWART submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4816) to facilitate the construction, extension, and completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

HARRY S. TRUMAN,
TOM STEWART,
Managers on the part of the Senate.
WILLIAM P. COLE, Jr.,
EDWARD A. KELLY,
CLARENCE F. LEA,
CHAS. A. WOLVERTON,
PEHR G. HOLMES,
Managers on the part of the House.

Mr. STEWART. Mr. President, the Senate conferees were compelled to recede from the Senate amendment. In that connection I should like to read a letter which was received today from Secretary Ickes, which shows one of the chief considerations for the Senate conferees receding from the Senate amendment. The letter is addressed to me and is dated today. It reads as follows:

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF PETROLEUM COORDINATOR FOR NATIONAL DEFENSE,
Washington, D. C., July 21, 1941.

Hon. TOM STEWART,
United States Senate.

MY DEAR SENATOR STEWART: In a conference held July 17 between representatives of the Petroleum Coordinator for National Defense and of the Interstate Commerce Commission, it was agreed definitely that the policy of the Petroleum Coordinator, to such extent as he may be involved in the administration of H. R. 4816, will be to consult with the Interstate Commerce Commission with regard to relief from the Interstate Commerce Act and its amendments and supplements before any proclamation providing for such relief is recommended to the President. The purpose of this consultation is to make certain that the persons affected by such proclamation will conform as fully as possible to the regulations of the Interstate Commerce Commission and that the purposes which make necessary the granting of relief therefrom are understood by and agreeable to the Interstate Commerce Commission.

In the conference of July 17 it was stated by the representative of the Interstate Commerce Commission that he had conferred with the Chairman and a member of the Commission and that the Commission would not oppose the elimination from H. R. 4816 of the amendment added thereto during the consideration of the bill by the United States Senate. It is understood that the amendment was suggested by the Interstate Commerce Commission as a general proposition and that the full effect of the amendment upon the construction of pipe lines for national-defense purposes had not been completely understood.

Sincerely yours,

HAROLD L. ICKES,
Petroleum Coordinator for National Defense.

Mr. CONNALLY. Mr. President, I should like to ask the Senator from Tennessee a question. Was the Senate amendment the one which added section 8 to the list of sections set out in section 9?

Mr. STEWART. Section 8 (b).

Mr. CONNALLY. The House language in section 9 listed certain sections to which the provisions of section 9 were to apply, and the Senate added section 8 to the list.

Mr. STEWART. The Senate added section 8 (b). The committee added section 8, and the amendment offered by the Senator from Kentucky [Mr. BARKLEY] was to add section 8 (b) to the list of sections.

Mr. CONNALLY. I understand the Senate conferees receded from both Senate amendments.

Mr. STEWART. There was only one Senate amendment.

Mr. CONNALLY. Then the bill as originally passed by the House was agreed to?

Mr. STEWART. That is correct; with no amendment whatever.

Mr. CONNALLY. I have no objection.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

ANTONIO MAURIN

Mr. DAVIS. Mr. President, on July 10 the Senate passed Senate bill 867, for the relief of Antonio or Anthony Maurin. The bill then went to the House. On the 15th of July the House passed House bill 4921, which is identical with the Senate bill. I ask unanimous consent for the present consideration of House bill 4921.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 4921) for the relief of Antonio or Anthony Maurin.

The VICE PRESIDENT. Is there objection to the present consideration of House bill 4921?

There being no objection, the bill was read twice by its title, considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable committee reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:
Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Fred C. Pabst to be collector of customs for customs collection district No. 22, with headquarters at Galveston, Tex.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. CONNALLY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The VICE PRESIDENT. Without objection, it is so ordered.

THE MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

Mr. WALSH. I ask that the nominations in the Marine Corps be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Marine Corps are confirmed en bloc.

That concludes the calendar.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The VICE PRESIDENT. Without objection, it is so ordered.

RECESS

Mr. BARKLEY. If there be nothing further, as in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, July 22, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 21, 1941:

COMMISSIONER OF DISTRICT OF COLUMBIA

Guy Mason, of the District of Columbia, to be a Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified, vice Melvin C. Hazen, deceased.

COMMISSIONER TO INDIA

Thomas M. Wilson, of Tennessee, now a Foreign Service officer of class 1, to act as Commissioner of the United States of America to India, with the rank of minister.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 21, 1941:

COLLECTOR OF CUSTOMS

Fred C. Pabst to be collector of customs for customs collection district No. 22, with headquarters at Galveston, Tex.

POSTMASTERS

ALABAMA

Helen A. Perry, Crichton.
John E. Johnson, Fyffe.
Florrie V. Butts, Louisville.
Alba M. King, Newton.

ARIZONA

John W. Lawson, Oracle.

ARKANSAS

Gus A. McMillan, Sheridan.

FLORIDA

Margaret C. Young, Boca Raton.
Osceola Upthegrove, Canal Point.
Asa C. Blount, Chattahoochee.
Marie M. Stinson, De Funiak Springs.
Sion C. Stalls, Moore Haven.
Matilda R. Pasteur, Silver Springs.
Mary L. Woodmansee, Valparaiso.
Lou C. Pritchard, White Springs.

GEORGIA

Joseph M. Poston, Blue Ridge.

HAWAII

Tadashi Kondo, Kealakekua.

IDAHO

Sheldon J. McMillan, Coeur d'Alene.

ILLINOIS

Leslie B. Paddock, Barrington.
Jessie E. Robertson, Buffalo.
Alvah G. Eimen, Danforth.
Eleanor Onken, Gibson City.
Joseph S. Flaherty, Harvey.
Lena Marie Forcht, Hennepin.
Daisy Pedigo, Hindsboro.
Rudolph F. Maurer, Hopedale.
Charles Paul Janes, Industry.
George J. Pfaff, Itasca.
Albert G. Lucas, Lake Forest.
Grover H. Kinsey, Mackinaw.
Maurice E. Brand, Milledgeville.
Albert Schrieber, Red Bud.
Thomas A. Dossett, Stanford.
Thomas F. Kirby, Steward.
Wilfrid W. Jones, Thawville.
Arthur M. Kloepfer, Winnetka.
Hattie M. Deam, Winslow.

INDIANA

Minnie Richardson, Elberfeld.
Walter J. Ritterskamp, Freelandville.
Herbert G. Shearer, Roanoke.
Noel R. Leeper, Selma.

IOWA

Gertrude E. Sherrer, Hazleton.
Harold F. Diekmann, Readlyn.

KENTUCKY

Edna Earl Dees, Calvert City.
John Leo Fentress, Sr., Central City.
Sanford C. Veatch, Corydon.
William Thomas Webb, Williamstown.

MICHIGAN

Charles F. Greenlease, Biteley.
Caroline G. Smith, Edwardsburg.
Paul E. Bolin, Grand Junction.
Emory M. Grilley, Grant.
Herman Nyhoff, Hamilton.
Ida Mae Pipp, Kalkaska.
John B. Harrington, L'Anse.
Harry W. Denham, Litchfield.
Wavial H. Dunbar, Marion.
Clare M. Troub, Middleton.
Everett S. Capron, Oxford.
Roy A. Cutler, Stanton.
Lawrence G. C. Finefrock, Woodland.

NEBRASKA

Raymond E. Flowers, Clearwater.
Thomas H. Vaughan, Guide Rock.
Cyril John Dendinger, Hartington.
Calvin L. Bonner, Imperial.
Harold Glenn Butler, Newport.
Anton J. Netherda, Niobrara.
William Vondrasek, Table Rock.
Morton T. Kilmer, Western.

NEW JERSEY

Edna M. Davenport, Branchville.
Delbert Bush, Browns Mills.
Oscar P. Jacobus, Cedar Grove.
Joseph A. Poole, Deal.
Edward J. Hannon, Dunellen.
Emery Benoit, Edgewater.
Emma H. Wheatley, Elmer.
Helen D. Glutting, Mullica Hill.
Mary F. Brophy, Skillman.

NEW MEXICO

Alice L. Huff, Silver City.

TENNESSEE

Lyles G. Horner, Centerville.
Elvira Boone, Erin.
John Crockett Owens, Huntingdon.
May C. Trobaugh, Millington.

TEXAS

Ella D. Harris, Angleton.
George O. Harrell, Anson.
Thomas M. Delaney, Balmorhea.
James F. Allbritton, Buna.
Homer C. McConnell, Honey Grove.
Oscar J. Halm, Kingsbury.
Willie C. Binion, Lufkin.
Mary E. Pennington, Matagorda.
Nona Hillyer, Mount Calm.
Ethel B. Friend, Rockport.
Benjamin H. Cummins, Taft.
Bernice M. Boydstun, Vega.
Pearl B. Monke, Weinert.
Winfield C. Powers, White Deer.

WISCONSIN

William R. Hartley, Fountain City.
Harris E. Lauber, Glenwood City.
John A. Brannan, Gratiot.
Esther B. Clausen, Woodworth.

APPOINTMENT IN THE REGULAR ARMY

TO BE FIRST LIEUTENANT, MEDICAL CORPS

William Thayer Smith

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO THE JUDGE ADVOCATE GENERAL'S DEPARTMENT

Capt. Clarence Jonathan Hauck, Jr.

TO THE QUARTERMASTER CORPS

Maj. Herman William Fairbrother
First Lt. Travis Tabor Brown
Second Lt. Charles Wesley Florance, Jr.

TO THE ORDNANCE DEPARTMENT

First Lt. Durward Ellsworth Breakefield

TO THE COAST ARTILLERY CORPS

Lt. Col. Peter Kendrick Kelly
First Lt. Orville Wright Mullikin

TO THE AIR CORPS

Capt. Ephraim Melmoth Hampton
Second Lt. Thomas Lanier McKnight
Second Lt. Ariel Wayne Nielsen

PROMOTION IN THE REGULAR ARMY

TO BE COLONEL, FINANCE DEPARTMENT

Lee Roland Watrous, Jr.

APPOINTMENTS IN THE REGULAR ARMY

TO BE FIRST LIEUTENANTS, DENTAL CORPS

David Chase Hazard
Edward Ernest Rose
Robert Clay Sample

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONEL, COAST ARTILLERY CORPS

Joseph Dowd Brown

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

TO BE LIEUTENANT COLONELS

James Milliken Bevans
Paul Hanes Kemmer
Donald Boyer Phillips
Cecil Elmore Archer
Louis Meline Merrick
Dudley Warren Watkins
Lyman Perley Whitten
Ray Henry Clark
Homer Wilbur Ferguson

TO BE MAJORS

Elvin Seth Ligon, Jr.
Charles Burton Winkle
John Monroe Hutchison
Arno Herman Luehman
Paul Lawrence Barton
Raymond Judson Reeves
William Harvey Wise
Richard Andrew Legg
Harvey Thompson Alness

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

St. Clair Streett et al.

NOTE.—A list of the names of all persons whose nominations are included under the above category will be found in the CONGRESSIONAL RECORD for July 14, 1941, under the caption "Nominations," beginning on page 6000.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

To be second lieutenants

John R. Chaisson	Oliver E. Robinett
Frederick S. Aldridge	John B. Gillespie III
Arthur E. Buck, Jr.	Harry B. Anderson
George F. Williamson	John D. Bradbury
William A. Wood	Andrews M. Wilkinson
Merwyn C. Plumley	William H. Junghans, Jr.
Haddon H. Smith	
Russell L. Hodge, Jr.	Donald T. Regan
Anthony Walker	William C. Roberts
John E. Sundholm	Norman R. Sherman
William W. Mitchell	Seth M. Fitchet, Jr.
David K. Ellison	Robert W. Rynerson
William H. Atkinson	John S. Roberts, Jr.
Raymond D. Wright	Albert Arsenault
John C. Jordan, Jr.	John V. Kelsey
Max H. LaGrone	Dwight A. Johnson
William N. Taft	Victor E. Wade
Walter C. Wells	Lester S. Fought, Jr
Harry T. Marshall, Jr.	John F. Corbett
Fenlon A. Durand	

HOUSE OF REPRESENTATIVES

MONDAY, JULY 21, 1941

The House met at 12 o'clock noon.

The Rev. Bashford Richards, D. D., pastor, First Methodist Church, Greenfield, Ohio, offered the following prayer:

O, Thou Eternal Spirit, Maker and Lord of all, we would be strengthened by Thy fellowship and guided by Thy Word and Spirit. With deep gratitude we sincerely acknowledge Thy goodness to our people. Thanks be to Thee for the mighty men whom Thou hast raised up for the blessing of our Nation, whose wise and fearless leadership preserved for us our peace, unity, strength, and honor. Be Thou pleased to direct and prosper the deliberations of Congress. Put margins of reserve about their need, that they be adequate as lawgivers. For without Thy guiding counsel the wisdom of the wise is foolishness and the people perish. Give them Thy power this day in strengthened faith, deepened courage, and enlarged outlook. Amid confusion and perplexity, disintegrating doubt, and manifold problems, let not wisdom stumble or character be lacking. O, Thou Divine Ruler of the universe, overrule here to the advarcement of Thy glory and the good of our people. This we ask in the spirit of Christ. Amen.

The Journal of the proceedings of Thursday, July 17, 1941, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On July 17, 1941:

H. R. 1268. An act to repeal the provision of law granting a pension to Elizabeth Lively;

H. R. 4823. An act providing for the rank of officers ordered to perform special or unusual duty and of commanders of special naval units afloat; and

H. J. Res. 63. Joint resolution requesting the President to proclaim February 11, 1942, as Edison Day, in commemoration of the birthday of Thomas Alva Edison.

On July 18, 1941:

H. R. 1094. An act to grant pension for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes;

H. R. 1618. An act to amend the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes;

H. R. 2097. An act to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k); and

H. J. Res. 173. Joint resolution to amend further the amended joint resolution approved August 16, 1937 (50 Stat. 668), concerning the importation of articles for exhibition at the New York World's Fair, to permit transfer of liability for duty on articles so imported, and to further amend the amended joint resolution approved May 18, 1937 (50 Stat. 187), concerning the importation of articles for exhibition at the Golden Gate International Exposition, to permit transfer of liability for duty on articles so imported, and for other purposes.

LEAVE TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that tomorrow, after the conclusion of the legislative program and any special orders heretofore made, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting an address delivered on July 4 by a member of the Minnesota Railroad Warehouse Commission.

The SPEAKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a report on a camp site in Minnesota.

The SPEAKER. Is there objection?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. PLUMLEY. Also, Mr. Speaker, I ask unanimous consent to extend my remarks and insert in two instances brief excerpts from newspapers.

The SPEAKER. Is there objection?

There was no objection.

Mr. DEWEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by William Saltiel entitled "Struggle for Americanism."

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech delivered by Alf F. Landon yesterday on the radio.

The SPEAKER. Is there objection?

These was no objection.

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution by the American Legion convention of Alabama.

The SPEAKER. Is there objection?

There was no objection.

Mr. JARMAN. Also, Mr. Speaker, I ask unanimous consent to extend my remarks and include a radio address delivered by Commander Paul C. Wolman, past commander of the Veterans of Foreign Wars.

The SPEAKER. Is there objection?

There was no objection.

Mr. JACOBSEN. Mr. Speaker, I ask unanimous consent to extend my remarks on Iowa Responds to Food Drive.

The SPEAKER. Is there objection?

These was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial taken from the Milwaukee Journal.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Boston Herald on National Daylight Saving.

The SPEAKER. Is there objection?

There was no objection.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Rochester, N. Y., Times-News.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Sterling Advocate.

The SPEAKER. Is there objection?

There was no objection.

SECRETARY OF THE INTERIOR HAROLD ICKES AND FREEDOM OF SPEECH

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. YOUNG. Mr. Speaker, I rise to express my complete disapproval of the violent, vituperative speeches of Harold Ickes, the Cabinet shrew, comparing Lindbergh to limberger.

I support the foreign policy of President Roosevelt. I completely disagree with Lindbergh, but freedom of speech is an American privilege and at a time when we need national unity and solidarity—at a time when our security and way of life depend upon our united effort to provide Britain with all aid short of war in stopping Hitler—intemperate abusive personal attacks upon Lindbergh or any other American in public life are unfortunate. What this country needs more than gasless Sundays is a gasless Secretary of the Interior. If Harold Ickes wants to contribute personally to saving gasoline, why does he not start by moving into Washington, or retire to his country estate, for that matter.

EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks and insert therein a short newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FULMER. Mr. Speaker, I also ask unanimous consent to extend my remarks and include a summary of the provisions of a bill that I am introducing today in the interest of the potato growers of the United States.

The SPEAKER. Is there objection?

There was no objection.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to insert in the RECORD certain excerpts from an article by Walter Lippmann, found in the issue of Life this week.

The SPEAKER. Is there objection?

There was no objection.

HEALTH CONDITIONS IN LOUISIANA

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, the fine climate and excellent health conditions in Louisiana are well known to all informed persons. The death rate is below the average for the Nation. If any further evidence is needed as to health conditions in Louisiana, I desire to bring to the attention of the House a most unusual birthday celebration. In my home parish of Winn, three people—two brothers and a sister—whose birthdays are near together, will have a joint celebration next Sunday. I know all three of them and have known them all my life. They are hale and hearty and actually do work. On Sunday, July 27, Mrs. Ann Campbell and her two brothers will have a joint birthday celebration. Her age is 95; her brother, John F. Smith, is 97; and her younger brother, P. F. Smith, is only 93. The combined ages of the three add up to 285 years. Need I say any more in favor of Louisiana, gentlemen?

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on Wednesday next at the conclusion of all other business I may address the House for 20 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Saturday Evening Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I also ask unanimous consent to extend my remarks and include therein an address by George Peek.

The SPEAKER. Is there objection?

There was no objection.

GASLESS SUNDAYS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, enormous inconvenience will be imposed upon our people if gasless Sundays are ordered. There are many ways for us to speed up delivery of gasoline to the consumers of this Nation. The tendency of railroads to reduce petroleum rates in various sections of the country and thereby drive trucks which are now engaged in hauling petroleum products from refineries to consumers off the highways will aggravate the situation and bring about more idle transportation equipment. Using tank cars for the short hauls and at rates below cost of operation imposes upon the public unnecessary burdens at this time.

Another step that could be taken to make available more equipment would be a program of economy in the use of the equipment presently available. Up until the present time very little attention has been paid to the amount of time required to load tankers, tank cars, and highway units. Many of the loading facilities at various water terminals are antiquated inasmuch as 6 to 8 hours could be saved in loading tankers with proper installation, larger pipe, or larger pumps.

This same condition prevails at loading terminals where tank cars and transport trucks are loaded. The modernizing of these facilities would to a great extent make more equipment available.

There is also room for vast improvement in unloading facilities of all types of petroleum conveyances at the present time. In several sections of the country tank cars are loaded at refineries only 5 days per week and in some instances only 8 hours per day. Tank cars arriving at refineries lay over from Friday night until Monday morning. Trucks are also used sparingly on Saturdays and not at all on Sundays, the average working day being approximately 14 hours per day. An unloading arrangement operating 24 hours per day and 7 days a week would increase hauling and delivery capacity probably as much as 30 percent.

EXTENSION OF REMARKS

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include a short editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. DAY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a copy of an address.

The SPEAKER. Is there objection?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a short editorial.

The SPEAKER. Is there objection?

There was no objection

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a short essay.

The SPEAKER. Is there objection?

There was no objection.

WHAT DOES UNCLE SAM MEAN TO ME?

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. AUGUST H. ANDRESEN addressed the House. His remarks appear in the Appendix of the RECORD.]

WAR PROPAGANDA IN MOVING-PICTURE INDUSTRY

Mr. THILL. Mr. Speaker, I ask unanimous consent to address the House and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. THILL. Mr. Speaker, the determination of the American people to remain at peace and to disregard vicious war propaganda is making itself felt. I will read a significant news item from the

Washington Times-Herald of July 18, 1941:

PARAMOUNT BANS PROPAGANDA IN FILMS

War propaganda has been banished from motion pictures released by Paramount Pictures, Inc., because the public does not want it mixed with their entertainment, Neil F. Agnew, vice president and general sales manager, said at a sales conference here today. "It's purely a matter of dollars and cents," Agnew said. "The public has shown that it does not want propaganda on the screen. So far as Paramount is concerned, there will be no propaganda in its pictures."

Mr. Speaker, I call upon the rest of the motion-picture producers of the Nation to follow the patriotic example set by Paramount and begin at once to eliminate vicious war propaganda from their films.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. PIERCE. Mr. Speaker, the Public Printer has found that the speech of Palmer Hoyt that I asked to be published as part of my remarks last week was slightly in excess of two pages. I have an estimate from the printer and now ask unanimous consent that I may have the speech inserted in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRICE CONTROL

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOOK. Mr. Speaker, I was rather shocked this morning to hear that Henderson's price-fixing and supply agency is about to issue an order to cut the production of automobiles 50 percent. This is very important to the great State of Michigan and to the United States. It is very interesting to note, however, that the Office of Production Management says this as absolutely unnecessary.

I am reliably informed that the operators of the automobile plants have voluntarily agreed to cut production 20 percent but that is as far as they can safely proceed. Both labor and management oppose the Henderson order.

I think it is about time that we as Members of this Congress stepped into the picture and looked into the inner workings of Henderson's office in the interests of this Nation.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Christian Science Monitor on the subject of compulsory joint returns by husband and wife.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MEYER of Maryland. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MEYER of Maryland. Mr. Speaker, in taking a realistic view of selective service, the question of extension must depend on the necessities of national defense. However, most opponents are sincere, since they honestly believed at induction only 1 year's service would be exacted of them. These facts must be courageously faced by Congress and given most careful study, and if any of the objections to an extension are sound and can be met, they should be, to keep faith with the selectees as well as the Nation. I believe national unity to be of paramount importance.

I have the fullest faith in the sound judgment and deep patriotism of the people of this Nation, and am sure they will gladly meet any demands that the safeguarding of their country's welfare imposes upon them, once they understand; but so many of them I am sure will remain woefully unaware of the extent of the current emergency until their duly authorized Representatives supplement and fortify the President's declaration of emergency with an equally earnest and extensive one on the part of a united Congress. This is true because the people feel that if Congress alone has the power to declare war, that a declaration of extreme peril or national emergency should certainly emanate from Congress, as well as from the President at this time, if one exists.

In conclusion, I am convinced that the determining of the urgencies of our defense must in its essence rest with those in highest authority, civil and military, who are in possession of all the facts as to the international situation, as they relate to this country. But, insofar as it is possible, the time is now at hand to make known the true status of conditions and events to the people to restore their confidence and assure complete unity.

COMMITTEE ON NAVAL AFFAIRS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs may be permitted to sit during the sessions of the House for the remainder of the week.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. BENNETT addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I desire to make two requests to extend my remarks: First, in respect to veterans' preference on W. P. A.; and, second, on the subject of recognized engineering experts versus administration-controlled mathematicians in estimating cost of St. Lawrence seaway and power project.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FURTHER SAFEGUARDING RADIO COMMUNICATIONS OF UNITED STATES SHIPS

Mr. COLMER, from the Committee on Rules, submitted the following resolution (H. Res. 274) on the bill (H. R. 5074) to provide additional safeguards to the radio communications service of ships of the United States in the interest of national defense, and for other purposes (Rept. 979), which was read, and referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5074, a bill to provide additional safeguards to the radio communications service of ships of the United States in the interest of national defense, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Merchant Marine and Fisheries, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening montion except one motion to recommit.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—SERVICE OF SELECTEES, NATIONAL GUARD, AND RESERVE OFFICERS (H. DOC. NO. 318)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and with the accompanying papers, referred to the Committee on Military Affairs and ordered printed:

To the Congress of the United States:

Last year the Congress of the United States recognizing the gravity of the world situation held that common prudence required that American defense, at that time relatively very weak, be strengthened in its two aspects. The first called for the production of munitions of all kinds. The second called for the training and service of personnel. The Selective Training and Service Act authorized the annual induction into military service of a maximum of 900,000 men for this training and service, of whom 600,000 are now in the Army. The Congress also authorized the induction into service of the National Guard, the Reserve officers, and other Reserve components of the Army of the United States.

In the absence of further action by the Congress, all of those involved must be released from active service on the expiration of 12 months. This means that beginning this autumn about two-thirds of the Army of the United States will begin a demobilization.

The action taken last year was appropriate to the international situation at that time. It took into consideration the small size and the undeveloped state

of our armed forces. The National Guard, which then formed the bulk of these forces, had to be seasoned; its technical training and general efficiency greatly improved. The ranks of the National Guard and the Regular Army had to be brought to full strength; and, in addition, the Army required for its tremendous expansion the services of approximately 50,000 Reserve officers.

In effect, two steps were taken for the security of the Nation. First, the Selective Service Act initiated annual military training as a prime duty of citizenship. Second, the organization and training of field armies was begun—training in team work—company by company, battalion by battalion, regiment by regiment, and division by division. The objective was to have ready at short notice an organized and integrated personnel of over 1,000,000 men.

I need scarcely emphasize the fact that if and when an organized and integrated company, battalion, regiment, or division is compelled to send two-thirds of its members home, those who return to civil life, if called to the colors later on, would have to go through a new period of organization and integration before the new unit to which they were assigned could be depended on for service. The risks and the weaknesses caused by dissolving a trained army in times of national peril were pointed out by George Washington over and over again in his messages to the Continental Congress.

It is, therefore, obvious that if two-thirds of our present Army return to civilian life, it will be almost a year before the effective Army strength again reaches 1,000,000 men.

Today it is imperative that I should officially report to the Congress what the Congress undoubtedly knows: That the international situation is not less grave but is far more grave than it was a year ago. It is so grave, in my opinion, and in the opinion of all who are conversant with the facts, that the Army should be maintained in effective strength and without diminution of its effective numbers in a complete state of readiness. Small as it is in comparison with other armies, it should not suffer any form of disorganization or disintegration.

Therefore we would be taking a grave national risk unless the Congress were to make it possible for us to maintain our present full effective strength and during the coming year give training to as many additional Americans as we can, when immediate readiness for service becomes more and more a vital precautionary measure, the elimination of approximately two-thirds of our trained soldiers, and about three-fourths of the total officer personnel, would be a tragic error.

Occasional individuals, basing their opinions on unsupported evidence or on no evidence at all, may with honest intent assert that the United States need fear no attack on its own territory or on the other nations of this hemisphere by aggressors from without.

Nevertheless, it is the well-nigh unanimous opinion of those who are daily cognizant, as military and naval officers and as Government servants in the field of international relations, that schemes and plans of aggressor nations against American security are so evident that the United States and the rest of the Americas are definitely imperiled in their national interests. That is why reluctantly, and only after a careful weighing of all facts and all events, I recently proclaimed that an unlimited national emergency exists.

It is not surprising that millions of patriotic Americans find it difficult in the pursuit of their daily occupations and in the normal lives of their families to give constant thought to the implications of happenings many thousands of miles away. It is hard for most of us to bring such events into focus with our own readily accepted and normal democratic ways of living.

That is why I must refer again to the sequence of conquests—German conquests or attacks—which have continued uninterruptedly throughout several years—all the way from the coup against Austria to the present campaign against Russia.

Every move up and down and across Europe and into Asia and into Africa has been conducted according to a time schedule, utilizing in every case an overwhelming superiority not only in matériel but in trained men as well. Each campaign has been based on a preliminary assurance of safety or nonaggression to the intended victim. Each campaign has been based on disarming fear and gaining time until the German Government was fully ready to throw treaties and pacts to the winds and simultaneously to launch an attack in overwhelming force.

Each elimination of a victim has brought the issue of Nazi domination closer to this hemisphere, while month by month their intrigues of propaganda and conspiracy have sought to weaken every link in the community of interests that should bind the Americas into a great western family.

I do not think that any branch of the Government of the United States will be willing to let America risk the fate which has destroyed the independence of other nations.

We Americans cannot afford to speculate with the security of America.

Furthermore, we have a definite responsibility to every country in the Western Hemisphere—to aid each and every one of them against attack from without the hemisphere. I do not believe that any branch of the American Government would desire today to abrogate our pan-American pacts or to discard a policy which we have maintained for nearly a century and a quarter.

If we do not reverse this historic policy, then it is our duty to maintain it. To weaken our Army at this particular time would be, in my judgment, an act of bad faith toward our neighbors.

I realize that personal sacrifices are involved in extending the period of service for selectees, the National Guard, and other Reserve components of our Army. I believe that provision now can and will be made in such an extension to relieve individual cases of undue hardship, and also to relieve older men who should, in justice, be allowed to resume their civilian occupations as quickly as their services can be spared.

Nevertheless, I am confident that the men now in the ranks of the Army realize far better than does the general public, the disastrous effect which would result from permitting the present Army, only now approaching an acceptable state of efficiency, to melt away and set us back at least 6 months while new units are being reconstituted from the bottom up and from the top down with new drafts of officers and men.

The legislation of last year provided definitely that if national danger later existed, the 1-year period of training could be extended by action of the Congress.

I do not believe that the danger to American safety is less than it was 1 year ago when, so far as the Army was concerned, the United States was in a woefully weak position. I do not believe that the danger to our national safety is only about the same as it was a year ago.

I do believe—I know—that the danger today is infinitely greater. I do believe—I know—that in all truth we are in the midst of a national emergency.

I am not asking the Congress for specific language in a specific bill. But I can say frankly that I hope the Congress will acknowledge this national emergency either for a specific period or until revocation by the Congress or the President.

The objective is, of course, the all-important issue. It is to authorize continuance in service of selectees, National Guard, and Reserve components of the Army and the retired personnel of the Regular Army, with the understanding that, should the exigencies of the situation permit, early return to civil pursuits will follow in due course.

Because of the swiftness of modern events, I think the Congress should also remove the restrictions in regard to the numbers of selectees inducted each year for training and service.

And in order to reduce individual hardships to a minimum, I urge that the Congress provide that employers be asked to continue to keep jobs open for their employees who have been held in the Army. For my part I will direct the return to civil life of officers and men whose retention on active duty would impose undue hardship and that selectees and enlisted men of the National Guard, who have reached the age of 28, be transferred from active service to a reserve component as rapidly as possible.

At great cost to the Nation, and at increasing dislocation of private buying, we are accepting the material burdens necessary for our security. In such matters we accept the fact of a crisis in our history.

It is true that in modern war men without machines are of little value. It is equally true that machines without men are of no value at all. Let us consolidate the whole of our defense—the whole of our preparation against attack by those enemies of democracy who are the enemies of all that we hold dear.

One final word: Time counts. Within 2 months disintegration, which would follow failure to take congressional action, will commence in the armies of the United States.

Time counts. The responsibility rests solely with the Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 21, 1941.*

PERMISSION TO ADDRESS THE HOUSE

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Following the reading of the Journal the Chair recognized every Member who asked recognition to extend his remarks or address the House for 1 minute. The Chair now feels that we should proceed with the legislative business of the day. The Chair will, however, recognize the gentleman from Georgia to submit this request.

Is there objection to the request of the gentleman from Georgia?

There was no objection.

THE PRESIDENT'S MESSAGE ON ADDITIONAL SERVICE FOR SELECTEES

Mr. COX. Mr. Speaker, the message of the President just read is truth revealing itself by degrees. That we are going into a shooting war has been known since prior to the destroyer transaction. We cannot escape the force or effect of events over which we have no control. Public sentiment forced the adoption of the lend-lease bill. It demanded all-out aid to England. All-out aid means war, and what is being done under the lend-lease bill and under present emergency powers held by the Executive is war.

The President's position on the retention of draftees in the Army is, of course, right. To disorganize and disintegrate our Army in its very making would be playing fast and loose with the security of the Nation and with the lives of our people.

[Here the gavel fell.]

AMENDMENT OF CLASSIFICATION ACT OF 1923

The SPEAKER. The Chair recognizes the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1073) to amend the Classification Act of 1923, with Senate amendments, and concur in the Senate amendments.

The SPEAKER. The Clerk will report the title of the bill and the Senate amendments.

The Clerk read as follows:

Page 4, line 3, strike out "section." " and insert "section."

Page 4, after line 3, insert:

"(h) The provisions of subsections (b) to (f), both inclusive, of this section shall not apply to the compensation of persons appointed by the President, by and with the advice and consent of the Senate."

Page 5, after line 21, insert:

"SEC. 6. Section 3 of the Legislative Pay Act of 1929 is hereby amended effective on the date of the enactment of this act by adding at the end of the first paragraph thereof, before the period, the following: '*Provided further*, That the compensation of any employees under the Office of the Architect of the Capitol whose tenure of employment is temporary or of uncertain duration may be fixed by the Architect of the Capitol without reference to the provisions of the Classification Act of 1923, as amended'."

Page 5, line 22, strike out "6" and insert "7."

Page 6, line 1, strike out "7" and insert "8."

Page 6, line 3, strike out "8" and insert "9."

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, the gentleman, of course, will explain what the amendments do. The gentlewoman from Massachusetts [Mrs. ROGERS], the ranking minority member of the committee, is present, and I hope she will tell us why these amendments were put in.

Mr. RAMSPECK. Mr. Speaker, I will be glad to explain the effect of the amendments. The first amendment eliminates from the coverage of this bill positions where the President appoints and the Senate confirms.

The second amendment eliminates from the coverage of the bill certain temporary employees under the Architect of the Capitol. So there is no extension of the bill. The Senate amendments curtail the coverage of the bill.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. It is my understanding this is simply of advantage to those in the civil service who get to their positions through merit. It only affects a few political appointees?

Mr. RAMSPECK. That is correct.

Mrs. ROGERS of Massachusetts. The Bureau of the Budget has recommended that these amendments be concurred in?

Mr. RAMSPECK. Yes; the Bureau of the Budget has approved the amendments and asks that this procedure be followed.

Mr. MICHENER. And the committee is unanimous?

Mr. RAMSPECK. Yes; there is no objection from any member of the committee.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

AMENDMENT TO CLASSIFICATION ACT OF 1923

Mr. RAMSPECK. Mr. Speaker, I offer a concurrent resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows (H. Con. Res. 47):

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives is authorized and directed in the enrollment of the bill H. R. 1073, entitled "An act to amend the Classification Act of 1923, as amended, to insert following the numeral '2' in line 16, page 5, of the engrossed bill, the following: 'of the act.' "

The resolution was agreed to.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

AUTHORIZING ADDITION OF CERTAIN LANDS TO THE PLUMAS NATIONAL FOREST, CALIF.

The Clerk called the first bill, H. R. 1595, to authorize the addition of certain lands to the Plumas National Forest, Calif.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

TIME OF APPOINTMENT OF PRESIDENTIAL ELECTORS AND ELECTION OF SENATORS AND REPRESENTATIVES IN CONGRESS

The Clerk called the next bill, H. R. 145, to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

BRIDGE ACROSS MISSISSIPPI RIVER AT OR NEAR DUBUQUE, IOWA

The Clerk called the next bill, H. R. 2811, to extend the times for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., under authority of the act approved July 18, 1939, as amended, and for other purposes.

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. ALLEN]?

There was no objection.

HULAH DAM AND RESERVOIR, OKLA.

The Clerk called the next bill, H. R. 3936, in aid of the construction of the Hulah Dam and Reservoir project, Oklahoma.

Mr. DISNEY. Mr. Speaker, the substance of this bill is incorporated in the Interior Department bill that has already passed. In my opinion this bill should be stricken from the calendar, and I ask unanimous consent that it be laid on the table.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. DISNEY]?

There was no objection.

SUNDRY MATTERS AFFECTING MILITARY ESTABLISHMENT

The Clerk called the next bill, H. R. 4476, providing for sundry matters affecting the Military Establishment.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and hereby is, authorized out of any moneys available for the War Department for the fiscal year ending June 30, 1942, to provide for entertainment and instruction in connection with the welfare of enlisted personnel; to provide for the employment of internes in the Medical Department, at not to exceed $720 per annum.

SEC. 2. That during the fiscal year ending June 30, 1942, all provisions of existing law limiting the strength of any branch of the

Army, the number of flying cadets in the Army Air Corps, the number of assistant superintendents of the Army Nurse Corps, and the number and grade of Reserve officers who may be ordered to extended active duty with the Air Corps, shall not apply: *Provided*, That, exclusive of officers of the Army Air Corps and those assigned thereto for training, the number of officers of the Army who may be required to participate regularly and frequently in aerial flights during the fiscal year ending June 30, 1942, shall not exceed 5 percent of the total authorized commissioned strength of the Army, notwithstanding the provisions of section 20, act of June 10, 1922, as amended (10 U. S. C. 292).

SEC. 3. That the Secretary of War is hereby authorized, during the fiscal year ending June 30, 1942, in connection with military construction, defense installations, to effect appointments of civilian employees in the United States, or to effect the transfer of such employees in the Federal service in the United States, for duty at any point outside the continental limits of the United States at which it may be found necessary to assign such civilian employees, and to pay the costs of transportation of such employees from the place of engagement in the United States, or from the present post of duty in the United States, if already in the Federal service, to the post of duty outside the United States and return upon relief therefrom, and to provide for the shipment of household goods and personal effects of persons so appointed or transferred from the place of engagement or transfer to the post of duty outside the continental United States and return upon relief therefrom; and to provide for transportation of the dependents of such employees by such means as may be found expedient.

SEC. 4. That any funds available for the fiscal year ending June 30, 1942, for the payment of travel allowances and travel in kind, shall be available for such allowances as are now or may hereafter be authorized for dependents of personnel of the Regular Army, for travel of dependents of personnel of the National Guard while in the service of the United States and for members of the Officers' Reserve Corps and Enlisted Reserve Corps when ordered to active duty for periods in excess of 15 days.

SEC. 5. That any funds available for the fiscal year ending June 30, 1942, for the payment of travel allowances and travel in kind shall be available for the payment of such allowances, as are now or may hereafter be authorized for dependents of personnel of the Regular Army, for travel of dependents of retired officers, retired warrant officers, and retired enlisted men of the first three grades and enlisted men of the first three grades of the Regular Army Reserve, including such allowances for dependents, when such personnel is ordered to active duty and upon relief therefrom

SEC. 6. That any funds available for the fiscal year ending June 30, 1942, made available for the transportation of baggage, household effects and goods, shall be available for the transportation, packing, crating, and unpacking of such baggage, household effects and goods, in the manner and under such conditions of service of military and civilian personnel as the Secretary of War may prescribe and designate by regulations.

SEC. 7. That any funds available for the fiscal year ending June 30, 1942, for Army transportation, shall be available for the lease from the Maritime Commission or others of boats and other vessels.

SEC. 8. That any funds available for the fiscal year ending June 30, 1942, for construction of buildings, utilities, and appurtenances at military posts shall be available for the purposes specified by existing law and in appropriation acts, including the acquisition of land, rights pertaining thereto, leasehold and other interests therein, and temporary use thereof, without regard to the provisions of sections 355, 1136, and 3648, Revised Statutes, as amended (10 U. S. C. 1339; 40 U. S. C. 255; 31 U. S. C. 529).

SEC. 9. That the fixed fee to be paid the contractor as the result of any contract for public works entered into on or after September 9, 1940, for the construction and installation of buildings, utilities, and appurtenances at military posts shall not exceed 6 percent of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of War.

SEC. 10. That the provisions of the act to facilitate the procurement of aircraft for the national defense, approved March 5, 1940 (Public, No. 426, 76th Cong.), as amended by section 401 of the Second Revenue Act of 1940, approved October 8, 1940 (Public, No. 801, 76th Cong.), shall be effective during the fiscal year ending June 30, 1942.

SEC. 11. That any funds available for the fiscal year ending June 30, 1942, for the engineer service, Army, in addition to the purposes for which available under existing law or appropriations, shall be available for expenses of railroad operation, including purchase or lease of equipment and materials and the acquisition of lands, rights-of-way thereon, and other interests therein and temporary use thereof.

SEC. 12. That any funds available for the fiscal year ending June 30, 1942, for military construction, defense installations, in addition to the purposes for which available under existing law or appropriations, shall be available for the acquisition of leasehold and other interests in land, and the temporary use thereof, without regard to sections 355, 1136, and 3734, Revised Statutes, as amended (40 U. S. C. 255; 10 U. S. C. 1339; 40 U. S. C. 267), and shall remain available for such purposes until June 30, 1943.

SEC. 13. That for the fiscal year ending June 30, 1942, when deemed by the Secretary of War to be advantageous to the national defense, and if in his opinion the existing facilities of the War Department are inadequate, he is hereby authorized to employ, by contract or otherwise, without reference to section 3709, Revised Statutes, and at such rates of compensation as he may determine, architectural, engineering, technical, or professional corporations, firms, or individuals for the production of plans and specifications required for any War Department project, and for the supervision of its accomplishment.

SEC. 14. That the provisions of section 1 (a) and 1 (b) of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (Public, No. 703, 76th Cong.), are hereby continued in effect and made applicable to moneys appropriated for the War Department for national defense purposes for the fiscal year ending June 30, 1942.

With the following committee amendments:

On page 1, section 1, after the word "internes" at the end of line 7, insert the following: "who are graduates of or have successfully completed at least 4 years professional training in reputable schools of medicine or osteopathy."

Strike section 4, on page 3, in its entirety and substitute in lieu thereof the following:

"SEC. 4. That any funds available for the fiscal year ending June 30, 1942, for the payment of travel allowances and travel in kind, shall be available for the payment of such allowances as are now or may hereafter be authorized for dependents of personnel of the Regular Army, for travel of dependents of personnel of the Officers' Reserve Corps, the Enlisted Reserve Corps, and the National Guard while in the service of the United States when ordered to active duty for periods in excess of 15 days, including transportation from home to first station, from last station to home upon relief from active duty, and upon permanent change of station."

Section 8, on page 4, after the word "available", in line 17, insert the following: "with the approval of the Secretary of War."

Section 11, on page 5, strike the word "railroad" in lines 16 and 17 and after the word "operation" in line 17 thereof, insert the following: "of a railroad not more than 100 miles in length."

At the end of section 14, on page 6, insert the following sections:

"SEC. 15. The Secretary of War may, with respect to contracts for public works for the Military Establishment, whether or not for construction at military posts, entered into upon a cost-plus-a-fixed-fee basis out of funds appropriated for the fiscal year 1942 or authorized to be entered into prior to July 1, 1942, waive the requirements as to performance and payment bonds of the act approved August 24, 1935 (49 Stat. 793; 40 U. S. C. 270a).

"SEC. 16. All existing limitations with respect to the number of serviceable airplanes, airships, and free and captive balloons that may be equipped and maintained shall be suspended during the fiscal year 1942."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTER-AMERICAN HIGHWAY

The Clerk called the next bill, S. 1544, to provide for cooperation with Central American republics in the construction of the Inter-American Highway.

Mr. WOLCOTT. Mr. Speaker, I understand that a rule has been applied for in connection with this bill, and for this reason I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

CERTAIN NAVAL OFFICERS STATIONED IN THE CANAL ZONE

The Clerk called the next bill, S. 874, relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GORE. I object, Mr. Speaker.

COOPERATIVE AGRICULTURAL EXTENSION WORK

The Clerk called the next bill, S. 1200, to authorize additional appropriations to provide for the further development of cooperative agricultural extension work.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I hope the gentleman will not insist on his request, because the bill has unanimously passed the Senate and has the unanimous report of the Committee on Agriculture. The appropriation has been made for 1 year and this bill will take care of future years. I feel that it is a measure of such merit that it should be passed. I hope the gentleman will not insist on his request.

Mr. FULMER. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from South Carolina.

Mr. FULMER. May I say to the gentleman that the purpose of this bill is to take care of about 25 States which, because of the moving of a part of the population into other States, will now be short of funds for this extension service. It is necessary to appropriate this money to give these States the same type of service they have been getting. The appropriation for this amount was carried in an appropriation bill which has already been passed. This does not call for the expenditure of any additional money. This bill will take care of the situation for the next 10 years, until there is another census of the population of the United States.

Mr. COLE of New York. I understand the purpose of the bill is to increase the amount authorized for cooperative agricultural extension work from $300,000 to $555,000. This is nearly a 100-percent increase. The justification for this increase is that there has been a migration of the population so that the need in some States is greater than it has been in the past. This same argument would apply in reverse, that the need is less in some States than it has been in the past, if the population has gone from one State to another. Therefore, it seems at the moment unnecessary to increase this amount, at least to the great extent it is increased here.

Mr. FULMER. May I say to the gentleman that under the act governing this extension work, when the population shifts, the amount of money that would take care of that State goes to the State into which the population has shifted, leaving the first State without money they should have to carry on this line of work.

Mr. COLE of New York. If the adjustment is automatic with the change of population, then why is it necessary to have any increase at all?

Mr. FULMER. Because, under the original act, the money is distributed to the States according to population. Therefore, when the population moves from a State to another State, that State loses a part of the money and it goes to the State where the shift in population goes to. Unless this bill is passed and this money is provided, 25 or 26 States will not be able to use that money, as it goes to other States to carry on this line of work. The appropriation has already been made for this amount.

Mr. COLE of New York. Is there anything in the act that takes away from the States from which the population has migrated the amount they previously received?

Mr. FULMER. Such a provision is in the act, and under that provision the money goes with the population. The necessity for this bill is to deal justly with those States which are absolutely helpless under that provision of the act.

Mr. LUTHER A. JOHNSON. If the gentleman will yield further, may I make an explanation with reference to one statement the gentleman made, with regard to the amount being increased 100 percent. The total appropriation in round numbers for this particular kind of work is $18,000,000. In 1939 we passed a bill increasing that amount $2,500,000. That was to take care of the situation which it was thought might arise after the census was taken. The President vetoed that bill providing for $2,500,000. Then the President's advisers suggested that they get together and see what amount might take care of the work. At that time it was figured that two or three hundred thousand dollars would probably take care of it, although the census returns had not yet come in at that time. An authorization bill was passed at that time for a $300,000 increase under the impression that would be sufficient to take care of the disparity caused by shift of population, but when the census returns were finally in and it was found that there had been a shift of the "Okie" population and others into other States, it was necessary to do what is provided in this bill. This would provide only one-fifth of the amount Congress appropriated in making the increase in 1939 of $2,500,000, so it is not a 50-percent increase; it is only 1¼ percent of the whole. It is only 20 percent of what the increase was in the bill we passed and which the President at that time vetoed.

Mr. COLE of New York. As far as I can see, Mr. Speaker, the bill provides for changing the amount from $300,000 to $555,000.

Mr. LUTHER A. JOHNSON. That is true.

Mr. COLE of New York. In my opinion, in these days, with the great demand on the Public Treasury for the purposes of defense, we should not increase any item by approximately 100 percent by unanimous consent. Therefore, Mr. Speaker, I ask that the bill be passed over without prejudice.

Mr. LUTHER A. JOHNSON. I object, Mr. Speaker.

Mr. FULMER. I object, Mr. Speaker.

Mr COLE of New York. Then I object to the present consideration of the bill, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. I object, Mr. Speaker.

The SPEAKER. Three objections are required.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the further development of cooperative agricultural extension work," approved April 24, 1939, is amended by striking out "$300,000" and inserting in lieu thereof "$555,000."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RINCON BAND OF MISSION INDIANS

The Clerk called the next bill, H. R. 4983, to reserve a certain part of the public land in California for the benefit of the Rincon Band of Mission Indians.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. I object, Mr. Speaker.

ROADS ON INDIAN RESERVATIONS

The Clerk called the next bill, H. R. 4937, to amend an act entitled "An act to authorize an appropriation for roads on Indian reservations."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULTE. I object, Mr. Speaker.

TOLL BRIDGE ACROSS MISSOURI RIVER AT OR NEAR FLORENCE STATION, OMAHA, NEBR.

The Clerk called the next bill, H. R. 4642, authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station in the city of Omaha, Nebr.

The Clerk read the title of the bill.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE CHEYENNE-ARAPAHOE TRIBES OF INDIANS

The Clerk called the next bill, H. R. 5095, to set aside certain lands in Oklahoma for the Cheyenne-Arapahoe Tribes of Indians.

The Clerk read the title of the bill.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ACQUISITION OF CERTAIN INDIAN LANDS FOR THE CENTRAL VALLEY PROJECT

The Clerk called the next bill, H. R. 4261, for the acquisition of Indian lands for the Central Valley project, and for other purposes.

The Clerk read the title of the bill.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. GEARHART. Mr. Speaker, will the gentleman withhold that request for a moment?

Mr. SCHULTE. I will be glad to withhold it.

Mr. GEARHART. Mr. Speaker, this bill is one that takes on the characteristics of an emergency. The dam is being constructed and is almost ready for use. Title to some of the land is held by the Indian Bureau. We are very, very anxious that the trade may be made, and that is all that the bill provides. The Secretary of the Interior who is the head of the Indian Bureau and also the head of the Bureau of Reclamation will make the trade with the Indians and give them land outside the project and fix the value of the land in the drainage area of the Friant Dam. This is all the bill amounts to in the last analysis and I do hope the gentleman will allow the bill to go through at this time.

Mr. SCHULTE. Mr. Speaker, in view of the explanation made by our good

friend, the gentleman from California, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1120) may be substituted and considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That, in aid of the construction of the Central Valley project, authorized by the acts of April 8, 1935 (49 Stat. 115), and August 26, 1937 (50 Stat. 850), there is hereby granted to the United States, subject to the provisions of this act, (a) all the right, title, and interest of the Indians in and to the tribal and allotted lands within the area embraced by the Central Valley project, including sites of agency and school buildings and related structures, as may be designated therefor by the Secretary of the Interior from time to time, and (b) such other interests in or to any of such lands and property as may be required and as may be designated by the Secretary of the Interior from time to time for the construction of reservoirs, canals, ditches, pipe lines, highways, railroads, telegraph, telephone, and electric-transmission lines in connection with the project, or for the relocation or reconstruction of such facilities made necessary by the construction of the project.

SEC. 2. As lands or interests in lands are designated from time to time under this act, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. As to the tribal lands, the amounts so determined shall be transferred in the Treasury of the United States from the funds now or hereafter made available for the construction of the Central Valley project to the credit of the appropriate tribe pursuant to the provisions of the act of May 17, 1926 (44 Stat. 560). The amounts due individual landowners or their heirs or devisees shall be paid from funds now or hereafter made available for the construction of said project to the superintendent of the appropriate Indian agency or such other officer as shall be designated by the Secretary of the Interior for credit on the books of such agency to the accounts of the individuals concerned.

SEC. 3. Funds deposited to the credit of allottees, their heirs, or devisees may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of this act. Lands so acquired shall be held in the same status as those from which the funds were derived, and shall be nontaxable until otherwise provided by Congress.

SEC. 4. As to any Indian cemetery lands required for the project, the Secretary of the Interior is authorized, in his discretion, in lieu of requiring payment therefor, to establish cemeteries on other lands that he may select and acquire for the purpose, and to remove bodies, markers, and other appurtenances to the new sites. All costs incurred in connection with any such relocation shall be paid from moneys appropriated for the project. All right, title, and interest of the Indians in the lands within any cemetery so relocated shall terminate and the grant of title under this act take effect as of the date the Secretary of the Interior authorizes relocation. Sites of the relocated cemeteries shall be held in trust by the United States for the appropriate tribe, or family, as the case may be, and shall be nontaxable.

SEC. 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The similar House bill was laid on the table.

CLASSIFICATION OF SUBSTITUTE DRIVER-MECHANIC IN THE POSTAL SERVICE

The Clerk called the next bill, H. R. 2077, relating to the classification of substitute driver-mechanic in the Postal Service.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That effective July 1, 1941, no substitute position in the motor-vehicle service of the Postal Service the duties of which consist in the operation of a Government-owned United States mail truck during a greater portion of the time of employment shall be filled by an employee other than an employee classified and compensated as a substitute driver-mechanic

SEC. 2. Any position in the motor-vehicle service of the Postal Service made vacant by the provisions of section 1 shall be filled insofar as possible by the promotion to such position of persons now employed in the Postal Service as substitute garagemen-drivers upon taking and passing a noncompetitive examination for the position of substitute driver-mechanic.

SEC. 3. No person promoted to the position of substitute driver-mechanic pursuant to the provisions of section 2 of this Act shall be eligible for promotion to the position of regular driver-mechanic at any post office until all persons now employees at such post office as regular garageman-driver who are or shall become eligible for promotion to such position have been promoted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL GRANT GROVE SECTION OF KINGS CANYON NATIONAL PARK, CALIF.

The Clerk called the next bill, H. R. 69, to authorize the adjustment of land-ownership lines within the General Grant grove section of the Kings Canyon National Park, Calif., in order to protect equities established by possession arising in conformity with a certain survey, and for other purposes.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed, by amendment of patent or otherwise, to adjust in his discretion the boundaries of the privately owned lands within General Grant grove section of the Kings Canyon National Park, Calif., including any necessary relinquishment or grant by the United States, to conform on the ground with existing monuments, including subdivision monuments, and with other existing and authentic evidence of possession, set or established in conformity with or in consequence of a certain survey made by the county surveyor of Tulare County, Calif., and recorded in volume 17 of Maps, page 2, Official Records of the County Records of Tulare County, Calif.

SEC. 2. The Secretary of the Interior is authorized to pay from funds appropriated or hereafter appropriated for the use of his Department, the costs of surveys, investigations, and other services necessary to accomplish the purpose of this act.

With the following committee amendment:

Page 1, after line 2, strike out all of section 1, and insert:

"That the Secretary of the Interior shall so adjust the boundaries of the privately owned lands in the General Grant grove section of the Kings Canyon National Park, Calif., as to recognize existing equities based on possession or claim established in reliance upon a survey made by the county surveyor of Tulare County, Calif., and recorded in volume 17, of Maps, page 2, Official Records of the County Records of Tulare County, Calif. To effectuate the purposes of this act the Secretary may amend existing patents or relinquish or grant parcels of land within the area to claimants whose equities the Secretary determines are entitled to recognition."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF CERTAIN RECORDS OF THE UNITED STATES

The Clerk called the next bill, H. R. 3798, to amend the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government."

The Clerk read the title of the bill.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, this bill is very obviously subject to a point of order in that it does not comply with subsection 2 (a) of rule XIII, the so-called Ramseyer rule. I do not want to object to the consideration of the bill or to have it stricken from the calendar until we find out what the bill is about, and in order that the committee may have an opportunity to file a supplemental report I ask unanimous consent that the bill be passed over without prejudice.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. WHITTINGTON. While the gentlemen's statement is technically correct, the fact remains the report of the Committee does set forth section 6, which is amended, and does set forth section 7 which is repealed, and that is all that the Ramseyer rule could exact if the rule had been complied with in this case. As the gentleman probably knows, I am not on the Committee on Disposition of Executive Papers, but inasmuch as I am speaking for the gentleman from New York [Mr. O'LEARY] the author of the bill, and inasmuch as he asked me to undertake to explain the bill, it occurred to me that the report that is filed really embraces all that would have been included if the Ramseyer rule had been complied with. And inasmuch as the bill is recommended by the Post Office Department and by the Archives Bureau, and inasmuch as it will result in economy and a saving to the Government, it strikes me, with all deference, the bill is not objectionable.

I have high regard for the constructive report by Hon. S. W. Purdum, for the Post Office Department, recommending the passage of the bill.

Mr. WOLCOTT. Mr. Speaker, I think that the Committee should have in mind that those of the members who work on this calendar have to work on it pretty fast. I agree with the gentleman that perhaps in substance the rule has been complied with, but it surely is not complied with in the form in which it is usually found in committee reports. We have to read these bill pretty fast, and burn the midnight oil frequently, to understand what the bills are about. I think that the committee clerks should have that in mind when making up these reports, and in order that we might go into it a little further and give them an opportunity to fully comply with the rule, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

FOURTH-CLASS POSTMASTERS SALARY BILL

The Clerk called the bill (H. R. 965) to place postmasters at fourth-class post offices on an annual salary basis and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That postmasters of the fourth class shall embrace all those at offices where the gross postal receipts are less than $1,500 per annum.

SEC. 2. The compensation of postmasters of the fourth class shall be annual salaries, graded in even dollars, and payable in semimonthly payments, to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the General Accounting Office, or copies or duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, based on gross postal receipts at the following rates, namely:

Less than $50	$72
$50 but less than $100	144
$100 but less than $150	216
$150 but less than $200	288
$200 but less than $250	360
$250 but less than $300	432
$300 but less than $350	492
$350 but less than $400	532
$400 but less than $450	572
$450 but less than $500	608
$500 but less than $600	684
$600 but less than $700	760
$700 but less than $800	836
$800 but less than $900	904
$900 but less than $1,000	972
$1,000 but less than $1,100	1,040
$1,100 but less than $1,500	1,100

Provided, That in readjusting compensation of postmasters on the basis of postal receipts, instead of cancelation, any postmaster whose adjusted salary falls 10 percent or more below the compensation received for the fiscal year immediately preceding the adjustments, indicating unusual conditions, may appeal to the Postmaster General for salary classification, based upon the work and responsibility as compared with normal offices, and the Postmaster General shall, in his discretion, classify such office in the first salary grade below the compensation received for the preceding fiscal year, the adjustment to continue for not exceeding 2 fiscal years, during which time an investigation shall be conducted at all such offices with the view to readjusting the service to eliminate the unusual conditions and such offices shall then be placed in their proper salary grades according to the receipts thereof: *Provided further*, That at seasonal offices of the fourth class, the Postmaster General may authorize the payment of the fixed annual salary prorated over the months such office is open for business during a fiscal year: *Provided further*, That the salaries of postmasters at newly established offices of the fourth class shall be fixed at the lowest salary rate except that whenever unusual conditions prevail at such an office the Postmaster General, in his discretion, may advance any such office to the appropriate salary rate indicated by the receipts of the preceding quarter.

SEC. 3. The salaries of postmasters of the fourth class shall be readjusted at the beginning of each fiscal year: *Provided*, That only 85 percent of the gross postal receipts during the period the increased rate of postage, authorized by the Revenue Act of June 6, 1932, as amended (July 6, 1932, to July 1, 1941), remains in force shall be counted for the purpose of determining the compensation or allowances of such postmasters: *Provided further*, That for the purpose of fixing the compensation and allowances at offices of the fourth class credit shall be allowed only for the postage collected in addition to the regular rate on business reply cards and letters in business reply envelopes delivered at such offices.

SEC. 4. Postmasters at offices of the fourth class shall be paid allowances for rent, fuel, light, and equipment, such allowances to be paid at the same time and in the same manner as their regular salaries, at the following rates, namely:

Where the salary of the postmaster is $72 per annum	$12
Where the salary of the postmaster is $144 per annum	22
Where the salary of the postmaster is $216 per annum	33
Where the salary of the postmaster is $288 per annum	44
Where the salary of the postmaster is $360 per annum	54
Where the salary of the postmaster is $432 per annum	65
Where the salary of the postmaster is $492 per annum	74
Where the salary of the postmaster is $532 per annum	80
Where the salary of the postmaster is $572 per annum	86
Where the salary of the postmaster is $608 per annum	92
Where the salary of the postmaster is $684 per annum	103
Where the salary of the postmaster is $760 per annum	114
Where the salary of the postmaster is $836 per annum	126
Where the salary of the postmaster is $904 per annum	136
Where the salary of the postmaster is $972 per annum	146
Where the salary of the postmaster is $1,040 per annum	156
Where the salary of the postmaster is $1,100 per annum	165

SEC. 5. All laws or parts of laws inconsistent with this act are hereby repealed: *Provided*, That nothing in this act shall be construed to repeal the provisions of section 717 of title 39 of the United States Code authorizing the payment of fees on domestic or international money orders issued at money-order post offices of the fourth class.

SEC. 6. This act shall take effect July 1, 1941.

With the following committee amendments:

On page 3, line 19, change the year "1941" to "1943."

On page 3, in line 21, after the word "postmasters", strike out the colon and insert a comma and then insert the following: "and the classification of post offices."

On page 4 strike out all of section 4.

On page 4, line 14, strike out "July 1, 1941" and insert in lieu thereof "January 1, 1942."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

ADJUSTING SALARIES OF RURAL LETTER CARRIERS

The Clerk called the bill (H. R. 4210) to adjust the salaries of rural letter carriers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 8 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, as amended, is hereby amended by inserting after the first sentence thereof the following new sentence: "The Postmaster General may, in his discretion, allow and pay such additional compensation as he may determine to be fair and reasonable in each individual case to rural letter carriers serving heavily patronized routes not exceeding 45 miles in length: *Provided*, That in no case shall the total compensation of a rural letter carrier serving a heavily patronized route of 45 miles or less in length exceed $2,100 per annum, exclusive of maintenance allowance: *Provided further*, That the Postmaster General shall report to the Committees on Post Offices and Post Roads of the two Houses the number and names of the routes on which these increases shall be made."

SEC. 2. This act shall take effect on the 1st day of the calendar month next following the month in which it is approved.

With the following committee amendments:

On page 2, lines 3 and 6, change the word "five" to "two"; in line 8, insert after the word "shall" the following: "include in his annual", and beginning in line 8 after the word "the", strike out the following: "Committees on Post Offices and Post Roads of the two Houses" and insert in lieu thereof the word "Congress." In line 10, strike out the word "these." Further in line 10, strike out the words "shall be" and insert in lieu thereof "have been."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

FIXING NUMBER OF WORKING DAYS PER YEAR FOR POSTAL EMPLOYEES

The Clerk called the bill (H. R. 3932) to standardize the working year for postal employees.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from and after July 1, 1941, for all postal employees and substitute postal employees to whom there is applicable a standard of 306 or 305 days as constituting a year's work, the standard shall be 305 days, and the act of February 28, 1925 (ch. 368, 43 Stat. 1053), as amended; the act of June 14, 1934 (ch. 518, 48 Stat. 958);

the act of August 14, 1935 (ch. 535, 49 Stat. 650); the act of May 15, 1939 (ch. 136, 53 Stat. 745); and the act of August 9, 1939 (ch. 611, 53 Stat. 1273), are amended accordingly.

SEC. 2. The standard of 305 days established by section 1 of this act shall be reduced by 1 day for each annual legal holiday that may hereafter be established by statute.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

AUTOMATIC PROMOTION FOR CUSTODIAL SERVICE, POST OFFICE DEPARTMENT

The Clerk called the bill (H. R. 2075) to extend to custodial service employees employed by the Post Office Department certain benefits applicable to postal employees.

The SPEAKER. Is there objection?

Mr. GORE. Mr. Speaker, I object.

Mr. BOREN. Mr. Speaker, will the gentleman reserve his objection until I can explain the bill?

Mr. GORE. I reserve my objection, Mr. Speaker.

Mr. BOREN. Mr. Speaker, the custodial employees are the only employees of the Postal Department that have not already been given this benefit. They are men who are engineers, who have to take care of the heating and cooling systems, and in some of the small post offices particularly these men have to work from about 5 o'clock in the morning until late at night. They have to do technical work and there is a limitation on their salaries that prevents them from getting any raises like all other postal employees. I hope the gentleman will not object to the bill, because after all, it provides for a very small increment.

Mr. GORE. Just what does it provide?

Mr. BOREN. Sixty dollars a year. It is automatically provided that if the services of these particular people are meritorious, they will receive $60 a year increase up to $1,380 a year, which will still limit the amount to $1,380 a year. Surely the gentleman will agree that if any employee is worth keeping indefinitely in the service, he is worth a $60 a year increase until he reaches his maximum of $1,380 a year. This seems small enough reward for faithful employees to look forward to.

Mr. GORE. Mr. Speaker, I fully appreciate the ability and sincerity of the distinguished gentleman from Oklahoma. I regret to find myself in disagreement with him. I object.

TRANSPORTATION OF STOLEN CATTLE IN INTERSTATE COMMERCE

The Clerk called the bill (S. 1261) to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the National Cattle Theft Act.

SEC. 2. When used in this act—

(a) The term "cattle" shall mean one or more bulls, steers, oxen, cows, heifers, or calves, or the carcass or carcasses of one or more bulls, steers, oxen, cows, heifers, or calves.

(b) The term "interstate or foreign commerce" shall include transportation from one State, Territory, or the District of Columbia, to another State, Territory, or the District of Columbia, or to a foreign country, or from a foreign country to any State, Territory, or the District of Columbia.

SEC. 3. Whoever shall transport or cause to be transported in interstate or foreign commerce any cattle, knowing the same to have been stolen, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 5 years, or both.

SEC. 4. Whoever shall receive, conceal, store, barter, buy, sell, or dispose of any cattle, moving in or constituting a part of interstate or foreign commerce, knowing the same to have been stolen, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 5 years, or both.

SEC. 5. Any person violating section 3 of this act may be prosecuted in any district from, into, or through which such cattle has or have been transported or removed.

SEC. 6. Nothing herein shall be construed to repeal, modify, or amend any part of the National Stolen Property Act.

With the following committee amendments:

Page 1, line 6, after the word "heifers", strike out the word "or", and after the word "calves", insert the words "sheep, hogs, or horses."

Page 1, line 7, after the word "heifers", strike out the word "or", and after the word "calves", insert a comma and the words "sheep, hogs, or horses."

The committee amendments were agreed to.

Mr. WOLCOTT. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 1, line 3, after the word "National", strike out the word "Cattle" and insert the word "Animal"; page 1, line 5, strike out the word "cattle" and insert the word "animal"; page 1, line 6, after the word "hogs", strike out the words "or horses" and insert "horses or fowl"; page 1, line 8, after the word "hogs", strike out "or horses" and insert "horses or fowl"; page 2, line 4, strike out the word "cattle" and insert the word "animal"; page 2, line 9, strike out the word "cattle" and insert the word "animal"; page 2, line 16, strike out the word "cattle" and insert the word "animal"; and amend the title.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Michigan.

Mr. WOLCOTT. Mr. Speaker, I ask recognition on the amendment.

The SPEAKER. The gentleman from Michigan is recognized for 5 minutes.

Mr. WOLCOTT. Mr. Speaker, you have to stretch your imagination quite a lot to call a pig "cattle" or a horse "cattle." According to Webster's definition of cattle it is "domesticated bovine animals." A bovine animal is a horned animal, such as sheep, goats, and buffalo. Hogs do not have horns, in Michigan. But the real purpose of my amendment is to include fowl. Because of the fact that I wanted to keep faith with Mr. Webster, and also include chickens, I have changed the word "cattle" to "animal," wherever it appears, and I have added "fowl."

In many parts of the country one of the worst offenses against the farmer is the theft of his chickens, his fowl. They are carried over State lines just the same as beef critters and hogs and horses and sheep and all of the other domesticated animals which he has on his farm and to which this bill applies. It was the intention of the bill, undoubtedly, to include all farm animals. That is why I have offered this amendment to include hens, chickens, and all fowl, such as ducks, geese, turkeys, and so forth.

Mr. GWYNNE. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. GWYNNE. If I understand the amendment of the gentleman, in addition to correcting the phraseology, it simply includes poultry. Is that correct?

Mr. WOLCOTT. In substance, that is what it does.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. CASE of South Dakota. Mr. Speaker, I may say that this bill has passed the Congress two or three different times and heretofore has always been vetoed. I think the second time back it was vetoed by the President on the ground that it did include poultry. Many of us recognize that the interstate transportation of stolen poultry constitutes a serious problem. We would like to see it covered.

Mr. WOLCOTT. Frankly, I cannot see any difference between the crime of stealing a man's calves or his sheep and stealing his fowl. The mere fact that I am in the business of raising sheep does not put me in any different position, or should not, as far as the protection of my animals is concerned, simply because I do not raise fowl. We have tried to get this in bills before. We have had bills before us which have protected the poultry raisers against the theft of fowl. If there is any justification whatsoever for using the Federal machinery to protect farmers against theft of their animals, it applies to fowl just as much as it applies to bulls and steers and calves and cows and sheep and hogs and horses. I hope that the gentleman will see that point and at least give some of our poultry raisers in the Midwest and in the East and even in the gentleman's own country some protection against this pernicious practice which costs the farmers of this Nation literally millions of dollars a year.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Nebraska.

Mr. STEFAN. The gentleman from Michigan is absolutely correct. That is one of the worst conditions we have in my State. When the farmers leave to go to church or to go to town, most of the things stolen are the chickens, and they want protection against that.

Mr. WOLCOTT. Certainly. Because they do not have adequate protection they pay thousands of dollars a year for insurance. They mark their chickens, and so forth. The farmers themselves have taken this up and have tried to protect themselves. If the sheep grower or horse owner is entitled to this protection, why is not the poultry raiser entitled to it?

I hope the House will adopt my amendment.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. MICHENER. Does your amendment include dogs?

Mr. WOLCOTT. No. It might well include dogs. I do not know.

Mr. MICHENER. I am speaking seriously. When the bill was before the committee last session, there were a great many hunters and people who have fancy dogs complained that thieves came across State lines and stole them. I fear that horses and cows and oxen were put into the bill to make it ridiculous.

Mr. WOLCOTT. Surely it does not make it ridiculous to put fowl in the bill.

Mr. MICHENER. Of course, the President vetoed the bill, and he should have.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. WALTER. Mr. Speaker, I rise in opposition to the amendment.

The gentleman from Michigan [Mr. WOLCOTT] has said that by no stretch of the imagination could some of the animals mentioned in this bill be described as cattle. I am perfectly willing to yield to his superior knowledge on this matter. I have been assured by people who presumably know what they are talking about that all of the animals enumerated are cattle. However, that is very unimportant. We are endeavoring, through this measure, to deal with a very serious problem—that is, the problem of breaking up these modern cattle-rustling rings in certain sections of the country. On two occasions we passed bills attempting to deal with this subject. The President vetoed them because the very things that the gentleman from Michigan [Mr. WOLCOTT] wants to add by his amendment were objected to by the President. It seems to me that we ought not do something by this amendment that will unquestionably result in another veto. Perhaps it would be well to have included in this bill a provision with respect to chickens if the theft of chickens was engaged in on a large scale. The committee has had no evidence of that. Certainly it seems to me that the amendment ought to be rejected, so that we can put on the statute books legislation that is very badly needed and the very existence of which will act as a great deterrent. I am firmly convinced that the mere passage of the Dyer Act, eo instanti, decreased the trafficking in stolen automobiles, and that the same results will be achieved through the enactment of this legislation.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. CASE of South Dakota. I just want to supplement what the gentleman from Pennsylvania has said and call attention to the history of the legislation before us. It was first passed about two Congresses ago with this poultry amendment in and was vetoed because of that reason. In the last Congress we brought the bill in again and passed it, taking out the poultry section but covering all kinds of livestock. It was vetoed again. This time we sought to get favorable action by only covering cattle.

The Senator who is the sponsor of the bill in the other body and I have talked with the men in the Department of Justice who examine bills such as this for the President. We have been hopeful that if we confined the bill to cattle, we could at least get something on the statute books and make a start on the problem. If we get few convictions, we believe the effect will help all along the line.

Mr. WALTER. May I say to the gentleman from South Dakota that it is my opinion that because of amendments adopted in the committee the bill will have to go to conference, and we hope it will be possible to work out a bill that will stand a fair chance of not being vetoed.

Mr. CASE of South Dakota. That is what ought to be done, and I believe it can. Mr. Speaker, because of the remarks of the gentleman from Michigan, I want the RECORD to show that no inference should be drawn that we are against action to control the theft of horses, sheep, and poultry. Those are serious problems and must be attacked.

Mr. WOLCOTT. Why just talk about it?

Mr. CASE of South Dakota. If we cannot get everything we want, we do not want to lose all. We are trying to get something done. We are not opposed to the gentleman's aims, but we are after results and not idle gestures.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. WOLCOTT. The gentleman says there was no testimony before the committee on the gravity of the offense of chicken stealing. I might say to these gentlemen that anyone who has ever had any experience prosecuting thieves in this country can testify to the fact that where there is a dollar's worth of cattle stolen there are millions of dollars' worth of poultry stolen. If we are going to give any farmer in this Nation protection against theft of his stock and carrying of it over State lines, the poultry grower needs that protection more than any other class of farmers in this Nation.

Mr. WALTER. Does not the gentleman believe that if we get this act on the statute books, it will be easier to amend the act than to include the amendment in this bill and invite a veto?

Mr. WOLCOTT. I cannot see any justification for that procedure. The gentleman says the President has vetoed similar bills. We as Members of Congress have like responsibility with the President in respect to legislation. If it is our duty and if we feel it is our duty to protect the poultry growers of this Nation, it is our duty to vote for this amendment regardless of what we think the President may do about it. The gentleman said a similar bill was vetoed last year. So far as I know, I do not remember that this Congress was given an opportunity to consider the passage of that bill over his veto. I should like to see that done.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I move to strike out the last two words.

Mr. Speaker, if this bill becomes a law you will have to almost double your F. B. I. if you are going to enforce it. Just put a tack in that and remember it. Let us be sensible about this thing. Do we want the F. B. I. to go into the business of running down chicken thieves, dog thieves, ox thieves, horse thieves, cattle thieves everywhere throughout the length and breadth of the land? Is the Federal Government going to supersede the States in these police matters? Why, of course we do not.

I will go further and say I believe—it is just my belief—that the Judiciary Committee added on horses, oxen, and everything else more in a spirit of levity than in a spirit of passing sound, reasonable legislation; and I am surprised to see so distinguished a member of our committee as the gentleman from Peennsylvania—who usually takes his duties so seriously, and who is always so reliable in these matters—advocating passage of a bill at this particular time to take the F. B. I. away from their duties and send them out to run down dog thieves, chicken thieves, horse thieves, and cattle thieves. As many activities as can be cared for by the States should be left to the States, especially at this time. That is all I have to say.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. Certainly.

Mr. WOLCOTT. Mr. Speaker, I might say that I did not know the Judiciary Committee had reported this bill out facetiously. I view this bill very seriously. If the committee reported it out seriously, then I hope the House will take very seriously the amendment which I have offered.

Mr. MICHENER. I shall vote for the gentleman's amendment, but I shall not vote for the bill as amended. If the bill becomes a law, it should include chickens.

The SPEAKER. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and, on a division (demanded by Mr. WALTER) there were—ayes 30, noes 17.

So the amendment was agreed to.

Mr. WOLCOTT. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: Amend the title of the bill by striking out the word "cattle" in line 2 and inserting in lieu thereof the word "animal."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVIEW OF CERTAIN ORDERS OF DEPORTATION

Mr. COX, from the Committee on Rules, submitted the following resolution (H. Res. 275) on the bill (H. R. 3) to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwise is not effectuated within 90 days after the

date the warrant of deportation shall have become final; to authorize such detention orders in certain cases; to provide places for such detention; and for other purposes (Rept. No. 980), which was referred to the House Calendar and ordered printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3) to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwise is not effectuated within 90 days after the date the warrant of deportation shall have become final; to authorize such detention orders in certain cases; to provide places for such detention, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on the Judiciary now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

REEMPLOYMENT BY FEDERAL BUREAU OF INVESTIGATION OF CERTAIN PERSONS

The Clerk called the next bill on the Consent Calendar, S. 881, to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULTE. Mr. Speaker, I object.

Mr. RAMSPECK. Will the gentleman withhold his reservation?

Mr. SCHULTE. I shall be glad to.

Mr. RAMSPECK. Mr. Speaker, this bill is very urgently requested by Mr. J. Edgar Hoover, who says he needs to reemploy some of these older employees who have been retired on account of the present emergency.

Mr. SCHULTE. May I say to my good friend that after those men have given their services to this Nation and to that particular Bureau, they are entitled to a rest. There are thousands of boys and young men today who are willing to replace them.

Mr. RAMSPECK. They do not have to accept reemployment. He cannot call them back arbitrarily.

Mr. SCHULTE. Then there is no damage done if we just object to the bill.

Mr. RAMSPECK. It does deprive the Government of the services of some trained men in this emergency that they need and who are willing to accept the employment.

Mr. SCHULTE. We have any number of men who are willing to accept those jobs.

Mr. RAMSPECK. They are not trained. We have already done this same thing for the Army and Navy. This simply adds one other department to it and I hope the gentleman will not object.

Mr. SCHULTE. I do not want to disagree with the gentleman from Georgia [Mr. RAMSPECK] but I find it necessary to do so.

Mr. Speaker, I object.

PAYMENT OF EMPLOYEES OF THE UNITED STATES GOVERNMENT FOR ACCUMULATED ANNUAL LEAVE

The Clerk called the next bill, S. 505, making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, reserving the right to object, may I ask what this bill intends to accomplish? That is, what pay is to be given the employees while they are on military leave?

Mr. RAMSPECK. Mr. Speaker, under the present situation if an employee leaves the Government service to go into some private employment, he is paid this accumulated leave. If he has 15 days or 20 days he stays on the pay roll until that time expires. He may go on to a new job in private employment and get compensation there. But if he is called into the military service, because we have a statute which provides that an employee of the Government or a person on the Government pay roll cannot receive two salaries, then he is denied this leave and he loses that time. The War Department has asked for the passage of this bill in order that people who are drafted into the service or who volunteer their services to the armed services may not be deprived of their annual or sick leave.

Mr. WILLIAM T. PHEIFFER. Is there any limitation of time?

Mr. RAMSPECK. They cannot under the law accumulate more than 60 days, and most of them have not that much, because they take some of it from time to time.

Mr. WILLIAM T. PHEIFFER. That is the extent of the bill?

Mr. RAMSPECK. Yes.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel this is a matter of simple justice?

Mr. RAMSPECK. I think so.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That employees of the United States Government, its Territories or possessions, or the District of Columbia (including employees of any corporation created under authority of an act of Congress which is either wholly controlled or wholly owned by the United States Government, or any corporation, all the stock of which is owned or controlled by the United States Government, or any department, agency, or establishment thereof, whether or not the employees thereof are paid from funds appropriated by Congress), ordered to active duty with the military or naval forces of the United States since the declaration of the present emergency by the President, shall be entitled to receive, in addition to their military pay, compensation in their civilian positions covering their accumulated or current accrued leave or to elect to have such leave remain to their credit until their return from active military or naval service.

With the following committee amendments:

On page 2, line 2, after the comma, insert the words "who have heretofore or who may hereafter be."

On page 2, line 3, after the words "United States", strike out the words "since the declaration of the present emergency by the President", on lines 3 and 4.

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States."

CIVIL SERVICE FOR ASSISTANT OR DEPUTY COMMISSIONERS OF GENERAL LAND OFFICE AND BUREAU OF INDIAN AFFAIRS

The Clerk called the next bill, H. R. 3488, to provide that assistant or deputy heads of certain bureaus in the Department of the Interior shall be appointed under the civil-service laws, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULTE. Mr. Speaker, I object.

EFFECTUATING THE ORIGINAL INTENT OF CONGRESS WITH RESPECT TO DUTY IMPOSED ON IMPORTED PILE MATS AND FLOOR COVERING

The Clerk called the next bill, H. R. 3572, to amend the Tariff Act of 1930, as amended by section 34 (c) of the Customs Administrative Act of 1938 (U. S. C., 1934 ed. Supp. IV, title 19, sec. 1001, par. 1529 (a)).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, we have not had an opportunity to study this bill, and I wonder if the committee can explain what the bill is about.

Mr. McCORMACK. Mr. Speaker, this bill passed the House unanimously last year, but in the Senate an amendment was added which related to an entirely different subject. The amendment that was put on in the Senate prohibited the payment of four or five million dollars of

duties that had been collected on an entirely different matter where the Customs Court had said that the Treasury Department had erroneously imposed a higher duty and that certain imports should come under another provision of the Tariff Act. It in no way related to this particular matter.

The President vetoed the bill because of the Senate amendment, stating in his veto that if the bill had come to him in the form it is now he would have signed it.

This bill, as stated on page 2, is designed to relieve a situation resulting from a decision of the United States Court of Customs and Patent Appeals relating to cocoa fiber pile mats in part of braid that were held dutiable under paragraph 1529 (a) of the Tariff Act of 1930 rather than under paragraph 1022 of that act. As a result a lower duty was imposed than imposed by the Treasury Department. The purpose of this is to remove that inequality and to impose the higher duty. The President's veto did not relate to this particular bill, but was based upon an amendment that was added to the bill when it was in the Senate relating to an entirely different subject.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 1529 (a) of the Tariff Act of 1930, as amended by section 34 (c) of the Customs Administrative Act of 1938 (U. S. C., 1934 ed., Supp. IV, title 19, sec. 1001, par. 1529 (a)), is hereby further amended by inserting "1022" after the figure "1006."

This act shall take effect on the day following its enactment.

With the following committee amendment:

Page 1, line 7, strike out "1022" and insert "1022", and strike out "1006" and insert "1006,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NORTH SLOUGH, COOS COUNTY OREG.

The Clerk called the next bill, H. R. 4835, to extend the time for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg., in township 24 south, range 13 west, Willamette meridian, authorized to be constructed by the State of Oregon, acting through its highway department, the North Slough Drainage District, and the North Slough Diking District by an Act of Congress approved August 26, 1937, is extended 1 and 3 years, respectively, from August 26, 1941.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 10, strike out "is" and insert "heretofore extended by an act of Congress approved July 2, 1940, are hereby further."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

READJUSTMENT OF ACCOUNT BETWEEN THE UNITED STATES AND THE STATE OF VERMONT

The Clerk called the joint resolution (S. J. Res. 1) directing the Comptroller General to readjust the account between the United States and the State of Vermont.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to audit the claim of the State of Vermont with respect to advances and expenditures made by such State for military purposes during the War of 1812–1815, with Great Britain, and after applying the rules of evidence and settlement to this class of claims, provided for in resolution of May 14, 1836 (5 Stat. L. 132), and in section 12 of the act approved March 3, 1857 (11 Stat. L. 229), to submit to the Senate a report containing the results of an audit of such claim, in conformity with said rules, and to certify to Congress for an appropriation the balance found due the State of Vermont.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, this bill undertakes to do just what its title indicates, namely, to direct the Comptroller General to readjust the account between the United States and the State of Vermont. The account grows out of advances and expenditures made by Vermont for military purposes during the War of 1812–15, and a former audit indicates that the claim of Vermont is composed of two items.

Vermont's claim

(1) Actual military expenditures (noninterest bearing)	$35,057.78
(2) Balance due Vermont for loans and interest	57,811.12

Computed as follows:

Loan dated Jan. 1, 1817	4,130.00
Interest thereon at 6 percent per annum to Mar. 30, 1820, 3 years, 2 months, 29 days	804.66
Loan dated Jan. 1, 1818	6,000.00
Interest thereon at 6 percent per annum to Mar. 30, 1820, 2 years, 2 months, 29 days	909.00
Total interest and principal	11,743.66

Vermont's claim—Continued

Less payment of Mar. 30, 1820, made by the United States to the State of Vermont "for payments made to selectmen of sundry towns in said State for subsistence, camp equipage, ammunition, and transportation of baggage, etc., furnished by them for detachment of militia called into the service of the United States in the summer of 1812"	$4,421.18
New principal	7,322.48
Interest on new principal at 6 percent per annum from Mar. 30, 1820, to Feb. 28, 1935, 114 years, 11 months	50,488.64
	57,811.12
Total due Vermont as of the Comptroller General's audit of Feb. 19, 1935	92,868.90

You should have an explanation of computation.

First. The first item is for actual military expenditures, totaling $35,057.78, incurred and paid by Vermont during the War of 1812–15, as shown by the itemization in the Comptroller General's audit of February 18, 1935.

For these expenditures the State of Vermont has never been reimbursed by the United States. They are not interest bearing.

Second. The second item is for loans and interest due Vermont, totaling $57,811.12, arising from Treasury notes issued by Vermont for the use and benefit of the United States for expenses during said war.

Two loans were made by Vermont—one of $4,130 (on January 1, 1817) and the other of $6,000 (on January 1, 1818). These two loans, together with interest to March 30, 1820, result in the total amount due Vermont on that date of $11,743.66.

Against this amount, by the Maryland rule, was applied the $4,421.18 reimbursed to the State on March 30, 1820, said payment being first applied to interest due as of that date.

As the result of the payment of March 30, 1820, there was still due the State, as of that date, $7,322.48, representing the new principal.

Now, computing interest on such amount to February 28, 1935, the date of the Comptroller General's audit, there is also due principal and interest totaling $57,811.12.

You cannot plead staleness, nor laches, as the Judiciary Committee well says:

STALENESS NOT A SOUND DEFENSE

The Government should not try to avail itself of the claim of laches because the Government itself failed, until the establishment

of the General Accounting Office by the Budget Act of 1921, to enact any general law implementing the auditing of claims of States for refunds of such expenses, although it was known by the Government that such advances had been made by the States, and that the running of interest thereon continued until paid. Consequently, each of the States which had made advances during 1812–15 was obliged to resort to individual bills in Congress for remedial legislation.

No such bar to recovery was interposed against the eight other States which have received reimbursement, notwithstanding that the claims therefor were not prosecuted to success and allowed by the Congress until the following dates, respectively: Maryland in 1857, Massachusetts in 1859 and 1870, South Carolina in 1902, the city of Baltimore in 1902, New York State in 1906, Pennsylvania in 1906, Delaware in 1908, North Carolina in 1928.

Thus it is clear that the Government has paid eight of these States after a lapse of time from 1818, when the basic act occurred, to 1857, and following. Maryland, as shown, was not paid until after a lapse of 39 years, and North Carolina not until after the lapse of 110 years. If laches was not a bar to the foregoing eight States, should it now be a bar to Vermont?

As a further argument that laches should not be imputed against the State of Vermont, reference is made to the decision of the Court of Claims in the case of the *State of Pennsylvania* v. *the United States* (46 C. Cls. 507), decided October 28, 1901. That case involved interest paid on bonds issued in 1861 by the State of Pennsylvania to raise funds to aid the United States in the suppression of the rebellion. The State of New York had issued similar bonds and by decision of the Supreme Court of the United States on January 6, 1896 (*State of New York* v. *the United States*, 160 U. S. 598), the State of New York was allowed interest accruing on the bonds so issued. Thereupon, the State of Pennsylvania presented a claim for interest, which claim the Secretary of the Treasury transmitted to the Court of Claims for decision. The Government interposed the doctrine of laches, on the ground that Pennsylvania did not claim anything for interest on money borrowed for a period of more than 30 years after all her other claims had been presented and substantially adjusted and paid, and that that fact established the staleness of the claim. On this point, the court, in allowing Pennsylvania's claim, in its opinion at page 525 to 527, stated:

"The reason for the application of the law of laches as well as the principle of limitation is found in the lapse of time which carries with it the life and memory of witnesses, the muniments of evidence, and other means of proof (*Brown* v. *Buena Vista*, 95 U. S. R. 161). Length of time is not always a test of staleness (*Paschell* v. *Hindever*, 28 Ohio St. 568, 580). Laches does not depend upon the number of years which have lapsed upon the accruing of rights and the assertion of them, but also upon the nature and evidence of those rights, the changes in value and other circumstances occurring during the lapse of years (*Penn Mutual Life Ins. Co.* v. *Austin*, 168 U. S. R. 658).

"Laches is not, like limitation, a mere matter of time, but principally a question of the inequity of presenting the claim to be enforced, an inequity founded upon some change in the condition or relation of the property of the parties (*Gallither* v. *Cadwell*, 145 U. S. R. 368). The doctrine is based upon grounds of public policy, which requires for the peace of society the discouragement of stale demands. It is most applicable where the difficulty of doing entire justice arises through the death of the principal participants in the transaction complained of, or of the witnesses, or by reason of the original transaction having become so obscured by time as to render the ascertainment of the exact facts impossible (*Hammond* v. *Hopkins*, 143 U. S. R. 224).

"While there must at some time or other be an end of accounting, and creditors of the Government must not unreasonably delay presenting their demands, and while it is true an equitable bar may sometimes arise from lapse of time in cases not strictly within any statute of limitation, it is also true that circumstances may relieve the failure to present if it does not appear that the relative position of the parties has changed. Here, it appears, the Legislature of the State of Pennsylvania authorized its obligations with interest for the purposes stated in the act of 1861; the State records contain the numbers of the obligations and the amounts for which they were respectively issued, and the archives disclose possession of these evidences of debt, together with the data necessary to determine the precise sums expended. The details of the transactions are as accessible now as ever. The accounting officers of the Treasury erroneously declared, very early after similar demands were presented, that reimbursements for interest expenditures were not payable to any State. Their action was accepted as correct by the Secretary, and his course was approved by the chief law officer of the Government. The United States lost no right and the State gained no advantage by the nonpresentation of the claim. Under these circumstances it would be a harsh application of the rule respecting diligence to now say that the Secretary had lost jurisdiction because of his erroneous decision and the inaction of the State because of that mistaken view of his authority."

Mr. Speaker, and furthermore laches should not be claimed against Vermont from 1857 to 1934 for the reason that she was not possessed—at least she was not aware that she was possessed—of acceptable proof of the validity of her claim. As stated, fire had destroyed the original records on January 6, 1857, when the statehouse at Montpelier was burned, and it was only in 1926, or thereabouts, that corresponding books of record were discovered in the adjutant general's office of the State of Vermont. The State then began preparations to establish its claim, and the General Accounting Office now having been created, the State undertook to furnish and did furnish the Comptroller General with the proof authorized by the joint resolution of May 14, 1836 (5 Stat. 132), and to conform to the requirements of the act of March 3, 1857—under which the Maryland rule was established, and by which allowances were made by special acts of the Congress to the other States, as cited above.

On these premises, Vermont went to work to recover her claim.

It is interesting to note that, as the Judiciary Committee says in its report:

VERMONT'S INTEREST-BEARING PRINCIPAL COMPRISES ONLY SMALL PORTION OF HER TOTAL PRINCIPAL

The total principal of Vermont's claim was $49,608.96, of which but $10,130 is interest bearing, as Vermont was required only to borrow that amount at interest, furnishing the balance out of her own funds, whereas all the other States who during the War of 1812–15 advanced money to the Government, were required to borrow the same at interest. And those States have been reimbursed not only their principal expenditures but also the interest computed on the entire principals so expended.

I had no wish, unless forced to do it, to weary you with prolixity in a statement in which my purpose was only to solicit fair, just, and honorable treatment at your hands. I was sure I would get it. I did.

After repeated attempts through many sessions to get a bill before you and by you through Congress, which for a multiplication of reasons never has been accomplished, you now have had a chance to save the honor of the country and to vote on a proposition that is fair, equitable, and just. I appreciate your cooperation.

TEMPORARY APPOINTMENTS OF OFFICERS IN THE ARMY OF THE UNITED STATES

The Clerk called the joint resolution (H. J. Res. 199) to authorize temporary appointments of officers in the Army of the United States.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That during the present emergency temporary appointments as officers in the Army of the United States may be made, under such regulations as the President may prescribe, from among qualified persons without appointing such persons as officers in any particular component of the Army of the United States. All persons so appointed as officers shall be commissioned in the Army of the United States and may be ordered into the active military service of the United States to serve therein for such periods of time as the President may prescribe. Such appointments in grades below that of brigadier general shall be made by the President alone, and general officers by and with the advice and consent of the Senate: *Provided*, That any appointment made under the provisions of this act may be vacated at any time by the President and, if not sooner vacated, shall continue during the present emergency and 6 months thereafter: *Provided further*, That any person appointed as an officer in the Army of the United States under the provisions of this act shall receive the same pay and allowances and be entitled to the same rights, privileges, and benefits as members of the Officers' Reserve Corps of the same grade and length of active service: *And provided further*, That nothing contained in this act shall be construed to prohibit the appointment of officers in the various components of the Army of the United States in accordance with existing laws.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VITALIZING THE ACTIVE LIST OF THE ARMY

The Clerk called the joint resolution (H. J. Res. 203) to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

Mr. GORE. Mr. Speaker, I ask unanimous consent that a similar Senate joint resolution (S. J. Res. 88) be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Resolved, etc., That during the national emergency announced by the President on May 27, 1941, section 24b of the National Defense Act, as amended, is hereby suspended.

SEC. 2. That during the time of the national emergency announced by the President on May 27, 1941, the Secretary of War, for such causes and under such regulations as he may prescribe, may remove any officer from the active list of the Regular Army: *Provided*, That such removal be made from among officers whose performance of duty, or general efficiency, compared with other officers of the same grade and length of service, is such as to warrant such action, or whose retention on the active list is not justified for other good and sufficient reasons appearing to the satisfaction of the Secretary of War: *Provided further*, That each officer so removed from the active list shall have been recommended for removal by a board of not less than five general officers convened for this purpose by the Secretary of War: *Provided further*, That such officer is allowed a hearing before said board. The action of the Secretary of War in removing an officer from the active list shall be final and conclusive. Officers removed from the active list who have less than 7 completed years of commissioned service at the time of removal shall be honorably discharged. Officers removed from the active list who have 7 or more completed years of commissioned service at the time of removal shall be retired with retirement pay computed as follows: Any officer so retired who has over 30 years' service or any officer so retired who served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918, shall be retired with annual pay equal to 75 percent of his active-duty annual pay at the time of his retirement; any other officer so retired shall be retired with annual pay equal to 2½ percent of his active-duty annual pay at the time of his retirement, multiplied by a number equal to the number of complete years of his service counted for pay purposes under existing laws not in excess of 30 years. All officers retired under the provisions of this section shall be placed on the unlimited retired list.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H. J. Res. 203) was laid on the table.

TENNESSEE VALLEY AUTHORITY

The Clerk called the next bill, H. R. 4961, to amend section 9 (b) of the Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, I would appreciate it if the chairman of the Committee on Military Affairs would explain the purposes of this bill and its effect.

Mr. MAY. Mr. Speaker, this bill proposes to place the Tennessee Valley Authority under the provisions of the Budget and Accounting Act of 1921, with two exceptions. The measure as reported by the House Committee on Military Affairs allows the adjustment and settlement finally without the intervention of the Comptroller General of lawsuits that may be pending by or against the T. V. A. The second class of accounts that are not subject to auditing and settlement are such accounts as the board of directors of the T. V. A. may determine by a meeting of the board to be necessarily of such character that delay would result in loss or serious delay to the Authority, and the board of directors may settle such accounts at the time.

Mr. COLE of New York. Then the effect of the bill is that it places the T. V. A. under the provisions of the Budget and Accounting Act of 1921 except where the board of directors of the T. V. A. determine that they should not be under the provisions of the Budget and Accounting Act.

Mr. MAY. No; except where they say that some case involves an emergency.

Mr. COLE of New York. Is not that the effect of it? If the board of directors reserves the right to say what accounts shall be audited and what ones shall not be audited, then the bill does not mean a thing. The T. V. A. still has the discretion of either coming or not coming under the provisions of the Budget and Accounting Act of 1921.

Mr. MAY. The gentleman may not know it, but I came in with the T. V. A. and it came in with me, and I have been trying ever since to get its accounts audited by the Comptroller General.

Mr. COLE of New York. I know the gentleman has been trying to do that.

Mr. MAY. In order to be sure that it was the understanding of the committee and the Congress and the understanding of the T. V. A. and the Comptroller General that this measure would place the T. V. A. under the Comptroller General for accounting and settlement of all claims other than the two exceptions I have mentioned, we called the general counsel for the T. V. A., Mr. Phipps, who testified before the committee, and the gentleman from Ohio [Mr. ELSTON] was particularly cautious to make him admit to the committee that under this bill they would be under the provisions of the Budget and Accounting Act of 1921 with these two exceptions. We then called the counsel of the Comptroller General and he admitted that the bill put the T. V. A. under that act. As an extra precaution I called one of the directors of the T. V. A. who was present, Mr. David Lilienthal, and asked him to say whether or not that was his construction of it and if it was their purpose to go under the provisions of the Budget and Accounting Act of 1921. He said that he so construed it and so understood it. We did that so there would not be any controversy about it hereafter.

I may say very frankly to the gentleman that I am not satisfied with the proposed legislation as it is, but it is the best we could get, and both sides agreed to it.

Mr. COLE of New York. I appreciate the attitude of the gentleman from Kentucky and the position he has taken in years previous. It is a position I have thoroughly supported. I believe that any agency of the Government should be subject to the provisions that apply to all agencies in general. I am rather surprised to read this provision, in which you undertake to place the T. V. A. under the General Accounting Office, which states:

Notwithstanding the provisions of any other law governing the expenditure of public funds, the General Accounting Office, in the settlement of the accounts of treasurer or other accountable officer or employee of the Corporation, shall not disallow credit for, nor withhold funds because of, any expenditure which the Board shall determine to have been necessary to carry out the provisions of said act.

So to my limited understanding of the reading of the English language it simply says that the General Accounting Office shall not have authority to disallow credit for or to withhold funds on any account in which the Board shall determine it was necessary to carry out the provision of the act and therefore the whole thing, to me, is meaningless.

Mr. MAY. The gentleman understands, of course, that the things that are excluded may come under the provisions of the original act, and in addition to that we provide here that they must send all of their accounts to Washington for the consideration of the Comptroller General. The gentleman, of course, understands further that they are having thousands and thousands of claims in number every month and the Board could not meet and consider all of those things, and the idea we had in mind was that when something arose like the settlement of a lawsuit, that they could compromise today for $1,000 and if they waited 2 or 3 days they might have to pay $5,000; that kind of discretion, we felt, probably ought to be left in the hands of the officers of the corporation and their counsel. Based on my experience of many years as a lawyer, I have always been a great compromiser, especially when I represented the defendant.

Mr. COLE of New York. I am sure the gentleman never made a compromise, the result of which would have surrendered the entire rights of his client. This bill, as originally drawn, would have accomplished what the gentleman seeks to do, but the amendment as I read it, which was added by the committee, destroys the very substance of the original bill.

Mr. MAY. Of course, if the gentleman objects to its consideration on the Consent Calendar, we will have to go to the Rules Committee.

Mr. COLE of New York. No; I do not object to it.

Mr. MAY. And that may bring about a situation where I may say something I have not yet said about the T. V. A. and I do not want to do that.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ENLISTMENT IN MILITARY SERVICE OF PERSONS CONVICTED OF A FELONY

The Clerk called the next bill, S. 1110, to amend section 1118 of the Revised Statutes, as amended, to eliminate the prohibition against enlistment in the military service of the United States of any person convicted of a felony.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1118, Revised Statutes, be, and the same is hereby, amended by omitting the period at the end

thereof, by substituting therefor a colon, and by adding after the colon the following: "*Provided, however,* That with relation to deserters and persons convicted of felonies the Secretary of War may, by regulations or otherwise, authorize exceptions in special meritorious cases."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF CERTAIN RECORDS OF THE UNITED STATES GOVERNMENT

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 3798) to amend the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," and I may say that I have conferred with the gentleman from Michigan [Mr. WOLCOTT].

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government" (53 Stat. 1219; 44 U. S. C., 1934 ed., Supp. V, secs. 351–361), is amended in the following particulars:

Section 6 is amended to read as follows:

"SEC. 6. When any records of the United States Government have been transferred in accordance with the provisions of paragraph (c) of section 5 of this act, the head of the agency making such disposition shall submit a written report thereon to the Archivist of the United States in which he shall describe the character and volume of such records and give the names and post-office addresses of all institutions, associations, or other organizations to which they have been transferred."

Section 7 is hereby repealed.

Sections numbered 8, 9, 10, and 11 are renumbered sections 7, 8, 9, and 10, respectively.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFUSION OF BLOOD BY MEMBERS OF THE MILITARY ESTABLISHMENT

Mr. MAY. Mr. Speaker, I call up the bill (H. R. 4293) to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes, and ask unanimous consent to concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 6, after "purposes", insert 'in connection with the care of any person entitled to treatment at Government expense."

Page 2, line 14, strike out all after "withdrawn" down to and including "validated" in line 19.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. MICHENER. Are these amendments agreeable to the minority members of the Committee on Military Affairs?

Mr. MAY. Yes. The committee is unanimous.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendments.

The Senate amendments were concurred in.

LEAVE TO ADDRESS THE HOUSE

Mr. JENKINS of Ohio. Mr. Speaker, I understand the suspensions are next in order. Am I safe in concluding that after that the Cartwright bill will come under consideration?

The SPEAKER. That is correct.

Mr. JENKINS of Ohio. Mr. Speaker, I have a special order for today. Is it likely that the Cartwright bill will take all day?

The SPEAKER. Yes; and more.

Mr. JENKINS of Ohio. Then, Mr. Speaker, if the Chair will indulge me, I ask unanimous consent that tomorrow, after matters on the Speaker's table are disposed of and any other special orders, I be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that after other special orders are disposed of tomorrow, the gentleman from Pennsylvania [Mr. DITTER] may proceed for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

FARM MARKETING QUOTA FOR WHEAT

Mr. FULMER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That, effective as of May 26, 1941, Public Law No. 74, Seventy-seventh Congress, is amended by adding at the end thereof the following new paragraph:

"(12) Notwithstanding any of the foregoing provisions, the farm marketing excess for any crop of wheat for any farm shall not be larger than the amount by which the actual production of such crop of wheat on the farm exceeds the normal production of the farm wheat-acreage allotment, if the producer establishes such actual production to the satisfaction of the Secretary. Where a downward adjustment in the amount of the farm marketing excess is made pursuant to the provisions of this paragraph, the difference between the amount of the penalty or storage as computed upon the farm marketing excess before such adjustment and as computed upon the adjusted farm marketing excess shall be returned to or allowed the producer."

The SPEAKER. Is a second demanded?

Mr. HOPE. Mr. Speaker, I demand a second.

Mr. FULMER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 93]

Anderson, N. Mex.	Gamble	O'Connor
Angell	Gavagan	O'Day
Baldwin	Geyer, Calif.	O'Hara
Barden	Gifford	O'Leary
Barry	Gillie	O'Neal
Baumhart	Grant, Ala.	Osmers
Beam	Green	O'Toole
Beiter	Haines	Patman
Bender	Hall, Leonard W.	Peterson, Fla.
Bishop	Harrington	Peterson, Ga.
Blackney	Hart	Pfeifer, Joseph L.
Boehne	Hartley	Pittenger
Boykin	Heffernan	Ploeser
Bradley, Mich.	Hess	Priest
Bradley, Pa.	Hinshaw	Rabaut
Brown, Ohio	Hoffman	Randolph
Buckler, Minn.	Holbrook	Rankin, Miss.
Buckley, N. Y.	Houston	Rankin, Mont.
Burdick	Imhoff	Rich
Butler	Izac	Robsion, Ky.
Byron	Jarrett	Rockefeller
Cannon, Mo.	Jenks, N. H.	Romjue
Capozzoli	Jennings	Rutherford
Carter	Johns	Sacks
Casey, Mass.	Jones	Scanlon
Celler	Kelley, Pa.	Schaefer, Ill.
Clark	Kelly, Ill.	Schuetz
Clevenger	Kennedy, Martin J.	Scott
Cluett	Kennedy, Michael J.	Scrugham
Cochran	Keogh	Shafer, Mich.
Colmer	Kilburn	Shanley
Connery	Kirwan	Sheridan
Cooley	Kleberg	Short
Copeland	Kocialkowski	Smith, Conn.
Crosser	Kopplemann	Smith, Ohio
Culkin	Kunkel	Smith, Pa.
D'Alesandro	Lynch	Smith, Va.
Davis, Ohio	McArdle	Smith, Wash.
Delaney	McGranery	Somers, N. Y.
Dickstein	Maas	Sparkman
Ditter	Maciejewski	Spence
Domengeaux	Maciora	Starnes, Ala.
Dondero	Magnuson	Sumner, Ill.
Douglas	Mahon	Sweeney
Doxey	Mansfield	Taber
Durham	Marcantonio	Thom
Eaton	Martin, Mass.	Thomas, N. J.
Ellis	Mason	Tolan
Faddis	Merritt	Wadsworth
Fenton	Mitchell	Wene
Fish	Myers, Pa.	White
Fitzpatrick	Nichols	Wigglesworth
Flannery	O'Brien, Mich.	Wolfenden, Pa.
Fogarty	O'Connor	Zimmerman
Ford, Leland M.	O'Day	

The SPEAKER pro tempore (Mr. BLAND). On this roll 270 Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. FULMER] is recognized for 20 minutes and the gentleman from Kansas [Mr. HOPE] for 20 minutes.

Mr. FULMER. Mr. Speaker, I yield myself 5 minutes. After the passage of the 85 percent loan bill a number of Members representing wheat districts began receiving some complaints. I immediately called the Committee on Agriculture together for the purpose of hearing these Congressmen and the representatives of the Department of Agriculture, having in mind that there might be something that we could do that would be helpful. The purpose of the bill under consideration is to be helpful to those noncooperators who have had crop failures. In other words, if a farmer with a usual production of we will say 1,500 bushels of

wheat had a crop failure wherein he did not even produce his allotted quota, he would still have to pay the penalty on the excess wheat. Under this bill he would be relieved from paying the penalty on that excess wheat. I believe that will be helpful to a great many farmers in the wheat-growing sections.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. FULMER. In a moment. I have gone into this matter carefully, and I find there are two classes of farmers who are being penalized under the 49-cent penalty, the farmer who produces a small crop because of a crop failure and the farmer who, because of drought, or rain, or some other cause, has damaged wheat. The penalty is just the same on damaged wheat as it is on No. 1 wheat, and naturally the price on damaged wheat, being below that of a higher grade wheat, perhaps anywhere from 20 to 35 cents per bushel, as stated, he is up against it, compared to the farmer with a normal production and with good wheat. This bill will relieve the man who produces that short crop, and the other farmer will be helped if we can pass a bill that I have introduced permitting him to sell his wheat at a time when our Government is asking farmers to increase the production of livestock, poultry, and so forth. That would relieve that situation.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. FULMER. Yes.

Mr. RIZLEY. The gentleman refers to the fact that it would give the farmer some relief through feeding his damaged wheat. It is a fact that under this bill, measured by the new formula that the committee wrote in for determining excess, any wheat under that formula that is excess cannot be fed by the farmer.

Mr. FULMER. That is right.

Mr. RIZLEY. Even though it is wheat not fit for milling purposes?

Mr. FULMER. That is correct. May I state that I have just made the statement that I have another bill I introduced that would permit that farmer, because his wheat is damaged, to feed it, and, as stated, at the present time, when the Government is asking farmers to increase production of poultry and livestock, and so forth, that this bill should receive favorable consideration.

Mr. MICHENER. Will the gentleman yield?

Mr. FULMER. I yield.

Mr. MICHENER. The gentleman has a bill to take care of that phase of it. Therefore will not the gentleman yield for an amendment, in order that we may do the thing that he has just suggested should be done?

Mr. FULMER. I will say to the gentleman that I would not, because, as far as I am concerned, we are trying to do something to help those farmers who are in distress for the reasons named. If we were to bring in a bill and give the House an opportunity to offer every type of amendment, amendments that would destroy the whole farm program, we would not get anywhere. I am conscientiously trying to be helpful to the people to whom I referred to a few moments ago. We want to do it in an orderly and helpful way. The farmer who is producing a normal crop, although he is not complying and who has no damaged wheat under the program, is in a better position financially than he was before we started hearings on the 85-cent loan bill, paying a 15-cent penalty at that time and a 49-cent penalty at this time, for the reason that wheat was selling prior to the passage of the 85-cent loan bill at 60 cents and today is selling at 85 cents a bushel. The only reason it is not selling at 98 cents—the loan figure—or above today is because of the amount of wheat that is going on the market largely coming from the noncooperator.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. JOHNSON].

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a departmental report on pork products.

The SPEAKER pro tempore (Mr. BLAND). Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, I am wholly in support of this measure, H. R. 5300, its enactment into law will give immediate relief to some of our wheat farmers who are in dire distress at this time because of wheat-crop damage.

Briefly, this bill exempts the farmer from the 49-cent wheat penalty who exceeded his acreage allotment but who also harvested less total bushels of wheat than the normal yield of his acreage allotment.

Prior to seeding wheat last fall, the penalty was 15 cents per bushel. It was the choice of every farmer to either cooperate in the program with its benefits or noncooperate and face the 15-cent penalty. Either was perfectly honorable. But the rules were changed during the growing season to a 49-cent penalty along with a higher loan value.

Now, the farmer who chose to be a noncooperator and exceeded his acreage allotment and who suffered severe crop losses, finds himself in dire distress. His penalty of 49 cents per bushel is not on harvested bushels, but on the normal yield of his excess acres.

Let us take an actual case where a farmer was allotted 40 acres; he seeded 75 acres, or 35 acres over his allotment. Heavy rains and floods destroyed all but 12 acres. He cannot sell a bushel until he pays 49 cents per bushel on the normal yield of the 35 acres. He has wheat from only 12 acres but pays on 35 acres. He cannot even feed it on his farm until he pays his penalty of 49 cents per bushel.

Wheat of grades not fit for milling is usually either fed on the farm or sold for mixed stock or poultry feeds but while this farmer can neither sell nor feed his wheat until the penalty is paid, Canadian feed wheat is pouring into the United States at a differential advantage of about 15 cents per bushel over corresponding United States grades.

There is a quota on milling wheat imports from Canada and a 42-cent tariff. But what about Canadian feed wheat? There is a 10 percent ad volorem duty which in the case of this feed wheat worth 50 cents per bushel, amounts to a low tariff of about 5 cents per bushel while this farmer I am talking about, has to pay 49 cents per bushel penalty, before he can even feed it on the farm.

On July 14, 1941, this Canadian feed wheat was coming into Baltimore f. o. b. at an advantage over United States simlar grades of $5 per ton and there is no quota on Canadian feed wheat. Approximately 95 percent of the eastern seaboard poultry feed mixers are using this imported feed wheat with about 2 months' supplies in storage while American farmers cannot find storage place.

The first 4 months of this year there was imported from Canada, 682,322 bushels of feed or damaged wheat. April doubled its imports over any preceding month and may Heaven help the distressed wheat farmer if we do not pass this bill.

It is not wheat farmers alone who are penalized on this market. Canada has lots of pork and pork products to sell but cannot sell to England because they must have cash, so United States has purchased—cash on the barrel head—a total of 4,246,351 pounds of pork products from Canada, the first 4 months of this year and under our generous lease-lend, then give it to England and probably some to our latest democracy, Russia, and all at the expense of our farmers and taxpayers. What a terrific price of appeasement.

Imports of Canadian hogs, pork, and pork products for the first 3 months of 1941 compared with the corresponding months of 1940

[U. S. Department of Commerce]

	1941	1940	Increase (+) or decrease (−) over 1940
Live hogs, excluding breeding hogs:	*Pounds*	*Pounds*	*Percent*
January	96,100	240	39,979.1
February	48,184	35	137,568.5
March	21,360	625	3,317.6
Total	165,734	900	18,314.8
Pork products, fresh, etc.:			
January	438,429	75,746	465.6
February	898,785	91,577	881.4
March	1,152,111	79,761	1,345.2
Total	2,489,325	247,084	907.5
Pork products, frozen, etc.:			
January	467,989	97,738	379.6
February	556,429	65,562	748.7
March	348,020	63,816	445.3
Total	1,372,438	227,116	504.2
Pork products, pickled, etc.:			
January	61,047	36,946	65.2
February	44,712	34,478	29.7
March	50,302	36,456	37.9
Total	156,061	107,880	44.6
Pork products, including sausage:			
January	15,596	16,159	−3.5
February	12,444	13,022	−4.6
March	34,753	6,816	409.8
Total	62,793	35,997	74.1
Grand total	4,246,351	518,977	910.9

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Illinois. I yield.

Mr. CRAWFORD. If the Congress accepts the philosophy included in the

crop-adjustment control and parity-payments law, can it go so fas as to do any more than this bill now proposes to do, that is, if you accept that philosophy?

Mr. JOHNSON of Illinois. No.

Mr. CRAWFORD. In other words, this bill, then, takes care of the fellow who has excess acreage and who has had crop failures?

Mr. JOHNSON of Illinois. That is right.

Mr. CRAWFORD. Beyond that it does not go?

Mr. JOHNSON of Illinois. Beyond that it does not go.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. WICKERSHAM] 3 minutes.

Mr. WICKERSHAM. Mr. Speaker, I wish to say that this bill, if enacted, will provide "That notwithstanding any other provisions of Public Law No. 74, the penalty for any crop of wheat for any farm, regardless of the acreage planted to wheat thereon, shall not be applicable to that portion of the wheat produced which is not in excess of the normal production of the farm-acreage allotment for wheat." In other words, if a man had an allotment of 100 acres and his average yield was 10 bushels per acre he would be entitled to raise 1,000 bushels of wheat. But, suppose he planted 200 acres and made only 5 bushels to the acre, even though he made only 1,000 bushels, he would, under the existing law have to pay a penalty on one-half of the amount he produced. Another man might make 40 bushels to the acre on his 100-acre allotment, or 4,000 bushels penalty-free; still another man who has a 100-acre allotment might plant 200 acres and make 40 bushels per acre, or a total of 8,000 bushels. Under the existing law he would have to pay penalty on 1,000 bushels, and would have 7,000 bushels penalty-free.

The bill under consideration now on the floor of the House as advocated by me would give relief to those affected by serious drought, excessive rains, floods, rust, pestilence, and so forth. No one should object to my bill.

I might say that the Republican Member from Oklahoma [Mr. RIZLEY] and I have had more difficulty with our wheat problems than any two of you other gentleman of the House. We have had conference after conference with A. A. A. officials and with members of the Agricultural Committee, of which he is a member. The passage of this bill of mine which you have under consideration does not afford all the relief which our constituents desire. I have received letters both pro and con relative to the situation.

I might state, however, that what relief has been granted and what relief will be granted has come as the result of the efforts of various Members who have worked with us in connection with the Agricultural Department officials and members of the Agricultural Committee of the House.

As a result of our efforts and as a direct result of these conferences, the following relief has been accomplished:

First. The A. A. A. officials have promised that the elections relating to farm marketing quotas for wheat will be held in advance of planting time as requested by us.

Second. The A. A. A. officials of the State of Oklahoma and the United States Department of Agriculture officials here in Washington have approved my bill which is under consideration.

Third. The A. A. A. officials and the members of the Agricultural Committee have heard our pleas requesting that the producer be allowed to feed his cattle, horses, hogs, sheep, chickens, and other livestock, and his wife, his children, and himself out of his excess wheat without having to pay a penalty. We feel that this is only fair. We feel that as a result of these pleas a bill containing the provisions of a bill introduced by me, or the provisions of one introduced by the gentleman from Oklahoma, Congressman RIZLEY, or the provisions of a similar bill introduced by the gentleman from South Carolina [Mr. FULMER], chairman of the Agricultural Committee, will be adopted at an early date.

Fourth. The A. A. A. officials have amended their rules in response to our suggestion and have extended the loan provisions 1 additional year.

Fifth. The Office of Production Management has issued a priority preference for 15,000 tons of sheet iron in response to our request wherein we showed that it was becoming difficult for farmers to secure enough material with which to construct necessary bins for storage.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. WICKERSHAM. Certainly; I yield.

Mr. AUGUST H. ANDRESEN. Before this bill was passed in May, increasing the penalty from 15 cents to 49 cents, it is my understanding that all the farmers down in your section had planted their wheat, and a great many of them were harvesting wheat, under the idea that they would have to pay a 15-cent penalty. Would the gentleman favor the proposition that the penalty against farmers who raise an excess crop this year be reduced to 15 cents, the same as it was when they planted their wheat crop?

Mr. WICKERSHAM. The gentleman from Oklahoma [Mr. RIZLEY] and another Member from another State each introduced such a bill, but it has not been given favorable consideration so far from either the A. A. A. officials of the United States Department of Agriculture or by many of the members of the Agricultural Committee of the House. You will recall that in the hearings wherein you and I attended several of the Agricultural Committee meetings that it was very apparent that such a bill would have no chance of being reported out of the committee; in fact, the chairman stated definitely that no bill reducing the penalty to 15 cents or any bill reducing the penalty to nil would ever be reported out of the committee.

Mr. AUGUST H. ANDRESEN. Would the gentleman——

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield such time as he may desire to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Speaker, the enactment of this bill will correct a very apparent injustice to the wheat growers of a large section of our country.

It is my hope that the House will approve this bill without a dissenting vote. Not only that, I am hopeful that the Senate will take it up immediately in order that we can correct a very definite injustice to a large number of wheat growers. Many farmers who are not cooperators in the present wheat program are being unjustly penalized 49 cents a bushel on wheat that they did not grow. This is true of most farmers that suffered loss of wheat acreage through winter killing floods or hail. One farmer in my congressional district planted 60 acres of wheat. He harvested 20 acres, having lost 40 acres through winter killing. On this 20 acres he harvested 84 bushels and 50 pounds. He was required to pay a penalty of 49 cents per bushel on one-half of the harvested crop or 42 bushels and 30 pounds. Manifestly this is so unfair that cooperators and noncooperators both believe an injustice has been done. This bill will correct this unfortunate condition. It was encouraging to hear the chairman state other changes will be offered by the Agricultural Committee in the near future. I want to assure the chairman that I will be glad to cooperate with him in any way that I can to secure needed changes.

Mr. HOPE. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. MCGREGOR].

Mr. MCGREGOR. Although this bill—H. R. 5300—affords only small help to farmers, I expect to go along with it, but I sincerely trust the Committee on Agriculture will soon give to this Congress a program so we can truly help the American farmer and correct some of the evils that have been done. A growing wave of resentment and protest among farmers over the wheat-crop restrictions reveals it is not meeting with the success its sponsors anticipated. It used to be customary to look upon the American farmer as the finest example of freedom in all the world. There were no restrictions as to what he could do, what he could plant, harvest, or sell. This is no longer the case. The farmer is not free or independent.

It is to his credit that he is not submitting meekly to the yoke, but is rising and showing fight. The trouble is he is late in starting. They slipped the yoke on him while he was nibbling those tender tidbits of A. A. A. alfalfa fed him through the mail box.

Where the A. A. A.-ers made their mistake was in making retroactive the wheat quotas imposed only a few weeks ago, when the wheat was about to be harvested.

And the worst penalty of all is that the surplus wheat may not be fed to hogs, chickens, or other livestock. Think of it. The farmer cannot even feed his own wheat.

All this, however, is a logical sequence, and the actual design of the planners, who are looking forward to telling the farmer not only how much he may raise but what crops he must raise, thus making all farmers mere slaves or pawns of the Government.

I call upon the Agriculture Committee of this House to report H. R. 5303, a bill

introduced by me on July 14, 1941, which will give the farmer the right to feed wheat to poultry or livestock. Bring it on the floor of the House, and then we will see who are the true friends of the farmer.

Mr. HOPE. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Speaker, in the Committee on Agriculture I moved to report this bill with the understanding that it would be called up by unanimous consent. There was no objection on the part of anybody in the committee to the provisions of the bill. I made my motion in that form so that Members would have an opportunity to offer amendments.

One of the amendments I propose to offer if a motion is made to order the previous question and that motion is voted down, will be an amendment to permit the farmer to feed excess wheat to livestock and poultry upon his own farm. Another amendment will be one to permit a farmer to store his excess wheat on his farm without giving double security or an additional bond. Another amendment that will be offered by one of my colleagues will be an amendment to reduce the penalty to 15 cents a bushel, as it was when the wheat was planted and prior to the enactment of this law. The only way we can offer these amendments and consider them is to vote down the previous question if the motion is made. If we vote down the previous question then we can have an opportunity to offer amendments.

The gentleman from Nebraska [Mr. COFFEE] has indicated that under a motion to suspend the rules, a motion ordering the previous question is not necessary. If this is the case, amendments will not be in order.

Our only hope of securing consideration for the amendments which I have suggested would be to have them placed in the bill by the Senate, or by a new bill in the House. Surely, we should have the right to consider these amendments in the House and not be bound by a gag rule.

Just one other thing: My colleague the gentleman from Illinois mentioned the imports of feed wheat from Canada. During the month of May over 1,700,000 bushels of feed wheat came in from Canada at around 50 cents a bushel. On this wheat duty was paid at the rate of only 10 percent ad valorem, or 5 cents a bushel. Along the entire eastern coast and along the western coast instead of buying American wheat for livestock and poultry they will buy Canadian wheat for feed, without paying the A. A. A. penalty of 49 cents a bushel. This situation is not fair to American producers and should be corrected.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska [Mr. COFFEE].

Mr. COFFEE of Nebraska. Mr. Speaker, I take the floor at this time to call to the attention of the gentleman from Minnesota [Mr. ANDRESEN] the fact that there will be no previous question upon which to vote. This bill is called up under a suspension of the rules. So the vote will be either for or against suspending the rules and passing the bill. Consequently if we are to be of any assistance to those wheat growers who have over planted and had a partial crop failure, the passage of this bill is necessary. There are no logical objections to it.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. COFFEE of Nebraska. In just a minute. I appreciate the fact that the gentleman would like to include other amendments to the law in this bill. There are a lot of Members who would like to offer amendments. I am likewise anxious to secure additional amendments which I hope our committee will report favorably. I am sure, however, the gentleman from Minnesota realizes it is necessary in this case to vote for or against this bill. That is the only question that will be before the House.

I may say in this connection, Mr. Speaker, that the Committee on Agriculture is going to consider certain other amendments to the marketing-quota law this week, according to information given me by the chairman of the committee. There are a number of amendments to be considered. There is also, I think, an interpretation which the Department of Agriculture could correct. I refer to the fact that the penalty was intended to be 50 percent of the loan rate for which the cooperator is eligible. That is what the Committee on Agriculture intended and I believe that was what the House intended. The 49-cent penalty is 50 percent of the average loan rate throughout the entire country. Naturally there are certain communities where the loan rate is high and other communities, especially in western areas, where the loan rate is much less than 98 cents per bushel, due to high freight rates to terminal markets. If the Department would change its interpretation to correspond with the intent of Congress, the penalty would be 50 percent of the loan rate in each community and would vary as the loans do on different grades of wheat. This would help materially.

May I say, too, that the prospects are that we may be able to get an amendment through that will permit the feeding of this excess wheat this year. In my opinion this would be highly desirable. There are other desirable amendments which the Committee on Agriculture will soon consider and I hope bring to the House for action as soon as possible.

This bill should receive the unanimous approval of the House. There should be no complaint of the procedure and no objection whatever to the bill.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, after consultation with the Parliamentarian, I am convinced that there is no other vote on this resolution now before the House excepting a vote of yea or nay on the question, Shall the rules be suspended and the bill passed?

I cannot too strongly condemn this type of consideration of legislation vital to the wheat farmer. Believe me, the farmers of the country are up in arms today. The motion to suspend the rules is the worst type of gag rule. It is the supergag rule of the House. Under this procedure, the House can debate for 40 minutes and then vote the bill up or down without amendment. As the Representatives of our constituents, we can protest but cannot do anything about it. This bill makes the present law better but does not go far enough.

By this parliamentary strategy, the House is placed in the position of being compelled to vote for a bill that only goes part way. The present law, plus the regulations of the Department, is unfair, undemocratic, and should be amended. I want it distinctly understood that I am unalterably opposed to this procedure, but I realize the inability of the minority to do anything about it today. We shall continue our efforts, however.

The membership of the House was not advised that this wheat bill was to be brought up today, especially under this gag rule. This procedure best illustrates the advisability, even the necessity, of Members of Congress remaining in Washington and on the job if they want to be present when legislation affecting their respective districts is considered. There is not a reason in the world why the chairman of the Committee on Agriculture, who has this bill in charge, should not permit amendments to be offered to the bill. If the Members of the House do not favor the amendments, they would vote against them. On the other hand, the will of the House would find expression if amendments were offered. There is no use talking about this matter, however, but I am sure that the wheat farmers of the country will be interested when they know that but 40 minutes' talk is allowed on this important subject and that this policy was determined upon by the chairman of the Committee on Agriculture. Of course, the Department of Agriculture is the sponsor of the 49-cent penalty law and is opposed to repealing that penalty even for the 1941 crop, which was planted before the penalty was invoked. The farmers of the congressional district which I represent were never more exorcised, agitated, or distressed over legislation than they are over this latest wheat-quota penalty law, and within the next few days I expect to have more to say about the matter.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I shall support this bill, because I believe it will help the wheat farmer in a great many cases. It does not go quite as far as I would like to see it go, as I favor many of the other amendments that have been suggested. I hope the Department of Agriculture will assume a more kindly attitude toward these farmers who have

elected not to comply, and that they will go the full extent within their power to help work this matter out with more generous rules and regulations.

Mr. FULMER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, may I say that the remarks of the gentleman from Michigan are very much uncalled for. If we could have gotten this bill on the Consent Calendar, which we could have, and if it had come up in its regular order, there would have been 25 or 30 Members on both sides of the House who would have objected to the consideration of the bill and we would then be right back where we started. I could have gone before the Rules Committee. But here we have a chance to consider a bill under this procedure that will mean thousands, perhaps millions, to innocent farmers whose crops have been destroyed by rains and drought. So often when we try to be helpful we run up against this type of opposition. Let us proceed in an orderly and helpful manner.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. FULMER. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I think the record will show that there were more suspensions on Consent Calendar days when the gentleman's party was in power than there has been during this administration?

Mr. MICHENER. Will the gentleman yield?

Mr. FULMER. I yield to the gentleman from Michigan.

Mr. MICHENER. The chairman of the Agriculture Committee says he wants to help the farmers, he wants to get this matter up for consideration. He has it within his power, right now, to yield for an amendment that will eliminate this 49-cent penalty on those farmers who did not know that it was to be placed on them when they planted the 1941 crop. If the gentleman wants to help these wheat farmers, here is the opportunity, the subject before the House now. Will he not yield for such an amendment?

Mr. FULMER. I will not, and may I state to the gentleman that he has not a wheat farmer in his State, a noncooperator, who has a normal crop of wheat who is not in a better position now under the 85-percent loan than before we passed the 85-percent loan bill.

[Here the gavel fell.]

Mr. KERR. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Speaker, I very much hope that the rules will be suspended and that this bill H. R. 5300 will pass. I can agree that this amendment would help some farmers who have overseeded and had crop losses. They are not numerous and they are hurt under the program. The committee has not agreed on the other amendments relating to penalties. I think it unwise, notwithstanding the argument of our colleague from Michigan who says we are not fair, to attempt more changes now. It is the only way we can help at the present time. So I am hoping that we will get a two-thirds majority and that the rules will be suspended and the bill pass.

Personally, I do not think we ought to reduce the present legal penalty from 49 cents down to 15 cents. In the Agricultural Committee we intentionally recommended legislation raising the price of wheat by making the loans 85 percent of parity. We raised it 34 cents a bushel throughout the country for cooperators and noncooperators. The noncooperators ought not to get the benefit of that increase, therefore the increased price was added to the penalty. I am in sympathy with the gentleman from Nebraska who would like to find some way to feed the excess wheat on the farms, especially that wheat which is below milling grade; but that is objected to by people from the corn sections and by producers who have been pleading for a real wheat program.

We must have a real control program or our efforts and funds are wasted. I now desire to present my analysis of the present wheat situation, especially in relation to penalties for overseeding.

WHEAT, 1941

Mr. Speaker, the newspapers recently carried a story with the caption "Rebel farmer burns wheat." The story is of a Michigan farmer who was burning his 17-acre wheatfield over resentment against the Government wheat-control program. Undoubtedly the farmer had been notified of the planting restrictions by his own county committee. He exceeded those restrictions by 2 acres. He rebelled against law enforcement. The total penalty cost on the 2 excess acres could not have exceeded ten or twelve dollars. By paying that amount he could have cleared the entire production of the 17 acres to be used as he saw fit.

Mr. Speaker, when the world is going through the most tragic era human beings have ever faced, it is a terrible thing for any American citizen to revile his Government and become a lawbreaker, unwilling to yield his individual desires to the public welfare. It appears that the farmer thus widely exploited by the public press was either a man of such poor judgment that he might be considered insane or of such wicked intent that he might well be considered a criminal and taken into custody.

It is no uncommon thing to read in certain eastern and midwestern papers, published in regions in which farmers have small wheat acreage, stories of rebellion against the wheat program. I deplore the fact that the press is willing to publicize and apparently to support such illegal and antisocial action. This program has been a lifesaver to most of the farmers in this country who raise wheat. It is a question of majority rule and minority compliance with the wishes of the majority. This must ever be so in our Republic.

Replying to this intemperate outburst, and to some exceedingly unfair and unanalyzed statements which have been made on this floor, I desire to present a few real facts in regard to the Agricultural Adjustment Act and the wheat-control program.

The greatest battle which has ever taken place on earth is now being fought. Millions of men, women, and children are being slaughtered. The people of our country are moving freely about their pursuits under protection of their Government. What a spectacle for a small group of chiseling agricultural producers to make such an outcry because they could not carry on their illegal noncompliance without accepting the just consequences! Heaven help our country if this uncooperative spirit is carried over into our defense efforts when the apparently inevitable day of facing the Hitler machine confronts us.

THE SITUATION

The Agricultural Adjustment Administration Act of 1938 provides that the Secretary of Agriculture shall proclaim a wheat marketing quota by May 15 of each year when it appears that the total supply of wheat will exceed a normal year's domestic consumption and export by more than 35 percent. The Secretary of Agriculture was convinced that there would be more than 1,300,000,000 bushels of wheat on July 1, 1941, including the carry-over and the new crop. This was far in excess of the 35 percent maximum surplus fixed by law. Consequently, complying with this law, he called a referendum of the wheat growers of the United States to vote "yes" or "no" for a wheat quota on May 31, 1941. The law provides that in order to make the quota effective two-thirds of all voters must vote in favor of the quota. All wheat growers, including cooperators and noncooperators, who raise more than 15 acres of wheat, were entitled to vote under this call.

PERCENTAGE VOTING IN REFERENDUM

More than a half million wheat growers of the United States took part in that referendum, held on May 31. More than 81 percent of the farmers affected, and voting, voted in favor of the quota. The exact returns are: Voting "yes" were 453,569 out of a total vote of 559,630. It was stated by the gentleman from Oklahoma, Representative RIZLEY, in his speech of July 15 this year, that there were more than a million eligible wheat voters in the United States. This statement does not conform to the facts so far as the Department of Agriculture can learn. The estimate of a million growers included all those growing 15 acres or less, and these were specifically exempted under the law. It is probably true that 90 percent of all eligible wheat growers voted in the referendum.

EFFECT OF TRIPLE A AMENDMENTS OF 1941

In order to make the control program for wheat production most effective, the Congress amended the Triple A Act on May 28, 1941. These amendments provided that a small wheat farmer, raising 15 acres or less of wheat, would be exempt from the operation of the law. The normal production on the 15 acres was expected to be 200 bushels, but it was provided that whatever the production, even if it were 40 bushels per acre on the 15 acres, the farmers having only that acreage would be exempt. The amendments to the Triple A Act further provided that the Government loan on wheat, instead of being optional with the Secretary at from 52 to 75 percent of parity,

should be fixed at 85 percent of parity, and made mandatory.

The average loan on wheat in 1940, varying somewhat on grades and kinds, had been fixed by the Department at 64 cents. Under the amendment, the loan for cooperators was fixed by law at 85 percent of parity, which made mandatory an average loan of 93 cents per bushel. This is an increase of 34 cents a bushel on loans, really meaning an additional 34 cents on the selling price of wheat for cooperators and noncooperators.

PENALTIES

The amendments further provided that the penalty for overseeding, beyond the allotted acres, should be 50 percent of the basic loan, which is now 98 cents, making the penalty 49 cents. The penalty was fixed, by regulations, at a blanket rate of 49 cents for all kinds and grades of wheat. The reason for this was that the Department found it would be practically impossible to administer the law if the penalty were to be fixed at 50 percent of the loan rate in the varying areas of the United States. For instance, in Minneapolis they market 12 or more different varieties of wheat with five different grades in each variety. If the regulations had been otherwise, every different grade and variety would have a different penalty, and the situation would be very complex. The Department wisely decided that the only feasible way of enforcing the law would be to have a blanket penalty rate on all overseeding of wheat. This was fixed at 49 cents, one-half the basic loan rate. This same method was used in fixing the 15-cent penalty last year.

The object of the penalty is not punishment, nor is it designed to raise money or to work a hardship on any wheat grower. It was incorporated in the law for the purpose of including the noncomplier in the control program, for his own price protection and for the protection of the entire program. It would be folly to permit the minority noncooperators to wreck a program decided upon by the majority cooperators who were making material sacrifices for Nation-wide unification under a control program. It should be clearly understood that this penalty of 49 cents applies only to production on the excess acreage, above the allotted acres seeded by those who have not complied with the program.

There is some complaint because the penalty is determined on the basis of planted acreage rather than on harvested acreage. It should very definitely rest on planted acreage. Since the sole purpose of the penalty is to keep some of the surplus wheat off the market until it can be absorbed without depressing the price, farmers who benefit by the program must be relied upon to seed within their acreage allotments. It is a gamble to overseed, depending upon some accident of nature to reduce the crop to legal proportions by harvest time. It is also taking unfair advantage of those cooperators who obey the law. Any interference with marketing quota penalties or acreage allotments would jeopardize this program, which is all that sustains a fair price for wheat.

HAS THE NONCOMPLIER BEEN INJURED BY INCREASED PENALTIES?

No grower of wheat in the United States has any cause for complaint by reason of the raising of the penalty from 15 cents per bushel to 49 cents. The Congress, which made the change in penalty, this year deliberately raised the price of wheat fully 34 cents, on the average, by offering a nonrecourse loan at a 34-cent advance. This is the amount added to last year's penalty asked from the noncomplier. This action was based on the absolutely just and fair assumption that the benefits should not be shared by those who contributed nothing to the program and who would deliberately wreck it by overproduction.

Noncompliers who have produced their usual crop of wheat, and of good quality, are in better financial condition than they were prior to the passage of the 85-percent parity-loan bill. The only farmer who is in the ditch under this legislation is the one who did not produce a normal crop of wheat of good quality because of some hazard or crop destruction. The bill reported out of the Committee on Agriculture proposes to take care of this situation.

WHO WANTS TO REDUCE THE PENALTY PER BUSHEL?

The objections to the penalty for overseeding are being made by those few wheat growers who have contributed nothing to the wheat program. They are noncompliers—people who have voted against and fought the wheat program at every turn of the road. The objectors have done everything in their power to sabotage the program which has been their own salvation. They believe they can make more money by fighting the program than by playing the game.

HOW MANY ARE SERIOUSLY HURT BY INCREASED PENALTY?

Practically none of the real wheat growers are hurt by the 1941 amendments to the A. A. A. program. All the compliers are surely satisfied. That is more than 4 out of every 5 wheat growers. At least one-half of the remainder can plainly see the handwriting on the wall, and they welcome the control and only hope it will be entirely effective. A few who have grown wheat of very poor quality, unfit for milling and not eligible for loans, are, unfortunately, hurt somewhat.

If there ever was a tempest in a teapot; if there ever was made a mountain out of a molehill, it certainly is in this case of the few noncompliers—chiselers—growing wheat, who have been throwing rocks at the procession since it started in 1933. They simply have no justifiable claim nor cause for complaint. They should be cheering for a program that has saved them.

The acreage allotments serve as a means of fairly dividing the available markets between the farmers. The law very justly provides that the producer who deliberately overseeds shall assume some of the responsibility for the surplus by withholding from the market the excess wheat which he produces. The penalty is not assessed under certain conditions easily met. The producer will then be able to borrow on his excess wheat, 60 percent as much as the cooperators can borrow. Of course, he cannot have full privileges on his "hot wheat."

WHAT CAN A PRODUCER DO WITH "HOT WHEAT"?

The producer who willfully becomes a chiseler and plants more than his allotted acres puts himself outside the pale of fair dealers and part of his product becomes "hot wheat"—excess wheat—rather than free wheat. He may pay the penalty of 49 cents a bushel, thus making "hot wheat" marketable free wheat; or, he may give the excess wheat to the Government; or he may store it for 2 years on his own farm to be used on his future quota, unpenalized. What becomes of it, if it is given to the Government, rests entirely in the hands of the Secretary of Agriculture. It would not be unfair if the "hot wheat" were confiscated, as it would be under any other less lenient government. The latest law in Italy requires farmers to turn in their entire crop to the government within 15 days after harvest.

COMPLIANCE NOT DIFFICULT

Without question, this program rests more lightly on the noncomplier than any cooperative program ever devised by a benevolent government. Since the noncomplier benefits by resulting higher prices, our Government justly requires him to bear some little portion of the burden that his neighbors have borne during the last 8 years.

Farmers are better off under the 1941 wheat program, even with penalties on marketing of excess wheat, than they would have been without the quotas and the parity loans of 85 percent.

Take the example of a Meade County, Kans., farmer where a 100-acre wheat allotment has been overseeded by 200 acres. Assume its actual yield was 10 bushels per acre, the same as its normal yield. Under the 1940 quota law and penalty of 15 cents, the cash income, if the wheat were all sold at July 10, 1940, prices, and the 15-cent penalty deducted, would have been $1,290. While under the 1941 quota law, if all the wheat were sold at July 10, 1941, prices, and the 49-cent penalty were deducted, the total income would be $1,540. Cash prices in Meade County under the 1940 loan program were 53 cents and under the 1941 loan program were 84 cents, due to the influence of the 85 percent of parity rate. This year, also, if the farmer wished to postpone payment of the penalty he would be eligible for a 60-percent loan, or 56 cents per bushel on the excess wheat.

NONCOOPERATORS REAP BENEFITS

One just criticism against the administration of the law has been that it has been made too easy on the noncooperator. The noncooperator has assumed none of the responsibility nor burden of cutting acreage. He has gone along in his own way raising all the wheat he wanted to grow and marketing when he wanted to market, enjoying double the price he would have received had there been no program. He has profited by the sacrifices of his neighbors, the cooperators.

Under the quota vote he is now brought into the program whether he desires it or not. He must comply or accept the consequences. No intelligent man who understands the English language can plead ignorance, as there is a committee in every county in the United States sending information to every agricultural producer. That committee is composed of his neighbors and friends. The operation of the law is completely democratic.

WHEAT PROGRAM HAS INCREASED PRICES FOR ALL GROWERS

On July 1, 1939, the price of wheat at Kansas City was 68 cents a bushel. On July 1, 1940, it was 70 cents a bushel. On July 1, 1941, it was 98 cents a bushel. These prices are for No. 2 hard winter wheat. Loan values at Kansas City for 1939 and 1940 were 77 cents per bushel and for 1941, $1.10.

Why was wheat higher on July 1, 1941, than it was July 1, 1939 and 1940? For the simple reason that the Government loan rate was higher. The loan rate in Kansas City has definitely been advanced 33 cents a bushel by reason of the 85 percent parity requirement. The price there does, of course, vary somewhat because of varieties and other minor factors. This advanced price has been sustained in the face of a glutted market without adequate warehouse or transportation facilities. But for the Act, wheat today would be forced to bottom prices in that center.

We are asked what is the world price of wheat. We reply, there is no world price of wheat, as it was considered in former years, for Liverpool, where it was fixed, is a closed market.

We hear the cry raised from a few disgruntled ones, "repeal all your miserable laws and let us alone." That statement is not made by any well-informed farmer, whether he is producing milk, fruit, wheat, or any other farm commodity. All have been benefited by this program. In fact, many classes of producers not now covered by a program are clamoring for one.

There is little use to argue with anyone whose mind is so closed to facts that he will not readily admit that the control program is the sole cause of the present fairly satisfactory price of wheat. It is impossible to argue with one so dense that he insists the farmer would be better off today without a program. The laws framed by the Committee on Agriculture of the House, since 1933, have, in the main, been the wisest, most beneficial acts for the tiller of the soil framed anywhere, at any time in the world's history. It has been a bold, brave attempt to call a halt to the steady march toward peasantry which seemed to be the fate of agriculture when this administration came into power in March 1933.

A representative of one of the largest insurance companies in the United States, which has been obliged to take over many wheat farms since 1929, recently reported to the Department of Agriculture in Washington that over 90 percent of all its tenants had complied with the A. A. A. Act. They stated the company has as its rental share in the Minneapolis area, 1,400,000 bushels of free wheat and only eight to ten thousand bushels of wheat raised in excess of the allotments, to which the 49-cents penalty would apply. The shrewd businessmen who manage that company offered to give this penalty wheat to the Department, saying they were exceedingly grateful because the Government had gone so far in supporting the price for the wheat growers.

THE WHEAT SURPLUS

There are at least 4 bushels of wheat now offered for export, throughout the world, for every 1 bushel which can possibly be sold. This is happening in spite of the stimulus of subsidies offered by every country. There has never been as large a world carry-over of excess wheat as we now have.

On July 1, 1941, there were in this country 400,000,000 bushels of old-wheat carry-over, with a crop to be harvested this same year of at least 924,000,000 bushels. We shall have, after this summer's harvest, more than 1,300,000,000 bushels of wheat, or enough for domestic consumption for 2 years, without any production in 1942. There was more wheat everywhere on the world and domestic markets in 1941 than in the years of 1939 and 1940. Export markets are nonexistent. Canada has a huge surplus and is anxious to sell. Argentina has an excess and no markets.

What price would the noncomplier now be getting for his wheat, under these circumstances, if the compliers had not made the program possible by their cooperation and their sacrifices? The American spirit of fair play rejects the thoughtless and selfish proposals of the complaining noncompliers.

WHAT WOULD BE THE CONDITION WITHOUT A WHEAT PROGRAM?

The least that can be said is that chaos would reign over the wheat markets and in the business world dependent upon them if we had not provided the A. A. A. legislation. There would be complete and absolute bankruptcy among the wheat growers of the United States, and the related banks, and the merchants. They would be in far worse condition than they were in 1932 when we had some domestic and export markets. At the present moment, great wheat shipping centers like Kansas City are refusing to take wheat for shipment because there is no storage room. Wheat growers must store the wheat on their own farms, the same as they were compelled to do last year, and must do this year in Canada.

In the Pacific Northwest we are more fortunate than in other sections of the United States. The ordinary annual carry-over in our section is about 20 million bushels; the amount of carry-over now is 24 million bushels, showing only a slight excess over the ordinary carry-over. With careful handling and some export to Asiatic ports it is hoped and believed there will be ample storage room for the Pacific Northwest wheat crop of 1941.

EXPERIENCE IN OTHER COUNTRIES

Canada had an excess of wheat in 1940, an exportable surplus of more than 500,000,000 bushels. There was simply no market for that wheat anywhere in the world. Much of it is still on the wheat farms in Canada. Warehouses there are crowded to overflowing. Their farmers, last fall, were allowed to market, under the law, only a small percentage of the amount they had grown. With such critical conditions in the wheat-producing areas of Canada, the government fixed a price, on 1940 wheat at Fort William, of 70 cents per bushel. Railroad rates are cheaper in Canada than they are in the United States, so this meant an average of about 50 cents a bushel for the wheat growers in Canada wherever located. The wheat growers in the United States are enjoying double that price because of the A. A. A. program.

All other surplus-wheat-producing nations have marketing restrictions. And in the three great nations of Canada, Australia, and Argentina, the government is the only legal buyer of grain. That leaves the United States as the only remaining great nation where farmers may sell most of their grain to whom they desire, and the only time it goes to the Government is when prices are less than the loan redemption values of the nonrecourse loans.

WHEAT LEGISLATION

In 1933 the Congress passed the original Triple A act, based upon the principle that the growers of basic farm commodities should receive cost of production with a reasonable margin of profit. As a starter in that direction the law provided that 30 cents a bushel on wheat should be collected by the miller or processor and should be distributed, less expenses, among the wheat growers who complied with the program. For 2 years this processing tax was collected and distributed to the wheat growers, and wheat sections were saved from complete bankruptcy. Thirty months after the enactment of the law the Supreme Court, by a six-to-three decision, found it unconstitutional. Three able judges held the law constitutional. That act incorporating the processing tax was the first effective, really valuable legislation for the benefit of the wheat farmer.

Immediately after the declaration of the Supreme Court the Conservation Act was passed. This was followed by legislation carrying the loan features enacted during a special session of Congress in 1937. This act provided the basis for our present Triple A program.

THE CERTIFICATE PLAN

A desirable and permanent alternative to the present program is the certificate plan, which could be operated without expense to the Treasury. It is my judgment that it should be put into effect for wheat, cotton, tobacco, peanuts, and rice. For these five basic commodities the certificate plan will work successfully. It provides for purchase, by the processors, of certificates allotted to the producers. The cost will be added to the price to be paid by the consumer. The money will be distributed by the Government, through the certificates, to the producers. Each user of the commodity would be compelled to pay a sufficient amount so that the producer would realize parity

price on his production. The cost to the consumer would be so small and so clearly identified that chiselers could not take advantage of it for a general increase of prices. The plan will not work for corn. We tried it in the processing tax and failed to accomplish what we hoped to do. Ninety-odd percent of all corn produced is processed through the hogs and cattle, and it seems to be extremely difficult to provide for collection sufficient to reward the corn producers.

GOVERNMENT LOANS THE HEART OF THE WHEAT PROGRAM

The Government loan made to the producer allows him to give a nonrecourse note, which the Government will not collect in a court of law. It also allows the producer to turn over his wheat in lieu of the loan and get back his note at any time until the expiration of the note, which is usually 10 months. The borrower has the privilege of redeeming the wheat by paying the loan, storage, and insurance at any time before the maturity. In other words, the farmer is betting on a sure thing. When he takes his loan in the fall, he has really sold his wheat at the loan price. He still has the privilege of redeeming it until the following April 30.

The loan provision is still in the Triple A act and is now in force. The average loan this year is 98 cents, depending upon location and kind and quality of the wheat.

CONTROL IS ESSENTIAL

It is simply foolish to talk about aiding the wheat grower by a fixed price without a control program. On 62,000,000 acres this year the country is producing 924,000,000 bushels of wheat. The acreage allotment is fixed next year at 55,000,000 acres and this is supposed to produce about 650,000,000 bushels. However, should ideal weather prevail, it may produce more. Without a control program there would probably be sowed 80,000,000 acres, and we would be swamped next year by more than a billion bushels. There simply must be a control of acreage and marketing if we are to carry out our present plan of giving the wheat grower a reasonable price for the wheat he produces. Guaranteed prices—fixed loans—without Government control would bankrupt the Treasury.

Under the quota, as voted, all the wheat growers in the United States are now brought under the law, and that is democracy. More than 81 percent of those who took part in the referendum chose the quota. Less than 10 percent of wheat growers affected are objectors. It is necessary that the noncompliers observe the law. Since when have the losers demanded the right to run things after an election?

Again I want to call your attention to the fact that the small operator, growing 15 acres or less of wheat, is entirely exempt. The program is intended to affect only commercial wheat growers.

THE FUTURE

At present there is only one thing to do—enforce the law we now have. If the Secretary finds that it will be again necessary to call for a referendum vote on quotas because of a great surplus in 1942, the acreage allotment should be further reduced. I would recommend a reduction of at least 10 percent more, limiting the acreage to 50,000,000 acres for the 1943 crop.

It is possible that, when the war clouds blow by, there may be a market for the surplus we have in this country, but it is extremely doubtful. If there should be a demand and the surplus should be reduced to manageable proportions, it is possible that the acreage might be increased. My judgment is that the wheat producers must look forward to several years of reduced acreage. What sensible farmer is there in the land who will refuse to reduce his production in order to secure a reasonably adequate and entirely stable price for that which he produces?

WHEAT THE BAROMETER

It is true that civilized man has never found any substitute for bread on his table three times a day. It is the cheapest food; it is the best food that humankind has ever found. Wheat can be grown in almost any climate and is produced in quantity in nearly 90 percent of all the counties of the United States. Everyone in the agricultural world feels the beneficial effect when the wheat farmer is realizing a margin of profit. He can buy the commodities on the shelves of the storekeeper, and this keeps the industries of the centers busy; he can pay his taxes, which keep the wheels of government going; he can pay the interest on the mortgage on his farm; he can buy the fruit from the fruit grower, the dairy products from the dairy producer; he can buy the machinery, the automobiles, the tractors that modern life has made so necessary, and he can pay for them. He can build the buildings and consume the lumber. If, on the other hand, he is reduced to a position of peasantry, then trouble follows.

The picture of what would have happened by this time, had we not had an agricultural program in the United States, cannot be drawn too black. It is the most efficient and satisfactory program ever inaugurated for the benefit of the producer. With its head the Secretary of Agriculture, with its committees extending to every community in the country, organized by the producers without reference to politics, in the hands of the producers themselves, for enforcement, under skillful and trained managers, there is no equal anywhere in the pages of history for the success of the A. A. A. program.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. BENNETT]?

There was no objection.

Mr. BENNETT. Mr. Speaker, I favor passage of the pending bill because it will provide some relief for a large number of farmers. However, I am greatly disappointed to learn that under the rule we are precluded from offering any amendments to this bill. It is good so far as it goes, but it will take more than this bill to satisfy the wheat growers of America.

Mr. Speaker, I represent 11 large agricultural counties. The farmers of my district engage in diversified agriculture and horticulture. None of them are large producers of wheat but most of them grow some wheat and so far as I know every one of them feels that the penalty of 49 cents per bushel on excess wheat is unfair. It is not right to change rules in the middle of the game. When the crop just harvested was planted in the fall of 1940, the farmers understood that the penalty on excess wheat would be 15 cents per bushel. It is my opinion that the 49-cent penalty levied at this time on wheat sown under such understanding last year is unconstitutional. Further, it is very inconsistent for the administration to forbid farmers to feed their excess wheat to their own livestock in view of the fact that the administration at this time is appealing to the farmers to increase their yield of pork, milk products, and eggs.

Meetings of farmers have been held in every county of my district during the last 2 weeks. They feel that the 49-cent penalty is for the purpose of forcing all farmers into line with the A. A. A. program. In other words, that it is but another step upon the part of the Agricultural Department to regiment the farmers of this country. The feeling of the farmers of my congressional district is summed up in the language of a farmer of Vernon County, Mo., who at a protest meeting held a few days ago declared:

> The outraged farmers are fighting mad and should and will protest. This thing is a curb on liberty and an outrage on the rights of property. The farmers did not agree to pay the Government 49 cents a bushel for the right to raise wheat on their own land and knew nothing about that or any other penalty when the present crop was planted. Why, the Boston Tea Party had less justification than protesting against this monstrous thing.

Another farmer addressing that same meeting declared:

> I will die before I will go to such an outfit and get a white card to sell my wheat.

Mr. Speaker, I sincerely hope that the Agriculture Committee will bring in a bill which will right this injustice. The chief trouble as I see it is that this program is designed for the comparatively few big wheat growers who plant from one to five thousand acres each season and who, with modern machinery and the smooth land they cultivate, could grow wheat profitably at 40 cents per bushel. This kind of a program will never help the average American farmer, who owns from 80 to 240 acres, lives on his farm and who cannot grow wheat at a profit for less than 85 cents to $1 per bushel.

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Speaker, every one is for this bill, and it will pass. There is no one on this floor for whom I have a higher regard than I do for the gentleman from Michigan. If these amendments and bills are to be considered, and I refer to those proposed other than the one now under consideration, then let them all go to the committee, let them have hearings before that committee, let the truth there be discovered

exactly the same as in cases wherein the gentleman from Michigan has stood on this floor and proclaimed it to be the right way. Why not? If this bill had come up under a unanimous-consent request, as stated by the chairman of the Committee on Agriculture, there would be many of us who would object. I myself would object to a unanimous-consent request in connection with some of these proposals. Some of them would be O. K. But they all ought to go to the committee. In the meantime let us pass this bill, because it will do some good.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield the gentleman from Oklahoma [Mr. JOHNSON] such time as he may desire.

Mr. JOHNSON of Oklahoma. Mr. Speaker, when the original farm-adjustment bill was being considered I voted for it reluctantly because I believed it to be better than no legislation at all. Since that time the bill has been repeatedly amended and made more workable and more practical to the average farmer. It is still a long way from being perfect.

Last May, when the committee brought in the joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, I felt that portion making a 49-cent penalty on wheat was entirely too severe. It occurred to me that it was rather unfair to permit the farmers to sow their crops under the 15-cent penalty on excess acreage and then 2 or 3 weeks before harvest time increase that penalty to 49 cents. Today, I find myself in the position of supporting this bill, H. R. 5300, presented by the distinguished gentleman from South Carolina, chairman of the House Committee on Agriculture, because I again feel that it is better than no bill at all.

Several Members have mentioned the fact that the pending bill does not pretend to give relief to those wheat farmers who have sprouted or damaged wheat or a poor grade of grain that cannot be harvested, yet under the present law not a bushel of such wheat raised in excess of the allotted acreage can be fed to livestock or poultry without paying the full 59-cent penalty. The pending measure does not take care of that situation and therefore does not go far enough.

I am sure that Members from agricultural sections will be interested in the statement made by several members of the committee that further amendments are being considered by the Committee on Agriculture and that further legislation will be agreed upon and brought to this body for consideration. May I call their attention as well as other Members of the House to the fact that some time ago I introduced H. R. 5324, which is now sleeping peacefully in the Committee on Agriculture. Among other provisions, it eliminates the penalty for feeding excess wheat to livestock and poultry.

I think all will agree that the pending bill, though inadequate, will be helpful to thousands of wheat farmers. Certainly there could be no serious objection to the pending proposal to modify the present law. It will especially be helpful to those farmers who sustain a partial crop failure and who produce less than a normal production and yet who, under the present law, are subject to penalties on the actual production of the acreage planted to wheat on the farm in excess of farm acreage allotment for wheat. This liberalizing amendment should have no opposition, but even this limited discussion of 20 minutes should demonstrate the fact that the present law should be further liberalized and amended to make it more workable. [Applause.]

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY. Mr. Speaker, I believe this is a very opportune time to call the attention of the majority to how fundamentally wrong and screwy the agricultural program of the New Deal is. We are today implementing a soil-depleting crop. We were not satisfied with the bad Smoot-Hawley tariff bill, which placed a 42-cent-a-bushel tariff on wheat, but we now put a 49-cent tariff on the American farmer. This is one more indication that the New Deal thinks more of foreign farmers than it does of farmers in the United States—it likes them 7 cents a bushel better. There is not a man here who can stand up and say that a farmer living on the Canadian line today cannot bring his wheat over here and sell it for 42 cents, while the American farmer will have to pay 49 cents per bushel to sell his wheat.

This proposed legislation is only for the few at the expense of the many, and is not based on common sense or common justice.

Mr. FULMER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, I wish to ask this question: In what piece of legislation did we raise the penalty from 15 cents to 49 cents a bushel? I want that information for the RECORD.

Mr. FULMER. We did that in a recent bill, which was passed 4 or 5 weeks ago.

Mr. CRAWFORD. The bill giving 85 percent of parity loans?

Mr. FULMER. The gentleman is correct.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Speaker, in the committee I try as best I can to follow the lead of those from the wheat areas on legislation relating to wheat. I do this because I believe it to be the proper thing to do, and they at times are kind enough to counsel with me in considering the problems having to do with the crops produced in my area.

It is true that after the wheat crop was planted the penalty on the excess production of wheat was raised 34 cents a bushel, but it seems to me it is only fair when you receive these protests that you call to the attention of the producers the fact that at identically the same time, in the same bill, the market price, through the supporting loans, was increased exactly 34 cents per bushel. So the relative position of the producer at the time he planted his wheat and at this time when he is gathering his wheat has not been changed one iota.

With the adoption of this bill there will be on the books the most liberal legislation relating to wheat. No other commodity will have these two provisions. One provision is that which states that where you have a good crop you can market your excess production without penalty; that is, if you plant an extra 50 acres in wheat and the normal production on the 50 acres is, we will say, 15 bushels per acre, and you make 30 bushels to the acre, you are penalized only on the 15 bushels normal yield. You can sell without penalty the extra 15 bushels which you make to the acre. Therefore, if you have an abundant crop, you have a very liberal provision where you can sell the excess production without penalty. That is now authorized by law.

Under this amendment to the act, if you have a short crop on your allotted acreage, you can reach over on your excess acreage and bring into your allotted acreage a sufficient amount so that you can market without penalty the full quantity of the normal yield of your allotted acreage.

There are no laws on the books regarding other commodities that contain both of these liberal provisions. I agree with the distinguished gentleman from Nebraska that some change should be made in the provision with regard to loans. I am hopeful that within a few days our committee can report that legislation.

Mr. WILSON. Mr. Speaker, will the gentleman yield?

Mr. PACE. I yield to the gentleman from Indiana.

Mr. WILSON. Is it the opinion of the gentleman from Georgia that this amendment will materially aid the small farmer and the noncooperating farmer who by some hard luck has had a poor year? In other words, even if his acreage is greater than allotment, he can market all of his wheat if it is not in excess of the normal yield of the allotted acreage.

Mr. PACE. The gentleman is correct.

Mr. WILSON. Then I am happy to support this amendment.

Mr. HOPE. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, I favor this bill. There should be no opposition to it. The bill simply provides that a farmer with excess wheat acreage, having a low yield, shall have his quota computed on a normal-yield basis rather than on the present acreage basis. It will help the farmer who had an extremely low yield because of drought, flood, or other damage.

Mr. Speaker, before discussing this legislation further, I want to voice my objection to the manner in which the committee has brought this bill to the floor of the House. It comes to the floor under a gag rule, with a time limit of only 40 minutes for debate and no possible chance to offer amendments. Mr. Speaker, we are discussing a problem of vital importance to the farmers of this country. It just seems to me if the Members of the House want to offer amendments to this bill they ought to have a right to do so. What I am trying to point out to you is this, that Congress,

after all, has charge of this legislation and ought to have the courage to give the whole situation the consideration to which it is certainly entitled.

Now, Mr. Speaker, there are other amendments that ought to be included in this legislation. It should be amended so that farmers having excess wheat may feed it to their livestock and poultry without penalty. There cannot be any excuse for requiring a farmer to pay a 49-cent penalty on his own wheat that he uses to feed his livestock. How such a thing can be justified I do not understand.

Do you know that right now we are bringing from Canada thousands of bushels of so-called feeding wheat, not good for milling, that is being sold to our poultry raisers with a charge of only 5 cents per bushel tariff? I wish I had more time to discuss the problem with you.

Furthermore, this Congress ought to immediately restore the penalty to 15 cents per bushel that was placed on this year's crop. There is no good reason for increasing this penalty so drastically after the wheat was sown and just before time for harvest. If you think a farmer ought to pay 49 cents per bushel on excess wheat, give him notice you are going to do it before he plants his wheat.

It has been contended by a number of people in and out of Congress that if the 15-cent penalty were restored it might affect the 98-cent loan on wheat. This is not the case. Congress fixed the loan at 85 percent parity for cooperators. Any change that is made with reference to penalties will not affect that loan. This should be made clear to everyone. It was the intention of Congress to help provide the farmer, as nearly as possible, with a parity price for his wheat as well as other crops. The cooperator would get an 85-percent parity loan, together with parity payments and soil-conservation money. The noncooperator, of course, does not get the parity money or soil-conservation payments. He gets a 60-percent parity loan on his wheat.

While we are talking about it, it should be remembered the Canadian farmer can ship wheat into this country with a tariff of 42 cents per bushel—7 cents less than we charge our own farmers who raise excess wheat.

Mr. Speaker, after all, it is the big corporations and operators who are creating the huge surplus of wheat in this country. This condition is not caused by the ordinary average farmer. And, by the way, it is these big concerns that get most of the funds appropriated by this Congress in the name of and for the American farmer.

Mr. Speaker, I have tried to use my best efforts to help the farmer. I have voted for millions and billions of dollars appropriations. I want to do everything I can to assist him. I think the amendments I have pointed out are fair and for the best interests of the farmers of this country. If you will restore the penalty to 15 cents per bushel just for this year, I think it will do a lot of good and no possible harm can result therefrom.

Mr. Speaker, this problem has created more dissension and misunderstanding among the farmers of this country than anything that has occurred in recent years. Our people and our country are going through a crucial period. At the present moment, we need a better understanding and more cooperation among our citizens than we have needed in a generation. Let us use our common sense and adjust these matters, with a view of helping the farmers generally, and without doing injury to any of them.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, as has already been demonstrated in this discussion, there is no opposition to this particular measure. Everyone is for it and that accounts for the fact that the committee separated it from various other proposals affecting marketing quotas and penalties and reported it immediately and unanimously so we could start it on its legislative way and secure prompt enactment.

Mr. MURRAY. Mr. Speaker, will the gentleman yield?

Mr. HOPE. Not right now; I will yield later if I have the time.

This bill will be of particular benefit to farmers who are in the unfortunate position of having suffered the losses through winter killing, floods, insect damage, rust, or other disease. So the committee has brought it out to make it possible to give some relief to these farmers. It ought to be passed unanimously. I favor the measure which the chairman has introduced and which he has assured you will receive consideration in committee to permit the feeding of overquota wheat. I can see no reason why we should not permit farmers who have produced excess wheat to feed it at this time when the Secretary of Agriculture is calling upon the farmers of the country to feed more livestock and produce more dairy products. That bill will receive the consideration of the committee. I hope the committee reports it and I hope we can bring it before the House in the near future and pass it.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield myself 1 additional minute in order that I may answer the question of the gentleman from Wisconsin.

Mr. MURRAY. I would like to ask the ranking member of the minority on the committee if this is not just one more example of New Deal agricultural legislation. We have a bill here today that affects only a small number of farmers, and I would like to know if there is anyone on the floor who can tell us how many farmers, out of the total number of wheat farmers, in the United States, are going to get any benefit out of this legislation that we are going through the motions of passing today.

Mr. HOPE. I am informed there are a large number of wheat farmers, many thousands of them, who will be affected by this legislation.

Mr. MURRAY. The Dust Bowl, I understand, has had plenty of rain this year and has lots of crops and they will not have to take any more pictures out there in South Dakota, because they have had rains out there and they have lots of crops and therefore I would like to ask, Where is this dust area?

Mr. HOPE. This measure will not affect farmers in the Dust Bowl, I may say to the gentleman. Most of them have excellent crops this year.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield myself the balance of the time.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. COFFEE of Nebraska. I would like to point out to the gentleman from Wisconsin [Mr. MURRAY] that this bill will help all of those who have planted excess wheat and have had floods or hail or any other disaster affecting their crop so as to reduce it below normal. This bill makes it possible for them to use their excess wheat to build up their normal production on their allotted acreage and sell that without penalty.

Mr. HOPE. This bill, I may say, will help the most distressing class of cases and the ones who deserve help in the greatest degree.

Mr. LAMBERTSON. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. There will not be much division in the gentleman's committee with respect to other amendments if the A. A. A. will recommend the changes, does the gentleman think?

Mr. HOPE. I do not believe there is a great deal of difference of opinion in committee on the feeding amendment. I am not advised as to how the committee stands on some of the other amendments. There are a number of them and some of them are controversial, but the feeding amendment, I am quite sure, will meet with approval.

[Here the gavel fell.]

The SPEAKER. The question is on the suspension of the rules and the passage of the bill.

The question was taken; and two-thirds having voted in favor thereof the rules were suspended, and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FULMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their own remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

EXTENSION OF REMARKS

Mr. JOHNSON of West Virginia. Mr. Speaker, I am very interested in the development of electricity for power in the production of aluminum. On June 9 last I addressed a letter to Mr. Knudsen on the subject, which is printed in the Appendix of the RECORD at page A2746. A day or two ago I received a letter from Mr. Batt, who answered that letter for Mr. Knudsen. I ask unanimous consent to have placed in the RECORD the letter of Mr. Batt and my letter of this date in answer to his letter, to the end that

those who are interested in the production of coal and the use of coal in producing electricity may have my views on the subject.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate insists upon its amendments to the bill (H. R. 4816) entitled "An act to facilitate the construction, extension, and completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STEWART, Mr. TRUMAN, and Mr. GURNEY to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 281. An act for the relief of the St. Nicholas Park Co.

STRATEGIC HIGHWAYS

Mr. SABATH. Mr. Speaker, I call up House Resolution 270, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5110) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Roads, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

With the following committee amendment:

Page 2, line 2, strike out the word "three" and insert "two."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. SABATH. Mr. Speaker, I will yield later on to the gentleman from Indiana [Mr. HALLECK] the usual time, 30 minutes, if he desires to use it. We all know that this makes in order the road bill, but I do not know whether everyone here knows the amount and understands the purposes of the appropriations that the bill carries. The bill provides for an expenditure of $287,000,000. One hundred million dollars is for the construction of so-called strategic roads, to be apportioned among the several States, but $150,000,000 is for access roads to Army and Navy reservations and defense plants and sites, and $25,000,000 for repair of damages to State roads and $10,000,000 additional appropriated for surveys, and so forth.

I do not object of course to the bill, but I call attention to the second authorization, namely, the $150,000,000. I have been unable to ascertain how that $150,000,000 will be expended and where it will be expended and by whom. The bill provides that the money is to be spent for access roads to Army and Navy reservations and defense sites. It will be recollected that we have already passed one bill for $100,000,000 and two bills for $150,000,000, making $400,000,000 for so-called housing projects, of which I am informed a large sum has been used for the construction of roads, some to the Navy and Army reservations, and some to the new plants, the so-called defense plants. I have been under the impression that these tremendous plants, which are private plants, should have paid for a portion of the roads themselves. I also feel that the House should be informed and have a complete report on how the $150,000,000 is to be expended and where.

I do not know whether gentlemen know the amount of money already appropriated for roads in the United States. Some may know but many do not; therefore, I shall give the figures of the amount expended for roads. Since 1917 over $5,500,000,000 has been expended, and of that amount the States contributed about $2,000,000,000, so that the Government has contributed over $3,000,000,000 as against the contribution on the part of the States' $2,000,000,000, or 50 percent more than the States have expended. To be correct, I quote the figures of the Bureau of Roads. The total Federal funds allotted to road projects from 1917 to 1933 and from 1936 to 1942 by the Government amount to $2,002,612,000, plus the total emergency appropriations from 1933 to 1935 amounting to $1,379,000,000, while the States advanced $2,098,561,000, making a total of $5,471,173,000 to date, plus $111,961,421 for miscellaneous items. It is unfortunate that the people who pay the taxes, or most of the taxes, do not derive the benefits from these appropriations to the extent that people who contribute only a small amount toward these tremendous sums receive benefit.

Last Thursday, when the naval appropriation bill providing for further defense appropriations was up for consideration, I called attention to the fact that most of the appropriations in the bill were going to New England, the South, and to the coast, which I considered unfair, because some of the plants and smaller craft could have been constructed in the Middle West and on the Great Lakes. I also pointed out that some of the plant sites acquired by both the Army and the Navy had not been judiciously located, and that there had been discrimination against the Middle West and the smaller manufacturers; but I wish to state now, after having gone into the matter further, I find one division of the War Department—the Quartermaster Corps—has established branch offices in many of the States, where the small manufacturer has a chance and opportunity to submit the availability of his plant for defense work and through such cooperation many orders have been allotted to small manufacturers. I wish to compliment Quartermaster General Gregory in thus allocating defense orders to all sections of the country. Though I reserve to myself the right to criticize from time to time, I wish to give credit where credit is due. If men in outstanding defense positions displayed the same good judgment of General Gregory we would be spared many complaints that come to us and, I am satisfied, our defense program would be much more advanced.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I cannot yield now. In the large centers, the people are obliged to pave their streets and roads and it is paid for by special assessment at the expense of the people themselves. These tremendous sums here are spent on the highways of the Nation, throughout the States, but those States that have not started to build up their roads, as have those that have seen the necessity for good roads done, again have the advantage. They come in for this tremendous aid from the Government, where those States that built their roads before national legislation was enacted, receive no contribution whatsoever.

I contemplated inserting various tables by States from 1917 to 1942 showing the Government appropriations as compared to those made by the States, but shall confine the insertions to the appropriations by States made by the Federal Government covering the apportionments of regular and emergency Federal aid highway and grade-crossing funds.

Apportionments of regular and emergency Federal aid highway and grade-crossing funds for the fiscal years 1917 to 1942, inclusive

Alabama	$73,980,192
Arizona	46,669,041
Arkansas	60,821,273
California	129,858,979
Colorado	62,088,077
Connecticut	23,969,095
Delaware	15,687,527
Florida	46,081,005
Georgia	90,788,642
Idaho	41,632,242
Illinois	154,148,555
Indiana	90,099,388
Iowa	94,239,942
Kansas	94,559,730
Kentucky	66,581,453
Louisiana	50,843,790
Maine	30,824,114
Maryland	30,973,374
Massachusetts	54,406,275
Michigan	109,596,843
Minnesota	97,730,909
Mississippi	61,979,656
Missouri	110,599,970
Montana	68,229,558
Nebraska	72,157,038
Nevada	41,265,426
New Hampshire	16,968,939
New Jersey	50,521,426
New Mexico	52,946,283
New York	186,849,772
North Carolina	83,629,280
North Dakota	54,925,939

Apportionments of regular and emergency Federal aid highway and grade-crossing funds for the fiscal years 1917 to 1942, inclusive—Continued

Ohio	$134,311,505
Oklahoma	83,239,333
Oregon	55,053,166
Pennsylvania	163,520,533
Rhode Island	16,522,185
South Carolina	49,590,940
South Dakota	56,478,710
Tennessee	75,460,423
Texas	214,453,417
Utah	37,808,766
Vermont	16,890,687
Virginia	66,834,050
Washington	54,601,081
West Virginia	39,615,086
Wisconsin	87,708,818
Wyoming	41,411,248
Hawaii	14,126,302
District of Columbia	6,858,414
Puerto Rico	4,533,004
Total	3,484,671,401

Of course, there are a few roads that go to a few of the cities, but mighty few. In addition, we have expended tremendous sums of money for grade crossings and I have always believed that that is an obligation that should have rested on the railroads themselves, and that they should be compelled to pay for these grade crossings.

As to the twenty-five millions for the repair of damages to State roads: This, I feel, is a most unjustifiable authorization. We help in the construction of roads by contributing from 50 percent to 75 percent and because a few Army trucks for a short period of time have used them the States come in and ask to be reimbursed for damages occasioned by such use. If the States would build more durable and safer roads no damage would occur in the period of a few months but, unfortunately, the States, with the approval of the Bureau of Public Roads, want to point out how many miles of roads they have built and not how good the roads have been constructed. The record shows that some roads have been built that after a few years use are obliged to be repaired. I presume that from now on the States will come to the Government to aid them in maintaining and repairing their roads. Yes, continue to unload upon the Government and then criticize the expenditure.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes; I yield.

Mr. WHITTINGTON. Does the gentleman recall that in highway legislation under the present administration previous laws have been amended to provide for the construction of main-line highways through municipalities?

Mr. SABATH. I say lately, yes; but in view of the fact that we have built roads long before that in our State and in many other States and the cities have built their highways and good roads at tremendous expense, they did not receive any benefit under the new law. I admit that under the present law the cities will receive some little benefit, but taking everything into consideration it is only a small portion of what is being expended by the Government.

Mr. WHITTINGTON. Will the gentleman yield further?

Mr. SABATH. I again yield.

Mr. WHITTINGTON. Let we call the gentleman's attention to the fact that the President of the United States as late as June 2, 1941, sent to this Congress a special message recommending $100,000,000 for access roads and among other things he said:

> It is clearly evident that the financial requirements for community facilities and access roads are greatly in excess of the local resources and present available funds and that additional funds will be required immediately to relieve existing traffic congestion in important areas.

The second or third provision of this bill is in accord with that recommendation.

Mr. SABATH. I am trying to make it clear. I say that $150,000,000 provided for in this bill will be for the access roads to the Army and Navy reservations and defense plants, as recommended by the President. But it is indeed unfortunate, Mr. Speaker, that the President, in view of the tremendous tasks before him, is unable to give time and consideration, and study to these recommendations on the part of some of the departments, and he feels that he cannot do otherwise than approve of them. But I feel that if he had the time, with his intelligence and his desire for justice, he would not have asked this $150,000,000 authorization without telling the Congress where that money is to be spent and in what States. The first $100,000,000 will be allocated among the different States, and I even have the figures as to what States it will go.

I know that the State of Texas and the gentleman's State of Mississippi are the very first ones that will receive their share and much more than my own State, but I do not object. That is fair and justifiable. But what I desire to call attention to is this, that the $150,000,000 will be spent on roads for new sites, new plants, new communities, and all at the expense of the large centers. I know that my own city is obliged to pay a part of this $150,000,000, but it will never receive a single cent of benefit out of that appropriation. I maintain that this is discriminatory against the large cities from whose sections thousands upon thousands of men are drawn to these newly built up towns or projects, new munition, governmental, and private plants, all at the expense of the taxpayers of the large cities.

If the plant sites had been judiciously selected it would not have been necessary for us to spend these hundreds of millions for housing and neither would it have been necessary to construct these access roads. I hope that from now on in the selection of sites for new defense plants due regard will be given and their placement located in or near thickly populated cities having adequate roads and housing quarters. If this is done, millions will be saved as I have stated to the taxpayers of our country and it will prove of inestimable benefit to both the Government and workers employed in the defense plants in that the Government can draw the workers from the immediate vicinity where they can still reside in their own homes, thus obviating the need of constructing new housing quarters. Further, I venture to say that 75 percent of the workers employed in the defense plants now in operation have been forced to depart from distant homes, leaving their families and living apart, thus being under a double expense in supporting themselves at one place and their families at another. To me this is a serious question and if the building of defense plants in out-of-the-way places continues, away from transportation facilities, the source of labor supply, and without adequate and proper housing quarters, I am fearful of the danger of impairment of our defense production. It is my hope that the officers and officials in charge of the obtaining of sites for defense plants will seriously consider the selection of sites in the future as I have indicated to avoid any possibility of any delay to defense production.

You from the country districts may not realize what it is doing to the large cities. Notwithstanding that fact we are going along. I am going along with this bill. I have brought in the rule. I hope it will be adopted. In fact, I know it will be adopted and the bill will pass. But I feel in honor bound to make these few observations to bring home to you Members from the rural sections this truth.

The census for 1940, shows a total population of the United States as being 131,669,275, the urban population being 74,423,702, and the rural population being 57,245,573, that is, the urban population amounting to 17,178,129 more than the rural population, and the urban population being 56.5 percent and the rural 43.5 percent of the total national population, so that the people of the villages, towns, and cities are entitled to at least equal consideration to the country folks.

A little while ago we passed the wheat bill. Did you see a single Member from any large city oppose or say a single word against that bill? No. They agreed because they felt that if it will help the farmers it will indirectly also help the city folks, because the farmers will have more money with which to buy, which will create employment and will create business.

I just wish to call attention to this fact, that whenever we come in with a measure that may to some little degree aid the large centers and the people in those large centers, invariably there is real opposition on the part of the gentlemen representing the rural districts. I hope, in view of what transpired a little while ago, and in view of the fact that we will again vote unanimously for this rural beneficial legislation, that in the future when we do come in and urge and plead for some little aid or assistance you will not do as you have heretofore, but follow our broad, liberal policy and cooperate and help us as well as we are helping you.

Mr. Speaker, day after day I hear my Republican colleagues complain about the large appropriations, and that we do not reduce governmental expenditures, but I have not heard a word in opposition to the wheat bill we just passed, nor have I heard a single Republican raise his voice in protest to the appropriations carried in this bill. It is a fact that they are

voting for all these appropriations without making any effort to reduce them, and, actually, are in favor of increasing them. They have the temerity to obtain the floor daily, especially under the 1-minute rule, making attacks and questioning why the expenditures are not being reduced. What interesting reading matter for their constituency if they were to compare their voting record for these appropriations with the speeches they have made to reduce expenditures.

That is all I desire to say for the present. I felt I should call to your attention this matter in the hope that in the future we can appeal to you for the same fair and liberal treatment that we are according you at all times.

Mr. SABATH. Mr. Speaker, I reserve the balance of my time, and I yield 30 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the chairman of the Committee on Rules has very well stated to the membership the general purposes of this proposal. Personally, I am for this rule, and I expect to support the bill. At the same time I cannot refrain from again suggesting that on occasion I am almost overwhelmed at the tremendous sums of money that we are currently appropriating and spending. I think it is a matter of which all of us must sooner or later take stock.

However, this I think can fairly be said to be an essential part of our defense effort—$100,000,000 of the amount carried in the bill is for the purpose of furthering construction of so-called strategic highways. I believe there is no one who would fail to recognize that good roads over which to move men and equipment expeditiously is an essential part of our national defense. I, for one, am glad to know that in this particular at least some careful consideration is being given to the defense of America here at home. I only wish that on occasion some little more attention to home defense could be given.

In order to carry on this program of construction of strategic highways, it is proposed in this bill that instead of matching 50–50 Federal and State funds, the Federal contribution shall be 75 percent and the State contribution 25.

The second part of the bill provides for the construction of so-called access roads. These are roads intended to provide ingress and egress to and from defense plants, defense reservations, and sources of raw material. For illustration, there has been constructed in my State of Indiana, at Charlestown, a powder plant. In order to man that plant it became necessary either to build a lot of houses out there, say, under the defense housing program or to build a road that could be used by people living in Jeffersonville and New Albany, Ind., and Louisville, Ky., some few miles distant, a road that could be used by men living in those communities to get to this plant to do the work that is to be done there during the emergency. As I say, it is a matter of building houses at the site or of building an access road that will permit the men to travel from the areas in which they presently are living to the point where they will be employed. This, in some measure, is a reply to some of the things suggested by the gentleman from Illinois [Mr. SABATH]. I have a great deal of sympathy with much of what he said.

I would like to suggest that the building of these access roads, in my opinion, makes it possible for men living in Baltimore, for instance, to go out to the Glenn Martin plant to work. The location of these plants is equally important with the location of the place where the employees are permitted to live and spend their money.

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield myself 5 additional minutes.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. RIZLEY. Was I correct in understanding the gentleman to say that under the terms of the second provision of this bill money appropriated for access roads can be used to construct roads to national-defense plants already built?

Mr. HALLECK. That is my understanding; yes. The access roads are to connect up with defense establishments.

Mr. RIZLEY. Then it could even be a new road. For instance, take the case of a powder plant such as the gentleman mentioned, constructed at some distance from a town with no really usable roads to it; under the terms of the second section of this act these funds could be used to construct a road to such plant.

Mr. HALLECK. Yes; I think that is clearly contemplated by the bill.

Mr. RIZLEY. Does the State have to participate in the cost of constructing such access roads?

Mr. HALLECK. No. The section of the bill providing for the construction of access roads contemplates that the Government shall pay the total cost of construction. In the case of the $100,000,000 for the extension of the strategic highway system State participation is provided for.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. LEAVY. Going back to the strategic highway network section, the provisions of this section, as the gentleman stated, instead of requiring a matching dollar for dollar of State and Federal funds, as heretofore has been the practice, provides that the matching shall be on the basis of three Federal dollars to one State dollar.

Mr. HALLECK. The gentleman is correct.

Mr. LEAVY. But the section contains further language dealing with unappropriated and unreserved public lands and nontaxable Indian lands. In the case of these lands the 25 percent contribution by the State would not be applicable because a formula is set up for calculating that. What I want to get clear at this point is, Does the term "unappropriated and unreserved public lands" include forest lands, or was that matter brought up?

Mr. HALLECK. It was not brought out before the Committee on Rules, and I believe I had better refer the gentleman to some member of the Roads Committee on that issue.

There was a question before the Committee on Rules as to the advisability of the reappropriation of funds in this particular bill. As I understand it the rule waives points of order that may be made because of that provision.

Mr. LEAVY. I am sure the gentleman understands my point of view, because this matter may be of considerable importance to some of the Western States.

Mr. HALLECK. I am sure the gentleman's question will be answered when the bill is taken up for consideration.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. COLE of New York. With regard to contributions made by the States and the Federal Government are we to understand that the 50–50 plan heretofore followed in the case of public highways is being supplanted by a 75–25 ratio? Is this a permanent or temporary ratio?

Mr. HALLECK. As I read the report it is clearly the idea of the committee that this bill is designed to meet the necessities of the emergency and the needs of national defense. I do not understand that this would mark a permanent departure in respect to the building of Federal-aid roads.

Mr. COLE of New York. So that in the future, if a bill comes in here for Federal aid for highway construction, this cannot be used as a precedent to establish a 3 to 1 ratio?

Mr. HALLECK. I would not say that someone might not urge it as a precedent but it would seem to me it is not a precedent because it is an authorization for specific amounts to meet what are declared to be immediate specific needs.

Mr. COLE of New York. From the standpoint of national defense?

Mr. HALLECK. From the standpoint of national defense.

Mr. Speaker, when the bill is read for amendment I propose to offer an amendment that I think is justified under the circumstances that exist. In my State of Indiana, and I think in a few other States, certain requests came out from Washington from the different departments urging States to go ahead and build what would be access roads under this act. They were urged to do that as a matter of patriotic cooperation with the Federal program. In my State the State Highway Commission went ahead and constructed a road from Jeffersonville to the Charlestown plant.

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield myself 6 additional minutes.

Mr. Speaker, it was a Federal-aid highway under the regular program. The cost was something like $600,000. It seems that while it would not be wise to require that out of this money reimbursement be made specifically to the States that have gone ahead, at the same time I do not believe that any State that has gone ahead cooperating with the needs of national defense and built what is strictly an access road should be penalized for having done that job.

After consultation with some of the members of the committee and some of

the people down at the Bureau of Public Roads, I have prepared an amendment which will call this situation to the attention of the people who will be charged with directing the expenditure of the money under this proposal to the end that due consideration may be given to the action of those States that have gone ahead and built access roads. I think it is clear that such equalization as is practical and feasible should be accomplished.

If I may have the attention of the members of the committee, there is one thing I hope the committee will take up in due time—something I would like to have commented upon. I am wondering if it would not be desirable or feasible or better to try to have some little better definition of what an access road is. I cannot tell from reading the section having to do with access roads whether it means just a short connecting link from an existing highway to a defense establishment or whether it means any highway of any unlimited length that might be desired and which is considered necessary or helpful in the national defense. I do not know whether or not the term is capable of definition. I do not know whether the law could properly be made more specific, but if it can be made more specific, it might well be done. We are going to spend $150,000,000 without any matching on the part of the States. There will be much pressure for building many highways. I think the views of the Congress in respect to where this money shall be spent should be as specific as possible.

Mr. WOLCOTT. Will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Michigan.

Mr. WOLCOTT. We gave a great deal of consideration to the definition of access roads in the committee. We found we could not lay down a definite rule applying to all locations, because in many parts of the country camps have been built or raw materials are located perhaps a few miles from the strategic network that these roads were to connect the facilities up with or some other main road. I can see where an access road might run into a few miles. It is not the intention of the committee, and should not be the intention of the Congress, to build for peacetime purposes an access highway under the guise of connecting up a defense factory, plant, or camp with the main road. In other words, it is not the intention of the committee, and it is not the legislative intent, to build a system of highways within any State by the Federal Government under the guise of being an access road. We had to leave the discretion somewhere because of our inability to define clearly what an access highway was.

Mr. HALLECK. I thank the gentleman for that statement. In line with that I anticipate that immediately upon this $150,000,000 becoming available there will be requests for the expenditure of the money in many different places. In my opinion, it should be limited to what are understood to be access roads and not to the building of a general system of roads.

Mr. WOLCOTT. I may say the gentleman will remember some years ago the fight which we had on the floor about giving some 977 miles of road to certain States under the guise of a connecting parkway. In the hearings and on the floor we will develop the fact that the Federal Government is not going into States and building free highways under the guise of access highways which should be part of the strategic network of the Federal highway system.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I am very glad the gentleman made inquiry with respect to access roads. Section 3 provides for the construction and improvement and authorizes $150,000,000. The gentleman will very readily understand that $150,000,000 will not build very many new highways. This is for the improvement of existing highways where their improvement by widening, by strengthening the bridges, and so forth, will enable the reaching of military and naval reservations and defense projects. Even if it is necessary to construct a highway where a military or naval reservation has been built or where there is a defense plant or where there are raw materials, this amount can be used for that purpose. The gentleman need have no concern. The investigations thus far show that it would take at least $350,000,000 to construct all necessary access roads involving new construction where imperative and the improvement of present secondary roads to reach existing plants. The $150,000,000 here authorized will certainly be spent where the priorities are greatest, and only for national-defense purposes, because the bill provides that there must be a certification by the Secretary of War and the Secretary of the Navy that this is for defense.

[Here the gavel fell.]

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

MRS. H. C. BIVINS AND OTHERS

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1548) for the relief of Mrs. H. C. Bivins, Henrietta Bivins, and Irvin Tatum, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out "$1,743.25" and insert "$1,000."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. McGEHEE, KEOGH, and JENNINGS.

DEFENSE HIGHWAY ACT OF 1941

Mr. CARTWRIGHT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5110) to supplement the Federal-Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from Michigan.

Mr. MICHENER. Is it contemplated to bring this bill to a vote tonight?

Mr. CARTWRIGHT. My hope is to finish the bill this evening, but not to have a roll call.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5110, with Mr. ROGERS of Oklahoma in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. CARTWRIGHT. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, a little more than a year ago, or on June 21, 1940, President Roosevelt asked that the Public Roads Administration of the Federal Works Agency make a survey of our highway facilities from the standpoint of national defense and advise him as to any steps necessary to assure the adequacy of our highway system to meet the needs of the national defense.

Such a survey was made, in collaboration with the War and Navy Departments, the Advisory Commission to the Council of National Defense, and the State highway departments, and a very impressive and comprehensive report was submitted to the President last February by the Federal Works Administrator, which was made public at that time.

After study and consideration of that report by the National Resources Planning Board and the Bureau of the Budget, the President placed the matter before the Congress in a special message on June 2.

Meanwhile, the Committee on Roads of the House and the Committee on Post Offices and Post Roads of the Senate had given this subject some preliminary consideration. The distinguished senior Senator from Arizona [Mr. HAYDEN] and I had prepared a bill which we introduced simultaneously in the Senate and House on June 2.

The House Roads Committee held hearings for 6 days on H. R. 4935, beginning on June 5, at which high officials of the War and Navy Departments, the Federal Works Agency, representative State highway officials and others testified.

Then this bill, H. R. 5110, was carefully worked out by the Roads Committee as a substitute for my original bill. The bill before you today was reported unanimously by the committee, without amendment, and is earnestly recommended by the committee for favorable action by the House.

It follows very closely the recommendations of the Public Roads Administration, based on its careful survey of urgent defense road needs, and practically all provisions of the bill are limited to the emergency declared by the President on May 27, 1941.

The bill authorizes appropriations totaling $287,000,000 for various purposes, during the continuance of the national emergency, and to facilitate the accomplishment of road improvements important to the national defense makes certain amendments to existing highway legislation.

ACCESS ROADS

The largest item is the authorization in section 3 of $150,000,000 for construction or improvement of access roads to military and naval reservations and important defense industries. Federal funds would be made available to pay all the costs of projects of this type when certified by the Secretary of War or the Secretary of the Navy as important to national defense.

This is the most urgent defense road requirement. A few access roads have been built or are being built with regular Federal-aid or emergency relief funds, supplemented with State and local money, but as President Roosevelt stated in his message of June 2—

> It is clearly evident that the financial requirements for community facilities and access roads are greatly in excess of local resources and present available funds and that additional funds will be required immediately to relieve the existing traffic congestion in important areas. In many instances it may be necessary for the Federal Government to bear the entire expense of providing these facilities, but local participation should be encouraged to the fullest extent possible.

Up to date the War and Navy Departments have certified needs for access roads in more than 300 centers of defense activity, and estimates of the cost of such roads total about $350,000,000.

It is the considered opinion of the committee that an urgent need exists for appropriation of not less than $150,000,000 for this specific purpose, in addition to funds which can be made available from all other sources.

STRATEGIC HIGHWAY NETWORK

Section 1 of the bill establishes the strategic highway network as outlined on a diagrammatic map of approximately 78,000 miles of routes of principal military importance, revised to May 15, 1941, and approved by the Secretary of War.

This map, which is reproduced on page 116 of the hearings on H. R. 4935, is based on the Pershing map of 1922, with subsequent revisions by the War Department General Staff. The network includes routes joining all States and all important centers of defense industry and all military and naval concentration points. It includes the interregional highway system recommended by the Public Roads Administration in the report Toll Roads and Free Roads, submitted to the Congress in April 1939.

The Federal Works Administrator is authorized to designate existing or proposed highways conforming to such approved routes, without regard to detailed locations between principal points, and without regard to State lines.

Section 2 authorizes appropriation of $100,000,000 to aid the several States in correcting critical deficiencies in routes of the strategic network, and provides that this amount shall be immediately apportioned to the States on the basis of population, area, and mileage of mail routes, in accordance with established law, and be available upon apportionment for the submission and approval of projects.

Because of the defense importance of such projects, and in order to make possible a more rapid rate of progress in eliminating serious weaknesses in the strategic network during the emergency, the bill provides that the Federal share of the cost of strategic highway improvements shall be 75 percent, and the States' share 25 percent in all States, except in the 13 Western public-land States the Federal proportion is adjusted to give recognition to the large areas of nontaxable lands in those States owned by the Federal Government, in keeping with the policy now well established by law.

The specific improvements to be made will be initiated by the State highway departments, subject to approval of the Public Roads Administration, as in the case of regular Federal-aid highway projects.

According to the careful survey made at the direction of the President, there are 2,436 substandard bridges, and approximately 19,095 miles of highway that must be widened or strengthened to put the strategic network in acceptable condition for emergency use.

The $100,000,000 authorized in this bill will not be sufficient to accomplish all the work needed, but it is the view of the committee that this is the minimum amount of additional Federal funds which should be made available immediately for this specific purpose.

The approximate amounts which this authorization would make available to each State for strategic network improvements is shown on page 3 of the committee report.

FLIGHT STRIPS

The Hayden-Cartwright Act of 1940 authorized the Commissioner of Public Roads to make special investigations of proposed flight strips adjacent to public highways for the landing and take-off of military and other aircraft, particularly in emergencies.

Section 4 of this bill authorizes the Public Roads Administration, in cooperation with the Army Air Corps, to provide for further studies and for construction of experimental flight strips, authorizing appropriation of $2,000,000 for this purpose.

Maj. Gen. George H. Brett, the Chief of the Army Air Corps, and others testified at the hearings and strongly urged this provision as a national-defense measure, and also to insure greater safety for traffic on the public highways.

The funds authorized would not be apportioned among the States, and no matching by the States would be required, but it is contemplated that the work will be done in cooperation with the State highway departments.

SURVEYS AND PLANS

Mr. Fred C. Horner, Transportation Consultant, Office for Emergency Management, testified before our committee. He recently returned from England where he made a study of highway transportation.

> The one message that I brought back from the highway transportation people over there—

He told us—

> was to plan ahead while you have time. Do not wait until the emergency is on you, because you cannot plan intelligently when you are under fire or under pressure.

This bill authorizes appropriation of $10,000,000 for the making of engineering surveys and plans for future development of the strategic network, including the extensions of the system into and through municipalities and metropolitan areas. These funds would be prorated to the States and matched by them on the regular Federal-aid basis.

EMERGENCY REPAIRS

There is a recognized need for legislation to provide for proper and prompt reimbursement of States or local governmental units for the necessary repair or rehabilitation of roads substantially damaged by Army or Navy in maneuvers or otherwise.

Section 12 of this bill authorizes the Commissioner of Public Roads on behalf of the United States to consider and settle claims for such damage submitted by the highway department of any State, when notice of intention to file such a claim has been given within 30 days after occurrence of the damage or completion of maneuvers.

Within a limitation of $25,000,000, authority is given to use Federal-aid highway funds to pay such emergency repair claims when properly approved, and appropriation of any sum or sums necessary to reimburse the funds so expended from time to time is authorized.

This section is similar to the provision of existing law relating to repairs of roads on the Federal-aid highway system damaged by floods, cyclones, and so forth.

SUPPLEMENTAL LEGISLATION

The other provisions of the bill amend or supplement existing Federal highway legislation to facilitate the accomplishment of important defense road work during the emergency.

Section 6 provides that any lines of the strategic highway network not now included in the Federal-aid highway system of any State may be made a part of such system.

Section 7 permits use of available Federal secondary or feeder-road funds for improvement of lines of the strategic network not on the Federal-aid highway system.

Section 8 authorizes the Commissioner of Public Roads to cooperate with the States in providing off-street parking facilities for motor vehicles to relieve congestion on the strategic network in municipal or other areas, particularly in the vicinity of large industrial plants engaged

in defense work. It does not authorize any new appropriation but provides that projects for such facilities may be considered highway projects and Federal-aid road funds used for paying the Federal share of the cost, including the cost of acquiring necessary land therefor.

Obviously it will be more economical in some instances, and more satisfactory, to provide a parking lot near the highway than to acquire expensive right-of-way and build a wider highway to be used for parking purposes.

This authority would not apply unless local laws prohibit parking on the highway in the vicinity.

Sections 9 and 10 provide that the cost of acquiring necessary new or additional rights-of-way for Federal-aid highway or grade-crossing projects on the strategic network may be included as part of the construction, and Federal funds used to pay a part of such costs, with the approval of the Federal Works Administrator.

Section 11 provides a procedure for acquiring new or additional rights-of-way, lands, or interests in lands that may be required for any project authorized by the act. During the emergency it may be found necessary in occasional instances in some States for condemnation proceedings to be instituted by the Federal Works Administrator and provision for this is made by this section. Any land so acquired would be conveyed to the State upon condition that it maintain the project.

Sections 13 and 14 authorize the Public Roads Administration to detail personnel regularly employed to attend technical institutions for limited periods and to recall retired employees during the emergency.

Section 15 gives authority for temporarily detailing Army or Navy officers, without added compensation, to the Public Roads Administration for technical advice and consultation regarding highway needs for the national defense.

And section 16 provides that the act may be cited as the "Defense Highway Act of 1941."

In the present emergency the speedy elimination of factors handicapping highway transport is imperative. Highway transportation has assumed a vastly increased national importance since the first World War, and this country must not fail to provide essential roads for this modern and flexible form of civilian and military transportation, in which more than 32,000,000 motor vehicles are engaged.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from Nebraska.

Mr. McLAUGHLIN. May I ask the distinguished gentleman from Oklahoma, the chairman of the Committee on Roads and the author of the bill, to answer a few questions involving interpretations, so as to bring out the legislative intent of the Committee on Roads and of the House generally with relation to the bill? bill?

Section 3 provides that the Commissioner of Public Roads is authorized to provide for the construction and improvement of access roads to military reservations and defense-industry sites where such roads are certified to the Federal Works Administrator by the Secretary of War or the Secretary of the Navy as important to national defense. The section authorizes an appropriation which shall be available, without regard to apportionment among the several States, for paying all or any part of the cost thereof.

Section 3 does not contain a specific definition of the term "access road" and no such definition appears any place in the bill.

The question is this: Does the term "access road" include not only a road leading from an existing highway to a defense industry but also an existing highway which is widened or otherwise improved to accommodate increased traffic caused by the presence of a new defense industry?

Mr. CARTWRIGHT. I believe the case as stated clearly comes within the provisions of this bill. In many cases, perhaps in most cases, such improvements will be made by resurfacing and by widening existing roads to make them more adequate for increased traffic. What we are trying to do is take care of the increased traffic for which the local people are not responsible.

Mr. McLAUGHLIN. I want to press that a little further. In case the road leading, say, from a city to a defense industry, is presently capable of taking care of the normal traffic load and because of the presence of that defense industry that road must be, we will say, made a four-lane road instead of a two-lane road because of the congestion which will result from the traffic to and from that defense industry, does that road come within the classification and definition of access roads?

Mr. CARTWRIGHT. Yes——

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. In just a minute.

I think it does. Of course, we pass the law, but it has to be interpreted by the authorities who administer the law.

Mr. McLAUGHLIN. I am asking for the purpose of determining the legislative intent. What is the gentleman's interpretation? Does that road constitute, or does it come within the definition of an access road?

Mr. CARTWRIGHT. Yes; in my opinion it does.

Mr. McLAUGHLIN. I would like to ask the gentleman another question. Will the gentleman please state how the cost of construction of access roads is to be borne between the States and the Federal Government?

Mr. CARTWRIGHT. Such roads may be built or improved entirely at Federal expense.

Mr. McLAUGHLIN. Now, I want to make a specific inquiry with respect to the district which I represent, and I ask this for legislative intent, because it is important to the people of my State and of my district. The military reservation at Fort Crook, Nebr., is located some few miles outside of Omaha, Nebr., on combination Highway 73 and 75. It is a main line Federal-aid highway which up to now has been fully capable of taking care of traffic passing over it, but it must be widened and must be made a four-lane road instead of a two-lane road, as at present, in order to take care of the increase in traffic passing over it because of the bomber assembly plant, a new defense industry being built on the Fort Crook Reservation. Is it the intention of the committee and of the House in enacting this legislation that such a highway shall be included in the term "access road" as used in this bill?

Mr. CARTWRIGHT. Yes; I think that would qualify as an access road, but I cannot pass final judgment on it.

Mr. McLAUGHLIN. That is what I am asking. Is it the intent of the committee, and I am asking the gentleman from Oklahoma, as chairman of the Committee on Roads, is it the legislative intent of his committee that such a road shall be included within the definition of access road?

Mr. CARTWRIGHT. Yes; but it would be impossible for us in the Congress here to be designating particular roads, and passing on specific projects.

Mr. McLAUGHLIN. I appreciate that it is impossible for the Congress to pass a bill, and to say that road A and road B in all parts of the country shall be an access road. We lay down general definitions, and what I am asking the gentleman is, based upon the questions I have presented and the statements I have made, whether that road, in his opinion, is an access road.

Mr. CARTWRIGHT. I think I have pretty well answered the gentleman.

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Chairman, I yield myself 2 more minutes.

Mr. McLAUGHLIN. Then I understand the gentleman's answer to be that it is intended to be an access road?

Mr. CARTWRIGHT. Yes; I think so.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. I yield.

Mr. WHITTINGTON. If the highway at present leading from the city to the military reservation is a strategic highway and a part of the strategic system, it is not an access highway within the terms of this bill, and it is well enough to keep in mind the differentiation between access highway and strategic highway. We cannot build a road under this bill by answering questions here.

Mr. CARTWRIGHT. It is possible it might be a combination of both in this instance.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman.

Mr. LEAVY. I want to refer to section 2 of the bill and particularly to the language found on page 2, beginning in line 22, making a reference to a percentage of the remaining one-fourth of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, and so forth. There is no definition of the term "unappropriated and unreserved public lands" in the bill itself. Was it, and is it, the legislative intent of the committee

in reporting this bill to have that term broad enough to include all federally owned lands, whether national parks or national forests?

Mr. CARTWRIGHT. Yes; nontaxable. We often say the States match Federal-aid funds 50–50. That is true, except in the 13 Western public-land States. For example in Oklahoma the Federal Government pays about 52 percent and the State about 48 percent. The difference is on account of the Federally owned nontaxable land there.

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Chairman, I yield myself 2 minutes more.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. I yield.

Mr. CRAWFORD. I wish to ask the Chairman a question with reference to section 12 of the bill.

Do I understand that language to mean that it is the intent of the proposal that where an army camp has been built, for instance, and where there were roads without a concrete base, in other words, graded gravel roads, which have been practically destroyed as a result of heavy equipment moving over them, that the provisions of section 12 will provide assistance in such case?

Mr. CARTWRIGHT. Yes, if the damage is done by the Army or Navy.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. Yes.

Mr. LEWIS. Further supplementing the questions asked by the gentleman from Nebraska [Mr. MCLAUGHLIN] in case there is a strategic factory or industry now being erected outside of a city, and the city has now under construction, in order to assist the Government, what amounts to an access road, will the city be reimbursed for the expense which has been incurred in doing the work?

Mr. CARTWRIGHT. Access roads, to be eligible for construction with Federal funds, must be certified by the Secretary of War or the Secretary of the Navy as important to the national defense. Then this bill authorizes the Public Roads Administration to make the improvement required.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. CARTWRIGHT. Yes.

Mr. COLE of New York. Is it the gentleman's understanding, as chairman of the committee, that this departure from the local contribution from 50–50 to 75–25 is only temporary, and based solely because of defense needs?

Mr. CARTWRIGHT. Absolutely.

Mr. COLE of New York. And it is not to be taken as a precedent in any respect for future Federal aid to roads?

Mr. CARTWRIGHT. No; this is limited to the national emergency.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. WOLCOTT. Mr. Chairman, I yield now to the gentleman from Ohio [Mr. MCGREGOR].

Mr. MCGREGOR. Mr. Chairman, access roads and strategic highways—these are the major and most immediately imperative provisions of the defense-highway bill now under consideration. But the measure also contains another item which has particular significance from a long-range viewpoint. The authorization for advanced planning and engineering surveys has special significance to those interested in America's economic future. Its importance is spotlighted by Hal G. Sours, Ohio's very capable highway director, who is president of the American Road Builders' Association. He points out that "the employment-creating value of highway construction is not surpassed or even equaled by any other form of public or private enterprise. For every four men directly employed in building a road, seven men are given employment in the industries that supply the materials and machines required." Charles M. Upham, engineer-director of this leading highway organization, has outlined a program of post-war road construction that would give employment to approximately 1,000,000 men. We must prepare today to prevent panic and depression when the present emergency ends. Planning post-war highway improvement is the best insurance against future unemployment, and I feel justly proud of the Director of Highways of Ohio, Mr. Hal G. Sours, for the part that he has played in the development of this program.

Mr. WOLCOTT. Mr. Chairman, I yield myself 5 minutes. I do not know of any controversy about this bill. I compliment the Roads Committee upon the very splendid work which they have done in compromising the differences between the exceptionally large amounts which were thought to be needed under the so-called Carmody report and the amount authorized by the bill. The chairman of the committee has very ably presented the matter, and the amount has been cut down until we have authorized appropriations of $287,000,000 for purely defense highways. There has been some question with respect to access highways. As I said once before this afternoon, it is almost impossible to write a clear definition of what constitutes an access highway. We intend by that to mean roads leading from Army camps, from naval bases, from defense plants, and sources of raw material, and so forth, out to what might be designated as the main traveled highways, or as we say in the bill, to the strategic network. This strategic network is based on a map which General Pershing supervised the making of away back in 1923–24, and it is commonly referred to as the Pershing map. It has been modified to some extent, but basically the strategic network is determined by reference to the Pershing map. The strategic network merely means a network of highways on which the Army would be transported in time of emergency, in time of war, in time of defense.

There are something over 2,000 bridges on this strategic network which must be repaired if we are going to be able to move the Army and the Navy equipment from one section of the country to another. There are thousands of bridges in the United States on this strategic network and on secondary roads which would not hold up under a medium-sized tank. I have been alarmed and amazed at the apathy with which the War Department viewed that situation. They seem very much concerned about access highways, as they should be, but it seems to me that if there is any justification for the allegation so recently made that there is danger that this country is going to be attacked, we should be sure that at least the bridges over our principal streams are strong enough to withstand the movement of our machinery and equipment.

The $100,000,000, of course, is just a feeler, but it is expected that that is all we can spend during this fiscal year. We hope it will be enough, but I doubt whether it will be enough, so we might as well meet the fact that undoubtedly, if this emergency continues, we will have to have more than $100,000,000 with which to complete this strategic network.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. CASE of South Dakota. I notice that the bill provides that the strategic network shall be based upon this diagrammatic map, dated October 25, 1940, revised to May 15, 1941, and I am wondering, under that language, whether it permits any leeway for the Secretary of War or the Public Roads Administration to meet the possible development of new defense installations in one way or another. As the gentleman knows, there are new types of plants and military installations that are contemplated.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOLCOTT. Mr. Chairman, I yield myself 5 additional minutes.

I think the gentleman will find that all of the contemplated highways are found on that diagrammatic map which has replaced the old Pershing map. There is so much work that has to be done that can be confined to that diagrammatic map that $100,000,000 will hardly be a start in reconstructing all the highways if we are going to be able to move our equipment.

Mr. CASE of South Dakota. Even admitting that to be true I am sure the gentleman is aware of some of the contemplated defense installations that may not be on that map. How would that be handled?

Mr. WOLCOTT. I would not know whether they are on the map or not unless the gentleman cited specific roads.

Mr. H. CARL ANDERSEN. If the gentleman will yield, I believe I can shed some light on that. Page 3, lines 3 to 8, will take care of every objection raised by the gentleman from South Dakota.

Mr. CASE of South Dakota. It is not an objection. It is a question.

Mr. H. CARL ANDERSEN. Well that gives the Public Roads Administrator the right to do just that.

Mr. WOLCOTT. I might say to the gentleman that in discussing that matter before the committee, it was advocated that they not follow exactly the lines on that map. The map is merely a network of lines drawn between strategic points, and they can take any course they want to between those areas.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I note that only a little over a million dollars has been authorized for Massachusetts. At Fort Devens alone today there are 50,000 men, or will be within a short time. Much damage has been done to the roads. The famous First Division is in training there.

Mr. WOLCOTT. I may say that division is very famous. I was one of them.

Mrs. ROGERS of Massachusetts. And I know what a tremendous credit you were to that division, as you are to the House.

Mr. WOLCOTT. I thank the gentlewoman from Massachusetts. This allocation on page 3 is $100,000,000 for the strategic network. That allocation is made on the basis of area, mileage, and population. That is in proportion to what the State of Massachusetts gets under the Federal Highway Act. The gentlewoman from Massachusetts will recall that we have periodically authorized $100,000,000 or $125,000,000 to be allocated for construction under the Federal Highway Act; $1,311,369 which Massachusetts would get under this $100,000,000 provision is the same as it would get under the appropriation for the construction of the Federal highway system. It does not have anything to do with the repair of the roads or the access roads. There is another section of the bill which authorizes an appropriation of $25,000,000 for the repair of roads. That is on page 9, section 12. That $25,000,000 is disbursed on the basis of need, and not in accordance with the population, area, or mileage, as is the case with the $100,000,000. The $25,000,000 is disbursed where through maneuvers or transporting Army equipment from one place to another the State highway system or secondary roads have been broken down. Then they may make their claim and be reimbursed out of the $25,000,000.

Mrs. ROGERS of Massachusetts. I have a letter from Mr. Hillman MacDonald stating that $6,700,000 is just a start on the money that should be spent for Camp Edward, Fort Devens, and Camp Westover.

Mr. WOLCOTT. I agree with the gentlewoman, and that is why I say this bill authorizes this amount as a feeler.

Mrs. ROGERS of Massachusetts. Just as a beginning?

Mr. WOLCOTT. Just as a beginning. We will be called upon to authorize an appropriation I believe eventually if this emergency continues, far in excess of this amount.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield myself 2 additional minutes.

Mr. COLE of New York. Will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. COLE of New York. Did the committee of which the gentleman is a member give any attention to the situation recently brought to our attention where some few toll bridges refused passage of Army trucks for failure to pay the toll?

Mr. WOLCOTT. No; I do not think that was discussed. It might have been. But I believe that the President has the power at the present time to confiscate those toll bridges, if he sees fit, and operate them as Federal projects. If the bill that is now before the Senate is passed, there will be no question about his power to take all kinds of property.

Mr. COLE of New York. It is the gentleman's thought that the President now has authority to take over any of those toll bridges?

Mr. WOLCOTT. I believe he has.

Mr. COLE of New York. If any legislation were to be considered affecting the subject, would it come out of the gentleman's committee?

Mr. WOLCOTT. I believe so. The Federal Government could meet the situation through its control over navigable streams by providing in authorizations for the building of bridges across navigable streams that the armed forces of the United States shall not be interfered with in using the bridges.

Mr. COLE of New York. That is the very thought I had in mind. On the Consent Calendar today was a bill authorizing the construction of a toll bridge across some navigable river. It occurred to me that perhaps we should include some such provision, that these bridges should be open to the use of the Army and Navy at any time.

Mr. WOLCOTT. If the President has not the authority already, this Congress has through its control of navigable streams the power to correct this condition. It would be rather drastic for the President to take over the bridges, but Congress has the authority to say that the armed forces may travel over these bridges free from payment of toll.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield myself 3 additional minutes.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. CRAWFORD. Roads leading out of Washington designated as U S 30 and U S 40 are cross-country highways, one of which leads to Harrisburg. Is it intended under this legislation to take out those bottlenecks so that military forces could move through in an expeditious manner?

Mr. WOLCOTT. Yes; I think that is the purpose.

Mr. CRAWFORD. I think they are the worst roads in the country for rapid troop movement.

Mr. WOLCOTT. I cannot give the gentleman any assurance that the bill carries sufficient money to take out all the bottlenecks on the strategic roads, but it is the purpose of this legislation to correct that evil.

Mr. CRAWFORD. Are these particular routes on this strategic map?

Mr. WOLCOTT. I am not sure, but I presume they are. I do not know that the money carried in this bill is sufficient to allow the work to be done.

Mr. CRAWFORD. Is the map to which the bill refers a public document?

Mr. WOLCOTT. Yes.

Mr. COLE of Maryland. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. COLE of Maryland. The Committee on Roads has made a very careful and thorough study of this subject, for which they are to be commended. The House is fortunate in having legislation of such great importance to the country in the hands of Members possessing the ability and capacity as the distinguished Member from Michigan who is now addressing the Committee. They have gone into this matter fully, and what they have done meets my approval. Has the gentleman's committee information that the States are ready to carry out their part of this program?

Mr. WOLCOTT. Yes; we have assurances from most of the States that they are in position to go ahead. After all, they contribute but 25 percent of the cost of the strategic network, the rest being paid by the Federal Government. Maryland, for example, will get $835,715. She will have to raise only $200,000 to get $835,000 worth of highways.

Mr. COLE of Maryland. Mr. Chairman, will the gentleman yield further?

Mr. WOLCOTT. I yield.

Mr. COLE of Maryland. There has been some criticism recently from my State of the delay on the part of Congress in considering this legislation. In view of the fact the hearings were held from June 5 to June 11, only a month ago, and the further fact that the amount of $150,000,000 originally requested has been substantially increased so as to provide for a number of very necessary highways being brought into the program, I think the time for consideration was reasonable, and that the committee is to be commended for following the recommendations of some of us who appeared before you, and the sound conclusions from the thorough study you made, that the amount to be appropriated for the purposes of this legislation be increased as I have indicated.

I appreciate the reasons present for criticism, especially from those using the highways we know so well should be improved. At the same time, they must not be permitted to believe that Congress is not seeing to it that their road problems be met. This bill today is real evidence of that.

Take Eastern Avenue, in the district I represent, and a road referred to frequently in the hearings. Everybody who knows anything about it will concede it should have been improved before this. Since the argument has been advanced by some, for reasons I cannot appreciate, that this much-needed road could be improved, only provided Federal funds were available, I have made a definite part of my activity here to advance its consideration wherever and whenever possible. The statement I made before this committee evidences that. I insert it herewith:

STATEMENT OF THE HONORABLE WILLIAM P. COLE, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. COLE. Mr. Chairman and members of the House Roads Committee, H. R. 4935, now the subject of hearings before your committee, is of such importance to the State of Maryland that the entire Maryland delegation in the House consisting of Mr. D'ALESANDRO, Mr. SASSCER, Mr. WARD, Mr. MEYER, and Mrs. BYRON, our newly elected Member, who is to take the oath of office on Wednesday of this week, have asked to join me in registering a very definite interest in the bill. We are glad your committee has had an opportunity

to hear Maj. Ezra B. Whitman, chairman of the State Roads Commission of Maryland, who has been working with the Bureau of Public Roads in Washington on a road-building program so vital to our defense program at this time, and also planning ahead for future needs.

The Maryland delegation had hoped that the bill before you would provide for more improvements than it does and is still hoping that the committee will find it possible to increase the program. As it stands, the bill contemplates the immediate relief to a terribly congested section in east Baltimore and in the southeastern part of Baltimore County, where the employees of the Bethlehem shipbuilding plant, the Glenn L. Martin aviation plant, and other important manufacturing agencies live. It likewise contemplates the immediate relief of the situation in the vicinity of the Aberdeen Proving Ground and the Edgewood Arsenal, both of which are War Department activities of tremendous importance at this time.

In Baltimore City, where, Major Whitman has stated, the streets are so narrow, much congestion results from the increased employment. This legislation, we are glad to be advised, is to improve many streets in east Baltimore so as to join Eastern Avenue, North Point Road, Philadelphia Road, and thereby provide immediate relief to the thousands of men and women working in the great industrial section of our State at this time. In southern Maryland, roads to Indianhead and also to the proving grounds in Virginia, which are reached very readily by the new Potomac River bridge, are also contemplated.

Road improvements in the vicinity of Cumberland Airport and possibly a bridge across the Potomac in that vicinity are likewise regarded as essential at this time.

We are familiar with the principal routes of military importance, as approved by the War Department in October 1940. Located as Maryland is in such a strategic position, it is not surprising that the maps showing these highways and commonly referred to as the "map of strategic roads," includes much development for Maryland. A prominent highway through the Eastern Shore of Maryland to the Eastern Shore of Virginia; additional roads through western Maryland; the York Road leading north from Baltimore, and a better highway between Baltimore and Washington; in addition to the very urgently needed highways at this time to relieve congestion in defense areas, the numerous street improvements in Baltimore City, are all part of the program both for the immediate development and for the future. They present a program in which we are most interested and for the advancement of which we recommend passage of the bill now pending before you.

The method prescribed in the bill for the acquisition of the necessary rights-of-way appeals to us very much. This should result in expeditious handling of what has heretofore in many instances caused terrible delay in building some of our main highways. The procedure outlined guarantees that no private property shall be taken without just compensation being paid, but it does permit the immediate seizure of land regarded as necessary for such improvements and the actual payment of the damages later, with proper security being posted to satisfy the ultimately determined consideration.

Maryland in many sections, and especially Baltimore and vicinity, has attracted thousands of working men and women in order to meet the demands imposed upon the large number of plants already established and now found to be so essential to our defense program. They have come to us demanding new homes, all of which calls for new improvements and the offering of every accommodation in order to make their living in Maryland attractive and comfortable. Our local authorities are meeting this problem as speedily as possible, but obviously we cannot be expected to meet the entire amount required for expensive road development so much needed at this time in localities where many of our largest and most important defense activities and War Department posts are located.

While we understand that all of the strategic road plan may not be possible at this time, we do hope that your committee will give every consideration to increasing the amount now before you and feel that in doing so the sentiment of the House will undoubtedly be, as that of our delegation is, willing and anxious to support you in a strong and much-needed effort for the immediate improvement of our highway system throughout the United States.

I am confident that some of the statements calling upon quicker action on the part of Congress have been made without knowledge of the fact that the present State administration has been most active and zealous in its effort to impress upon the Federal Government—and I thing rightfully so—the ever-increasing burden which is being placed upon the State's highway system because of the presence in our State of many important preparedness activities. I know the present distinguished Governor of Maryland is interested in the early completion of Eastern Avenue, North Point Road, and many thoroughfares connecting therewith located in East Baltimore and Baltimore County, so as to provide the relief the employees are entitled to in getting to and from their work. The Governor's plan is likewise to advance the road improvement in other parts of the State—that is, through the Eastern Shore, southern Maryland, and western Maryland—as a part of the great strategic road plans advanced so definitely in this legislation, which can be looked to by him as a reality because of encouragement you have given thereto in this bill today. It is my understanding that the plans for road improvement contemplated in this legislation tie in very definitely with what the Maryland State administration and the administration of the city of Baltimore conceive to be necessary.

It is a very pleasing day for me to participate in the consideration of this measure, which, as I see it, should assure very definitely, unless the clear intention of all in authority here is violated, the improvement of Eastern Avenue from Baltimore to Chase Station, North Point Road, numerous streets in East Baltimore, providing connecting links with the main arteries to the large industrial section of Baltimore County, and furthermore the ultimate improvement of the York Turnpike and other highways now listed on the strategic highway map referred to in the hearings, which map is to be found therein.

Mr. WOLCOTT. The great sovereign State of Maryland is ready to assume its obligation to help to defend this country, and I am sure the State of Maryland is going to get its fair share of the moneys which are to be spent on defense highways. All of us in Congress realize the bottleneck on United States Route No. 1 leading north out of Washington, and we all hope this money will be spent to eliminate that bottleneck which is so annoying to all of us in passing through Baltimore, a city we all love to stop in but which we hate to go through.

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. ROBINSON].

Mr. ROBINSON of Utah. Mr. Chairman, I believe very little time is necessary in order to explain to the Committee this bill. The bill came from the committee with a unanimous report after the committee had spent a number of weeks holding hearings pertaining to this particular problem.

It should be understood that this is an emergency matter; that this bill does not establish any precedent. The bill is necessary to take care of an immediate and pressing situation.

The bill, as stated, provides, first, $100,000,000 for strategic highways. These highways are designated on certain maps prepared by the Army and Navy, and is brought down practically to date. None of the routes on the map are entirely definite. The routes are simply from point to point so there can be changes where necessary. This $100,000,000 is to be matched by the States on a basis of 25 percent by the States and 75 percent by the Federal Government, and then the money is distributed under the regular plan that has been adopted in distributing funds for Federal highways, with one little exception to the public-lands States.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. MURDOCK. In regard to the provision at the bottom of page 2, beginning in line 24, does that expression used include all phases of public domain in the public-land States? Does it include Indian reservations and national forests?

Mr. ROBINSON of Utah. Yes; it does.

The next section deals with access roads. These must be roads which are determined to be access roads to military reservations, and the determination must be made by the Secretary of War and the Secretary of the Navy, and the Public Roads Administration. Their designation of a road as an access road makes it such and brings it within the roads to be improved by this $150,000,000. This money has nothing to do with State lines so far as State lines are concerned. All could be spent in 1 State, or 10 States, or 48 States. In other words, it can be distributed among the States according to the places where designated access roads are to be improved.

The bill in its entirety authorizes an appropriation of $287,000,000. As stated heretofore, that is only the beginning of the work that must be done in connection with public roads. This $287,000,000 is divided as follows: First, $100,000,000 for strategic roads; $150,000,000 for access roads; then $25,000,000 for repairs. Under this bill repairs will be proved as we approve damages now under the National Highway Act.

Mr. ZIMMERMAN. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. Does this bill make any provision for the construction of bridges, say across the Mississippi

River, that will connect important cities like Chicago and St. Louis?

Mr. ROBINSON of Utah. No. It is my understanding it does not.

Mr. ZIMMERMAN. And Memphis, Tenn., and Little Rock, Ark., and St. Louis, Mo., and Memphis, Tenn. What good is it going to do to build these roads unless the bridges are strengthened so as to carry this equipment? If you get to the river you cannot get across.

Mr. ROBINSON of Utah. These large connecting bridges will have to be taken care of in some other way. Of course the smaller ones are taken care of under the terms of this bill, as I understand it.

Mr. ZIMMERMAN. Does the gentleman think that one of the first things that ought to be done is the building of these bridges so that they can get across?

Mr. ROBINSON of Utah. The gentleman may be correct.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, after more than a year of very careful and intensive study the Roads Committee of the House has reported to the House a defense-highway bill. In doing this the committee has entered an entirely new field of road legislation and has undertaken to offer a resolution to a very vital problem in national defense. This bill (H. R. 5110) is called a defense-highway bill because its purpose is to bring the road system of the United States up to a standard which will meet the military requirements of effective highway transportation in time of war or national emergency.

The bill is divided into two main parts. It authorizes an appropriation of $150,000,000 for access roads and $100,000,000 for the improvement of the strategic highway network; and I shall undertake, first of all, to state just what is meant by the terms "access roads" and the "strategic highway network." Access roads are roads which have to be built or improved immediately in order to connect the military and naval stations and reservations, and other defense establishments, with the main highways. There are 157 of these military reservations and some 35 naval stations in continental United States.

Mr. HARRIS of Arkansas. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Arkansas.

Mr. HARRIS of Arkansas. In the district in Arkansas I represent the Government has established a so-called proving ground, the Southwest Proving Ground. That project is some 3 to 5 miles wide and 15 miles long. Highway No. 4 is on the west side going up, No. 29 on the east side, and 24 on the north side. Would those be classed as access roads?

Mr. MOTT. The roads connecting your proving ground to those main highways would be access roads.

The strategic highway network consists of all the main highways of the United States which have been designated by the War Department as highways of military importance.

Mr. Chairman, it was a very difficult problem to evolve new legislation which would take care of this new Federal road problem and still leave in the States their full jurisdiction over all the roads and highways in the States; because, after all, the roads to be improved or built under the provisions of this bill with Federal funds belong to the States, and it is proper that the States should retain their full jurisdiction over them. Even the access highways which are to be built between the main highways and the military and naval reservations entirely at Government expense are State roads. Their principal purpose during this emergency will be a military purpose, but they are still State roads, and after the emergency is over their principal use will be civilian use.

In addition to building the necessary access roads and bringing the strategic highway network up to military standards, this bill authorizes the building of flight strips adjacent to the highways for the landing and taking off of planes, $2,000,000 is authorized for that purpose. It authorizes $25,000,000 to reimburse the States for damage to their highways in training maneuvers, and provides $10,000,000 to cooperate with the States in making advance highway engineering surveys during the continuance of the national emergency. This is the program by which the bill undertakes to solve a part of the defense-highway problem.

Now, just what is this defense-highway problem and what is the relation of highways to national defense? Let us see first what the picture is at present. Let us then briefly examine what needs to be done to make the highway system an integral part of the defense system. And finally, let us inquire by what method and under what jurisdiction and supervision, and by what kind of financing this is to be accomplished.

You are all aware, of course, that while our present highway system is inadequate to meet the needs of modern national defense, it is as a whole by no means in the impossible situation that some have supposed it to be. A part of it is, to be sure, but most of it is not. It is true that, as yet, we have only one Pennsylvania turnpike. It is true, also, that we have not, as some of the dictator nations have done, built a series of purely Federal highways for purely military purposes; but, nevertheless, we do have an existing highway system which, for average excellence of engineering and construction, for natural strategic value of its location and for its total length in miles, far surpasses any national highway system in the world. And it is upon the basis of that existing system that we should build and improve and extend and expand until every main highway, including every bridge upon those highways, has been brought up to the standard which the War Department has already set for them.

Some 20 years ago the War Department undertook a study of the strategic highway needs of the Nation, and in 1922, after a detailed survey of all the principal roads, the Department made a report. It was accompanied by a map, which is sometimes referred to as the Pershing map, and upon which all main highways were shown and classified with respect to their relative military importance. That report and map has remained the basis of all subsequent study of this question.

The problem of the War Department was, first, to determine and recommend what kind of roads we should have in order to get the Army from one strategic place to another with the greatest safety, the least inconvenience to the public, and in the shortest possible time; and, second, to determine where these highways should be located. The Department did not confine its study simply to the improvement of the then existing highway system. On the contrary, it could have recommended, and it would have done so had it deemed it to be in the interest of the national defense, that in the building of new roads new locations should be found.

It is a remarkable fact, however, and a lasting tribute both to the pioneers who laid out the first roads and to the great road-building organization which has since developed the system, that the War Department found, in respect to location, that the highway system as it then existed was ideally suited to the needs of the national defense; and although every year since that time the Pershing map has been revised and brought up to date, the general location of the highways on it remain the same. Not only this but the relative importance of the various highways from the military angle are practically the same on the Pershing map of 1940 as on the map of 1920. So far, then, as any drastic changes in location are concerned, the highway defense program presents no very serious problem. The problem rather is to bring the existing strategic highway network up to military standards.

Let us now see what, according to the War Department, is required to bring the existing system up to military standards. There are 75,000 miles of main highways joining strategically important points and vital areas throughout the United States, and there are approximately 3,000 miles of road in and adjacent to military reservations which the War Department considers important as military concentration points, as well as roads adjacent to naval bases, airports, naval training stations, and supply depots. With the exception of roads in military and naval reservations these, as I have said, are all State roads. And I think it is important in considering any program for improving and expanding our highway system so as to meet the needs of national defense to keep constantly in mind the fact that these highways are State highways, under the exclusive control and jurisdiction of the States, and we should be careful to see to it that they remain so. We should permit nothing to happen in connection with this program which might impair or abridge that State control and jurisdiction.

In this 75,000 miles of strategically important highways there are some 20,000 miles which do not meet the present requirements of the War Department. This amount of substandard mileage is deficient in various respects and in varying degrees. Some of it is too narrow,

some of it is too crooked, some of it is too steep, some of it is encumbered by railroad grade crossings and highway crossings. Some of it is obsolete in design and engineering. Some of it is too light in construction to sustain the weight of tanks and artillery. Some of it passes through congested towns and villages, so that the progress of the Army would be impeded and civilian activities unduly interrupted. Some of it runs through populous areas and includes in its route the streets of great cities—a situation which is incompatible with efficient military use. On these 75,000 miles of highway there are also more than 2,000 bridges which must either be replaced or rebuilt. There are a great many other deficiencies in this substandard portion of our highway system which will readily occur to you as you visualize the picture.

Obviously our first and most important problem in highway building for national defense is to correct these deficiencies as fast as we can, and in correcting them, of course, those portions of highway which are of greatest strategic value and most in need of reconstruction should have priority, because, unfortunately, we cannot do all of this work at once.

It is not my intention to single out examples of main highways which are in crying need of reconstruction or improvement, but since I come from the Pacific coast and am especially familiar with one of the most strategic highways in the United States—the Pacific Highway, U S 99—I think it might not be out of place to remind you that if war should occur tomorrow, a war involving large concentration of troops on the west coast, it would be a military impossibility to move an army with its tanks, artillery, supply trucks, and other equipment over this highway from San Francisco to Seattle because the road contains a series of bottlenecks which, if not eliminated through replacement or very drastic reconstruction, may be fatal to our chance of military success.

There are examples like this in strategic locations in nearly every other section of the country, which the States, through their regular Federal-aid highway programs alone cannot remedy for many years without seriously impeding development of other important highways in other parts of these States. These are the particular stretches of highway which, on account of their primary military importance and their present deplorable condition, should have the immediate consideration of the Congress, the War Department, the Public Roads Administration, and the highway departments of the several States in any program for the development of our highway system into a system of national defense.

The question, then, of what ought to be done seems rather clear. The problem is, How are we going to do it? It is obvious we cannot do it entirely on the basis of our present Federal-aid road-building policy; but, in bringing the road system rapidly up to the standards required for national defense we should depart no further from that policy than may be absolutely necessary, and that has been the unanimous judgment of the Roads Committee in its consideration of this bill. Let me say that all of these roads are not only State roads but that they have been built and paid for out of revenue from State and Federal gasoline and other automotive taxes which have been levied exclusively on the road users of the several States. And in this respect let me remind you that there is no particular difference, so far as the burden upon the road user is concerned, between the State and Federal tax. They both come out of the same pocket; that is, the pocket of the man who uses the road, and no one else.

Now, since the States must, by all means, retain control and jurisdiction of these roads they should, I believe, contribute something toward this new highway defense program, although the defense angle of it is purely a Federal problem; for, no matter how valuable the improved highway system may be to the Federal Government for defense purposes, the States will have the full benefit of that increased value for general road purposes. Therefore, the States should help in some degree to pay for it.

It is difficult to say precisely what a proper distribution of the cost should be. The view of the Roads Committee is that under this new defense program, which is distinct from and in addition to the regular Federal-aid program, the Government should contribute by far the major portion of it, and we have therefore placed the Government's contribution at 75 percent of the cost instead of the 50–50 contribution which obtains under the existing Federal-aid highway law. There are a number of sound reasons for this. One of them is that if the States were required to contribute more than 25 percent of the cost of this huge amount of additional road work their financial ability to carry on their regular Federal-aid highway programs might be seriously impaired, if not halted altogether.

This division of costs should apply only on Federal-aid highways which are to be brought up to military standard. As to roads within military and naval reservations, obviously the Government should bear the entire expense. That should be the case also with connecting roads adjacent to the reservations, the construction or improvement of which is necessitated solely by military considerations, and as to these roads, which are called the access roads, the bill provides that the Federal Government shall bear the entire expense.

The question remains, Where is this money to come from? and that question becomes one of exceeding importance when it is considered that the estimated cost of bringing our present road system up to the requirements of national defense will be in excess of a billion dollars and that this bill, H. R. 5110, which authorizes appropriation of $287,000,000, is only the first step in that program.

I do not know how others may view the matter, but it is my considered judgment that if the entire revenue collected by both the States and the Federal Government from the road users through gasoline and other automotive sales taxes were used solely for the purpose of road building, the problem would not be difficult of solution.

The States for the most part do use their gasoline-tax revenues exclusively for road-building purposes, but the Federal Government has never done this. The Federal Government, ever since it began collecting Federal gasoline taxes, has insisted upon diverting a large part of this revenue for purposes other than highway construction. It has done this in the face of public opinion and in spite of the fact that it has no moral right to levy a special tax upon one class of its citizens and then spend the revenue from that tax for general governmental purposes. It has a legal right to do this, of course, but I contend the practice cannot be justified in equity and good conscience, and I contend further that we will never be able to solve our highway problem, either from the angle of ordinary peacetime needs or from the angle of national defense, until we put a stop to this pernicious practice.

This is not a new position, so far as I am concerned. When I was appointed to membership on the House Committee on Roads 7 years ago I stated my position on this question as soon as the first road bill in which I had the privilege of participating came up for consideration. I have repeated that position and have made it a matter of record in the consideration of every other road bill since that time. I stated then, and I repeat now, that if I am ever placed in position to make my policy in this regard the policy of the Roads Committee of the House I intend to take full advantage of that opportunity. And I say, further, that in event that time should come the Roads Committee of the House will not permit views of the Executive branch of the Government to interfere with the legitimate jurisdiction of the committee to decide upon highway policy and legislation, including the annual amounts of Federal funds to be authorized for road building.

The Federal Government now collects each year in sales and excise taxes levied exclusively upon the road users of the several States more than $500,000,000 per year. It has been expending annually in aid to the States for road building only a little more than half that amount. Its diversion of road-tax revenue to other purposes of government has amounted to more than $150,000,000 a year. This has been going on for 17 years, and the total diversion has amounted to nearly $2,000,000,000. If, during those 17 years, the Federal Government had spent upon road building as much money as it has collected in special taxes from the road users, the national-highway system today would meet every requirement which the War Department has set for it. And when this diversion has been stopped, and when the whole of Federal road-tax revenue is expended on roads, the major part of the financial problem involved in the highway defense program will be solved.

Here, then, as a result of all of its study and information on the subject, are the principal things the committee considered in formulating this legislation to bring the national-highway system to

national-defense standards and to make it an integral part of the national-defense system.

First of all, the committee decided that we should have a special bill for this special purpose of highway building for defense. It decided this should be in addition to the regular biannual Federal-aid highway bills, the last of which was signed by the President near the end of the last session, and which carries an authorization of $163,500,000 per year for this and the next 2 fiscal years.

The committee decided next that the bill should authorize an amount of money sufficient to make a definite start on the solution of our problem, and it should be followed each year with a similar bill, so that the whole program may be completed as early as possible.

The amount agreed upon for this year was $287,000,000. The basic principle of the existing Federal Highway Act is retained in this bill, and it is deviated from only in respect to the division of costs between the States and the Federal Government, so that the major portion of the cost may be borne by the Government.

The formula of allotments of Federal-aid money to the States under this new and separate program is changed only to the extent necessary to give due and proper consideration to the new factors involved, the principal ones of which are, first, the total mileage in each State of highways of primary military importance which are now classified as substandard, and, second, the urgency of the need in each State, from the military angle, of bringing those roads up to standard.

Legislation of this kind necessarily involves the granting of some discretion to a central authority in the matter of deciding upon priorities, but here again that discretion has been made as limited in this bill as the circumstances of the situation will permit.

With a law based broadly upon these main considerations, and with a willingness upon the part of the Federal Government to expend at least as much money for road building as it collects in special road taxes, together with whatever additional amounts may be necessary solely in the interests of national defense, I think we can solve the problem, and I think this bill, H. R. 5110, is the first step, and also the right step toward that solution.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Arizona.

Mr. MURDOCK. I presume that the designation of access roads in this defense highway program is a matter for the War Department. Will the gentleman explain that a little bit more clearly, and explain which are access roads?

Mr. MOTT. The War Department designates the roads which will be built as access roads, as far as military reservations are concerned. The Secretary of the Navy will designate those which are to be constructed as access roads to the naval stations. I may repeat, however, that although the Government contributes the entire amount of money necessary for the building of the access roads, jurisdiction is by no means taken away thereby from the States. As I explained a moment ago, the reason for this is that they are still State roads. Therefore, the State highway commissions will have to be consulted, and they will suggest in the first instance what access roads in their States are the most important. These suggestions will be submitted to the War Department and the Navy Department, and to the Commissioner of Public Roads, and a determination will then be made. The Federal Government will construct these roads by contract. This will be done with the cooperation of the State highway commissions. When the roads are completed, the bill specifically provides that they shall be immediately turned over to the States, and they become State roads and are maintained under the exclusive jurisdiction of the States.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 5 additional minutes to the gentleman from Oregon.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Washington.

Mr. LEAVY. Under the provisions of this bill, would it be possible for a highway to be both a strategic highway and an access road?

Mr. MOTT. I do not believe it would, because if a part of the strategic network actually ran past or to a military or naval reservation there would be no need to build a separate access road. You could simply improve that portion of the strategic highway and you would accomplish the result you want from the military or defense angle.

Mr. LEAVY. Then, under the interpretation the gentleman has just placed upon this provision in answer to my question, where there was a major bridge construction across a great stream like the Columbia River in the Northwest, that construction, if it were on a strategic highway, would have to be one where the State would be required to make its contribution?

Mr. MOTT. I believe that would be the case; although if the bridge were a part of an access road, the Federal Government could pay the entire cost. In speaking of a bridge as large as a bridge across the Columbia River, however, may I say that this bill would not build a great many bridges of that kind unless we eliminated many smaller bridges in other States.

Mr. LEAVY. That is the very reason I asked the first question. It does seem to me that it might be possible for a highway to be both a strategic highway and an access road.

Mr. MOTT. It may be possible.

Mr. LEAVY. If that interpretation were placed upon it, then the $150,000,000, or so much of it as was needed, would be available for that purpose.

Mr. MOTT. If it were needed, and the War Department and the Commissioner of Public Roads so decided, that would be correct.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Will the gentleman tell us whether the proposed flight strips are entirely experimental? Have they been used abroad?

Mr. MOTT. No; they have not been used abroad, because, as it was explained to the committee by the experts who had made a survey of that matter, the highway networks of the smaller European countries do not lend themselves to construction of flight strips adjacent to the highways. Therefore, it will be experimental, although those who are most informed about these flight strips have made a rather thorough study of them and are quite convinced that they will be a success. Of course, only $2,000,000 is appropriated for the flight strips, so we cannot build very many of them under this particular authorization bill.

Mr. HARE. Mr. Chairman, will the gentleman yield in order that I may submit a unanmous-consent request?

Mr. MOTT. I yield to the gentleman from South Carolina.

Mr. HARE. Mr. Chairman, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address I delivered at Knoxville, Tenn., on July 18 on the subject of a supertransportaton system.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. CARTWRIGHT. Mr. Chairman, I yield the gentleman from Massachusetts [Mr. MCCORMACK] such time as he may desire.

Mr. McCORMACK. Mr. Chairman, this Congress has, in the past year, concentrated its major energies to making America strong and secure from foreign attack. We have appropriated funds for the Army, Navy, and Air Corps. We have legislated to swell the size of our armed forces and to equip them with the newest and best of modern armament. One step more is imperative, if we are to make it possible for these men and arms to function effectively in an emergency. We must improve our roads and bridges in order that the defense army and its thousands of pieces of heavy motor equipment may be moved at high speed without congestion. Troops and tanks have little value unless they can be moved to the right place at the right time.

The War Department, as a result of conferences with the Public Roads Administration, has stated that there are approximately 78,000 miles of highways on existing road systems that have special military and strategic value. Many miles of this strategic system are in need of immediate widening, straightening and strengthening. Of the 16,000 rural bridges in this network, 2,500 are below the standard set for transport of military equipment. In addition to the strategic highways in need of improvement, there are now approximately 300 military, naval, and industrial areas in which roads and bridges are of the utmost importance. In case of attack, adequate defense measures will call for the concentrated movement of mechanized

forces, but few of our roads would long stand the strain of such movement. If the speedy transportation of men, armament, and supplies should become necessary in an emergency, our road system, as it currently exists, would not only prove inadequate but would hopelessly fail. Obsolete highways and outworn bridges must be rebuilt.

Any scheme of national defense must provide, for the efficient operation of a defending army, at least one road leading to the front over which munitions, food, supplies, and replacements may be transported and others over which empty trucks may be returned to the supply bases. There must be roads roughly parallel to the front in order that reserves, equipment, and men may be rapidly transported from one section of the front to another.

We can learn a valuable lesson from the current war in Europe. An outstanding feature has been the rapid mobility of large numbers of troops and vast trains of heavy motorized equipment. Germany, by reason of her network of superhighways, was capable of throwing her military to the borders of Czechoslovakia and Poland, then to Denmark for the invasion of Norway, back through Holland and Belgium, on to Paris and the channel ports. The perfection of the Nazi military organization would have been useless without the interlocking system of German highways which were turned into arterials for the armed forces and their supplies. The superhighways permitted the German armies to move with almost lightning speed. Division after division of motorized and mechanized equipment was transported over them at an average speed of 50 miles an hour, in contrast with a speed of less than half that figure on ordinary roads. On the other hand, lack of roads in Holland and Belgium seriously impeded the progress of the English and French armies.

In the United States, with 3,000 miles from the Atlantic seaboard to the Pacific coast and 2,000 miles from Canada to Mexico and the Gulf, first consideration must be given to the vital necessity of a complete network of military highways. There must be a network of roads reaching and protecting every vital point and providing contact with the farms, forests, mines, and factories that would be the feeders of our defense forces.

Mr. CARTWRIGHT. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. MEYER].

Mr. MEYER of Maryland. Mr. Chairman, as a new Member of the House, one of the first matters in which I became interested was this measure known as the Cartwright defense-roads bill. At that time I advocated and stressed access roads over and above the strategic-highway plan, not that I was in opposition to the other but because I felt that the need for the access roads was so urgent that the bill should be brought in for that part of it immediately, even though the strategic-road plan had to wait. However, the committee has conducted its hearings and seen fit to bring in the bill to take care of both the access roads and the strategic-highway plan. Now that the time has elapsed, it is perhaps just as well that the committee did so.

I am happy to see that the larger portion of this money, $150,000,000, is to be devoted to the access roads, as against the $100,000,000 for the strategic-highway system, because if anything is needed at this time—and was needed even some time ago—it is and was the access roads.

As far as my district in Maryland goes, I do not have too many of the plants directly in my district and I do not know that my district would benefit to any great extent in a physical way insofar as any physical improvements in that district may be made. But, on the other hand, many of the people who work at the plants that are located in the districts of my colleagues throughout the State live in my district, and they certainly will gain something in that they will be able to get to their work a lot sooner and the plant owners will accomplish something in an economical sense by avoiding a certain amount of economic loss of working hours.

I heard it said on the floor here by my distinguished colleague the gentleman from Illinois [Mr. SABATH] that the Government already has spent some $2,000,000,000 since 1917 supplementing the $3,000,000,000 spent by the various States on many of the road projects during that period. I dare say that is only a portion of the total investment represented by our road structure throughout the country, and when we think of what a tremendous investment these road structures make up and represent we can readily see that $150,000,000 and $100,000,000 are but a trifle and are quite essential and absolutely necessary to maintain these road structures and to improve them and to carry them on and develop them, particularly from a defense standpoint at this time. After all, money spent for defense is certainly well invested, and no one can gainsay that fact, particularly when we see how easily and in what broad way money is appropriated to other departments. We can remember with respect to the Department of the Interior how they recently brought in a budget and appropriations request of $24,000,000 more than the amount they had spent last year, and on the Senate conference amendment No. 102 voted for another $7,450,000 for reclamation taking 15 years to complete. We tried to save the $24,000,000 and the $7,450,000 authorization for reclamation, but, after all, we could not do it. When we think of some of those questionable expenditures we can readily realize that this money, to be appropriated for roads and defense highways, is well invested and is but a small item and burden on the taxpayers of the country. There are many other departments, as you gentlemen well know, that could have retrenched this year on their nondefense items, but in spite of the efforts of some of us they went along and carried out the original cost of those departments as of preemergency years.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. MEYER of Maryland. Yes.

Mr. LEAVY. Being in a measure responsible for the Interior Department appropriation bill, I am sure the gentleman has not studied all the details of that bill or he would not have felt justified in making the statement he has just made. The increase in the bill was largely due to the national-defense program, and today they would not be able to proceed with the light-metals production program in the Northwest but for the fact that the money was appropriated.

Mr. MEYER of Maryland. The gentleman knows that all of the reclamation part of it was not for defense, and cannot be, when much of it will not be completed before 15 or 20 years.

Mr. LEAVY. The reclamation part of it was and is producing power.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. TREADWAY] may extend his remarks in the RECORD on this bill at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TREADWAY. Mr. Chairman, it is apparent that Congress and the people are heartily in accord with the Defense Highway Act of 1941. The Committee on Roads under the able chairmanship of Mr. CARTWRIGHT has brought in a comprehensive bill based on supplementing the present road legislation with that beneficial to national defense. The committee report thoroughly describes the purposes of the legislation so I will confine my brief remarks to a local application which I hope will have the consideration and attention of the Commissioner of Public Roads, as well as the military authorities. On examination of the map printed in the committee hearings it is difficult to locate any particular proposed line of highway. I am also informed by Mr. Fairbanks, who is associated with Commissioner MacDonald, that no definite lines of road construction have yet been decided upon in the various States.

I wish to call particular attention to a most practical strategic road across the State of Massachusetts. The State of New York has built what I assume would be a strategic road to the Massachusetts boundary at the town of State Line, and the State of Massachusetts has constructed a short stretch from that point eastward. For several years towns in that vicinity have been anxious to secure a new lay-out for through traffic, as the present roads are not suitable for either truck traffic or emergency defense transportation. It is expected that it will be necessary to construct a road from the western terminus to which I have referred eastward toward Springfield. This seems to be a most opportune time to proceed in accomplishing this construction, as I believe there is sufficient war material and troop transportation east and west to require a strategic road such as the program calls for.

Two purposes would be accomplished by such a road, namely, the strategic service desired by the Government and the safeguarding of the natural attractions of this famous resort section of Massachusetts, which are now rapidly being destroyed. The officials and citizens of the towns of southern Berkshire are tremendously aroused, as evidenced by a public meeting held last Monday night. Appeals have been made to His

Excellency Governor Saltonstall and to the board of public works. As the Congressman from that section, I earnestly urge the active cooperation of the military authorities and the Commissioner of Public Roads to the end that this area be rated as part of the strategic-highway system in Massachusetts, and that active plans be promptly undertaken to bring about the desired construction.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, as has already been explained, this bill provides for $287,000,000 to be spent for the improvement of highway systems, $150,000,000 for access roads, $100,000,000 for the strategic network, $2,000,000 for access flights or flight strips, $10,000,000 for surveys and plans, and $25,000,000 for emergency repairs.

Your Roads Committee and, particularly, the chairman of that committee, the gentleman from Oklahoma [Mr. CARTWRIGHT], have spent a large amount of time on this bill and worked it out in great detail. The provisions made here are vitally necessary, all of them, from the national-defense standpoint, but in addition to being a national-defense measure this bill provides for a long-term program of civilian requirements, for commercial use, and everything provided for in this bill will always be valuable to the United States of America and to the people and to the several States. It extends beyond the period of the national emergency.

On the national-emergency matter I wish to state that about a year ago this summer when the National Guard of the Seventh Corps Area was called to encampment at Fort Ripley, Minn., it experienced a great amount of difficulty in getting the equipment over some of the roads to the camp. The engineers of the Guard had to go out and make surveys and find ways of taking the equipment around some of the bridges because at certain points they were not sufficiently strong to carry the equipment. These are some of the so-called bottlenecks that will be corrected by this bill.

In addition, Mr. Chairman, this bill has another rather unique provision which I have not heard particularly stressed this afternoon, and that is the manner of acquiring the rights-of-way to build the various highways and access roads in the several States. Your committee discovered that with 48 States participating in this program, many of which have different laws for acquiring lands for public use, much delay might be occasioned by appeals and condemnation suits and appeals from those suits, so there is a provision in the bill that where difficulty arises to the highway department of any State in the securing of rights-of-way, the Federal Government can step in and take the lands, take immediate possession of them and go ahead and build the roads without delay. Provision for payment through the highway departments of the several States is made for whatever amount is found to be fair and equitable later on.

Mr. Chairman, I believe as the other members of the committee believe, that this is a necessary bill and should be passed at this time. I yield back the remainder of my time.

Mr. CARTWRIGHT. Mr. Chairman, I yield now to the gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Chairman, it has been my privilege to be well acquainted with several members of the State Highway Commission of the State of Texas. One of the three distinguished members of this commission lives in the congressional district I have the honor to represent. From time to time I have received a number of communications from members of our commission indicating their keen interest in the passage of legislation of this type. Particularly have they emphasized the need of this legislation since Texas, the large State she is, is a State in which the Army has held some of its recent maneuvers.

The people of Texas and the efficient and energetic members of the Texas Highway Commission appreciate the efforts of the distinguished gentleman from Oklahoma [Mr. CARTWRIGHT], the Chairman of the Roads Committee, our own able and hardworking Texas member of the Roads Committee, Hon. NAT PATTON, and each of the members of the Roads Committee to provide roads adequate for all defense purposes and conducive to the safety of all who traverse for all purposes the roads of Texas.

Mr. CARTWRIGHT. Mr. Chairman, I yield now to the gentleman from California [Mr. ELLIOTT].

Mr. ELLIOTT of California. Mr. Chairman, the legislation we are considering should be approved as soon as possible. I think it should have been approved months ago. The amount as set up in the measure is not sufficient to take care of the necessary work throughout the country. Surveys show that to take care of the needed access roads in California alone it would require $40,000,000. And to complete the strategic road network recommended in the Carmody report for California, we would have to construct 5,800 miles of strategic roads which would cost $110,000,000. On that basis, California could use approximately all of the money now provided in this bill.

I hope that the Federal Government in working out the road-and-bridge program with the various States will consider the heavy expenditures some States have already had constructing roads for defense and that those States will now be relieved of the tremendous burdens placed upon them at the present time.

If you ever saw an old-fashioned serial motion picture—and I am sure that most of us did in our youth—you will remember what an important part the time element played in its suspense. Each episode usually left the fan with the question, "Will the marines, or the posse, or the hero arrive in time?" Many reels of film were devoted to pictures of pounding hooves fighting against time, of men spurring their horses to reach their destination before it was too late.

This kind of melodrama no longer plays such a prominent role in our modern screen fare. But time continues to have the utmost significance in our real life affairs. Many of us have kept a bedside vigil, hoping against hope that the doctor would arrive in time. Others have known the dread of fire in the night and the prayer that the fire department would not be too late. In these and numerous other situations where time is of the essence we base our hopes not on the trusty steeds of the western films but on the roads and streets over which help must come. A traffic jam in the city or a muddy road in the country can deal a death blow to these hopes.

The importance of our highways in these individual crises, however, would be multiplied a thousandfold in the event of a national emergency. One life is at stake when we wait for a doctor, but the life and liberty of the entire Nation may depend on the speedy transportation of our armed forces. It is not a pleasant task to have to discuss the threat of foreign invasion on these shores. America has in the past rested secure in the confidence that two oceans are protection enough. Today, however, that confidence has been shaken by events abroad. Adequate defense is America's first need. We must now be prepared to meet attack on either coast. We cannot expect to build up an army large enough to defend our eastern coastline, plus a duplicate force that can be always stationed in the West. We must instead have a mobile army that can quickly move to any point where need arises. If we are attacked on the west coast, when our main forces are stationed in the East, it must be immediately possible to send reinforcements to the invaded area with the least possible delay. It must be possible to transport our armed forces to the danger zone in 3 days. An enemy attack by air on any strategic position, with consequent disastrous bombing, will demand the immediate removal of ammunition and other supplies to a place of safety.

The United States Army is doing its part to make this rapid transportation possible. Every branch is speeding up the addition of motorized units. The growth of rapid, mechanized fighting equipment has been phenomenal. Our men, arms, and supplies are today carried on rubber-tired wheels. Unfortunately, however, rubber wheels and gasoline engines are not the only requirement for rapid movement. Military experts are agreed that, in the event of an invasion, the United States would be hopelessly entangled within 24 hours because of lack of speed highways for the movement of troops and supplies.

We now have under consideration in this House a bill to provide roads for defense. The new roads made possible by this measure will be used by America's civilian population for business and pleasure. Over them will travel the doctor, the lawyer, the merchant, and the fire chief. I hope and pray that everyday commerce and travel will be the only use made of these roads. But it will also be reassuring to know that, if need arises for the transportation of troops, adequate highways will be there to make it possible. Although we have no Hollywood scenario writer to compose a happy ending, we can write legislation that will strengthen our weak spots and insure the adequacy of our national defense. We can make sure that our roads will not fail us if some day the safety of 130,000,-

000 Americans depends on an affirmative answer to the question, "Will the Army arrive in time?"

Mr. CARTWRIGHT. Mr. Chairman, I yield now to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Chairman, I am very much interested in the passage of this bill. It means much to all sections having Army camps and defense industries. It is well known that because of the fine climate and other conditions conducive to training of troops the year round, the South has a great many of the Army camps. The Eighth Congressional District of Louisiana, which I have the honor to represent, has four camps and numerous other defense activities, in addition to being perhaps the largest maneuver area this fall in the entire Nation. In addition to our camps, bombing ranges, and so forth, we will have half a million men maneuvering in that one section this fall. It goes without saying that our towns and cities will be filled with visitors and soldiers, our roads will be filled with traffic, and every resource will be taxed to capacity to take care of the situation. But, Mr. Chairman, we are glad to have them. We were happy to have the camps, and we will welcome with open arms the half million men in the maneuvers, and everything possible will be done, and, in fact, is being done, to make their stay in our midst pleasant. There has been the fullest cooperation on the part of the people with the Army authorities.

Now, Mr. Chairman, the thousands of visitors, the hundreds of thousands of soldiers, the trains of automobiles and trucks carrying passengers and freight, all call for service, for roads, for accommodations of every sort. What is true of my section is largely true of other sections. Twelve years ago Louisiana embarked upon a great road-building program, and today we have one of the finest systems of paved and hard-surfaced highways in the Nation. We are prepared for all ordinary occasions. But we face an extraordinary tack, a task never before undertaken by any other southern region, and, I dare say, not by any other region anywhere outside the large metropolitan areas. Our people stand ready to do their utmost to meet the demands which they face, but our resources are not at all adequate. Like all other communities so situated, we need, and are expecting, help in the defense area in the matter of defense housing and in the installation of public utilities in some places. We expect to receive help for those objects through the Lanham bill. The road situation is acute. Many roads, formerly little used, overnight become modern thoroughfares, traversed by thousands of cars and trucks. Of course, there will be wear and tear on these roads. Of course, those already built will have to be repaired constantly and kept in good condition. New bridges will have to be built to take care of heavy traffic. This bill, H. R. 5110, is designed to meet that pressing need.

The bill authorizes a total appropriation of $287,000,000, apportioned as follows: $100,000,000 for a strategic highway network, $150,000,000 for access roads, $2,000,000 for experiment flight strips along highways, $10,000,000 to cooperate with the States in making advance highway engineering surveys, and $25,000,000 for reimbursing States for damages to State roads caused by maneuvers. The strategic network of highways for national defense has been outlined by the War Department. The $100,000,000 for this purpose will be apportioned among the States on the basis of population, area, and mileage of mail routes, the States to put up 25 percent and the Government 75 percent, and on that basis it is estimated that Louisiana's share will be $1,467,188. The $150,000,000 for access roads leading directly into the camps will be under the general supervision of the Commissioner of Public Roads and the roads to be built or improved will be certified by the Secretary of War. The States will not have to match any of the funds for access roads. The $10,000,000 for surveys and plans will be handled by the Commissioner of Public Roads, but in this he will cooperate with the State highway departments, which will be required to match funds. That, in brief, Mr. Chairman, is the substance of the bill.

The part of the bill providing for reimbursement to States for repairs to highways damaged by the Army or Navy I think is a very wise provision. This will enable State highway departments to keep the roads in defense areas in first-class condition all the time, with the assurance that they will be reimbursed. It is right that the States should be so reimbursed. This is a very salutary provision, and I am happy to see the committee include it. It not only will keep the roads up, but will go far to promoting harmony between State and Federal road authorities.

In conclusion, Mr. Chairman, I wish to express my appreciation to the able chairman, the Honorable WILBURN CARTWRIGHT, and his fine committee for the study and care which they have given this matter, and I am anxious to see this bill become a law as soon as possible. It is badly needed.

Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Chairman, I yield 8 minutes to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, in our consideration of H. R. 5110, we are confronted with the necessity for prompt action to provide the means to immediately place our national highway system in condition for the most vital use of military defense.

I am speaking in support of this act, not because it meets my entire approval but because the present wholly inadequate condition of our highways to serve military purposes and industrial mobilization and supply demands my patriotic support of this measure. And so, in order to avoid further delay which would be occasioned by a reexamination of the whole Federal-aid program, I am supporting this long-overdue legislation, because of the immediate need for such highway relief that it does contain.

But at this time I want to draw your attention to certain considerations, which in due course of events—when our national emergency passes—must be recognized as vitally important to our national economy and social welfare.

I am going to talk for a few minutes about the rural-community and the farm-road situation, and to express my views upon what, to me, appears to be one of the most important phases of our national highway-transportation system. For I feel that the time is drawing near when the whole highway program must be reexamined, with a view of much more and direct assistance to this phase of the problem.

There have been various estimates of the extent of the local road system. It is generally believed to consist of approximately two and one-half million miles, though doubtless this mileage includes several hundred thousand miles of trails and primitive roads, which have never had and may not be entitled to the use of public funds in their upkeep.

But, even if we discount a half million miles, there still remain 2,000,000 miles of local public roads upon which the Nation's farms and dairies are located and which serve small rural communities. These roads, although they may not serve as arteries of traffic, are just as essential to the life and welfare of the Nation as the superhighways. For they are the veins of highway transportation, nourishing rural life, and agricultural production and feeding to and from the main arteries of commercial traffic, which, without their constant supply, would shrivel and perish.

So I say that the local road system must have a consistent degree of improvement that will as least guarantee a year-round all-weather service. A degree of improvement that will at least make it possible for the farmer to market his produce at will, and that will insure access to and from the farm and city in any season. For nothing less will adequately protect the health, the cultural life, and the economic well-being of those who in the comparative isolation of rural location produce the necessities of everyone's life.

I am honestly of the opinion that today treatment of the local road problem is tinged with a considerable degree of overemphasis of technical and scientific efficiency that is blinding the responsible agencies to the intangible social and cultural elements involved in the problem. Also, that the necessity for providing revenue for the tremendous highway improvement job is causing an overemphasis upon the earning capacity of roads, as measured by traffic use.

It seems to me that in the interest of democratic processes and the welfare of the rural dweller, we must insist upon a revaluation of highway services—services that would be based upon cardinal principles of law and equity and that would tend to reestablish highway administration upon clearer constitutional and democratic principles. Only through service to all groups of highway users can such a tremendous problem be satisfactorily solved. For under such principles the invasion of jurisdictional

rights now practiced in the name of efficiency would be discountenanced. For only within a full consideration of jurisdictional rights and responsibilities can exist the elements of harmonious cooperation between Federal, State, and local highway agencies.

I believe that a close adherence to three fundamental principles of democratic law—all supported by our Constitution—would serve to prohibit the abuses of arbitrary limitation that might be attempted in the interest of selfish purposes.

As the first principle, I believe. "The lawful improvement of public roads, establishes the eligibility of any public road to participate in Federal, State, or local expenditures for that purpose."

And there being no justification for any arbitrary procedure which would serve to abridge this controlling principle, it follows that any rules or regulations which serve to restrict exercise of its full application would be in opposition to its validity, and have no standing before the law—certainly not in equity.

I would say that the second principle is:

II. That the constitutional right of petition guarantees the right of direct, lawful contact between any of our three major divisions of Government—Federal, State, or local.

In accordance with this principle, the assumption that Federal-State relationships have any superior perogatives, over Federal-local relationships where lawfully founded, is based upon administrative expediency, and not upon fundamental legal principles.

The third principle which I would state is this:

III. The Constitution and Bill of Rights guarantees the right of equal opportunity and government by consent of the governed.

Under this principle no governmental administration may be set up which, directly or indirectly, interferes with those constitutional precepts. And since any process which circumvents these principles, is unconstitutional, it must follow that no governmental agency has the right to delegate power or privileges to another, which might confer upon it certain advantages, by which a third governmental agency, representing the individual citizen, could be deprived of any function involving the loss of individual rights.

I submit that these principles form a framework of justice and equity, within which legislation can be formed. Such legislation would have a character of right and justice which could not be impeached and which would have to be acceptable, because it would be fundamental, in its truth and equity. And the general dissatisfaction being manifest over the lack of adequate local road improvement is certain to resolve itself into a demand for such legislation.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. STEFAN. I yield.

Mr. H. CARL ANDERSEN. I am happy to see the gentleman from Nebraska, who always watches out for the interests of the farmers, call to the attention of the House the danger that may come in our Nation forgetting about the farm-to-market roads. These are very essential to agriculture, and these roads in their way are just as important to national defense as any, because without them food could not move to market.

Mr. STEFAN. I agree with the gentleman that they are just as valuable as all the roads for national defense, and there is great danger at this time in the scientific and technical idea of road building that these 2,000,000 miles of rural roads will receive absolutely no attention.

[Here the gavel fell.]

Mr. H. CARL ANDERSEN. Mr. Chairman, I have no further requests for time on this side.

Mr. CARTWRIGHT. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. WHITTINGTON] the remainder of the time on this side.

Mr. WHITTINGTON. Mr. Chairman, under the circumstances, I rather hesitate to detain the Committee at this late hour; but in view of the questions that have been propounded and the interest in the bill, I think I shall take sufficient time to explain the terms of the bill in a brief way.

The blitzkrieg and mechanized warfare have made highways imperative. The bill under consideration undertakes to provide for highway legislation imperatively needed for national defense. Since 1922 the War Department has had a map of the strategic highways regarded as important for national defense. In the past 5 years the Public Roads Administration, with the War Department and the Navy Department, has studied all of the Federal-aid and trunk-line systems of the country and thoroughly reviewed the general highways of the Nation. The condition of all these highways is known.

A year ago the President of the United States requested the Federal Works Agency to make a study of the highway system of the country, and that study was made, and a report was submitted on the 1st of February, 1941, and it is a part of the very exhaustive hearings conducted by the House committee. That report recommended that there be presently authorized $100,000,000 for the improvement of the strategic highways; $150,000,000 for the improvement of the access highways of the country; and that there be authorized $25,000,000 for repair of damages done to highways in Army and other military maneuvers.

Subsequently, on June 2, 1941, the President of the United States sent a message to Congress and recommended, after calling attention to the fact that many States and the W. P. A. had made improvements for access highways, that there be authorized $100,000,000 for access highways and $25,000,000 for improvements of the strategic-highway system. The President evidently overlooked the fact that he and Congress reduced materially the W. P. A. appropriation for the next fiscal year.

The bill under consideration follows the report of the Bureau of Public Roads, and for the information of the Members of the House, let me say that the strategic-highway system approved by the War Department is shown on a map, and that map is found on page 116 of the hearings. The strategic highways are about one-third of the 75,000 or 78,000 miles of existing trunk-line highways. The authorization of $100,000,000 does not contemplate anything except elimination of bottlenecks, the widening of these highways where necessary, and the strengthening of bridges. The authorization of $150,000,000 for access highways provides not only for highways but for bridges, because the terms of section 3 are broad enough to cover bridges. However, the committee will offer an amendment in section 3 to insert the word "bridges" after the word "roads," so as to eliminate any question whatsoever as to the meaning of access highways.

The report to which I have referred shows that it would take $458,000,000 to repair existing deficiencies in strategic highways, and it would take around $350,000,000 to construct the necessary access highways. Access highways can only be constructed during the declared emergency and on the recommendation of the War and Navy Departments. So the authorizations are restricted to the emergency. They are confined to national-defense projects, and the country and the Treasury is in every way safeguarded.

There are a few clarifying amendments to existing law in the pending bill that will enable the accomplishment of the necessary highway improvements in national defense.

Let me call attention to the report in this case. It is full. Hearings are available. There is a complete analysis of the bill in the report of the committee. There would be an apportionment under a definite arrangement of the strategic-highway money. It has to be matched roughly, as is provided by existing law, except instead of requiring a matching of 50–50 the terms of the pending bill provide for a matching of 75–25.

Section 3 provides that wherever access roads are constructed they shall be constructed without matching and includes the necessary land as a part of these access roads. Substantially none will be constructed in the district I represent, but I am sure the War Department and the Bureau of Public Roads will give consideration to the amounts that have been expended by the State highway commissions. I call to the attention of the gentleman from Indiana [Mr. HALLECK] the fact that the Highway Act of 1940 and the present appropriations provide that defense highways shall have priority. The testimony before the committee shows that in all existing highway construction in all the States of the Union priority is to be given those roads which are essential to national defense. The testimony further shows that large amounts have been allocated out of W. P. A. funds and out of funds appropriated for the construction of camps to the construction of highways in cantonments and out of W. P. A. funds for the construction of access highways that have not been matched by the States.

It occurs to us that the language of this bill is full and explicit. Provision is made in the bill for flight strips purely for experimental purposes. In warfare nothing is comparable to the advance and

to the realities where military forces and civilian population are occupying the highways, and strategic landings for airplanes are most important. This provision was recommended for study and included in the Highway Act of 1940, under which the appropriations for the current year have been made.

Plans and surveys providing for matching are included in section 5. The extension of existing Federal-aid highways which may also be strategic highways is provided for in section 6 of the bill. The same applies to section 7 with respect to secondary highways. I wish the gentleman from Illinois [Mr. SABATH] had not temporarily left the Chamber, because it may be a source of satisfaction to him to know that section 8 authorizes the expenditure of funds in municipalities to provide off-street parking in those States where parking on the main highways is prohibited.

Sections 9 and 10 provide for acquisition of rights-of-way for the highways in the emergency, for it would be futile to authorize the Federal Government to construct these highways and not give the Government the power of highway condemnation. Section 11 contains the general eminent-domain authority passed during the administration of President Hoover on February 26, 1931, and the provision with respect to waiving advertising and the erection of buildings that are found in legislation with respect to national-defense housing. So the committee, to settle the problems that may be met in this defense effort, has embodied existing legislation with regard to condemnation—legislation which has been tried and tested already in the national-defense projects.

These rights-of-way are to be reconveyed to the States to eliminate Federal jurisdiction.

Twenty-five million dollars is authorized to repair damages that may be done in Army maneuvers in all parts of the country to existing Federal-aid and other highways; and the present law with respect to damage to highways caused by floods and cyclones is the provision that is adopted with respect to these emergency repairs.

Unless there be some question, Mr. Chairman, if I may be permitted to say so, I believe this bill can be passed in a few moments. It has been carefully studied, the language has been rewritten, the lawyers of various departments have been consulted; and I believe it would be difficult to improve upon either the terms or the phraseology of the pending bill. I repeat that all due consideration has been given in this measure to those States and areas where the States have cooperated loyally and patriotically in the construction of highways, access or otherwise, to existing national-defense plants. I believe, Mr. Chairman, if I may be permitted to suggest, that it would be in order to waive formal reading of the bill by unanimous consent; that amendments to the bill be considered in order, and that the bill be printed in the RECORD, because this is nothing more or less than an authorization imperatively needed of money which can be largely be expended during the next 12 months and will doubtless be followed by other authorizations if our strategic highway system is to be improved in any large measure and if other necessary and important access highways are to be constructed.

DEFENSE HIGHWAY ACT OF 1941

Mr. Chairman, under leave to extend, mechanized armaments are playing an increasingly important part in modern warfare. Adequate highways are essential. The expansion of highway facilities for national defense is imperative. Highways are being used to supplement railways in transportation. Production plants, Army cantonments, and military and naval establishments are often located beyond the reach of ordinary transportation. Hundreds of thousands of workers at defense plants drive their automobiles to and from their jobs to arm America. There are approximately 32,000,000 civilian motor vehicles using the highways of the United States. The needs of the civilian population must be served, and provision should be made for the military forces. The country must provide essential highways for civilian and military transportation.

The President of the United States on June 2, 1941, submitted a special message to Congress, in which he, among other things, recommended an authorization of $25,000,000 to be spent on the strategic highway system, and in his message he stated that it would take approximately $458,000,000 to strengthen the entire system.

The President also recommended in his said message that $100,000,000 be authorized specifically for the development of access roads.

The President, in making recommendations for said amounts, stated that the Work Projects Administration was constructing some of the highway facilities needed but inasmuch as the Work Projects Administration appropriations have now been made for the next fiscal year and materially reduced from the previous fiscal year it is evident there is neither sufficient authority nor funds in the Work Projects Administration to expand sufficiently the highway facilities for national defense.

More than a year ago the President requested the Administrator of the Federal Works Agency to make a survey of our highway facilities with respect to national defense. On February 1, 1941, the Commissioner of Public Roads submitted his report and it may be found beginning on page 225 of the hearings. Highway commissions were contacted, the Army, the Navy, and the Advisory Commission to the National Defense Council were consulted. Only such highways as were approved by all of these agencies were considered. The program for defense roads covered those that were required for defense operations and improvements that were necessary to improve inadequate sections of existing highways.

The highways of principal importance in national defense consisted of a strategic network of approximately 74,600 miles, with additional tactical roads required for entrance to reservations necessary for practical training, aggregated a total of 78,000 miles. Broadly speaking, the strategic network consists of a system of main trunk routes as set forth in the report on toll roads and toll bridges, published as House Document 272, Seventy-sixth Congress, first session, and the strategic network was generally shown on a map dated October 15, 1940, revised to May 15, 1941, and this map appears on page 116 of the hearings.

The report of the Administrator of Public Roads recommended that immediate authorizations be made for defense road improvements in the sum of $100,000,000 for the strategic network, which amount would be used in correcting critical deficiencies on the strategic network and especially in widening bridges; in the sum of $150,000,000 for the construction of across roads to military and naval reservations and national-defense sites and raw materials; in the sum of $25,000,000 for tactical roads to be used largely in the repairing of existing highways where damaged by the armed forces, and in the sum of $12,000,000 for strategic network advance planning.

The report also recommended that the Federal Highway Act be amended so as to authorize additions to the Federal Aid Highway System of any roads designed by the War and Navy Departments, to make roads and bridges on auxiliary roads eligible for improvement with Federal secondary road funds, and to permit the use of Federal-aid funds in payment of the cost of acquiring the necessary rights-of-way and attendant property damage.

The bill, H. R. 5110, under consideration follows generally the recommendation of the Commissioner of Public Roads as set forth in said report and the total amount authorized is the total amount recommended for authorizations in said report.

The Senate has already passed S. 1580, which authorizes $250,000,000, but the provisions of the House bill are more definite and certain, separating the amounts that may be used for strategic highways and the amounts that may be used for access roads and for repairs, as well as for the construction of strip facilities. Under the terms of the Senate bill the total amount of the authorization of $250,000,000 might be used for any one of the purposes mentioned.

As stated by the President and as stated by the report the amounts authorized will not be sufficient, especially for the improvement of the strategic highway system of approximately 78,000 miles, but it is believed that the amounts will be ample for the next year. If additional amounts are required, an additional authorization may be made.

The bill is the result of studies that have been under way since 1922 by the Administrator of Public Roads in cooperation with the War Department. In the past 2 years there have been revisions and studies covering the network so that the map dated October 25, 1940, and revised to May 15, 1941, reflects the combined recommendations of the State highway departments, the military authorities, and the Public Roads Administration. Existing trunk-line highways

are to be utilized. It is not proposed, except in a few instances where the roads may be too narrow, or in other similar cases, to construct new highways. The amount authorized will be largely used in widening existing highways and in building new bridges.

There have been careful surveys made during the past 5 years. The Public Roads Administration has an adequate description of every mile of road on the strategic network that consists of approximately 78,000 miles and they know whether it is adequate or inadequate. They have a list of all substandard bridges, and of all narrow highways. I repeat that it will cost to correct the critical deficiencies in the strategic network approximately $458,000,000. The program cannot be completed in a year.

Again, the program under consideration is primarily for national defense. A number of the States cannot meet the Federal appropriation. The roads will be used for military purposes.

The Federal Highway Act of 1940, approved September 5, 1940, during the existing emergency, provided that priority should be given to national-defense highways. The Federal-aid highway construction for the past year has accorded priority to defense highways. There has been cooperation between the State highway commissions, the Public Roads Administration, and the War and Navy Departments. The provisions for repairing tactical roads damaged in military maneuvers is similar to existing law for repairs to highways as a result of flood damage.

The Committee on Roads in the House conducted complete hearings. They are available to the Congress and to the public. There is much valuable information in the hearings.

PURPOSES

The purpose of the bill is to improve highways important to national defense and the terms of the bill are limited to the emergency declared by the President on May 15, 1941. In order to facilitate the accomplishment of these purposes the bill makes a few amendments to existing highway legislation.

Section 1. Strategic network of highways

Section 1 defines the strategic network of highways. It consists of approximately 78,000 miles of carefully selected trunk-line highways and it is thus about one-third of the mileage included in the Federal-aid highway system. The system is generally shown on the map of May 15, 1941. The map does not undertake to locate accurately the route of the existing highways. It would be more accurate to say that the map locates the highways sufficiently for their identification. They are designated without regard to the locations between the principal points shown on the map and without regard to State lines.

Section 2. Strategic highway network

During the emergency there is authorized to be appropriated to correct critical deficiencies in the strategic highway system for allocation as provided by section 21 of the Federal Highway Act, which is dated November 9, 1921, $100,000,000 and under the terms of Section 2 the States will be required generally to contribute one-fourth of the cost and the Federal funds will supply three-fourths of the cost.

Under existing law there is a matching dollar for dollar of Federal funds on Federal highways. There is an exception in the public-land States. The Federal Government now contributes more than 50 percent of the cost in Federal-aid highways while the public-land States contribute less than 50 percent. The percentage is based upon the ratio of the percentage of public lands to the total area. In Nevada the regular percentage of Federal aid is now 86.9 percent, whereas in Alabama it is 50–50. The public-land States are therefore under the terms of the existing law, which is in accord with section 11 of the Federal Highway Act of November 9, 1921, as amended by section 4 of the Act of February 12, 1925, which latter act includes non-taxable Indian lands as well as unappropriated public lands.

The strategic highway system is selected. It is fixed by the map of May 15, 1941. No new highways will be generally constructed.

As I have already stated, it would require $458,000,000 to eliminate all of the deficiencies in the strategic network. It is believed that additional authorizations will have to be made when the $100,000,000 herein authorized has been expended.

The estimated amounts that will accrue to the several States are set forth in a table that is published on page 3 of the report of the committee on the pending bill. New York will receive $4,824,597, while Mississippi will receive $1,773,232. A definite yardstick is therefore adopted in the strategic highway construction.

Section 3. Access roads

One hundred and fifty million dollars is authorized for access roads. No allocation is made among the several States. No matching is required. The roads can only be constructed when certified as important for national defense by the Secretary of War or the Secretary of the Navy. They are intended to provide access to military and naval reservations, defense-industry sites, and sources of raw materials. The acquisition of rights-of-way is included as a part of the costs of the system.

It is essential that these roads be constructed promptly. It has been said that the access roads should be constructed where plants are inaccessible, by the plants themselves. The cost would be added to the costs of production. After all, the Federal Government would pay the cost. It is better to authorize the Public Roads Administration to construct the roads in the first instance.

Section 4. Flight strips

The Federal Highway Act of 1940 authorized investigations for flight strips. In the fall of France the highways were clogged with civilians. If an airplane landed on a highway transportation was impeded. The Chief of the Air Corps of the Army and others testified that there should be flight strips to provide for landing and taking off of military and other aircraft adjacent to public highways. Greater safety for traffic would be promoted and national defense would be aided at the same time. Two million dollars is authorized for the construction of these flight strips for experimental and demonstration purposes. They may be located without regard to States, and the whole cost would be paid from Federal funds.

Section 5. Surveys and plans

The Commissioner of Public Roads, in cooperation with the State highway departments, with an authorization of $10,000,000, will be equipped to prepare plans and surveys for expenditure not only for the strategic network but for access roads, for flight strips, to pay the Federal share of such surveys. The authorization would also authorize surveys and plans during the continuance of the national emergency for the future development of the strategic highway system. The amount authorized is to be apportioned among the States and matching with State funds on a pro rata basis is required by section 5.

Section 6. Extension of Federal-aid system

Section 6 of the bill provides that notwithstanding any limitation in the system of Federal-aid highways in any States under existing law, the strategic network provided may be included. There is a limitation in the Federal Highway Act of the mileage in each State that may be included in the Federal-aid highway system.

Section 7. Extension of secondary road systems

Provision is made for expenditure on secondary roads which may be a part of the strategic network of highways and not on the Federal-aid highway system. The strategic network is thus extended to include such secondary roads.

Section 8. Off-street parking

In cooperation with the States off-street or highway parking is provided, and where by local prohibition no parking on hignways is permitted funds may be used for the construction of off-street vehicle-parking facilities, including the costs of the lands necessary for such facilities. The authority would not apply unless there are local laws that prohibit parking on the strategic highway network. The committee believes it would be more economical in some cases to provide in municipal areas in the vicinity of industrial plants for off-street parking than to acquire expensive rights-of-way and build a wider highway.

Section 9. Cost of rights-of-way of Strategic highway network

Under section 9 the cost of additional rights-of-way to the extent determined by the Federal Works Administrator may be included as a part of the costs of the construction of such projects, and Federal funds may be used to pay a share of the costs of such acquisition in the discretion of the Federal Works Administrator. The terms of the section will be limited to the emergency.

Section 10. Costs of rights-of-way and grade-crossing elimination

The provisions are similar to section 9. A share of the cost of rights-of-way may be paid as a part of the cost of construction. Often the localities are not interested in providing the rights-of-way for grade-crossing elimination. During the emergency these grade crossings are imperatively needed in the vicinity of defense industries. National defense will be promoted by the provision.

Section 11. Acquisition of rights-of-way

Provision is made for acquiring rights-of-way for roads or projects authorized by the act in cooperation with the State Highway Commissions. It is further provided, however, that if such rights-of-way cannot be secured by the local interests, they may be condemned by the Federal Government and section 11 provides that they may not only be condemned but that they may be used in advance of the final judgment of the court. In some States the laws pertaining to condemnation will not permit possession. Long delays result. In order to prevent the exercise of Federal jurisdiction, however, the section provides that after the rights-of-way are acquired, they are to be reconveyed to the States upon condition that the highways constructed by the Federal Government are to be maintained by the States.

There is no invasion of States' rights. To authorize possession in advance of final judgment is to be limited to the emergency. The Federal Government is paying substantially the costs of construction. Section 11 authorizes condemnation as provided by general law dated February 26, 1931, 46 Statutes 1441, which is Public Law, 736, Seventy-first Congress, passed during the administration of President Hoover and during the emergency, it provides that sections 355, 1136, and 3709 of the Revised Statutes may be waived and these sections cover the matter of approving title, advertising, and the erection of structures.

This statute is not new. A similar statute with similar language was passed by Congress with respect to defense housing, and this act was approved October 14, 1940, and is Public, 849, Seventy-sixth Congress. The language is similar to section 1 (b). There is no question of States' rights involved. Provision is made for cooperating with the State highway commissions but it is under the general law that the Federal Government exercises the power of eminent domain for the construction of Federal projects.

Section 12. Emergency repairs

There have been damages resulting from Army maneuvers. Section 12 of the bill authorizes the repair and rehabilitation of highways that are damaged in military operations. No matching is required. The rights of the Government are safeguarded. This section is similar to the provision of existing law for the repair of roads damaged by floods and cyclone.

Section 13. Technical schools

This section authorizes the Commissioner of Public Roads to detail personnel regularly employed as students in technical institutions. Highway construction will be promoted.

Section 14. Recall of retired employees

Provision is made for recalling retired employees during the emergency. This is a proper administrative provision.

Section 15. Detail of Army and Navy officers

Without added compensation, Army and Navy officers may be detailed to the Public Roads Administration for technical advice and consultation regarding the needs for national defense.

Section 16

This section provides that the act shall be cited as the "Defense Act of 1941."

I conclude as I began, by saying that adequate highway facilities are vital to national defense. The authorizations contained in the pending bill are vitally important; they should not only be made but appropriations should promptly follow so that existing deficiencies and bottlenecks may be eliminated, repairs as a result of maneuvers may be made, and access roads promptly constructed.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That as used in this act the term "strategic network of highways" means all existing or proposed highways which conform to routes designated on the diagrammatic map of the strategic network of highway routes dated October 25, 1940, revised to May 15, 1941, and approved by the Secretary of War. The Federal Works Administrator is authorized to designate existing or proposed highways conforming to such approved routes as lines of the strategic network of highways. The Federal Works Administrator is further authorized to designate such existing or proposed highways between points of the strategic network of highways without regard to the locations as designated upon the revised diagrammatic map of May 15, 1941, and without regard to State lines.

SEC. 2. Strategic highway network: For carrying out projects to correct critical deficiencies in line of the strategic network of highways and bridges, during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated the sum of $100,000,000. Such sum shall be immediately apportioned among the States in accordance with the provisions of section 21 of the Federal Highway Act, as amended and supplemented, and shall be expended in accordance with the provisions of such act, as amended and supplemented, except that the Federal share payable on account of any such project in any State from such funds, or from any funds that now are available for such projects, shall be increased to three-fourths of the total cost thereof, plus a percentage of the remaining one-fourth of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total area of all lands therein, equal to the ratio that the area of such lands in such State bears to its total area.

SEC. 3. Access roads: The Commissioner of Public Roads is authorized to provide for the construction and improvement of access roads to military and naval reservations, to defense-industry sites, and to the sources of raw materials when such roads are certified to the Federal Works Administrator as important to the national defense by the Secretary of War or the Secretary of the Navy, and for replacing existing highways and highway connections that are shut off from general public use by necessary closures or restrictions at military and naval reservations and defense-industry sites. The acquisition of new or additional rights-of-way necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction of such projects and Federal funds shall be available to pay the cost of such acquisition. For carrying out the purpose of this section during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated the sum of $150,000,000, which shall be available, without regard to apportionment among the several States, for paying all or any part of the cost thereof.

SEC. 4. Flight strips: In order to insure greater safety for traffic on the public highways by providing additional facilities in connection therewith to be available for the landing and take-off of aircraft, the Commissioner of Public Roads is authorized to provide, in cooperation with the Army Air Corps, for studies and construction of experimental flight strips adjacent to public highways or roadside-development areas along such highways. The acquisition of new or additional lands necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction thereof and Federal funds shall be available to pay the cost of such acquisition. For carrying out the purposes of this section during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated, in addition to any funds that may be available under any other appropriation, the sum of $2,000,000, which shall be available, without regard to apportionment among the several States, for paying all or any part of the cost of such projects.

SEC. 5. Surveys and plans: The Commissioner of Public Roads is authorized to make such surveys and plans as may be necessary to carry out the purposes of this act, including advance engineering surveys and plans for future development of the strategic network of highways and bypasses around and extensions into and through municipalities and metropolitan areas. Any funds available for carrying out any of the purposes of sections 2, 3, and 4 of this act may be used for paying the Federal share of the cost of the surveys and plans required for such purposes, respectively, and for paying such administrative expenses as the Commissioner of Public Roads deems it necessary to incur for carrying out the purposes of this act. By agreement with the State highway department of any State, any project carried out in such State under the provisions of this section may be carried out through or in cooperation with the highway department of such State. For carrying out advance engineering surveys during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated for apportionment among the States in accordance with the provisions of section 21 of the Federal Highway Act, as amended and supplemented, the sum of $10,000,000. Such sum shall be matched with State funds on the pro rata basis heretofore required by law.

GENERAL PROVISIONS

SEC. 6. Extension of Federal-aid system: Notwithstanding the limitations in section 6 of the Federal Highway Act, as amended and supplemented, respecting the mileage of the system of Federal-aid highways, such system of highways in any State may be extended to include, and there may be approved as a part of such system of highways in such State, any of the lines of the strategic network of highways.

SEC. 7. Extension of secondary-road system: Funds heretofore or hereafter made available for expenditure under the provi-

sions of the Federal Highway Act, as amended and supplemented, for secondary or feeder roads are hereby also made available for expenditure on the same basis on any roads (including bridges thereon) which are lines of the strategic network of highways and are not on the system of Federal-aid highways.

SEC. 8. Off-street parking. In order to facilitate the flow of traffic on sections of the strategic network and highways forming bypasses around and connections into and through municipalities and metropolitan areas, the Commissioner of Public Roads is authorized to cooperate with the States in the location, development, and construction of off-street facilities for the parking of vehicles, and projects for providing such facilities shall be considered to be highway projects. Where, by appropriate law, ordinance, or regulation of any State or any governmental subdivision thereof, provision is made for the permanent prohibition of parking of vehicles within the roadway or street portion of any such section of the strategic network of highways, funds heretofore or hereafter made available for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, for construction and reconstruction on the system of Federal-aid highways, are hereby also made available for expenditure on the same basis for the location, development, and construction of such off-street vehicle parking facilities as may be required, including the cost of acquiring the lands necessary for such facilities.

SEC. 9. Cost of right-of-way on strategic highway network: When funds heretofore or hereafter made available for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, for construction and reconstruction on the system of Federal-aid highways are expended for any project on the strategic network of highways the acquisition of new or additional rights-of-way necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction of such projects and Federal funds shall be available, to the extent determined by the Federal Works Administrator, to pay a share of the costs of such acquisition.

SEC. 10. Cost of right-of-way in grade-crossing elimination: When funds heretofore or hereafter made available for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, for the elimination of hazards to life at railroad grade crossings are expended for any project on the strategic network of highways, the acquisition of new or additional rights-of-way necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction of such projects and such funds shall be available, to the extent determined by the Administrator, to pay a share of the costs of such acquisition.

SEC. 11. Acquisition of rights-of-way: By agreement with the State highway department of any State, such new or additional rights-of-way, lands, or interests in lands in such State as may be required for any project authorized by this act, may be acquired by such highway department or by any political subdivision of such State, and the Commissioner of Public Roads may advance or reimburse the share of the cost of such acquisition payable by the Federal Government: *Provided, however,* That if the Federal Works Administrator shall determine that the highway department of any State is unable to obtain possession and the right to enter upon and use the required rights-of-way, lands, or interests in lands, improved or unimproved, with sufficient promptness, the Federal Works Administrator is authorized to acquire, prior to approval of title by the Attorney General, in the name of the United States, such rights-of-way, lands, or interests in lands as may be required in such State for such projects, by purchase, donation, condemnation, or otherwise, in accordance with the laws of the United States (including the act of February 26, 1931, 46 Stat. 1421) and, during the continuance of the emergency declared by the President on May 27, 1941, may enter upon and take possession thereof, and expend public funds for projects thereon, prior to approval of title by the Attorney General (without regard to the provisions of secs. 355, 1136, and 3709 of the Revised Statutes, as amended, and without regard to State, municipal, or local laws, ordinances, or regulations). The costs incurred by the Federal Works Administrator in acquiring any such rights-of-way, lands, or interests in lands may include the cost of examination and abstract of title, certificate of title, advertising, and any fees incidental to such acquisition; and shall be payable out of the funds available for paying the cost, or the Federal share of the cost, of the project for which such rights-of-way, lands, or interests in lands are acquired. The Federal Works Administrator is further authorized and directed, by proper deed executed in the name of the United States, to convey any lands or interest in lands acquired in any State under the provisions of this section to the highway department of such State, or to such political subdivision thereof as its laws may provide, upon condition that such highway department or political subdivisions will accept the same and will maintain the project constructed thereon.

SEC. 12. Emergency repairs: The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways substantially damaged by the Army or the Navy, or both. The Commissioner is authorized on behalf of the United States to consider, ascertain, adjust, and determine any claim accruing subsequent to the passage of this Act, submitted by the State highway department of any State, in accordance with regulations prescribed by the Commissioner, for reimbursement of the cost of such rehabilitation or repair. Not to exceed $25,000,000 of any money herein or hereafter appropriated for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, shall be available for expenditure by the Commissioner of Public Roads, as an emergency-repair fund, for carrying out the purposes of this section, and there is hereby authorized to be appropriated any sum or sums necessary to reimburse the funds so expended from time to time under the authority of this section: *Provided,* That no claim shall be considered by the Commissioner unless notice of intention to file such claim has been presented to him within 30 days after the occurrence of the damage upon which the claim is based, except that in case of damage caused by maneuvers such notice shall be filed within 30 days after completion of such maneuvers.

SEC. 13. Detail of employees as students: The Commissioner of Public Roads is hereby authorized, in his discretion, to detail personnel regularly employed by the Public Roads Administration as students for limited periods at such technical institutions as will enable such personnel to acquire special knowledge which will better fit them for the lines of work to which they are assigned: *Provided,* That no expense other than the salaries of personnel so detailed and the cost of tuition and other regular fees required at such institutions shall be incurred by the United States under this section.

SEC. 14. Recall of retired employees: Notwithstanding the provisions of section 2 of the act of May 29, 1930 (46 Stat. 468), and section 204 of the act of June 30, 1932 (47 Stat. 404), any person heretofore or hereafter retired under the Civil Service Retirement Act of May 29, 1930, as amended, may be employed in the service of the Public Roads Administration during the continuance of the national emergency declared by the President on May 27, 1941: *Provided,* That there shall be deducted and withheld from the basic salary, pay, or compensation of such person and credited to his account as provided in section 12 (a) of the act of May 29, 1930, as amended, the regular deductions prescribed by the said act: *Provided further,* That upon separation from the service for any cause such person may elect to receive a refund of the total deductions so withheld together with interest at 4 percent compounded on June 30 of each year, or receive credit for the additional service in the computation of any annuity awarded thereafter: *Provided further,* That payment of the annuity of such person shall be suspended during the period of such employment.

SEC. 15. Detail of Army and Navy officers: The Secretary of War and the Secretary of the Navy, upon request of the Federal Works Administrator, are authorized to make temporary details to the Public Roads Administration of officers of the Army and officers of the Navy, without additional compensation, for technical advice and for consultation regarding highway needs for the national defense: *Provided,* That the travel and subsistence expenses of officers so detailed shall be paid, from appropriations available to the Public Roads Administration, on the same basis as authorized by law and by regulations of the War Department for officers of the Army and by law and by regulations of the Navy Department for officers of the Navy.

SEC. 16. This act may be cited as the "Defense Highway Act of 1941."

Mr. WHITTINGTON (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, that the bill be considered as read and printed in the RECORD, and that amendments may now be in order to any section of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]

There was no objection.

Mr. ROBINSON of Utah. Mr. Chairman, on behalf of the committee, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. ROBINSON of Utah: Page 3, line 5, after the word "roads", insert "and bridges."

Mr. WHITTINGTON. Mr. Chairman, I will not detain the committee any longer than to say that I do not think there is any question in the world that access roads includes bridges, but inasmuch as there is some doubt that roads do include bridges, we want to make it absolutely correct. The amendment is satisfactory to the committee.

The amendment was agreed to.

Mr. HALLECK. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HALLECK: On page 3, line 23, strike out the period, insert a colon, and the following: "*Provided, however,* That in determining the expenditure of the funds under this section due consideration shall be given to the need for such roads in States which have heretofore expended their own funds for the immediate construction of roads and highways deemed essential to the national defense, which roads and highways but for the action of

such State or States would be properly considered for construction with Federal funds under the provisions of this section."

Mr. CARTWRIGHT. Mr. Chairman, I have consulted with all of the members of the committee present and they are favorable to this amendment as a clarifying proposition. There is no objection, therefore, we will accept it.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROGERS of Oklahoma, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 5110, to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, pursuant to House Resolution 270, he reported the same back to the House with sundry amendments agreed to in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered on the bill and amendments to final passage.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent that the Committee on Roads be discharged from the further consideration of the bill S. 1580; that the said bill be immediately considered in the House, and that it may be in order to strike out all after the enacting clause in said bill and insert the provisions of H. R. 5110 just passed by the House.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. CARTWRIGHT]?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That as used in this act the term "strategic network of highways" means all existing or proposed highways which conform to routes designated on the map of the strategic network of highway routes dated October 25, 1940, revised to May 15, 1941, and approved by the Secretary of War. The Federal Works Administrator is authorized to designate existing or proposed highways conforming to such approved routes as lines of the strategic network of highways.

SEC. 2. Strategic highway network: Such sums as may be necessary during the continuance of the emergency declared by the President on May 27, 1941, are authorized to be appropriated for carrying out projects to correct critical deficiencies in the main lines of the strategic network of highways and bridges. Such sums shall be apportioned among the States in accordance with the provisions of section 21 of the Federal Highway Act, as amended and supplemented, shall be expended in accordance with the provisions of such act, as amended and supplemented, except that, in any case in which the Federal share payable under existing law on account of any such project is less than three-fourths of the total cost thereof, the Federal share payable on account of such project may be increased to any amount not in excess of three-fourths of such cost.

SEC. 3. Access roads: The Commissioner of Public Roads is authorized to provide, by contract or otherwise, for the construction and improvement of access roads to military and naval reservations, to defense-industry sites, and to the sources of raw materials when such roads are certified to the Federal Works Administrator as important to the national defense by the Secretary of War or the Secretary of the Navy, and for replacing existing highways and highway connections that are shut off from general public use by necessary closures or restrictions at military and naval reservations and defense-industry sites. The acquisition of new or additional rights-of-way necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction of such projects and Federal funds shall be available to pay the cost of such acquisition. Such sums as may be necessary for carrying out the purposes of this section during the continuance of the emergency declared by the President on May 27, 1941, are authorized to be appropriated, and shall be available, without regard to apportionment among the several States, for paying all or any part of the cost thereof.

SEC. 4. Flight strips: In order to insure greater safety for traffic on the public highways by providing additional facilities in connection therewith to be available for the landing and take-off of aircraft, the Commission of Public Roads is authorized to provide, by contract or otherwise, for the location and development of flight strips adjacent to public highways or roadside-development areas along such highways. Such sums as may be necessary for carrying out the purposes of this section during the continuance of the emergency declared by the President on May 27, 1941, are authorized to be appropriated.

SEC. 5. Surveys and plans: The Commissioner of Public Roads is authorized to make such surveys and plans as may be necessary to carry out the purposes of this act, including advance engineering surveys and plans for future development of the strategic network of highways and bypasses around and extensions into and through municipalities and metropolitan areas. Any funds available for carrying out any of the purposes of sections 2, 3, and 4 of this act may be used for paying the Federal share of the cost of the surveys and plans required for such purposes, respectively, and for paying such administrative expenses as the Commissioner of Public Roads deems it necessary to incur for carrying out the purposes of this act. By agreement with the State highway department of any State, any project carried out in such State under the provisions of this section may be carried out through or in cooperation with the highway department of such State. Such sums as may be necessary for carrying out advance engineering surveys during the continuance of the emergency declared by the President on May 27, 1941, are authorized to be appropriated for apportionment among the States in accordance with the provisions of section 21 of the Federal Highway Act, as amended and supplemented. Such sums shall be matched with State funds on the pro rata basis heretofore required by law.

GENERAL PROVISIONS

SEC. 6. Extension of Federal-aid system: Notwithstanding the limitations in section 6 of the Federal Highway Act, as amended and supplemented, respecting the mileage of the system of Federal-aid highways, such system of highways in any State may be extended to include, and there may be approved as a part of such system of highways in such State, any of the main lines of the strategic network of highways.

SEC. 7. Extension of secondary road system: Funds heretofore or hereafter made available for expenditure under the provisions of the Federal Highway Act, as amended and supplemented, for secondary or feeder roads are hereby also made available for expenditure on the same basis on any roads (including bridges thereon) which are lines of the strategic network of highways and are not on the system of Federal-aid highways.

SEC. 8. Off-street parking: In order to facilitate the flow of traffic on sections of the strategic network of highways forming bypasses around and connections into and through municipalities and metropolitan areas, the Commissioner of Public Roads is authorized to cooperate with the States in the location, development, and construction of offstreet facilities for the parking of vehicles, and projects for providing such facilities shall be considered to be highway projects. Where, by appropriate law, ordinance, or regulation of any State or any governmental subdivision thereof, provision is made for the permanent prohibition of parking of vehicles within the roadway or street portion of any such section of the strategic network of highways, funds heretofore or hereafter made available for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, for construction and reconstruction on the system of Federal-aid highways, are hereby also made available for expenditure on the same basis for the location, development, and construction of such off-street vehicle parking facilities as may be required, including the cost of acquiring the lands necessary for such facilities.

SEC. 9. Cost of right-of-way on Federal-aid system: When funds heretofore or hereafter made available for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, for construction and reconstruction on the system of Federal-aid highways are expended for any project on the strategic network of highways the acquisition of new or additional rights-of-way necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction of such projects, and Federal funds shall be available, to the extent determined by the Federal Works Administrator, to pay a share of the costs of such acquisition.

SEC. 10. Cost of right-of-way in grade-crossing elimination: When funds heretofore or or hereafter made available for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, for the elimination of hazards to life at railroad grade crossings are expended for any project on the strategic network of highways, the acquisition of new or additional rights-of-way necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction of such projects and such funds shall be available, to the extent determined by the Administrator, to pay a share of the costs of such acquisition.

SEC. 11. Acquisition of rights-of-way: By agreement with the State highway department of any State, such new or additional rights-of-way, lands, or interests in lands in such State as may be required for any project authorized by this act, may be acquired by such highway department or by any political subdivision of such State, and the Commissioner of Public Roads may advance or reimburse the share of the cost of such acquisition payable by the Federal Government: *Provided, however*, That if the Federal Works Administrator shall determine that the highway department of any State is unable to obtain possession and the right to enter upon and use the required rights-of-way, lands, or

interests in lands, improved or unimproved, with sufficient promptness, the Federal Works Administrator is authorized to acquire, prior to approval of title by the Attorney General, in the name of the United States, such rights-of-way, lands, or interests in lands as may be required in such State for such projects, by purchase, donation, condemnation, or otherwise in accordance with the laws of the United States (including the act of February 26, 1931, 46 Stat. 1421) and, during the continuance of the emergency declared by the President on May 27, 1941, may enter upon and take possession thereof, and expend public funds for projects thereon, prior to approval of title by the Attorney General (without regard to the provisions of secs. 355, 1136, and 3709 of the Revised Statutes, as amended, and without regard to State, municipal, or local laws, ordinances, or regulations). The costs incurred by the Federal Works Administrator in acquiring any such rights-of-way, lands, or interests in lands may include the cost of examination and abstract of title, certificate of title, advertising, and any fees incidental to such acquisition; and shall be payable out of the funds available for paying the cost, or the Federal share of the cost, of the project for which such rights-of-way, lands, or interests in lands are acquired. The Federal Works Administrator is further authorized and directed, by proper deed executed in the name of the United States, to convey any lands or interest in lands acquired in any State under the provisions of this section to the highway department of such State, or to such political subdivision thereof as its laws may provide, upon condition that such highway department or political subdivision will accept the same and will maintain the project constructed thereon.

SEC. 12. Emergency repairs: The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways substantially damaged by the Army or the Navy or both. The Commissioner is authorized on behalf of the United States to consider, ascertain, adjust, and determine any claim accruing subsequent to the passage of this act, submitted by the State highway department of any State, in accordance with regulations prescribed by the Commissioner, for reimbursement of the cost of such rehabilitation or repair. Such amount as may be found to be due to any claimant shall be certified to Congress for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of each claim, the amount claimed, and the amount allowed: *Provided*, That no claim shall be considered by the Commissioner unless notice of intention to file such claim has been presented to him within 30 days after the occurrence of the damage upon which the claim is based, except that in case of damage caused by maneuvers such notice shall be filed within 30 days after completion of such maneuvers.

SEC. 13. Detail of employees as students: The Commissioner of Public Roads is hereby authorized, in his discretion, to detail personnel regularly employed by the Public Roads Administration as students for limited periods at such technical institutions as will enable such personnel to acquire special knowledge which will better fit them for the lines of work to which they are assigned: *Provided*, That no expense other than the salaries of personnel so detailed and the cost of tuition and other regular fees required at such institutions shall be incurred by the United States under this section.

SEC. 14. Recall of retired employees: Notwithstanding the provisions of section 2 of the act of May 29, 1930 (46 Stat. 468) and section 204 of the act of June 30, 1932 (47 Stat. 404), any person heretofore or hereafter retired under the Civil Service Retirement Act of May 29, 1930, as amended, may be employed in the service of the Public Roads Administration during continuance of the national emergency declared by the President on May 27, 1941: *Provided*, That there shall be deducted and withheld from the basic salary, pay, or compensation of such person and credited to his account as provided in section 12 (a) of the act of May 29, 1930, as amended, the regular deductions prescribed by the said act: *Provided further*, That upon separation from the service for any cause such person may elect to receive a refund of the total deductions so withheld together with interest at 4 percent compounded on June 30 of each year, or receive credit for the additional service in the computation of any annuity awarded thereafter: *Provided further*, That payment of the annuity of such person shall be suspended during the period of such employment.

SEC. 15. Detail of Army and Navy officers: The Secretary of War and the Secretary of the Navy, upon request of the Federal Works Administrator, are authorized to make temporary details to the Public Roads Administration of officers of the Army and officers of the Navy, without additional compensation, for technical advice and for consultation regarding highway needs for the national defense: *Provided*, That the travel and subsistence expenses of officers so detailed shall be paid, from appropriations available to the Public Roads Administration, on the same basis as authorized by law and by regulations of the War Department for officers of the Army and by law and by regulations of the Navy Department for officers of the Navy.

SEC. 16. The total of all appropriations made for carrying out the purposes of sections 2, 3, 4, and 5 of this act shall not exceed $250,000,000.

SEC. 17. This act may be cited as the "Defense Highway Act of 1941."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Oklahoma [Mr. CARTWRIGHT].

The Clerk read as follows:

Amendment offered by Mr. CARTWRIGHT: Strike out all after the enacting clause and insert the following:

"That as used in this act the term 'strategic network of highways' means all existing or proposed highways which conform to routes designated on the diagrammatic map of the strategic network of highway routes dated October 25, 1940, revised to May 15, 1941, and approved by the Secretary of War. The Federal Works Administrator is authorized to designate existing or proposed highways conforming to such approved routes as lines of the strategic network of highways. The Federal Works Administrator is further authorized to designate such existing or proposed highways between points of the strategic network of highways without regard to the locations as designated upon the revised diagrammatic map of May 15, 1941, and without regard to State lines.

"SEC. 2. Strategic highway network: For carrying out projects to correct critical deficiencies in lines of the strategic network of highways and bridges, during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated the sum of $100,000,000. Such sum shall be immediately apportioned among the States in accordance with the provisions of section 21 of the Federal Highway Act, as amended and supplemented, and shall be expended in accordance with the provisions of such act, as amended and supplemented, except that the Federal share payable on account of any such project in any State from such funds, or from any funds that now are available for such projects, shall be increased to three-fourths of the total cost thereof, plus a percentage of the remaining one-fourth of such cost in any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total area of all lands therein, equal to the ratio that the area of such lands in such State bears to its total area.

"SEC. 3. Access roads: The Commissioner of Public Roads is authorized to provide for the construction and improvement of access roads and bridges to military and naval reservations, to defense-industry sites, and to the sources of raw materials when such roads are certified to the Federal Works Administrator as important to the national defense by the Secretary of War or the Secretary of the Navy, and for replacing existing highways and highway connections that are shut off from general public use by necessary closures or restrictions at military and naval reservations and defense-industry sites. The acquisition of new or additional rights-of-way necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction of such projects and Federal funds shall be available to pay the cost of such acquisition. For carrying out the purpose of this section during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated the sum of $150,000,000, which shall be available, without regard to apportionment among the several States, for paying all or any part of the cost thereof: *Provided, however*, That in determining the expenditure of funds under this section, due consideration shall be given to the needs for such roads in States which have heretofore expended their own funds for the immediate construction of roads and highways deemed essential to the national defense, which roads and highways but for the action of such State or States would be properly considered for construction with Federal funds under the provisions of this section.

"SEC. 4. Flight strips: In order to insure greater safety for traffic on the public highways by providing additional facilities in connection therewith to be available for the landing and take-off of aircraft, the Commissioner of Public Roads is authorized to provide, in cooperation with the Army Air Corps, for studies and construction of experimental flight strips adjacent to public highways or roadside-development areas along such highways. The acquisition of new or additional lands necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction thereof and Federal funds shall be available to pay the cost of such acquisition. For carrying out the purposes of this section during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated, in addition to any funds that may be available under any other appropriation, the sum of $2,000,000, which shall be available, without regard to apportionment among the several States, for paying all or any part of the cost of such projects.

"SEC. 5. Surveys and plans: The Commissioner of Public Roads is authorized to make such surveys and plans as may be necessary to carry out the purposes of this act, including advance engineering surveys and plans for future development of the strategic network of highways and bypasses around and extensions into and through municipalities and metropolitan areas. Any funds available for carrying out any of the purposes of sections 2, 3, and 4 of this act may be used for paying the Federal share of the cost of the surveys and plans required for such purposes, respectively, and for paying such administrative expenses as the Commissioner of Public Roads deems it necessary to incur for carrying out the purposes of this act. By agreement with the State highway department of any State, any project carried out in such State under the provisions of this section may be carried out through or in cooperation with the highway department of

such State. For carrying out advance engineering surveys during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated for apportionment among the States in accordance with the provisions of section 21 of the Federal Highway Act, as amended and supplemented, the sum of $10,000,000. Such sum shall be matched with State funds on the pro rata basis heretofore required by law.

"GENERAL PROVISIONS

"SEC. 6. Extension of Federal-aid system: Notwithstanding the limitations in section 6 of the Federal Highway Act, as amended and supplemented, respecting the mileage of the system of Federal-aid highways, such system of highways in any State may be extended to include, and there may be approved as a part of such system of highways in such State, any of the lines of the strategic network of highways.

"SEC. 7. Extension of secondary road system: Funds heretofore or hereafter made available for expenditure under the provisions of the Federal Highway Act, as amended and supplemented, for secondary or feeder roads are hereby also made available for expenditure on the same basis on any roads (including bridges thereon) which are lines of the strategic network of highways and are not on the system of Federal-aid highways.

"SEC. 8. Off-street parking: In order to facilitate the flow of traffic on sections of the strategic network and highways forming bypasses around and connections into and through municipalities and metropolitan areas, the Commissioner of Public Roads is authorized to cooperate with the States in the location, development, and construction of off-street facilities for the parking of vehicles, and projects for providing such facilities shall be considered to be highway projects. Where, by appropriate law, ordinance, or regulation of any State or any governmental subdivision thereof, provision is made for the permanent prohibition of parking of vehicles within the roadway or street portion of any such section of the strategic network of highways, funds heretofore or hereafter made available for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, for construction and reconstruction on the system of Federal-aid highways, are hereby also made available for expenditure on the same basis for the location, development, and construction of such off-street vehicle parking facilities as may be required, including the cost of acquiring the lands necessary for such facilities.

"SEC. 9. Cost of right-of-way on strategic highway network: When funds heretofore or hereafter made available for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, for construction and reconstruction on the system of Federal-aid highways are expended for any project on the strategic network of highways the acquisition of new or additional rights-of-way necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction of such projects and Federal funds shall be available, to the extent determined by the Federal Works Administrator, to pay a share of the costs of such acquisition.

"SEC. 10. Cost of right-of-way in grade-crossing elimination: When funds heretofore or hereafter made available for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, for the elimination of hazards to life at railroad grade crossings are expended for any project on the strategic network of highways, the acquisition of new or additional rights-of-way necessary for such projects may, to the extent determined by the Federal Works Administrator, be included as part of the construction of such projects and such funds shall be available, to the extent determined by the Administrator, to pay a share of the costs of such acquisition.

"SEC. 11. Acquisition of rights-of-way: By agreement with the State highway department of any State, such new or additional rights-of-way, lands, or interests in lands in such State as may be required for any project authorized by this act, may be acquired by such highway department or by any political subdivision of such State, and the Commissioner of Public Roads may advance or reimburse the share of the cost of such acquisition payable by the Federal Government: *Provided, however,* That if the Federal Works Administrator shall determine that the highway department of any State is unable to obtain possession and the right to enter upon and use the required rights-of-way, lands, or interests in lands, improved or unimproved, with sufficient promptness, the Federal Works Administrator is authorized to acquire, prior to approval of title by the Attorney General, in the name of the United States, such rights-of-way, lands, or interests in lands as may be required in such State for such projects, by purchase, donation, condemnation, or otherwise, in accordance with the laws of the United States (including the act of February 26, 1931, 46 Stat. 1421) and, during the continuance of the emergency declared by the President on May 27, 1941, may enter upon and take possession thereof, and expend public funds for projects thereon, prior to approval of title by the Attorney General (without regard to the provisions of sections 355, 1136, and 3709 of the Revised Statutes, as amended, and without regard to State, municipal, or local laws, ordinances, or regulations) The costs incurred by the Federal Works Administrator in acquiring any such rights-of-way, lands, or interests in lands may include the cost of examination and abstract of title, certificate of title, advertising, and any fees incidental to such acquisition; and shall be payable out of the funds available for paying the cost, or the Federal share of the cost, of the project for which such rights-of-way, lands, or interests in lands are acquired. The Federal Works Administrator is further authorized and directed, by proper deed executed in the name of the United States, to convey any lands or interest in lands acquired in any State under the provisions of this section to the highway department of such State, or to such political subdivision thereof as its laws may provide, upon condition that such highway department or political subdivisions will accept the same and will maintain the project constructed thereon.

"SEC. 12. Emergency repairs: The Commissioner of Public Roads is authorized to reimburse the several States for the necessary rehabilitation or repair of roads and highways substantially damaged by the Army or the Navy, or both. The Commissioner is authorized on behalf of the United States to consider, ascertain, adjust, and determine any claim accruing subsequent to the passage of this act, submitted by the State highway department of any State, in accordance with regulations prescribed by the Commissioner, for reimbursement of the cost of such rehabilitation or repair. Not to exceed $25,000,000 of any money herein or hereafter appropriated for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, shall be available for expenditure by the Commissioner of Public Roads, as an emergency-repair fund, for carrying out the purposes of this section, and there is hereby authorized to be appropriated any sum or sums necessary to reimburse the funds so expended from time to time under the authority of this section: *Provided,* That no claim shall be considered by the Commissioner unless notice of intention to file such claim has been presented to him within 30 days after the occurrence of the damage upon which the claim is based, except that in case of damage caused by maneuvers such notice shall be filed within 30 days after completion of such maneuvers.

"SEC. 13. Detail of employees as students: The Commissioner of Public Roads is hereby authorized, in his discretion, to detail personnel regularly employed by the Public Roads Administration as students for limited periods at such technical institutions as will enable such personnel to acquire special knowledge which will better fit them for the lines of work to which they are assigned: *Provided,* That no expense other than the salaries of personnel so detailed and the cost of tuition and other regular fees required at such institutions shall be incurred by the United States under this section.

"SEC. 14. Recall of retired employees: Notwithstanding the provisions of section 2 of the act of May 29, 1930 (46 Stat. 468), and section 204 of the act of June 30, 1932 (47 Stat. 404), any person heretofore or hereafter retired under the Civil Service Retirement Act of May 29, 1930, as amended, may be employed in the service of the Public Roads Administration during the continuance of the national emergency declared by the President on May 27, 1941: *Provided,* That there shall be deducted and withheld from the basic salary, pay, or compensation of such person and credited to his account as provided in section 12 (a) of the act of May 29, 1930, as amended, the regular deductions prescribed by the said act: *Provided further,* That upon separation from the service for any cause such person may elect to receive a refund of the total deductions so withheld together with interest at 4 percent compounded on June 30 of each year, or receive credit for the additional service in the computation of any annuity awarded thereafter: *Provided further,* That payment of the annuity of such person shall be suspended during the period of such employment.

"SEC. 15. Detail of Army and Navy officers: The Secretary of War and the Secretary of the Navy, upon request of the Federal Works Administrator, are authorized to make temporary details to the Public Roads Administration of officers of the Army and officers of the Navy, without additional compensation, for technical advice and for consultation regarding highway needs for the national defense: *Provided,* That the travel and subsistence expenses of officers so detailed shall be paid, from appropriations available to the Public Roads Administration, on the same basis as authorized by law and by regulations of the War Department for officers of the Army and by law and by regulations of the Navy Department for officers of the Navy.

"SEC. 16. This act may be cited as the 'Defense Highway Act of 1941.'"

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. Without objection, the proceedings by which the House bill was passed will be vacated, and the bill will be laid on the table.

There was no objection.

EXTENSION OF REMARKS

Mr. MOTT. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein certain excerpts from the RECORD on this bill, and also excerpts from an address.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to

revise and extend their remarks in the RECORD on the bill, H. R. 5110.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MARTIN J. KENNEDY] be permitted to extend his own remarks in the RECORD and include therein radio addresses delivered on July 18, 1941, over the N. B. C. by Mr. Albert W. Hawkes, president of the United States Chamber of Commerce; Mayor John Q. Carey, of Toledo, Ohio; and Edmund Ruffin, director, Toledo Industrial Peace Board.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a radio address.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Amos Pinchot to the President.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent that in the extension of my remarks on the road bill considered today I be permitted to insert the statement I made before the committee during its hearings.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

INTERSTATE PETROLEUM PIPE LINES

Mr. COLE of Maryland submitted a conference report and statement on the bill (H. R. 4816) to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce.

EXTENSION OF REMARKS

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. PRIEST, for 1 day on account of a serious accident in his family.

To Mr. WENE, for 3 days, on account of official business.

To Mr. D'ALESANDRO (at the request of Mr. MCCORMACK), for 1 week, on account of illness.

To Mr. RANDOLPH, for 2 days, on account of official business.

To Mr. JARRETT (at the request of Mr. KINZER), indefinitely, on account of death in his family.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 814. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil; and

H. J. Res. 139. Joint Resolution to provide suitable vessels for the use of certain State nautical schools, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 127. An act for the relief of Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, Angus LeBlanc, William J. Demelle, Samuel Fishman, and Hector La Pointe;

S. 176. An act for the relief of Samuel M. Lipton;

S. 281. An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claim of the St. Nicholas Park Co.;

S. 347. An act authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel;

S. 851. An act for the relief of Edson E. Downs;

S. 1027. An act for the relief of Harriet B. Rickards;

S. 1142. An act for the relief of J. Mae Chambers and Retta E. Hultgren;

S. 1166. An act for the relief of Daniel Steele;

S. 1348. An act for the relief of J. M. Swinney; and

S. 1352. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of R. Brinskelle and Charlie Melcher.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H. R. 814. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil; and

H. J. Res. 139. Joint resolution to provide suitable vessels for the use of certain State nautical schools, and for other purposes.

ADJOURNMENT

Mr. CARTWRIGHT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p. m.) the House adjourned until tomorrow, Tuesday, July 22, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 3094, entitled "A bill granting pensions and other benefits to veterans and former service men, and for other purposes." The hearings will be held Tuesday, July 22, 1941, at 10:30 a. m., in Room 247, House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, July 23, 1941, to consider private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

769. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 28, 1941, submitting a report, together with accompanying papers, on reexamination of Monhegan Harbor, Maine, requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted January 31, 1939, and the Committee on Commerce, United States Senate, adopted April 8, 1939; to the Committee on Rivers and Harbors.

770. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 11, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Clear Creek and Clear Lake, Tex., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted October 24, 1939 (H. Doc. No. 319); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

771. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 8, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of, and review of reports on, Ipswich River, Mass., authorized by the River and Harbor Act approved August 26, 1937, and requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted June 3, 1937; to the Committee on Rivers and Harbors.

772. A communication from the President of the United States transmitting supplemental estimates of appropriations for the Department of the Interior for the fiscal year 1942, amounting to $1,578,500 (H. Doc. No. 320); to the Committee on Appropriations and ordered to be printed.

773. A letter from the Acting Attorney General transmitting a report showing the special assistants employed under the appropriation "Compensation of special attorneys, etc., Department of Justice," as of July 1, 1941; to the Committee on Expenditures in the Executive Departments.

774. A letter from the Coordinator of the Division of Defense Housing, transmitting the draft of a bill to amend the National Housing Act, as amended; to the Committee on Banking and Currency.

775. A letter from the Acting Secretary of War, transmitting the draft of a bill to authorize Army officers designated by the Secretary of War to take final action on reports of surveys and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of Government property; to the Committee on Military Affairs.

776. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to validate settlement of claims established on sections 16 and 36 within the area withdrawn from the Matanuska settlement project in Alaska, and for other purposes; to the Committee on the Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. COLMER: Committee on Rules. House Resolution 274. Resolution for the consideration of H. R. 5074, a bill to provide additional safeguards to the radio communications service of ships of the United States in the interest of national defense and for other purposes; without amendment (Rept. No. 979). Referred to the House Calendar.

Mr. COX: Committee on Rules. House Resolution 275. Resolution for the consideration of H. R. 3, a bill to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwis is not effectuated within 90 days after the date the warrant of deportation shall have become final to authorize such detention orders in certain cases; to provide places for such detention, and for other purposes; without amendment (Rept. No. 980). Referred to the House Calendar.

Mr. McLAUGHLIN: Committee on the Judiciary. H. R. 1054. A bill to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes", approved June 15, 1917; with amendment (Rept. No. 981). Referred to the House Calendar.

Mr. MAY: Committee on Military Affairs. Interim report of the House Military Affairs Committee under House Resolution 162, authorizing study of national defense program; without amendment (Rept. No. 982). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE of Maryland: Committee of conference on the disagreeing votes of the two Houses. H. R. 4816. A bill to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense; without amendment (Rept. No. 983) Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5367. A bill granting pensions and increase of pensions to certain dependents of veterans of the Civil War; without amendment (Rept. No. 978). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (S. 138) granting a pension to Mary Jane Blackman; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5362) for the relief of Joseph J. Curcio; Committee on Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 5365) for the relief of Mrs. Charity Cooper; Committee on Pensions discharged and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FULMER:

H. R. 5366. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of regulating interstate and foreign commerce in potatoes so as to provide an adequate and stable supply with fair prices for producers and consumers, and for other purposes; to the Committee on Agriculture.

By Mr. LESINSKI:

H. R. 5367. A bill granting pensions and increase of pensions to certain dependents of veterans of the Civil War; to the Committee on Invalid Pensions.

By Mr. CELLER:

H. R. 5368. A bill to amend the Judicial Code; to the Committee on the Judiciary.

By Mr. COFFEE of Washington:

H. R. 5369. A bill to regulate the hours of duty in the Federal service, and for other purposes; to the Committee on the Civil Service.

By Mr. GATHINGS:

H. R. 5370. A bill to permit the marketing without penalty for noncompliance with the provisions of the Agricultural Adjustment Act of 1938, as amended, of cotton produced by any nonprofit association for use in connection with any national cotton-picking contest; to the Committee on Agriculture.

By Mr. HÉBERT:

H. R. 5371. A bill to define the jurisdiction of the Federal Bureau of Investigation with respect to certain crimes against the United States and the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Mr. BONNER:

H. R. 5372. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of regulating interstate and foreign commerce in potatoes so as to provide an adequate and stable supply with fair prices for producers and consumers, and for other purposes; to the Committee on Agriculture.

By Mr. CELLER:

H. R. 5373. A bill to provide for the adjustment of certain claims against the United States and to confer jurisdiction in respect thereto on the Court of Claims and the district courts of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. DIMOND:

H. R. 5374. A bill to authorize the transportation of employees of the Alaska Road Commission, and to validate payments made for that, and other purposes; to the Committee on the Territories.

By Mr. KING:

H. R. 5375. A bill providing aid to Hawaii for agricultural extension work and for the maintenance of agricultural experiment stations on the same basis as that provided for the various States; to the Committee on Agriculture.

By Mr. McGEHEE:

H. R. 5376. A bill to provide for the establishment of the Pat Harrison Memorial Park; to the Committee on the Public Lands.

By Mr. RANDOLPH:

H. R. 5377. A bill to amend section 111, title 18, of the code of the District of Columbia, with respect to designation of deputy clerks by the clerk of the District Court of the United States for the District of Columbia; to the Committee on the District of Columbia.

By Mr. TAYLOR:

H. R. 5378. A bill to modify section 4 of the permanent appropriation repeal act, 1934, with reference to certain funds collected in connection with the operation of Indian Service irrigation projects; to the Committee on Indian Affairs.

By Mr. MAY:

H. J. Res. 217. Joint resolution to further provide for the strengthening of the national defense by removing the restrictions on numbers and length of service of selectees, and for other purposes; to the Committee on Military Affairs.

H. J. Res. 218. Joint resolution to further provide for the strengthening of the national defense by authorizing the retention in active military service of members and units of the reserve components of the Army of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. BLOOM:

H. J. Res. 219. Joint resolution to enable the United States to become an adhering member of the Inter American Statistical Institutes; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CULKIN:

H. R. 5379. A bill for the relief of the Empire Provision Co.; to the Committee on Claims.

By Mr. JACKSON:

H. R. 5380. A bill authorizing the President to present, in the name of Congress, a Distinguished Service Cross to George F. Thompson; to the Committee on Naval Affairs.

By Mr. McGEHEE:

H. R. 5381. A bill for the relief of Henry B. Tucker, to the Committee on Claims.

By Mr. McGRANERY:

H. R. 5382. A bill granting an increase of pension to Maggie Webster; to the Committee on Invalid Pensions.

By Mr McGREGOR:

H. R. 5383. A bill granting an increase of pension to Missouri E. McCrum; to the Committee on Invalid Pensions.

By Mr. MURDOCK:

H. R. 5384. A bill for the relief of the minor children of Mrs. Jesus Zamora Felix, deceased; to the Committee on Claims.

By Mr. ROLPH:

H. R. 5385. A bill conferring jurisdiction upon the United States District Court for the Northern District of California to hear, determine, and render judgment upon the claim of Charles E. Yates; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as folows:

1664. By Mr. CULKIN: Petition of citizens of LaFargeville, Jefferson County, N. Y., urging the passage of House bill 2475, as amended, to include the Sheppard bill (S. 860); to the Committee on Military Affairs.

1665. By Mr. ENGLEBRIGHT: Resolution of Inyo County Board of Supervisors, favoring bill introduced by Senator WHEELER, of Montana, to provide compensation to States in which Indian lands are located, the title to which the United States holds (S. 1322); to the Committee on Indian Affairs.

1666. By Mr. JACOBSEN: memorial of the Clinton Townsend Club, No. 2; to the Committee on Ways and Means.

1666 By Mr. JACOBSEN: Memorial of the Rochester Chamber of Commerce, New York, concerning the proposed prohibition of separate income-tax returns by husbands and wives; to the Committee on Ways and Means.

1668. By Mr. LECOMPTE: Petition of sundry citizens of Ringgold County, Iowa, in the interest of the passage of House bill 2475 and Senate bill 860, to preserve the morals and health of the boys in the Army camps; to the Committee on Military Affairs.

1669. By Mr. MUNDT: Petition of the Sioux Falls, S. Dak., branch of the National Association for the Advancement of Colored People, urging that Representative GUYER's anti-poll-tax bill, Representative MARCANTONIO's antidiscrimination bill, and Senator VAN NUYS' antilynch bill be enacted into law; to the Committee on the Judiciary.

1670. By Mr. PLUMLEY: Petition of Mrs. E. R. Gibson, R. N., and some 12 other residents of Barre, Vt., requesting that the President remember his promise to the people that their boys will not be sent into any foreign war, and keep faith with them, and Congress as well; to the Committee on Foreign Affairs.

1671. By the SPEAKER: Petition of the Boston (Mass.) Teachers Federation, petitioning consideration of their resolution with reference to Senate bill 1313, to strengthen the national defense; to the Committee on Education.

SENATE

TUESDAY, JULY 22, 1941

(Legislative day of Monday, July 21, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Most gracious God, the Source of every good and perfect gift, who has taught us in Thy holy Word that from those to whom much is given, much shall be expected: Grant, we beseech Thee, that our Nation, so bountifully blessed with Thy gifts, both temporal and spiritual, may be ever mindful of Thy merciful providence and use them according to Thy holy will. Grant that her wealth may never be based upon the poverty of others, nor her plenty upon their dearth; and bestow upon her such a measure of Thy Spirit that through her all the nations shall be blessed.

And vouchsafe, O heavenly Father, to each of us the fullness of Thy grace, that the talents which Thou hast given to us, though few or many, of brass, of silver or of gold, may be so consecrated to Thy service that they shall bring forth an hundredfold for Thee and Thy kingdom. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, July 21, 1941, was dispensed with, and the Journal was approved.

SENATOR FROM SOUTH CAROLINA

Mr. SMITH. Mr. President, Hon. ALVA M. LUMPKIN, the Senator-designate from South Carolina is present and ready to take the oath of office. As this is the appropriate time, I should like to have that ceremony performed now.

The VICE PRESIDENT. If the Senator-designate will present himself at the desk, the oath will be administered to him.

Mr. LUMPKIN, escorted by Mr. SMITH, advanced to the desk, and, the oath prescribed by law having been administered to him by the Vice President, he took his seat in the Senate.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 505. An act making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States; and

S. 1261. An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes.

The message further announced that the House had passed the following bills and a joint resolution, in which it requested the concurrence of the Senate:

H. R. 69. An act to authorize the adjustment of land-ownership lines within the General Grant grove section of the Kings Canyon National Park, Calif., in order to protect equities established by possession arising in conformity with a certain survey, and for other purposes;

H. R. 965. An act to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof;

H. R. 2077. An act relating to the classification of substitute driver-mechanic in the Postal Service;

H. R. 3572. An act to amend the Tariff Act of 1930, as amended by section 84 (c) of the Customs Administrative Act of 1938 (U. S. C., 1934 ed., Supp. IV, title 19, sec. 1001, par. 1529 (a));

H. R. 3798. An act to amend the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government";

H. R. 3932. An act to standardize the working year for postal employees;

H. R. 4476. An act providing for sundry matters affecting the Military Establishment;

H. R. 4835. An act to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.;

H. R. 5300. An act to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; and

H. J. Res. 199. Joint resolution to authorize temporary appointments of officers in the Army of the United States.

EBEN VAUGHN CLEAVES

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 849) for the relief of Eben Vaughn Cleaves, which were on page 1, line 6, to strike out "$668.32" and insert "$650", and on page 1, line 7, to strike out "satisfaction of his claim" and to insert "settlement of all claims."

Mr. AUSTIN. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MRS. H. C. BIVINS AND OTHERS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 1548) for the relief of Mrs. H. C. Bivins, Henrietta Bivins, and Irvin Tatum, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BROWN. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SPENCER, Mr. HUGHES, and Mr. CAPPER conferees on the part of the Senate.

PUNISHMENT OF PERSONS TRANSPORTING STOLEN CATTLE IN INTERSTATE COMMERCE

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1261) to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes.

Mr. McCARRAN. I move that the Senate disagree to the amendments of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McCARRAN, Mr. MCFARLAND, and Mr. LANGER conferees on the part of the Senate.

CONSTRUCTION OF ROADS NEEDED FOR NATIONAL DEFENSE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

Mr. McKELLAR. I move that the Senate disagree to the amendment of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McKELLAR, Mr. HAYDEN, Mr. BAILEY, Mr. CHAVEZ, Mr. THOMAS of Idaho, and Mr. WILLIS conferees on the part of the Senate.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

LAND IN MARQUETTE COUNTY, MICH., FOR THE COAST GUARD

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to declare abandoned the title of

the city of Marquette, Mich., to certain land in the county of Marquette, and to vest control of such land in the Secretary of the Treasury for Coast Guard purposes (with an accompanying paper); to the Committee on Commerce.

VALIDATION OF SETTLEMENT CLAIMS—MATANUSKA SETTLEMENT PROJECT, ALASKA

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska Settlement project in Alaska, and for other purposes (with an accompanying paper); to the Committee on Public Lands and Surveys.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

Petitions of several citizens of the United States, praying that the United States keep out of war; to the Committee on Foreign Relations.

The memorial of E. B. Chandler, of San Francisco, Calif., remonstrating against giving commercial planes to Great Britain and Canada to compete with American plane services, and also against the dispatch of an American expeditionary force abroad; to the Committee on Foreign Relations.

The memorial of Mrs. Kenneth C. Mahieu, of Chicago, Ill., remonstrating against the enactment of legislation to retain draft selectees in the military service for more than 1 year; to the Committee on Military Affairs.

A petition of sundry citizens of Brainerd, Minn., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. TYDINGS:

Petitions of sundry citizens of Frederick and Talbot Counties, Md., praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

RESOLUTION OF LEAGUE OF UNITED LATIN AMERICAN CITIZENS

Mr. McFARLAND. I present a resolution adopted by the League of the United Latin American Citizens in convention assembled at Dallas, Tex., pledging united and unqualified support and loyalty of the members of the league to the President of the United States, and ask that it be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Resolution pledging loyalty to the President

Whereas the democratic way of life, the world over, is threatened by sinister forces which would destroy it, and many free people have been conquered, their governments destroyed, their property seized, and the people themselves have been enslaved; and

Whereas these forces threaten the liberty of free peoples everywhere and in the Americas as well as in other parts of the world; and

Whereas free people of the Western Hemisphere are determined that democracy shall not die; and

Whereas Franklin Delano Roosevelt, the President of these United States, in obedience to the will of the vast majority of our people, and pursuant to laws vesting in him such powers, has assumed the rightful and able leadership of the people of the United States in this crisis, and has declared the foreign policy of this Nation in unmistakable terms, and pursuant to lawful authority has declared a national emergency; and

Whereas our great President has welded together our sister republics by the good-neighbor policy, and today the Americas stand a united people in their determination that freedom shall live; and

Whereas the League of United Latin American Citizens has an abiding faith in the great heart and the able and patriotic leadership of our venerable President, and in this hour of crisis trusts his leadership with simple and complete faith: Now, therefore, be it

Resolved by the League of United Latin American Citizens in convention assembled, That said league and the members thereof, collectively and individually, endorse without equivocation or mental reservation each and every act of our great President concerning the world crisis now facing us; that we, collectively and individually, pledge to him our loyalty, our property, and our lives for the perpetuation of American ideals; that we pledge to our great President an abiding faith in his motives, ideals, and leadership, and that we stand ready to support him in every manner with all that we have; be it further

Resolved, That this resolution be spread upon the minutes of this convention, and that the president general of this, the League of United Latin American Citizens, be instructed to deliver a duly authenticated copy thereof to the President of the United States, in such manner and through such means as to him, the president of this league, may appear proper.

CAPITAL CITY COUNCIL 85,
By G. A. MARTINS,
Chairman of the Delegation.

CONTROL OF CUMBERLAND RIVER BY TENNESSEE VALLEY AUTHORITY—REPORT OF BILL

Mr. NORRIS. Mr. President, I understand the Senate has met following a recess?

The VICE PRESIDENT. The Senator is correct.

Mr. NORRIS. I ask unanimous consent, therefore, to submit a report from the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. NORRIS. Mr. President, from the Committee on Agriculture and Forestry I report back without amendment the bill (S. 1539) to amend the Tennessee Valley Authority Act of 1933. The bill has for its object the placing of the Cumberland River, its tributaries, and the Cumberland River Basin under the control and jurisdiction of the Tennessee Valley Authority.

The VICE PRESIDENT. The bill will be received and placed on the calendar.

Mr. NORRIS. I ask unanimous consent that I may have 5 days within which to file a written statement of the views of the committee on this bill, and if the Senate is not in session at the time, that I may file the report with the Secretary of the Senate (Rept. No. 567, when filed).

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BONE, from the Committee on Patents:

S. 895. A bill to provide for the registration of trade-marks used in commerce, to carry out the provisions of certain international conventions, and for other purposes; without amendment (Rept. No. 568);

H. R. 2688. A bill granting an extension of patent to the United Daughters of the Confederacy; without amendment (Rept. No. 569);

H. R. 3206. A bill to afford greater protection to the purchaser of patent rights; without amendment (Rept. No. 570);

H. R. 4826. A bill to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes; without amendment (Rept. No. 571); and

H. R. 4784. A bill to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes; with an amendment (Rept. No. 572).

By Mrs. CARAWAY, from the Committee on Commerce:

H. R. 2665. A bill to provide for apportioning Representatives in Congress among the several States by the equal-proportions method; with an amendment (Rept. No. 573).

By Mr. PEPPER, from the Committee on Interoceanic Canals:

S. 1481. A bill to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal; without amendment (Rept. No. 574).

PICTURES FOR ROOMS OF FOREIGN RELATIONS COMMITTEE

Mr. GEORGE, from the Committee on Foreign Relations, reported a resolution (S. Res. 148), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the chairman of the Committee on Foreign Relations be, and he is hereby, authorized to secure, have framed, and hung in the rooms of the Committee on Foreign Relations pictures of the former chairmen of the said committee and of the former Presidents pro tempore of the Senate.

The expenses thereof, not to exceed the sum of $250, shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Foreign Relations.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on July 21, 1941, that committee presented to the President of the United States the following enrolled bills:

S. 127. An act for the relief of Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, Angus LeBlanc, William J. Demelle, Samuel Fishman, and Hector LaPointe;

S. 176. An act for the relief of Samuel M. Lipton;

S. 281. An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claim of the St. Nicholas Park Co.;

S. 347. An act authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel;

S. 851. An act for the relief of Edson E. Downs;

S. 1027. An act for the relief of Harriet B. Rickards;

S. 1142. An act for the relief of J. Mae Chambers and Retta E. Hultgren;

S. 1166. An act for the relief of Daniel Steele;

S. 1348. An act for the relief of J. M. Swinney; and

S. 1352. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of R. Brinskelle and Charlie Melcher.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRIDGES:

S. 1767. A bill to authorize the waiver of physical disabilities of certain men who have heretofore served in the land or naval forces of the United States and who are called or ordered to active duty in the Army or Navy; to the Committee on Military Affairs.

By Mr. MEAD:

S. 1768. A bill for the relief of Bernard J. McBride; to the Committee on Claims.

S. 1769. A bill to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof; to the Committee on Post Offices and Post Roads.

By Mr. McKELLAR:

S. 1770. A bill authorizing the President of the United States to appoint Sgt. Alvin C. York as a colonel in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. McFARLAND:

S. 1771. A bill for the relief of R. V. Thurston and Joseph Hardy, a partnership; to the Committee on Claims.

Mr. REYNOLDS. Mr. President, at the request of the War Department I ask consent to introduce a bill to authorize Army officers designated by the Secretary of War to take final action on reports of survey and vouchers pertaining to the loss, damage, spoilage, and so forth, of Government property, for reference to the Military Affairs Committee.

The VICE PRESIDENT. Without objection, the bill will be received and referred as requested by the Senator from North Carolina.

By Mr. REYNOLDS:

S. 1772. A bill to authorize Army officers designated by the Secretary of War to take final action on reports of survey and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of Government property, was read twice by its title and referred to the Committee on Military Affairs.

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON THE CALENDAR

The following bills and joint resolution were severally read twice by their titles and referred or ordered to be placed on the calendar as indicated:

H. R. 69. An act to authorize the adjustment of land-ownership lines within the General Grant Grove section of the Kings Canyon National Park, Calif., in order to protect equities established by possession arising in conformity with a certain survey, and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 965. An act to place postmasters at fourth-class post offices on an annual-salary basis and fix their rate of pay, and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof; and

H. R. 3932. An act to standardize the working year for postal employees; to the Committee on Post Offices and Post Roads.

H. R. 2077. An act relating to the classification of substitute driver-mechanic in the Postal Service; to the calendar.

H. R. 3572. An act to amend the Tariff Act of 1930, as amended by section 34 (c) of the Customs Administrative Act of 1938 (U. S. C., 1934 ed., Supp. IV, title 19, sec. 1001, par. 1529 (a)); to the Committee on Finance.

H. R. 3798. An act to amend the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government"; to the Committee on the Library.

H. R. 4835. An act to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough, in Coos County, Oreg.; to the Committee on Commerce.

H. R. 5300. An act to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

H. R. 4476. An act providing for sundry matters affecting the Military Establishment; and

H. J. Res. 199. Joint resolution to authorize temporary appointments of officers in the Army of the United States; to the Committee on Military Affairs.

EXTENSION OF SERVICE OF MEMBERS OF MILITARY FORCES—AMENDMENT

Mr. TRUMAN submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 92) to further provide for the strengthening of the national defense by removing the restrictions on numbers and length of service of selectees, and for other purposes, which was referred to the Committee on Military Affairs and ordered to be printed.

ADDRESS BY SENATOR SHIPSTEAD ON THE NATION'S FOREIGN POLICY

[Mr. SHIPSTEAD asked and obtained leave to have printed in the Appendix a radio address delivered by him at Minneapolis, July 19, 1941, dealing with the Nation's foreign policy, which appears in the Appendix.]

PLANT PROTECTION FORCE FOR NAVAL SHORE ESTABLISHMENTS

Mr. WALSH. Mr. President, I understand the unfinished business is House bill 4671?

The VICE PRESIDENT. The Senator is correct. The Chair lays the bill before the Senate.

The Senate resumed the consideration of the bill (H. R. 4671) to authorize a plant-protection force for naval shore establishments, and for other purposes.

Mr. WALSH. Mr. President, this bill in a somewhat different form was before the Senate a few weeks ago. I know of no better way to describe its objective than to read the bill, which is very short. As proposed to be amended, the bill reads as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to establish a plant-protection force for naval shore establishments, and to maintain and operate the same until June 30, 1943, unless Congress shall have, in the meantime, by concurrent resolution, declared such a force no longer necessary. The duty of this force shall be to investigate any existing or threatened espionage or sabotage or subversive or other activities contrary to the interests of the United States in and to the naval shore establishments. The force will be under the general supervision of the Director of the Office of Naval Intelligence under rules and regulations prescribed by the Secretary of the Navy.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $1,000,000 annually to effectuate the purposes of this act, including salaries, travel, clothing, weapons, motor-propelled vehicles and their maintenance, and any other necessary equipment and supplies.

SEC. 3. The civilian in charge of the force herein authorized, together with the other personnel thereof, may be appointed by the Secretary of the Navy in accordance with civil-service laws and the Classification Act of 1923, as amended, or otherwise as he may elect, the civilian in charge to receive a salary at a rate not to exceed $7,500 per annum, the salaries of the other personnel to be in accordance with the Classification Act of 1923, as amended: *Provided*, That any person appointed to the force who is employed in the civil service at the time of such appointment shall retain his civil-service status for all purposes and shall suffer no reduction in pay by reason of such appointment.

Two amendments have been made by the committee in the bill as originally reported to the Senate. One of the amendments strikes out the following language:

The duties of this force shall be as prescribed by the Secretary of the Navy.

And the committee have inserted, in place thereof, the following:

The duty of this force shall be to investigate any existing or threatened espionage or sabotage or subversive or other activities contrary to the interests of the United States in and to the naval shore establishments. The force will be under the general supervision of the Director of the Office of Naval Intelligence under rules and regulations prescribed by the Secretary of the Navy.

The other amendment——

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WALSH. I shall be through in a minute.

Mr. VANDENBERG. Before the Senator leaves this particular amendment, may I ask whether the particular duty which the Senator has just described from the text rests nowhere at the present time?

Mr. WALSH. No organization is performing that duty at the present time. There are civilian guards at the naval establishments, and marines, who protect property and who preserve order at the stations; but there are now no officers who are designated to perform these particular duties.

Mr. VANDENBERG. Is not the F. B. I. charged with the duty of investigating existing or threatened espionage or sabotage or subversive or other activities?

Mr. WALSH. That is true; but their work is confined to private industrial plants.

Mr. VANDENBERG. Where does this force fit into the new supercontrol which is about to be exercised by Colonel Donovan?

Mr. WALSH. I understand it has no relationship whatever to that.

The second amendment is on page 2, line 10. The House bill authorized an appropriation of $3,000,000. The Senate committee has made it—

a sum not to exceed $1,000,000 annually.

The third amendment is on page 2, line 17. The House text read as follows:

The civilian in charge of the force herein authorized, together with the other personnel thereof, may be appointed by the Secretary of the Navy without regard to civil-service laws.

The committee amendment is as follows:

in accordance with civil-service laws and the Classification Act of 1923, as amended, or otherwise as he may elect.

Mr. NORRIS. Mr. President, may I interrupt the Senator at that point?

Mr. WALSH. Yes.

Mr. NORRIS. Would not that amendment, if agreed to, really mean that the Secretary of the Navy would not have to pay any attention whatever to the civil-service laws?

Mr. WALSH. It means exactly that if he decided to take that position.

Mr. President, I do not know any better way to indicate to the Senate the problem which this bill presented to the Committee on Naval Affairs than to read from the testimony of the Secretary of the Navy before the committee. It is as follows:

This is a bill to authorize a plant-protection force for naval shore establishments, and for other purposes.

The Navy is charged with the responsibility of the loyalties of its own civilian employees. Our building program has forced us to increase these employees 300 percent in less than 18 months in the yards and establishments and is still increasing.

The Navy has not had the manpower nor facilities to determine the loyalties of this vast group of civilians. To begin the job immediately, it will take approximately 350 trained, experienced investigators. The Navy has but a handful of experienced investigators, and in this bill is attempting to create the most efficient and expeditious machinery to recruit men of experience in investigative fields. The regular rules and regulations of the United States Navy, by their very nature, prevent a quick recruitment of such specialists as these into the commissioned ranks of the Navy.

Nazi and Communist sympathizers abound on both the east and west coasts. Their number and identities in our naval establishment are practically unknown. We must find them and rout them out of our establishments as soon as possible, and as long as there is this emergency we must have a trained, experienced group to keep them from creeping back in. For with these subversive elements within our own establishments there is no limit to the sabotage and espionage they can commit.

That is one of my most serious responsibilities. I have gone into the matter rather carefully, and I find we are now depending upon 16 or 17 trained investigators.

Again, the Secretary discusses the functions of the marines, and indicates that they are not, by training or experience, equipped for this work.

I add a further quotation from the Secretary:

Then I set out upon the development of this idea, which is a secret and special department of investigators of approximately 350 under the direction of O. N. I., the bureau organization handling it, but with Mr. Doyle as an assistant to Captain Kirk in that department so that everything will be entirely regular, but with particular responsibility for this type of investigative work.

Mr. President, that is the presentation which was made through the Secretary of the Navy in urging this proposed legislation. Inquiry was made of the extent to which the Navy had suspected or believed that sabotage had existed in the naval establishment. I now quote the information which the committee received in this field of inquiry:

Question. What, if any, information has the Navy of sabotage in the establishments in the past, or the possibility of same in the future?

Answer. In February 1941 deliberate efforts were made to sabotage trains leaving the Naval Powder Factory at Indianhead, Md. By accident, an empty train returning to the establishment was almost derailed, thereby revealing the loosened rails along the trunk line.

Again:

The commandant of the fifth naval district believes that a fire in the communications center at the Norfolk operating base, causing $150,000 in damage, was deliberately set, and was an act of sabotage.

This fire took place in March 1941.

Again:

A $2,000,000 fire, beginning in a lumber yard in Philadelphia and spreading throughout the area near the shipyards in May 1941 is believed to have been an act of sabotage.

There have been in the past 12 months several small fires and industrial accidents in naval establishments where sabotage has been suspected but not definitely ascertained.

Insofar as the possibility of sabotage in the future is concerned, the following is set out.

Then there are statements of the conditions in the various navy yards as reported by the commandants of the yards. The first one happens to be from the Boston Navy Yard which is in the first district. I will not take the time of the Senate to read all of the reports, but this will give an example of the reports which the Navy Department has received from the commandants. As I stated, this is from the Boston yard:

Since December 1939 the civilian employees of this yard have increased from 2,500 to 15,000. Sixty-six of these have been complained against as being friendly to nazi-ism or communism. The actual number of such adherents is not known in that yard. The possibility of sabotage depends upon the course of international events and the temper of the foreign authorities.

Now I read from a report concerning the New York Navy Yard:

This yard now employs approximately 25,000 civilians. The number of these who are Communists or Nazis is unknown. It is of interest to note, however, that periodically the Daily Worker publishes a Brooklyn Navy Yard edition, and sends 12- and 14-year-old girls to the vicinity of the navy yard to sell it to the civilian workers as they leave. The headquarters of the Communist Party in this country is in New York City. There is likewise a strong center of Nazi adherents in that city. Here, too, the possibility of sabotage depends upon the trend of international events.

Going to the west coast I find a report from the Mare Island Navy Yard as follows:

This yard now employs about 18,000 civilians, a 250-percent increase in the last 12 months. The danger of sabotage here lies in the fact that a great number of these workers are Italian and German in extraction, and that the headquarters of German espionage in the United States is located at San Francisco. The estimated number of suspects in this yard at the present is approximately 400. Of course, none of these have been thoroughly investigated, due to a lack of experienced, trained investigators.

I need not prolong the discussion of the conditions in the navy yards; but let me say in conclusion that when this problem was presented to our committee we made a real effort to find some other way to handle it, to find some other means and manner of taking care of the situation which the naval authorities presented.

In the light of the information furnished, and the requests presented, the committee did not feel that Congress should take the responsibility of turning a deaf ear to the naval authorities, who appear to be disturbed about the possibility of sabotage in our naval establishments. It would be disastrous, the members of our committee felt, if a battleship were blown up and destroyed as a result of sabotage, which might not be discovered to be due to sabotage but which might be suspected to be due to sabotage. So the Committee on Naval Affairs, in voting to report the bill, felt that they should present the requests to the Senate, unpleasant as it always is, and justified only under present circumstances, to set up an investigatory corps such as that suggested. But we felt there was no other course open to us unless we wanted to be suspected of being indifferent to those agencies in our Government which are concerned about the first line of defense. Therefore we have reported the bill, with the amendments proposed, and ask for the Senate's endorsement of the action of the committee, the House already having passed the bill.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WALSH. I am glad to yield.

Mr. CONNALLY. As I recall, the Senator brought in a bill some time ago concerning guards. This is not that bill?

Mr. WALSH. No.

Mr. CONNALLY. That bill was passed, was it not?

Mr. WALSH. Yes. That was a bill providing for civilian guards at these establishments, which was passed. They are under civil service, and they are relieving the marines, so that the marines can engage in military activities.

Mr. CONNALLY. We did not give those guards naval status, so that they could be disciplined?

Mr. WALSH. No; they are civilians.

Mr. CONNALLY. I think it is a great mistake to have attached to the Navy guards, or employees such as those suggested who are civilians and not under naval discipline, and not under naval command. As I understand, the suggested corps is to be a civilian force?

Mr. WALSH. Under the Bureau of Intelligence in the Navy Department.

Mr. CONNALLY. The Bureau of Intelligence of the Navy already has considerable personnel, has it not?

Mr. WALSH. Yes, it has.

Mr. CONNALLY. Why does not it extend that, instead of bringing in civilians,

getting them from the civil service? Probably they will get some good ones, but they will also get a lot of trash, if they have to go to the civil service to get these investigators. When they get them, they will be civilians, who could take their hats and leave whenever they desired. I think they should be under naval authority and naval command and naval discipline, if they are to serve the Navy. I shall not oppose the bill but those are my views.

Mr. WALSH. They are under naval discipline insofar as they are under the Bureau of Naval Intelligence.

Mr. CONNALLY. They get their pay from the Navy, and that is about all the discipline there is. If they wish to quit, they can quit.

Mr. WALSH. For the very reason suggested by the Senator, the bill provides that it is optional with the Secretary of the Navy whether they should be under civil service.

Mr. CONNALLY. I hope he will exercise that option.

Mr. WALSH. He says it will be absolutely necessary, in the employment of some of these officers, to disregard civil service in order to obtain special qualifications for particular jobs.

Mr. CONNALLY. I hope he will.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. OVERTON. How are the naval establishments presently policed? They are policed by the marines, I understand.

Mr. WALSH. By the marines, and also by civilian guards, who do no detective work, whose duty is simply the protection of property, just such guards as there are in the buildings in this city, who stand at the door and see that persons who go in have a right to enter, and that those who leave do not take away any property of the Government.

Mr. OVERTON. The naval establishments are guarded by marines, just as military establishments are guarded by the military forces?

Mr. WALSH. That is correct, but there is a strong desire upon the part of the Marine Corps authorities to take all the marines out of the naval establishments, and to confine their activities to strictly military lines, such as training in tactics and other military branches.

Mr. OVERTON. Mr. President, some testimony in respect to this question was adduced before the Committee on Appropriations, and it is my recollection that it was not the intention to remove the marines from the naval establishments on shore where they are now assigned, but they were to be retained there as an emergency force, an additional force to be used in case of necessity.

Mr. WALSH. I think the Senator from Louisiana is correct, but there has been no great increase in guard work among the marines, although there has been a tremendous expansion in the naval establishments with respect to the number of employees.

Mr. President, again I wish to repeat that the Marine Corps authorities are very reluctant to accept the work of guarding naval establishments, which has been part of their work in the past. They want to develop a strictly fighting force, and for some time, as the Senator knows, by reason of his experience on the Committee on Appropriations, have been seeking to increase the number of civilian guards.

Mr. President, I have nothing further to add.

Mr. MALONEY. Mr. President, it is quite a responsibility to offer opposition to a bill of this sort, particularly in view of the fact that the distinguished chairman of the Committee on Naval Affairs pointed to the possibility of such a disaster as the destruction of a battleship. I was interested in that connection to hear the able Senator from Texas [Mr. CONNALLY] say that, while he found the bill distasteful, and while he believed that the men who would be engaged in the kind of work proposed hereunder should be enlisted men, and subject to the discipline of the naval authorities, he would nevertheless not oppose the bill. So it is with some reluctance, Mr. President, that I rise to express briefly my opposition to this proposal.

I think it is a very serious mistake to take the action here proposed. I think it is unfortunate that the chairman of the Committee on Naval Affairs pointed out the possibility of disaster and thereby left the implication that if the Members of the Senate and the House neglected to pass this bill, and thereafter there should be some such serious happening as that to which he referred, we might in some measure feel a responsibility for it.

Mr. President, we all know that, regardless of the passage of this bill, there is a danger in such serious times as those through which we are passing, that there will be, with or without this kind of detective force, one or more disasters of the character to which the Senator referred. It might just as properly be said that the Maritime Commission, engaged in the building of ships, needs a large investigating force to guard against the destruction of its ships. It might properly be said of other departments of the Government, that, because they are seriously concerned with the carrying out of their duties, that they should have a private detective force.

I should like to know, under such a philosophy, where we would find the logical conclusion; where these separate investigating agencies would end? We have, in my humble judgment, Mr. President, altogether too many of them now, and I think it is a serious thing, even in this case, to be creating, as this bill suggests, though only for a limited period of time, a separate investigating force which is, as this one would be to a great degree, without the borders of the discipline of the Navy.

We have, and have had for a long time, an Office of Naval Intelligence, which might, without any effort, be expanded to take care of what it is sought to care for under this measure. We have in the Navy of the United States, as well as in the Marine Corps, thousands upon thousands of men competent to do this sort of work, who would be within the district of the discipline of the Department of the Navy.

Mr. President, if we pursue this course, it seems to me it simply means that we are going to build up an investigating agency, or a force of secret-service men or detectives, that will number thousands upon thousands of men. There will be an effort made again, as I believe there has been heretofore made, to consolidate these agencies under one head. I think that is a dangerous thing, and I think that Members of the Congress, without any explanation of it, can visualize the dangers therein.

I note that while this agency would be under the Director of the Office of Naval Intelligence it would operate under the rules and regulations prescribed by the Secretary of the Navy, and I cannot tell why. Certainly the Secretary of the Navy is not equipped, is not himself sufficiently trained, does not himself have that sufficient understanding of the needs of an investigating agency which the head of the Office of Naval Intelligence has.

We have already the force of men. There is only a need to expand it, to take in such enlisted men or officers as the duties and the needs seem to require.

I seem to recall that this proposal in another form was made before the Committee on Appropriations and was rejected. That committee, if I remember correctly, or a subcommittee thereof, was of the unanimous opinion that it would be a mistake to create this new private investigating agency. There is, in my judgment, hardly a limit to the extent to which it might grow. Heads of departments seem to feel—and this is not new—that they need a private force of detectives to work for them. We have the Federal Bureau of Investigation not only equipped to do the work prescribed herein but I must assume that it is and for a long time has been engaged in that kind of work. We have the Office of Military Intelligence, which certainly is engaged in investigating the work in some of the plants which it is intended to protect hereunder.

We have the Office of Naval Intelligence, the Secret Service Agency, and goodness knows how many other investigating agencies of one kind or another that we do not know about; and I think it would be a very serious mistake for the Congress to create another new one. I beg you to believe, Mr. President, that in view of the admonition the serious warning of the able chairman of the Committee on Naval Affairs, I understand, that a Senator takes a serious step in opposing any proposal of this sort. I know that come tomorrow, or any other day, and a serious accident to one of our vessels, or to one of the plants engaged in defense work for the Navy should occur, the charge would be leveled at the Congress if it failed to pass this bill, or at me, as one of the opponents thereof, "If you had given us a sufficient number of men this would not have happened."

Mr. President, we went through the World War, if I remember correctly, without any such force as this. There was then no like proposal or suggestion from the Secretary of the Navy; and now, while we are at peace, though we are engaged in a great defense effort, I cannot see

that we should spend this tremendous sum of money, and, more seriously and more important, that we should build up a private force of detectives who would operate under rules and regulations prescribed by the Secretary of the Navy. I mean to cast no reflection upon him. I am satisfied of his conscientiousness. But oftentimes I find myself in disagreement with his views, in disagreement with his statements, in disagreement with his judgment, and, without further elaborating upon that now, but expecting that I may again in a very little while, I am in disagreement with his judgment in this instance, and I hope the Senate will reject this proposal.

Mr. NORRIS. Mr. President, I think this is the same bill, dressed in a little different clothing, which was before the Senate some time ago on a unanimous-consent call of the calendar. As I remember, at that time I was constrained to object to the bill, and it went over.

I do not agree, Mr. President, that the bill has been improved. Fundamentally, I think it is seriously wrong. It seems to me that it may be the opening wedge, the nose of the camel under the tent, which will eventually bring about all kinds of secret detective forces which, in the name of our Government, will be investigating practically every activity of our citizens.

I realize, as does the Senator from Connecticut [Mr. MALONEY], who has just made an eloquent address, that those who oppose the bill are taking upon themselves a responsibility. It is likely that their attitudes may be misconstrued, and that they themselves may be charged with conduct which at least is not patriotic. However, that is one of the responsibilities which we all must take. If we are not willing to assume such a responsibility, we have no place in this Chamber or in any legislative hall. Unpleasant though it may be, it is a responsibility which I think ought to be assumed without apology and without complaint.

Hitler controls the great Empire of Germany to a very great extent by means of secret investigators, secret employees—call them what you will. Eventually practically all German citizens realized that in everything they did they might be acting in the presence of a member of the secret police. They were always afraid. There was no moment of contentment. That condition continued for years, until they became used to it and accepted it as a matter of course.

Recently I have read a good deal about the activities of the secret police in Germany and in Russia. I cannot escape the conclusion that in the end such measures as the pending bill would lead to great difficulties. As I see it, Mr. President, if our Government should take such a step it would mean denial of liberty, free speech, free press, and almost every other patriotic endeavor in which our people may be engaged. I confess that I do not want to live in a country in which I do not know but that every other man I pass on the street may be a secret officer. He may be listening to everything I say. He may break into my office or home to look over anything I may have. He may pass judgment as the result of half consideration, when, if all the evidence were taken together, there would be a complete defense. In the hysteria which eventually would ensue it would be almost impossible for one charged by a secret organization of this kind to obtain justice in our own liberty-loving country. As I see it, the effect of legislation such as that proposed would be to put practically every citizen under suspicion, and to condemn the accused by suspicion, and not by evidence.

The chairman of the committee read from certain confidential reports which I think prove the point I am trying to make. The reports do not say that those under suspicion were guilty of sabotage or destruction of property. They are believed to be guilty. I have no doubt that the officials believe that certain persons are guilty of sabotage. They may be correct, of course; but when secret detectives—perhaps a dozen of them—are put on the trail of someone, positive evidence is not required to bring about an arrest, at least, and possibly a conviction, at a time when people are more or less hysterical. Perhaps many honest, patriotic people would be condemned to incarceration or death.

I think I see the point which the Senator from Massachusetts makes. He does not speak with great positiveness. He says that the committee feels that it is its duty to lay the matter before Congress. I am not finding fault with that point of view. Perhaps it is all right. Perhaps the committee should not be criticized. The matter should be placed before the Senate so that the Senate may pass upon it. It is a serious matter. We do not want to be placed in such a position that if something should happen we might be accused—perhaps wrongly—of bringing about the destruction of a battleship or some other armament of the Navy.

I realize that there is a responsibility resting upon us, and I am not finding fault with the course which has been pursued. I think it is proper that we should pass upon the question. I do not believe that such legislation should be enacted. However, if we should enact this kind of legislation, I would do everything I could, in my limited way, to bring about proper enforcement, and also to render justice, if possible, to those who might be accused.

Mr. President, for nearly 20 years in Germany a great portion of the people were on the secret police force of the Government. In the end that means that personal jealousies, personal enmities, often will bring about accusations, with evidence taken in secret that, to a great extent, will be convincing even to disinterested persons if they can hear but one side. That will be the result, I think, of this kind of legislation—not the result of this bill alone but the result of anything similar to it if in covering our country with a secret organization, an American Gestapo, we overstep the reasonable bounds we should observe.

We have read about what happened in Russia and what happened in Nazi Germany as the result of the operations of secret organizations, and we know that fundamentally such organizations are a denial of justice and of human liberty. How long will it be before some other department of government will come before Congress and say, "We want a secret organization like that which the Navy Department has. We want it in the Department of Agriculture. We want to send out detectives to see what the farmers are doing, whether some of them are not trying to kill by dishonorable means, because of their friendship for Germany, farm organizations"? How long will it be before we will extend it to the Army and to the Commerce Department, until we cover the country with a secret organization that, combined with all other organizations of its kind, will make every citizen of the United States fear that he is watched in everything he says and in everything he does?

I think it is a very serious matter to take a step of this kind. We are leading up to something that, as I see it, cannot bring anything but disaster. We must not follow the evil things that have been done by the dictatorial nations of the earth. We must not try to build up in this democracy the same elements and increments of power upon which dictators rest for their supremacy. That is what this bill will do, I fear. Are we to have a secret policeman stand at the door of the tent into which the soldier boy goes to enlist? Are we to run him down and look up his life from the day he left the cradle to see if he ever in his life did anything that might be construed to be an unpatriotic act? Are we to do that in all other activities of life?

We shall find plenty of wrong if we do. We shall find ample reason to say that "John Doe is believed to be unpatriotic," and dismiss him, and go no further. Then what happens to John Doe? He is discharged with a cloud upon him. It may be—it will be, if this policy is carried forward to its logical conclusion—that in thousands of instances John Doe will be innocent, and yet he will suffer just as though he were convicted of being untrue to his country. If a man is patriotic, he cannot be charged in that respect without having inflicted upon him the greatest injury that can come to any man, and that will happen if we cover the country with secret police. There can be, it seems to me, no other result.

That does not mean—or, at least, I do not think it means that a man who takes the position I am taking is guilty of any love for the dictatorships of the world, that he loves or has any respect for Hitler or Stalin or any of their kind. Yet, if we carry this policy to its logical conclusion, that is what will happen to any man anywhere who dares even to criticize anything that is done, when the secret police think such criticism is wrong; and if we carry the policy to extremes we know that sometimes it will not be that the secret police think what is done is wrong, but they will want to bring about the conviction, perhaps, of an enemy, the conviction of someone whom they want to get out of the way. It may not be that they even believe John Doe is guilty of unpatriotic conduct.

We now have all sorts of organizations in every department of Government;

and now comes the Navy and says, "We want to set up a Gestapo"—as I see it—"to work on the shore, to investigate every activity of any of the men who are in the Navy, engaged in shore duty." Every one of them, I should think, would feel that he is under suspicion, that he is being watched, that every act of his is liable to bring condemnation, just as in Germany such an act would mean that men would be taken to concentration camps, which in the end usually means their death.

A secret police in one country will be fundamentally no different from a secret police in another. It is a weapon of dictators. It has no place in a democracy. It has no place in the United States of America; and, as I see it, we ought not to enact such a bill into law. Some day these chickens will come home to roost.

Mr. ANDREWS. Mr. President, will the Senator permit an interruption?

Mr. NORRIS. I yield.

Mr. ANDREWS. It is a fact that the F. B. I. is exactly that kind of an institution now, is it not?

Mr. NORRIS. I think so.

Mr. ANDREWS. So long as we have in this country men who work in secret against our Government, we must have someone working in secret to detect them. There is no other way to detect them. They work, and must work, secretly. I have not heard any serious objection to their work. I say that so long as enemies of this country are working secretly to destroy us we shall have to fight fire with fire; we must have secret men working in secret to detect such enemies.

Mr. NORRIS. Does the Senator mean that we ought to have the same kind of an organization that Hitler has had for 20 years in Germany?

Mr. ANDREWS. Not at all.

Mr. NORRIS. Well, the Senator says we must fight fire with fire. If Hitler has a secret organization, does that mean that we must have one to combat it, and act on the same principle, and do things in the same way?

Mr. ANDREWS. Not at all; but we must adopt the means of secret investigation if we are to meet and combat subversive and destructive activities in order to protect the country.

Mr. NORRIS. Very well. I have no doubt that even in time of peace a great many investigations are made, and properly made, secretly. I have no doubt that that happens in the Navy, I have no doubt that it will happen and has happened in practically every department of government. But I do not think that means that we ought to cover our country with detectives who are secretly to investigate and pass on everything they think ought to be investigated and passed on. The Senator from Connecticut [Mr. MALONEY] has well said that even the Secretary of the Navy is not an expert in those lines, and is not trained to be.

I am not going to find any fault, Mr. President, with anybody who may be connected with this effort. If the bill shall be passed, I assume the Secretary of the Navy will try to carry it out in good faith; his successor may also carry it out in good faith; but, mark you, the time will come when it will not be carried out in good faith, when someone in authority will use this instrument and this method to keep himself in power. It is the armor of a dictator, and this little bill will be the beginning of a system which will spread all over the country, and which will eventually mean that American citizens will be controlled, I fear, just as Hitler has been able to control his people in Germany and Stalin has been able to do the same thing in Russia.

Mr. President, I have about concluded. I should like to say that in my opposition to this bill there is not anything, even in my innermost thoughts, that leads to criticism of any activity on the part of the committee or its able chairman. I have no fault to find with the fact that they reported this bill. They have it at a place now where, in a small way, I have to take responsibility, and, Mr. President, I take it without any hesitation; I take it without any fear, let the results be what they may. I think we all ought to take it in that way. I am unwilling to take this first step toward bringing about a dictatorship in America and establishing here a Gestapo such as has been established in the dictatorial governments, fighting all humanity, all human liberty, and seeking to destroy all the pleasures of life. It seems to me it is wrong; it will come home to plague us; the results cannot be good in the end. Human liberty, as we know it and as we enjoy it in the United States, will have to suffer.

Mr. TUNNELL. Mr. President, I have so frequently agreed with the Senator from Nebraska [Mr. NORRIS] that I hesitate a good deal openly to disagree with him. However, it seems to me that almost all the arguments, perhaps all the arguments except one, which he has used can be used against the police in every city in the Nation. Certainly the same arguments can be used against the F. B. I., and against every detective agency in every State in the Union.

My understanding of the situation is that it is more serious than that of a theoretical difficulty which may or may not arise. We are told by the Secretary of the Navy that, with an increase of thousands of employees in navy yards and naval establishments, he has but 16 persons to detect such violations of law as have been described by the chairman of the committee—16 men to detect possible destruction of hundreds of millions of dollars' worth of property, hundreds of millions of dollars' worth of the components of our Navy, which is necessary to protect the Nation.

I think the Senator from Nebraska has mistaken the class of people the officers will have to investigate and for whom they will have to search. I do not think they will be looking for such men as the Senator from Nebraska—and he referred to himself. He says we will not know when somebody is listening. The truth of the matter is, I do not think most of us care whether somebody is listening. It is the man who violates the law, the criminal, who fears to be heard, because his machinations may be detected.

I do not care to share the responsibility of saying to the Secretary of the Navy and to those interested with him in the preservation of the Navy that it is improper for him to have officers employed to detect attempts to blow up naval vessels and to destroy the protection which should be afforded to the American people. I think it would be a mistake for us to take such a position, and a responsibility which few of us would care to assume.

I do not think the conditions in Europe as they have been pictured by the Senator are at all likely to occur in America, and particularly I do not think they are going to occur because of an honest, sincere effort to protect our ships and shipyards. If the ships and shipyards are worth spending billions of dollars to construct, I think they are worth protecting. There have been actual instances, we are told, where men have attempted, or it is believed they have attempted, to destroy the American Navy or parts of it. The Senator says that is only a suspicion, and I think that is true, and, with only 16 men under the control of the Secretary of the Navy to do the work contemplated, it is likely in most cases, in my opinion, to remain a suspicion.

I cannot quite understand the argument as to the difference between a person in uniform and one not in uniform, having for his design and purpose the protection of the people of the United States; I cannot see where the danger lies because such an officer is not in uniform; in fact, I have always been told that it is easier for a man who is not in uniform to approach a criminal or a person engaged in a criminal act or trying to engage in a criminal act. I think it is easier for him to detect a designing criminal than it is for a man in uniform to do so; and that was one of the thoughts advanced before the Naval Affairs Committee.

I can only say to the Senator that not only the Secretary of the Navy but those who appeared with him believe something of this sort is desirable and necessary, and I can add that a large majority of the members of the Naval Affairs Committee, with one objector, believe that this bill is necessary for the protection of the Navy.

The chairman of the committee said he would place this bill before the Senate, and an effort has been made to draw certain inferences from that statement. He used that language, but I do not think he intended the Senate to believe that he was not in favor of the bill. I do not think the Naval Affairs Committee would have been here, with one exception, unanimous in its approval of the bill, if the chairman of the committee had not favored it.

I am anxious that the bill be given favorable consideration. The Secretary of the Navy may have aroused some criticism, but it is not the Secretary of the Navy that we are voting on today; it is a bill for the protection of the American Navy. So far as I can see, it is a sensible, plain provision for the protection of the Navy.

Suppose any Senator in this Chamber had such an organization or such property as the Navy of the United States; would he allow the hundreds of millions

of dollars' worth of property to be protected by 16 men? Would any Senator in this Chamber feel that he could take the responsibility of saying to the owner of that vast property, or to the Secretary of the Navy and those who surround him, "You do not know what you are talking about. You do not need any protection for the United States Navy. Nobody in the navy yards would do any damage to these ships"?

Those opposing the bill say, "Oh, we realize that it is a responsibility, because something may happen." Senators, that is the reason for this bill. Something may happen, and we do not want it to happen. We want every possible protection given to the American Navy so that it will not happen.

I hope the bill may pass.

Mr. LEE. Mr. President, I rise to speak in support of the proposal before the Senate.

Not long ago, according to the public press, a book was published in Japan which contained pictures and maps showing the location of every military base and every airplane base in the United States, and a large amount of other data which we thought were secret, which we did not know the Axis had secured through the activities of foreign agents in this country.

I do not believe the argument is sound that because a measure has in it the possibility, if it is carried to extremes, of bringing about a dangerous situation, therefore we should turn thumbs down on every such proposal. It does not seem to me it is sound to argue that, because this bill is necessary now and contains within it certain power, if carried to extremes, it would lead to a dangerous situation in this country.

Brutus, when arguing in favor of the assassination of Julius Caesar, used that, as I think, specious argument. It is so fitting in answer to the argument made here that I wish to read a paragraph from Brutus as he rallied the mob for the assassination of Caesar. I read from act II, scene 1, of Julius Caesar:

BRUTUS. It must be by his death: and for my part,
I know no personal cause to spurn at him,
But for the general. He would be crown'd:
How that might change his nature, there's the question.
It is the bright day that brings forth the adder;
And that craves wary walking Crown him?—that;—
And then, I grant, we put a sting in him,
That at his will he may do danger with.
The abuse of greatness is, when it disjoins
Remorse from power; and, to speak truth of Caesar,
I have not known when his affections sway'd
More than his reason. But 'tis a common proof,
That lowliness is young ambition's ladder,
Whereto the climber-upward turns his face;
But when he once attains the upmost round,
He then unto the ladder turns his back,
Looks in the clouds, scorning the base degrees
By which he did ascend. So Caesar may.

And here comes the argument:

Then, lest he may,—

Brutus admits that Caesar has not yet done anything; but, on the basis that he may do something, Brutus says:

Then, lest he may, prevent. And, since the quarrel
Will bear no colour for the thing he is,
Fashion it thus; that what he is, augmented,
Would run to these and these extremities:
And therefore think him as a serpent's egg
Which, hatch'd, would, as his kind, grow mischievous,
And kill him in the shell.

That is the same type of argument as the one that we should not grant the Navy Department power to protect their establishments because such power, augmented, might lead to certain extremities, and therefore we should kill their request for power while it is small.

When the boys in the submarine *Squalus*, on the bottom of the ocean, 10 fathoms deep, darker than midnight, tried to close the valve, it would not close. I do not know why the valve would not work. It might have been accidental. On the other hand, the long, slimy hand of some foreign agent might have reached in past the guards in uniform and sabotaged the valve. There the boys were, helpless. When one of our experienced pilots takes off to test a plane designed to defend us, and goes up 30,000 feet from earth, between heaven and earth, and pulls the throttle and noses the plane down, and when he calls on the plane to straighten out one of the struts has been eaten into by the acid of a saboteur, and it breaks and he goes crashing down, the newspapers say, "The crash is being investigated for sabotage," and that is the last we hear of it; but one more gallant spirit has gone to meet his Maker because we are afraid to give the Navy Department power to put men in the proper places to protect us from such sabotage.

Mr. President, in view of all the sabotage which has already occurred, how can we reject this request? If I am correctly informed, during the World War the Navy Department had its Naval Intelligence and the Army had its Army Intelligence. In addition, we had the F. B. I. Personally, I think they ought to be one. They ought to be all under one head and coordinated; but that is neither here nor there. In this modern day, with fast-moving machinery, a critical period before a war may be as critical as the actual war itself; and therefore we should grant the Navy Department power to protect itself and to protect us from the activities of saboteurs. The long arm of the Nazis reached across the Atlantic into the very Capital of the United States, it would appear, and rubbed out one of the former Nazis who was in this country—a former newspaper man. The long arm of the Nazis, according to the reports in the newspapers today, reached down into South America and rubbed out a star witness the United States Government wanted to bring to Washington.

In addition to that, factory after factory—defense industries in this country—has been blown up, a whole trainload of workers has been sent to their destruction—the work of saboteurs. I cannot prove it, you cannot prove it, and we will never be able to prove it unless we have secret-service men in the Naval Intelligence Department to accumulate the evidence and prove the fact.

The idea being so open-handed and free and willing to be destroyed that we absolutely refuse to give power to the Navy Department to protect themselves, to protect us, and protect the boys we are asking to go into the service from the snaky, slimy, undercutting of foreign agents who are swarming all over America today. I do not believe there is a sane man who reads the newspapers who doubts that statement. But we must go on unprotected in a big-hearted and charitable sort of attitude, because we are afraid we might be patterning after Hitler. That is a specious argument. We have patterned after Hitler's tanks, we have patterned after his dive bombers, we are patterning after the parachute troops, we are patterning after the panzer units—all in order to defend ourselves. Then, why should we have all that destroyed because we have not sufficient courage to set up an organization of secret agents that can offset Axis agents in this country?

Mr. President, I hope the bill will pass.

Mr. CHANDLER. Mr. President, will the Senator yield for a question?

Mr. LEE. I yield.

Mr. CHANDLER. Would it not be short-sighted not to authorize the expenditure of a million dollars to enable the Navy to employ men who might, by the use of their intelligence and good judgment and patriotism, prevent the loss of millions of dollars of property and defense articles of the people of the United States? If we should fail to do that, would it not be short-sighted, and would not the Senator hate to be held responsible for what might happen if we did not take every reasonable precaution to protect our own shipbuilding?

Mr. LEE. I should be, and I am not going to be responsible. That is why I am speaking my mind. I think the Senator's statement that it is short-sighted is a gross understatement.

Mr. CHANDLER. The Senator thinks it amounts to almost criminal negligence?

Mr. LEE. I do, to ask American men to go into the Nation's service, to compel them to go into the service, and then not give them protection.

Mr. CHANDLER. Is it not an answer, then, to those who object to the passage of the bill, to say that it is definitely limited during this emergency, until 1943?

Mr. LEE. Absolutely.

Mr. CHANDLER. And that there is no excuse for the creation of a special police corps after this emergency shall have passed?

Mr. LEE. It is provided in the bill that by a concurrent resolution of Congress the authority to maintain and operate this force may be withdrawn.

Mr. CHANDLER. In justice to the chairman of the committee, I think it should be stated that the committee did not like the idea of establishing secret police, but, under the circumstances, after an investigation by the committee, they said they did not know of any better way to prevent possible destruction of defense articles of the United States than to do what the Navy had requested them to do, authorize this temporary police force, to prevent destruction of our

own property during this period of emergency. If we cannot do that, and spend a million dollars doing it, I do not want to be held responsible for the destruction of hundreds of millions of dollars worth of property of the people of the United States.

Mr. LEE. That is correct, and I thank the Senator.

Mr. PEPPER. Mr. President——

The PRESIDING OFFICER (Mr. BROWN in the chair). Does the Senator from Oklahoma yield to the Senator from Florida?

Mr. LEE. I yield.

Mr. PEPPER. I want to be sure that I understand the nature of the proposed force. As I understand, it is to be a force which might be called a detection agency or force. The force is to have no power to prosecute?

Mr. LEE. No.

Mr. PEPPER. It will have no power to do what the German secret police do, take a man out of his home, kill him, bury him, and report to no one about it?

Mr. LEE. No.

Mr. PEPPER. It will have no power to deprive any citizen of his ordinary rights under the Constitution and laws of this country?

Mr. LEE. No.

Mr. PEPPER. If it gets any information which might be used against any citizen of this country, all it could do would be to bring such information to the superior authorities of the employees, or to bring it to a competent judicial or military or naval tribunal?

Mr. LEE. That is correct.

Mr. PEPPER. And the person accused would have the right to be confronted by witnesses?

Mr. LEE. That is correct.

Mr. PEPPER. He would have the usual right to be tried by a competent tribunal?

Mr. LEE. Yes.

Mr. PEPPER. To offer testimony in his own defense?

Mr. LEE. Yes.

Mr. PEPPER. He would have all the safeguards a citizen can possibly enjoy in this country?

Mr. LEE. That is correct.

Mr. PEPPER. So it is merely for the purpose of gathering information which might safeguard the naval service?

Mr. LEE. That is correct. In the language of the bill itself—

the Secretary of the Navy is hereby authorized to establish a plant-protection force for naval shore establishments, and to maintain and operate the same until June 30, 1943, unless Congress shall have, in the meantime, by concurrent resolution, declared such a force no longer necessary.

Mr. President, I do not have an itemized list of all the examples of sabotage or suspected sabotage in this country for the last few months. If I had, it would be a more imposing array of examples than what I have before me. But I wish to read the latest which I have cataloged, which does not take in all of them, but includes cases which were suspected by the authorities of being due to sabotage in the United States.

National Powder Co. Works, Eldred, Pa., October 17, 1939.

There was an explosion in that plant.

Dupont Repauno Plant, Gibbstown, N. J., January 17, 1940.

Another explosion.

United States Army Picatinny Arsenal, Dover, N. J., March 22, 1940.

Another explosion.

Dupont Rifle Powder, Carneys Point, N. J., May 4, 1940.

Another explosion.

Frankford Arsenal, Philadelphia, Pa., May 10, 1940.

Another explosion.

King Powder Co., Kings Mills, Ohio, August 7, 1940.

Another explosion.

Atlas Powder Plant, Joplin, Mo., August 16, 1940.

Another explosion.

Dupont Dynamite Plant, Gibbstown, N. J., August 22, 1940.

Still another explosion.

Hercules Powder Plant, Kenvil, N. J., September 12, 1940.

Another explosion.

United States Picatinny Arsenal, Dover, N. J.

Second explosion, September 22, 1940.

Trojan Powder Co., Allentown, Pa., November 12, 1940.

Another explosion.

United Railway Signal Corporation, Woodbridge, N. J., November 12, 1940.

Another explosion.

Those are only some, in addition to the many crashes of airplanes and bomber planes which were being tested, railroad tragedies and accidents, sea tragedies, all happening in our defense industries, in the testing of some of our defense weapons. These should be proof sufficient that we should not only pass this proposed legislation, giving the Navy the power sought, but we should give the Army similar power, and we should give a much greater appropriation to the F. B. I. as an over-all secret agency to protect us from the Axis agents in this country and in the Western Hemisphere.

Mr. JOHNSON of California. Mr. President, about 10 days ago, when the bill was before this body, I designated it and characterized it as a bill to give to Frank Knox a private army. I have seen no reason to doubt the correctness or the accuracy of that characterization. It is singularly a bill to enable Frank Knox to have an army for his own pleasure, and it is not—I repeat it is not a bill for the protection of the United States Navy.

Mr. President, certain incidents have occurred here today and some things have been said which I do not think it necessary for me to answer. Here we have a bill which does not commend itself to the best minds in this body. I say that not in derogation of anyone's mind, but to every man who has a head upon his shoulders, which God placed there for some other purpose than a mere ornament, it is perfectly obvious that a bill of this sort, carried to its logical conclusion, will finally do all that my brother, the Senator from Nebraska [Mr. NORRIS], has said it will do.

But there are other reasons why this bill should not be enacted. It gives a million dollars a year for Frank Knox to play with and with which to create an army. It gives him a million dollars' worth of private detectives whom he may himself appoint, concerning whom he himself may have everything to say, and whose duties he himself may determine. The bill gives him a million dollars a year.

Mr. President, I beg your pardon, and I apologize to the Members of the Senate who are present for talking about a million dollars a year. It is perfectly silly in this day of billions for one to talk about a million dollars, but I was brought up in another school, which taught that if one could do anything to save the taxpayers' money it was one's duty to do so. Having been brought up in that school, I remain true to it.

Mr. President, we give to Frank Knox, by this bill, a million dollars of money with which to play. He does not know anything about the subject in question. That is admitted. He does not know the first thing about creating a Gestapo; that is admitted. He is going to make the effort, to be sure, but it goes without saying that he could not perform that service within any reasonable time, and he could not, within any reasonable time, get the organization into shape so that he could present it as a working organization in behalf of the United States of America.

It is said that Knox now has only 14 or 16 or 17 men engaged in this service. I do not know how true that statement is. I am not sure about the number of men he has engaged in this service. But why not expand his force if he has too few individuals in it? Why not expand it in the usual fashion, and have it under the direction of the Navy Department?

Mr. President, recently an incident occurred which showed what Mr. Knox did in relation to his particular intelligence department. A young man engaged in some columnist work wrote an article which was without any regard for truth. I think he confessed that. I believe Knox said the article was untrue, and I think Knox is correct. The young man absolutely untruthfully represented that a U-boat manned by Germans had been sunk by an American boat. There was no truth in that statement. But what did Mr. Knox do? Mr. Knox wanted to reward this man for writing a very clever story, and so he appointed him to be a lieutenant—or was it a captain?—in the secret-service branch of the Navy.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. JOHNSON of California. I yield.

Mr. WALSH. The Senator has in mind the gentleman who wrote a certain incorrect naval article, a columnist?

Mr. JOHNSON of California. Yes.

Mr. WALSH. He was appointed a Reserve lieutenant in the Intelligence Unit of the Navy.

Mr. JOHNSON of California. He was appointed a Reserve lieutenant in the Intelligence Unit of the Navy, and all this was a very few days after the publication of his article and a reprimand by Mr. Knox.

Mr. WALSH. Mr. President, I think the Senator is just a bit unintentionally incorrect. This man was made a Reserve

lieutenant in the United States Navy, but was not on active duty a week before the article to which the Senator has referred was published.

Mr. JOHNSON of California. Well, that is all right.

Mr. WALSH. Thereafter—which the Senator in committee protested—he was given an active assignment, and I think the Senator's criticism, and that of others, was that in view of his conduct in writing that article he ought not to have been given an active assignment, regardless of whether his commission was taken away from him or not.

Mr. JOHNSON of California. Mr. President, I use this as an example of Mr. Knox's ability to maintain the discipline which is essential and to form an organization which would be required under the circumstances.

Mr. WALSH. Mr. President, I wish to say that the subject matter which the Senator is now dealing with will be dealt with by the committee in its report on the Wheeler resolution within a few days. The committee discussed the matter, and it will be gone into in detail in the report.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Kentucky?

Mr. JOHNSON of California. I yield.

Mr. BARKLEY. I merely wanted to suggest to the Senator that, as I recall, at the time of the publication of the newspaper article Secretary Knox denounced the article written by the man the Senator now has in mind.

Mr. JOHNSON of California. Yes.

Mr. WALSH. And the Secretary claims to have severely reprimanded him.

Mr. BARKLEY. Yes.

Mr. JOHNSON of California. Does the Senator have in his possession that reprimand?

Mr. WALSH. Yes.

Mr. JOHNSON of California. Is the Senator sure?

Mr. WALSH. He verbally reprimanded him.

Mr. JOHNSON of California. Oh, he verbally reprimanded him.

Mr. WALSH. And he said he did so in very strong language.

Mr. JOHNSON of California. Oh, he reprimanded him verbally in very strong language.

Mr. WALSH. I am telling the facts. Thereafter the columnist wrote a very strong apologetic letter, and the letter or statement of reprimand and the letter of apology were put in the record of the officer, so that it will be a matter of future reference.

Mr. JOHNSON of California. And he holds his office today?

Mr. WALSH. Yes.

Mr. JOHNSON of California. So that is the point of the matter. He holds his position today, a position of honor and a position of prominence in the United States Navy. And he has gone to India, I think. Perhaps I am in error in that statement.

Mr. WALSH. He has been assigned to perform some service as an intelligence officer in a foreign country.

Mr. JOHNSON of California. Well, he is going all over the earth as an intelligence officer of the United States Government. That is the point. And the United States Government is paying his way. The United States Government will, of course, receive from him accurate information, accurate reports, and reports which, from the standpoint of the English language, cannot be excelled by any other columnist in the land. But the point of the story—and I relate it as a byproduct entirely of this argument—is that Mr. Knox, with an organization existing today, an organization for the protection of the property of the United States, a secret-service organization, mind you, selects of all the people under him this particular gentleman to go all around the earth and report all around the earth just exactly what he shall choose.

That is one reason. I do not want the Senate to think that I have any ill will or animus toward Mr. Knox. I have not a particle. However, I want the Senate to realize that Mr. Knox is totally irresponsible so far as an organization of this sort is concerned. He needs no such organization. We can cry upon each other's shoulders here and talk about sabotage, and the suspicion that certain persons have of sabotage in the United States Government service. We can cry and weep great salty tears during the whole day, without being any nearer a solution in this case.

We want an intelligence service of the United States Navy that can be enlarged if desired, in a fitting manner. Such a service would be the solution of this question. It is proposed to pay somebody $7,500 to be in charge of the new organization. We are to put him under Mr. Knox, and we are to have Mr. Knox direct exactly what shall be done. It is the veriest poppycock that ever was offered to this body. It is the veriest nonsense that ever was tortured into a particular self-defense article. It leaves me perfectly sick at heart to have such a bill as this come before us, and have lachrymose gentlemen talk about what might happen if men should resort to sabotage—crashes of airplanes in the air and crashes of ships at sea. They insist that the only way we can prevent such things is to give Frank Knox the power to have $1,000,000 worth of secret service men at his disposal.

When I was a small boy I went to see H. M. S. *Pinafore*. The Gilbert and Sullivan opera so captivated me that I saw it many times. I can now see the captain of the *Pinafore*. He comes in and says:

I am the captain of the *Pinafore*.

The chorus booms out:

And a right good captain, too.

Then he, not to be outdone, says:

And I will have it understood that I command a right good crew.

That is the exact situation in which we find ourselves with Mr. Knox today. Mr. Knox, with a four-cornered hat, would parade up and down the quarterdeck and say:

I am the captain of the *Pinafore*.

The chorus would say:

And a right good captain, too.

Then Mr. Knox would say:

And I will have it understood that I command a right good crew.

We propose to take $1,000,000 a year from the taxpayers for the purpose of creating an army for Mr. Knox, to welcome him on all the gala occasions when he cuts such an absolutely glorious figure representing the United States Navy.

It is small business that we are engaged in. I admit it. It is small business that we should complain about $1,000,000 a year. When all the cognate subjects are looked at all along the line, we see what is occurring. If we have a chance to cut off $1,000,000 a year, let us cut it off.

There will no longer be need for this secret service. Remember, we now have Joe Stalin on our side. We now have on our side the bloodiest tyrant who ever lived; and when Joe Stalin is on our side, we do not need any men to do detective work for us, or to assist in preserving our property.

I would take both Hitler and Stalin, confine them securely in an elevated cage, and let them fight it out. I would not break my neck to be on Stalin's side any more than I would break my neck to be on Hitler's side. Now that Stalin is on our side, he has become as pure as the driven snow. He would not tolerate any sabotage in factories in the United States, or in any works of the United States. So it can be seen that we now have no need for such a force, with Stalin and the whole Communist organization, in all its ramifications, on our side. We can now feel that we can go forward and be absolutely certain that there will be no destruction or sabotage of any sort.

I shall leave the subject with the Senate. I do not expect Senators to vote my way in this matter, or in any other matter. They may vote as they please. Senators may vote to give Frank Knox $1,000,000 a year to maintain an army, which as yet is untrained. We have enough untrained armies now. The Senate may vote to give Frank Knox $1,000,000 a year to go forward as he desires. I do not care a snap of my fingers for the vote of any Senator. Every Senator is entitled to vote as he pleases. Senators do not often vote as they please; but every Senator is entitled to vote as he pleases, and he may do so in this instance, as in any other.

So I leave with the Senate the question of Frank Knox and his army. Frank Knox is a most personable gentleman. He is a very fine man indeed. He is a man who can be used as a shirtfront, in places where I could not compete with him, and where most of the other Senators could not compete with him, either. With his four-cornered hat, he will be the captain of the *Pinafore*—

And I will have it understood that I command a right good crew.

Mr. WALSH. Mr. President, in closing I shall be very brief. First of all, I feel that as chairman of the Committee on Naval Affairs I should not remain silent in the face of certain references which have been made to the Secretary of the Navy, Mr. Knox.

As is well known, his views in reference to our foreign relations do not coincide with mine. As is well known, I have been disposed—reluctantly—at least on one occasion to criticize some of the statements he has made in the public press. I wish that the Secretary of the Navy had refrained from expressing some views he has expressed. He, however, notwithstanding his position, has the right of free speech.

I should like to have the American people conceive of the Secretary of the Navy, not so much in terms of his war or peace views, but as one whose every desire in life is to build up our Navy and to make the Navy invincible and popular with the American people. I fear public utterances have or may lead some of our people to overlook this view of the Secretary.

Now that I have said that, I desire to add that I consider Mr. Knox to have made a decided contribution to the Navy in his service as Secretary of the Navy. He has put "pep" into the Navy, if I may use that slang word. He has improved the Navy and has brought with him a spirit of getting things done, and in the administration of the affairs of the Navy he has exercised a forcefulness which is commendable, and I think most naval officers would agree that present conditions require this kind of service. He has shown a facility in cutting away red tape. I feel that, in justice to myself and to the Secretary, I ought to say these things about the Secretary of the Navy, because I believe that his administrative work as head of the Navy has on the whole been commendable.

Mr. President, returning to the bill which is now before the Senate, it is a measure which we never would think of passing under any other circumstances than the present, just as the bill passed yesterday was a bill we would not think of passing under any other circumstances. We have to enact a good deal of this kind of legislation in view of existing conditions.

The discussion of this bill gives me a chance to explain, as I desire to do, my position in regard to the pending legislation and other similar legislation. I have made up my mind, speaking generally, that the course for me to pursue in this crisis, for which I hope I am not responsible, and the course I propose to pursue is one of giving to the administration and to the defense departments whatever they ask that can reasonably be justified in the name of defense. I propose to go further than that and to vote to levy whatever taxes they request to have levied in order to meet the requirements. I propose that in this crisis my course shall be to give my support to every appropriation for which they ask and which can be justified on the basis of national defense.

I reserve to myself one thing: I shall follow no man and no department of Government in passing upon questions that affect the lives and civil rights of Americans and the preservation of our free institutions. I shall then expect my own conscience and my own judgment to guide and direct me. But outside of that field matters affecting the lives of Americans—and that embraces a great deal—I propose to go along as wholeheartedly as possible, so that at my door it shall never be charged that I, by one iota, interfered with any program in this emergency, so as to justify in any way a criticism that I was obstructing our national defense.

This bill is one of the measures requested by the administration, of which have spoken. Reference has been made to the fact that I said I would leave the matter to the Senate. When this bill was previously before the Senate for consideration perhaps I became a little impassioned, and I was afraid I offended one or two Senators who seemed to think I intimated that they were condoning sabotage. So I resolved that when I came here this morning I would be moderate and temperate, and that I would refrain from any attempt to sway any Member of this body by language or by my earnestness.

The bill can be explained and defended very briefly. All of us are engaged in the business of building up our Navy. It is truly and in reality our first line of defense. We are appropriating money for the Navy. We are building naval vessels and naval equipment of every kind and character. This bill seeks to put the Navy Department in position to protect the naval vessels and the naval implements for the construction of which we have given them money. They say it is their responsibility to see that men are engaged in our naval establishments who are not only loyal, but who will not commit the crime of sabotage, and they say the nature of that crime is such that they have reason to believe it will continue to exist if conditions remain as they are. I am sure everyone will agree that is likely to be the case. They say they need the organization provided for in the bill for the purpose of detecting the presence of sabotage, or the possibility of sabotage.

To Mr. Knox's credit be it said that he could go before the Committee on Appropriations and ask for an increase in the appropriation for the civilian guard. I asked him why he did not do that. He said, "I do not think a detective force should be set up in the Navy Department or in any other department of the Government without approval of Congress and without Congress knowing it." Whether or not we agree that this bill is necessary, I think that attitude of Mr. Knox is commendable.

We have made inquiry in an effort to ascertain whether there is any other means or any other way by which this problem could be met. It is disagreeable to recognize the need for the existence of a force to protect naval vessels and our naval officers and men; yet we cannot remain indifferent to the obligation that rests upon us at this time.

Mr. BARKLEY. Mr. President——

Mr. WALSH. I yield to the Senator from Kentucky.

Mr. BARKLEY. I desire to make an inquiry of the Senator from Massachusetts, by way of emphasizing what he has been saying, and saying so well. While all of us hope none of the things he has pictured will happen, would it not be possible in a single instance, at a single shore station in the United States where naval vessels and naval implements are located or are being constructed, that damage might be caused which would cost more to repair than the entire annual cost of this bill?

Mr. WALSH. There is absolutely no question about that; and, of course, as the Senator well knows, the bill is limited to 2 years.

Mr. BARKLEY. Yes.

Mr. WALSH. It is easy to exaggerate. It is easy for me or for any one else defending this bill to put before the Senate the great possibility that a crossed wire in a submarine, put there by an enemy or evil-minded man, might result in the loss of life to which the able Senator from Oklahoma has referred in some of the illustrations he has given. We could present any number of examples, and picture the possible consequences which might ensue. But the plain fact is that the Navy Department says "We are building naval vessels for you. You have given us this job to do, and you have given us the money with which to do it. We have started to construct the ships. We are bringing in large numbers of new men whom we never saw before and never heard of before. We do not know anything about them; we cannot pass judgment upon all of them; and we cannot assure you that none of them will engage in sabotage; and we ask you, the Congress of the United States, to afford us this organization of detectives so that we may protect the work you have given us to do."

As was well said by the Senator from Delaware [Mr. TUNNELL], the F. B. I. is a secret organization doing this kind of work, engaged in detecting this kind of crime. Every private detective bureau in the country is doing the same thing. It is not an unusual thing, and in view of the situation of this country today, with a wide division of opinion on the war issue, with a great mass of people who have natural sympathy with one or another country in Europe, I think it is necessary for us to take every step possible to prevent the crime of sabotage being committed.

Mr. VANDENBERG. Mr. President——

Mr. WALSH. I yield to the Senator from Michigan.

Mr. VANDENBERG. I wish to ask the Senator just one question to which I have been waiting for a conclusive answer. I do not see how there could be any disagreement regarding the objective which the Senator describes, but I am still waiting for a conclusive reason why this problem is not met through the expansion of the Office of Naval Intelligence in the regular course of naval operations.

Mr. WALSH. Mr. President, I will answer the Senator by reading from a letter from Secretary of the Navy Knox, to whom I put the same question the Senator has propounded to me. Let me read the letter; it is rather short. I addressed a letter to the Secretary of the Navy some time prior to June 6, which was in the form of questions and answers, and here is his reply:

MY DEAR SENATOR WALSH: Pursuant to your request of the Department through Commander J. A. Saunders, United States Navy,

I am happy to furnish you with further information relative to the plant-protection-force bill which was discussed on the floor of the Senate June 5, 1941. I believe, for the sake of clarity, it would be well to take each general objection and set out the Navy Department's view concerning the objection.

1. OBJECTION

That this work should be done by augmenting the Federal Bureau of Investigation.

ANSWER

On July 1, 1940, the President of the United States, by directive, placed upon the Navy the prime responsibility to determine the subversive activities, if any, of the civilian employees of the United States Navy. The President specifically delimited the responsibility, feeling that the investigation of Navy Department employees would be most properly handled by the Navy Department itself.

The chairman of the Rules Committee of the House of Representatives on May 22, 1941, stated with respect to this objection that he had called the office of J. Edgar Hoover and was informed that the Federal Bureau of Investigation was in full accord with the plant-protection-force bill. (CONGRESSIONAL RECORD, p. 4327.)

2. OBJECTION

That the bill provides the Secretary of the Navy with a personal and private army.

I presume the distinguished Senator from California will be pleased to note that special attention was given to his particular objection to this bill.

Mr. JOHNSON of California. Mr. President, the letter to Secretary Knox and his subsequent reply I never saw and they were never submitted to me. I make no point of that, and it would not be well if I should, but I want to call the attention of the Senator and the members of the committee to the fact that all this information was kept from me, not illegitimately but nonetheless kept from me; and this is going back to the 5th of June

Mr. WALSH. The Senator has made a very serious charge.

Mr. JOHNSON of California. What charge?

Mr. WALSH. That as chairman of the committee I have kept information from him. We have had several special executive sessions of the committee when hours were spent discussing these very questions, and a considerable time, anyway, was spent on the question about the use of the F. B. I. I was requested by the committee to call up the F. B. I. and confer with them about the matter. All these things were gone into, except that I do not recall that the suggestion as to the "Knox army" was spoken of or discussed before the committee particularly, except as the Senator spoke of it. I am sure the Senator does not mean to intimate for a moment that I have had any reason whatever in this or any other matter to refuse to give him any information available to me.

Mr. JOHNSON of California. When I am ready to make a charge against a man, I will make it. I have not heretofore charged that the Senator did anything in relation to withholding this information. I simply state to him that I never heard of it until now.

Mr. WALSH. Was the Senator at the meetings?

Mr. JOHNSON of California. I am not clear whether I was at all the meetings; I will not say that I was.

Mr. WALSH. I want my position understood by every Member of this body. I think I have one definite policy, if I may say so, in my position as chairman of the committee, in that I insist that the members of the committee shall run the committee. I think any member of the committee will say that I use the least force and personal influence that it is possible for me to use in managing the affairs of the committee; indeed, that is why this morning I made the statement I would leave this issue to the committee and to the Senate itself. I do not believe in being a militant advocate for naval measures and bills; I have pursued that course; and I think the members of my committee will agree with me that my attitude has been: "This is your problem, not mine—yours as members of the committee."

Mr. JOHNSON of California. That may be so, but, as this morning, when we go into the committee room we are presented when we arrive there with the views of the Senator. The Senator gives us an opportunity when he is going to submit a question to the Navy, but——

Mr. WALSH. The Senator and I are good friends; we like each other too much to have any difference over trivial matters of this kind. The facts are that I was asked——

Mr. JOHNSON of California. Do not come back at me.

Mr. WALSH. Let me explain the statement the Senator has made. I was requested by my committee to draft a preliminary report on the Wheeler resolution. I spent days doing it; I had the report privately printed; I called the committee this morning before I had even read the printed report, and handed to each member of the committee, on his honor, a copy of the report to read and to come back next Monday with any alterations or changes or any improvements he might desire to suggest. What could be fairer? The Senator made the intimation that I called the committee together this morning and gave them a report which the committee were to adopt.

Mr. JOHNSON of California. I do not know whether the Senator had submitted it to anybody, but I did not see it until I came into the committee room.

Mr. WALSH. And no one else did.

Mr. JOHNSON of California. I did not know that.

Mr. WALSH. Does the Senator deny that I was authorized to prepare a preliminary report?

Mr. JOHNSON of California. No.

Mr. WALSH. I had to do it. I think the committee would have been content perhaps to have me make the report; but I suggested that I would not take the responsibility, and therefore I submitted the report to the committee. But let us not have a quarrel over this matter.

Mr. JOHNSON of California. Let it ride.

Mr. WALSH. The Senator and I are very good friends; I think the Senator is as appreciative of my efforts as chairman of the committee as is any other member of the committee; and if it were not for the fact that we are now engaged in considering a matter as to which we have a different point of view, there would be no misunderstanding.

Mr. JOHNSON of California. I have supported the chairman of the committee very loyally, but I have a right to disagree with him.

Mr. WALSH. The Senator certainly has.

Mr. JOHNSON of California. Oh, no; the Senator thinks I have not.

Mr. WALSH. When have I said so?

Mr. JOHNSON of California. By your manner.

Mr. WALSH. Here in this Chamber?

Mr. JOHNSON of California. Yes.

Mr. WALSH. So by my manner in discussing this problem I have indicated that I had a feeling against the Senator from California because he differed with me?

Mr. JOHNSON of California. Oh, no; no feeling against me.

Mr. WALSH. What does the Senator mean, then, by saying that I am differing with him? I respect the Senator's views, and he has a right to have his views; and in the committee I have repeatedly shown respect for the views of the Senator from California and every other member of the committee.

Mr. JOHNSON of California. I will attend to that matter; but the Senator should not be bothering about the right of printing and the right of reading the report; that is all. What the Senator says is unquestionably true; but I did not see the report until this morning.

Mr. WALSH. I do not want to go into a discussion. What is the inference from the fact which the Senator mentioned on the floor of the Senate, that the chairman of the committee brought the report and put it before the committee, and he did not see it until this morning? As a matter of fact, the whole committee was called, and the envelope was opened in front of the committee with a private report in it. Every member was given a copy and asked to read it. I read a large part of it, and explained it, and asked the members of the committee to take the copies of the report and treat it in strict confidence, and to come back next Monday and say what changes or modifications they wanted made in the report.

Mr. JOHNSON of California. That is all true.

Mr. WALSH. I do not want to have any dispute with the Senator.

Mr. JOHNSON of California. All right; let us not have any dispute, then; but remember, we are all of a kind here. Each man has his rights, and each man has his obligations. I try to look out for my obligations, and I occasionally try to insist on my rights.

Mr. WALSH. I again ask the question, and then I shall close this colloquy: Have I in any way, shape, form, or degree interfered with the rights of the Senator from California as a Senator, either in the committee or in this body?

Mr. JOHNSON of California. I think not, but with the Senator's explanation here——

Mr. WALSH. The explanation? Then the Senator admits that he thought there was something sinister in my giving him for the first time the preliminary report?

Mr. JOHNSON of California. Oh, no; I do not think there was anything sinister in it—no, no, no. I did not think there was anything sinister in it, but I thought I was not permitted to see the report.

Mr. WALSH. I ask any member of the Committee on Naval Affairs if the conduct of the chairman has been in any way subject to the remotest criticism in holding up a report or submitting the preliminary report as I did this morning. Of course, there can be no affirmative answer to that.

I repeat that I was delegated to make a preliminary report after a discussion by the committee in executive session of what should be in the report, the line that the report was to take; namely, not to criticize or make conclusions of fact, but to report mere questions and answers such as were given before the committee. The first printed copy of the report came to my office this morning, was opened up in the presence of the committee, every member of the committee was given a copy, and nothing was done, but the matter was postponed until next Monday, when the members of the committee could privately read it and report in session as to how the report should be modified or changed.

I very much regret, Mr. President, that the Senator and I had to have any indication of feeling in the matter, because, frankly, I have felt very sincerely and deeply that there was no one on the committee more appreciative of my efforts than the Senator from California.

Mr. JOHNSON of California. The Senator is quite right about that.

Mr. WALSH. But I am afraid that either the Senator or I have given an opposite impression.

Mr. JOHNSON of California. No; I insist on one thing: I cannot vote for a bill unless I have seen it and unless I have read it. The Senator from Massachusetts has the habit—a very good habit I think—of taking up bills with such rapidity that a man of my slow intellect cannot follow them all; and the result is that sometimes I get into trouble.

Mr. WALSH. I am sorry that I have been so rapid in making reports from the Committee on Naval Affairs, but hearings have been held in every instance, and action has been taken by the committee; and a very large number of the bills that come before us are what I might call pro forma bills, measures to which there is no opposition, that the Navy Department requests, and that there is substantiating evidence to support.

There are some other questions and answers in the Knox letter:

2. OBJECTION

That the bill provides the Secretary of the Navy with a personal or private army.

ANSWER

This force will be under the general supervision of the Director of the Office of Naval Intelligence, an officer of the United States Navy, and throughout the establishments will be under the general supervision of the district intelligence offices. As a consequence, the men of this force will be responsible to the Navy Department through the usual official channels and will not be a private or personal army of the Secretary of the Navy.

3. OBJECTION

That the men in this force should be under military control and military discipline.

ANSWER

As has been stated in the answer to objection 2, the entire force will be under general naval supervision and control. Inasmuch as the bill does not place the force entirely under civil service, the members of it are subject to summary action on the part of the Navy Department wherever such action is justified. Of course, any misconduct on the part of any member of the force would immediately subject that person to the punishments afforded by civil authority, as with any other officer of the United States Government.

A survey conducted by the Department has revealed a vital need for these persons who are specialists. They are not present in the Navy, and, as a consequence, this machinery is needed to supply the Navy with them. The Director of the Office of Naval Intelligence has advised the chairman of the Rules Committee of the House of Representatives that the Intelligence Service of the Navy is in no position to take on this necessary work and that the service feels this legislation is needed and necessary (CONGRESSIONAL RECORD, p. 4327).

4. OBJECTION

A million and a half dollars is too much money for a force of 350 men.

ANSWER

In addition to salaries, that estimate includes necessary expenses for travel, motor transportation, communications, technical equipment, clerical employees, and other necessary expenditures, to make the work of this force effective for the Navy. The average annual salary for men on this force will be $3,026, a sum less than the pay and allowance of a lieutenant (junior grade) in the Navy.

5. OBJECTION

The bill fails to define sabotage.

ANSWER

This force will have the primary responsibility of determining the presence, if any, of Nazis, Communists, Fascists, and Falangists who might possibly be in the employ of the Navy as civilians. The presence of such individuals leaves the Navy vulnerable to acts of violence against the Navy's property, or acts of espionage. It is believed that the word "sabotage" is a legal conclusion and, as a consequence, does not rightfully belong in a bill such as this.

I have read with interest the debate in the Senate relative to this bill, and I wish to take this occasion to thank you for your efforts to bring this matter to the immediate attention of the Senate, as it is of vital importance to this Department that the machinery afforded by this enabling legislation be put into effect as soon as possible. If you desire any further information on this subject do not hesitate to call upon me immediately.

Most sincerely yours,

FRANK KNOX,
Secretary of the Navy.

DAVID I. WALSH,
Chairman, Naval Affairs Committee,
United States Senate,
Washington, D. C.

Mr. President, I have nothing more to present to the Senate.

The VICE PRESIDENT. The amendments reported by the committee will be stated.

The first amendment of the Committee on Naval Affairs was, in section 1, page 1, after line 7, to strike out "The duties of this force shall be as prescribed by the Secretary of the Navy" and insert "The duty of this force shall be to investigate any existing or threatened espionage or sabotage or subversive or other activities contrary to the interests of the United States in and to the naval shore establishments. The force will be under the general supervision of the Director of the Office of Naval Intelligence under rules and regulations prescribed by the Secretary of the Navy", so as to make the section read:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to establish a plant-protection force for naval shore establishments, and to maintain and operate the same until June 30, 1943, unless Congress shall have, in the meantime, by concurrent resolution, declared such a force no longer necessary. The duty of this force shall be to investigate any existing or threatened espionage or sabotage or subversive or other activities contrary to the interests of the United States in and to the naval shore establishments. The force will be under the general supervision of the Director of the Office of Naval Intelligence under rules and regulations prescribed by the Secretary of the Navy.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 9, after the word "appropriated", to strike out "the sum of $3,000,000" and insert "a sum not to exceed $1,000,000 annually", so as to make the section read:

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $1,000,000 annually to effectuate the purposes of this act, including salaries, travel, clothing, weapons, motor-propelled vehicles and their maintenance, and any other necessary equipment and supplies.

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 17, after the word "Navy", to strike out "without regard to civil-service laws" and insert "in accordance with civil-service laws and the Classification Act of 1923, as amended, or otherwise as he may elect"; and in line 20, after the word "at", to strike out "the rate of" and insert "a rate not to exceed", so as to make the section read:

SEC. 3. The civilian in charge of the force herein authorized, together with the other personnel thereof, may be appointed by the Secretary of the Navy in accordance with civil-service laws and the Classification Act of 1923, as amended, or otherwise as he may elect, the civilian in charge to receive a salary at a rate not to exceed $7,500 per annum, the salaries of the other personnel to be in accordance with the Classification Act of 1923, as amended: *Provided*, That any person appointed to the force who is employed in the civil service at the time of such appointment shall retain his civil-service status for all purposes and shall suffer no reduction in pay by reason of such appointment.

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The bill having been read three times, the question is, Shall it pass?

Mr. JOHNSON of California. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Eastland	Radcliffe
Aiken	George	Reynolds
Andrews	Green	Rosier
Austin	Gurney	Schwartz
Bailey	Hayden	Shipstead
Barbour	Herring	Stewart
Barkley	Hill	Taft
Bone	Hughes	Thomas, Okla.
Bridges	Johnson, Calif.	Thomas, Utah
Brooks	Langer	Tobey
Brown	Lee	Truman
Burton	Lumpkin	Tunnell
Butler	Maloney	Vandenberg
Byrd	McCarran	Van Nuys
Caraway	McFarland	Walsh
Chandler	Norris	Wheeler
Chavez	O'Mahoney	Wiley
Connally	Overton	Willis
Davis	Pepper	

Mr. AUSTIN. The Senator from Oregon [Mr. McNARY], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], the Senator from Connecticut [Mr. DANAHER], the Senator from Maine [Mr. BREWSTER], the Senator from Minnesota [Mr. BALL], and the Senator from Kansas [Mr. CAPPER] are necessarily absent.

The Senator from Oregon [Mr. HOLMAN] is absent on public business.

The Senator from North Dakota [Mr. NYE] is absent because of the death of his aunt.

The VICE PRESIDENT. Fifty-six Senators having answered to their names, a quorum is present.

The question is, Shall the bill pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEWART (when his name was called). I have a general pair with the Senator from Oregon [Mr. HOLMAN], which I transfer to the Senator from Pennsylvania [Mr. GUFFEY] and vote "yea." I am advised that if present and voting, the Senator from Pennsylvania would vote "yea."

Mr. VANDENBERG (when his name was called). On this vote I am paired with the senior Senator from Tennessee [Mr. McKELLAR], who is necessarily absent. If the Senator from Tennessee were present, he would vote "yea." If I were permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. HILL. The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Nevada [Mr. BUNKER], the Senator from Idaho [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GERRY], the Senator from California [Mr. DOWNEY], the Senator from Iowa [Mr. GILLETTE], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from New Mexico [Mr. HATCH], the Senator from Colorado [Mr. JOHNSON], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Utah [Mr. MURDOCK], the Senator from New York [Mr. MEAD], the Senator from Montana [Mr. MURRAY], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], the Senator from Arkansas [Mr. SPENCER], the Senator from South Carolina [Mr. SMITH], the Senator from Maryland [Mr. TYDINGS], and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

The Senator from South Dakota [Mr. BULOW], the Senator from Missouri [Mr. CLARK], and the Senator from New York [Mr. WAGNER] are absent because of illness.

Mr. AUSTIN. The Senator from Oregon [Mr. McNARY], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], the Senator from Connecticut [Mr. DANAHER], the Senator from Maine [Mr. BREWSTER], the Senator from Minnesota [Mr. BALL], and the Senator from Kansas [Mr. CAPPER] are necessarily absent.

The Senator from Oregon [Mr. HOLMAN] is absent on public business.

The Senator from North Dakota [Mr. NYE] is absent because of the death of his aunt.

If the Senator from Massachusetts [Mr. LODGE] were present, he would vote "yea."

I also announce the following general pairs:

The Senator from Oregon [Mr. McNARY] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from Minnesota [Mr. BALL] with the Senator from Mississippi [Mr. BILBO];

The Senator from Maine [Mr. BREWSTER] with the Senator from Nevada [Mr. BUNKER];

The Senator from Kansas [Mr. CAPPER] with the Senator from Louisiana [Mr. ELLENDER];

The Senator from Connecticut [Mr. DANAHER] with the Senator from Virginia [Mr. GLASS];

The Senator from North Dakota [Mr. NYE] with the Senator from New Mexico [Mr. HATCH];

The Senator from Kansas [Mr. REED] with the Senator from Illinois [Mr. LUCAS]; and

The Senator from Maine [Mr. WHITE] with the Senator from New Jersey [Mr. SMATHERS].

I am not advised how any of these Senators would vote, if present.

The result was announced—yeas 41, nays 14, as follows:

YEAS—41

Andrews	Davis	Pepper
Austin	Eastland	Radcliffe
Bailey	George	Reynolds
Barbour	Green	Rosier
Barkley	Gurney	Schwartz
Bone	Hayden	Stewart
Bridges	Herring	Thomas, Okla.
Brooks	Hill	Thomas, Utah
Brown	Hughes	Truman
Byrd	Lee	Tunnell
Caraway	Lumpkin	Walsh
Chandler	McCarran	Wheeler
Chavez	McFarland	Wiley
Connally	O'Mahoney	

NAYS—14

Adams	Langer	Taft
Aiken	Maloney	Tobey
Burton	Norris	Van Nuys
Butler	Overton	Willis
Johnson, Calif.	Shipstead	

NOT VOTING—40

Ball	Glass	Nye
Bankhead	Guffey	Reed
Bilbo	Hatch	Russell
Brewster	Holman	Smathers
Bulow	Johnson, Colo.	Smith
Bunker	Kilgore	Spencer
Capper	La Follette	Thomas, Idaho
Clark, Idaho	Lodge	Tydings
Clark, Mo.	Lucas	Vandenberg
Danaher	McKellar	Wagner
Downey	McNary	Wallgren
Ellender	Mead	White
Gerry	Murdock	
Gillette	Murray	

So the bill (H. R. 4671) was passed.

REAPPORTIONMENT—PERMISSION TO FILE MINORITY VIEWS

Mr. BROWN. Mr. President, I ask unanimous consent that during the adjournment or recess of the Senate I may file the views of the minority of the Commerce Committee on the reapportionment bill, House bill 2665.

The VICE PRESIDENT. Without objection, it is so ordered.

THE CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Senate proceed to the call of the calendar for the consideration of unobjected-to bills.

The VICE PRESIDENT. Without objection, it is so ordered. The clerk will state the first measure on the calendar.

RESOLUTIONS AND BILLS PASSED OVER

The resolution (S. Res. 30) amending rule VIII so as to prohibit action by unanimous consent on bills in cases where a Senator has given written notice of his objection to their consideration was announced as first in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The resolution will be passed over.

The resolution (S. Res. 96) making rule XVI applicable to amendments to relief and work-relief bills was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments was announced as next in order.

Mr. OVERTON. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 357) to provide for the rehabilitation of the anthracite-coal industry was announced as next in order.

Mr. TUNNELL. Over.

The VICE PRESIDENT. The bill will be passed over.

Mr. DAVIS. Mr. President, I should like to ask who objected to Senate bill 357?

The VICE PRESIDENT. It is the understanding of the Chair that the Senator from Delaware [Mr. TUNNELL] objected.

The bill (S. 1568) for the relief of the present leader of the Army Band was announced as next in order.

Mr. WALSH. Over.

The VICE PRESIDENT. The bill will be passed over.

CENSUS OF INDUSTRY AND BUSINESS

The bill (S. 1627) to provide for a quinquennial census of industry and business and for the collector of current statistics by the Bureau of the Census, was announced as next in order.

Mr. GEORGE. Mr. President, the author of the bill, the Senator from Kentucky [Mr. BARKLEY], has just been called from the floor, but he asked me to make the statement that he agreed that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

REGULATIONS REGARDING EXPLOSIVES

The bill (H. R. 3019) to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes, approved October 6, 1917 (40 Stat. 385), was announced as next in order.

Mr. ADAMS. Over.

Mr. SCHWARTZ. Mr. President, did the Senator from Colorado ask that the bill go over?

Mr. ADAMS. Yes. I think that is a very important bill, and it ought not to be considered under the 5-minute rule on the call of the calendar.

Mr. SCHWARTZ. Mr. President, the bill passed the House on June 6 last. It has the approval of the Department of the Interior and the Bureau of the Budget. Certain amendments have been offered by Senators on the floor who have given the bill consideration, and certain other amendments had been presented by the War Department. The bill is largely a revision of the act of October 6, 1917, to prohibit the manufacture, distribution, storage, use, and possession of war explosives, and providing regulations. In general this House bill is a revision of the act of 1917. Senators who have been interested in the bill have submitted certain amendments which are acceptable to the committee, and which would be incorporated in the bill, and the amendments suggested by the War Department will also be offered as amendments to be incorporated in the bill. I hope it will not take long to explain the amendments as we go along, and that we will be able to pass the bill today, because, in the judgment of the War Department and other departments of the Government, a bill of this kind is needed at this time.

Mr. ADAMS. Mr. President, I am expressing no opinion on the bill, but I know that it has a very wide scope, and I do not think it should be taken up under the 5-minute rule. It affects mining and a good many other matters in the western section, and I want personally to be sure that it is as good a bill as the Senator from Wyoming says it is. Therefore I ask that it go over.

The VICE PRESIDENT. The bill will be passed over.

ERNEST A. McNABB

The Senate proceeded to consider the bill (S. 899) for the relief of Ernest A. McNabb, which had been reported from the Committee on Claims with amendments on page 2, line 2, after the word "period", to insert "Any funds which are available to the Corporation for administrative expenses may be used to carry out the provisions of this act"; and to strike out section 2, as follows:

SEC. 2. That notwithstanding any other provision of law the Home Owners' Loan Corporation is authorized to reinstate said Ernest A. McNabb to or reemploy him in the position formerly held by him, or a similar position, if application therefor is made to the Corporation within 30 days after the date of the enactment of this act, and if so reinstated or reemployed he shall be entitled to receive compensation and leave as such employee. Any funds which are available to the Corporation for administrative expenses may be used to carry out the provisions of this act.

So as to make the bill read:

Be it enacted, etc., That notwithstanding any other provision of law Ernest A. McNabb, formerly employed by the Home Owners' Loan Corporation, shall be deemed to have been a lawful employee of such Corporation during the period May 23, 1938, to February 6, 1941, both dates inclusive, and to have been lawfully entitled to receive the compensation paid him during such period; and shall be entitled to the accrued leave he would have received if he had been a lawful employee of such Corporation during such period. Any funds which are available to the Corporation for administrative expenses may be used to carry out the provisions of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MR. AND MRS. W. A. BATCHELOR

The bill (H. R. 3801) for the relief of Mr. and Mrs. W. A. Batchelor, was considered, ordered to a third reading, read the third time and passed.

LAURA McSTAY

The Senate proceeded to consider the bill (H. R. 1855) for the relief of Laura McStay, which had been reported from the Committee on Claims with an amendment on page 1, line 6, after the words "sum of", to strike out "$2,500", and insert "$1,172.99."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FRED WEYBRET, JR., AND OTHERS

The Senate proceeded to consider the bill (H. R. 1852), for the relief of Fred Weybret, Jr., and others, which had been reported from the Committee on Claims with amendments on page 1, line 6, after the words "sum of", to strike out "$1,500", and insert "$1,200"; in line 9, after the words "sum of", to strike out "$5,000", and insert "$3,000"; in line 10, after the words "sum of", to strike out "$1,274.29", and insert "$924.29"; in line 11, after the words "sum of", to strike out "$3,000", and insert "$924.29",; in line 11, after the after the words "sum of", to strike out "$2,500', and insert "$1,045", and immediately thereafter to strike out the semicolon and the following: "to the General Exchange Insurance Corporation, of California, the sum of $617.50; and to the State Compensation Insurance Fund, of California, the sum of $382.10."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

WILLIAM CORDER

The bill (S. 1429) for the relief of William Corder was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Corder, of Sutherlin, Oreg., the sum of $1,536, in full settlement of all his claims against the United States for personal injuries and medical expenses suffered by him as a result of an automobile accident which occurred on the Pacific Highway No. 99, about 3 miles south of Sutherlin, Oreg., on July 31, 1940, when the truck in which he was riding was struck by a truck owned by the United States and operated by the United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

CHARLES J. SCHAY

The bill (H. R. 1746) for the relief of Charles J. Schay was considered, ordered to a third reading, read the third time, and passed.

WILLIAM CROMER

The bill (H. R. 2382) for the relief of William Cromer was considered, ordered to a third reading, read the third time, and passed.

ROBERT EDWARD LEE

The Senate proceeded to consider the bill (H. R. 1359) for the relief of Robert Edward Lee, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the words "sum of", to strike out "$6,266.75" and insert "$3,766.75."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MARY McCUTCHEON

The bill (H. R. 1702) for the relief of Mary McCutcheon was considered, ordered to a third reading, read the third time, and passed.

H. E. BUZBY

The bill (H. R. 2888) for the relief of H. E. Buzby was considered, ordered to a

third reading, read the third time, and passed.

MRS. O. B. OLSON

The bill (H. R. 3247) for the relief of Mrs. O. B. Olson was considered, ordered to a third reading, read the third time, and passed.

EQUITABLE INSURANCE ALLIANCE ET AL.

The bill (H. R. 3523) for the relief of the Equitable Insurance Alliance, the Fidelity & Guaranty Fire Corporation, and the Hartford Fire Insurance Co. was considered, ordered to a third reading, read the third time, and passed.

LOUIS A. SCHWAN

The Senate proceeded to consider the bill (H. R. 3802) for the relief of Louis A. Schwan, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of", to strike out "$1,284" and insert "$642."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AUTOMATIC TEMPERATURE CONTROL CO., INC.

The Senate proceeded to consider the bill (H. R. 3121) for the relief of the Automatic Temperature Control Co., Inc., which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the words "sum of", to strike out "$6,624.32" and insert "$3,312.16."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LILLIAN KORKEMAS AND ROSE GRAZIOLI

The bill (H. R. 3551) for the relief of Lillian Korkemas and Rose Grazioli was considered, ordered to a third reading, read the third time, and passed.

ANTON WAYTASHEK

The bill (H. R. 3607) for the relief of Anton Waytashek was considered, ordered to a third reading, read the third time, and passed.

FRED SPENCER

The Senate proceeded to consider the bill (H. R. 3774) for the relief of Fred Spencer, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "the sum of", to strike out "$6,337.56" and insert "$3,258."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PAYMENT OF PENSIONS TO CERTAIN DEPENDENT PARENTS

The bill (H. R. 2855) to provide for payment of pensions to certain dependent parents notwithstanding remarriage, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

DEATH OR DISABILITY INSURANCE FOR CERTAIN EMPLOYEES AT NAVAL BASES

The bill (S. 1642) to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes, was announced as next in order.

Mr. McCARRAN. Let the bill go over.

Mr. THOMAS of Utah. Mr. President, I inquire why the Senator from Nevada asks that the bill go over?

Mr. McCARRAN. I am asking that it go over.

Mr. THOMAS of Utah. I should like to make a brief explanation so that it may appear in the RECORD.

The bill merely provides for the extension of death and disability compensation to employees whom the Government is using in the newly acquired bases. Enactment of the bill is requested at this time because of the work that is going on there and because of the justice due the employees. No addition to or change in the law is proposed. The bill merely extends the provisions of law to extraterritorial lands—that is, extraterritorial in the sense that they are outside our jurisdiction. That is all there is to the bill.

Mr. McCARRAN. I inquire of the Senator whether the provisions of the bill are limited to citizens of the United States?

Mr. THOMAS of Utah. The bill is not limited to citizens of the United States. Anyone who is in the employ of such a contractor would come under the terms of the bill.

Mr. McCARRAN. Is that true at the present time?

Mr. THOMAS of Utah. It is true at the present time in the United States. A person does not have to be a citizen of the United States to be the beneficiary of a claim.

Mr. McCARRAN. I had in mind, for example, the Canal Zone.

Mr. THOMAS of Utah. The bill does not apply to the Canal Zone. There is a provision in the bill which leaves out the Canal Zone. In fact, the date of July 1, 1940, for the acquisition of sites is definitely stated, so that the question with relation to the Canal Zone, Guam, and other such places will not come into the picture. The bill has to do merely with the building of air bases in the newly acquired grants, principally from Great Britain.

Mr. McCARRAN. In view of the explanation I withdraw the objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That except as herein modified, the provisions of the act entitled "Longshoremen's and Harbor Workers' Compensation Act," approved March 4, 1927 (44 Stat. 1424), as amended, and as the same may be amended hereafter, shall apply in respect to the injury or death of any employee engaged in any employment at any military, air, or naval base acquired after January 1, 1940, by the United States from any foreign government, irrespective of the place where the injury or death occurs.

SEC. 2. That the minimum limit on weekly compensation for disability, established by section 6 (b), and the minimum limit on the average weekly wages on which death benefits are to be computed, established by section 9 (e), of the Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927 (44 Stat. 1424), as amended, shall not apply in computing compensation and death benefits under this act.

SEC. 3. (a) The United States Employees' Compensation Commission is authorized to extend compensation districts established under the Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927 (44 Stat. 1424), or to establish new compensation districts, to include any area to which this act applies; and to assign to each such district one or more deputy commissioners, as the Commission may deem necessary.

(b) Judicial proceedings provided under sections 18 and 21 of the Longshoremen's and Harbor Workers' Compensation Act in respect to a compensation order made pursuant to this act shall be instituted in the United States district court of the judicial district wherein is located the office of the deputy commissioner whose compensation order is involved if his office is located in a judicial district, and if not so located such judicial proceedings shall be instituted in the judicial district nearest the base at which the injury or death occurs.

SEC. 4. This act shall not apply in respect to the injury or death of (1) an employee subject to the provisions of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916 (39 Stat. 742), as amended; (2) an employee engaged in agriculture, domestic service, or any employment that is casual and not in the usual course of the trade, business, or profession of the employer; and (3) a master or member of a crew of any vessel.

INCREASE OF PENSION TO CERTAIN WIDOWS AND DEPENDENTS

The bill (S. 876) granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection was announced as next in order.

Mr. AUSTIN. Mr. President, reserving the right to object, I should like to have an explanation of the bill, including a statement of the gross cost and the amount of the specific increases.

SEVERAL SENATORS. Over.

The VICE PRESIDENT. The bill will be passed over.

PUNISHMENT FOR WILLFUL DESTRUCTION OF WAR MATERIAL, ETC.

The bill (S. 1229) to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 4 of the act entitled "An act to punish the willful injury or destruction of war material, or of

war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended, be further amended by changing the last period in said section to a comma and adding thereto the following: "and shall also include any property, real or personal, owned, leased, or operated by the Government of the United States, or any agency thereof, the District of Columbia, or any agency thereof, and of any public utility, when such property is located within a radius of 25 miles from the United States Capitol Building located in the District of Columbia."

FUNERAL EXPENSES OF THE LATE SENATOR HOUSTON

The resolution (S. Res. 140), submitted by Mr. CONNALLY on July 3, 1941, to pay certain funeral expenses of the late Senator ANDREW JACKSON HOUSTON, of Texas, was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. ANDREW JACKSON HOUSTON, late a Senator from the State of Texas, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

MR. AND MRS. J. W. JOHNS

The bill (S. 1594) for the relief of Mr. and Mrs. J. W. Johns was announced as next in order.

Mr. CHAVEZ. Mr. President, House bill 3943, Calendar 580, is an identical bill. I ask that the House bill be substituted for the Senate bill and be now considered.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill (H. R. 3943) for the relief of Mr. and Mrs. J. W. Johns was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 1594 will be indefinitely postponed.

MRS. A. B. TANNER

The bill (S. 1228) for the relief of Mrs. A. B. Tanner was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. A. B. Tanner, of Hattiesburg, Miss., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Mrs. A. B. Tanner on account of the death of her husband, A. B. Tanner, who was struck by a bullet fired by a sentry, Pvt. Olen R. Ekes, at Camp Shelby, Miss., on October 8, 1940, when the driver of the automobile in which the said A. B. Tanner was riding, L. B. Tanner, his son, failed to execute properly an order given by the sentry: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

JULIUS YUHASZ AND ARVID OLSON

The Senate proceeded to consider the bill (S. 1055) for the relief of Julius Yuhasz and Arvid Olson, which had been reported from the Committee on Claims, with an amendment, on page 1, line 5, after the words "sum of", to strike out "$8,686" and insert "$4,182.66", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $4,182.66 to Julius Yuhasz and Arvid Olson, of Gary, Ind., in full satisfaction of their claim against the United States for additional compensation for certain materials furnished and services rendered under a contract entered into with the United States for the construction of a dwelling, a boathouse, and a launchway for the United States Coast Guard at Port Orford, Oreg.; such materials and services having been authorized by the civil engineer of the United States in charge of such construction: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CARL CHALKER

The Senate proceeded to consider the bill (S. 1550) for the relief of Carl Chalker, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "$10,000" and insert "$2,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl Chalker, of Dothan, Ala., the sum of $2,500, in full settlement of all claims against the United States for damages sustained by him when he, without fault on his part, was struck and permanently injured on May 12, 1940, in Dothan, Ala., by a truck owned and operated by the United States Post Office Department then and there being carelessly and recklessly driven by an employee of the Post Office Department in the said city of Dothan, Ala.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANK P. WALDEN AND VIOLA HARP

The Senate proceeded to consider the bill (S. 493) for the relief of Frank P. Walden and Viola Harp, which had been reported from the Committee on Claims, with an amendment, to strike out all after the enacting clause and insert:

That jurisdiction is hereby conferred upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claim of Frank P. Walden, of Jacksonville, Fla., in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and the claims of Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor, of Silverton, Ga., against the United States of America for alleged damages as the result of a collision between the automobile of Frank P. Walden and a Civilian Conservation Corps truck on U. S. Highway No. 1 near Callahan, Fla., on or about August 7, 1938, in which Anice Walden, wife of Frank P. Walden, was fatally injured; and Frank P. Walden; Juanita Louise Walden, his daughter; Viola Harp and Marjorie Gayle Harp were injured while riding in such automobile at the time of the collision.

SEC. 2. In determination of such claims, the United States shall be held liable for the acts of its officers and employees to the same extent as if it were a private person, except that any judgment rendered on each claim shall not be in excess of $5,000.

SEC. 3. Suits upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims and appeals from and payment of any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph "Twentieth" of section 24 of the Judicial Code, as amended.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor."

ETTA HOUSER FREEMAN

The Senate proceeded to consider the bill (S. 1266) for the relief of Etta Houser Freeman, which had been reported from the Committee on Claims, with an amendment, to strike out all after the enacting clause and insert:

That jurisdiction is hereby conferred upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of Etta Houser Freeman, of Dobson, N. C., for the death of her husband, L. W. Freeman, who was killed January 29, 1938, near Dobson, N. C., when the automobile which he was driving was struck by a Civilian Conservation Corps truck operated by one Paul J. Flynn: *Provided*, That the judgment, if any, shall not exceed a total sum of $5,000.

SEC. 2. Suit upon such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code, as amended.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon the claim of Etta Houser Freeman."

WILLIAM J. MUSE

The bill (S. 261) relating to the compensation of William J. Muse for services rendered as a clerk in the post office at Mountain City, Tenn., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding the provisions of any act prohibiting the payment of, or the use of any part of any appropriation for the payment of, the compensation of any officer or employee of the United States unless he is a citizen of the United States, William J. Muse, who (1) was born in Canada of parents who were citizens of the United States, (2) returned to the United States in the year 1925 while he was a child and has since resided continuously in the United States, and (3) has during that time believed himself to be a citizen of the United States, shall be entitled to compensation for services rendered by him as a clerk at the post office at Mountain City, Tenn., during the period from July 1, 1938, to September 25, 1940, inclusive, and any money heretofore or hereafter available for the payment of clerks at such post office shall be deemed to be or to have been available for the payment of such compensation to him.

SEC. 2 Said William J. Muse is hereby relieved of liability for the repayment to the United States of the sum of $346.50 heretofore received by him as compensation for so much of such services as were rendered during the period from July 1, 1938, to March 31, 1940. The postmaster at Mountain City, Tenn., is authorized and directed to pay to said William J. Muse the sum of $96.25 as compensation for so much of such services as were rendered during the period from April 1, 1940, to September 25, 1940. Said postmaster shall be given credit in his accounts for the payment of such sums to the same extent as if said William J. Muse were a citizen of the United States.

BILL PASSED OVER

The bill (S. 473) relating to the classification of substitute mechanics in the Postal Service was announced as next in order.

Mr. HAYDEN. Mr. President, at the request of the Senator from Tennessee [Mr. MCKELLAR], chairman of the Committee on Post Offices and Post Roads, I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

CIRCULATION OF READING MATTER AMONG THE BLIND

The bill (S. 1570) to further amend the acts for promoting the circulation of reading matter among the blind was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act approved April 27, 1904 (33 Stat. 313), the supplemental provision in the act approved August 24, 1912 (37 Stat. 551), the joint resolution approved June 7, 1924 (43 Stat. 668), the act approved May 9, 1934 (48 Stat. 678), and the act amending these acts approved May 16, 1938 (52 Stat. 378) (39 U. S. C., 1934 ed., Supp. V, sec. 331), be, and the same are hereby, amended to read as follows:

Books, pamphlets, and other reading matter published either in raised characters, whether prepared by hand or printed or in the form of sound-reproduction records for the use of the blind, in packages not exceeding the weight prescribed by the Postmaster General, and containing no advertising or other matter whatever, unsealed, and when sent by public institutions for the blind, or by any public libraries, as a loan to blind readers, or when returned by the latter to such institutions or public libraries; magazines, periodicals, and other regularly issued publications in such raised characters, whether prepared by hand or printed, or on sound-reproduction records (for the use of the blind), which contain no advertisements and for which no subscription fee is charged, shall be transmitted in the United States mails free of postage and under such regulations as the Postmaster General may prescribe.

Volumes of the Holy Scriptures, or any part thereof, published either in raised characters, whether prepared by hand or printed, or in the form of sound-reproduction records for the use of the blind, which do not contain advertisements (a) when furnished by an organization, institution, or association not conducted for private profit, to a blind person without charge, shall be transmitted in the United States mails free of postage; (b) when furnished by an organization, institution, or association not conducted for private profit to a blind person at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof; under such regulations as the Postmaster General may prescribe.

Reproducers for sound-reproduction records for the blind or parts thereof which are the property of the United States Government, when shipped for repair purposes by an organization, institution, public library, or association for the blind not conducted for private profit, or by a blind person to an agency not conducted for private profit, or from such an agency to an organization, institution, public library, or association for the blind not conducted for private profit, or to a blind person, may be transmitted through the mails at the rate of 1 cent per pound or fraction thereof, under such regulations as the Postmaster General may prescribe.

The Postmaster General may in his discretion extend this rate of 1 cent per pound or fraction thereof to reproducers for sound-reproduction records for the blind, or parts thereof, and when mailed to be repaired or being returned after repair, to Braille writers and other appliances for the blind, or parts thereof, which are the property of State governments or subdivisions thereof, or of public libraries, or of private agencies for the blind not conducted for private profit, or of blind individuals, under such regulations as he may prescribe.

All letters written in point print or raised characters or on sound-reproduction records used by the blind, when unsealed, shall be transmitted through the mails as third-class matter.

COMPENSATION OF CERTAIN FORMER EMPLOYEES IN THE RAILWAY MAIL SERVICE

The bill (H. R. 3367) relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937, was considered, ordered to a third reading, read the third time, and passed.

PAYMENT FOR OVERTIME WORK BY LABORERS IN RAILWAY MAIL SERVICE

The Senate proceeded to consider the bill (H. R. 2985) to prescribe the time basis for computing pay for overtime work performed by laborers in the Railway Mail Service which had been reported from the Committee on Post Offices and Post Roads, with an amendment, on page 1, line 8, after the figures "1925" to insert "(43 Stat. 1053, as amended)."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

PUNISHMENT FOR IMPROPER CONTRACTS BY EMPLOYEES OF THE POSTAL SERVICE

The Senate proceeded to consider the bill (S. 122) to amend section 226 of the act of March 4, 1909, which had been reported from the Committee on Post Offices and Post Roads with amendments, on page 1, line 7, after the word "contract", to insert "not expressly authorized by law"; in line 8 after the word "mails", to insert "or in any sale to or by the Post Office Department"; and on page 2, at the beginning of line 3, to strike out the word "and" and insert "or", so as to make the bill read:

Be it enacted, etc., That section 226 of the act of March 4, 1909 (35 Stat. 1134; U. S. C., title 18, sec. 356), is amended to read as follows:

"Whoever, being a person employed in the Postal Service, shall become interested in any contract, not expressly authorized by law for carrying the mails or in any sale to or by the Post Office Department or in any contract or agreement with or any bid before the Post Office Department, or shall act as agent, with or without compensation, for any contractor or person offering to become a contractor in any business before the Department, shall be immediately dismissed from office, and shall be fined not more than $5,000 or imprisoned not more than 1 year, or both."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADJUSTMENT OF SALARIES OF RURAL LETTER CARRIERS

The bill (S. 636) to adjust the salaries of rural letter carriers was announced as next in order.

The VICE PRESIDENT. Senate bill (S. 636) is identical with House bill 4210, calendar 586. Is there objection to the consideration of the House bill?

There being no objection, the bill (H. R. 4210) to adjust the salaries of rural letter carriers was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 636 will be indefinitely postponed.

PENSIONS TO CERTAIN DISABLED MEMBERS OF THE MILITARY FORCES

The bill (S. 415) to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become disabled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes was announced as next in order.

Mr. AUSTIN. Mr. President, may we have an explanation of the bill?

Mr. SCHWARTZ. Mr. President, the bill provides that members of the Regular Army, Navy, Marine Corps, and Coast Guard who become disabled by reason of their service therein shall receive compensation equivalent to 90 percent of the compensation now paid to war veterans for similar service-connected disabilities. The bill is very simple. If it should be passed, it would cost the Government about $4,500,000 a year.

The theory of the bill is that a man in the regular armed forces who loses an arm or leg ought to be entitled to at least 90 percent of the compensation which we have found to be proper compensation to war veterans, because the loss to him is just as serious. The bill applies only to those injured in the service. The injury must be service-connected. I hope there will be no objection to the bill.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment on page 3, line 3, after the words "increased by", to strike out "$22.50", and insert "$31.50", so as to make the bill read:

Be it enacted, etc., That effective on the 1st day of the month following the month in which this act is enacted, paragraph II of part II of Veterans Regulation No. 1 (a), as amended, is amended to read as follows:

"II. For the purposes of part II, paragraph I (a) hereof, if the disability results from injury or disease—

"(a) If and while the disability is rated 10 percent the monthly pension shall be $9.

"(b) If and while the disability is rated 20 percent the monthly pension shall be $18.

"(c) If and while the disability is rated 30 percent the monthly pension shall be $27.

"(d) If and while the disability is rated 40 percent the monthly pension shall be $36.

"(e) If and while the disability is rated 50 percent the monthly pension shall be $45.

"(f) If and while the disability is rated 60 percent the monthly pension shall be $54.

"(g) If and while the disability is rated 70 percent the monthly pension shall be $63.

"(h) If and while the disability is rated 80 percent the monthly pension shall be $72.

"(i) If and while the disability is rated 90 percent the monthly pension shall be $81.

"(j) If and while the disability is rated as total the monthly pension shall be $90.

"(k) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or the loss of the use of only one foot, or one hand, or one eye, the rate of pension provided in part II, paragraph II, (a) to (j), shall be increased by $31.50 per month.

"(l) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of both hands, or of both feet, or of one hand and one foot, or is so helpless as to be in need of regular aid and attendance, the monthly pension shall be $135.

"(m) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of both hands and one foot, or of both feet and one hand, or if the disabled person, as the result of service-incurred disability, is blind in both eyes, having only light perception, the monthly pension shall be $157.50.

"(n) If the disabled person, as the result of service-incurred disability, is blind in both eyes, having only light perception, and has suffered the anatomical loss or loss of use of one hand or of one foot, the monthly pension shall be $180.

"(o) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use as provided in subparagraphs (l) to (n), inclusive, of part II, paragraph II, of this regulation, and/or blindness in both eyes, having only light perception, which conditions under subparagraphs (l) to (n), inclusive, entitle him to two or more of the rates provided in those subparagraphs, no specified condition being considered twice in the determination, the monthly pension shall be $225."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

APPROPRIATIONS FOR ADDITIONAL SHIPBUILDING, ETC.

The bill (S. 1727) authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Senate bill 1727 is identical with House bill 5256, Calendar 582. Is there objection to the substitution of the House bill for the Senate bill and the present consideration of the House bill?

There being no objection, the bill (H. R. 5256) authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 1727 will be indefinitely postponed.

DISEASE AND INJURY INCURRED BY RAILROAD EMPLOYEES

The resolution (S. Res. 128) submitted by Mr. WHEELER on June 11, 1941, was considered and agreed to, as follows:

Resolved, That the Railroad Retirement Board is authorized and directed to make an immediate, thorough, and complete investigation of the incidence of injuries and diseases incurred by employees through employment in the railroad industry and the social and economic consequences of such injuries and diseases, and to report to the Senate Committee on Interstate Commerce at the earliest practicable time the results of its investigation.

SALE OF CERTAIN INDIAN LANDS TO CITY OF CUT BANK, MONT.

The bill (S. 1725) to authorize the sale of certain Indian lands to the city of Cut Bank, Mont., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior, under such regulations as he may prescribe, is authorized to sell to the city of Cut Bank, Mont., all right, title, and interest of the United States and of certain individual Indians of the Blackfeet Tribe of Indians, upon obtaining the consent of such individual Indians to such sale, in and to the following-described lands within the Blackfeet Indian Reservation, Mont.:

Southwest quarter southwest quarter section 14; southwest quarter and south half southeast quarter and northeast quarter southeast quarter section 15; southwest quarter northwest quarter, northeast quarter northwest quarter, northeast quarter, northwest quarter southeast quarter section 22; and the west half northwest quarter section 23, all in township 33 north, range 6 west, M. M. Montana.

SEC. 2. Such portion of the proceeds derived from such sale as represents the value of the right, title, or interest of any such individual Indian in any such lands shall be paid to the Superintendent of the Blackfeet Indian Agency for deposit to the credit of such individual Indian.

SEC. 3. Any patent or other instrument conveying to such city of Cut Bank any of the above-described land shall expressly exclude from such conveyance any oil, gas, or other mineral deposits therein: *Provided*, That the development of any mineral deposits so reserved, which would in any manner interfere with the use of such lands for airport purposes, shall not be permitted or indulged in so long as the lands herein described are needed for airport purposes.

JOHN BAILEY

The bill (S. 1736) to authorize the payment of an indemnity to the British Government, for and on behalf of John Bailey, former stoker of His Majesty's ship *Orion*, in full and final settlement of a claim arising as a consequence of injuries inflicted by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the British Government, for and on behalf of John Bailey, former stoker of His Majesty's ship *Orion*, the sum of $3,000, in full and final settlement of the claim arising as a consequence of injuries inflicted on John Bailey by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purposes of this act.

GRANT OF ROAD RIGHTS-OF-WAY TO CITY OF VANCOUVER, WASH.

The bill (H. R. 3933) to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover was considered, ordered to a third reading, read the third time, and passed.

NAVAL SALVAGE FACILITIES

The bill (S. 1731) to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized during war or national emergency—

(a) To provide, by contract or otherwise, necessary salvage facilities for both public and private vessels upon such terms and conditions as he may, in his discretion, determine

to be in the best interests of the United States.

(b) To acquire or to transfer, by charter or otherwise, for operation by private salvage companies, such vessels and equipment as he may deem necessary.

(c) To advance to private salvage companies such funds as may, in his judgment, be necessary to provide for the immediate financing of salvage operations, these advances to be on such terms and under such conditions as he may deem adequate for the protection of the Government.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such funds as may be necessary to effectuate the purposes of this act.

CATTLE-TICK ERADICATION IN SEMINOLE INDIAN RESERVATION, FLA.

The Senate proceeded to consider the bill (S. 1476) providing for Federal assistance in eradicating the cattle tick in the Seminole Indian Reservation in Florida which had been reported from the Committee on Indian Affairs, with amendments, on page 2, line 7, after the word "State", to insert "Livestock Sanitary Board"; and in line 10, after the word "reservation", to strike out "when such deer are found to be carriers of the cattle-fever tick", so as to make the bill read:

Be it enacted, etc., That it shall be the duty of the Secretary of the Interior and the Commissioner of Indian Affairs to aid, assist, and cooperate with in any way, falling within the scope of their duty, the duly constituted authority of the State of Florida and the United States Government, when acting according to law, in the eradication of the cattle tick in the Seminole Indian Reservation in the State of Florida.

It shall be unlawful for the Secretary of the Interior, the Commissioner of Indian Affairs, or other Federal agent, or agents, to interfere with, or attempt to prevent the efforts of the State of Florida and the United States Government, or their agent or agents, in the execution of the laws of the State of Florida with respect to the eradication of the cattle-fever tick on the Seminole Indian Reservation in the State of Florida, when provision is made by the State Livestock Sanitary Board of Florida for the prompt replacement of any deer which may be slain in the course of such tick-eradication campaign in such reservation.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE PRESIDENT. That completes the calendar.

PAYMENT OF GOVERNMENT EMPLOYEES FOR MILITARY LEAVE—REFERENCE OF HOUSE AMENDMENTS

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 505) making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States.

Mr. REYNOLDS. I move that the amendments of the House be referred to the Committee on Military Affairs for consideration.

The motion was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations in the Army, which were referred to the Committee on Military Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. GEORGE, from the Committee on Foreign Relations:

Thomas M. Wilson, of Tennessee, now a Foreign Service officer of class 1, to act as Commissioner to India, with the rank of minister.

By Mr. BAILEY, from the Committee on Commerce:

Sundry officers for promotion in the Coast Guard.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of all nominations acted upon today.

The VICE PRESIDENT. Without objection, the President will be immediately notified.

That concludes the Executive Calendar.

ARMY NOMINATIONS REPORTED AND CONFIRMED

Mr. REYNOLDS. From the Committee on Military Affairs I report favorably sundry nominations in the Army and ask unanimous consent for their immediate consideration.

The VICE PRESIDENT. The clerk will read the nominations.

Mr. REYNOLDS. I ask that the reading of the names be dispensed with, and that the names be printed in the RECORD. They are routine nominations for appointment in the Judge Advocate General's Department and for appointment to temporary rank in the Air Corps of the Army.

The VICE PRESIDENT. Is there objection to the present consideration of the nominations? The Chair hears none; and, without objection, the nominations are confirmed.

Mr. REYNOLDS. I believe that the majority leader has already requested that the President be immediately notified of the confirmation of all nominations acted upon today.

The VICE PRESIDENT. Without objection, the President will be notified.

ADJOURNMENT

Mr. BARKLEY. If there be nothing further, as in legislative session, I move that the Senate adjourn until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 2 o'clock and 53 minutes p. m.) the Senate adjourned until Thursday, July 24, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received July 22 (legislative day of July 21), 1941:

APPOINTMENT IN THE REGULAR ARMY

TO BE CAPTAIN, JUDGE ADVOCATE GENERAL'S DEPARTMENT, WITH RANK FROM DATE OF APPOINTMENT

Capt. Clio Edwin Straight, Judge Advocate General's Department Reserve.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONELS

Lt. Col. Perry Wainer, Air Corps.
Lt. Col. William Seymour Gravely, Air Corps.
Lt. Col. Harlan Ware Holden, Air Corps.

TO BE LIEUTENANT COLONELS

Maj. Robert William Calvert Wimsatt, Air Corps.
Maj. Donald Fowler Fritch, Air Corps.
Maj. John Sharpe Griffith, Air Corps.

TO BE MAJORS

First Lt. Albert Theodore Wilson, Jr., Air Corps (captain, Army of the United States).
First Lt. John William White, Air Corps (captain, Army of the United States).
First Lt. Stanley Joseph Donovan, Air Corps (captain, Army of the United States).

NOTE.—The dates of rank are omitted as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 22 (legislative day of July 21), 1941:

POSTMASTERS

CALIFORNIA

Donald C. Etter, Coalinga.
Hazel E. Wilcox, Costa Mesa.
John P. Souza, Salinas.
Lynn A. Breeden, San Dimas.
Harry E. Meyers, Yuba City.

MARYLAND

James Hayden Bowling, Hughesville.
Charlotte F. Worgan, Luke.
Florence Blair, Midland.

MASSACHUSETTS

William J. O'Connor, Foxboro.
John E. Madigan, Warren.

MISSOURI

William H. Burnett, Clarence.
Frances R. Cardwell, Fordland.
Felix J. Schaul, Hannibal.

OKLAHOMA

Ralph E. Weir, Beaver.
Taylor C. Anthony, Blanchard.

Roy C. Grider, Byars.
Eddie A. Ratzlaff, Fairview.
Lawson Race, Hunter.
Guy M. Coffman, Morrison.
Edwin N. Clow, Mulhall.
Carlos E. Shepherd, Stigler.
Hal A. McNutt, Stillwater.
Irvin H. Gist, Texhoma.
Roy C. Grable, Waukomis.
Walter G. McGlamery, Mooreland.

RHODE ISLAND

William A. Kirkpatrick, Apponaug.

SOUTH DAKOTA

Glen G. Lounsbery, Centerville.
William W. Brady, Marion.
Walter H. Fergen, Parkston.
Charles F. Silvis, Ravinia.

UTAH

Claude M. Reay, Randolph.

VIRGINIA

William A. White, Arrington.
Bernard P. Nearhood, Jewell Ridge.
Annie L. Peery, North Tazewell.

APPOINTMENT IN THE REGULAR ARMY

TO BE CAPTAIN, JUDGE ADVOCATE GENERAL'S DEPARTMENT

Clio Edwin Straight

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

TO BE COLONELS

Perry Wainer
William Seymour Gravely
Harlan Ware Holden

TO BE LIEUTENANT COLONELS

Robert William Calvert Wimsatt
Donald Fowler Fritch
John Sharpe Griffith

TO BE MAJORS

Albert Theodore Wilson, Jr.
John William White
Stanley Joseph Donovan

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 22, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou ever blessed Lord, we pray that a sense of our unworthiness may make us penitent at the altar of prayer. Free our spirits from the weakness of the flesh until a new vision shall arise. We wait for Thy breath that it may deliver us from the slavery of things, enfolding us with the consciousness of Thy nearness. Life's supreme values can only be determined when we come in the unity of faith, into the measure of the stature of the fullness of God.

O do Thou emancipate our citizens from fear, gathering up our weaknesses, our languid spirit, and our limpid smoothness that the world may know that the blighting shadow of paganized dictatorship shall never fall across the path of our progress. We pray that the millstone of hate and the assault of cruelty may be broken and shattered, its grievings cease and die away. Oh, welcome the truce of God, the parliament of man, and the day when the world shall give back the song which the angels sang. We wait, our Father; on the breath of our prayer is our President, our Speaker, and the Congress. In mercy and wisdom, preserve and guide them. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, without amendment, a bill and a concurrent resolution of the House of the following titles:

H. R. 4921. An act for the relief of Antonio or Anthony Maurin; and

H. Con. Res. 47. Concurrent resolution authorizing and directing the Clerk of the House of Representatives in the enrollment of the bill H. R. 1073 to make an addition to the text thereof.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1579. An act to authorize the President of the United States to requisition property required for the defense of the United States.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4816) entitled "An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce."

HEARINGS BEFORE HOUSE MILITARY AFFAIRS COMMITTEE

Mr. MAY. Mr. Speaker, I ask unanimous consent that the House Military Affairs Committee may, during the remainder of the week, sit during sessions of the House.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Kentucky what bill the committee is to consider.

Mr. MAY. The committee will probably have under consideration the two bills which were introduced yesterday relating to the National Guard and the reservists, together with a resolution which will declare the existence of a national emergency or declare the Nation to be in peril or something to that effect.

Mr. MARTIN of Massachusetts. The gentleman does not know when that bill is expected to come to the floor of the House?

Mr. MAY. The hearings will start tomorrow, and, of course, the property-seizure bill that has just been messaged over from the Senate will have to have consideration, and in all probability it will not get to the House before next week, and if the tax bill should take precedence over it, it would be the week after that.

Mr. MARTIN of Massachusetts. Which bill is the gentleman now referring to? We started out talking about the draft bill, and then we got on to the seizure measure. Which bill does the gentleman refer to?

Mr. MAY. I refer to the national-emergency declaration, and so forth, relating to the personnel of the Army.

Mr. MARTIN of Massachusetts. That will be the first measure to come out of the gentleman's committee?

Mr. MAY. It is hoped it will be, but it may not reach the floor, because we may have to consider the bill relating to seizure of personal property by the Government, because that is being urged very much by the War Department at this time; in fact, they called me just after I came out of the committee and asked me to give it early consideration.

Mr. MARTIN of Massachusetts. What is the urgency about that bill?

Mr. MAY. I did not get the facts about it, but they will send up witnesses from the War Department, as I understand it, to emphasize the necessity for it, and the general impression is that it refers to personal property necessary to national defense, and the bill, as I understand it, relates only to property susceptible of being used for national-defense purposes and not general property.

Mr. MARTIN of Massachusetts. You can stretch that definition considerably.

Mr. MAY. That is true; but it will have considerable airing before our committee.

Mr. MARTIN of Massachusetts. I am sure the gentleman from Kentucky will take care of that aspect of it.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Are there to be open hearings on these bills?

Mr. MAY. Yes; there will be open hearings.

Mrs. BOLTON. There will be no vote on the measure until after the committee has had hearings?

Mr. MAY. The committee expects to start hearings on the first measure tomorrow.

Mrs. BOLTON. The property-seizure bill or the amendment of the Draft Act?

Mr. MAY. The hearings on the amendment of the Draft Act will commence at 10 o'clock tomorrow.

Mr. DIRKSEN. Will the hearings be extended over several days or will there be just one hearing?

Mr. MAY. The hearings will be extended and open.

Mr. DIRKSEN. And any Member of the House can arrange to come before the committee if he desires to do so?

Mr. MAY. Anybody can come who wants to come. We can accommodate about 435 Members if they ask to be heard, I think.

Mr. CASE of South Dakota. Can the gentleman state whether the property covered by the seizure bill is as broad in its definition as the definition of defense articles in last year's act?

Mr. MAY. I do not think it is as broad. The original bill, as introduced in the Senate, was really broader, but the Senate adopted quite a different measure and has narrowed the measure considerably and tempered it quite a good deal, and it will still have to go the rounds of the House Military Affairs Committee and the House of Representatives before it becomes law.

Mr. CASE of South Dakota. As I recall the fourth or last category of defense articles, it included any article or commodity that could be used for defense, and if the seizure bill goes as far as that it will cover quite a bit of territory.

Mr. MAY. It will be restricted to essential defense articles and not general property, as I understand it.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

INTERSTATE PETROLEUM PIPE LINES RELATED TO NATIONAL DEFENSE

Mr. COLE of Maryland. Mr. Speaker, I call up the conference report on the bill (H. R. 4816) to facilitate the construction, extension, and completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce, and ask unanimous consent that the statement may be read in lieu of the report

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4816) entitled "An Act to facilitate the construction, extension, and completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

WILLIAM P. COLE, JR.,
EDWARD A. KELLY,
CLARENCE F. LEA,
CHAS. A. WOLVERTON,
PEHR G. HOLMES,
Managers on the part of the House.

TOM STEWART,
HARRY S. TRUMAN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 4816) to facilitate the construction, extension, and completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying report:

The bill as agreed to in conference is exactly the same as the bill passed by the House. The Senate amendment would have made the President's powers under section 8 (b) inoperative after June 30, 1943. It was believed that this limitation would have prevented the effective carrying out of the purposes of the legislation, and the conferees on the part of the Senate therefore agreed to recommend that the Senate recede on the amendment.

WILLIAM P. COLE, JR.,
EDWARD A. KELLY,
CLARENCE F. LEA,
CHAS. A. WOLVERTON,
PEHR G. HOLMES,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent that in extending my remarks at this point I be permitted to include a letter from the Secretary.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLE of Maryland. Mr. Speaker, because of the importance of this legislation at the present time, I think it advisable that I make a brief statement with reference to the elimination in conference of the Senate amendment and some of the activities that might follow the establishment of this new law.

Section 8 (b) of the bill specifically states that nothing in the act shall operate to relieve any person operating any pipe line from any duty or liability to which such person may be subject under the provisions of the Interstate Commerce Act, including all acts amendatory thereof or supplemental thereto, or the Natural Gas Act, except that the President is authorized to relieve any person operating any pipe line with respect to which an advance is made or the right of eminent domain is exercised, under authority of this act, from any duty or liability under either of such acts to such extent as he may deem advisable for national-defense purposes.

It was at first thought advisable by the Senate that section 9, which limits the exercise of the powers conferred by sections 2, 3, 4, and 6 of the act to June 30, 1943, should also include section 8 (b). I am glad that amendment was by agreement eliminated in conference, and the bill stands as it did when it passed the House.

Because there was some objection to permitting the President to grant relief from the Interstate Commerce Act and its amendments and supplements as provided in section 8 (b), a conference was held between representatives of the Petroleum Coordinator for National Defense and the Interstate Commerce Commission. The results of this conference are set forth in the following letter addressed to me by Hon. Harold L. Ickes, the Petroleum Coordinator for National Defense:

DEPARTMENT OF THE INTERIOR,
OFFICE OF PETRELEUM COORDINATOR
FOR NATIONAL DEFENSE,
Washington, July 21, 1941.

Hon. WILLIAM P. COLE, JR.,
House of Representatives.

MY DEAR MR. COLE: In a conference held July 17 between representatives of the Petroleum Coordinator for National Defense and of the Interstate Commerce Commission, it was agreed definitely that the policy of the Petroleum Coordinator, to such extent as he may be involved in the administration of H. R. 4816, will be to consult with the Interstate Commerce Commission with regard to relief from the Interstate Commerce Act and its amendments and supplements before any proclamation providing for such relief is recommended to the President. The purpose of this consultation is to make certain that the persons affected by such proclamation will conform as fully as possible to the regulations of the Interstate Commerce Commission and that the purposes which make necessary the granting of relief therefrom are understood by and agreeable to the Interstate Commerce Commission.

In the conference of July 17 it was stated by the representative of the Interstate Commerce Commission that he had conferred with the Chairman and a member of the Commission and that the Commission would not oppose the elimination from H. R. 4816 of the amendment added thereto during the consideration of the bill by the United States Senate. It is understood that the amendment was suggested by the Interstate Commerce Commission as a general proposition and that the full effect of the amendment upon the construction of pipe lines for national-defense purposes had not been completely understood.

Sincerely yours,

HAROLD L. ICKES,
Petroleum Coordinator for National Defense.

There is no thought of setting up a dual system of pipe lines in which one group will be subject to Interstate Commerce Commission regulation and the other free therefrom. The purpose is to restrict the exemptions and the period in which the exemptions will apply to the minimum which will be necessary to assure immediate pipe-line construction and to provide thereafter that the line or lines then will revert to the status of ordinary pipe lines subject to regulation by the Interstate Commerce Commission. It is recognized that sound governmental procedure requires that the facilities of interstate commerce and the use thereof should be regulated in normal times by a single agency such as the Interstate Commerce Commission.

Mr. Speaker, the work to be done under this bill, which I hope will be started very shortly after its passage, will astound the country because of the magnitude of the undertaking. The construction of a 24-inch pipe line with a throughput capacity of 250,000 barrels daily will be a job the like of which never before has been undertaken in the oil industry. In order to build and operate such a pipe line with a fair degree of economic surety, several things are necessary which ordinarily would not be encountered in pipe-line construction. No single company is capable of building and operating such a line, as no single company would have sufficient crude oil available to fill the line, nor would any single company have a sufficient crude-oil demand at its refinery to utilize the capacity of the line.

Accordingly it is necessary that a number of companies join together and make definite commitments, both as to financing and operation, which agreements must be permitted to remain in effect during such period of time as may be necessary to amortize the investment in the line. This period of amortization obviously must be considerably shorter than that customarily applied to pipe lines as there is no certainty as to the economy of such a pipe line after the period of the emergency. There are some who believe that such a pipe line always will be able to operate successfully in competition with tanker transportation; there are others who believe that it will not be possible for any pipe line to com-

pete with the modern high-speed, large-capacity tanker. In the face of this lack of certainty as to the postemergency future of the pipe line, those who will advance the nearly $70,000,000 necessary for the construction of the line will require certain definite assurances as to the tariff rate which will be charged for transportation through the line and that the rate will remain in effect during the period in which the investment in the line is to be amortized. Assurance is needed also that the line will operate substantially at its full capacity during the period of amortization, which will require definite commitments on the part of the investors in and users of the line as to specific quantities which will be put in and taken out of the line during the period of amortization. Likewise assurance is needed that the returns from the $70,000,000 investment will not be regarded as rebates and held illegal under the Elkins Act.

A further reason why the authorization for relief is necessary in connection with the construction of this major national-defense pipe line and any others of equal size which may be constructed is to segregate such lines from the present litigation as to the application of the Elkins Act to pipe-line construction and operation. If there were no such provision for relief in H. R. 4816, it clearly would be necessary to await the termination of the present pipe-line litigation before any private persons could undertake the construction of a pipe line of such magnitude and cost. Awaiting the conclusion of that litigation may involve delays which cannot be afforded in the present emergency. Inclusion of the provision for relief in H. R. 4816 will permit that litigation to reach whatever conclusion may result without involving any delay in the construction of national-defense pipe lines.

Mr. Speaker, in February when the special subcommittee, of which I am chairman, undertook a study of this subject at the request of the President, the seriousness of the situation, that is, especially the shortage of gasoline and oil on the eastern seaboard, was not as great as it is today. Many tankers are to be withdrawn from the present service in addition to the 50 recently taken. Up until the past few days I personally felt that there would possibly be no need for any very rigid curtailment in the use of gasoline and oil in the eastern area, but with the withdrawal of additional tankers, as is now contemplated, I am certain there will be a definite need for some reduction in the use of both gasoline and oil in the entire eastern part of our country until additional transportation facilities are provided through the operation of this act.

This legislation was drawn by our subcommittee, with the assistance of Mr. Allen H. Perley, a very able member of the legislative counsel staff of the House. This is further evidence of the advisability of the House having special investigating committees with knowledge of a subject and prepared to respond when the occasion calls for it with legislation to meet new problems and new situations, and to do so promptly. I want to publicly commend the members of my committee for the time and effort they have put into this work in solving so satisfactorily this matter of importance to the entire country, but especially to the great eastern part of the United States, which consumes the majority of our petroleum products.

EXTENSION OF REMARKS

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Boston Post.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two particulars, one dealing with the subject of mandatory income-tax returns and the other a statement by John D. Rockefeller, Jr.

The SPEAKER. Is there objection?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a short editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. BYRNE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a memorandum of the National Woman's Party regarding Seneca Falls Day, Saturday, July 19, or Woman's Independence Day.

The SPEAKER. Is there objection?

There was no objection.

UNITED STATES ENTRANCE INTO EUROPEAN WAR

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, last week I mailed a ballot to every voter registered last fall in my district. During the last 2 days the ballots have started to come in. This noon the girls in my office finished the counting of the ballots that had been received up to that time. We have received a total number of 23,348 ballots, of which 22,340 are against our entrance into the present war and only 1,008 for, a ratio of more than 22 to 1.

THE FORTY-NINE-CENT PENALTY ON WHEAT

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I am pleading with the Congress to repeal the recently enacted retroactive 49-cent penalty on wheat. This act is causing untold hardship of farmers. It now develops that the people who voted for this penalty did so because they were completely deceived. Not only are the majority of the farmers condemning this act but the whole Nation is rising up against it.

Unless the Committee on Agriculture promptly gives consideration to my bill, H. R. 5214, I shall lay on the desk a discharge petition and ask every Member of the House to sign it, so that I may get my bill before the House for action.

EXTENSION OF REMARKS

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the construction of the Grand Coulee Dam and the great W. P. A. project in connection therewith.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

Mr. VREELAND. Mr. Speaker, I ask unanimous consent for leave of absence from August 4 to September 1 next, inclusive, to serve in the United States Army.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that tomorrow, after the legislative business has been disposed of and all other matters on the Speaker's desk and orders heretofore agreed to, I be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that after the gentleman from Ohio [Mr. JENKINS] concludes his remarks today, and also the gentleman from Pennsylvania [Mr. DITTER], I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. The gentleman has 30 minutes allotted to him today, has he not?

Mr. PATRICK. Yes; I have 30 minutes; and then, after the other speeches are over, I ask unanimous consent to proceed for 10 minutes more.

Mr. MICHENER. The gentleman wants to open and close the argument.

Mr. PATRICK. Yes; if I may.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DITTER] have an additional 10 minutes at the conclusion of the remarks of the gentleman from Alabama.

The SPEAKER. Is there objection?

There was no objection.

VIRGINIA (MERRIMAC)-MONITOR COMMISSION

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the present consideration of House Concurrent Resolution 38, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That sections 5 and 6 of House Concurrent Resolution 32, which passed the House of Representatives on the 31st day of July 1939, and the Senate on the

2d day of August 1939, establishing the Virginia (Merrimac)-Monitor Commission, is hereby amended to read as follows:

"SEC. 5. That the Commission shall on or before the 15th day of April 1943 make a report to Congress for such enabling legislation, if any, as the Congress may desire.

"SEC. 6. That the Commission hereby created shall expire within 5 years after the adoption of this concurrent resolution."

With the following committee amendment:

Line 11, strike out "five" and insert "two."

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the amendment.

The committee amendment was agreed to.

The House concurrent resolution as amended was agreed to, and a motion to reconsider laid on the table.

SUBVERSIVE ACTIVITIES AMONG RADIO OPERATORS

Mr. COLMER. Mr. Speaker, I call up House Resolution 274.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5074, a bill to provide additional safeguards to the radio communications service of ships of the United States in the interest of national defense, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Merchant Marine and Fisheries, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this is an open rule on the bill H. R. 5074, which is a bill authorizing the licensing of radio operators.

The bill is of an emergency nature and provides for the expiration of the powers conferred therein on July 1, 1943, or sooner, if the President should declare the emergency off.

Very briefly, the bill would undertake to rid the ship-and-shore services by radio, of subversive activities. There cannot possibly be any objection to the bill, as we see it, because of its utmost importance to the welfare of the country. It can readily be observed how dangerous it would be to have a radio operator on a ship who had exclusive technical knowledge of transmitting and receiving messages, who was inimical to the interests of the country.

This bill would seek to rectify that situation by having an examination and giving an appropriate license to the men who are operating these stations.

Mr. Speaker, there is no request for time on the other side, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

AMENDING THE TENNESSEE VALLEY AUTHORITY ACT

Mr. MAY. Mr. Speaker, on yesterday the bill (H. R. 4961) to amend section 9 (b) of the Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935, was under consideration on the Consent Calendar, and I was under the impression that it was passed. I understand it was objected to by the gentleman from New York [Mr. COLE], who asked that it be passed over without prejudice. I understand from the gentleman from Massachusetts [Mr. McCORMACK] that the gentleman from New York [Mr. COLE] has no further objection to the bill, and I ask unanimous consent for its immediate consideration.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I think probably it would be better to wait until the gentleman from New York [Mr. COLE] appears.

Mr. McCORMACK. I think it would be better to wait until the gentleman from New York [Mr. COLE] appears. I have not personally talked with the gentleman from New York.

Mr. MAY. Very well, Mr. Speaker, I will withdraw my request.

SUBVERSIVE ACTIVITIES AMONG RADIO OPERATORS

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the bill H. R. 5074 may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the Communications Act of 1934, as amended, is amended by adding at the end thereof the following:

"(bb) 'Subversive individual' means an individual—

"(1) who teaches, advocates, or believes in, or at any time has taught, advocated, or believed in, the duty, necessity, or propriety (A) of controlling, conducting, influencing, seizing, or overthrowing the Government of the United States by force, violence, military measures, or threats of any of the foregoing or (B) of making or participating in any combination or conspiracy to resist the lawful authority of the United States or the execution of any law of the United States;

"(2) who is or at any time was a member of, or who solicits or advocates or at any time has solicited or advocated membership in the Communist Party, the German-American Bund, the Young Communists League, or any organization successor to any of the foregoing, or any organization which teaches, advocates, or believes in the duty, necessity, or propriety (A) of controlling, conducting, influencing seizing, or overthrowing the Government of the United States by force, violence, military measures, or threats of any of the foregoing or (B) of making or participating in any combination or conspiracy to resist the lawful authority of the United States or the execution of any law of the United States; or

"(3) who disseminates or distributes or at any time has disseminated or distributed subversive propaganda.

"(cc) 'Subversive propaganda' means any book, pamphlet, leaflet, or other item of written, printed, or graphic matter—

"(1) which teaches or advocates, or which makes any statement from which it can be reasonably inferred that it is teaching or advocating, the duty, necessity, or propriety (A) of controlling, conducting, influencing, seizing, or overthrowing the Government of the United States by force, violence, military measures, or threats of any of the foregoing or (B) of making or participating in any combination or conspiracy to resist the lawful authority of the United States or the execution of any law of the United States; or

"(2) which solicits or advocates membership in the Communist Party, the German-American Bund, the Young Communists League, or any organization successor to any of the foregoing or any organization which teaches, advocates, or believes in the duty, necessity, or propriety (A) of controlling, conducting, influencing, seizing, or overthrowing the Government of the United States by force, violence, military measures or threats of any of the foregoing or (B) of making or participating in any combination or conspiracy to resist the lawful authority of the United States or the execution of any law of the United States."

SEC. 2. (a) Section 303 (l) of the Communications Act of 1934, as amended, is amended by inserting before the semicolon at the end thereof the following: "and whose capacity, experience, habits of life, and character are such as to warrant the belief that they can safely be entrusted with the duties and responsibilities connected with the license for which such citizens make application, but no license valid for service at a station authorized to communicate with any ship station shall in any case be issued to any person if the Commission, after investigation either by itself or through another appropriate agency of the United States and after due notice to such person and affording him an opportunity for a hearing, finds that there is a reasonable probability that such person is a subversive individual."

(b) Section 303 (m) (1) (A) of such act, as amended, is amended by striking out "which the Commission is authorized to administer."

(c) Section 303 (m) (1) of such act, as amended, is amended (1) by striking out the period at the end of paragraph (F) and inserting in lieu thereof a semicolon and the word "or" and (2) by adding at the end thereof the following:

"(G) has been guilty of negligence, misconduct, intemperate habits, or inattention to duties; or

"(H) has shown incapacity, incompetence, or inaptitude."

(d) Section 303 (m) (2) of such act, as amended, is amended by adding at the end thereof the following: "This paragraph shall not apply with respect to the suspension of the license of any operator on the ground that there is a reasonable probability that he is a subversive individual."

(e) Section 303 (m) of such act, as amended, is amended by adding at the end thereof the following:

"(3) Whenever, in the case of any operator who holds a license valid for service at a station authorized to communicate with any ship station, the Commission has information which would in the opinion of the Commission justify a finding by it that there is a reasonable probability that such operator is a subversive individual, the Commission shall summarily suspend such operator's license and shall give notice of such

suspension to the operator licensee, to the Director of the Bureau of Marine Inspection and Navigation, to each shipping commissioner and person authorized to perform the duties of a shipping commissioner, to the owner and operator of every ship of the United States fitted with a radio installation, and to the licensee of every other station authorized to communicate with any ship station. In case such notification of suspension is given when the operator is employed as a qualified operator on any ship away from a port of the United States, such suspension may be made subject to such conditions and limitations as the Commission may prescribe. At any time after such suspension the operator may make written application to the Commission for a hearing thereon. As soon as practicable after receipt by the Commission of such application, the Commission shall hold a hearing upon such suspension, which hearing shall be expedited. The hearing shall be conducted under such rules as the Commission may prescribe. Upon the conclusion of the hearing the Commission shall by order suspend such operator's license for the duration of the term thereof if it finds that there is a reasonable probability that he is a subversive individual. If the Commission upon the conclusion of the hearing does not so find, it shall revoke such suspension and give notice thereof to all persons previously notified of such suspension."

SEC. 3. Whenever, in the case of any individual, the Federal Communications Commission—

(a) pursuant to section 303 (l) of the Communications Act of 1934, as amended, finds that there is a reasonable probability that such individual is a subversive individual (as defined in such act, as amended); or

(b) pursuant to section 303 (m) (3) of the Communications Act of 1934, as amended, summarily or by order suspends the license of such individual under such act; or

(c) pursuant to section 303 (m) (1) (G) of the Communications Act of 1934, as amended, suspends the license of such individual under such act because of proof that such individual has been guilty of misconduct; then, notwithstanding any other provision of law, until such time as the individual concerned acquires a license under the Communications Act of 1934, as amended, valid for service at a station authorized to communicate with a ship station, no license, certificate of registry, or certificate of service shall be issued to such individual under the navigation laws; and notwithstanding any of the provisions of section 4450, as amended, of the Revised Statutes or any other provision of law, the Director of the Bureau of Marine Inspection and Navigation of the Department of Commerce shall forthwith suspend every license, certificate of registry, and certificate of service issued under the navigation laws and held by the individual concerned, and make such suspension effective until such time as the individual concerned acquires a license under the Communications Act of 1934, as amended, valid for service at a station authorized to communicate with a ship station.

SEC. 4. Nothing in this act or in the amendments made by this act shall be construed so as to modify or in any manner affect the rights guaranteed under section 7 of the National Labor Relations Act.

SEC. 5. This act and the amendments made by this act shall cease to be effective on and after July 1, 1943, or the date upon which the President proclaims the existing national defense emergency terminated, whichever occurs first.

Mr. RAMSPECK. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this bill arose out of hearings we had on the Dirksen bill before the Committee on the Merchant Marine and Fisheries, in which it developed that we have about 2,000 radio operators on our merchant vessels, in the American merchant marine, and the charge was made before the committee that approximately 150 of them were either Communists or men with subversive slants to their thinking. We were told by officials in our armed forces that they had a list of about 150. I have personally looked over that list. Those people have been investigated by the Intelligence Service of our armed forces and by the F. B. I., and I am convinced, myself, that there is merit to the charge that some of those operators at least are not loyal to this country. I do not know how many of you know just how radio operators are assigned to ships. We have some merchant vessels that have only one operator, and they transmit and receive in Morse code, so that even the master of the vessel himself does not know what the operator is doing. It is, therefore, apparent that a disloyal operator would be in a position to disseminate information to an enemy if we were involved in a war, which would be very detrimental to our armed forces. Even in the present state of our emergency it is a very dangerous thing, it seems to me, to have operators about whom there is any question as to their loyalty.

It developed that the present law does not give the Federal Communications Commission, which issues licenses to these operators, the right to make inquiry about anything except the technical qualifications of radio operators. This bill proposes to amend the act so that they may inquire as to their character and their background.

The bill contains a definition of "subversive individuals." If they find an applicant is a subversive individual or that there is a reasonable probability that he is they can deny the applicant a license. If they find that any person who has a license now is a subversive individual, or that there is a reasonable probability that he is, they can temporarily revoke that license, after which the holder of the license gets a hearing and has the right of appeal to the courts. So that we have safeguarded the rights of the holders of these licenses and have given them an opportunity to appeal whatever decision may be made by the Federal Communications Commission to the courts. But in the meantime we get a questionable operator off of our merchant vessels, thereby protecting the shipping of our country. I think it is a good bill, and although some of my friends in the labor movement may think I am reversing my position, that is not the case, because I believe in the principles of organized labor.

I do not believe it is in the interest of labor or anybody else in this country to have subversive individuals holding membership in labor unions and in position to do damage to the welfare and the safety of the United States of America and its merchant marine. For this reason I am supporting this bill.

The bill was drafted by a subcommittee of the Committee on the Merchant Marine and Fisheries, of which subcommittee I have the honor of being chairman. The bill was introduced by the chairman of our committee, that splendid gentleman from Virginia [Mr. BLAND], whom we all so much admire and respect. I believe this is good legislation, legislation in the interest of our country and in the interest of proper unionism among the workers of the country, and I hope the House will approve it.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield for a question?

Mr. RAMSPECK. I yield.

Mr. CRAWFORD. Is there any practical way in which the operations of these particular individuals on the ship can be checked by some other person on the ship?

Mr. RAMSPECK. No way that I know of unless some officer of the ship happened to be able to understand the Morse code.

Mr. CRAWFORD. In other words, they operate in single units, that is, one man on duty on a ship at a time?

Mr. RAMSPECK. Some vessels have more than one operator, but some have only one. Where they have more than one, of course, the other operator might be able to show up subversive intent; but where you have only one there is absolutely no check on him unless there should happen to be somebody on board who understood the Morse code.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. BLAND. Even where there is more than one operator, only one is on a watch.

Mr. RAMSPECK. That is true, only one operator is on duty at a time. The other would probably be out of hearing, so that he would not know what was being done.

Mr. CRAWFORD. So this moral check and investigation of character and reputation, and so forth, is the only possible check we have.

Mr. RAMSPECK. That is the only way we can get at the root of this trouble.

Mr. OLIVER. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. OLIVER. I want to take this opportunity to express my appreciation to the gentleman from Georgia and the members of his subcommittee for handling this difficult piece of legislation so effectively. It seems to me organized labor should be equally commendatory of the gentleman for what he has done here in view of the fact that organized labor needs protection, it seems to me, against these subversive influences which this bill seeks to reach, rather than being critical of it on the basis of being anti-labor.

Mr. RAMSPECK. I thank the gentleman from Maine, and I agree with him that the thing which perhaps would be most dangerous to organized labor in my opinion would be the infiltration of subversive influences into the ranks of labor. Organized labor certainly ought to want to get rid of them, because organized labor will lose the support of the public otherwise, and when that is lost they are destroyed.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. VOORHIS of California. I agree thoroughly with what the gentleman has just said. It has been my view all along that the kind of legislation that should be brought in the House is legislation that would attempt in a very careful and discriminating manner to separate the great rank and file of American labor from those elements that really make for trouble for the labor movement itself. I have opposed legislation consistently which I believe would damage basic rights of labor and I shall continue to do so. But from what I know of the situation existing and from what I have learned from labor men themselves about the situation with regard to the radio operators I believe this bill ought to be passed I believe it is pretty broad but I think that the approach—through control of licenses—is the right one.

Mr. RAMSPECK. I thank the gentleman. We are in accord about that. I am just as much interested, I believe, as anyone in this House in preserving the rights and the principles on which organized labor is founded, but those rights can be destroyed quickly by the infiltration of subversive influences.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. SMITH of Virginia. Will the gentleman from Georgia inform the House as to what is the attitude of the C. I. O. on this legislation?

Mr. RAMSPECK. The only information I can give the gentleman is that I spent an hour this morning talking to one of the C. I. O. men who is connected with the radio operators' union affiliate. He urged me to oppose the bill. I told him I could not do that, that I was for the bill, that I thought it was good legislation and in the interest of the right kind of labor organization.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. LEAVY. This bill carries safeguards, does it not, to protect anyone accused of being one of the proscribed individuals and gives him an opportunity for a public hearing?

Mr. RAMSPECK. That is right. They have a hearing and also the right of appeal to the courts.

[Here the gavel fell.]

Mr. WELCH. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, an effort has been made to create a false impression that this legislation is antilabor.

Nothing could be further from the truth. Were that a fact, I would oppose it, as I have opposed all antilabor legislation.

The purpose of this bill is to strengthen the arm of the Government in an effort to keep subversive and unreliable radio operators from employment on American-flag ships. This is in no way a reflection on the loyal radio operators on our ships, who number approximately 2,000. Testimony was adduced at the hearings, however, and the committee had reason to believe, that a very small number of radio operators on our ships are subversive or have subversive tendencies. These men are in a position to do great damage and should be removed from the service.

This bill was unanimously approved by the committee, and I hope it will pass and accomplish its purposes.

Mr. DIRKSEN. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, I am rather happy to see this bill on the floor today. I have something of a paternal interest in this legislation. It is a sort of modification of a bill that was introduced in January, H. R. 2662, dealing with the maritime industry.

I have had some rather interesting experiences since that time. Some Members of the House will remember that I delivered myself of a rather heroic effort here for about an hour undertaking to establish to my own satisfaction, and insofar as possible to the satisfaction of the Congress and the country, that there were subversive activities in the merchant-marine industry in the country in its many ramifications. When that bill was introduced I received cablegrams from every port in the world. I was abused from Melbourne and Sydney, Australia, I received cablegrams of abuse from Nova Scotia, from Japan, and from the China Sea; I received cablegrams from the Atlantic Ocean, the North Pacific, the South Pacific, and the Indian Ocean, and from just about every stretch of deep water on the face of the earth. I never realized that sailors would deign to waste so much time on a humble Member of Congress in fairly deluging him with cablegrams against that bill.

It was set up in four titles, dealing with radio, hiring halls, citizenship, and ship radio operators. Technically speaking, I am a landlubber. I live out in a great landlocked area in the Middle West. I live on a river, but we do not have any battleships on that river because we have only about 9 feet of water. Having been a marine contractor once upon a time, I have been interested in everything that pertains to water. As I saw the evidences of an unhealthy condition in the maritime industry and learned from the Maritime Commission appearing before the Appropriations Committee, and also from the Federal Communications Commission, that there were some weaknesses in the law that ought to be amended, I am very happy indeed that the gentleman from Georgia [Mr. RAMSPECK] and his subcommittee took cognizance of one item in the bill that was introduced and that he comes here today with a unanimous report of the subcommittee on this measure.

It is rather singular that in the Communications Act of 1934 it was impossible to suspend or revoke a license because of subversive activities. That authority will be provided, but there will be the right of appeal for any person charged with subversion.

We speak about the small number of the 2,000 ship-radio operators in the country who may be subversive, but may I say that it takes only one under a given set of circumstances to really do the damage. You cannot leave as many as one individual in the Navy or in the merchant marine who bears the subversive tag, because you put him in a situation where he can flash a confidential message to a shore station by some prearranged code, and that is the point where the damage will be done.

We have been derelict indeed in our duty in not covering up this weakness before. I am delighted that out of these little researches, out of the activities of the Dies committee and every other agency that has sought to point out this weakness in the marine structure of the country this bill is here today, and I congratulate the committee on its report.

Mr. BLAND. Mr. Speaker, I rise to strike out the last three words merely to say that this bill was very carefully considered by the committee as well as the subcommittee. I participated with the subcommittee in the hearings and in the discussion. The bill has the unanimous report of the committee.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

(Mr. FULMER asked and was given permission to extend his own remarks in the RECORD.)

AMENDING THE TENNESSEE VALLEY AUTHORITY ACT

Mr. McCORMACK. Mr. Speaker, I renew the unanimous-consent request propounded previously by the gentleman from Kentucky [Mr. MAY] for the consideration of the bill H. R. 4961, to amend section 9 (b) of the Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 (b) of the original Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935 (49 Stat. 1080), be, and the same is hereby, further amended by adding at the end of section 14 thereof the following: "Nothing in this act shall be construed to relieve the treasurer or other accountable officers or employees of the Corporation from compliance with the provisions of existing law requiring the rendition of accounts for adjustment and settlement pursuant to section 236, Revised Statutes, as amended by section 305 of the Budget and Accounting Act, 1921 (42 Stat. 24), and accounts for all receipts and disbursements by or for the Corporation shall be rendered accordingly."

With the following committee amendments:

Page 1, line 6, strike out "of section 14."

Page 2, after line 4, strike out the period, insert a colon and the following: "*Provided*, That, subject only to the provisions of the Tennessee Valley Authority Act of 1933, as amended, the Corporation is authorized to make such expenditures and to enter into such contracts, agreements, and arrangements, upon such terms and conditions and in such manner as it may deem necessary, including the final settlement of all claims

and litigation by or against the Corporation; and, notwithstanding the provisions of any other law governing the expenditure of public funds, the General Accounting Office, in the settlement of the accounts of the treasurer or other accountable officer or employee of the Corporation, shall not disallow credit for, nor withhold funds because of, any expenditure which the Board shall determine to have been necessary to carry out the provisions of said act.

"The Corporation shall determine its own system of administrative accounts and the forms and contents of its contracts and other business documents except as otherwise provided in the Tennessee Valley Authority Act of 1933, as amended."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address entitled "Peace Rather Than War."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. THILL]?

There was no objection.

(Mr. COFFEE of Nebraska asked and was given permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. DICKSTEIN] is recognized for 15 minutes

Mr. DICKSTEIN. Mr. Speaker, I do not wish to use this time today, and I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FITZPATRICK, indefinitely, on account of illness.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1579. An act to authorize the President of the United States to requisition property required for the defense of the United States; to the Committee on Military Affairs.

SPECIAL ORDER

The SPEAKER. Under a previous order of the House, the gentleman from Alabama [Mr. PATRICK] is recognized for 30 minutes.

HAVE REPUBLICANS SUPPORTED NATIONAL DEFENSE?

Mr. PATRICK. Mr. Speaker, I started to make this speech last week. Had I not been interrupted, I would have saved you the pain today, but I did not want the speech to die in me, so I got the 30 minutes to go on with it today. I will spare you that, as nearly as I can, which I got off my chest last week.

If you will recall, the minority leader was discussing national defense, apparently in the presence of some newspaper reporters, and he took the Democratic Party to task for a lag in national defense, leaving the impression and even making the statement, if I read correctly the quotation from the minority leader, that the Democrats are to blame.

I tell you what I think. I want to be fair to the minority leader. I think he was among a bunch of his friends and got to bouncing the ball, and he just bounced it a little bit too high. He forgot that everything he says is big news now since he is minority leader. No matter how definitely faithful to the facts I may be, anything I say is not big news, but I am not minority leader of any party. So he bounced the ball a little too high, and those over on the Democratic side saw it. They said, "Now, he is playing with our ball over there. That does not belong to him."

I want to thank quite a number of you Republican Members for your very courteous calls upon me personally—some personally and some over the phone—to assure me that you had no part in or sympathy with the behavior of the gentleman from Oregon, Congressman MOTT. I know very well that you are stating the truth. There is no blame on the Republican membership of the House for the actions of one man. So I do not think the Republicans are to blame for the interference at all, but that it was one man's action.

In checking over the records it does not appear that the Republicans can blame anybody any more than the Republicans for the lag in national defense. I call your attention to one thing that I mentioned before, that the Republicans sank the Navy and at the same time, though it could not be seen like sinking the Navy, they sank the Army down to about 160,000 men—no men, no guns, nothing, until the Democrats stepped in and relieved the Nation. Then our defenses commenced to build up.

On a previous day I called attention on the floor to one of the naval bills, when most of the Republicans fought it, and they introduced an amendment and fought for it, even after we were about to get out two battleships, reducing it to one. If I remember correctly, the gentleman who introduced the amendment was the gentleman from Pennsylvania [Mr. RICH]. Anyway, the Republicans fought that, and the gentleman from Massachusetts [Mr. MARTIN], the minority leader, said that they were acutely interested in aviation under the inspiration of the late Billy Mitchell, and for that reason they voted against the battleship and to cut down the Navy appropriation with the idea of applying it to air defense.

We checked up on that. When I commenced to talk about that so many gentlemen wanted me to yield between the time I made my first statement until the time I was permitted to make the last statement that I never did get to make it at all. It resulted in an adjournment. But, as I say, I do not blame the membership of the Republican Party for that, because I do not think the Republican boys as a body wanted to do that.

We checked into it to see. We looked up the Republican vote on the national-defense airplane bills. Read the RECORD of February 14, 1939. Papa would not kid you.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. PATRICK. Would the gentleman let me finish this right here, and then I will yield to him. Let me finish the statement I am making right now.

Mr. TABER. All right.

Mr. PATRICK. It may be that the gentleman is about to correct me on something.

That bill was for 5,500 airplanes. The President's message of a month before, or a little over a month, was for 6,000 planes. What did these Republicans do? The gentleman from Massachusetts [Mr. MARTIN] assures us they fought the increase in the Navy so as to build up aviation defense. He asked for it.

The ranking minority member of the Committee on Military Affairs, the gentleman from New York [Mr. ANDREWS], supported by the gentleman from Massachusetts [Mr. MARTIN], the minority leader, and the gentleman from New Jersey [Mr. POWERS], a Republican member of the Appropriations Committee, commenced to work on the aviation defense bill, and they fought it bitterly. I ask you to read your speeches.

Mr. POWERS said:

Who told us there is any immediate emergency? I may say to the gentleman about national defense, what crimes have been committed in thy name.

The Republicans then came forward with an amendment to cut it down. These are the gentlemen their leader says were previously holding back from Navy support to come forward under the inspiration of the gospel of the late Billy Mitchell for aviation defense. Well, their noses were counted when the bill for the 5,500 airplanes passed; and the votes on the Andrews amendment to cut the appropriation down to $37,000,000 and to hold the number of planes down to 3,300 was 217 against and 150 for. Of those 150 voting for the Andrews amendment there were only 3 unwary Democrats, while only 6 Republicans remembered their high resolve to support aviation defense when they voted against increasing the Navy. These are the tracks they have made across the face of your country's history, and they cannot deny them today. Actions speak louder than words. But I wish I had the time to quote from the speeches of those days. I wish I had the time to quote from the Republican speeches.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Yes; I yield to the gentleman.

Mr. TABER. Is the gentleman making an appeal for unity or is he making a kind of cover-up on the operation of peeling potatoes?

Mr. PATRICK. This is an appeal for unity.

Mr. TABER. It is a partisan appeal.

Mr. PATRICK. I am glad the gentleman is joining with me on my potato business, and I am going to invite him to come along with me the next time.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield to the gentleman.

Mr. DITTER. Does not the gentleman feel, in fairness to the House and for the purpose of clarification of his own defense, he should not confuse the air arm of the Navy and the air arm of the Army? In other words, the gentleman from Alabama originally started with the premise of complaint with reference to the reduction of two battleships to one and the allegation that the cut was made because of an air-defense desire, and the Navy and going over to an Army bill.

Mr. PATRICK. That is right.

Mr. DITTER. The gentleman should stay with the branch of defense that he originally started to deal with.

Mr. PATRICK. If the gentleman will wait, that will be amply covered, I think.

Mr. DITTER. That may be of value at one place, but it will not have any value in another under our present confusion.

Mr. PATRICK. I will attempt in my 30 minutes to cover the whole thing and the gentleman's point is well taken. But defense is defense. There is much more to be said on it.

The trouble with the gentleman from Massachusetts, the minority leader, is that his hindsight is much better than his foresight. He wishes to holler so loud the people of America will be attracted by the noise of today and will not look upon the tracks of yesterday, and I am thankful that it was the Democrats who saw yesterday what the Republican leader sees and is shouting about today.

Remember this came in here as a challenge from the Republicans and as a challenge by Mr. MARTIN, who declared that his love for aviation inspired his and his brethren's vote against the naval appropriations for two additional battleships in 1938, nearly a year before. That is not my doing, understand. So help me, he asked for it.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield.

Mr. PATRICK. I yield.

Mr. MARTIN of Massachusetts. I want first to ask the gentleman this question. Is it not a fact that at the time these appropriations were made we provided for more airplanes than could be built in that calendar year?

Mr. PATRICK. I guess so. I guess that is true, but that did not mean we should not plan to expand so as to provide proper defense.

Mr. MARTIN of Massachusetts. I knew the gentleman would be honest and fair in his statement that that is the fact. We provided for more airplanes than you could possibly build that year and, as everybody knew, it would have been very foolish to have gone beyond a certain length of time because airplanes become obsolete so fast that it would be exhibiting very poor judgment.

Mr. PATRICK. I think the gentleman is trying to win on a technicality, trying to steer away from facts.

Mr. POWERS. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Not now.

Mr. POWERS. The gentleman has quoted me and I think the gentleman should yield.

Mr. PATRICK. I will yield to the gentleman before this is over. I just do not want too much breaking in right here.

Mr. POWERS. The gentleman just made a reference to me——

Mr. PATRICK. I told the gentleman I would yield to him in due time.

Mr. POWERS. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. Evidently no quorum is present.

ADJOURNMENT

Mr. BULWINKLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 55 minutes p. m.) the House adjourned until tomorrow, Wednesday, July 23, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, July 23, 1941, to consider private bills.

EXECUTIVE COMMUNICATIONS, ETC.

777. Under clause 2 of rule XXIV a letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to declare abandoned the title of the city of Marquette, Mich., and to vest control of such land in the Secretary of the Treasury for coast-guard purposes, was taken from the Speaker's table and referred to the Committee on the Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON of Georgia: Committee of conference on the disagreeing votes of the two Houses. H. R. 3537. A bill authorizing the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes (Rept. No. 984). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 5312. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; with amendment (Rept. No. 985). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAY:

H. R. 5386. A bill to authorize Army officers designated by the Secretary of War to take final action on reports of surveys and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of Government property; to the Committee on Military Affairs.

H. J. Res. 220. Joint resolution declaring the existence of a national emergency, and for other purposes; to the Committee on Military Affairs.

By Mr. VINSON of Georgia:

H. Res. 276. Resolution providing for the consideration of H. R. 5312; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BONNER:

H. R. 5387. A bill for the relief of Mrs. Anna M. Paul; to the Committee on Claims.

By Mr. FIVERS:

H. R. 5388. A bill for the relief of T. Brooks Alford; to the Committee on Claims.

By Mr. BARRY:

H. R. 5389 (by request): A bill for the relief of Lillian Woodward; to the Committee on Claims.

By Mr. BLAND:

H. R. 5390. A bill for the relief of G. T. Elliott, Inc.; to the Committee on Claims.

By Mr. WILSON:

H. R. 5391. A bill for the relief of Dupont Canning Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1672. By Mr. MARTIN J. KENNEDY: Petition of the Rochester Chamber of Commerce, opposing the proposal to incorporate in the income-tax bill now being drafted the prohibition of separate income-tax returns by husband and wife; to the Committee on Ways and Means.

1673. Also, petition of the Merchants' Association of New York, opposing proposal to amend the present income-tax law so as to require the filing of joint returns by married persons; to the Committee on Ways and Means.

1674. Also, petition of the community councils requesting the adoption of the Tolan bill (H. R. 1052) permitting employees of the United States who are injured during the performance of duty to receive compensation if they are treated by chiropractors; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 23, 1941

The House met at 12 o'clock noon.

Rev. Charles Owen Rice, director, St. Joseph House of Hospitality, Pittsburgh, Pa., offered the following prayer:

Almighty God, we ask a blessing upon the Members of this assembly, upon the Chief Executive of the United States. Enlighten and strengthen them so that individually and collectively they may best serve the interests of our beloved country. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Baldridge, one of its clerks, announced that the Senate had passed without

amendment bills of the House of the following titles:

H. R. 1702. An act for the relief of Mary McCutcheon;

H. R. 1746. An act for the relief of Charles J. Schay;

H. R. 2382. An act for the relief of William Cromer;

H. R. 2855. An act to provide for payment of pension to certain dependent parents notwithstanding remarriage, and for other purposes;

H. R. 2888. An act for the relief of R. E. Buzby;

H. R. 3247. An act for the relief of Mrs. O. B. Olson;

H. R. 3367. An act relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937;

H. R. 3523. An act for the relief of the Equitable Insurance Alliance, the Fidelity and Guaranty Fire Corporation, and the Hartford Fire Insurance Co.;

H. R. 3551. An act for the relief of Lillian Korkemas and Rose Grazioli;

H. R. 3607. An act for the relief of Anton Waytashek;

H. R. 3801. An act for the relief of Mr and Mrs. W. A. Batchelor;

H. R. 3933. An act to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover;

H. R. 3943. An act for the relief of Mr and Mrs. J. W. Johns;

H. R. 4210. An act to adjust the salaries of rural letter carriers; and

H. R. 5256. An act authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 122. An act to amend section 226 of the act of March 4, 1909;

S. 261. An act relating to the compensation of William J. Muse for services rendered as a clerk in the post office at Mountain City, Tenn.;

S. 415. An act to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become disabled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes;

S. 493. An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor;

S. 899. An act for the relief of Ernest A. McNabb;

S. 1055. An act for the relief of Julius Yuhasz and Arvid Olson;

S. 1228. An act for the relief of Mrs. A. B. Tanner;

S. 1229. An act to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended;

S. 1266. An act conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon the claim of Etta Houser Freeman;

S. 1429. An act for the relief of William Corder;

S. 1476. An act providing for Federal assistance in eradicating the cattle tick in the Seminole Indian Reservation in Florida;

S. 1550. An act for the relief of Carl Chalker;

S. 1570. An act to further amend the acts for promoting the circulation of reading matter among the blind;

S. 1642. An act to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes;

S. 1725. An act to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.;

S. 1731. An act to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes; and

S. 1736. An act to authorize the payment of an indemnity to the British Government, for and on behalf of John Bailey, former stoker of His Majesty's ship *Orion*, in full and final settlement of a claim arising as a consequence of injuries inflicted by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1359. An act for the relief of Robert Edward Lee;

H. R. 1852. An act for the relief of Fred Weybret, Jr., and others;

H. R. 1855. An act for the relief of Laura McStay;

H. R. 2985. An act to prescribe the time basis for computing pay for overtime work performed by laborers in the Railway Mail Service;

H. R. 3121. An act for the relief of the Automatic Temperature Control Co., Inc.;

H. R. 3774. An act for the relief of Fred Spencer;

H. R. 3802. An act for the relief of Louis A. Schwan; and

H. R. 4671. An act to authorize a plant-protection force for naval shore establishments, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 849. An act for the relief of Eben Vaughn Cleaves.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 1548) entitled "An act for the relief of Mrs. H. C. Bivins, Henrietta Bivins, and Irvin Tatum," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPENCER, Mr. HUGHES, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1580) entitled "An act to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCKELLAR, Mr. HAYDEN, Mr. BAILEY, Mr. CHAVEZ, Mr. THOMAS of Idaho, and Mr. WILLIS to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1261) entitled "An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCARRAN, Mr. MCFARLAND, and Mr. LANGER to be the conferees on the part of the Senate.

CONSTRUCTION OF CERTAIN PUBLIC WORKS

Mr. VINSON of Georgia. Mr. Speaker, I submit a conference report upon the bill H. R. 3537, authorizing the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, for printing under the rule.

PROPOSED BRIDGE BETWEEN HUNTERS POINT AND BAY FARM ISLAND, SAN FRANCISCO

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 158, which I send to the desk and ask to have read.

The Clerk read as follows:

Whereas the city of San Francisco, its bay and the territory adjacent thereto, are of the highest strategic importance to any adequate defense of the entire Pacific coast; and

Whereas in recognition of this importance there have been located in or near the city of San Francisco the Presidio Military Reservation, Fort Winfield Scott, Fort Mason, the Army transport docks, the United States Risdon naval plant, United States naval drydocks at Hunters Point, Mare Island Navy Yard, Oakland naval air base, Oakland naval supply base, the United States Army Moffett Air Field, Fort Barry, Fort Baker, and the United States bombardment base; and

Whereas the lessons of modern warfare have demonstrated the necessity of adequate highways between national-defense activities; and

Whereas the San Francisco-Oakland Bay Bridge constitutes the only direct approach by highway to San Francisco from the Oakland-Alameda side of the bay: Therefore be it

Resolved, That the Secretary of the Navy is requested to appoint a board consisting of not less than five officers to investigate and report upon the need and feasibility, from the standpoint of the national defense, of constructing a bridge between Hunters Point and Bay Farm Island, such report to include recommendations as to the type, characteristics, and dimensions of such a bridge and highway, the estimated cost, and any other feasures deemed pertinent, and to be forwarded to the Congress as soon as practicable by the Secretary of the Navy, who is further requested to transmit therewith his recommendations in the premises.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I understand this provides for a simple investigation.

Mr. WELCH. Mr. Speaker, it is a request that the Army and the Navy make a survey and report as to the need for constructing a bridge from Hunters Point, San Francisco, to Farm Bay Island on the easterly side of San Francisco Bay.

Mr. VINSON of Georgia. May I say to the gentleman that the Navy Department has no objection to making this inquiry. It is highly important from a national-defense standpoint that this be done as early as possible. The survey

should be made as to the feasibility of constructing a bridge at this point. This was brought to our attention by our distinguished colleague, the gentleman from California [Mr. WELCH], and the Naval Affairs Committee has unanimously recommended favorable consideration of this resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 2, strike out the word "is" and insert the word "are."

Page 2, line 2, after the article "(a)", insert the word "joint."

Page 2, line 3, strike out "five officers" and insert "three Army officers to be appointed by the Secretary of War and three naval officers to be appointed by the Secretary of the Navy."

Page 2, line 12, after the word "the" where it appears the second time, insert "Secretary of War and the."

Page 2, line 13, strike out the word "is" and insert the word "are."

Page 2, line 14, strike out the word "his" and insert "their."

Mr. WELCH. Mr. Speaker, I rise in favor of the resolution. I desire at this time to express my appreciation and to thank the distinguished chairman and the able Committee on Naval Affairs for favorably considering this resolution. The approval and support given the proposed low-level bridge at Hunters Point by Chairman VINSON is in keeping with his splendid foresight and vision, which has brought the Navy and naval establishments to their present high state of efficiency.

Mr. Speaker, the city of San Francisco, its bay, and territory adjacent thereto are of the highest strategic importance to any adequate defense of the entire Pacific coast. Within this area—the spearhead of the Pacific coast national defense—are many of the principal military establishments of the Pacific coast, including the Presidio Military Reservation, Fort Winfield Scott, Fort Mason, the Army transport docks, the United States Risdon naval plant, United States naval drydocks at Hunters Point, Mare Island Navy Yard, Oakland Naval Air Base, Oakland Naval Supply Base, the United States Navy Moffett Air Field, Fort Barry, Fort Baker, and the Hamilton Field United States Air Bombardment Base.

The lessons of modern warfare have demonstrated the absolute necessity of adequate highways between national-defense activities. The San Francisco-Oakland Bay Bridge, which is 8 miles long and 200 feet high, constitutes the only direct approach by highway to San Francisco from the Oakland-Alameda or the continental side of the bay.

Mr. Speaker, there is an old and true saying that a chain is no stronger than its weakest link. The weakest link in the chain of national-defense activities in this area is the positive lack of adequate highways between these national-defense establishments. A low-level bridge, which in fact is a highway between Hunters Point and the east bay shore, will provide this all-important link.

San Francisco Bay, which is 70 miles long and 9 miles wide, is not only the geographical center of the Pacific coast but it is the most important and finest harbor for naval and military purposes on the entire western seaboard. This important fact has been referred to on many occasions by the highest-ranking officials of both the Army and the Navy. Admiral Charles F. Hughes, while Chief of Naval Operations, testified before a committee of Congress that—

San Francisco Bay is, as you know, the principal harbor of the Pacific coast. To my mind it belongs to the Nation; it is not the property of California nor of the cities that are on its shores. From its natural advantages and its location San Francisco Bay is certain to be the major continental fleet base for any extensive campaign in the Pacific.

Mr. Speaker, San Francisco is the outlet for that vast empire embracing the San Joaquin and Sacramento Valleys, each of which is traversed its length by different large, navigable rivers emptying into San Francisco Bay, and the Livermore, Napa, Sonoma, and Santa Clara Valleys, all rich and profitable land. The immeasurable importance of this empire to national defense is only limited by the adequacy of transportation facilities available.

I trust the resolution will be agreed to.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. LANHAM. Mr. Speaker, I ask unanimous consent that the Committee on Public Buildings and Grounds may sit during the session of the House today.

The SPEAKER. Is there objection?

There was no objection.

STRATEGIC HIGHWAYS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill S. 1580, to supplement the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, with a House amendment thereto, insist on the House amendment and agree to the conference asked by the Senate.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. CARTWRIGHT, Mr. WHITTINGTON, Mr. ROBINSON of Utah, Mr. WOLCOTT, and Mr. MOTT.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars, and include brief newspaper articles.

The SPEAKER. Is there objection?

There was no objection.

ENTRANCE OF UNITED STATES INTO EUROPEAN WAR

Mr. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Holland Sentinel.

The SPEAKER. Is there objection?

There was no objection.

ABSENTEE VOTING BY MEMBERS OF THE UNITED STATES ARMED FORCES

Mr. THILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. THILL. Mr. Speaker, I am today introducing a resolution which states that it is the sense of the Congress that all States provide a simplified method of voting by mail for all members of the armed forces of the United States; that the President of the United States, by proclamation, advise the members of our armed forces of their privilege to vote by mail; and that the military and naval authorities of the United States, by every means possible, encourage the members of the armed forces to exercise their rights as citizens by voting.

The object of this resolution is to stimulate and promote interest in the voting privilege accorded to members of our armed forces as American citizens; it will further tend to safeguard their right to exercise a voice in the Government. They particularly need a voice at this time when the President wants to break the agreement and contract made with the draftees and keep them in the service more than their period of 1 year.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter printed in the New York Times this morning.

The SPEAKER. Is there objection?

There was no objection.

INVESTIGATION OF ATTACKS AND MURDERS BY THE F. B. I.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a copy of a bill which I am introducing today.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask the membership of the House to join with me in securing legis-

lation to stop these fiendish attacks and murders all over the country, which are on the increase. My bill provides that whenever there is reason to believe that a felony has been committed resulting in the death, or disappearance, or serious injury to a person, the Federal Bureau of Investigation may assist and cooperate with the local authorities in the investigation of the offense. We know what has happened in Washington within the past 2 months. There have been numerous unexplained murders in the District of Columbia. The murderers have not been found. In my own district a fine young girl was snatched in broad daylight within a few doors of her own house, brutally attacked, and murdered. This young girl enjoyed the highest reputation and was an honor student at the Reading High School. Her parents begged and I did everything in my power to have the F. B. I. come into the investigation. Under the law today the F. B. I. cannot investigate unless kidnaping is suspected. My bill provides that if there is suspicion of a felony the Federal Bureau of Investigation can investigate at once. These abhorrent crimes must be stopped if this country is to be decent and strong.

The following Government figures show the alarming increase in murder and rape cases:

First 3 months of 1940: 736 murders. First 3 months of 1941: 803 murders. (Increase, 15.4 percent.)

First 3 months of 1940: 1,306 rape. First 3 months of 1941: 1,357 rape. (Increase, 5.8 percent.)

Comparing the calendar year 1940 with 1939, there has been an increase of 2½ percent in rape cases and an increase of 3 percent in murder.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. FLANNERY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a speech by Assistant District Attorney Anthony B. Dreier.

The SPEAKER. Is there objection?

There was no objection.

ARMY CAMP AT INDIANTOWN GAP, PA.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SNYDER. Mr. Speaker, it was my privilege and pleasure yesterday to be accompanied by 9 or 10 of my colleagues in visiting Indiantown Gap, Pa., where the Twenty-eighth Division of our armed forces is located. It was, indeed, an inspiration to see what has been accomplished in 8 months. There we have a city of about 20,000 inhabitants, with better sanitation, better health facilities, and better health record than any other city of 20,000 or 25,000 in the United States, unless it would be another armed camp.

Now, with reference to the food. One gentleman on this floor some months ago said something about the Army boys not being properly fed. I just want to give you the menu:

WEDNESDAY

Breakfast: Fresh peaches, assorted cereal, fresh milk, fried eggs, fried potatoes, bread and butter, coffee.

Dinner: Veal stew, creamed peas, corn on cob, sliced cucumber salad, bread and butter, cherry pie, coffee.

Supper: Spareribs, fried cabbage, boiled potatoes, corn bread, bread and butter, baked apples, coffee.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BURCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 965, the fourth-class postmasters' salary bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEISS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the McKeesport Daily.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the addresses delivered yesterday, July 22, during the ceremonies dedicating the new wing of the Norwegian Legation in the city of Washington.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that on tomorrow, after the legislative work of the day has been done and after the business on the Speaker's desk has been attended to and after all previous special orders that may have been entered, I be allowed to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object—and I hope I will not be compelled to object, because I want to hear the gentleman's speech; I have tried twice to do so—but on tomorrow we have a fairly full legislative program, and I have called a Republican conference for Thursday. I do not like to object, particularly in view of what has happened in the past. I hope that the gentleman from Alabama or any other Members who desire to speak would secure time on other days than tomorrow.

Mr. PATRICK. I am just getting afraid that you gentlemen cannot stand the needle.

Mr. MARTIN of Massachusetts. Oh, we are ready to stand any kind of a needle.

Mr. PATRICK. The tax bill will be up next week. If you gentlemen are trying to filibuster a poor lone Congressman out of one 30-minute speech——

Mr. MARTIN of Massachusetts. Oh, no. I am not trying to filibuster anybody.

Mr. PATRICK. I am not giving you any medicine that you gentlemen have not brought on yourselves. I would like to have the 30 minutes for tomorrow, Mr. Speaker.

Mr. MARTIN of Massachusetts. Well, I am going to object to it. I do not want to do it.

Mr. PATRICK. Will we be in session on Friday?

Mr. MARTIN of Massachusetts. Yes.

Mr. PATRICK. Then, Mr. Speaker, I ask unanimous consent for that time on Friday instead of tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I desire to submit two requests: One to extend my own remarks in the RECORD and include therein a radio speech of my own; and, second, to extend my remarks and include an excerpt from a book by Mr. George B. Galloway.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a declaration of sentiments and resolutions adopted by the Seneca Falls Convention in 1848.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO FILE MINORITY VIEWS

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to be allowed to file minority views on the bill (H. R. 146) to provide for trials of and judgments upon the issue of good behavior in the case of certain Federal judges.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Friday, following the address of the gentleman from Alabama [Mr. PATRICK], my colleague the gentleman from Pennsylvania [Mr. DITTER] may be allowed to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. WINTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by A. B. Lee, which appeared in the Coronet magazine.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial from the New York Daily News and the Washington Times-Herald.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include two short articles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that on Friday, immediately after the 30 minutes employed by the gentleman from Pennsylvania [Mr. DITTER], I may be permitted to address the House for 10 additional minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DITTER] may on Friday next, after the second address by the gentleman from Alabama [Mr. PATRICK], address the House for 15 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the roll of the committees.

LONGEVITY PAY FOR POSTAL EMPLOYEES

Mr. FLANNERY (when the Committee on the Post Office and Post Roads was called). Mr. Speaker, by direction of the Committee on the Post Office and Post Roads, I call up the bill (H. R. 1057) to establish a system of longevity pay for postal employees.

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the bill.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 1057) to establish a system of longevity pay for postal employees, with Mr. BEAM in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

Mr. FLANNERY. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FLANNERY. Mr. Chairman, for a long time longevity pay for postal employees has been a matter of consideration by the Committee on the Post Office and Post Roads. Under the system that prevails at the present time, and according to the provisions of existing law, clerk employees in the second- and third-class offices receive graduated increases for the first 5 years of service until they reach a maximum of $2,100. At this figure compensation is frozen, although they may go on serving 10, 15, 20, 25, or any number of years. There is no provision in the law for increased compensation to reward them for their long service, for their additional experience, for their loyalty, or for any sacrifice they have made in the interest of the Service.

In other branches of the Government, notably in the Army and the Navy, and I believe the Coast Guard, provision is made for increases on account of longevity of service. In most private industry, or in a great many of the outstanding private industries of the Nation, the principle of longevity pay is recognized, and men are given a reward for long, faithful, and loyal service. It is generally recognized that the Post Office Department of the United States is not only one of the most efficient in the Government but one of the most efficient in the world. It is a recognized fact that this efficiency is due to the loyalty and faithful service of these men. It is only fair if we are to maintain the morale and the esprit de corps of the Service that these men have some objective to strive for, some incentive to remain, some reward when they have remained, some recognition of the sacrifice and the service they have given; and it is to right a long-standing wrong that this bill has been introduced.

In brief, the bill provides that at the end of 10 years—recognizing, in the first instance, of course, since their fifth year of service they shall not be eligible for an increase—this provides that at the end of 10 years they shall receive an increase of $100 and an additional $100 upon the completion of an additional 5-year period of service thereafter, or in their fifteenth year. This seems to your committee to be only fair, just, and reasonable; certainly not excessive or exorbitant, particularly in this day of rising costs of living, rising wages, and the conditions which prevail in private industry generally, and which offer a great temptation to those in the Government service who can have no hope of improving their economic condition if they remain.

It is felt, however, that this is not a compensation or reward for increased duties, nor is it designed to meet rising costs of living. It is compensation for longevity of service, for faithful and loyal service, over the years, and for no other purposes. It is to reward these men, to maintain their morale, to give them an incentive, and to assist in the general efficiency of the Postal Service.

Mr. Chairman, as the bill was originally introduced, it provided for an increase of $100 for 5-year periods after 10 years and up to 30 years. The Department felt, however, that the cost was too high, so that we have cut it down to only two steps. The cost has been brought down proportionately to between sixteen and twenty million dollars, approximately. I feel assured in asking for this in view of the fact that the Post Office Department boasted of a surplus last year of $18,000,000 and expects a surplus for the ensuing year far in excess of that figure.

[Here the gavel fell.]

Mr. FLANNERY. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, may I say to the House that the report comes here as the result of the unanimous action of the Committee on the Post Office and Post Roads, and I trust that the House will see fit to approve the action of the committee, recognize the principle of longevity, and pass this legislation.

Mr. CRAWFORD. Will the gentleman yield?

Mr. FLANNERY. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I wish to ask one or two questions to make this a little clearer to me. Suppose an employee has been in the Service now, as of July 1, 1942, let us say 10 years, and he remains in the service during the following year. He gets $100 a year additional pay; is that correct?

Mr. FLANNERY. That is correct.

Mr. CRAWFORD. Suppose he remains in service for an additional 5 years and to the point where he has served 15 years. In the sixteenth year, then, he draws how much in addition?

Mr. FLANNERY. An additional $100.

Mr. CRAWFORD. That will be $200 additional then?

Mr. FLANNERY. Yes.

Mr. CRAWFORD. For the sixteenth year?

Mr. FLANNERY. That is right.

Mr. CRAWFORD. And that continues for the seventeenth and the eighteenth years?

Mr. FLANNERY. Throughout the length of his service at that rate.

Mr. CRAWFORD. Throughout the length of his service. Now, the gentleman made a remark about a $2,100 limitation. What did he mean by that?

Mr. FLANNERY. They start out as I recall, with $1,700. They get a hundred dollars for the first year and a hundred dollars for the second year.

Mr. BURCH. Will the gentleman yield?

Mr. FLANNERY. I yield to the gentleman from Virginia.

Mr. BURCH. The clerk hire in the second- and third-class offices begins at $1,700 and they are given an increase each year for satisfactory service up to $2,100.

Mr. CRAWFORD. After they reach $2,100, does this benefit not apply?

Mr. BURCH. No, indeed. It applies to anyone who has been in the Postal Service 10 years. They are then entitled to a hundred dollars annual increase in their salary. Then when they have been in the Service 15 years they are entitled to another hundred dollars and that is as far as it goes.

[Here the gavel fell.]

The CHAIRMAN. The Chair desires to announce that anyone opposed to the bill is entitled to time. Is any member of the committee opposed to the bill? Does any member of the minority party desire time?

Mr. HARTLEY. I desire time.

The CHAIRMAN. Is the gentleman opposed to the bill?

Mr. HARTLEY. No.

The CHAIRMAN. The gentleman cannot qualify. Is any other member of the minority opposed to the bill?

Mr. FLANNERY. Mr. Chairman, I yield the gentleman from New Jersey [Mr. HARTLEY] such time as he may desire within reasonable limits.

Mr. HARTLEY. And in turn I yield to a member of the committee, the gentleman from Illinois [Mr. MASON] 5 minutes.

Mr. MASON. Mr. Chairman, this bill comes before the House with the unanimous approval of the Post Office Committee of the House after long hearings. May I state that it is a nonpartisan measure in view of the fact that it was introduced by a member of the majority, the gentleman from Virginia [Mr. FLANNAGAN], and the same bill was introduced by me.

The question the House has to determine is whether a person should be expected to work long and faithfully after reaching the maximum allowed under the present law. Post-office employees now work for 25, 30, or 40 years at the same pay and without any recognition for long and efficient service. The maximum now is $2,100 after 5 years. This bill provides that after another 5 years of efficient, satisfactory service a bonus for long, efficient service will be offered of $100 a year. Then again after another 5-year period, or at the end of 15 years' service, another bonus of $100 per year will be given. This longevity-pay principle is not a new idea. It has been established in the Army, the Navy, the Marine Corps, the Geodetic Survey, the Public Health Service, and in several branches of the Customs Service of the United States, so that it is not a new idea at all. It has been in operation not only in private industry but in the Government and has worked very successfully.

Mr. Chairman, I desire to give a few reasons why this bonus is not only necessary but desirable. In 1913 there were 301,000 postal employees in the Post Office Department and at that time the revenue was $266,000,000. In 1940 there were 268,360 post-office employees, a reduction of approximately 40,000, while the post-office revenue increased to $766,948,000, an increase of 300 percent in the revenue of the Post Office Department in that time while there was actually a decrease in the number of employees that were operating the Post Office Department.

Do you not think that the extra work that has been placed upon these employees and the added efficiency of the Department, together with the increased responsibilities that have been added to the Post Office Department warrant some recognition?

The pay schedule was adopted in 1925 and has not been changed since. The Federal Government today is urging, and, in fact, practically compelling private industry to increase wages because of the increased cost of living. It seems to me, then, that when we ask Uncle Sam to set a good example in this matter by granting these bonuses for long and efficient work in the Post Office Department we are just asking what is reasonable and right.

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Indiana.

Mr. WILSON. I have been a strong advocate of this bill ever since I have been in Congress and am happy to see it come to the floor for consideration, but I did not like the idea of cutting it back to where it has been cut. It may be a long time before we can get another increase. Can the gentleman explain to us just why the changes were made in the bill? It seems to me that the increase you were proposing to give these employees was no more than sufficient to cope with the increasing cost of living. Now you have reduced it.

Mr. MASON. We agree to that. I did not like it myself, but the committee in order to be unanimous agreed on a compromise which practically cut the cost in half. We understand from the representatives of the post-office employees that they are willing to accept a half loaf if they cannot get the full loaf.

Mr. WILSON. I do not believe you can claim credit that you are rewarding them for effort. You are not. You are merely offering them something that you hope will appease them for the time being. You are not rewarding them for their long and faithful service.

Mr. MASON. Perhaps that is true, but we are establishing the principle of longevity.

[Here the gavel fell.]

Mr. BEITER. Mr. Chairman, will the gentleman from Pennsylvania yield for a brief question?

Mr. FLANNERY. I yield to the gentleman from New York.

Mr. BEITER. Suppose an employee remains in the Service for a period of 10 years and then for some unknown reason leaves the Service, and after a period rejoins it; what will his salary be? Will this affect his salary?

Mr. FLANNERY. He would not be eligible for this longevity pay by reason of the fact that the service is not continuous.

Mr. CRAWFORD. Mr. Chairman, if the gentleman will yield, may I pursue my question of a moment ago a little further? Do I correctly understand, then, that the maximum pay will be $2,300 per year?

Mr. FLANNERY. The gentleman is correct.

Mr. CRAWFORD. Instead of $2,100.

Mr. BURCH. That is the $2,100 salary classification.

Mr. FLANNERY. In that classification, of course.

Mr. Chairman, in the absence of opposition, I yield back the balance of my time.

Mr. Chairman, I ask unanimous consent that the following Members may be allowed to extend their remarks at this point in the RECORD: Messrs. EATON, SAUTHOFF, BENDER, EDWIN ARTHUR HALL, WILSON, BENNETT, HARTLEY, MCGREGOR, ANGELL, WICKERSHAM, YOUNGDAHL, MURDOCK, HAINES, PLOESER, and ROLPH.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EATON. Mr. Chairman, I am strongly in favor of this bill. It is a long-delayed step toward fair and just treatment of a loyal and efficient group of public servants whose financial reward has never been commensurate with the service they have rendered.

No class of our great army of public servants come into such intimate relations with all our people in their homes, their business, and their individual experiences. I know many post-office employees of all grades. I have attended their conventions and discussed with them their problems. They have earned this small recognition and reward for long and faithful service. They have, in my judgment, earned much more than this bill provides. But under present conditions here and throughout the world this is perhaps the best that can be done for them.

I shall vote for this legislation, strong in the conviction that I am meeting the demands of justice and fair play.

Mr. SAUTHOFF. Mr. Chairman, this bill is a case of belated justice—even that is an overstatement, because it is not complete justice; it is merely partial justice; and it does nothing in regard to the injustice which has operated against these carriers since 1925.

As the committee report states:

> The purpose of the proposed legislation is to give the postal employees designated therein a reward for longevity of service, as is now the practice in many other departments of the Government and which is done to a large extent in private industry. Under the prevailing system the compensation of these employees is frozen after 5 years, and although they may continue in the Service with the highest degree of efficiency and loyalty to the Department and their Government for 10, 20, or 30 years, yet under the law there can be no increase or reward for the service beyond the maximum attained after the fifth year.

Reflect on that amazing fact. Under the law as it now stands a post-office employee reaches his limit in salary in 5 years, and from then on he cannot get a dime of increase in pay, no matter how good he is. Pay increases with the increase of years in service have prevailed in other departments of the Government, but not in the case of the post-office employee. This principle has prevailed in the Army, the Navy, the Marine Corps, the Geodetic Survey, the Public Health Service, and some branches of the Customs Service for a long time. Why has the postal employee been discriminated against? Mainly because he was not organized, and also because the Postal Department has not made a fight for him. But since the earlier days the postal employees have formed two unions, one of which has become affiliated with the American Federation of Labor. They learned that in union there is strength, and as a result of their organizations they now are in a position to state their case and ask for redress.

The postal employees are not asking anything unreasonable or for something to which they are not entitled. All this bill does for the employees who have served the Department faithfully for 10 years is an increase of $1.90 per week and every 5 years thereafter an additional increase of $1.90 per week. That is all. Nothing for the many years of faithful and unremitting toil when they received nothing. If we treated these men fairly and paid them adjusted compensation for the years when they received no increases, this bill would call for many times the amounts set out in H. R. 1057. In fact, in my humble judgment, the amounts herein specified will

not even take care of increased taxes and increased cost of living, for it must be remembered that the carrier must pay for his uniform from head to foot. Nothing is furnished him except his heavy leather mail bag. We can readily understand the wear of such a bag, loaded with books, magazines, newspapers, and letters. Think of the weeks of the holiday season, when these sacks are piled so high that he cannot see over the top. The morning trip averages from 80 to 100 pounds, but under the regulations the carrier does not take more than 50 pounds at one time. You can understand what the rubbing of such a load can and does do to the carrier's coat; a coat that he must buy and pay for, and no matter how carefully and neatly his good wife mends it, no cloth can stand that strenuous service. With the increased cost of cloth and increased cost of everything else, I am satisfied that these men will merely meet the mounting prices with this slight addition, and will in reality have no additional pay.

My time is so limited that I cannot adequately present the case under consideration, but may I point out that in 1913 there were 301,000 post-office employees and the post-office revenue was $266,000,000. In 1940 there were 268,360 post-office employees, and the post-office revenue was $766,948,000. In the 27 years from 1913 to 1940 the post-office revenue increased $500,948,000, but there were 32,000 less employees.

But that is not all. More and more tasks have been turned over to the postal employee in the last few years, the handling of veterans' adjusted-service bonds, social-security registration, unemployment census, registration of aliens, baby bonds, and now defense stamps and defense bonds. In the Government service the courteous, faithful postal employee has been the forgotten man. I am indebted for the above facts to Jerome J. Strauber, public relations counsel, and the splendid leaflet entitled "Postal Telegraph."

I shall vote for this bill, but I regret that the committee saw fit to amend the original bill introduced by the gentleman from Pennsylvania [Mr. FLANNERY]. I share in the disappointment of the United National Association of Post Office Clerks because the committee did not go up all the way to 30 years and also make the bill effective as of the date of passage. Why should this bill be delayed in its effect until July 1, 1942? Have not the delays since 1925 constituted a sufficient waiting period? Why then continue the wrong against these men for another year? Oh, we are told, think of the cost. Yes; I have in mind what it will cost, but I also have in mind that the newspapers of the Nation receive a postage bonus of more than $86,000,000, and it is now proposed to send books by mail at one-half cent per pound. In other words, the Department and the Congress is ready and willing to subsidize two great industries at the expense of the postal employees. John J. Barrett, president of the U. N. A. P. O. C., pointed out these matters in his News Service of July 3, and I shall support his efforts on the floor of the House.

Consider the postal employee, my friends. Neat in personal appearance, courteous in conduct, temperate in his habits, a faithful servant to the public, a worthy citizen in his community, conscientious in his duties, loyal to his country, he may well challenge comparison with the merits of any other group of citizens in the country.

Let us then unite on this bill, not as a favor but as a matter of justice long past due.

Mr. BENDER. Mr. Chairman, this measure merits the support of every Member of Congress because of its economical importance to the many thousands of postal employees throughout the land. It will in a measure reward these faithful veteran employees who have been neglected for so many years.

The postal employees have had no wage increase since 1925. They are now faced with increased costs of living.

A recent editorial in the Cleveland News came to my attention. I will read this editorial as it expresses far better than any Member of the House could express, the case for the passage of this bill. The editorial follows:

Since April, legislation has been before the Post Office Committee of the House at Washington to increase the wages of postal employees; every member of the committee has indicated informal approval; 121 Members of Congress have testified, at hearings, their support of the bill; yet nothing has been done to bring the bill to enactment.

The bill would give every employee of the Postal Service 5 cents an hour more than the present $1,700–$2,100 salary for "regulars" if he has served 10 years and therefore can be said to be an experienced man; and 5 cents an hour additional for each additional 5 years' experience, up to a 25-cent raise for men of 30 years' experience.

Inasmuch as the postal employees have not had a raise since 1925, although former Postmaster General Farley says their efficiency and speed have increased 200 percent in the last 20 years, this bill will not seem very much of a raise to those who know the splendid discipline and spirit of the postal organization. The United States mail does "go through" as nowhere else in the universe.

The only open opposition has been from Postmaster General Walker, who calls the Nation-wide cost of the increases, which he estimated at $35,000,000, to be excessive. Probably this is the first time in the history of the New Deal that any Cabinet member has declared a $35,000,000 expenditure excessive, or even bothered to comment on it. The sum is a drop in the bucket of billions being spent for nondefense operations in sociology and reform, to say nothing of the defense spending.

Senators BURTON and TAFT and all five Cleveland Congressmen have endorsed the bill. We suggest they inquire into the cause of the committee's inactivity and seek to get the bill enacted. The Postal Service deserves it.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I, too, wish to appear at this time to say a few words in favor of, and to assure the Committee of my support of, H. R. 1057, otherwise known as the longevity bill. I am sure that any lengthy statement of mine would simply add duplication or would probably tell the Committee what it has been hearing from the mouths of numerous other Members of the Congress during the last 2 days.

For that reason I am not going to indulge in any lengthy statement in favor of this proposed measure.

I do, however, feel that I would be remiss in my duty to several worthy constituents if I were not to place before the Committee for consideration a story which is of particular interest and has been to me because I heard it 2 years ago before the longevity bill came into very much prominence, and certainly before it became discussed to any great extent by any group or groups other than the postal employees.

I happened to talk with a good friend of mine back home, he being a man who had worked many years in the post office. He has been on the job many years doing a conscientious duty; he has been very much interested in his work. He started at about $1,200 a year, as I remember, and he has worked in the post office for a dozen years, yet he told me that he was struggling along on that same salary and had been for a long time supporting a wife and three children. He said that he felt it would be absolutely necessary that some kind of measure or step be taken by the Congress to assure him and countless other postal employees who had been doing a decent, honest, and intelligent job over a long period of time, some kind of graduated scale of wage or salary for the future.

I feel the same as did that man who spoke to me some time ago. He was a postal employee of average ability, but nevertheless he was an honest, hard-working citizen. He was a good man. He had staked his life with the Post Office Department, like thousands upon thousands of other good citizens. He had distinguished himself as a servant of this great Government, and I for one, as a Member of Congress, feel that he and thousands of his fellow workers should be assured some kind of graduated pay scale such as is set forth in H. R. 1057.

Therefore it is my personal hope that the pending bill may be enacted into law.

Mr. BENNETT. Mr. Chairman, I am grateful to the Chairman of the Committee for offering me time. However, I find no opposition to passage of the bill and shall not take time of the House to discuss the merits of the pending measure. I regard H. R. 1057 as a very meritorious measure and am happy to lend my support in its passage.

Mr. HARTLEY. Mr. Chairman, it is with great satisfaction that I arise to say a few words in support of the longevity bill, which will institute in the Postal Service the principle of longevity pay as a reward for long and meritorious service.

In my 13 years' service in the House, I have never seen such a demonstration of enthusiastic support as was evidenced during the hearings on this measure. Nearly one-half of the entire membership of the House gave expression of approval in person or in writing to the committee, the lone dissent coming from the Post Office Department.

This bill was reported out unanimously by our committee with the assurance of wholehearted support from each member. I am proud to have had the honor of seconding the motion of my distinguished colleague and sponsor of this legislation, the Honorable J. HAROLD FLANNERY.

At this point I desire to pay tribute to Mr. FLANNERY for his untiring efforts in behalf of this legislation, efforts that have finally been culminated by its reaching the floor of the House for discussion today.

The measure as presented to the House is a modest compromise of the original proposal. Personally, I would have preferred to see the original bill enacted into law, but recognize that the compromise we have agreed upon is the best that can be obtained for the postal employees at this time. Under the present set-up the Postal Service as far as the letter carrier and clerk are concerned are stymied at a salary of $2,100 per year regardless of how long they remain in the Service. Conditions of this kind should not be allowed to prevail particularly by the Government of the United States, which should be a model employer and should lead and not follow the economic trend of private industry. Longevity pay is nothing new for it has been observed by private industry for many years, and industry has found that it has been a profitable investment for it has brought about a contented and satisfied personnel, which in many cases has resulted in increased efficiency.

Under the measure proposed today only those employees in the Postal Service with 10 years or more to their credit will benefit. The bill provides for a one-hundred-dollar increase for those having 10 and not more than 15 years of service, and a two-hundred-dollar increase for those having more than 15 years of service, the same to be effective July 1, 1942.

In my opinion this is a modest reward for those servants of the Government whose service to the American people is unsurpassed by any other branch of the Government. I am supporting this measure today on the basis that half a loaf is better than none and hopeful of its enactment and thereby establishing the principle of longevity pay that the law will later be amended to give proper and adequate reward to our worthy postal employees.

Mr. McGREGOR. Mr. Chairman, I am glad to add my support to the provisions included in H. R. 1057, known as the longevity bill, which, to my mind, is a reward for faithful and honest service. This bill is a just and fair reclassification of salaries for postal workers, carrying in its small way a reward for long and faithful service. If enacted, this bill will provide a cushion for the workers to meet the ever-increasing living costs necessitated by defense expense.

May I call the attention of this Congress to the fact that with present conditions in this country unless recognition is given to this group, these employees will be attracted to other work and the public and Government will lose the benefit of their trained service. I think you will agree with me that the Postal Service is one of the most efficient departments of the Government, and there is no doubt but that this efficiency is gained only through years of constant application to duties.

I would respectfully call your attention to the fact that there has been no pay adjustment for postal workers since 1925, and the increase that is asked for in this bill surely is not too great a reward for the men who, after their first few years of service, have obtained the top in salary scale. This group of workers is of the highest type and certainly is entitled to this recognition.

I hope that this Congress will act favorably on this piece of legislation and bring relief to this great army of loyal and faithful workers.

Mr. ANGELL. Mr. Chairman, this bill is a meritorious measure and should receive the support of every Member of the House. Personally, I am very happy to support it. I regret, however, that the committee felt that it was desirable to reduce the amount of the appropriation called for in the original bill.

This bill in the main provides for an increase in annual salary of $100 for postal employees after 10 years of service and $100 for each 5 years thereafter, not exceeding 20 years, which will thus provide for an increase in salary not exceeding $500. This provision will be applicable to assistant postmaster, supervisory employees, special clerks, clerks, watchmen, messengers, laborers in first- and second-class post offices, employees in the custodial service of the Post Office Department rendering not less than 5 hours' service per day, employees of the Motor Vehicle Service, letter carriers in the City Delivery Service and Village Delivery Service, rural letter carriers, employees of the Railway Mail Service, employees of the Sea Post Service, clerks at division headquarters of post-office inspectors, and postal employees at the United States Stamped Envelope Agency. In other words, it is intended to cover all classes of postal service.

There have been no general wage increases for postal employees since 1925. The pay received by these faithful servants of the Government is small indeed compared with wages and salaries of employees in private enterprises, as well as in other Government departments. For instance, these employees in the custodial service receive on an average of $1,260 a year and there are some 16,000 in the Post Office Department. Clerks in the Postal Service begin at $1,700 and receive an additional increase of $100 until they reach a maximum grade of $2,100. Having reached that grade, their status remains frozen for practically an indefinite period of years. The report of the Postmaster General for the year ending June 30, 1939, showed that there were 50,651 carriers in the $1,200 grade.

This recognition of faithful service should not be considered as a salary increase but a reward or recognition of long and faithful service to the Government. The principle involved is not new, as it has been in vogue for many years in private enterprises as well as in other departments of the Federal service, such as personnel of the Army, Navy, Marine Corps, Coast Guard, Public Health Service, Immigration and Naturalization examiners and Customs inspectors. The maximum increase in military service runs as high as 50 percent, whereas the increase for city clerks or carriers under this bill is only 23.8 percent.

The duties performed by these postal employees are arduous and require ability, fidelity, and faithfulness to the Government. The men so employed, as their years of service increase, are met with increased obligations caring for their families and educating their children, and are entitled to some recognition for long and faithful service. This legislation is fair and reasonable; it accords with the general policy of the Federal Government to provide adequately for our employees; it is a belated recognition of faithful service and will help to stabilize a most necessary public service; and it will increase the morale of the personnel, tend toward better efficiency, and help to establish the service as a career for these faithful public servants who are giving their lives to public service.

Mr. YOUNGDAHL. Mr. Chairman, one of the foundation stones of the system of private enterprise is the reward for service. Many of our faithful workers have been advanced as years have gone by from the bottom of the ladder to the top. Their compensation has been increased accordingly. In some of our governmental departments we have servants who have performed outstanding services. Especially is this true of the postal workers in the field who are daily providing the citizens of this country with an outstanding service.

The members of this group are outstanding Americans, loyal to the core, and servants of the highest type. Many of them own their own homes and contribute in many ways to the communities in which they live. They gave up some of the most valuable years of their lives working for the Post Office Department in the interests of our citizenship. They are under restrictions and must constantly keep up on new regulations, take periodical examinations, and more or less make a career of their postal duties.

I, therefore, feel that the principle of longevity pay for these workers, as provided for in this bill, is no more than right and just, and a small reward for years of faithful, intelligent, and dependable service.

Although the bill voted out by the committee, which is now under consideration, is not as liberal as the original bill which was introduced, yet it is a start on a plan to reward them for services well performed.

I feel sure that the inauguration of this plan among our postal workers will even inspire greater efforts for the benefit of the public in the future. I, therefore, am happy to support this legislation.

Mr. MURDOCK. Mr. Chairman, in justifying this proposed legislation it has been pointed out that the cost of living is going up now, and such a provision would help somewhat to counteract that increased cost. It has also been pointed out that the morale of the public service would be improved by the passage of this measure as an act of justice toward those public servants who now cannot look forward to promotion or increase in pay. While I believe that there would be some help in regard to the increased cost of living, the second basis is more logical to my mind, for we do need to do the right thing by civilian employees as well as by

those who serve in the military branch. It is because I think this measure will do both that I favor it.

Mr. HAINES. Mr. Chairman, this bill, H. R. 1057, has, I believe, the support of many Members of the Congress who believe in the principle of longevity. It is nothing new and has been before Congress for a number of years. I am not impressed with the argument that postal employees are underpaid. I do not like that argument, nor do I believe that postal employees base their argument on such a premise.

It is nothing more nor less than a reward for service, not a bonus in any sense of the word. You take a postal worker who starts as a clerk at $1,700 per year and advances in a few years to $2,100. At that he stops, and he has nothing to look forward to for the balance of his life but a salary that is fixed for him without an incentive for him to stay in the Service and prove himself worthy of promotion. Of course, there are a few exceptions to this, but as a whole that is the picture.

This bill provides that if an employee remains in the Service for 10 years he shall be rewarded for his faithfulness and loyalty and given an increase of $100 annual salary. That is something to work for and stirs the ambition in the soul of the employee. For an additional 5 years' service, or 15 years' service, he is to be given an additional $100.

The original bill called for increases each 5 years up until 30 years, so that an employee, after 30 years' service to his Government, is to be rewarded, in part, for his efforts in bringing more efficiency to himself and the Department in the Government profits. It boils down to this one unpleasant truth: That the average and great host of employees have nothing to look forward to after they have reached the maximum amount of salary.

Business enterprises long ago have recognized the value of longevity, and make a practice of rewarding their employees for long service. It has evidently been found profitable to them, and I have no doubt it will be found equally profitable to our Government.

Job security is something every man seeks, but he likes to feel that his loyalty and efforts and efficiency is appreciated and should be recognized. Most postal employees become more valuable with experience, as does an individual in every line of human endeavor. I think this Congress now should adopt the longevity principle in the Postal Service, which many of us know to be one of the very best in the Government. They are, I believe, a group of highly respected individuals throughout the entire Nation, and most loyal workers. The mail must get through, no matter if it is rain or snow, sleet or mud, and ice or high water or excessive heat. You look for the mailman at a certain hour every day, and he is usually on time.

I am not thinking in terms of what it will cost our Government, but rather in building the morale of employees which will eventually contribute much and in the end repay itself.

I believe at this time, when it becomes necessary to build a higher morale among Government workers, the Congress would be contributing much, not in dollars and cents, but something much more valuable in these days of uncertainty. There has been no salary adjustment for 16 years, and that is a pretty long time to wait for something, do not you think? Let it not be said of us that we are cold and indifferent and not interested in the welfare of our workers, but let us today do something that will reflect credit upon each one of us in the day in which we live.

I have been a member of this Post Office and Post Roads Committee from the day I came to Congress, more than 10 years ago. We have held many hearings before that committee, and I cannot recall any time when there was as much testimony in favor of a bill as we had from the Members of Congress, nor at any time such a large number of our colleagues appearing in favor of a bill. As I recall we had not a single Member oppose it. Believing that they represented the good judgment of this body, I join them in urging the passage of this bill, and I urge each one of you to do likewise.

Mr. PLOESER. Mr. Chairman, it is to be hoped that the Congress will promptly pass this meritorious longevity bill, H. R. 1057, without any unnecessary delay. The very least that this Nation can do for the postal employees who have rendered long, efficient, and faithful service would be to pay the meager reward embodied in this principle of longevity. As a member of the Committee on the Post Office and Post Roads it was my pleasure to hear the testimony for and against this bill. The administration, through the Post Office Department, has attempted and is attempting to defeat this legislation on the grounds of economy. Such a ridiculous plea coming from this wasteful group of spenders actually becomes an argument for the bill. Mr. Chairman, faithful service deserves a just reward. There is no more faithful group in the service of the Government than the postal employees.

It has been said that these few millions have not been contemplated in the Budget. I could well reply with the question, What budget? Under the spenders of this Government the Budget is an excuse for legalized plunder and a shield behind which the sound business of the Nation is neglected and destroyed.

As a sound business principle I urge the Members of this House to support and vote for the passage of this bill.

Mr. ROLPH. Mr. Chairman, the postman is almost part of the family. From earliest childhood he is our friend. When he rings the front doorbell each morning, rain or shine, he always has that cheery "hello" which makes the day start off right.

In every branch of industry and in fact in many departments of government faithful service is rewarded by increased compensation. Strangely enough, however, after the first 5 years our friends in the Postal Service labor under fixed salaries with the result that men grow old in the Department without raises in pay.

The salaries paid are much less than for comparable responsibilities in private industry, and all bill 1057 does is to partially correct this disparity.

I heartily endorse this bill and hope it will pass unanimously.

The Clerk read as follows:

Be it enacted, etc., That assistant postmasters, supervisory employees, special clerks, clerks, watchmen, messengers, laborers in first- and second-class post offices, employees in the custodial service of the Post Office Department rendering not less than 5 hours' service per day, employees of the Motor Vehicle Service, letter carriers in the City Delivery Service and Village Delivery Service, rural letter carriers, employees of the Railway Mail Service, employees of the Sea Post Service, clerks at division headquarters of post-office inspectors, and postal employees at the United States Stamped Envelope Agency, as a reward for continuous service heretofore rendered or to be rendered hereafter, shall be granted $100 per annum in addition to their base pay as now or hereafter fixed by law upon the completion of 10 years' service; and an additional $100 per annum upon the completion of every 5-year period of service thereafter: *Provided*, That no credit shall be given for service after the thirtieth year of employment: *Provided further*, That in computing an employee's length of service, credit shall be given for substitute service.

With the following committee amendments:

Page 2, line 7, strike out "every" and insert "an additional."

Page 2, line 9, strike out "thirtieth" and insert "fifteenth."

The committee amendments were agreed to.

Mr. HENDRICKS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HENDRICKS: On page 1, line 3, after "That", insert "postmasters of the third and fourth classes."

Mr. HENDRICKS. Mr. Chairman, the need of some reward for continued meritorious service in our Postal System has been recognized for quite a number of years by forward-looking leaders of postal legislation. When the late Representative Clyde Kelly and Senator MEAD were members of the House Post Office Committee they urged legislative recognition of the principle of longevity pay as long as 12 years ago. They had plans to push such a measure of this kind in 1930, but the economic collapse made it necessary to drop the matter. Now, with an administration which holds progressive economic views for the welfare of the workers, and with no general wage increase for postal employees since 1925, the principle of longevity pay should be established by Congress.

The theory of gradually increasing pay as a reward for length of continuous service is based upon sound economics. It is being used by industrial corporations with successful results. Experience has shown that in the industrial field it not only prevents costly labor turn-over, but, of perhaps even greater importance, it has proven to be a factor in higher efficiency by giving the worker a better prospect for his future. Many enlightened industrial leaders have recognized that gradually increasing pay for satisfactory and efficient work periodically is a scientific and worth-while factor, resulting in increased productivity.

In fact, the Government itself long ago recognized the principle when it established longevity pay in the Army, the Navy, the Marine Corps, and in the Coast Guard. The principle was recognized in these military branches of the Government service about 1870; and under present law officers in these organizations receive a 5-percent increase in their pay every 3-year period until it amounts to 50 percent of their base pay. The enlisted men in the Army, Navy, and Marine Corps also receive a 5-percent increase after each period of 4 years until they reach a certain maximum.

The wage scale during the first 8 or 10 years in the Postal Service is fairly satistory, due to the law providing for five automatic-promotion grades. After that there comes the realization by many of the efficient workers that there is little or no chance of promotion ahead of them; that their salaries have probably reached the maximum regardless of how long they remain in the Service thereafter. It requires time and experience to turn out a clerk with the required knowledge of distribution of mails, namely, the proper routing for letters, train connections, and so forth. It is to the distinct advantage of the Government to retain experienced employees in the Service.

We may be facing a situation parallel to that which occurred in 1917 and 1918. According to the annual report of the Postmaster General for the fiscal year ending June 30, 1918, he stated, referring to the Railway Mail Service:

> The problem of securing a sufficient number of employees to maintain the distribution service is causing much concern. A large number of women have been employed in terminal railway post offices and in the offices which release male employees for service in the railway post-office cars. From the time war was declared, April 6, 1917, until September 1, 1918, there were 1,617 resignations and 1,666 discontinuances on account of entrance into military and naval service or the postal service in France; a total of 3,283 separations from causes other than deaths, removals, etc. The total number of separations since war was declared is 3,722, or slightly in excess of 21 percent.

The same report shows that among post-office clerks at the end of the fiscal year, June 30, 1918, there were 4,898 resignations, 399 removals on charges, 3,781 entered military service, or a total of 9,078 in that period. In the following year, at the close of the fiscal year 1919, the total resignations from the Railway Mail Service was 2,421, and that does not include those going in the Army. Those resigning entered other occupations or took advantage of business opportunities which offered increased salaries. Such a situation does not make for economy in the administration of the Service and certainly produces decreased efficiency in the average output per clerk. The average annual turn-over in the civil service prior to the depression period was approximately 10 percent. Undoubtedly the cost to the Government of this turnover in training new employees and losing experienced personnel would have provided substantial increases in pay.

The bill under consideration involves a principle that has been very generally accepted by forward-looking employers in industry and in private business, and one that has a very well defined and extensive footing in the public service. The recognition as a basically sound employment policy of granting to employees who maintain proper standards of performance certain additional increments after long-stated periods of total employment on the same job is economically sound.

There cannot be in any organization—business or public—a great number of high positions both in pay and responsibility. The opportunity for advancement financially is like a pyramid, narrowing as it ascends. For that reason all forward-looking employers, not only in the interest of the employees themselves but with a view of maintaining their business, whatever it may be, on the highest degree of efficiency, look to the various methods for maintaining the morale, for reducing the turn-over, and for offering the necessary incentive so as to insure the highest degree of interest in the business as material factors in securing the best quality of output as well as quantity of output.

The proposal which you have before you today involves the addition of an increment of $100 to these various categories of employees after 10 years' satisfactory service, and another $100 after an additional 5 years of continuous service. Whatever cost would be involved in the adoption or extension of this principle to the category of employees mentioned in this bill will be greatly absorbed through increased efficiency, both in the quality of the output as well as in its quantity. This bill equalizes the treatment for all employees under the jurisdiction of the Post Office Department. This bill is sound, it is consistent, and will inure not only to the benefit of the employees themselves but also to the employer—the United States Government.

Mr. Chairman, let me explain my amendment briefly. In drawing up the bill we overlooked one item. The fact is that there are a good many third- and fourth-class postmasters who are now drawing less money than many of the employees, and we are taking them in under this bill.

At one time I felt I would perhaps offer an amendment to include all the postmasters, but after further investigation I find that the postmasters of the first and second class are drawing reasonable salaries. In view of the fact that the postmasters of the third and fourth class are in a good many instances drawing less than the employees we are including in this bill, I feel it only justice that they be included in this bill.

There are very few who will be affected at the present time. The cost of this amendment at the present time will be perhaps $500,000 in addition to that already estimated.

Mr. Chairman, I ask the Committee to support this amendment.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HENDRICKS. I yield to the gentleman from Arizona.

Mr. MURDOCK. Does this amendment extend the advantages to the third- and fourth-class postmasters?

Mr. HENDRICKS. It does.

Mr. MURDOCK. The gentleman is exactly correct. Many of these postmasters are getting much less than other Federal employees. I heartily support the gentleman's amendment.

Mr. HENDRICKS. That is the reason for offering the amendment. I do not believe anyone could possibly object to the justice of the amendment.

Mr. FLANNERY. Mr. Chairman, the committee accepts the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was agreed to.

Mr. O'BRIEN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take advantage of this opportunity to express myself briefly in behalf of this bill and to call the attention of the members of the Committee to some facts which have struck me very forcefully in favor of its enactment.

The Detroit Post Office, which has one of the largest personnels of any post office in the United States, is located in my congressional district, and the problems of its numerous employees often come to my attention. Hence, I have taken a special interest in behalf of this proposed legislation. I am convinced, first of all, it is a measure of justice; second, that it is a measure which is vitally necessary at the present time; and third, that it is a measure that is altogether practicable.

It certainly is a just measure to offer at least an expectation, and finally, a realization of reward to those employees who make a life career of service to this country in the Postal Service. A man trained in the Postal Service is not trained as other Government employees are in a way that fits him to seek other employment. The Postal Service is a Government monopoly, and a man who enters it usually makes it a lifetime career if he can find within the Service a reward commensurate with his life's needs. At the present time, after 5 years of service a postal employee has no further monetary rewards to look forward to. He is on a dead-end street as far as any further reward for service is concerned.

Again, this measure is vitally necessary at the present time. I call this fact to the attention of the Committee. In the Detroit Post Office, the postmaster during the fiscal year, which ended June 30, 1919, in order to fill 1,375 vacancies in the post office in Detroit, had to tender 2,180 appointments. He had to call upon 2,180 eligible persons in order to fill 1,375 vacancies. This was at a comparable period to the present time in the history of our country.

We want to make sure by this legislation to retain in Federal service in the postal branch, which, too, is necessary for our national defense and in a vital way is related to other Government services, faithful and trained employees who will perform their duty and use their skill acquired by years of experience in performing a function that is vital to the communications of this country.

Again, this measure is altogether practicable. The cost of the increases estimated to result from the enactment of

this measure will probably be less than the present postal surplus and the rate of surplus is at the present time increasing.

So, for these reasons, because it is just, because it is vitally necessary at the present time, and because it is altogether practicable from an estimation of the cost, I am heartily in favor of the enactment of this proposed legislation.

The pro forma amendment was withdrawn.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 2, after line 12, insert:
"SEC. 2. This act shall take effect July 1, 1942."

Mr. SAUTHOFF. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SAUTHOFF:
On page 2, line 13, strike out "July 1, 1942" and insert: "on and after the passage of this act."

Mr. SAUTHOFF. Mr. Chairman, these postal employees have received no increase since 1925. The committee is now amending this bill so that they will not get an increase until July 1, 1942. If, as has been stated, an injustice has been done to these employees—and I agree with that statement—in not giving them some recognition previous to this time, why increase that injustice by adding another year to it? To my mind that is neither logical nor is it equitable, and for that reason I have offered this amendment, providing that these increases date from the time of the passage of the act.

Let me point out to you, as has been pointed out before, that other Government services have been getting increases during these years that the postal employees have not been recognized. Why continue that injustice further by making it a year longer? I see no justice in that. Let us, therefore, adopt this amendment which treats this bill the same as every other bill is treated, putting it in force and effect after the passage of the act. I trust the committee will support my amendment to the committee amendment.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. SAUTHOFF. I yield.

Mr. BENDER. I want to congratulate the gentleman on offering the amendment. I think his point is well taken, and the amendment is entirely in order.

Mr. SAUTHOFF. I thank the gentleman.

Mr. BURCH. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Wisconsin. This bill has given the Committee on the Post Office and Post Roads a great deal of work. The committee considered it very carefully. As everyone knows, the bill was first introduced granting $100 annual compensation, to be given after 10 years' service, $100 additional after 15 years' service, $300 after 20 years' service, $400 after 25 years' service, and $500 after 30 years' service. We all believed in the principle of longevity, but on account of the enormous expense, and in order to establish that principle, the Committee on the Post Office gave several weeks' consideration to the bill. Because the appropriation for the post-office purposes has already been enacted for this fiscal year, and taking various things into consideration and the conditions that confront us, we decided unanimously that it is better and would answer the purpose better to make this bill effective July 1, 1942. I hope the amendment to the amendment will be defeated.

Mr. SAUTHOFF. Mr. Chairman, will the gentleman yield?

Mr. BURCH. Yes.

Mr. SAUTHOFF. The gentleman realizes, as most of us do, that the newspapers and publishing companies are getting a subsidy from the Government to the amount of about $86,000,000 a year. Why take it out of the postal employees, why not take it away from the Washington Star, the New York Times, the Chicago Tribune that are making millions every year instead of cutting it off the small wages of these men?

Mr. BURCH. If the gentleman will introduce a bill carrying out the purposes he has stated, I promise him, as the acting chairman of the committee, that it will be given consideration. It has nothing to do with this legislation, however.

Mr. RAMSPECK. Mr. Chairman, I move to strike out the last word. This bill, of course, does not represent all that the postal employees want or ask for. I have no doubt that it does not represent all that the Committee on the Post Office and Post Roads would like to put into the bill, but legislation is always a matter of being practical and making necessary compromises. I think the gentleman from Wisconsin [Mr. SAUTHOFF] is sincere and is doing what he thinks is in the interest of the postal employees, yet I doubt the wisdom of his position. I think we must stick by the committee in this matter. They have studied the matter, and they have had to do the thing which they think is best. I have an idea that they have gone about as far as there is any possibility of getting approval. Therefore I shall support the committee, although the bill does not represent everything that I would like to see done.

Mr. BOREN. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. BOREN. I heartily endorse what the gentleman has said, and I think the wisdom of his statement should be given serious consideration in getting this matter promptly disposed of.

Mr. RAMSPECK. I thank the gentleman. Mr. Chairman, during the last 6 years as chairman of the Committee on the Civil Service it has been my privilege to attend the conventions of postal employees in every section of this Union. I know something about their problems. I know hundreds of them, and I have visited with them in these conventions, have sat down and talked with them by the hour. We have lots of fine people in the Service. It is a terrible thing to think that a man after 5 years of service reaches the end of his possibility as to salary, and this bill is a step toward remedying that situation, but it costs a lot of money. I believe the committee ought to be supported in the matter, although I personally would like to see them go further.

Mr. HAINES. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I gladly yield to the gentleman from Pennsylvania, who has always been a friend of the working people.

Mr. HAINES. Mr. Chairman, I endorse fully what the gentleman has said. I know that the Committee on the Post Office and Post Roads, if the individual members had their individual way in the matter, would have gone much further, but I think this compromise is advisable at this time.

Mr. RAMSPECK. I feel sure of that, and I would like to go further myself and put the matter into effect immediately. I would like to see higher salaries than this bill will permit for meritorious service and length of service.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. MURDOCK. As I look at it now, we are proposing to increase the salary more as a matter of morale for postal employees than as a matter of meeting the rising cost of living.

Mr. RAMSPECK. That is true. The committee is establishing a principle and undertaking to make a small beginning toward adjusting the salary scale.

Mr. MURDOCK. I recognize the wisdom of the gentleman's remarks, and incidentally I would like to say, complimentary to him, that he, too, has been indefatigable in working in the interest of the public employees in every sound and practical way.

Mr. RAMSPECK. I thank the gentleman. I want to commend the members of the Post Office and Post Roads Committee for the diligent attention they have given to this problem which is so vital to some 300,000 people.

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. WILSON. Why is it that every time a bill comes before the House which is to help some of our own good American citizens whom we all admit are deserving, the cry goes up about money? It is always money. If it were to aid Joseph Stalin, we would not wait until 1942.

Mr. RAMSPECK. I do not think the remarks of the gentleman have anything to do with this subject or contribute anything to the welfare of the Postal Service. We have a bill that has some chance of becoming a law, and we had better stick to it.

[Here the gavel fell.]

Mr. BENDER. Mr. Chairman, I rise in support of the amendment to the committee amendment.

Mr. Chairman, this is the first time in my experience as a Member of the House of Representatives to find the New Deal concerned about economy. If this bill is good a year from now, it is good now. The cost of living is going up. It is going up now. These men need this additional help today, not a year from now. As my

good friend has so well stated, we need to give these folks some help at this moment.

This is not a campaign speech, because if you will check the record you will find that most of the postal employees do not vote in primaries. They are afraid to vote in primary elections. Some of them are afraid to call their souls their own. Most of them do not now vote in Republican primaries. All of you are aware of that. I have checked the record, and I know pretty much how these gentlemen are treated.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BENDER. Yes; I yield to the majority leader.

Mr. McCORMACK. I just want the record to show that that is a rather broad statement. If the gentleman speaks for his own district, I cannot contradict him, but I certainly know that up my way they vote. I never knew there was any intimidation of post-office employees, whether Republicans were in control, or Democrats. The inference to be drawn from the gentleman's statement is so far-reaching that I cannot permit it to go unchallenged.

Mr. BENDER. I know my friend is a very genial and agreeable person, and I like him very much, but the gentleman must know that in the Postal Service there has been considerable of what he terms as "intimidation." Of course, I would not call it that. Unfortunately, some of these postmasters are autocrats, and sometimes they make conditions unbearable for the men in the Service.

Now, you gentlemen can challenge what I say and it is perfectly all right with me; however, I know it to be true. It was just as true under the previous administration as it is today.

Mr. HENDRICKS. Will the gentleman yield?

Mr. BENDER. I yield.

Mr. HENDRICKS. Just for the gentleman's information I am sure that no member of the Committee on Post Offices and Post Roads would oppose this bill going into effect now if that were practicable, but we have recently reported and passed the appropriations for the coming fiscal year, so therefore we put it into effect in 1942, so that the Appropriations Committee could take care of the appropriation. That is the reason we made it 1942 instead of now. We would not be opposed to it otherwise.

Mr. BENDER. We all vote for deficiency bills. As a matter of fact, last week we voted for some five hundred-odd million dollars in a bill that went through here like a cat goes through a dog show, with a handful of Members on the floor. Here we are shedding crocodile tears and talking economy just the moment it affects the best part of the Federal Government service.

Mr. GREEN. Will the gentleman yield?

Mr. BENDER. I yield to my colleague.

Mr. GREEN. In that connection, there is nothing to prevent consideration for the additional amount for the next year in some deficiency bill. We could bring it in in one of the deficiency bills. I am heartily in favor of the amendment which the gentleman is offering. I am in favor of the entire bill, as well as for third- and fourth-class postmasterships.

Mr. BENDER. My distinguished friend the gentleman from Florida [Mr. GREEN] is absolutely right.

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield to my hard-working friend.

Mr. WILSON. I just want to confirm the statement of the gentleman from Ohio about some of these clerks being afraid to vote. In my district a postmistress told one of the employees if he did not go to the primary and vote the Democratic ticket he would be fired. He voted in the primary and voted the Republican ticket, and within a few days he was dismissed.

Mr. BENDER. I thank the gentleman for his contribution.

Mr. YOUNGDAHL. Will the gentleman yield?

Mr. BENDER. I yield to my friend.

Mr. YOUNGDAHL. Does not the gentleman feel that there is a universal good feeling on the part of our people for the fine work of the postal employees?

Mr. BENDER. There is no doubt about that.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. SAUTHOFF] to the committee amendment.

The question was taken; and on a division (demanded by Mr. SAUTHOFF) there were—ayes 29, noes 75.

So the amendment was rejected.

The CHAIRMAN. The question recurs on the committee amendment.

The committee amendment was agreed to.

Mr. FLANNERY. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and Mr. McCORMACK having assumed the chair as Speaker pro tempore, Mr. BEAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 1057) to establish a system of longevity pay for postal employees, directed him to report the same back to the House with sundry amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FLANNERY. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. BENDER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. FLANNERY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 94]

Baldwin	Harter	Ploeser
Bishop	Heffernan	Plumley
Bradley, Mich.	Hinshaw	Randolph
Buckler, Minn.	Hoffman	Rankin, Miss.
Buckley, N. Y.	Holbrock	Rankin, Mont.
Byron	Holmes	Rich
Cannon, Mo.	Jarrett	Rivers
Carter	Jenks, N. H.	Rockefeller
Casey, Mass.	Johns	Romjue
Celler	Johnson, W. Va.	Rutherford
Clevenger	Jones	Sasscer
Cluett	Keefe	Scanlon
Cole, N. Y.	Kilburn	Schaefer, Ill.
Collins	Kleberg	Schuetz
Connery	Kocialkowski	Scott
Cooley	Kopplemann	Sheridan
Copeland	Lea	Short
Culkin	McArdle	Sparkman
D'Alesandro	McGranery	Starnes, Ala.
Davis, Ohio	Maas	Stearns, N. H.
Doxey	Maciejewski	Stevenson
Dworshak	Magnuson	Sumner, Ill.
Eberharter	Mansfield	Sumners, Tex.
Fish	Marcantonio	Sweeney
Fitzpatrick	May	Taylor
Ford, Leland M.	Murray	Thomas, N. J.
Geyer, Calif.	Nichols	Walter
Gifford	O'Connor	Wene
Gillie	O'Day	White
Gore	O'Hara	Woodruff, Mich.
Grant, Ala.	O'Neal	Young
Hare	Patman	
Harrington	Peterson, Fla.	

The SPEAKER pro tempore. Three hundred and thirty-five Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AUTOMATIC PROMOTION FOR CUSTODIAL-SERVICE EMPLOYEES IN THE POSTAL SERVICE

Mr. BURCH. Mr. Speaker, by direction of the Committee on the Post Office and Post Roads I call up the bill (H. R. 2075) to extend to custodial-service employees employed by the Post Office Department certain benefits applicable to postal employees and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That every custodial-service employee (other than charmen and charwomen working part time) employed by the Post Office Department shall, at the end of each year's satisfactory service, be promoted to the compensation rate next higher than that of which he is then in receipt until the maximum rate of compensation for the grade to which his position is allocated is reached.

This act shall not be applied so as to reduce the compensation of any custodial-service employee employed by the Post Office Department or so as to result in the dismissal of any such employee.

This act shall take effect July 1, 1941.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMPLOYMENT STATUS OF SPECIAL-DELIVERY MESSENGERS IN THE POSTAL SERVICE

Mr. BURCH. Mr. Speaker, by direction of the Committee on the Post Office and Post Roads I call up the bill (H. R. 2528) to clarify the employment status of special-delivery messengers in the Postal Service and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) in each fiscal year, commencing with the fiscal year beginning July 1, 1940, any person employed as a special-delivery messenger in the Postal Service who actually served in such capacity during not less than 9 months of the preceding fiscal year shall be entitled to the same rights and benefits with respect to annual and sick leave with pay as are regular employees of the Postal Service.

(b) The amount of pay to which any such special-delivery messenger shall be entitled during any leave period shall be determined by multiplying the number of days in such leave (excluding Sundays and holidays) by the average daily compensation of such special-delivery messenger, computed as provided in subsection (c).

(c) At the end of each fiscal year each postmaster employing any special-delivery messenger eligible for the benefits of this act shall compute the average daily compensation of such special-delivery messenger during such fiscal year. Such average daily compensation shall be determined by dividing the total compensation paid to such special-delivery messenger during such fiscal year (excluding any amount paid as compensation during any period of annual or sick leave), by the total number of days such special-delivery messenger actually served during such fiscal year. The average daily compensation so determined shall be used in computing the amount of pay due such special-delivery messenger for any leave period during the succeeding fiscal year. Such compensation for annual or sick leave shall be paid to the special-delivery messenger by the postmaster by whom he is employed, at the end of the regular pay period during which such leave is taken.

(d) There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this section. Such amounts when appropriated shall be made available to postmasters for the payment of the leave compensation herein provided in the same manner as is provided for the payment of special-delivery messenger fees.

(e) The Postmaster General shall prescribe such rules and regulations as may be necessary to carry out the provisions of this section.

SEC. 2. (a) Special-delivery messengers in the Postal Service shall be entitled to all the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, in the same manner as is provided in the case of city, rural, and village letter carriers, except that as applied to any special-delivery messenger, the term "basic salary, pay, or compensation" as used in such act shall be deemed to mean the actual compensation of such special-delivery messenger.

(b) The Civil Service Commission shall make such rules and regulations as may be necessary for the effective administration of this section.

SEC. 3. The provisions of this act shall not apply to any special-delivery messenger employed for service only during temporary or irregular periods.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 5, after the word "the", insert the following: "first- and second-class post offices in the".

The committee amendment was agreed to.

Mr. HAINES. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAINES: Page 1, line 5, after the words "messenger in the first-", strike out "and second-class" and insert the word "class" after the word "first-" in said line, so that the line as amended will read "special-delivery messenger in the first-class".

Mr. BURCH. Mr. Speaker, I accept the amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, I am not inclined to enter into any extensive discussion of H. R. 2528 now under consideration excepting to say that it is the same bill which was passed by the House at the close of the last session and which, for want of action, died in the Senate. The strategy employed in the advancement of the bill during this session was reversed after the introduction of H. R. 2528, and we decided to press for adoption the companion bill introduced at my request in the Senate by the distinguished Senator from New York [Mr. MEAD] and known as S. 594.

After considerable delay, which was unintentional, the bill was acted upon favorably in the Senate committee and ordered reported out, but it was snagged somewhere along the line, and as yet the Senate has not taken action, although I am assured that action in due course will be forthcoming. The bill was amended in the Senate by adding the words, "first- and second-class post offices in the", preceding the words, "Postal Service" in line 6, which is identical with this bill as amended by the House committee. In my anxiety to bring about at least a degree of emancipation and security to the small band of faithful and productive workers in the Postal Service, known as the special-delivery messengers, I have enlisted the generous aid of the members of the Post Office and Post Roads Committee of the House and prompt and positive action was taken. The bill was reported out favorably. We had hoped to obtain its passage under unanimous consent on Monday, July 21, 1941, but because of the fact that the bill was not on the Legislative Calendar the required length of time it was not eligible for consideration. I was not disheartened because of the confidence I had in the fairness and good judgment of the House membership, knowing that the bill would come up 2 days later on Calendar Wednesday, when the Committee on the Post Office and Post Roads would have the call.

I feel I should say just a few words as to the intention of the bill. It has for its purpose the granting of certain minimum benefits to these messenger employees, particularly annual leave, retirement benefits, and the same rights and benefits generally accorded other employees of the Postal Service. It is intended, moreover, once and for all to define the dubious status of the special-delivery messengers and to make them bona fide postal employees. For all practical purposes this is absolutely essential. The special-delivery messengers were kicked about and discriminated against on more than one occasion. For example, after the passage of the Economy Act, the Comptroller General ruled that special-delivery messengers were subject to the 15-percent cut because, under his ruling, they were deemed to be employees.

Sometime later, when the question of the extension of civil-service benefits was considered, the Attorney General ruled that for the purpose of exclusion from benefits, the special-delivery messengers were contractors, and the Post Office Department has gone so far as to say that the special-delivery messengers were employees of the Postmaster, as though the Postmaster were self-sufficient unto himself and conducted a business which was separate and apart from the rest of the Service. I endeavored to have this status clarified by a ruling from my old friend the then Attorney General Frank Murphy. I appealed to him for a reversal of his predecessor's opinion. He informed me in a written opinion that because the messengers were classed alternately as one or the other, as employees or as contractors, on several occasions that the final definition was a matter for the Congress to determine by law. This bill once and for all time will settle that question. The messengers will be bona fide post-office employees within the limitations contained in the bill.

Because of the opposition of my friend the gentleman from Pennsylvania [Mr. HAINES] to the inclusion of second-class post offices, I am willing, upon consultation with the representative of the messengers, to agree to an amendment which strikes out the words "second class," and thus limits the classification of employees and of the benefits contained in the bill to messengers employed in first-class post offices. From the statistical data gathered by Mr. HAINES I gain the impression that there will be no harm visited upon the deserving messengers throughout the Nation. Knowing the attitude of Mr. HAINES toward the postal employees generally, and including the messengers, I am confident that he would not offer any amendment which would be

injurious or which would deprive any deserving group or element of the messengers of the benefits which are intended in this bill.

Therefore, Mr. Speaker, I interpose no objection, and I have informed the acting chairman, the gentleman from Virginia [Mr. BURCH], that the amendment is acceptable to me. I am most anxious that the bill become law at the earliest possible date, and for that reason I am pleased to speed it on its way. Should I find that an error has been made, I feel that it will be easier to correct an error by an amendment to the law than to force a bill through when there is objection based upon some sincere misunderstanding with regard to relatively minor provisions. In this instance a single difference of opinion exists, and on this point, I am frank to confess, I am not sufficiently well informed to combat the arguments of the gentleman from Pennsylvania. I accept them as factual, as substantial, and, above all else, as not being detrimental to the purpose of the bill.

After more than 8 years of patience and of hard work, this bill, I hope, will become law. There can be no argument advanced against it. The Post Office Department cannot prove that it will cost the Government any substantial or burdensome amount of money, but I say that, cost what it may, these messengers, as loyal and as faithful as any in the Postal Service, and as important to the Service, must be treated on an equality basis. That is the responsibility of Congress. Special-delivery messengers have been the step-children of the Post Office Department and have been treated as such by every administration, including our own, and I am determined that this discrimination and unfairness must be eliminated at the earliest possible date.

Within a short time I hope that the Senate might act upon this bill. Thus we will add to the law the Dingell-Mead bill, a bill to clarify the employment status of the special delivery messengers in the Postal Service, a bill of justice, a bill of emancipation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BURCH. Mr. Speaker, that concludes the business of the Committee on the Post Office and Post Roads.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a dispatch from a recent issue of the New York Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that following the special orders for tomorrow, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio [Mr. HUNTER]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I have announced previously this morning that I would object to any request of that kind for tomorrow, because we have a Republican conference. I wonder if the gentleman would not take the time later, or perhaps we can arrange for him to speak on one of the bills that will come up tomorrow.

Mr. HUNTER. Mr. Speaker, I withdraw the request.

AUTHORIZING SECRETARY OF THE NAVY TO PROCEED WITH CONSTRUCTION OF CERTAIN PUBLIC WORKS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5312) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

Mr. SABATH. Mr. Speaker, reserving the right to object, may I ask the chairman of the Committee on Naval Affairs what appropriations are authorized in this bill?

Mr. VINSON of Georgia. This bill carries a total authorization of $245,000,000.

Mr. SABATH. The bill has been reported out by the gentleman's committee?

Mr. VINSON of Georgia. That is correct.

Mr. SABATH. I did not have an opportunity to glance over the entire bill, but I observe several provisions in the bill on which I would like to have a little information.

Mr. VINSON of Georgia. It will be a pleasure to advise the gentleman about any item in the bill.

Mr. SABATH. The last paragraph of page 18 provides that there shall be 6 percent of the estimated cost of the contract paid to the contractor, exclusive of the fee as determined by the Secretary. What does the gentleman understand by that?

Mr. VINSON of Georgia. Negotiated contracts on all public works authorizations are made on a fixed-fee basis with the fee not exceeding 6 percent of the estimated cost of the contract.

Mr. SABATH. Yes; but how about the last provision which states, "exclusive of the fee"?

Mr. VINSON of Georgia. It says:

That the fixed fee to be paid the contractor as a result of any contract heretofore entered into under the authority of the above-mentioned act shall not exceed 6 percent of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy.

Now, that very language is in every bill that has been passed since the emergency arose.

Mr. SABATH. So there is no limitation on the fees that the Secretary may allow under this bill?

Mr. VINSON of Georgia. Oh, yes, of course, because the language says:

Shall not exceed 6 percent of the estimated cost of the contract.

Mr. SABATH. Exclusive——

Mr. VINSON of Georgia. Exclusive of the fee. The fee is not taken into consideration in the estimated cost of the contract.

Mr. SABATH. Has the gentleman any information on what these fees have been and what they will be in the future?

Mr. VINSON of Georgia. As far as the Naval Affairs Committee has been able to ascertain, the architectural fees for calling in outside architects have been running in the neighborhood of from 3 to 4 percent and probably in a few instances they have run as high as 6 percent. In the actual construction by the contractors, as the investigation now carried on by the Naval Affairs Committee so far has disclosed, in nearly every case it has been well below the 6 percent fee.

Mr. SABATH. I would also like a little information as to whether the same system is being applied to the smaller contractors as is being applied to the larger ones in connection with the big contracts? As I understand it, on all smaller contracts, or on those up to $100,000, regular businesslike bids are demanded and required, but the big contracts that run into the millions of dollars are being let without any bids.

Mr. VINSON of Georgia. May I say to the gentleman from Illinois that wherever time is not the essence in the performance of the contract and the construction is not very urgent, then the contract is awarded as the result of competitive bidding. Wherever it is imperative that the work go forward with the least possible delay, why, then, the Department has adopted the policy of having a negotiated contract on a fixed fee basis. In some cases it may be that in the case of small contracts and subcontractors it is by negotiated contracts, competitive bids, or whatever system it thinks is best to get the article at the earliest possible date.

Mr. SABATH. I would like information from the gentleman on another point. I have been trying to find it in this bill, but I cannot find it because as the gentleman knows I did not have very much time to familiarize myself with the bill. I understand there has been a contract let for advertising in the States of Illinois, Indiana, Michigan, and Iowa for enlisting men amounting to about $240,000. Why is that necessary and is that provision in this bill?

Mr. VINSON of Georgia. May I say to the gentleman from Illinois and to the House that not a single item in this bill relates to advertising. In a hearing yesterday on a personnel matter involving enlistments, it developed that under the authority contained in an appropriation bill, the Secretary of the Navy had made a contract with a distinguished former Congressman from New York, Mr. Barton, who is in the advertising business, in the amount of $240,000 to carry on an

extensive advertising campaign in the States of Illinois, Indiana, and Iowa. That is all the information the committee has had up to this time, and the contract, I may say, was for $340,000 instead of $240,000.

Mr. SABATH. Why is it necessary to advertise in Illinois, Indiana, and Iowa? Can the gentleman tell me?

Mr. VINSON of Georgia. As stated, that came out in a hearing yesterday in reply to questions asked by our distinguished colleagues, the gentleman from New Jersey [Mr. SUTPHIN] and the gentleman from Iowa [Mr. JACOBSEN]. That subject matter has not been completely explored, but we intend to see if it is essential to recruiting the naval strength to carry on an active, aggressive campaign for recruits. If it is, whether Mr. Barton gets the contract or anybody else gets the contract, it is all right with me. All I want to know is that we are going to get the recruits to man these ships in this hour of emergency.

Mr. SABATH. Why is it necessary to advertise in these three States? Has the money already been authorized?

Mr. VINSON of Georgia. Yes; that money is always carried in the appropriation bill for enlistments in the Navy. They can use that money in any way that is legitimate and proper to encourage enlistments in the Navy. I may say in that connection that there will soon be before the Committee on Rules an application for a rule on a bill to double the bonus for the boys who reenlist.

Mr. SABATH. I have no objection to that, but may I ask whether the evidence has disclosed that there is a need to advertise in these States because the people in these three States feel they have been discriminated against, and that is the reason many of these boys refuse to enlist?

Mr. VINSON of Georgia. No; the State of Iowa stands fourth in recruits, irrespective of its population. In consideration of its population, the State of Iowa has more recruits than any other State in the Union.

Mr. SABATH. Why is it necessary to advertise in that State?

Mr. VINSON of Georgia. I have stated to the gentleman that we became cognizant of that matter only yesterday, and we will make a full inquiry as to the necessity for carrying on an aggressive campaign in those States. It is my understanding that this is a test campaign for recruits, and that if it proves successful it will be extended to all States.

Mr. SABATH. There is no authorization for that in this bill?

Mr. VINSON of Georgia. Not one penny in this bill deals with the question of enlistments. It deals only with shore establishments, which are absolutely essential for the operation of the Navy.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The passage of this bill is necessary before we can take up a supplemental appropriation bill which will come up tomorrow. If this bill passes today, the appropriation bill is expected to pass tomorrow, and then we shall be able to recess until Monday.

Mr. VINSON of Georgia. The gentleman from Massachusetts is absolutely correct.

Mr. SABATH. In connection with the statement of the majority leader, may I not ask the chairman of the Committee on Naval Affairs if he has not at all times obtained rules even before the ink was dry on the reports that were filed on the bills?

Mr. VINSON of Georgia. The gentleman from Illinois is absolutely correct. The Committee on Rules has responded most magnanimously to every request the Navy Department and the Committee on Naval Affairs have made with reference to the granting of rules. There has never been the slightest hesitancy on the part of the chairman or any member of the Committee on Rules to giving a rule to make in order the consideration of any naval bill as promptly as we could have a hearing before the committee.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I join with my friend the gentleman from Georgia [Mr. VINSON] in the statement that the chairman of the Committee on Rules and all the members of the Committee on Rules have on national-defense matters cooperated completely. However, we have a practical situation confronting us here today. I am sure that the distinguished chairman of the Committee on Rules will admit that before I suggested that this procedure be employed I conferred with my genial and distinguished friend.

Mr. SABATH. Yes.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. MICHENER. I did not understand the gentleman's unanimous-consent request. I look at this bill and find that it covers everything from cold-storage plants in Alaska to hospitals in Guam, radio stations in China, colleges and schools, and about everything else.

Mr. VINSON of Georgia. There are 1,200 items in this bill. For 4 days, including all day Saturday, the Committee on Naval Affairs had each one of these items before it separately and went carefully into each and every item in the bill. We have reduced the items in the bill by nearly $2,000,000. I have already filed before the Committee on Rules an application for a rule. The leadership of the House asked that I submit this unanimous-consent request in order to expedite the consideration of the appropriation bill, and I am making the request.

Mr. MICHENER. The committee has gone into the details of each one of these proposed improvements, I take it?

Mr. VINSON of Georgia. Yes. I hold in my hand a complete break-down, and if any Member wants to know I shall explain everything about any one of these items. If you will examine this report, you will find that probably this is one of the best reports the Committee on Naval Affairs has ever sent to the floor, because it shows the total amount that has been spent since June 11, 1940, on each one of these items. For instance, in various appropriations we have made heretofore we have appropriated sums of money for Corpus Christi. In this bill is an item for $8,000,000. We show the total amount that has been spent at Corpus Christi as well as every other place, since the 11th day of June 1940.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. The gentleman will explain thoroughly the various items in the bill when he gets the privilege of having it considered?

Mr. VINSON of Georgia. Exactly; when my unanimous-consent request is granted.

Mr. MICHENER. The gentleman's request was to bring the bill to the floor and pass it by unanimous consent?

Mr. VINSON of Georgia. No. I asked unanimous consent to consider this bill. If the request is granted, then I shall move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, and ask unanimous consent that 1 hour be allowed for general debate, 30 minutes to be controlled by myself and 30 minutes by the gentleman from Oregon [Mr. MOTT].

Mr. MICHENER. That is enough.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I understand that the gentleman has had the support and concurrence of the minority in the work he is carrying on to expedite this construction, in view of the urgent need for these establishments?

Mr. VINSON of Georgia. Absolutely.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5312) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; and, pending that, I ask unanimous consent that general debate be fixed at 1 hour, 30 minutes to be controlled by the gentleman from Oregon and 30 minutes by myself.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5312) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, with Mr. ROBINSON of Utah in the chair.

The Clerk read the title of the bill

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 30 minutes.

Mr. COLMER. Mr. Chairman, will the gentleman yield before he enters into a discussion of the merits of the bill?

Mr. VINSON of Georgia. I yield to the gentleman from Mississippi.

Mr. COLMER. I simply want the gentleman to yield in order that I may make this observation. The gentleman knows I felt constrained to reserve the right to object to his unanimous-consent request to take up this bill, and, as I understand, the bill involves an authorization of expenditure of approximately $245,000,000.

Mr. VINSON of Georgia. Yes.

Mr. COLMER. And I am wondering if the gentleman does not believe that under ordinary circumstances the proper procedure would be to go before the Rules Committee and obtain a rule and have the rule adopted by the House in the regular way.

Mr. VINSON of Georgia. I may say to the gentleman from Mississippi that just as soon as we reported this bill yesterday I filed a resolution asking for a rule for its consideration. I think it probably would have been better to have obtained a rule in the usual way, but in view of the fact that the House leadership is desirous of having this matter considered and also in view of the fact that it is a unanimous report and the leadership is hopeful of taking up the appropriation bill providing the money for these items. In deference to the judgment of the leadership of the House I made the request.

Mr. COLMER. I thank the gentleman for his answer to my inquiry, and I simply want to make the observation that, while I did not want to object to the bill, I do want to serve notice that I think the bill should have been considered in the regular way.

Mr. VINSON of Georgia. I may say to the gentleman that, unless the exigencies of the case demand it, it is far better to go before the Rules Committee, get your rule, debate your rule, and then bring the measure before the House under a rule, but conditions today demanded that I ask unanimous consent for the consideration of this bill, because it is necessary to get the appropriation bill passed before the tax bill comes in.

Mr. Chairman, this bill contains 1,200 items and involves an expenditure of $245,000,000. It becomes necessary to have a bill of this character due to the expansion of the Navy. As you increase the number of ships, in turn, your shore establishments must be expanded, to keep pace with the shipbuilding program, and that is the object of this bill. We are building today some 360 ships of war of different character, and to meet this expansion you have to increase your hospital facilities, your ammunition depots, your radio facilities, and all the other facilities that play a prominent part in making a navy, and that is all that this bill does.

The bill is recommended by the Budget. It is unanimously reported by the Naval Affairs Committee. On last Wednesday the Naval Affairs Committee called a hearing and commenced its investigation. All day Wednesday, all day Thursday, all day Friday, and until about 4 o'clock Saturday afternoon, and all day Monday witnesses were before the committee. We made them explain and justify every one of these 1,200 items, and I have here a complete break-down of each item, explaining in complete detail how this money is to be spent and the necessity for the expenditure.

In this report, to which I respectfully invite your attention, you will see we have gone one step further than ever before in submitting a report. We not only show how much this bill calls for at the particular place, but we show how much has heretofore been appropriated for that place since July 11, 1940. For instance, at the naval station at Key West, Fla., this bill calls for $332,000. In addition to that there has already been appropriated at Key West, for shore establishments, $5,094,200, making a total appropriation for Key West, for shore expansion to meet the expansion of the fleet, $5,426,200. You can find the same information with respect to every item in the bill. If there is any particular item that any Member wants to know anything about, I will try to find it in the voluminous document I have here and tell him in minute detail what it is all about.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. DONDERO. Is any shipbuilding provided in this bill?

Mr. VINSON of Georgia. No; this is strictly a bill dealing with public works, including the construction of buildings, facilities, and accessories for use in relation to the expansion of the fleet—operating facilities, destroyer and submarine bases, aviation bases, shore stations, fuel-storage facilities, and marine activities. That is all the bill provides. It took us a long time to complete the hearing; and you can rest assured that every item in this bill has been scrutinized far more carefully than the average public-works bills that have been considered during the quarter of a century I have been on the Naval Affairs Committee.

Mr. Chairman, this bill is to authorize the Navy Department to proceed with the construction of a large number of public-works items. The projects in the bill, when broken down, total items in excess of 1,200. These items are set forth in the tables in the report on this bill. Time will not allow me to go into detail regarding each project.

As the Congress is well aware, coincident with the great expansion of our seagoing Navy, we have been engaged in expanding the shore facilities which must support the fleet. In 1938 the Navy Department appointed a board, of which Admiral Hepburn was the senior member, to study the requirements for adequate shore facilities. At that time the naval air program contemplated but 3,000 planes, and the number of ships on the Navy program was very small compared to today. Since the Hepburn Board there has been a steady increase in the size of the Navy. First of all, there was the 11-percent increase. Then there was the 70-percent increase, which we call the two-ocean Navy program. As a result of this enormous expansion, the Navy Department appointed last year another board to make a study of the fundamental requirements of the naval shore establishments and recommend what was needed in the light of these expansions. This board, of which Admiral Greenslade was the senior member, made its report, which was approved on May 14 of this year.

As a result of all this study and the recommendations of these boards, the Navy Department has been authorized to embark upon a program the purpose of which is to keep the development of the shore establishments in step with the growth of the forces afloat.

This bill represents another increment in the program. There are projects for the expansion of navy yards and naval stations, training stations and schools, ordnance shops and ammunition storage, hospitals and dispensaries, naval air stations, Naval Reserve training bases, fuel and supply depots, marine barracks, radio stations, and many others; in other words, every type of shore establishment which is necessary to our defense. In adding to this great shore establishment, however, it is the policy not to allow it to get ahead of the ships and become top-heavy, but rather to have at all times sufficient shore facilities to meet requirements which can be foreseen. As this bill came to the Naval Affairs Committee it contained authorizations for upward of $245,000,000. Committee amendments have reduced this figure by approximately $1,200,000. This reduction was not made, however, with the idea of economizing at the expense of national defense. They were made as a result of thorough hearings which revealed certain items which the committee felt, as well as the Navy Department in most instances, that reductions could be made without hurting the project.

A study of the report on this bill will show that there are a number of items, particularly in the section devoted to aviation facilities, which are called deferred. In order that the Congress may fully understand what is being done by the Navy and what their attitude is toward the limits of cost set up in an authorization bill, an explanation of this term "deferred" is in order. The term as used in the report means that those items were part of the original or prior plans for the projects, but that it was found that the funds authorized for a specific development were insufficient to accomplish all the items planned.

When the Navy Department found that it could not do all the work at a station within the cost limit it had a choice of two methods of procedure, without sacrificing the time element. It could go ahead and do all the work

required to make a complete job even though it exceeded the limit of cost. This it could do under the authority of section 8 (a) of the Speed-up Act. The other method was to defer certain items and build only those which would make it possible to get the station into operation in the shortest time, and then come back to Congress for an authorized increase in the cost limit. Many of the authorizations in this bill for naval air stations and some under other categories represent a choice of the latter method. The Naval Affairs Committee feels that section 8 (a) should only be used where the necessity for speed and the need for completing items above the cost limit make it impossible or impracticable for the Navy Department to even take the time to come back to Congress. The Navy Department's way of handling this matter is viewed with approval by the committee.

An explanation is germane at this point as to why these developments could not be completed within the estimated cost. Several factors enter into this. First of all, during the expansion of the Navy, Congress has authorized, in steady increments, an increase in the number of naval airplanes from 3,000 to 15,000. The expansion of shore facilities to support this air force is one of unprecedented magnitude. It has been necessary to proceed rapidly but with a certain amount of caution in the construction of air stations of such great size. There is no previous experience in this country on which to base the exact needs of such a station. It was the part of wisdom to plan these stations conservatively and then add facilities as experience dictated the needs—but not to overreach ourselves. The same is true of many other shore activities, such as ammunition and storage facilities, naval supply depots, and fuel depots.

But in addition to the lack of complete information and experience on which to base accurate estimates of many of these activities there are several other situations in the country today which have a very direct bearing on the cost of public-works construction.

First of all, running throughout this whole program is the demand for speed, and more speed. We all know that speed in construction work costs money. This is so because work is done on a three-shift, 7-day-a-week basis. I do not need to tell you about overtime rates.

Speed also means working regardless of weather conditions. At one public-works project during the past winter the work was kept up under the severest conditions of weather by putting up canvas screens and installing heating elements, and so forth.

Speed also means that highly skilled labor must be thinned out. Men are assigned to classes of work which in normal times they would not be considered capable of doing. Every one of these factors increases both basic costs and overhead.

Another reason for original estimates being exceeded is the rising cost of labor. All over the country we hear of all classes of labor, from skilled workmen down, asking for higher and higher rates of pay. While it is possible to resist requests for more pay up to a certain point, in the final analysis in this defense program there is nothing left to do but comply with a large part of the demands of labor.

Then there is the price of materials. These have been rising since the fall of 1939 and they are still rising. Many of these materials for Navy public-works projects have to be shipped outside of the continental limits of the United States, and the matter of sea-borne transportation becomes daily a more serious problem.

All these matters have a direct effect on the cost but they cannot be allowed to affect the vital speed factor. Control of cost and of labor are matters requiring the attention of Congress, but we are all agreed, I believe, that nothing shall be allowed to slow down the defense program.

All but five of the projects in this bill are for the purpose of completing, expanding, or improving establishments already authorized. These additions are set forth in the report and are in line with the rest of the program.

I have not undertaken to explain the details of the bill, and there are some features of it which, as you will readily recognize, are of a confidential nature and cannot properly be discussed here. The hearings on this bill were very thorough. Full information concerning the bill is contained in the report, and the Naval Affairs Committee is unanimous in recommending its passage.

Mr. MOTT. Mr. Chairman, I think after listening to the statement of the chairman of the Committee on Naval Affairs everyone will agree that there is not very much more to be said upon this bill. The bill is necessary in order to meet the requirements of our rapidly expanding Navy, and every one of the 1,200 items in the bill has been thoroughly examined by the committee and found to be justified.

At the present time we have a one-ocean Navy. The program for a two-ocean Navy, which will double the size of the present Navy, is proceeding upon a very fast schedule, and we soon will have this two-ocean Navy. In the meantime, by legislation of this kind, we are undertaking to get the shore-station establishments ready to meet the requirements of this expanded Navy. This bill, for the most part, deals with the implementing and expansion of existing establishments. There are only a few items in it providing for the creation of new establishments. The bill provides for the expansion and improvement of all the shore stations in the United States and in our outlying possessions, including navy yards, fleet bases, submarine and destroyer bases, naval air stations, radio stations, munition depots, magazines, stores, hospitals, dispensaries, and every other naval shore activity.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield.

Mr. WILLIAM T. PHEIFFER. I appreciate the fact that the committee has gone into these 1,200 items with considerable care. I am not taking the floor to disagree with the amount of any of these items, but I notice one item of approximately $1,000,000 for housing enlisted men, recreation facilities, and radio-laboratory facilities at Norfolk, Va. Can the gentleman break that down and tell us what are these items, particularly with regard to the recreational facilities? The point I have in mind is that while recreation is important for our Navy men, our enlisted personnel, yet at a time when we are getting ready to tax the hide off the people of the country to pay for these things I am wondering if we cannot forego such items as recreational facilities.

Mr. MOTT. Mr. Chairman, we went into the items of recreational facilities not only for this particular station but for all of the stations where, in the opinion of the Navy Department, additional recreational facilities were required. It has been the experience of those in responsible charge of the Navy that adequate recreational facilities at each of these stations are just as necessary in the program of building up an efficient fighting Navy personnel as is any other facility. In fact, it would be impossible in our kind of a Navy to get along without adequate recreational facilities. It is just as necessary to have these as it is to have an adequate supply of food and clothing. It is an indispensable factor in the morale of the Navy. It is a part of the Navy program, and experience has taught us that we can no more neglect it with safety than we can neglect any other part of the program.

Mr. VINSON of Georgia. Mr. Chairman, if the gentleman will permit, in respect to the question propounded by the gentleman from New York, we should bear in mind that the enlisted man, after he has finished his duty, is entitled to some place for relaxation, some place to see his guests who might come to see him, such as his mother or sister or wife or sweetheart, and he is entitled also to recreational facilities for some diversion from his duties. You cannot keep up the morale of a military establishment if you do not have some place for relaxation when the men are off duty. That is what you have to have at every naval station. Let us take a ship that comes into Norfolk. The man has been on the ship for 6 months; and if he had no recreational facilities, where would he entertain his guests? Would the gentleman have him go out on the streets of Norfolk; would he have him go there to pass his spare time or to see a moving picture? So in every naval establishment it is just as essential for the morale and health as it is, as the gentleman from Oregon has said, for clothing and hospital facilities.

Mr. WILLIAM T. PHEIFFER. I agree with the distinguished chairman. I am not taking a dog-in-the-manger attitude on this proposition.

Mr. MOTT. I understand perfectly that the gentleman was asking for information, and he is clearly entitled to the information he is seeking.

Mr. WILLIAM T. PHEIFFER. I would like to have the amount for each item.

Mr. VINSON of Georgia. I have it here. It consists of a bowling alley, a

large hall for motion pictures, a gymnasium floor, lockers, library, and other related facilities. Those things are just as essential to a man serving his country as the uniform he wears.

Mr. MOTT. Now, Mr. Chairman, I know of no opposition to the bill as a whole or to any of these 1,200 items in it. They were all gone over most carefully with the chiefs of bureaus in open hearing, and those who recommended them were very carefully interrogated upon every item. The committee came to the unanimous conclusion that everything contained in this bill is necessary for our Naval Establishment and that it ought to be authorized at this time.

I trust and I feel sure there will be no opposition to this bill.

Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Chairman, I believe that in a bill embracing such a large expenditure of public money as the one now pending, that the Members should have the benefit of the advice and the information that the Committee on Naval Affairs has been able to get from the leading naval authorities of the country at hearings which we conducted over a period of 5 days, meeting both in the morning and in the afternoon.

As the gentleman from Georgia [Mr. VINSON], the chairman of the committee, has stated, there are about 1,200 items in this measure. During the experience I have had on that committee over a number of years, I have never seen any bill that has been so carefully analyzed as this one. We have been conscious of the fact that every dollar spent in the defense system of this Nation is a dollar that must be raised eventually through our tax system, and we are trying, as we always have endeavored, to justify in every way these recommendations on the part of the committee to the Members of the House.

We must always keep in mind that a year ago this country embarked on a major naval program that within 5 years will treble the size of the American Fleet and increase the personnel from 130,000 men to over a half a million men by 1945. We are going from less than 1,000,000 tons of under-age ships to over 3,000,000 tons of under-age ships in this same period of time.

As we listened to the reports of the naval officials in the various branches of the naval service, this bill was thoroughly explained in every item. I have here a compilation and break-down of every one of these items that we asked the Navy Department to make up, so that we could be even better informed and thus add to the information resulting from questions asked these experts as they appeared before the committee.

This proposed legislation embraces authorization for the expenditure of about $245,000,000. This will not be the last of our requests for authorizations. In other words, we were told that while this authorization totals about $245,000,000, eventually the Navy Department, for additional facilities, will be compelled to ask for over a billion dollars more. In other words, we are trying to approach this problem as we develop the fleet, providing all these facilities as we feel they are needed by the naval establishments.

This measure calls for additional facilities in the different shore stations of the country and our insular possessions, and also extends our radio facilities. It provides for recreational facilities at our various naval stations, and which, in my opinion, are so essential to the morale of our Navy personnel. It also will make possible the expansion of facilities in the various navy yards, in the training stations, and also provides $1,600,000 to expand the Naval Hospital in the District of Columbia, which is rapidly nearing completion, and which we hope will be put into operation at the end of this year.

This bill, Mr. Chairman, in my opinion, has received the most careful thought and consideration of the Naval Affairs Committee, and I do hope that the Members of the House will have no difficulty in supporting it.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Chairman, I was interested a few moments ago to hear the discussion relative to recreation facilities for the boys in the Navy. Recently I returned from my home. Most of you perhaps know that in my district we have a naval torpedo station, a training station, and a naval hospital. I notice that in the bill coming before the House there are authorizations for these three places, but I failed to notice anything pertaining to recreation for the naval torpedo station.

While I was there I found that for some 1,500 enlisted men who are assigned there and approximately 300 or 400 student officers, there are absolutely no recreational facilities at all on Goat Island, where the torpedo station is located. I found they were also crowded in their sleeping quarters and so lacking in facilities to take care of their clothes that most of the student officers had to hang their clothes on a pipe line strung across one of the rooms. In fact, there was an overflow of clothing, and some of their clothing was hanging in the toilets.

I found further that one little building known as the house that Jack built, a building that was made of salvaged material during the World War by the enlisted men during their recreation periods, has now been condemned, leaving them absolutely without a place to go when they are off duty. Upon inquiry as to just what the men did, some of the commissioned officers who accompanied me on this inspection trip pointed to some of them who were sitting up on a pile of lumber, looking out on the ocean. They told me that was the extent of their recreation.

I sincerely hope that when the Navy Department brings in a request for additional funds that the Committee on Naval Affairs will take into consideration that particular item—namely, recreation for the men at the torpedo station at Newport.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. FORAND. I yield.

Mr. BATES of Massachusetts. The gentleman is also interested in the Quonset Point Naval Air Station, and the Navy Department has made very far-reaching provision for recreational facilities at that station where a large number of men will be quartered from now on.

Mr. FORAND. That is very true. That is true of Quonset. I have no criticism to make there, but I do have criticism in regard to the torpedo station.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 2 minutes in order to answer the gentleman from Louisiana.

Mr. HÉBERT. Mr. Chairman, I wish the gentleman from Georgia would tell me why "the city of New Orleans" was deleted from the bill and "Gulf coast area" inserted instead.

Mr. VINSON of Georgia. Mr. Chairman, I assure the gentleman from Louisiana that the committee's action in doing so should not by any means cause anyone to conclude that the facilities will not be established at New Orleans. In all probability they will be established there, but we felt it was necessary to make a complete survey of the whole coast area before definitely deciding where it should be established.

Mr. HÉBERT. Am I to understand, then, that the Naval Affairs Committee, in changing this language, did not want to limit the selection of this particular site to the city of New Orleans?

Mr. VINSON of Georgia. That is correct.

Mr. HÉBERT. But in all probability it will be placed in the city of New Orleans?

Mr. VINSON of Georgia. I am inclined to think it will be.

Mr. HÉBERT. I should like to make the observation that the city of New Orleans has donated thousands of acres of land to the national-defense program, and in this particular case we stand ready to donate still additional thousands of acres to help this country's national defense.

Mr. VINSON of Georgia. New Orleans, of course, is merely living up to her past reputation of being most generous to all national-defense units in that section.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to establish or develop the following shore activities by the construction of public works projects, including the construction of buildings, structures, facilities, and accessories for the expansion of fleet operating facilities, destroyer and submarine bases, aeronautic shore stations, supply and fuel storage, Marine Corps activities, ordnance and hospital activities, training and housing facilities, radio communication facilities, research facilities, power supply, service structures, and facilities, including the acquisition of necessary land, at a cost not to exceed the stated amount for each activity or location enumerated, respectively:

Navy Yard, Charleston, S. C.: Ordnance-shop storehouse and accessories, $200,000.

Navy Yard, Mare Island, Calif.: Quarters for officers, $200,000.

Navy Yard, New York, N. Y.: Housing for enlisted men, $250,000.

Navy Yard, Norfolk, Va.: Housing for enlisted men, recreation facilities and radio-laboratory facilities, $910,000.

Navy Yard, Pearl Harbor, Hawaii: Housing for officers and enlisted men, $675,000.

Navy Yard, Philadelphia, Pa.: Acquisition of land and development of housing for enlisted men, $650,000.

Navy Yard, Portsmouth, N. H.: Ordnance-storage facilities and housing for enlisted men, $422,500.

Naval Station, Guam: Housing for insular guard, $170,000.

Naval Station, Key West, Fla.: Housing for enlisted men, laundry- and ammunition-storage facilities, $332,000.

Naval Station, Tutuila, Samoa: Additional defense facilities, housing, and water-front development, $1,305,000.

Naval operating base, Balboa, C. Z.: Housing for officers, enlisted men, laundry and school facilities, $900,000.

Naval Operating Base, Norfolk, Va.: Fleet-school facilities, magazines, and storage facilities, $3,335,000.

Naval Operating Base, Pearl Harbor, Hawaii: Dispensary, $245,000.

Roosevelt Roads (Vieques), P. R.: Additional development of protected fleet anchorage, including acquisition of land, $21,970,000.

Submarine Base, Charlotte Amalie, V. I.: Additional development of submarine facilities, $2,195,000.

Submarine Base, Coco Solo, C. Z.: Additional power plant, shore-patrol headquarters, and school facilities, $885,000.

Submarine Base, Kodiak, Alaska: Additional submarine-operating facilities, including ammunition-storage facilities, $3,413,000.

Submarine Base, Midway Island: Additional submarine-operating facilities, including buildings and accessories, $4,761,000.

Submarine Base, New London, Conn.: Additional submarine-operating and repair facilities, $1,715,000.

Submarine Base, Pearl Harbor, Hawaii: Additional submarine-operating, repair, and torpedo-storage facilities, $385,000.

Submarine Base, Unalaska Area, Alaska: Cold-storage facilities, $200,000.

Submarine Base, Wake Island: Submarine-operating and repair facilities, including buildings and accessories, $4,679,000.

Destroyer Base, San Diego, Calif.: Fleet-school facilities, quarters for officers, and torpedo storage, $855,000.

Naval Academy, Annapolis, Md.: Additional instruction facilities, boat-repair facilities, and acquisition of additional land, $1,720,000.

Naval Training Station, Great Lakes, Ill.: Additional training facilities, including housing and instruction buildings and accessories, $5,595,000.

Naval Training Station, Newport, R. I.: Additional training facilities, including housing and instruction buildings and accessories, $580,500.

Naval Training Station, Norfolk, Va.: Quarters for bachelor chief petty officers, $175,000.

Naval Training Station, San Diego, Calif.: Additional training facilities, including housing and instruction buildings and accessories, $3,359,000.

Naval Ammunition Depot, Balboa, C. Z.: Additional ammunition-storage facilities, including buildings and accessories, $165,000.

Naval Ammunition Depot, Burns City, Ind.: Additional ammunition- and ordnance-storage facilities, including buildings and accessories, $10,250,000.

Naval Ammunition Depot, Charleston, S. C.: Additional ammunition-storage facilities, including buildings and accessories, $747,000.

Naval Ammunition Depot, Coco Solo, C. Z.: Additional ammunition-storage facilities, including buildings and accessories, $160,000.

Naval Ammunition Depot, Fort Mifflin, Pa.: Additional ammunition-storage facilities, including buildings and accessories, $228,000.

Naval Ammunition Depot, Hawthorne, Nev.: Additional ammunition-storage facilities, including buildings and accessories, $4,439,000.

Naval Ammunition Depot, Hingham, Mass.: Storehouse and acquisition of land, $155,000.

Naval Ammunition Depot, Indian Island, Wash.: Additional ammunition-storage facilities, $1,100,000.

Naval Ammunition Depot, Iona Island, N. Y.: Additional ammunition-storage facilities, including acquisition of additional land, $121,500.

Naval Ammunition Depot, Lake Denmark, N. J.: Storage for ordnance materials, $645,000.

Naval Ammunition Depot, Mare Island, Calif.: Ammunition loading and storage and mine-handling facilities, $595,000.

Naval Ammunition Depot, Oahu, T. H.: Additional ammunition-storage facilities, including buildings and accessories, $2,316,500.

Naval Ammunition Depot, Puget Sound, Wash.: Additional ammunition-storage facilities, including buildings and accessories, $336,000.

Naval Ammunition Depot, St. Juliens Creek, Va.: Additional ammunition-storage facilities, including buildings and accessories, $390,000.

Naval Magazine, Bellevue, D. C.: Ordnance storehouses, $90,000.

Naval Magazine, New Orleans, La.: Development of ammunition-storage facilities, including buildings and acquisition of land, $2,300,000.

Naval Torpedo Station, Newport, R. I.: Torpedo-testing facilities, including building and accesories and magazines, $600,000.

Naval Torpedo Range, Piney Point, Md.: Improvement of torpedo-testing facilities, including quarters for officers, $170,000.

Naval Mine Depot, Yorktown, Va.: Additional storage facilities, $550,000.

Naval Proving Ground, Dahlgren, Va.: Railroad connection to Fredericksburg, including acquisition of rights-of-way, fire station, post office, and gate house, $2,060,000.

Naval Hospital, Balboa, C. Z.: Expansion of hospital facilities, $250,000.

Naval Hospital, Charleston, S. C.: Additional ward buildings, $190,000.

Naval Hospital, Corpus Christi, Tex.: Expansion of hospital facilities, $450,000.

Naval Hospital, Guam: Expansion of hospital facilities, $100,000.

Naval Hospital, Jacksonville, Fla.: Expansion of hospital facilities, $344,500.

Naval Hospital, Newport, R. I.: Expansion of hospital facilities and medical-supply storehouse, $783,000.

Naval Hospital, Norfolk, Va.: Expansion of hospital facilities, $485,000.

Naval Hospital, Pensacola, Fla.: Boiler-house and utility building and equipment, $300,000.

Naval Hospital, Philadelphia, Pa.: Expansion of hospital facilities, $280,000.

Naval Hospital, Portsmouth, N. H.: Quarters for nurses, $56,000.

Naval Hospital, San Diego, Calif.: Expansion of hospital facilities, $405,000.

Medical Supply Depot, Brooklyn, N. Y.: Additional medical-supply storage, including acquisition of land, $600,000.

Naval Medical Center, Washington (Bethesda), D. C.: Expansion of medical and hospital facilities, $1,970,000.

Naval Air Station, Anacostia, D. C.: Additional radio facilities, including buildings and accessories, $125,000.

Naval Air Station, Banana River, Fla.: Additional aviation facilities, including buildings and accessories, $280,000.

Naval Air Station, Barbers Point, T. H.: Aviation facilities, including buildings and accessories, $18,605,000.

Naval Air Station, Cape May, N. J.: Ammunition-storage facilities, including buildings and accessories, $25,000.

Naval Air Station, Cavite, P. I.: Aviation facilities, including buildings and accessories, $5,570,000.

Marine aviation facilities, Charlotte Amalie, V. I.: Ammunition-storage facilities, including buildings and accessories, $576,000.

Naval Air Station, Corpus Christi, Tex.: Additional aviation facilities, including buildings and accessories, $8,522,500.

Naval Air Station, Floyd Bennett Field, N. Y.: Ammunition-storage facilities, including buildings and accessories, $41,000.

Naval Air Station, Guantanamo, Cuba: Additional ammunition-storage facilities, including buildings and accessories, $286,000.

Naval Air Station, Jacksonville, Fla.: Additional aviation facilities, including buildings and accessories, $2,281,100.

Naval Air Station, Johnston Island: Additional aviation facilities, including buildings and accessories, $1,618,500.

Naval Air Station, Kaneohe Bay, T. H.: Additional aviation facilities, including buildings and accessories, $3,970,000.

Naval Air Station, Key West Fla.: Additional aviation facilities, including buildings and accessories, $375,000.

Naval Air Station, Kodiak, Alaska: Additional aviation facilities, including buildings and accessories, $3,266,000.

Naval Air Station, Lahaina Roads, T. H.: Ammunition-storage facilities, including buildings and accessories, $174,500.

Naval Air Station, Miami, Fla.: Additional aviation facilities, including buildings and accessories, $1,222,000.

Naval Air Station, Midway Island: Additional aviation facilities, including buildings and accessories, $2,820,000.

Naval Air Station, Norfolk, Va.: Additional aviation facilities, including buildings and accessories, $2,560,000.

Naval Air Station, Palmyra Island: Additional aviation facilities, including buildings and accessories, $543,500.

Naval Air Station, Pensacola, Fla.: Expansion of radio facilities, $20,000.

Naval Air Station, Quonset Point, R. I.: Additional aviation facilities, including buildings and accessories, $1,030,000.

Naval Air Station, San Diego, Calif.: Additional aviation facilities, including buildings and accessories, $560,000.

Naval Air Station, San Juan, P. R.: Additional aviation facilities, including buildings and accessories, $752,000.

Naval Air Station, San Pedro, Calif.: Radio facilities, including buildings and accessories, $75,000.

Naval Air Station, Seattle, Wash.: Additional aviation facilities, including buildings and accessories, $540,000.

Naval Air Station, Sitka, Alaska: Additional aviation facilities, including buildings and accessories, $2,654,200.

Naval Air Station, Squantum, Mass.: Ammunition-storage facilities, including buildings and accessories, $44,000.

Naval Air Station, Tongue Point, Oreg.: Additional aviation facilities, including buildings and accessories, $450,000.

Naval Air Station, Tutuila, Samoa: Additional aviation facilities and ammunition storage, including buildings and accessories, $553,000.

Naval Air Station, Unalaska, Alaska: Additional aviation facilities, including buildings and accessories, $4,346,000.

Naval Air Station, Wake Island: Additional aviation facilities, including buildings and accessories, $2,601,000.

Naval Air Station, Whidby Island, Wash.: Aviation facilities, including buildings and accessories and acquisition of land, $3,790,000.

Reserve Aviation Base, Anacostia, D. C.: Additional aviation facilities, including buildings and accessories, $120,000.

Reserve Aviation Base, Atlanta, Ga.: Additional aviation facilities, including buildings and accessories, $145,000.

Reserve Aviation Base, Dallas, Tex.: Additional aviation facilities, including buildings and accessories, $145,000.

Reserve Aviation Base, Floyd Bennett Field, N. Y.: Additional aviation facilities, including buildings and accessories, $120,000.

Reserve Aviation Base, Glenview, Ill.: Additional aviation facilities, including buildings and accessories, $120,000.

Reserve Aviation Base, Grosse Ile, Mich.: Additional aviation facilities, including buildings and accessories, $150,000.

Reserve Aviation Base, Kansas City, Kans.: Additional aviation facilities, including buildings and accessories, $170,000.

Reserve Aviation Base, Long Beach, Calif.: Additional aviation facilities, including buildings and accessories, $1,635,000.

Reserve Aviation Base, Minneapolis, Minn.: Additional aviation facilities, including buildings and accessories, $120,000.

Reserve Aviation Base, New Orleans, La.: Additional aviation facilities, including buildings and accessories, $145,000.

Reserve Aviation Base, Oakland, Calif.: Additional aviation facilities, including buildings and accessories, $120,000.

Reserve Aviation Base, Squantum, Mass.: Additional aviation facilities, including buildings and accessories, $120,000.

Reserve Aviation Base, St. Louis, Mo.: Additional aviation facilities, including buildings and accessories, $120,000.

Naval Radio Station, Annapolis, Md.: Additional radio facilities, including buildings and accessories, $140,000.

Naval Radio Station, Astoria, Oreg.: Quarters and accessories and services for officer in charge, $12,500.

Naval Radio Station, Bainbridge Island, Wash.: Quarters for married operators, $72,000.

Naval Radio Station, Balboa, C. Z.: Utility building and accessories, $25,000.

Naval Radio Station, Cape May, N. J.: Additional radio facilities, including buildings, towers, and acquisitions of land, $140,000.

Naval Radio Station, Charlotte Amalie, V. I.: Radio facilities, including buildings and accessories, $130,000.

Naval Radio Station, Cheltenham, Md.: Additional radio facilities, including buildings and accessories, $235,000.

Radio Station, Marine Detachment, Chinwangtao, China: Replacement of operating building, $5,000.

Naval Radio Station, Chollas Heights, Calif.: Utility building and accessories, $20,000.

Naval Radio Station, National Airport, David, Panama: Quarters for officer in charge and operators, $30,000.

Naval Radio Station, Gatun, C. Z.: Additional radio facilities, including buildings and accessories, $200,000.

Naval Radio Station, Guantanamo, Cuba: Additional radio facilities, including buildings and accessories, $210,000.

Naval Radio Station, Key West, Fla.: Additional radio facilities, including buildings and accessories, $21,000.

Naval Radio Station, Libugon, Guam: Quarters for operators, $60,000.

Naval Radio Station, Lualualei, T. H.: Additional radio facilities, including buildings and accessories, $320,000.

Naval Radio Station, Mare Island, Calif.: Additional radio facilities, including buildings and accessories, $640,000.

Naval Radio Station, New Orleans, La.: Radio facilities, including buildings and accessories, $140,000.

Naval Radio Station, Oahu, T. H.: Additional radio facilities, including buildings and accessories, $150,000.

Naval Radio Station, Point Arguello, Calif.: Relocate station, including buildings and accessories, and acquisition of land, $100,000.

Naval Radio Station, Point Loma, Calif.: Quarters for operators, $112,000.

Naval Radio Station, Marine Barracks, Quantico, Va.: Additional facilities, including buildings and accessories, $125,000.

Naval Radio Station, Summit, C. Z.: Additional radio facilities, including buildings and accessories, $350,000.

Naval Radio Station, Vaitogi, Samoa: Quarters for officers in charge, $10,000.

Naval Research Laboratory, Bellevue, D. C.: Storehouse and accessories, $235,000.

Naval Fuel Depot, Melville, P. I.: Acquisition of additional land, $61,000.

Naval Fuel Depot, Pearl Harbor, T. H.: Development of additional underground fuel storage, $16,000,000.

Naval Supply Depot, Bayonne, N. J.: Additional development of fleet-supply facilities, including buildings and accessories, $7,300,000.

Naval Supply Depot, Norfolk, Va.: Additional fleet-supply facilities, including buildings and accessories, $2,125,000.

Naval Supply Depot, Oakland, Calif.: Additional fleet-supply facilities, including buildings and accessories, $1,300,000.

Naval Supply Depot, Pearl Harbor, T. H.: Additional fleet-supply facilities, including buildings and accessories, $6,850,000.

Marine Barracks, Charleston, S. C.: Utility and guard building and accessories, $90,000.

Marine Barracks, New River, N. C.: Development of landing field for training parachute troops, $800,000.

Marine Barracks, Parris Island, S. C.: Additional radio facilities, including buildings and accessories, $120,000.

Marine Barracks, Quantico, Va.: Additional ammunition-storage facilities, $58,000.

Marine Barracks, San Diego, Calif.: Quarters for bachelor officers, $100,000.

Sixth Naval District: Development of fleet-landing facilities, including acquisition of land, $100,000.

Tenth Naval District: Fleet-fuel and storage facilities, including buildings and accessories, $800,000.

Thirteenth Naval District: Barracks and officers' quarters, rifle range, $90,000.

Photographic facilities at various locations: Photographic laboratories, housing, buildings, and accessories, $1,000,000.

Mobile power-plant units: Development of two mobile power plants, railway mounted, $2,500,000.

Internal security and passive defense: Development of facilities for internal security and passive defense at naval activities, including buildings, bombproof shelters, and accessories, $14,500,000.

Reserve storage for gasoline: Development of reserve storage for gasoline at various locations, including buildings and accessories, $2,500,000.

Fuel storage: Development of storage facilities for fuel, Diesel oil, and gasoline at various locations, including buildings and accessories, $12,000,000.

Hospital corps training schools: Hospital corps training facilities, at various locations, including buildings and accessories, $1,440,000.

Expansion of hospital facilities: Expansion of hospital facilities at various locations, including buildings and accessories, $3,000,000.

The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590-592), as amended, shall be applicable to all public-works and public-utilities projects authorized by this act, regardless of location: *Provided*, That the fixed fee to be paid the contractor as a result of any contract hereafter entered into under the authority of the above-mentioned act shall not exceed 6 percent of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy: *Provided further*, That the fact that any contract authorized by this or any other act is entered into without regard to section 3709 of the Revised Statutes of the United States, or upon a cost-plus-a-fixed-fee basis or otherwise without advertising for proposals, shall not be construed to render inapplicable the provisions of the act of March 3, 1931, as amended by the act of August 30, 1935 (49 Stat. 1011; U. S. C., title 40, sec. 276 (a)), if such act would otherwise be applicable to such contract.

The provisions of section 8 (a) of the act approved June 28, 1940 (Public, No. 671, 76th Cong.), shall be applicable to naval public-works projects authorized by this and all prior acts.

Mr. VINSON of Georgia (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, but that the bill be printed in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Pages 1 and 2, strike out all after enacting clause to and including line 4, on page 2, and insert the following in lieu thereof:

"That the Secretary of the Navy is hereby authorized to establish or develop the following shore activities by the construction of the following public works, with which shall be included the authority to acquire the necessary land, at a cost not to exceed the amount stated after each item enumerated:."

Page 3, line 4, after the word "laundry", delete the dash and insert a comma.

Page 4, line 24, delete the numerals "$580,500" and insert in lieu thereof the numerals "$480,500."

Page 5, line 25, strike out the words "and acquisition of land", delete the numerals "$155,000" and insert in lieu thereof the numerals "$80,000."

Page 6, line 1, delete the words "Ammunition Depot" and insert in lieu thereof the word "Magazine."

Page 6, line 23, delete the words "New Orleans, La." and insert in lieu thereof the words "Gulf Coast Area."

Page 7, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following:

"Naval Proving Ground, Dahlgren, Va.: Fire station, post office, and gate house, $60,000."

"Naval Powder Factory, Indianhead, Md.: Buildings and accessories, $55,000."

Page 8, line 18, delete the numerals "$1,970,000" and insert in lieu thereof the numerals "$1,680,000."

Page 13, line 17, delete the numerals "$140,000" and insert in lieu thereof the numerals "$40,000."

Page 14, line 2, delete the numerals "$140,000" and insert in lieu thereof the numerals "$132,500."

Page 14, line 24, delete the numerals "$320,000" and insert in lieu thereof the numerals "$296,000."

Page 15, strike out lines 8 to 10, inclusive.

Page 15, after line 19, insert the following new item:

"Marine Aviation Base, Neuse River, N. C.: Radio facilities, including buildings and accessories, $120,000."

The committee amendments were agreed to.

The Clerk read as follows:

Committee amendment: Page 16, after line 13, add the following new item:

"Navy Yard, Boston, Mass.: Additional storehouses and accessories at South Boston, $1,100,000."

Mr. VINCENT of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is a rather embarrassing position I am placed in with regard to this item, but I think I am due this much time in consideration of this proposition.

A few pages earlier in the bill you will find an item of $2,000,000 mentioned to build a railroad from Fredericksburg to Dahlgren. When our committee developed some opposition to the building of this railroad the gentleman from Massachusetts [Mr. BATES] sought opportunity to get this money and take it to Boston. When the committee struck out this proposed railroad then the item for Boston was offered by the gentleman from Massachusetts [Mr. BATES], by this amendment which increased $1,100,000 the sum for Boston. Admiral Moreell opposed this when testifying before our committee. It is a plain horse-swapping proposition. The admiral did not approve it, and I do not think I would be fair to the House or fair to myself if I did not put this information before the Committee at this time. I hope this Committee will strike out this item because it does not have the approval of the Navy Department, and it certainly does have the disapproval of Admiral Moreell who is at the head of this building program.

I do not know whether there was any justification for the building of a $2,000,000 railroad from Fredericksburg to Dahlgren. They said there was a proving ground at Dahlgren and that they could not get material to it. When we asked him the direct question whether he would advocate or approve the striking out of this $2,000,000 item and transferring it to Boston he said certainly not, he would not advocate that and would not approve it. For this reason I rise in opposition to this amendment and I think it should be stricken from the bill.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. VINCENT of Kentucky. I yield.

Mr. WILLIAM T. PHEIFFER. I should like a little more information on this item. What need did the testimony show for this item, additional storehouse and accessories at the navy yard, $1,100,000? It certainly is not small change.

Mr. VINCENT of Kentucky. Admiral Moreell said it was down in a lower priority. In other words, we struck $287,000,000 from this bill. It was $587,000,000 when we started out and it was cut down $300,000,000, so there are $287,000,000 in this bill that went out, like the Boston project.

Mr. WILLIAM T. PHEIFFER. Does the gentleman feel we can save this million dollars without impairing the naval service?

Mr. VINCENT of Kentucky. I do not think we need it. We do not have the testimony here. This thing has been rushed through and the hearings are not printed and are not out so that we can read the testimony. I think the House would be justified in striking this item out.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the statement of the gentleman from Kentucky [Mr. VINCENT] proves conclusively how thoroughly the Naval Affairs Committee scrutinized every item in this bill. It shows that the Naval Affairs Committee does not do things in a haphazard manner. It shows that we inquire into and have justification for everything we bring before the House.

This item was submitted by the Navy Department to the Budget. Let me go back one step farther. This bill, when submitted by the Navy Department to the Budget, called for an estimated expenditure of some $500,000,000. It was cut down by the Budget from $500,000,000 to some $250,000,000 or $260,000,000. This item was one that was incorporated in the estimate of $500,000,000 sent to the Budget.

The following is the justification: It stood No. 4 on the priority list. This item is for the construction of industrial storehouses at South Boston for the storage of material used in connection with the repair and outfitting of naval ships in the Boston area. There were only one or two votes against this, I think by the gentleman from Kentucky [Mr. VINCENT] and the gentleman from Ohio [Mr. HESS].

Wherever the Navy has repair facilities there must be available sufficient storage space for material used in the repair of ships. With the great expansion of repair work now being accomplished in the Boston area the need arises for additional storage facilities, and that is what this item proposes to supply.

This is clearly justified, because the Navy Department sought to obtain it from the Director of the Budget. The Director of the Budget deleted it from the bill, and we put it back in the bill.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. My colleague from Kentucky said this was opposed, or at least did not have the approval of the admiral in charge of construction.

Mr. VINSON of Georgia. That is not true, because the admiral in presenting a bill can only present that which the Bureau has recommended. No admiral or naval officer can come before a committee of Congress or before the Appropriations Committee and advocate the enactment of any bill unless the Budget has O. K.'d the item. What are we here for? When we get the facts are we not in a position to determine whether or not the item should go in the bill? That is exactly what we did. The Naval Affairs Committee is not here to merely do what the Navy Department says. We still think we are qualified when we have all the facts to determine whether or not an item should go in a bill, whether it is approved or disapproved by the Director of the Budget.

Mr. ROBSION of Kentucky. I wish to commend the gentleman and his committee for not being bound by the Budget, and I think he is as well qualified to state the situation in reference to these matters as is the Bureau of the Budget perhaps; but on what ground did the Bureau of the Budget cut out the item?

Mr. VINSON of Georgia. The Bureau of the Budget probably got orders that they could have only a certain amount of money, and then it began to cut out the items that the Bureau of the Budget and the Navy Department thought were the least important. This is not a hodgepodge proposition. You have a Board known as the Shore Station Development Board that fixes the priorities of these various places. One place has a priority over another place, taking into consideration the operation of the floating Navy. This place is so important that this Board has already listed it as No. 4 in priority.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from New York.

Mr. TABER. I wish the gentleman would tell us what, if anything, Admiral Moreell told the committee about this particular item. I have not noticed anything of that kind in the report so far.

Mr. VINSON of Georgia. In dealing with the item for Bayonne, N. J., supply depot, $7,300,000, I suggested to the admiral, would it not be feasible to cut down the item of $7,300,000 by $1,100,000. The admiral said, "No," he could not approve that. Then I said, "In view of the fact that we have rejected an item to build a 35-mile railroad from Fredericksburg to Dahlgren, I think we could use that money far more profitably to the Navy by developing this base at Boston."

Mr. TABER. I wonder if the gentleman can tell us what Admiral Moreell said about the need for this establishment in Boston.

Mr. VINSON of Georgia. They recognize it as an important item. If it were not an important item it would not have such a high priority—No. 4. The supply officer was right there, and he testified, and we did not do it until the supply officer pointed out the urgent necessity for this establishment at Boston.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. In answer to my own question as to the need for this supply depot in Boston, the representative of the Supply Corps answered that in his opinion it was a very necessary addition.

Mr. VINSON of Georgia. That is right.

Let me say this to the House: Let no man think for one moment that there is a single item in this bill put there by pork-barrel methods. Every item in this bill is justified. Out of the $7,000,000,000 or $8,000,000,000 that has been

authorized by Congress, not more than $5,000,000 has gone to the State of Georgia. So long as I am a member of the committee I propose to see that there is no logrolling or pork barreling by any Member, whether or not he is on the committee. These measures are going to be brought here strictly on their merits. If it so happens that it falls in the district of a member of the committee, good and well.

Mr. BATES of Massachusetts. There is no member of the committee from that district. As a matter of fact, the South Boston drydock is in the district of the gentleman from Massachusetts [Mr. McCORMACK]. No member of the committee is from that district.

Mr. VINCENT of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Kentucky.

Mr. VINCENT of Kentucky. The gentleman wrote the bill and introduced the bill?

Mr. VINSON of Georgia. That is right.

Mr. VINCENT of Kentucky. The gentleman did not have this Boston item in it then. The item did not go in the bill until the railroad item was stricken out, and then the gentleman suggested to the gentleman from Massachusetts [Mr. BATES] and to Admiral Moreell that this Boston item be put in the bill. Admiral Moreell disapproved it.

Mr. VINSON of Georgia. That is right, because Admiral Moreell is hemmed in, and I am not hemmed in. I would far rather expand this shore establishment at Boston to furnish accommodation for the fleet than go into a wild goose proposition of building a railroad from Fredericksburg, Va., down to Dahlgren, costing $2,000,000, when we already have the great Potomac River on which we can barge down all our materials.

[Here the gavel fell.]

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read the following committee amendments:

Page 16, strike out lines 23, 24, and 25, and insert "Marine Barracks, Parris Island, S. C.: Magazines at Hilton Head Island, $25,000."

Page 17, line 8, after "acquisition", insert "and acceptance."

Line 14, strike out "$1,000,000" and insert in lieu thereof "$510,000."

Page 17, strike out all of lines 18 to 21, inclusive, and insert:

"Internal security at navy yards and naval stations: Development of flood lighting, fencing, booms, nets, protection of services, fire protection, and the like, $14,500,000."

Page 18, line 3, after "fuel", strike out the comma and insert "and."

Line 4, after "oil", strike out the comma and insert "and gasoline."

Line 9, strike out "Expansion" and insert "Emergency expansion."

Line 10, strike out "Expansion" and insert "emergency expansion."

Line 12, after "$3,000,000", insert a colon and the following: "*Provided*, That the Secretary of the Navy shall report to the Congress, not later than 10 days after the convening of the session on or about the 3d day of January of each year, all expenditures made for emergency expansion of hospital facilities from funds appropriated pursuant to the authority contained in this act."

Page 19, line 8, after "U. S. C.", insert "Supp. V,".

At the end of the bill insert the following:

"Quarters authorized by this act shall be constructed, including heating and plumbing apparatus, wiring and fixtures, at a unit cost not in excess of the following amounts:

"Permanent construction:

"For commissioned officer, $10,000.

"For commissioned warrant or warrant officer, $7,500.

"For enlisted man, $6,000.

"Temporary construction:

"For commissioned officer, $7,500.

"For commissioned warrant or warrant officer, $5,000.

"For enlisted man, $3,500."

The committee amendments were agreed to.

Mr. VINSON of Georgia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROBINSON of Utah, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 5312) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. VINSON of Georgia. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. Under previous order of the House, the gentleman from Tennessee [Mr. DAVIS] is recognized for 20 minutes.

A PROGRAM FOR STOPPING LABOR WASTAGE THROUGH WORK ACCIDENTS IN DEFENSE INDUSTRIES

Mr. DAVIS of Tennessee. Mr. Speaker, there are today labor shortages in over 100 essential defense occupations. In 16 defense occupations there is not a single person registered in any employment office in the United States. These facts, disclosed a few days ago by the Chairman of the Social Security Board, deserve some serious thought about the causes of and remedies for this situation, keeping in mind that we are only ankle deep in our defense production program, with a lot of wading ahead.

The first thing that should and must be done is to stop labor wastage caused by work accidents. We have always been wasteful of manpower in our ordinary industrial operations. As pointed out by the gentleman from Massachusetts [Mr. McCORMACK] here on this floor 2 months ago, last year's crop of industrial injuries brought death to 17,000 American workers, left 93,000 other workers with permanent crippling injuries, and temporarily took from their jobs a million and a half workers. Footed up in plain terms of production, these casualties cost one and a half billion man-hours.

Under ordinary conditions this waste, although damaging, is not paralyzing in its effect. But at this time of national peril, when we are straining every effort to get out vital defense materials, such loss of trained manpower is a subject for grave concern and one that calls for remedial action.

It is no longer a buyers' market in respect to skilled work, labor, and services. A contractor working on a Government order today cannot quickly replace the skilled mechanic or operator who is killed or laid up by a work injury. He may canvass employment offices in vain, advertise in the help-wanted columns with no response, and dispatch scout recruiters with no results, in many instances, as pointed out by the Chairman of the Social Security Board.

Almost frantic effort is being made to replenish our supply of trained industrial workers. The Federal Government is liberally subsidizing training programs of different kinds through appropriations made available by Congress. These are essential projects in the furtherance of our defense needs, but while we are thus feeding our national reservoir of trained manpower for defense production, the leakage through accident casualties is not only continuing but alarmingly increasing.

Geared for normal production, industrial management suddenly has been confronted with the expansion of plants, development of new processes, increase in production demands, maintenance of heavily worked equipment, employment of new workers, and other problems created by the emergency.

Just recently I had the opportunity of talking with an old-time employment man about his experience in hiring people in the present emergency. He tells me that in order to fill in the gaps he has to take men off the streets—butchers, bakers, gas-station attendants, streetcar conductors—in fact, anyone who wants to work. While it used to take about 10 days to break in a man, now, because of the exhausted reservoir of easily trained men, it takes approximately 200 hours of instruction before he can turn out a machine operator able to earn his salt. The cost, he figures, is about $210 per man and does not think that is excessive. The value received from a new employee is about 20 percent at the beginning of his employment and 80 percent at the end. It is difficult to estimate the indirect cost

over and above the $210 spent in training each of these men, such as additional supervision, increased accident hazard, decreased efficiency among old employees caused by the necessity of giving attention to the new employees. I asked him how much this interruption delayed production. He said:

> The scrap is terrific. Our labor turn-over is 250 percent per year. In other words, it is necessary to employ 250 new men each year to keep 100 on the job. To maintain our organization of some 2,500 men, we have to hire 6,250 men per year.

Typical of the problem with which industry is confronted in the employment of new workers and the reemployment of long-idle workers unfamiliar with the hazards of plant operation is a report which recently reached me from a large shipbuilding company in the New England States. This report shows that 36 percent of the total crop of injuries were to workers who had less than 1 year's experience on the job and that 70 percent had had less than 3 years' experience in safety.

These are not isolated examples. In the 2 months which have elapsed since the Honorable JOHN W. MCCORMACK, of Massachusetts, spoke before this House on the subject of labor wastage through work injuries, I have been investigating this production leakage caused through job disabilities and find that the accident rate is up an additional 7 percent, after taking into full account increases in employment. Nor is this increase confined solely to new plants or small factories for the first time confronted with high-pressure production. Here are five recent examples which have just come to my attention:

First. A large steel-products manufacturer with operations in various sections of the United States, an outstanding leader in industrial safety, employing 55,000 workers, reports for the first 4 months of 1941 a 22.7-percent increase in its accident-frequency rate as compared with a similar period in 1940.

Second. Another key defense company producing heavy electrical equipment reports an increase of 30 percent in its accident-frequency rate for the first 5 months of 1941 as compared with 1940.

Third. The maintenance and mechanical departments of a third large corporation—with 3,000 workers in these two departments alone—shows an accident rate for the first 5 months of 1941 of over 19 serious, lost-time accidents for every million man-hours worked, as compared with a rate of 10 per 1,000,000 man-hours for 1940—an increase of 86 percent.

Fourth. The Pennsylvania Department of Labor and Industry reports an increase in the number of lost-time injuries in that State 12 percent higher for the first 4 months of 1941 over the average for 1940. Based on figures for the year 1940, this will represent for 1941 9,847 additional lost-time injuries for that State alone unless drastic steps are taken.

Fifth. The Maryland Industrial Accident Commission has just reported for the first 3 months of 1941, a 22 percent increase in the number of accidents in that State as compared with 1940. If this rate continues 8,278 more Maryland industrial workers will be killed or injured this year.

It is not necessary to have these accidents. If the proper type of accident-control program is put into effect, accidents can be prevented. My investigation revealed firm after firm engaged in defense production going through the same growing pains that cause so much difficulty elsewhere that have not only been able to reduce the accident rate in the face of rapid expansion, but many that have long unbroken records. Here are five industrial concerns engaged in defense production who have had unbroken, long-time safety records:

First. One of the main plants of a large aluminum company in New Jersey which employs 943 men has not experienced a single accident.

Second. The New Jersey plant of a large electrical manufacturing company has operated a total of 1,095 days in which there have been no accidents. This plant has 1,722 emloyees.

Third. A large locomotive company in Virginia that has 730 employees has been going 1,825 days without an accident.

Fourth. A small steel company of Pennsylvania has 132 employees and has run 1,980 days without an accident.

Fifth. A large corporation producing heavy machinery in New York State with 774 employees has had no accidents for the past 772 days—over 2 years.

These records prove what can be done when management seriously sets about the job of accident prevention. They form a striking contrast to the general picture of mounting manpower loss through work disabilities.

Now, what is being done collectively to control this drag on the country's production? First, the National Safety Council, a Nation-wide, private, nonprofit organization is providing an extensive consultation and publications service for its approximately 5,000 industrial members. There are also 51 local safety councils affiliated with the National Safety Council that are effectively personalizing the safety work among National Safety Council members and others in their respective territories. Although performing effective work among their members, the national and local safety councils do not directly reach a large share of industry. Small concerns particularly have seldom affiliated with these voluntary safety organizations.

Next, the State labor departments and industrial commissions are reaching out with a program of enforcement of safety codes and statutes. But only 18 States have detailed safety and health codes; the other 30 either have no requirements at all or cover only a few hazards or industries. All State inspection departments are undermanned and are finding it increasingly difficult to contact individual plants even as frequently as once a year.

Census Bureau figures show that 92 percent of the manufacturing plants in this country employ fewer than 100 persons. In other words, a large segment of American industry is made up of so-called small plants. It is a recognized fact that as a general rule a small enterprise is not well sold on effective safety programs and is not likely to be in direct contact with the organized safety movement. It is to these smaller units that the O. P. M. is now awarding hundreds of direct contracts and urging others to concentrate their production on defense subcontracts.

With these facts definitely in mind the Secretary of Labor created in June 1940 a National Committee for the Conservation of Manpower in Defense Industries to aid in speeding up the national-defense program by keeping skilled and trained workers off the casualty list. This committee is primarily aimed at the small plant and augments the efforts of the Federal Government Public Contracts Agency, the State safety services, and private safety organizations with a corps of volunteer safety promotion experts who have been recruited from industry. The efforts of these industrial safety men are directed largely toward:

First. Creating interest in safety on the part of management.

Second. Emphasizing the importance of conserving the supply of workers in view of the imminent shortage in many trades.

Third. Assisting management in organizing safety programs, in setting up safety committees, planning safety education and training campaigns, and distributing circulars, posters, and other inspirational material.

Fourth. Making an appraisal, upon request, of plant working conditions and recommendations for the elimination of accident hazards.

These voluntary safety experts are also members of the National Safety Council, and there is a close tie-up between the work of the United States Department of Labor and that of the council.

I have already mentioned some of the agencies and organizations which are pooling their information and resources and concentrating their efforts on the prevention of accidents. Much is already being done and much has been accomplished which in normal times would not demand special interest or action on the part of the Congress. But the record of the past few months indicates that safety effort is not keeping pace with increased industrial production.

What is needed at this time is not new information and research, but a greater distribution and acceptance of the time-tested and proven systems and standards for the correction of factory dangers and unsafe work practices. The development of a plant-safety program, the creation of safety mindedness on the part of supervisors and workers is a management problem. Industrial executives generally need to be made aware of their accident problem and assisted in the details of a program of safety engineering and safety education.

I am therefore calling upon all accident-prevention agencies — public and private—to redouble their efforts to safeguard the lives, limbs, and productiveness of the Nation's workers, and particularly to concentrate on industries and areas vital to defense production.

First might be the further development of industry's own voluntary effort,

as centered in the National Safety Council. In commending the Council for its pioneer work in the field of industrial safety, I would like to urge that it further devote its energies to holding accidents in check among its member companies holding defense contracts. I hope that means may be worked out whereby the National Safety Council's splendid technical and educational material may be made available to the estimated 6,000,000 workers who have not yet been reached with a direct safety appeal.

May I urge upon the regulatory agencies—both Federal and State—that they augment and strengthen their important part in the prevention of accidents through the further development of minimum standards, safety codes, and safety rules, and by adding additional qualified factory inspectors where needed to concentrate on those industries which apparently need more than persuasion and salesmanship to correct hazardous and insanitary plant conditions.

May I call upon workers themselves, both individually and collectively, to accept the discipline, restraint, and at times inconvenience needed to safeguard their lives, limbs, earning power, and productiveness. I urge that workers inform themselves as to the hazards of their jobs and in every instance find the safest way to do that job and to keep on doing it that way until it becomes a habit. It is only through self-discipline and obedience to safety rules and practices that the worker can make sure that he will continue to stay on the job producing the material and equipment his country needs.

May I stress the part educators and training specialists can play by weaving safety instructions into all their programs of job training and vocational education. A worker trained to do his job efficiently, thoroughly, and well, rarely becomes involved in an accident.

I ask that health agencies, both public and private, concentrate upon health-education programs aimed to inform the worker of occupational disease hazards which may be encountered on his job, and means of protecting himself from disability or reduced efficiency through exposure to industrial poisons or toxic substances; and, further, that these agencies take every necessary step to provide healthful and sanitary surroundings, both in the factory and in the community, devoting their energies to the prevention rather than the cure of health disabilities.

May I urge that national associations, civic bodies, insurance companies, and other groups having divisions or units devoted to the promotion of safety undertake a job of selective education, concentrating upon essential defense plants.

As already pointed out, the Secretary of Labor, anticipating the acute accident problem which confronts us today, created a National Committee for the Conservation of Manpower in Defense Industries to devise a Nation-wide distribution system for safety knowledge, and to undertake a program of personalized door-to-door safety service.

Under this plan more than 350 carefully selected safety engineers, experts, and technicians, holding prominent positions in some of the country's largest and best managed industries, are contributing a part of their time in calling upon defense plants in their own industrial communities. They are talking to top executives explaining the underlying causes of accidents, are helping to set up safety programs where they do not now exist, and are strengthening already going programs. They are making tours of defense plants, giving the management specific recommendations for improvements where accident hazards are found to exist.

This corps of volunteer safety promotion experts hold dollar-a-year appointments as special agents of the United States Department of Labor, and although thousands of man-hours are being donated in this way to the defense program, it has not been possible to contact more than half the Government-contract plants. Furthermore, new and pressing safety problems in their own plants are making it increasingly difficult for these safety experts to take the necessary time to complete their outside assignments. There is definite need for strengthening and buttressing the work of the National Committee for the Conservation of Manpower, and I was pleased to note the action taken by this Congress within the last few days in making available to the Department of Labor sufficient funds to employ a small group of full-time field safety consultants so that this activity might keep abreast of a daily increasing problem of labor supply on defense contracts.

I have been assured that this full-time staff will in no way replace the volunteer effort, but, to the contrary, will be so dovetailed in that complete coverage of all Government-contract plants will be assured and the follow-up work so necessary after launching a new safety campaign will be undertaken.

These funds will make available to defense workers more booklets, more pamphlets, more posters, more visual aids so urgently needed at this time to acquaint the new worker with the hazards of his job, and tell him how to keep from getting hurt.

It has been reported to me that a big majority of the industries already contacted under the national committee's plan keep no track of the accident drain upon production schedules, either in terms of economic loss or of wasted manpower. I am hopeful that the appropriate Federal agencies will devise simple accident record-keeping systems so that each defense industry may be apprised of its direct and indirect losses, records which will point out the sore spots within the plant and which, in themselves, will suggest corrective action. Because of the Government's stake in accident prevention as a means to conserving the Nation's manpower and assuring the on-time delivery of defense materials, I urge that these records be so compiled and tabulated that agents of the Government may be able to tell from month to month what progress is being made in the elimination of accidents and so that the Congress may have spot information on this most serious form of industrial waste.

It has been estimated by the Bureau of Labor Statistics that 6,859,000 defense workers will be employed by the end of 1941. Out of this group there will be 1,500,000 new workers. If the present rate of accidents continues during 1941, more than 100,000 of the total 6,500,000 defense workers will have been either permanently or temporarily disabled. Out of the new defense workers, based on this same computation, there will be 30,000 either permanently or temporarily disabled.

Compensation payments and medical expense incident to work injuries are readily insurable. It is even possible, though not usually practicable, for management to insure against damage to equipment and interruption of production due to accidents. But no amount of premium can purchase protection against loss of time in arming ourselves for defense. There is no underwriter ready to issue a policy against the effects of delayed defense. The Nation itself must carry that risk. We can materially reduce it by plugging up at once the seepage of our industrial manpower through work accidents.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 20 minutes.

Mr. VOORHIS of California. Mr. Speaker, next week, on Monday, we are going to consider a $3,500,000,000 tax bill, the largest tax bill perhaps this country has ever seen and one carrying the highest rates.

We have authorized in the past few months expenditures of upward of $30,000,000,000 for national-defense purposes, nearly ten times the amount expected to be raised by this tax bill.

Reliable figures indicate that next year we may run a deficit of $11,000,000,000.

All these things are necessary to be done, as most of us believe, in view of the present situation that our country faces.

What the future holds in store none of us knows.

To bridge the gap between revenues and expenditures, so far only one general method has been employed, namely, the method of borrowing, and only a very minor portion of that borrowing has taken place through the sale of bonds to individuals or corporations for cash or bank deposits which were actually possessed by those individuals or corporations and transferred by them to the Government. Most of this borrowing—and up to the beginning of this year it represented nearly $22,000,000,000 of our total Federal public debt—has been done by the process of "selling" interest-bearing bonds to banks in return for demand deposit credits newly created upon their books for the express purpose of buying these bonds.

The public debt of the United States will probably reach and pass $100,000,000,000 before we are through with this crisis unless some constructive step is taken to prevent it. I believe some such

step is essential if we are to come safely through this critical period.

THE ONE FACTOR ON WHICH TO BUILD—INCREASING PRODUCTION

There is one constructive element of tremendous importance in the present situation. It is the steady and substantial increase in production, exchange, and national income. Upon this dynamic economic factor we have got to build a better and sounder monetary and fiscal structure or the future will be dark indeed.

NEW MONEY SHOULD BE CREATED ONLY BY CONGRESS; GOVERNMENT SHOULD BORROW ONLY ALREADY EXISTING MONEY

How shall we do this? That is the subject of my speech, and my main point is this:

No government any place, anytime, ever should borrow credit created by a private agency. If government is to borrow at all, it should only be because it is believed to be a national necessity to transfer a given amount of already existing money or credit from private hands to those of government. The only time this would be sound public policy would be when all resources, labor, and productive capacity were fully employed and when it was for some reason necessary to reduce consumer expenditures and correspondingly increase governmental expenditures for certain purposes.

This is the only sort of circumstances under which and the only manner in which a sovereign and self-respecting government and one whose people seek to be free to produce should ever borrow at interest.

Let me repeat. Government never should borrow anything but real, honest-to-goodness previously existing money or credit and except where an actual transfer of such previously existing money or credit to government from a private individual takes place the transaction should never be a public-debt transaction but instead an exercise of the fundamental right of the Nation to create its own medium of exchange.

WHEN "BORROWING" IS NOT BORROWING AT ALL

But there is another kind of so-called Government borrowing which is not really borrowing at all. It is, to speak plainly, a process of subsidizing private financiers.

The Government gives a private bank or financial house an interest-bearing obligation of all the people of the Nation and the bank in exchange credits the Government on its books with a demand deposit, created out of thin air, based wholly upon the credit of the Government and its people and secured solely by the bond itself. The sovereign Government has, in such a case, induced a private profit-making agency to create the Nation's money or, more accurately, to monetize the credit of the Nation. As I have said, about $22,000,000,000 of our present public debt came about in this way.

I do not ask the House to take my word for this. I would like to quote from Mr. Eccles, the Chairman of the Board of Governors of the Federal Reserve System, and what he said in a speech before the Ohio Bankers' Association in 1935, and here it is:

> There is no political or economic power more charged with the general or social interest than the power to increase or decrease the supply of money. If the sovereign authority delegates this power to a particular group or class in the community as it has done in large part in this country, it divests itself of a part of its effective sovereignty. * * * The power to coin money and to regulate the value thereof has always been an attribute of a sovereign power. It was one of the first powers given to the Federal Government by the Constitutional Convention. The development of deposit banking, however, introduced into the economy numerous private agencies which have power to create and destroy money without being recognized as creators or destroyers of money by the Government or the people.

Again, from Lewis W. Douglas, who was formerly Director of the Budget, who said in an article in the Atlantic Monthly, in 1935, as follows:

> Banks, when they buy Government bonds, rarely pay for them with cash that someone has deposited in the bank. Instead, they create a bookkeeping credit, against which the Government is entitled to draw. * * * In a country in which more than 90 percent of all business is done by the use of checks, there is no essential difference between the creation of bank deposits by fiat and the creation of printing-press money. Bank deposits—not currency—constitute our chief circulating medium.

I do not believe I could quote two people that are better versed on this matter or on the whole more conservatively grounded to prove my point.

Now, why, and under what circumstances, would government resort to a type of borrowing which is resorted to solely for the purpose of getting additional money created?

There are two such circumstances. One is when there is unemployment and a failure of production and a condition where productive capacity is idle which could and would be brought into use if there were a greater demand on the consumer side. The other such circumstance is where there is taking place an increase in actual production of goods and services, which, if the buying power of the dollar is not too drastically changed, requires an additional amount of money or credit in circulation.

It will be readily seen that in both these cases what the Government wants to bring about is not to get money out of somebody else's hands into its own but rather to bring about a net increase in the amount of money in existence and in circulation. And quite rightly so, because, first, the whole economic health of a nation depends, in such cases, on an expansion of purchasing power or money in circulation and because, second, the additional money or credit created will not cause inflation, but in view of increased production—either actually taking place or certain to be brought about by such a policy—will only prevent a serious deflation from causing widespread business failure, loss of farm ownership by thousands of farmers, and devastating unemployment.

Now, especially today, when every honest Member of the House knows we must make these expenditures for defense, and also knows the existing financial system will break down under the weight of these expenditures; now, above all times, when every resource of our people is being called upon in the national effort; now, when the very possibility of the continuance of human liberty and free government depends upon building a solid foundation under our economic life; now, let us establish one principle, one for the establishment of which millions of patriotic citizens in this country would gladly give their lives.

CENTRAL PRINCIPLE

That principle is this: That whenever sound governmental policy calls for an expansion of money or credit in the Nation, that expansion should never be brought about by borrowing at interest from any private institution, but instead should come about either by direct creation of its own money by the Congress of the Nation itself or else by means of borrowing at no interest from a national central bank belonging to all the people and their Government.

No question of inflation is involved here at all, though the question of avoidance of deflation and the incurrence of an insupportable public debt are both involved. It is altogether a question of what method shall be used to bring about such expansion of money and credit in active circulation as may be desirable. And it must always be remembered that whatever agency does create, money acquires, as Prof. Frederick Soddy, of Oxford University, England, puts it, "a new legal claim by the issuer to anything of equivalent value on the market."

The real basic wrong and evil of the existing situation is described further by Professor Soddy in a recent speech in the following words:

> But now I would like to spend a moment on the real nature of money as I see it and the distinction between the genuine and the false. The validity of a money token seems to me to derive from the fact that its possessor presumably in acquiring it gave up value equal to the value of the token—the workman, hours of labor; the manufacturer, goods; the renter, use of a house, land, or money, and so on—and it is this value previously given up voluntarily that the token enables him to obtain again at his own convenience on demand.
>
> Let us consider only one but a truly devastating consequence. Everything got for nothing by the issuer of money has to be foregone voluntarily ever after by the community so long as the money remains in existence and its value is not debased. Nothing else is required to refute the 20,000 inflationary proposals to save the world.

It is altogether this question: When economic conditions require that additional money or credit be put in circulation, it should never be done by adding to the interest-bearing debt nor by borrowing privately created credit. It should always be done by a clear-cut action of the Government itself, utilizing the credit of all the Nation for the benefit of all the Nation.

WHICH IS "PRINTING PRESS MONEY"?

And if the cry of "printing press money" is raised, all I have to say is that we have "printing press money"

now. Federal Reserve notes are not even lawful money. They bear upon their face the promise of the United States Government to redeem them in lawful money, which means they must be, not lawful money but private bank notes—which is indeed the fact. Here is a Government obligation of very far-reaching sort, requiring us to redeem private bank notes in spite of the fact that the Government has shorn itself of its power to create money and the banks have grabbed that power. I ask you, gentlemen, what indeed would the United States Government use to redeem outstanding Federal Reserve notes if it were demanded that it do so? And would it be "printing press money" if the necessary lawful money were created under these circumstances?

Any bank that buys a Government bond can use that bond to secure an issue of Federal Reserve notes if it needs them. It is just a little more roundabout method of securing some "printing press money," and the bankers get the advantage of the interest on the public bonds issued. That is all. No one ever cries "printing press money" about this.

The essential principle to prevent abuse and inflation is, of course, not to overuse the Government's natural and inherent power to create the money or credit of the Nation. The essential thing is to use this power only to the extent that economic circumstances require and justify that it be used in order to maintain the stable buying power of the Nation's money and thus prevent the colossal economic injustices that occur when money fluctuates in value. Such a control would be far simpler and easier to apply than attempts to control an inflation of private bank credit, if it ever got started, for there simply is no way to effectively control an inflation of such private bank credit so long as the banks enjoy the privilege of multiple expansion on the basis of fractional cash reserves.

Now, every year, especially under the present circumstances of the great drive of this defense spending—and indeed throughout American history—we have found an increase from year to year in the capacity of our people in agriculture, business, and industry to create wealth. Throughout our history we have had an average increase of 4 percent in the commercial business of the United States. My contention is that with that increase in the power of our people to produce real goods and services, if we are to maintain a stable buying power in our money, there should be a 4-percent increase in the volume of money in circulation. And my further contention is that since not just one kind of business people in this country, but all kinds of producers are responsible for the increase in production, therefore, all the people of the country should have the benefit of putting into circulation that increased supply of money justified by that increase in production. Therefore, that increase should be brought about by governmental action itself, and should be in the nature of revenue to the Treasury, without the necessity of either levying taxes or borrowing to bring it into existence. This principle is not a principle whereby you can pay all the bills of government. It is a principle, however, which makes all the difference in the world in the possibility of making both ends meet financially on the one hand and not being able to do it on the other. And it means that to the extent it is found to be necessary and justified that new money should be put into circulation, the Nation will derive the benefit of it.

WHAT IT WOULD MEAN IF CENTRAL FEDERAL RESERVE BANKS WERE MADE PUBLIC INSTITUTIONS

But not a single dollar needs to be printed, if that is objected to, in order to apply this principle. There is another method. All that is required is for the capital stock of the 12 central Federal Reserve banks to be bought by Congress and for those banks to be made truly and actually a central bank of the United States. Then you can continue to use bonds if you want to. And when you find that sound policy demands an expansion of money or credit in circulation the Treasury can issue bonds either interest bearing or noninterest bearing, and it can "sell" them to the central bank for exactly the same sort of credit the private banks now use to buy our public obligations. If the bonds bore interest, then one Government agency, the Treasury, would be paying that interest to another Government agency, the the national central bank, and at the end of each year the profits would come back to the Treasury and the interest paid would be part of them. If the bonds did not bear interest, they would amount simply to receipts given by the Treasury to the central bank to show that the central bank had created credits for the national use.

It is wrong and ridiculous and dangerous for any central bank to be a private institution. As long as they are private institutions they will view their business from the standpoint of the banks who deal in money as a commodity and they will never view it from the standpoint of the general welfare of and sound policies for the Nation. We have heard much about France. But how many Members know that the Bank of France right up to the end of that nation's free existence was a private institution in much the same situation as our Federal Reserve banks. How many Members know that at what may well have been the critical turning point in French history—the period of her severe deflation—the private Bank of France, assuming its role as a completely independent institution, refused to discount the Government's obligations or to provide it with any advances and thus rendered impossible any sort of recovery program.

The world waits and hopes for a free people to demonstrate that they can keep freedom and democracy and also solve the economic problem of this technological age. That problem in one sentence is the problem of getting an expansion of active consumer buying power as fast as increased production takes place. And the medium of exchange of the Nation is the vehicle that must be used to affect this. Our money is the wheels that move goods from producer to consumer.

We must have an answer to debt. And it must begin by the elimination once and for all of needless public debt, such as I have described.

America's destiny—the future hope of our people depends on our vision, our courage, and willingness to strike at privilege which is unreasonable and unjustifiable on any grounds whatsoever—the usurped privilege of private financial institutions to write upon their books the credit of the whole American people and sell it back to them with usury.

The day we buy the Federal Reserve banks will not be a day on which all our problems will be solved. But it will be the day when we will take into the hands of Congress the one most essential instrument of sound public economic policy—the instrument that will be the answer to the problem of rising public debt and the means of enabling a constant increase in production to take place without either deflation or inflation checking it.

What I am talking about is not the system used in Germany. It is far better than their system. We could only use their system if we had a Gestapo to go around telling people with any available funds whatsoever that they must invest in German Government bonds and if we avoided the public-debt problem simply by keeping its size a secret.

We want a free system.

But it cannot be free until industry becomes the master of finance instead of its servant. I mean that increased production should call into being the financial means of sustaining that production. At present this just does not happen. It would take too long to explain all the reasons for the drastic decline in self-liquidating commercial loans. Suffice it to say that under present circumstances and until we take action such as I am pleading for, an increase in interest-bearing public debt will always have to precede any increase in production of real goods and services. We cannot let such a situation continue indefinitely.

Establish this one principle, gentlemen, and you will cause more dismay in the minds of hostile dictators than you can do with 50,000 airplanes. For you will make democracy and its free economic system a virile, dynamic, unfettered force that can prove itself over and over again superior to any other system.

WHY THIS SPEECH NOW?

It may be that some Members will feel that it is a peculiar thing to be making a speech like this at this time. It is true that under the propulsion of this defense program there is talk about possible inflation of prices. It is also true that as the production of goods is increased in this country and as that production shifts into defense goods, and as possibly the output of consumer goods becomes curtailed, tax measures may have to be undertaken even more far-reaching than we have yet done. But those facts have nothing to do with the basic question that I am discussing, and I say as solemnly as I know how, that if there is one duty we have as a legislative body in this National Government it is the duty of indicating to the people that we can and will establish a nation in which people can consume as they produce, a nation in which there shall be a market at home for what the farmers and the workers and

the businessmen can produce, a nation that can be independent economically, and follow such course as it sees fit to follow. And this principle that I am speaking of is the key to reducing the public debt and becomes even more important as we face the necessity of preventing a period of vast deflation and more widespread farm distress and unemployment than we have ever known before, when this defense period is over.

And now I want to buttress my own argument with a number of quotations from some of the very greatest of the world's thinkers:

THOMAS JEFFERSON

Here is Thomas Jefferson's pointed and devastating description of the strange process of permitting banks to levy against the public credit either by the issuance of bank notes, as in his time, or by creation of demand deposits by expansion on fractional reserves, as in ours. The grim humor of Jefferson's description hardly detracts from the evident folly of the system he describes, and which we at this moment are still permitting to exist in all its essential aspects:

At the time we were funding our national debt, we heard much about "a public debt being a public blessing"; that the stock representing it was a creation of active capital for the aliment of commerce, manufacturers, and agriculture. This paradox was well adapted to the minds of believers in dreams, and the gulls of that size entered bona fide into it. But the art and mystery of banks is a wonderful improvement on that. It is established on the principle that "private debts are a public blessing." That the evidences of those private debts, called bank notes, become active capital, and aliment the whole commerce, manufactures, and agriculture of the United States. Here are a set of people, for instance, who have bestowed on us the great blessing of running in our debt about $200,000,000, without our knowing who they are, where they are, or what property they have to pay this debt when called on; nay, who have made us so sensible of the blessings of letting them run in our debt, that we have exempted them by law from the repayment of these debts beyond a given proportion (generally estimated at one-third). And to fill up the measure of blessing, instead of paying, they receive an interest on what they owe from those to whom they owe; for all the notes, or evidences of what they owe, which we see in circulation, have been lent to somebody on an interest which is levied again on us through the medium of commerce. And they are so ready still to deal out their liberalities to us that they are now willing to let themselves run in our debt ninety millions more, on our paying them the same premium of 6 or 8 percent interest, and on the same legal exemption from the repayment of more than thirty millions of the debt, when it shall be called for. (From Jefferson's letter to John W. Epps, November 6, 1813, published in the Writings of Thomas Jefferson, edited by H. A. Washington.)

JOHN ADAMS

Jefferson and John Adams, our second President, were on many issues bitter antagonists. But here is what Adams wrote to Jefferson on one occasion:

All the perplexities, confusion, and distress in America arise, not from defects in their constitution or confederation, not from want of honour and virtue, so much as from downright ignorance of the nature of coin, credit, and circulation. (From p. 447 of vol. 8 of the Works of John Adams, edited by C. F. Adams and published in Boston in 1853.)

John Adams' words are, in my opinion, as true today as they were when he uttered them.

JEFFERSON AGAIN

And returning again to the great Jefferson, here is a forthright statement on his part of precisely the principle for which I am contending here today:

I believe that banking institutions are more dangerous to our liberties than standing armies. Already they have raised up a money aristocracy that has set the Government at defiance. The issuing power should be taken from the banks, and restored to the Government to whom it properly belongs. (From p. 208, vol. 6, of the Ford edition of the writings of Thomas Jefferson, New York, London, 1892, letter to John Taylor.)

DAVID RICARDO

No greater economist and certainly no more firm advocate of a free economic system probably has lived than David Ricardo, of England. In 1824 he wrote as follows:

If the view which I have taken of this subject be a correct one, it appears that the commerce of the country would not be in the least impeded by depriving the Bank of England of the power of issuing paper money, provided an amount of such money, equal to the bank circulation, was issued by government; and that the sole effect of depriving the bank of this privilege would be to transfer the profit which accrues from the interest of the money so issued from the bank to government. (From p. 506 of the Works of David Ricardo, edited by J. R. McCulloch, published in London in 1846.)

Ricardo has here set forth not only the principle but the method that I have advocated this afternoon.

I trust not one Member of the House will question my basic thesis, namely that under the present system private banks do create—and destroy—the medium of exchange of the Nation. But if anyone does doubt it I give you here at the risk of some repetition, five of the most eminent authorities that could possibly be quoted on the matter:

MARRINER S. ECCLES

There is no political or economic power more charged with the general or social interest than the power to increase or decrease the supply of money. If the sovereign authority delegates this power to a particular group or class in the community as it has done in large part in this country, it divests itself of a part of its effective sovereignty. The power to coin money and to regulate the value thereof has always been an attribute of a sovereign power. It was one of the first powers given to the Federal Government by the Constitutional Convention. The development of deposit banking, however, introduced into the economy numerous private agencies which have power to create and destroy money without being recognized as creators or destroyers of money by the Government or the people. (From a speech by Marriner S. Eccles, Chairman of the Board of Governors of the Federal Reserve System before the Ohio Bankers' Association, in 1935.)

ASSISTANT SECRETARY OF BRITISH TREASURY

Banks lend by creating credit. They create the means of payment out of nothing. (From pp. 20–21, Currency and Credit, by Ralph M. Hawtrey, Assistant Secretary of British Treasury. Published in London in 1928.)

LEWIS W. DOUGLAS

Banks, when they buy Government bonds, rarely pay for them with cash that someone has deposited in the bank. Instead, they create a bookkeeping credit, against which the Government is entitled to draw. * * * In a country in which more than 90 percent of all business is done by the use of checks, there is no essential difference between the creation of bank deposits by fiat and the creation of printing-press money. Bank deposits, not currency, constitute our chief circulating medium. (From Lewis W. Douglas, former Director of the U. S. Budget, in an article carried by the Atlantic Monthly in 1935.)

PROF. IRVING FISHER

When a bank lends or invests it extends credit, i. e., creates check-book money. When it gets loans paid or sells investments it contracts credit, i. e., destroys check-book money. In normal times such creation and destruction of money roughly balance. But when they do not balance the Nation's money is inflated or deflated and causes a boom or a depression. (From Irving Fisher, professor emeritus of economics at Yale.)

PROF. SUMNER H. SLICHTER

When banks grant credit by creating or adding to deposits subject to check * * * new dollars are created. It is true that the new dollars are not stamped out of gold; they are credit dollars, and they are created by the stroke of the pen rather than by dies and the stamping machines, but their purchasing power is not less than that of the dollars coined at the Government mint. In other words, the principal way in which dollars are created in modern economic society is by borrowing. This means that the number of dollars in existence in any particular time depends upon the willingness and ability of banks to lend. The volume of purchasing power fluctuates with men's state of mind; the growth of pessimism may suddenly throw millions of men out of work, or the growth of confidence may create thousands of jobs overnight. (From pp. 235–236, in Modern Economic Society, by Sumner H. Slichter, professor at Harvard. Published in New York, 1931.)

THOMAS A. EDISON

No American ever lived who was a greater scientist than Thomas A. Edison. And he went straight to the heart of this monetary question when he said:

The only dynamite that works in this country is the dynamite of a sound idea. I think we are getting a sound idea on the money question. The people have an instinct which tells them that something is wrong and that the wrong somehow centers in money.

Don't allow them to confuse you with the cry of "paper money." The danger of paper money is precisely the danger of gold—if you get too much it is no good. There is just one rule for money, and that is to have enough to carry all the legitimate trade that is waiting to move. Too little and too much are both bad. But enough to move trade, enough to prevent stagnation on the one hand, not enough to permit speculation on the other hand, is the proper ratio.

If our Nation can issue a dollar bond it can issue a dollar bill. The element that makes the bond good makes the bill good also. The difference between the bond and the bill is that the bond lets money brokers collect twice the amount of the bond and an additional 20 percent interest, whereas the currency pays nobody but those who contribute directly in some useful way. (From pp. 204–207, Thomas A. Edison, by Mary C. Nerney. Published in New York, 1934.)

JOHN R. COMMONS

I have said that whenever economic conditions and the general welfare of the whole Nation require an expansion of the amount of money and credit in circulation, then government should itself create that money or credit. To illustrate this point I have selected the following from Prof. John R. Commons, of Wisconsin University:

The fundamental reason why the share theories of the national monetary income do not account for the alternating booms and depressions is because increasing the share of one class reduces the shares of other classes and does not change the total purchasing power of all classes, whether ex, ended as savings or expended for consumption, furnishes the same employment for labor, baring temporary difficulties of adjustment. In order to increase the purchasing power of labor the unemployed must be put to work by creation of new money, and not by transferring the existing purchasing power of taxpayers to laborers, as Malthus proposed, nor by borrowing money by government, which transfers investments but does not augment them. This new money cannot be created and issued by bankers, either in commercial, investment, or central banks, because in a period of depression the margins of profits have disappeared and there are no business borrowers willing to cooperate with bankers in creating the new money. In order to create the consumer demand, on which business depends for sales, the Government itself must create the new money and go completely over the head of the entire banking system by paying it out directly to the unemployed, either as relief or for construction of public works, as it does in times of war. Besides, this new money must also go to the farmers, the business establishments, and practically all enterprises, as well as to wage earners, for it is all of them together that make up the total of consumer demand. (From pp. 589–590, Institutional Economics, by John R. Commons; published in New York, 1934.)

CHRISTOPHER HOLLIS

Today, of course, we have the very great increase in production brought about by defense expenditures, which is the other condition under which an expansion of money in circulation is called for and justified—a percentage increase in money in circulation equal to the percentage increase in production—and to this extent our public financing should be done without increase in the public debt.

And in conclusion perhaps a bit of philosophy will do us good and help us to see ourselves and the things we are doing and failing to do in the broad perspective. As Christopher Hollis puts it:

Indeed the historian has to record that in almost every age there was some superstition or other of utter unreason which strangely occupied the minds of men otherwise of activity and vigor. He has to confess that he cannot explain how it was that men once believed in the mystical significance of numbers or in the claims of astrology. We are sometimes ready to congratulate ourselves that our age has outgrown all superstitions. But the historian of the future will, I fancy, reckon in the same class as number worship and astrology and the study of the gizzards of birds the strange superstition that, whenever money is invented a percentage must be paid forever afterward as a propitiation to a banker. It is on that superstition that the whole empire of Mammon is built. (From pp. 211–212 of The Breakdown of Money, by Christopher Hollis, New York, 1934.)

Mr. Speaker, I ask unanimous consent to extend my remarks and include certain brief quotations from a number of different speakers.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a certain newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial by David Lawrence.

The SPEAKER. Is there objection?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include certain articles.

The SPEAKER. Is there objection?

There was no objection.

SENATE ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 849. An act for the relief of Eben Vaughn Cleaves;

S. 1110. An act to amend section 1118 of the Revised Statutes, as amended, to eliminate the prohibition against enlistment in the military service of the United States of any person convicted of a felony;

S. 1120. An act for the acquisition of Indian lands for the Central Valley project, and for other purposes;

S. 1200. An act to authorize additional appropriations to provide for the further development of cooperative agricultural extension work;

S. J. Res. 1. Joint resolution directing the Comptroller General to readjust the account between the United States and the State of Vermont; and

S. J. Res. 88. Joint resolution to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army.

ADJOURNMENT

Mr. COX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Thursday, July 24, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Thursday, July 24, for consideration of House Resolution 209 and House Concurrent Resolution 36.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

778. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 28, 1941, submitting a report, together with accompanying papers, on reexamination of Rock Harbor, Mass., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 17, 1939; to the Committee on Rivers and Harbors.

779. A letter from the Acting Attorney General, transmitting a recommendation for legislation to extend the act of November 30, 1940, relating to sabotage in peacetime to include acts willfully committed with reason to believe that they may injure, interfere with, or obstruct the national defense; to the Committee on the Judiciary.

780. A letter from the Acting Attorney General, transmitting a report prepared jointly by the United States Maritime Commission and the Immigration and Naturalization Service of the office of Solicitor General with regards to provisions made under Public Law No. 101, Seventy-seventh Congress; to the Committee on the Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON of Georgia: Committee of conference on the disagreeing votes of the two Houses. H. R. 3537. A bill authorizing the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes (Rept. No. 986). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KING: Committee on Immigration and Naturalization. H. R. 4047. A bill to grant the status of a quota immigrant to Dr. Wilhelm Wolfgang Krauss; without amendment (Rept. No. 987). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LYNDON B. JOHNSON:

H. R. 5392. A bill to convey certain property to the Southwest Texas State Teachers College; to the Committee on the Merchant Marine and Fisheries.

By Mr. SASSCER:

H. R. 5393. A bill providing for the furnishing of uniforms and equipment to the guard and master-at-arms forces at the United States Naval Academy; to the Committee on Naval Affairs.

By Mr. SCRUGHAM:

H. R. 5394. A bill to authorize the lease or sale of public lands for use in connection with the manufacture of arms, ammunition, and implements of war, etc.; to the Committee on the Public Lands.

By Mr. STEAGALL:

H. R. 5395. A bill to amend the National Housing Act as amended; to the Committee on Banking and Currency.

By Mr. WOLCOTT:

H. R. 5396. A bill to amend subsection 10 of section 4 of the act of June 29, 1906 (34 Stat. 596; U. S. C., title 8, sec. 377); to the Committee on Immigration and Naturalization.

By Mr. CASE of South Dakota:

H. R. 5397. A bill to provide for the protection of the fish-cultural station at Spearfish, S. Dak.; to the Committee on the Merchant Marine and Fisheries.

By Mr. KNUTSON:

H. R. 5398. A bill to declare that the United States holds certain lands in trust for the Minnesota Chippewa Tribe; to the Committee on Indian Affairs.

By Mr. SCANLON:

H. R. 5399. A bill establishing a minimum rate of pay for persons enlisted in, inducted into, or called to serve in the land and naval forces of the United States, and granting a monthly allotment to the dependents of said enlistees, inductees, or selectees; to the Committee on Military Affairs.

By Mr. JONES:

H. R. 5400. A bill to repeal certain provisions of law prescribing penalties upon producers of farm products; to the Committee on Agriculture.

By Mrs. ROGERS of Massachusetts:

H. R 5401. A bill authorizing the Federal Bureau of Investigation to cooperate with State authorities in the investigation of certain crimes; to the Committee on the Judiciary.

By Mr. BLAND:

H. J. Res. 221. Joint resolution to declare abandoned the title of the city of Marquette, Mich., to certain land in the county of Marquette and to vest control of such land in the Secretary of the Treasury for Coast Guard purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. THILL:

H. Con. Res. 48. Concurrent resolution declaring that it is the sense of the Congress that all members of the armed forces of the United States be encouraged to vote by mail; to the Committee on Military Affairs.

By Mr. NICHOLS:

H. Res. 277. Resolution to provide for the further expenses for the Select Committee to Investigate Air Accidents; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Ohio:

H. R. 5402. A bill granting an increase of pension to Martha E. Craig; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL:

H. R. 5403. A bill for the relief of Cecil Higgenbottom; to the Committee on Claims.

By Mr. CROWTHER:

H. R. 5404. A bill granting an increase of pension to Elizabeth Ann Hoke; to the Committee on Pensions.

By Mr. DAVIS of Tennessee:

H. R. 5405. A bill authorizing the President of the United States to appoint Sgt. Alvin C. York as a colonel in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. FLAHERTY:

H. R. 5406. A bill to provide for the placing of Frank L. Downey on the retired list of the Army as a captain; to the Committee on Military Affairs.

By Mr. KERR:

H. R. 5407. A bill for the relief of Ruth Cooke; to the Committee on Claims.

By Mr. MERRITT:

H. R. 5408. A bill for the relief of Salvatore and Joseph Falcone; to the Committee on Claims.

By Mr McLAUGHLIN:

H. R. 5409. A bill for the relief of Gwendolyn Anne Olhava and Anthony L. Olhava; to the Committee on Claims

By Mr. OSMERS:

H. R. 5410. A bill to authorize the presentation to Harry H. Weiss of a Distinguished Service Cross; to the Committee on Military Affairs.

By Mr. WILSON:

H. R. 5411. A bill for the relief of John M. Montgomery and Carrie E. Montgomery; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1675. By Mr. HAINES: Petition signed by Mrs. Milton R. Remmel, of Gettysburg, Pa., and others in that vicinity, urging Congress to vote for Senate bill 860 as a contribution to a wholesome defense program, etc.; to the Committee on Military Affairs.

1676. By Mr. JOHNSON of California: Petition signed by 37 persons who are parents, relatives, and friends of boys in the Two Hundred and Fifty-first Coast Artillery, National Guard of California, called into active service September 16, 1940, for 1 year of training, and transferred to Hawaii, where they are stationed at the present time, protesting against their being held there longer than 1 year, and also against their being sent to any foreign soil; to the Committee on Military Affairs.

1677. By Mr. KEOGH: Petition of the Greater New York Industrial Union Council, concerning the passage of Senate bill 1617, to amend the Employment Stabilization Act of 1931; to the Committee on Education and Labor.

1678. By Mr. ROLPH: Resolution of the board of governors of the State Bar of California, relative to the proposed legislation to eliminate separate income-tax returns by husband and wife and to require joint returns; to the Committee on Ways and Means.

1679. By Mr. MOTT: Petition signed by Elgen L. Mapes and 73 other citizens of Gaston, Oreg., protesting against the enactment of House bill 3852 or Senate bill 983; to the Committee on the District of Columbia.

1680. Also, petition signed by W. B. Gieske and 52 other citizens of Yamhill County, Oreg., protesting against the enactment of House bill 3852 or Senate bill 983; to the Committee on the District of Columbia.

1681. Also, petition signed by Ed Rustin and 25 other citizens of Washington County, Oreg., protesting against the enactment of House bill 3852 or Senate bill 983; to the Committee on the District of Columbia.

1682. Also, petition signed by Rev. H. S. Fulton and 19 other citizens of Woodburn, Oreg., urging the passage of House bill 2475, a bill to prohibit prostitution within certain distances of military and naval establishments; to the Committee on Military Affairs.

1683. Also, petition signed by Martha Poole and 30 other citizens of the State of Oregon, urging the passage of House bill 2475, a bill to prohibit prostitution within certain distances of military and naval establishments; to the Committee on Military Affairs.

SENATE

THURSDAY, JULY 24, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, our Heavenly Father, who through Thy Son, Jesus Christ, hast given the splendid vision of an ordered world governed by love, and hast taught of a kingdom of justice and peace, in which all men shall dwell together in unity and brotherly love: Look with the tender eyes of Thy mercy upon the holocaust into which the nations of the earth have been plunged; deal mercifully with those who sacrifice Thy children to the lust for power, wealth, and vengeance, and by Thy Holy Spirit, guide, we beseech Thee, in the restoration of law and order in a disastrously shaken world.

Help us, O Lord, to prepare for that better day to come, in which the angels of light shall subdue the legions of darkness, the ideals of civilization shall triumph over the forces of barbarism, and a world order, establishing fully and adequately the equal rights of all people to life, liberty, and the pursuit of happiness, shall supersede the reign of conquest, oppression, and terror, in which Thy little ones are slain. We ask it in the name and for the sake of Him who taught that it is not the will of our Father which is in Heaven, that one of these little ones should perish; Thy Son, our Saviour, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, July 22, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On July 22, 1941:

S. 347. An act authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel;

S. 1142. An act for the relief of J. Mae Chambers and Retta E. Hultgren; and

S. 1166. An act for the relief of Daniel Steele.

On July 23, 1941:

S. 851. An act for the relief of Edson E. Downs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4816) to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce.

The message also announced that the House insisted upon its amendment to the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CARTWRIGHT, Mr. WHITTINGTON, Mr. ROBINSON of Utah, Mr. WOLCOTT, and Mr. MOTT were appointed

managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1057. An act to establish a system of longevity pay for postal employees;

H. R. 2075. An act to extend to custodial-service employees employed by the Post Office Department certain benefits applicable to postal employees;

H. R. 2528. An act to clarify the employment status of special-delivery messengers in the Postal Service;

H. R. 4961. An act to amend section 9 (b) of the Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935;

H. R. 5074. An act to provide additional safeguards to the radio communications service of ships of the United States in the interest of national defense, and for other purposes; and

H. R. 5312. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 38) in which it requested the concurrence of the Senate, as follows:

Resolved by the House of Representatives (the Senate concurring), That sections 5 and 6 of House Concurrent Resolution 32, which passed the House of Representatives on the 31st day of July 1939, and the Senate on the 2d day of August 1939, establishing the Virginia (Merrimac)-Monitor Commission, is hereby amended to read as follows:

"SEC. 5. That the Commission shall on or before the 15th day of April 1943 make a report to Congress for such enabling legislation, if any, as the Congress may desire.

"SEC. 6. That the Commission hereby created shall expire within 2 years after the adoption of this concurrent resolution."

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 849. An act for the relief of Eben Vaughn Cleaves;

S. 1110. An act to amend section 1118 of the Revised Statutes, as amended, to eliminate the prohibition against enlistment in the military service of the United States of any person convicted of a felony;

S. 1120. An act for the acquisition of Indian lands for the Central Valley project, and for other purposes;

S. 1200. An act to authorize additional appropriations to provide for the further development of cooperative agricultural extension work;

S. J. Res. 1. Joint resolution directing the Comptroller General to readjust the account between the United States and the State of Vermont; and

S. J. Res. 88. Joint resolution to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army.

EXTENSION OF SERVICE OF MEMBERS OF MILITARY FORCES—CORRECTION

Mr. TRUMAN. Mr. President, on last Tuesday I submitted an amendment to the joint resolution (S. J. Res. 92) to further provide for the strengthening of the national defense by removing the restrictions on numbers and length of service of selectees, and for other purposes. This resolution affects the draft. The amendment, as proposed, carried the name of the Senator from New Mexico [Mr. CHAVEZ] and myself. The name of the Senator from New Mexico was inadvertently left off. I should like to have the correction made.

The VICE PRESIDENT. The correction will be made.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

A letter from the Acting Attorney General, transmitting, pursuant to law, a preliminary report prepared jointly by the United States Maritime Commission and the Immigration and Naturalization Service of the Department of Justice, relative to making provision out of funds provided in the act of June 6, 1941, entitled "An act to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes," for employees displaced by the taking of any ship under the above-mentioned act (with an accompanying report); to the Committee on Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a memorial from M. J. Hayes, of Indianapolis, Ind., remonstrating against the enactment of legislation to retain draft selectees in the military service for more than 1 year; to the Committee on Military Affairs.

Petitions of sundry citizens of the States of Pennsylvania and Tennessee, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

A petition of sundry citizens of Columbus, Ohio, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

By Mr. CAPPER:

A memorial of sundry citizens of the State of Kansas, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Petitions, numerously signed, of sundry citizens of Topeka, Kans., praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS—MINORITY VIEWS FILED DURING ADJOURNMENT

Under authority of the order of the 22d instant,

On July 23, 1941, Mr. BROWN submitted the views of the minority of the Committee on Commerce on the bill (H. R. 2665) to provide for apportioning Representatives in Congress among the several States by the equal-proportions method, which were ordered to be printed as part 2 of Report No. 573.

CONTROL OF CUMBERLAND RIVER BY TENNESSEE VALLEY AUTHORITY—REPORT

Mr. NORRIS. Mr. President, in accordance with the unanimous consent granted on Tuesday last, I now submit a written report from the Committee on Agriculture and Forestry to accompany the bill (S. 1539) to amend the Tennessee Valley Authority Act of 1933 (Rept. No. 567).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TYDINGS, from the Committee on Territories and Insular Affairs:

H. R. 4813. A bill to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; with an amendment (Rept. No. 576).

From the Committee to Audit and Control the Contingent Expenses of the Senate:

S. Res. 148. Resolution providing for securing, framing, and hanging pictures of former chairmen of the Committee on Foreign Relations and of Presidents pro tempore in the Foreign Relations Committee rooms (submitted by Mr. GEORGE on July 22, 1941); without amendment.

By Mr. McCARRAN, from the Committee on the District of Columbia:

S. 1344. A bill to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave; without amendment (Rept. No. 577); and

H. R. 4837. A bill to safeguard the confidential nature of Board of Public Welfare of the District of Columbia case records in all types of relief cases, and for other purposes; without amendment (Rept. No. 578).

By Mr. OVERTON, from the Committee on the District of Columbia:

H. R. 4582. A bill to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia; without amendment (Rept. No. 579).

By Mr. HUGHES, from the Committee on the District of Columbia:

H. R. 4660. A bill to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor", approved August 24, 1935; without amendment (Rept. No. 580).

By Mr. BURTON, from the Committee on the District of Columbia:

H. R. 4599. A bill to authorize the Federal Security Administrator to accept gifts for St. Elizabeths Hospital and to provide for the administration of such gifts; with an amendment (Rept. No. 581).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GLASS:

S. 1773. A bill to enable the United States Commission for the celebration of the two hundredth anniversary of the birth of Thomas Jefferson to carry out and give effect to certain approved plans; to the Committee on the Library.

By Mr. THOMAS of Oklahoma:

S. 1774. A bill relating to parity prices on farm commodities; to the Committee on Agriculture and Forestry.

(Mr. EASTLAND introduced Senate bill 1775, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. CAPPER:

S. 1776. A bill for the relief of Mrs. Agnes S. Hathaway; to the Committee on Claims.

By Mr. HILL:

S. 1777. A bill for the relief of Robert Lee Phillips and for the six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips; to the Committee on Claims.

By Mr. LANGER:

S. 1778. A bill for the relief of Leslie Truax; to the Committee on Claims.

S. 1779. A bill to exempt gasoline mixed with 10 percent or more of anhydrous ethyl alcohol from the tax imposed by section 3412 of the Internal Revenue Code, as amended; to the Committee on Finance.

S. 1780. A bill for the relief of the Sisseton and Wahpeton Bands of Sioux Indians; to the Committee on Indian Affairs.

S. 1781. A bill to permit the unlimited immigration, until July 1, 1946, of persons whose national origin is Iceland; to the Committee on Immigration.

By Mr. REYNOLDS:

S. 1782. A bill to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment; to the Committee on Military Affairs.

By Mr. SCHWARTZ:

S. 1783. A bill to improve the efficiency of the armed forces by providing additional compensation for certain duties performed; to the Committee on Military Affairs.

By Mr. WHEELER:

S. 1784. A bill to provide compensation for disability or death resulting from injury to employees of contractors on public buildings and public works, and to employees employed at places subject to the exclusive jurisdiction of the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. AUSTIN (for Mr. MCNARY):

S. 1785. A bill granting a pension to Mary S. Sowers; to the Committee on Pensions.

By Mr. AUSTIN:

S. J. Res. 97. Joint resolution declaring a national emergency, and for other purposes; to the Committee on Military Affairs.

By Mr. HILL:

S. J. Res. 98. Joint resolution to declare that the national interest is imperiled in accordance with the provisions of section 3 (b) of the Selective Training and Service Act of 1940; and

S. J. Res. 99. Joint resolution to declare the existence of a national emergency and to authorize the President to extend the period of active military service of members and units of reserve components and retired personnel of the Regular Army; to the Committee on Military Affairs.

DISPOSAL OF GOVERNMENT-HELD COTTON

Mr. EASTLAND. Mr. President, I introduce a bill for appropriate reference.

The bill (S. 1775) to provide for the withholding from the market of cotton held on behalf of the United States was read twice by its title and referred to the Committee on Agriculture and Forestry.

Mr. EASTLAND. Mr. President, I desire to explain the bill I have just introduced.

Under the Agricultural Adjustment Act of 1938 the Commodity Credit Corporation is authorized to sell Government-held cotton when the proceeds of such sale are at least sufficient to reimburse the United States for the amounts, including price-adjustment payments, paid out by any of its agencies with respect to the cotton so held. Under that act 300,000 bales of cotton a month can be sold, to a total of 1,500,000 bales.

Yesterday the Department of Agriculture gave out a statement that it was considering selling this cotton held by the Government. As the result, the price of spot cotton on the New York Exchange broke 40 points.

My State and the South generally and large areas of the Southwest are dependent solely on cotton for their prosperity. The poorest people we have, those with the lowest standard of living in the United States, are the small cotton growers and tenant farmers. They have sold their crops since the inception of the Federal farm program and for years previously at less than parity.

When the Agricultural Department can give out a statement, as it did yesterday, that it intends to hold that cotton over the market and dispose of it at less than parity, as it said, or at any price, then it can by depressing the cotton market destroy the standard of living of people in entire States of the Union and take the very bread of life from the poorest class of people in our economic structure.

The Government has held this cotton for several years, and during all this length of time cotton has sold sometimes for only 40 percent of parity. The market has only recently for the first time in years reached parity in price. It has not yet reached parity in income.

Cotton gins today are humming in Texas and within 3 weeks will be running in Mississippi and the Carolinas. It is extremely unfortunate that the Government, after spending millions of dollars in an attempt to put the cotton market at a parity price with industrial products, should attempt by selling Government-held cotton deliberately to depress the cotton market right at the time when the cotton is in the hands of the producer, and thus deprive the cotton grower not only of a prosperous year but of the first opportunity to recoup his former losses.

Cotton at 17 cents per pound is too cheap because the prices of products purchased by the farmer have enormously increased, and cotton should be worth at least 30 cents a pound in order to insure the cotton grower not only of a prosperous year but to meet increased costs.

Before the Agricultural Department's statement of yesterday, cotton was on the upgrade. The price of cotton was slated for a big increase. Wall Street realized this, the cotton trade realized it, and the Department of Agriculture realized that cotton would go much higher; hence, the statement emanating from the Department yesterday which depressed the market. If the bill introduced by me today is enacted into law, the cotton market will be left free, and cotton will be greatly enhanced in value on the cotton exchanges of the world. For the first time since the great depression, the farmers and business of the South will have a really prosperous year.

Therefore, I have prepared and have introduced a bill which provides that the Commodity Credit Corporation cannot dispose of any Government-held cotton until the price of spot cotton on the 10 leading exchanges in the United States reaches and remains at 30 cents a pound, and, in no event, at less than the parity price, because, in the future, with the price structure rising as it is, 30 cents might not be parity for cotton.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 1057. An act to establish a system of longevity pay for postal employees;

H. R. 2075. An act to extend to custodial-service employees employed by the Post Office Department certain benefits applicable to postal employees; and

H. R. 2528. An act to clarify the employment status of special-delivery messengers in the Postal Service; to the Committee on Post Offices and Post Roads.

H. R. 4961. An act to amend section 9 (b) of the Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935; to the Committee on Agriculture and Forestry.

H. R. 5074. An act to provide additional safeguards to the radio communications service of ships of the United States in the interest of national defense, and for other purposes; to the Committee on Commerce

H. R. 5312. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

LICENSING OF CERTAIN STATIONARY POWER ENGINEERS AND BOILER OPERATORS—AMENDMENTS

Mr. LANGER submitted several amendments intended to be proposed by him to the bill (S. 1128) to provide for the licensing of stationary power engineers and boiler operators in certain generating electric, steam, or other power plants, to protect the national-defense program, and for other purposes, which were referred to the Committee on Military Affairs and ordered to be printed.

TERMS AND CONDITIONS OF EVENTUAL PEACE TREATY

Mr. MCFARLAND. Mr. President, I desire to submit a Senate resolution, but before doing so I ask unanimous consent to make a few brief remarks concerning it.

The VICE PRESIDENT. Without objection, the Senator may proceed.

Mr. MCFARLAND. Mr. President, since taking my seat in the United States Senate I have given my best thought and consideration to affairs affecting the Nation. I have listened to the debates upon the floor of the Senate. I listened particularly attentively to the debates upon the so-called lease-lend measure. As the distinguished senior Senator from Kentucky [Mr. BARKLEY], our majority leader, opened the debate on that bill I was impressed with his speech, and felt that it should go down in history as a classic. I listened to the able addresses of various other Senators on the floor on that question, and I was impressed with one thought, and that thought was that whether they opposed or favored the

measure, they expressed the hope that Hitler would be crushed.

One thing that occurred on this floor particularly impressed me, and that was when the distinguished senior Senator from Georgia [Mr. GEORGE] rose and said, "I place my country ahead of my prejudices." Coming as it did from so distinguished a man, I feel that that statement will go down in history along with those of Patrick Henry and others as a phrase affecting the destiny of the Nation.

Mr. President, we have seen men come to leadership on the other side of the water who, by mere force and might, have destroyed less powerful neighbors. We have seen the lights of liberty and justice in the Old World go out one by one until there is left but one flickering flame that yet burns in Britain. As we listened to these speeches and as we have seen these things happen, the majority of us have felt, and have so acted, that the destiny of the United States could never be safe so long as such madmen are left in leadership over on the other side. For this reason we felt that the safe policy was to give aid to Great Britain in her struggle.

As I have listened to the debates, and as I have given the matter my thought, another question has come to my mind, and that is, What are we going to do to prevent a recurrence of what is happening today?

I notice by the newspapers that the Acting Secretary of State has also given thought to this subject, and I desire to compliment Mr. Welles for giving thought to such an important question affecting the destiny of this Nation and affecting the destiny of the world. I wish to read one paragraph from his address, delivered day before yesterday, and printed in the CONGRESSIONAL RECORD yesterday:

> I feel it is not premature for me to suggest that the free governments of peace-loving nations everywhere should even now be considering and discussing the way in which they can best prepare for the better day which must come, when the present contest is ended in the victory of the forces of liberty and of human freedom and in the crushing defeat of those who are sacrificing mankind to their own lust for power and for loot.

Mr. Welles then discusses the reasons why the League of Nations failed at the end of the last world conflict. I wish to add to those reasons one other, and that is that the Congress of the United States, and particularly the United States Senate, did not consider the principles which were advocated in connection with the League of Nations before the armistice was signed. I feel that it is particularly important that we at this time should give some thought to that question. Therefore I have prepared the following resolution:

> *Resolved*, That a committee composed of 10 members be appointed by the President of the Senate to study, recommend, and report terms and conditions to be placed in any treaty of peace which results from a victory by Great Britain and her allies in the present conflict; also, if said committee shall find it advisable, to study, recommend, and report whether an agreement to accept such terms and conditions should be made a condition of aid by the United States to any of the warring nations, and whether the United States should withhold aid against any nation which accepts and agrees to such terms and conditions.

Mr. President, I feel that this resolution is particularly fitting at this time, because Russia is now participating in the present conflict. The communistic government of Russia has been considered by almost everyone in the United States as directly and diametrically opposed to the fundamental principles of liberty and justice of our own Government. So I say that we should at this time carefully consider these matters. I desire to compliment the Secretary of State; I desire to compliment the State Department, for giving study to this important question, but the fact that they are giving consideration to the subject does not relieve us of our responsibility. The Constitution of the United States provides that this body shall pass upon any treaty before it can become effective, and I say it is particularly fitting that we should make such a study at this time.

Another matter which I wish to call to the attention of the Senate is an article which appeared in one of the newspapers on the 13th day of this month. It was, as I recall, published in the Washington Times-Herald, and I shall read just a small portion of it:

> MAY was one of those not enthusiastic about changing the law until recent conferences with Gen. George C. Marshall, Chief of Staff.
>
> He said yesterday that a conference of House leaders with the Chief of Staff has convinced him of the "paramount necessity of untying Marshall's hands."
>
> "Information furnished by Marshall would be enough to knock the hats off Congress if it could be released," MAY said.
>
> "The Nation will need every possible man of military value and the War Department should be given free rein to meet any possible emergency."

Mr. President, I say that any information which General Marshall may have of intent on the part of the Nazi government to attack the United States should be no secret from any Member of Congress and it should not be a secret withheld from the people of the United States. I believe in keeping military secrets, but what possible good could come from keeping secret the intent of powers on the other side? General Marshall has no knowledge of such intent that Hitler does not have. Why not give General Marshall's information to the people? Why not give it to the Congress?

We have a democratic Nation. We have a patriotic Nation. If we keep our people in our confidence, they will keep our Government in their confidence. Freedom of speech is important. I do not want the War Department to give out any secrets, but if General Marshall or anyone else has any information that the United States is about to be attacked, I say it should be given to the press and to the people of the United States. Then we will find the people rallying in support of any measure looking to the defense of our country.

Mr. President, a short time ago we celebrated the signing of the Declaration of Independence. Our forefathers thought it necessary to declare certain fundamental principles at that time. Those principles were an inspiration to the people of this country to fight for liberty and justice. They became a part of the fundamentals of our Government, a part of the Constitution which has lived throughout all this time. I say that it is fitting and proper that we again declare some fundamental principles, and that we ask those nations to which we are giving aid to agree to those principles, in order that the nations which have been crushed by the Axis Powers may have an inspiration to rise up at the proper time and throw off the yoke of Hitler which has been placed upon them.

Mr. President, I submit at this time the resolution which I have read, and I ask that it be referred to the appropriate committee. It is my hope that it will receive favorable action.

The resolution (S. Res. 149) was referred to the Committee on Foreign Relations.

EVIL EFFECTS OF SHORT-TERM ENLISTMENTS (S. DOC. NO. 90)

Mr. HAYDEN. I ask unanimous consent to have printed as a Senate document certain extracts from The Military Policy of the United States, by Brevet Maj. Gen. Emory Upton, relating to the evil effects of short-term enlistments.

The VICE PRESIDENT. Without objection, it is so ordered.

NEW MEXICO—LAND OF ENCHANTMENT (S. DOC. NO. 91)

Mr. HATCH. Mr. President, I ask unanimous consent to have a revised edition of Senate Document No. 147, Seventy-first Congress, second session, printed as a Senate document. The document to which I refer is entitled "New Mexico Mythology, Tradition, History." It was presented by former Senator Sam G. Bratton. Since that time it has been revised by Dr. Dorothy Woodward and J. H. Feth, of the University of New Mexico, and is now entitled "New Mexico—Land of Enchantment." It is the revised edition that I ask to have printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESS BY SENATOR BANKHEAD ON ALABAMA YOUTH DAY

[Mr. HILL asked and obtained leave to have printed in the RECORD an address delivered by Senator BANKHEAD at Birmingham, Ala., on Alabama Youth Day, June 26, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR TOBEY IN REPLY TO SECRETARY KNOX

[Mr. TOBEY asked and obtained leave to have printed in the RECORD a radio address entitled "My Reply to Secretary Knox," delivered by him on July 16, 1941, which appears in the Appendix.]

ADDRESS BY HON. SUMNER WELLES AT DEDICATION OF NEW WING OF NORWEGIAN LEGATION

[Mr. GREEN asked and obtained leave to have printed in the RECORD the address delivered by Hon. Sumner Welles, Acting Secretary of State, on the occasion of the laying of the cornerstone of the new wing of the Norwegian Legation in Washington on Tuesday, July 22, 1941, which appears in the Appendix.]

EDITORIAL FROM PHILADELPHIA RECORD ON A DIE-HARD DEFENDER OF JUDICIAL SABOTAGE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial from the Philadelphia Record, entitled "A Die-Hard Defender of Judicial Sabotage," which appears in the Appendix.]

VIRGINIA (MERRIMAC)-MONITOR COMMISSION

The VICE PRESIDENT laid before the Senate House Concurrent Resolution 38, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That sections 5 and 6 of House Concurrent Resolution 32, which passed the House of Representatives on the 31st day of July 1939 and the Senate on the 2d day of August 1939, establishing the Virginia (Merrimac)-Monitor Commission, is hereby amended to read as follows:

"SEC. 5. That the Commission shall on or before the 15th day of April 1943 make a report to Congress for such enabling legislation, if any, as the Congress may desire.

"SEC. 6. That the Commission hereby created shall expire within 2 years after the adoption of this concurrent resolution."

Mr. BARKLEY. I move that the Senate concur in the concurrent resolution of the House.

The motion was agreed to.

CONSTRUCTION OF ROADS NEEDED FOR NATIONAL DEFENSE—CONFERENCE REPORT

Mr. McKELLAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the said bill and agree to the same with amendments as follows:

In section 2 of the House amendment, strike out the figure "$100,000,000" and insert in lieu thereof the figure "$125,000,000".

In section 4 of the House amendment, strike out the figure "$2,000,000" and insert in lieu thereof the figure "$10,000,000".

And the House agree to the same.

KENNETH MCKELLAR,
CARL HAYDEN,
J. W. BAILEY,
DENNIS CHAVEZ,
RAYMOND E. WILLIS,
JOHN THOMAS,
Managers on the part of the Senate.

WILBURN CARTWRIGHT,
WILLIAM M. WHITTINGTON,
J. W. ROBINSON,
JESSE P. WOLCOTT,
JAMES W. MOTT,
Managers on the part of the House.

Mr. McKELLAR. Mr. President, I may say that only two substantial changes were made by the conferees in the bill as it was passed by the House. The amount appropriated for strategic highways by the House was $100,000,000, and the conferees increased that to $125,000,000. The amount appropriated for airway strips was $2,000,000, and that was increased to $10,000,000. Those were the only changes made in the bill.

The differences between the bill which passed the House and that passed by the Senate were not very material, it seemed to us, and we accepted the House bill with the exception of the two amendments I have mentioned. I move that the report be agreed to.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

STRIKES IN DEFENSE INDUSTRIES

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from a previous day, which will be stated.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 12) submitted by Mr. BYRD on May 26, 1941, relative to strikes in defense industries.

Mr. BARKLEY. Let the concurrent resolution go over.

The VICE PRESIDENT. Without objection, the concurrent resolution will be passed over.

The morning business is closed.

RIVER AND HARBOR IMPROVEMENTS—FLOOD CONTROL

Mr. OVERTON. Mr. President, from the Committee on Commerce I report favorably, with amendments, House bill 4911, authorizing construction of certain public works on rivers and harbors for flood control, and for other purposes, and I submit a report (No. 575) thereon. I ask unanimous consent that the Senate proceed to the consideration of the bill.

Mr. ADAMS. Has the bill been printed?

Mr. OVERTON. There is a subcommittee print, and one or two changes have been made by the full committee.

The VICE PRESIDENT. The clerk will report the bill by title.

The CHIEF CLERK. A bill (H. R. 4911) authorizing construction of certain public works on rivers and harbors for flood control, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. ADAMS. I do not like to object, but it seems to me that in the case of a bill of this magnitude the Senator should not ask for consideration without the bill being printed and being on our desks. Is there some special reason for it?

Mr. OVERTON. A few days ago I consulted the majority leader and the minority leader with a view to having the bill brought up today by unanimous consent. The reason is that I apprehend if it is delayed it will get behind certain proposed legislation which is very controversial in nature, and that there will be considerable delay. The bill is a rather important one. It deals not only with flood control but with projects contemplating multiple use of water, and especially with relation to the generation of power.

The bill was very thoroughly considered by the House of Representatives and passed by the House, and the Senate committee has added a few amendments. It has added some additional projects amounting to $12,322,000. It has also incorporated some amendments suggested by the President in his letter of July 3 to the Vice President and to the Speaker of the House, dealing with the general provisions of the bill.

I can explain the bill, and as to each project which has been added make a statement in reference to it. I am quite sure the Senator from Colorado will have no objection to any project recommended by the Committee on Commerce.

Mr. ADAMS. I assume that to be true, but I think taking the bill up under these conditions would be very bad legislative practice. As a Member of the Senate I like to know what is going on, and I like to have opportunity to read any bill presented. The Senator says this is a very important bill, and that is the very reason why I think there should be an opportunity to study it for a brief time. The bill involving a very large sum of money is brought in with amendments, and we are asked to take it up for consideration immediately.

Mr. President, I shall ask that the bill go over. I shall object to it being taken up by unanimous consent.

Mr. OVERTON. I will ask the able Senator from Colorado if he will withhold his objection until the return of the majority leader, who stepped out of the Chamber for a moment. I see the Senator from Kentucky has just returned. I wish to say to him that the Senator from Colorado desires that the bill be not taken up at this time. I was wondering whether the Senate would have an opportunity to consider the bill at its next session.

Mr. BARKLEY. I will say to the Senator that if the Committee on Military Affairs should report, as I understand it may, the so-called draft-extension measure before Monday, it was my purpose to attempt to have that bill taken up and disposed of. However, if the consideration of the bill referred to by the Senator from Louisiana would not take long, so that it might be put in ahead of the draft-extension measure, I should have no objection to letting it come up early Monday, and then follow it with the draft-extension measure.

Mr. OVERTON. I do not think the bill would take very long to dispose of. We can probably dispose of it in an hour or so, or perhaps in half an hour.

Mr. BARKLEY. In view of the situation, I think probably the Senator from Louisiana had better take a chance on that, and I will cooperate with him as much as I can to have his bill considered ahead of the other bill. Of course, if the other bill is not ready by Monday, we will have all the time we need Monday.

Mr. OVERTON. Does the majority leader object to the bill being made the unfinished business for Monday?

Mr. BARKLEY. I do not think that is necessary, I will say to the Senator from Louisiana, because if the situation justifies it on Monday there will be no trouble about having the bill taken up.

Mr. OVERTON. I wish to say in that connection that some of the agencies of the Government, especially the Federal Power Commission, are very anxious that the bill be enacted into law at as early a date as possible, because it contains a great many power projects.

Mr. BARKLEY. I appreciate that the bill does provide for essential works. I cannot visualize any great delay in the enactment of the measure when it is taken up. Its consideration ought not to take very long. I will assist the Senator as much as I can in having it taken up and considered.

Mr. OVERTON. I thank the Senator from Kentucky. I withdraw my unanimous-consent request, and I will say in withdrawing it that I know it is an unusual request, and I would not have made it except for the circumstances which I have stated.

Mr. BARKLEY. I will say to the Senator from Louisiana and also to the Senator from Colorado that a few days ago the Senator from Louisiana consulted me about the possibility of having the bill taken up for consideration today in the event the committee reported it favorably, and I assured the Senator that, so far as I was concerned, I would have no objection to that course, but, of course, I could not speak for other Senators.

Mr. OVERTON. Mr. President, I will say that I also consulted the Senator from Vermont [Mr. AUSTIN], who is acting as minority leader. He consulted with some of his colleagues on the other side of the aisle, and came to me and reported that there would be no objection from that side of the aisle.

Mr. BARKLEY. I do not anticipate there will be any objection to disposing of the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

AUTHORIZATION FOR REPORTING OF BILLS DURING ADJOURNMENT

Mr. SMITH. Mr. President, I ask permission to submit a report from the Committee on Agriculture and Forestry on House bill 5300, to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, during the adjournment of the session, so the bill may go to the calendar.

Mr. BARKLEY. Mr. President, I will say to the Senator that I was about to ask unanimous consent that all committees may make reports during the adjournment of the Senate, and, of course, his committee would be included in that request.

Mr. President, I now ask unanimous consent that during the adjournment of the Senate following today's session, all committees may make reports of bills.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States, submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the District of Columbia:

Guy Mason, of the District of Columbia, to be a Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified, vice Melvin C. Hazen, deceased.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will proceed to state the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Thomas M. Wilson, of Tennessee, to act as Commissioner of the United States of America to India, with the rank of Minister.

Mr. McKELLAR. I ask that the nomination be confirmed, and that the President be immediately notified.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc, and that the President be immediately notified.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc, and the President will be notified.

COAST GUARD OF THE UNITED STATES

The legislative clerk proceeded to read sundry nominations in the Coast Guard of the United States.

The VICE PRESIDENT. Without objection, the nominations in the Coast Guard are confirmed en bloc, and, without objection, the President will be immediately notified.

That completes the calendar.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 12 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, July 28, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 24, 1941:

BOARD OF INVESTIGATION AND RESEARCH

The following-named persons to be members of the Board of Investigation and Research for the period of the existence of the Board as provided in title III, part I, of the Transportation Act of 1940, approved September 18, 1940:

Robert E. Webb, of Kentucky.
C. E. Childe, of Nebraska.

DIPLOMATIC SERVICE

Anthony J. Drexel Biddle, Jr., of Pennsylvania, now Ambassador Extraordinary and Plenipotentiary to Poland, serving concurrently as Ambassador Extraordinary and Plenipotentiary near the Government of Belgium, and as Envoy Extraordinary and Minister Plenipotentiary near the Governments of Norway and the Netherlands, now established in London, to serve concurrently and without additional compensation also as Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Government of Yugoslavia also now established in London.

FEDERAL BOARD FOR VOCATIONAL EDUCATION

Robert Watt, of Massachusetts, to be a member of the Federal Board for Vocational Education, representing the interests of labor, for the 3-year term beginning July 17, 1941.

PUBLIC HEALTH SERVICE

The following-named dentists to be assistant dental surgeons in the United States Public Health Service, to rank as such from date of oath of office:

Kenneth A. Haines
Clovis E. Martin

CONFIRMATIONS

Executive nominations confirmed by the Senate July 24, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Thomas M. Wilson to act as Commissioner of the United States of America to India, with the rank of Minister.

POSTMASTERS

INDIANA

Donald P. Sprott, Auburn.

NEW YORK

Samuel L. Knowles, Campbell.
Henry V. Allen, Hoosick Falls.
George E. Callaghan, Medina.
Robert N. Towne, Munnsville.
Arthur Sharron, Plattsburg.
Henry C. Olney, Prattsburg.
Francis M. Collins, Troy.
William F. Parker, Jr., Watervliet.
John M. Jasek, Yorkville.

VERMONT

Charles L. Bishop, Johnson.

WYOMING

Ella K. Peck, Saratoga.

COAST GUARD OF THE UNITED STATES

TO BE LIEUTENANTS (JUNIOR GRADE)

Alexander W. Wuerker	Benjamin D. Shoemaker, Jr.
John E. D. Hudgens	Raymond A. Tuttle
Arthur Pfeiffer	Donald M. Morell
George E. Howarth	Charles E. Leising, Jr.
Benjamin F. Engel	Benjamin P. Clark
Robert Waldron	Thomas R. Sargent III
George T. Murati	John A. Pritchard, Jr.
James W. Williams	Edwin B. Ing
Henry P. Kniskern, Jr.	Winslow H. Buxton
Cornelius G. Houtsma	James B. Weaver
Edward C. Allen, Jr.	
Arthur B. Engel	

TO BE CHIEF MACHINISTS

Charles Jerabeck
William E. Lowe

WITHDRAWAL

Executive nomination withdrawn from the Senate July 24, 1941:

BOARD OF INVESTIGATION AND RESEARCH

Charles West, of Ohio, to be a member of the Board of Investigation and Research for the period of the existence of the Board, as provided in title III, part I, of the Transportation Act of 1940, approved September 18, 1940, which was sent to the Senate March 20, 1941.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 24, 1941

The House met at 12 o'clock noon.

Rev. William E. Skadden, pastor of the First Baptist Church, Rantoul, Ill., offered the following prayer:

Our Heavenly Father, Thou Giver and Lover of Life, wilt Thou grant unto us an undergirding and abiding sense of kinship unto Thee? We pray that this Nation may be so conscious of the eternal as to have stability in a changing order. We pray for divine wisdom to direct us through the tumult of blind hatred and violence. We ask for hope to sustain us in an hour of despair when many are hopeless. We pray that this Nation may so live that in the darkness of uncertainty there shall be light. Above all, we pray that we may have the will and courage to do Thy will. In the name of Him who prayed in Gethsemane, "Not My will but Thine be done." Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article by Raymond Clapper.

The SPEAKER. Is there objection?

There was no objection.

REVENUE BILL, 1941

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that I may have until midnight tomorrow to introduce the revenue bill of 1941 and to file a report thereon.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, is there any minority report to be filed?

Mr. DOUGHTON. Not that the chairman knows of. If there is, I will make the same request for the minority.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DOUGHTON. Mr. Speaker, I would like to state for the benefit of those who may be interested that we hope to have the report on the revenue bill printed by Saturday morning. The chairman will endeavor to have it made accessible to all Members who may be interested and desire to familiarize themselves with the contents of the report. I understand the bill will be taken up on Tuesday.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I am not going to object, I would like to inquire from the majority leader if he knows what we may expect on Monday?

Mr. McCORMACK. On Monday there will be nothing controversial. On Tuesday the rule will come up on the tax bill and debate will follow thereafter.

Mr. MARTIN of Massachusetts. I have no objection, Mr. Speaker.

The SPEAKER. Without objection, the request of the gentleman from Massachusetts [Mr. McCORMACK] is granted.

There was no objection.

SELECT COMMITTEE TO INVESTIGATE AIR ACCIDENTS

Mr. COCHRAN. Mr. Speaker, I offer the following privileged resolution, House Resolution 277, from the Committee on Accounts and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of conducting the investigation authorized by House Resolution 125, Seventy-seventh Congress, incurred by the select committee appointed to investigate air accidents, acting as a whole or by subcommittee, not to exceed $15,000, including expenditures for the employment of experts, investigators, attorneys, clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or any subcommittee thereof conducting such investigation, signed by the chairman of the committee and approved by the Committee on Accounts.

Mr. COCHRAN. Mr. Speaker, in March the House passed a resolution creating a select committee to investigate certain phases of aeronautics, especially with reference to the safety of traveling by air. Following the passage of that resolution the Committee on Accounts brought in a resolution providing for the expenditure of $10,000. This morning the Committee on Accounts held a hearing. Only two members of the select committee are in the city, the gentleman from Tennessee [Mr. PEARSON] and the gentleman from Illinois [Mr. DIRKSEN]. In nearly 15 years of service on the Committee on Accounts I can say I have never heard a more thorough and enlightening discussion as to the work which has been done by a select committee which was asking for additional funds. I can say without fear of contradiction that this committee is making a wonderful study, and as a result of that study I am confident that legislation will be brought here that will be beneficial to those who travel by air.

The Committee on Accounts felt justified in reporting this resolution unanimously. The select committee, as I say, was created by this House. To stop its activities at this time would be a very serious mistake.

I may say also that the chairman of the select committee and members of the committee stated that they feel they can complete their investigation by the first of the year and make their report to the Congress, which is an excellent record as compared with most investigating committees of this House.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Illinois.

Mr. SABATH. In view of what the gentleman has stated, the Rules Committee made no mistake in reporting favorably the resolution creating this select committee?

Mr. COCHRAN. I think my language is an answer to the gentleman's question. I will say, however, on the report that we received this morning the Rules Committee certainly did not make any mistake.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN], a member of the select committee.

Mr. DIRKSEN. Mr. Speaker, speaking for the chairman of the Select Committee to Investigate Air Accidents, the gentleman from Oklahoma [Mr. NICHOLS], and all the personnel of the committee, manifestly we feel deeply happy and grateful to hear the fine commendations from the gentleman from Missouri.

The committee has operated since March. The first thing the committee did was to go to school. We got technical experts to come and give us schooling for a week, and since that time we have been investigating the major air accidents. In addition we have been inquiring into the sufficiency of planes to carry the commercial travel of the country. It is rather interesting to know that nearly 3,000,000 air passengers traveled in 1940. It is estimated it will be 11,000,000 by 1945. Obviously when one courses over the skyways of the country he is entitled to every safeguard and security that the modern science of air navigation can afford; and so we have gone into the thing thoroughly not only from the standpoint of the adequacy of weather reports, the competency of planes that are flying today, the adequacy of the pilot-training program and the pilot personnel, but also the number of planes. It is a rather singular thing that the air lines of our country cannot get a sufficient number of planes, yet passenger planes are being diverted to other countries. As I left California last Friday on the stratoliner the accommodations of the line were booked ahead for weeks. I suppose it was only by the intervention of the president of the line, and the fact that we had been supplied with transportation on the commercial air lines of the country, that it was possible to get back to Washington in time by air.

Under that tremendous pressure there is always the question of safety, because there is always the danger of overusing the planes of the country. It has been stated to us that commercial planes today are flying an average of 10 hours a day. You put 10 hours a day on a high-speed motor and obviously things might happen. There have been replacements, of course, but under the defense program it has been impossible for the air lines of the country to procure the necessary planes. Notwithstanding this fact American-made planes have been delivered to the commercial air lines of Canada, something I protested, whereas our own air lines have not been able to secure adequate replacements.

That is just one factor the committee is investigating. I must say that in all my years of experience it has been a most informative task. After the few months we have been working we have a report containing seven legislative recommendations. We have been cooperating with

the Army Air Corps, the Navy air force, the Civil Aeronautics Board, and the Civil Aeronautics Administrator, and with all the air lines of the country. I believe the net result will be in the interest of safety.

In closing may I say that I personally, and I know I speak for the members of the committee, thank the gentleman from Missouri for his kind statement.

Mr. COCHRAN. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH] to make an observation only.

Mr. SABATH. Mr. Speaker, I am very much pleased to hear this favorable report. I know that other committees established by this House have rendered valuable service. I have always felt that it is not necessary to leave all the investigations to the other body. I think the House committees can conduct investigations not only as efficiently, but more so and more economically than the committees of the other body. I hope that from time to time when the Committee on Rules feels that an investigation is needed and the Members of the House are desirous of adding to their duties that they should not be denied the opportunity and privilege for still greater usefulness and service.

Mr. COCHRAN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. WOODRUFF of Michigan addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. TALLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of foot-and-mouth disease, and to include therein a letter addressed to me by the Chief of the Bureau of Animal Industry of my State.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from one of the boys now in the training camp.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHAPMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a very interesting and timely address delivered by the gentleman from South Carolina [Mr. HARE] at Knoxville, Tenn., on July 18, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two editorials on shipbuilding.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. FITZGERALD]?

There was no objection.

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech which I am to make over the radio at 4 o'clock this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MITCHELL]?

There was no objection.

(Mr. LARRABEE asked and was given permission to extend his own remarks in the RECORD.)

THE A. F. OF L. VERSUS C. I. O.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, a terrible thing has been happening up in the city of Detroit, Mich., during the last couple of weeks. The A. F. of L. pickets have been beating up the C. I. O. men who want to work. It is not right. The C. I. O. boys are not used to it; they have been handing out beatings, not taking them. "'Tain't fair," the C. I. O. boys squawk.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the Detroit News.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a statement by Mr. Taber, of the National Grange, in testimony submitted before the Committee on Rivers and Harbors of the House in connection with the St. Lawrence seaway project.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. PITTENGER]?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include tables and statistics relating to the taxes levied by Great Britain, our Federal Government, and the State of Wisconsin.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. THILL]?

There was no objection.

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include excerpts from a newspaper published by the Two Hundred and Second Aircraft Artillery.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. PADDOCK]?

There was no objection.

Mr. PADDOCK. Mr. Speaker, I also ask unanimous consent to extend my own remarks on the bill H. R. 5065.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. PADDOCK]?

There was no objection.

Mr. LANDIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief statement from the Selective Service.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LANDIS]?

There was no objection.

(Mr. LAMBERTSON asked and was given permission to extend his own remarks in the RECORD.)

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an article from the Commercial Appeal, Memphis, Tenn., which gives in very clear language the approval and the importance of retaining the selectees in service beyond the original year.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. DAVIS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. PATRICK]?

There was no objection.

Mr. PATRICK. Mr. Speaker, I do not want to speak now, so help me. I want to state that I have been reliably informed that we will not meet tomorrow. It is on tomorrow that the gentleman from Pennsylvania [Mr. DITTER] and I have permission to speak.

Mr. DITTER. Will the gentleman yield?

Mr. PATRICK. I will gladly but at the end of my statement. I want to ask permission to address the House for 30 minutes on Monday.

Mr. MICHENER. Mr. Speaker, reserving the right to object, I hope no one will object because the gentleman is undoubtedly suffering from mental constipation.

Mr. PATRICK. That is an actual fact.

Mr. MICHENER. And he wants to get it out of his system. I think it well for the gentleman to address the House.

Mr. DITTER. Mr. Speaker, reserving the right to object, I hope the gentleman will not ask for that time on Monday with the serious tax bill about to come before us.

Mr. PATRICK. That comes up Tuesday.

Mr. DITTER. We will be thinking of the tax bill over the week end and I hope the gentleman will defer his request until the following week.

Mr. PATRICK. The tax bill comes up Tuesday.

Mr. DITTER. Mr. Speaker, further reserving the right to object, I should like to correct one statement the gentleman made.

[Here the gavel fell.]

Mr. DITTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

Mr. DITTER. Mr. Speaker, unfortunately the gentleman presumed I would enter into a debate with him. I want to inform him now that under no circumstances would I presume in any way that I had the ability to cross swords with the distinguished gentleman from Alabama. I do not intend in any way to debate with him.

Mr. PATRICK. I am so relieved.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understood that the gentleman required particularly the presence of myself and the gentleman from Pennsylvania [Mr. DITTER] when he made this speech.

Mr. PATRICK. I should like to have it so, but most any man on that side is my superior in debate.

Mr. MARTIN of Massachusetts. May I say to the gentleman that I cannot be here on Monday. I do not want the gentleman to think it is any affront on my part because I do not come to listen to him.

Mr. PATRICK. It will break my heart, I will confess.

Mr. MARTIN of Massachusetts. I knew it would, and that is why I am letting the gentleman know that I shall not be here.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

DEPENDENTS OF VETERANS OF THE REGULAR ESTABLISHMENT

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 1030) to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph III of part II of Veterans Regulation No. 1 (a), as amended, is hereby amended to read as follows:

"III. The surviving widow, child, or children, and/or dependent mother or father of any deceased person who died as a result of injury or disease incurred in or aggravated by active military or naval service as provided for in part II, paragraph I hereof, as amended, and persons entitled to pension under the provisions of the general pension law for death resulting from service prior to April 21, 1898, shall be entitled to receive pension at the monthly rates specified below:

"Widow, age under 50 years, $38; widow, age 50 years or over, $45; widow with one child, $10 additional for such child up to 10 years of age, increased to $15 from age 10 (with $8 for each additional child up to 10 years of age, increased to $13 from age 10) (subject to apportionment regulations); no widow but one child, $20; no widow but two children, $33 (equally divided); no widow but three children, $46 (equally divided) (with $8 for each additional child, total amount to be equally divided); dependent mother or father, $45 (or both) $25 each. As to the widow, child, or children, the total pension payable under this paragraph shall not exceed $83."

SEC. 2. As to persons now on the pension rolls or who are in receipt of or applicants for pension under laws in force prior to the date of enactment of this act, the pension or increase of pension at the rates herein authorized shall commence on the first day of the month following the month in which this act is enacted, if claim therefor is filed in the Veterans' Administration within 1 year from the date of this enactment; otherwise the date of filing application therefor in the Veterans' Administration; and as to persons not now on the rolls or not in receipt of pension or who do not have an application pending, pension at the rates herein provided shall commence the day following the date of death of the veteran if claim is filed within 1 year following the date of death; otherwise the date of filing application in the Veterans' Administration: *Provided*, That notwithstanding the provisions of any other act, all pensions which may be granted under the general pension law either in consequence of claims pending on the date of enactment of this act or claims filed thereafter in consequence of death occurring from a cause which originated in the service since the 4th day of March 1861 shall be effective as of the day following the date of death of the veteran if claim is filed within 1 year after the death of such veteran, or otherwise from the date of receipt of the application: *Provided further*, That the rates of pension herein authorized shall not be awarded for any period prior to the first day of the month following the month of enactment of this act.

SEC. 3. The provisions of this act shall not be construed so as to terminate or reduce any pension heretofore granted, or to deny the increased rates as provided in this act to those whose names are on the pension roll under the general law at the effective date of this act, or deny any right, privilege, or benefit conferred by any pension law now in effect, except as to the effective date of commencement as provided in section 2 of this act.

With the following committee amendments:

Page 1, line 3, after "that" strike out the remainder of line 3 and all of lines 4 and 5 and "III. The" in line 6 and insert "the."

Page 2, line 1, strike out "hereof" and insert "Veterans Regulation No. 1 (a)."

Page 2, line 6, strike out the quotation mark at the beginning of the line and strike out "$38" and insert "$30."

Line 7, strike out "$45" and insert "$35", and strike out "$10" and insert "$8".

Line 8, strike out "$15" and insert "$11."

Line 9, strike out "$8" and insert "$6."

Line 10, strike out "$13" and insert "$10."

Line 11, strike out "$20" and insert "$15."

Line 12, strike out "$33" and insert "$25."

Line 13, strike out "$46" and insert "$35."

Line 14, strike out "$8" and insert "$6."

Line 15, strike out "$45" and insert "$30."

Line 16, strike out "$25" and insert "$20."

Line 18, strike out "$83" and insert "$62", and strike out the quotation mark, and insert "The amount of pension herein authorized shall be paid in the event the monthly payment of pension under Veterans Regulation No. 1 (g), and the monthly payment of yearly renewable term or automatic insurance or national service life insurance does not aggregate or exceed the amount of pension herein authorized: *Provided*, That persons entitled to pension or compensation on account of the death, disability, or service of more than one person, if otherwise entitled, shall be paid the increased rates provided by this section."

Page 3, line 8, after "enacted," strike out the remainder of line 8 and all of lines 9, 10, and 11, down to and including "administration;".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Ochiltree County Herald.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FIRST SUPPLEMENTAL NATIONAL DEFENSE APPROPRIATION BILL, 1942

Mr. WOODRUM of Virginia, from the Committee on Appropriations, reported the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes (Rept. No. 988), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R.5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; and pending that, I ask unanimous consent that general debate be confined to the bill and limited to 2½ hours, the time to be equally divided and controlled by the gentleman from New York [Mr. TABER] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5412, with Mr. LANHAM in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this is the first supplemental national-defense appropriation bill for the fiscal year 1942. The amount of the Budget estimate is $7,100,878,256.01. The amount carried in the bill is $7,063,238,478, or a reduction of $37,639,778.01 under the Budget estimate.

I am going to include as a part of my remarks at this point a statement showing the total of appropriations and authorizations for national defense for the period commencing July 1, 1940, down to the present time, including the amounts recommended in the measure now under consideration. We have had prepared by the Bureau of the Budget and care-

fully checked and verified by the clerks of our committee a consolidated statement showing the appropriations, contract authorizations, and recommendations for national defense for the period I have indicated.

Appropriations, contract authorizations, and recommendations for national defense, fiscal years 1941 and 1942

[As of July 19, 1941]

	Army	Navy	Other agencies	Total
Fiscal year 1941:				
Appropriations enacted	$8,480,613,877	$3,548,748,345	$1,137,671,908	$13,167,034,130
Contract authorizations enacted	5,006,589,651	946,098,112	274,000,000	6,226,687,763
Subtotal	13,487,203,528	4,494,846,457	1,411,671,908	19,393,721,893
Deduct cash included to liquidate 1941 contract authorizations	203,626,456	28,560,000	75,000,000	307,186,456
Net total, 1941	13,283,577,072	4,466,286,457	1,336,671,908	19,086,535,437
Fiscal year 1942:				
Appropriations enacted	10,391,321,624	4,699,052,122	774,723,250	15,265,096,996
Contract authorizations enacted	183,145,695	41,448,894	107,000,000	331,594,589
Recommendations pending before Congress:				
Appropriations	4,770,065,588	1,625,207,068	692,900,000	7,095,173,256
Contract authorizations			1,000,000,000	1,000,000,000
Subtotal	15,344,532,907	5,765,708,084	2,581,623,250	23,691,864,841
Deduct cash included to liquidate 1941 contract authorizations	3,357,353,076	670,790,612	120,653,000	4,148,796,688
Net total, 1942	11,987,179,831	5,094,918,072	2,460,970,250	19,543,068,153
Net total, 1941 and 1942	25,270,756,903	9,561,204,529	3,797,642,158	38,629,603,590
Defense Aid Appropriation Act, 1941				7,000,000,000
Appropriations required beyond 1942 to complete construction of the expanded Navy				[1] 7,297,000,000
Total				52,926,603,590

[1] Represents estimate of the Navy Department.

As I have said, this statement gives the total amount of appropriations and contract authorizations for the defense program up to date. It also includes projected appropriations of $7,297,000,000, which it will be necessary to appropriate in the future for the completion of our two-ocean Navy. In other words, the figure I am about to present to you is inclusive of everything up to date, including the Budget estimates in this bill, plus the amount necessary to finish the two-ocean Navy, which we will appropriate in the future, as I have said, of $7,297,000,000.

The total figure is $52,926,603,590. This includes the $7,000,000,000 lease-lend appropriation, it includes contract authorizations, and, as I say, it includes everything up to date, plus the balance to carry out the two-ocean Navy program.

I am sure the Members will find this table of interest. It is broken down and itemized. It is a statement that many Members have wanted to have and that we are glad to be able to present.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. DONDERO. Was any evidence given to the committee as to how long it will take to complete the two-ocean Navy?

Mr. WOODRUM of Virginia. In the calendar year 1944, I believe, we get our last deliveries on the battleships. That is the major construction. However, we are 5 or 6 months ahead of the program in building.

The report on the bill shows in detail the various estimates. We have for the Army a Budget estimate of $4,770,065,588. We have made reductions in this figure. We appropriate $4,760,203,813. This sum is principally for rounding out the present authorized strength of the Army. For instance, we have in this bill funds for critical items for an Army of 3,000,000 men. Our present enlisted strength, or at least that which the bill contemplates, is 1,727,000. We have in this bill essential items for that size Army. In addition, we have critical items; that is, necessary items which cannot be purchased quickly but which have to be projected into the future, for an Army of 3,000,000 men.

There is a very full statement of this, and I hope that every Member of the House will get a copy of the report on this bill, because it gives you rounded out the picture of our defense program up to date, what has been done, and what is in the program in the future for the Army as well as the Navy.

For the Naval Establishment we carry in the bill $1,569,374,665. This item largely consists of a further public-works program, emergency matériel for the Navy and for the Marine Corps, and for additional personnel. There is an itemization of the amount in the report.

We have effected a number of reductions, amounting to $55,833,003.01, which are detailed in the report. The details of the public-works projects will be found commencing on page 8 of the bill, and the details of our action with respect thereto are set out in the report, which I hope the Members will avail themselves of the opportunity to read.

Title III of the bill is the United States Maritime Commission, for which we carry $1,698,650,000. This is made up of $698,650,000 in cash and $1,000,000,000 in contract authority. Of this $1,298,650,000 is for the new ship-construction program.

This consists of 541 merchant vessels of various types, 25 tugs, and for 48 additional ways, including rental and acquisition of land where necessary on account of the new program.

In addition to this we carry $50,000,000 to complete the 200 emergency cargo ship program, or the ugly duckling program, adopted last February. This additional sum is on account of a 15-percent increase in the cost of material and labor.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for another question?

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. DONDERO. I am interested to know whether or not any of the ways provided by this $1,000,000,000 are located in the Great Lakes region.

Mr. WOODRUM of Virginia. Not in this bill.

Mr. DONDERO. They are on the coast?

Mr. WOODRUM of Virginia. Yes; this is for large ship construction.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New Jersey.

Mr. EATON. The gentleman mentioned $52,000,000,000. Will the gentleman just elucidate for me what that means? Does that mean the total defense expenditure provided for by this country whether we go to war or not?

Mr. WOODRUM of Virginia. It is the total of appropriations plus authorizations, including the $7,000,000,000 lease-lend and including everything up to date, and plus $7,297,000,000 that we will have to appropriate in the future to complete the two-ocean Navy.

Mr. EATON. And that vast sum does not guarantee there will be no further expenditures.

Mr. WOODRUM of Virginia. Indeed, no. That is in the lap of the gods, I will say to the gentleman. We hope there might be a ray of sunshine through the black clouds, and that perhaps we may be able to cancel some of these contracts. All of this long-distance program is safeguarded by cancelation clauses, whereby if circumstances warrant we can cancel and salvage as much as may be possible.

Mr. EATON. If that is in the lap of the gods, they certainly have a very capacious lap.

Mr. WOODRUM of Virginia. This item for the Maritime Commission includes $330,000,000 for the purchase, repair, reconditioning, and operation of vessels which are the foreign-owned vessels which we may take over pursuant to a law recently passed.

Also $20,000,000 is for hire and incidental expenses for United States flag vessels whose use may be requisitioned under section 902 of the Merchant Marine Act of 1936.

Mr. CARLSON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Kansas.

Mr. CARLSON. I wonder if the gentleman could inform the House of any information he has that we are not being overcharged for the repair of these ships. I am sure every one of us was greatly amazed when we heard the testimony of the Todd Shipbuilding Co. in which it was stated that they had received such

enormous profits on the repairs of ships that they actually wanted to return some of their earnings to the Government and would have done so except for the fact they would have to pay taxes on them. And if the gentleman will pardon me further, I may say that this testimony was given before the Truman committee by officials of the Todd Shipbuilding Co.

Mr. WOODRUM of Virginia. I may say to the gentleman that whatever information the committee has and, in fact, all the committee has, is from the Maritime Commission, as well as from the Navy Department. This includes the estimates of their shipbuilding facilities as they have gone over them and have figured them, and, of course, I do not doubt but what they are liberal.

Mr. CARLSON. It seems to me that was a very serious admission on their part and, certainly, the country is entitled to know, and at least we are entitled to know, about the margin of profit. These same gentlemen testified that they had made 40 percent on new construction. It is just a matter of a few months ago when we repealed the Vinson-Trammell Act, which would have saved this country hundreds of millions of dollars.

Mr. WOODRUM of Virginia. I am not familiar with the statement the gentleman refers to. Did it refer to profits from repair of ships?

Mr. CARLSON. Profits from repair of ships.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. FITZGERALD. I see there is a recommendation for 48 new ways. Will the gentleman tell the committee whether these contemplated new ways are for the expansion of existing ways?

Mr. WOODRUM of Virginia. All at existing yards.

Mr. FITZGERALD. And under this the money will be used for new ways only at existing yards?

Mr. WOODRUM of Virginia. New ways at existing yards. With the expenditure of this fund for new ways, the Maritime Commission tells us we will then have put in harness the full facilities and full shipbuilding manpower of the United States, and that is all that can reasonably be expected.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. DONDERO. I notice that the program calls for 541 merchant vessels and the completion of 231 cargo ships. Is the draught of those vessels more than 14 feet? The reason I ask that is because of the gentleman's statement that they were all large ships.

Mr. WOODRUM of Virginia. Part of the cargo ships are of the ugly-duckling type.

Mr. DONDERO. Of what draught?

Mr. WOODRUM of Virginia. The draught is 27 feet.

Mr. DONDERO. And the 541 merchant ships?

Mr. WOODRUM of Virginia. They are the same or better type of ships.

Mr. DONDERO. The reason for that question is that the 45 shipyards on the Great Lakes are not available for the Government, because we have no way of getting those ships out to the sea. If we had a waterway deep enough, we could do that.

Mr. RABAUT rose.

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. RABAUT. That is just what I wanted to say.

Mr. SAUTHOFF. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. SAUTHOFF. I was of the impression that the ugly-duckling program was being abandoned for the reason that I think the ship's draft is not less than 18 feet. It runs around 18 to 20 feet, and the boats are very slow and would make an easy target both for bombers and for torpedoes. If they were 150-foot boats, and they were built narrower, they could have a speed of 30 knots an hour instead of about 12 knots, and their draft would be only about 7 feet, and a torpedo would go under them.

Mr. WOODRUM of Virginia. That question was gone into carefully when we were making the first appropriation for the ugly-duckling ships. The ugly-duckling type of ship is not a ship that the Maritime Commission has any pride in suggesting that we build, but they were building the type of ships for which we could get equipment without interfering with our Navy building program.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I will take 5 minutes more. We could not get the propelling machinery. There was no way of getting Diesel engines and the type of machinery necessary, and they wanted to build these ships so as not to get in the way of the naval construction program.

Mr. SNYDER. And also to get sufficient bottoms.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. VORYS of Ohio. I notice that this includes complete requirements for a combat force of 3,000,000 men.

Mr. WOODRUM of Virginia. Yes; critical equipment.

Mr. VORYS of Ohio. It says including combat maintenance for a 12-month period. I imagine that would be whatever they are going to need to fight for 12 months?

Mr. WOODRUM of Virginia. That is correct.

Mr. VORYS of Ohio. We have heard no general discussion of any combat force of 3,000,000 men in any near future. That is correct, is it not? We are not contemplating any such force in a year or so. Is that not true?

Mr. WOODRUM of Virginia. We have discussed it here and heretofore have provided manufacturing facilities for critical materials for 4,000,000 men.

Mr. VORYS of Ohio. So that they could finally supply four million?

Mr. WOODRUM of Virginia. Yes.

Mr. VORYS of Ohio. What I am wondering is this. We heard earlier this year from Secretary Morgenthau that he did not see how the economy of industry, the whole force of America, could absorb and use up more than twenty-eight and one-half billion dollars of the appropriations that were then under discussion. This is included in the supplemental national-defense appropriation. Can our country start to spend this additional money that is appropriated here, in addition to what we have already appropriated, and how soon can they start to spend it?

Mr. WOODRUM of Virginia. Probably, that, and more, too, so we are told by the Office of Production Management. They expect delivery of this War Department material within 18 months. Of course, there are going to be some facilities built, the gentleman will understand, because they are building munition plants and they are building additions to airplane manufacturing establishments; but we are told definitely, because we asked that question whether they could get delivery and whether they could use it, that they would get delivery of practically all of it within an 18-month period. Of course, it is not at all likely that they will spend all the money in the current fiscal year; that is, to draw it out of the Treasury. But they either have to have the money or contractual authorizations before they can make contracts.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. COFFEE of Nebraska. In connection with the 541 merchant vessels to cost $1,229,000,000 are some of those vessels to be assigned to foreign governments under the lease-lend bill?

Mr. WOODRUM of Virginia. They may be leased under a provision carried in this bill. Whether they will be or not, of course, will depend on the need for them to be sailed and to be chartered under foreign flags. But the authority is carried in this bill for the leasing of those vessels to foreign governments. That is for this reason: As I have said, we are now putting into harness the full shipbuilding capacity of the United States; so that if Great Britain should come here with her own independent funds and want to build ships she could not do it. There is no place to get bottoms except what are provided by the Government. So provision is made that if in the judgment of the President it is necessary to lease these ships to foreign governments, that may be done. They may be recalled at any time, but if he deems that proper, that can be done. That is authorized by the lease-lend bill.

Mr. COFFEE of Nebraska. Has information been furnished to the gentleman's committee as to whether or not collateral has been put up for some of these ships that have been transferred, or whether we are allowing them to be transferred by outright transfers?

Mr. WOODRUM of Virginia. I believe few, if any, outright transfers have been made.

Mr. COFFEE of Nebraska. Most of them have been transferred under the lease provisions?

Mr. WOODRUM of Virginia. Under the lease provisions.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 5 additional minutes.

Mr. BEAM. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. BEAM. Referring to page 3 of the report, where nine items are listed, one referring to ammunition, another to special ordnance items, and so on.

Then, in the paragraph following "essential items," there is a sentence "complete requirements for 1,418,000 men." What I am interested in is to know whether this is to equip the Army of America or whether it is to assist in sending equipment over to these Allies?

Mr. WOODRUM of Virginia. This is all equipment for American defense forces. Nothing procured under this bill for the War or Navy Departments can be sent to foreign governments without additional authority from Congress.

Mr. BEAM. This is for the sole purpose of preparing and equipping the American Army to defend this country?

Mr. WOODRUM of Virginia. That is correct.

Mr. STEFAN. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. STEFAN. Except for the provision that we have in the bill on page 32, line 15.

Mr. WOODRUM of Virginia. That is the Maritime Commission. It permits them to lease ships.

Mr. STEFAN. But it reads:

Whenever the President deems it to be in the interest of national defense he may authorize the Commission to lease vessels constructed or acquired with funds appropriated by this title to the government of any country whose defense the President deems vital to the defense of the United States.

Mr. WOODRUM of Virginia. That is correct.

Mr. STEFAN. That is about all that is in this bill insofar as concerns these vessels being made available to any country which the President in his wisdom believes is vital to our defense?

Mr. WOODRUM of Virginia. That is correct.

Mr. STEFAN. Have you had anything in the hearings along that line? Did you go into that question in the hearings at all?

Mr. WOODRUM of Virginia. Oh, yes.

Mr. STEFAN. On the transfer of these vessels to any other foreign country?

Mr. WOODRUM of Virginia. The title is not going to be transferred at all.

Mr. STEFAN. Or leased?

Mr. WOODRUM of Virginia. But inasmuch as we are here taking up the full shipbuilding facilities of America, it was thought best to make provision whereby, if the President would wish to authorize the leasing of these vessels to foreign flags, it could be done.

Mr. STEFAN. That is still covered by the provision on page 32 of the bill?

Mr. WOODRUM of Virginia. Yes.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. PACE. As I understood, the gentleman said this authorizes the country's maximum ship-construction capacity?

Mr. WOODRUM of Virginia. That is correct.

Mr. PACE. When the construction of these facilities has been completed, then what will be the shipbuilding capacity of the United States per annum in tonnage?

Mr. WOODRUM of Virginia. Its shipbuilding capacity per annum?

Mr. PACE. In tonnage.

Mr. WOODRUM of Virginia. Eliminating Navy needs we should have between six and seven million tons a year capacity for merchant ships. If these ships are built and we do not lose any of them, at the end of 1943 we will have more merchant tonnage than Great Britain had at the start of the war.

Mr. PACE. But after all these ships are constructed, if we wanted to go into capacity construction, how many tons can we produce per year?

Mr. WOODRUM of Virginia. Between six and seven million tons a year, after caring for the Navy's needs. Let me say we are now getting delivery of two ships per week. By November or December we expect to get a ship a day off the ways. By January or February we hope to get two ships a day.

Mr. FITZGERALD. I wish the gentleman would explain to the Committee why it is that $50,000,000 is recommended for the construction of additional ways in existing yards when I understand there are several yards in the country with ways already built? I understand that on the Great Lakes alone there are 45 ways not occupied. I know in my own district, as I have consistently said here for the last 6 months, we have the finest shipyards along the North Atlantic coast with 6 idle ways capable of building ships up to 35,000 tons and with help available. It has been stated that help is not available, but the figures of the Department of Labor of the State of Connecticut and of the Federal Government show there are from 7,000 to 8,000 men unemployed.

I want to know the reason why we are going to spend $50,000,000 to build more ways that will not be ready for 6 months when we have existing facilities from which ships could be delivered now had contracts been let 6 months ago.

Mr. WOODRUM of Virginia. Will the gentleman give us the name of the shipbuilding company he has in mind?

Mr. FITZGERALD. Yes; the Groton Iron Works, six ways in just as good condition as the day they were built, so stated by the Maritime Commission in 1938, yet these ways are still unoccupied.

Mr. WOODRUM of Virginia. But do they have the technical equipment to build the ships? That is the problem.

Mr. FITZGERALD. They have not got any machinery.

Mr. WOODRUM of Virginia. That is the trouble about it.

Mr. FITZGERALD. But they have the ways there. This money is to provide for the building of ways.

Mr. WOODRUM of Virginia. Have they the organization and the skilled shipbuilders to build the ships?

Mr. FITZGERALD. According to the figures given by the Office of Production Management, we are about 400,000 mechanics short. We are even going to have to go to the extent of putting women to work over the country if we are going to get the production desired before we get through.

Mr. WOODRUM of Virginia. I think the difficulty that probably confronts my friend from Connecticut is that while they have shipbuilding ways there they have no technical organization and shipbuilders. The Maritime Commission tells us that rather than build new ways where there are no existing plant facilities they find it more advisable to build them in existing plants where experienced bosses can have larger gangs under them; that they get better results than when they have to train wholly new organizations. Lack of skilled workmen is the greatest trouble.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 5 additional minutes.

The committee had before it an estimate of $6,500,000 for several temporary office buildings. One building was to be constructed across the Lincoln Memorial Bridge on land previously owned by the Department of Agriculture but recently transferred to the War Department. Another was to be built at Bethesda, another at Suitland, one at Beltsville, and so forth; they were scattered around everywhere. The committee was not very well satisfied with the set-up. It did not appeal to the committee to try to solve this space problem by just sticking buildings here, there, and the other place. We asked the War Department to give the matter consideration, utilizing some of its land. They did and brought back a plan which appealed very strongly to the committee, and we submit it to you for consideration. The drawings on the board behind me show what the plan is for these buildings. General Somervell told me that his own construction force, which is one of the busiest in the War Department, is in 15 different buildings, and that he spent a large part of his time running from one building to the other and then darting up to the Secretary's office when he had to go there. They plan to go across the Arlington Memorial Bridge and on land owned by the War Department put up a building or set of buildings very similar to the construction down on the Mall, except they are modernized and streamlined, although of cheap construction—$7 a square foot. The buildings will be large enough to put the entire War Department under one roof. The cost of the project will be $35,000,000. As you see from these drawings, the construction is very simple; there is nothing monumental about it; there are no swimming pools or recreational facilities; there will be no elevators; it will be a 3-story structure of utilitarian type.

A large parking space is provided that will take care of 10,000 cars over on the land formerly owned by the Hoover Airport. This project can be built in a year, they say; and they tell us they can have 1,000,000 square feet ready in 6 months. If that should be done here is what will happen: The whole War Department would go into this building. This will release the War Department space in the Munitions Building and also the first

unit of the permanent War Department Building recently constructed near Virginia Avenue. The Navy can all go into these released buildings. That will release then the Social Security Building, the Railroad Retirement Building, and other structures used by the War Department and organizations which are now renting space in the District can go into these vacated buildings. In other words it will withdraw into Government housing a great many agencies and save over 2,000,000 feet that we are now renting in the District of Columbia. It should save between $2,500,000 and $3,000,000 a year in rent and put the War Department all under one roof. It has been testified that it will increase the efficiency of the War Department at the minimum by 25 percent to have all its activities housed under one roof.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. VINSON of Georgia. Then I understand the program to be to abandon the proposed War Department Building No. 1 wing which would be turned over to the Navy Department in connection with the Munitions Building.

Mr. WOODRUM of Virginia. That is right, if the Navy wants it.

Mr. VINSON of Georgia. Then there will be built at this place across the Potomac River which the gentleman just referred to this permanent new War Department Building?

Mr. WOODRUM of Virginia. That is right.

Mr. VINSON of Georgia. At a cost of approximately thirty-five or forty million dollars?

Mr. WOODRUM of Virginia. Thirty-five million dollars.

Mr. VINSON of Georgia. It will take 2 years to build it?

Mr. WOODRUM of Virginia. No. It will be completed in 1 year, and 1,000,000 square feet of space will be available in 6 months.

Mr. VINSON of Georgia. No money then will be made available for further carrying out the War Department's original building as originally contemplated?

Mr. WOODRUM of Virginia. Not unless Congress wants to put the other unit there for the Navy. We already own the land. We have built one unit for the War Department, and we own the land for the other unit.

Mr. VINSON of Georgia. I think that is a very fine solution, and I commend the committee on working out a program of that kind, because it is very desirable to concentrate, as much as possible, these defense activities under one roof if it is humanly possible to do so.

Mr. WOODRUM of Virginia. We already have allocated $2,000,000 for one temporary wooden building on that site. This $2,000,000 will be saved. We will not have to spend that. We will save two and a half to three million dollars a year in rent, and we put all of these agencies together. What is also of very great interest, not only to the Congress but, I think, to the people of the District of Columbia, is the fact that the Government will be able to get out of many of these apartment houses and these rented quarters.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 5 additional minutes.

Mr. LUDLOW. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Indiana.

Mr. LUDLOW. Will the gentleman tell us how many personnel there are in the War Department and how many can be housed in this building?

Mr. WOODRUM of Virginia. The War Department at present has 24,000, and it thinks that they expect to have 30,000 employees by January 1, and plan further expansion. They can all go into this building. The building will take 40,000 employees, if necessary.

Mr. EBERHARTER. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. It occurs to me that these 35,000 employees working over there will present a very serious traffic problem crossing the bridges.

Mr. WOODRUM of Virginia. No. I may say to the gentleman that very careful thought has been given to that. There is already a project to widen the Fourteenth Street Bridge. Already there is a new Richmond Boulevard that comes right in alongside. It is the road projected on the map as "New boulevard." Already a great many of these people live on the other side of the river, so it is figured that those who live over there will not have to come over here, and those who live here will go the other way. It is believed that there will not be any traffic congestion. There are three bridges over the river to give access.

Mr. EBERHARTER. It will be a great thing for the State of Virginia, I may say to the gentleman, with these additional employees living over there.

Mr. WOODRUM of Virginia. It may help Virginia, but I may say to the gentleman that the plan did not originate with the gentleman from Virginia, and it might be of interest to know that when the original plan came in, whereby the War Department asked permission to go across the bridge, it was the gentleman from Virginia who stopped them from doing it. The gentleman from Virginia is finally convinced that they ought to do it. So the gentleman from Virginia has no interest in the matter.

Mr. HAINES. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. HAINES. The gentleman would not do anything selfish; he is too kind-hearted.

Mr. WOODRUM of Virginia. I am not averse to helping my district or my State, I may say.

Mr. HAINES. May I inquire whether I understood the gentleman correctly that the money to erect these buildings is provided in the bill now before us?

Mr. WOODRUM of Virginia. Yes.

Mr. FITZGERALD. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Connecticut.

Mr. FITZGERALD. I want to thank the gentleman for his patience when I asked these questions this morning, but the matter of these shipways is of interest to me. The gentleman asked a question in regard to obtaining skilled help, and I never had the opportunity of answering. I received in my office about 2 weeks ago from the American Federation of Labor letters that it can supply that shipyard within 40 miles of Groton, Conn., with all the trained shipyard workers needed to open up that yard. I have those letters in my office here in Washington.

Mr. WOODRUM of Virginia. I should be very glad if the gentleman would let me have them. I would be interested to find out what the Maritime Commission has to say about them.

Mr. FITZGERALD. It will not take one worker out of a defense industry at the present time. The question arises in my mind that a great many nondefense industries are going to be short of materials and are going to be closed; therefore men are going to be laid off. Now, here is an opportunity in different sections of the country to absorb this help without building one new way. Let us open up the ones we have, and let us get the ships off of them as quickly as possible.

Mr. TABER. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this bill calls for approximately $4,770,000,000 for the Army, $1,625,000,000 for the Navy, $1,698,000,000 for the Maritime Commission, and $37,000,000 for a group of miscellaneous items.

With reference to the Army items they relate very largely to ordnance, such as guns, ammunition, tanks, armored cars, and things that go with them. They are things of which we do not have a large number or a number complementary to the other items that we have carried heretofore in the appropriation bills for the Army and national defense.

For the Navy there is carried $1,625,000,000. That is almost entirely for ordnance, for increasing the operations of the Bureau of Ships, taking over a group of ships to be used as transports of personnel and supplies, for ordnance to take care of the ships that are coming in, and to take care of the airplane situation.

There is also an item for increasing the number of the enlisted personnel and for increasing the amount for fuel and transportation.

The large yard and base item that was carried in the authorization bill reported yesterday by the Committee on Naval Affairs and passed by the House is in this bill. For that and some previously authorized items there is $291,000,000.

For the Maritime Commission there is $1,698,650,000, part of it to pay for previous contract authorizations, part of it in a $1,000,000,000 contract authorization to pay for building a little over 600 ships previously provided for and 541 more ships. In connection with that item, there is carried a provision that these ships may be leased to any country whose

defense the President considers important to the defense of the United States. That is required where any such operation might be indulged in under the provisions of the so-called lease-lend bill. We have only provided that they may be leased. We have not provided for complete disposition or for lending.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. May I ask whether the recommendation that came from the Department to the committee was limited to leasing, or was it proposed that the ships might otherwise be disposed of?

Mr. TABER. There was an item there that the ships might be either leased or lent. We changed it in the committee and limited it to leasing, so that the title to these ships will be in the United States completely.

Personally, if we have to build more ships to get into this trade, I would much rather they would be built under the Maritime Commission, under the administration of Admiral Land, than to have them turned over to the lease-lend authority and Harry Hopkins and all the wild, crazy set-up he has in the lease-lend operation. I understand that in that organization there are all sorts of bottlenecks and that its administration is an absolute disgrace to the Government of the United States. That would be expected by anyone who had followed the previous career of Mr. Hopkins, with his record of practically total failure wherever he has been.

I hope that if this money is to be provided and these ships are to be available for transfer, nothing will be done whereby the construction of these ships will come under Mr. Hopkins, where the cost can go up and where bottlenecks can ensue.

In connection with the reporting of this bill and the favoring of large appropriations such as I have favored for national defense, I wish to say at this time a word of warning to the Army authorities. When I voted to appropriate these large sums of money for national defense, I supposed that I was trusting the War Department with funds to be used for national defense. When they blossom out with nice picture books which have no sense to them at all, such as Citadels of Democracy, with which the Members of Congress have been supplied by the Department—nice picture books with no sense to them at all and no point to them except to waste the people's money and to provide jobs in getting up the books to a lot of persons who have no business being on the pay roll—I say to the War Department, as I said in a letter to Secretary of War Stimson, that I want to see an end to the sabotage of the defense appropriations by the War Department. It puts them in the same class as the W. P. A., the N. Y. A., the C. C. C., and the rest of the organizations that are not working for defense.

There is in the Army a large shortage of a large number of critical materials, some of which it is sought to supply in this bill. It appears in General Marshall's report, a copy of which you were supplied with a little while ago, that the guard was drawn into service a month and a half or so before they were ready for them. We all know that the selectees have been drawn into the Service ahead of the time when the Army was ready for them, and that the Army does not now have the equipment and the material to properly train a lot of men along the lines it needs to train them.

It is my hope that they will not draw men into the Service—and I say this to the War Department right now—faster than they are able to assimilate them and take care of them properly and train them so that they can be effective. I can see nothing but demoralization in that sort of an operation.

I have here a schedule of the dates and the monthly number of selectees who were drawn into the Service:

Draftees inducted

Beginning:	
Nov. 18, 1940	13,806
December	5,521
January 1941	73,633
February	90,238
March	153,159
April	123,207
May	56,896
June	124,215

I understand that before the Committee on Military Affairs yesterday it was stated that there would still be 4,500 who would have to be replaced beyond the continental borders of the United States if the 19,327 who were inducted in November and December of last year go out at the expiration of the year. These men should be drawn into the Service for training only when they can be trained. The Army should have that in mind, because that has more to do with the morale of the Army, more to do by far, than even such things as theaters and entertainment facilities for the enlisted men.

It is my hope that we can have on the part of the Army better cooperation. It is my hope that we can have on the part of the President better cooperation in turning over to one man of full capacity the authority to take charge of the production for national defense. Let me say to you that that production is not going on as it ought to go. Let me say to you that our factories and our shops, especially the Government factories, have been crowded in many places with many men who are not up to snuff insofar as capacity to do the work is concerned.

We must have better attention to these things. We must have better cooperation from the authorities, from the administration, and from the War Department, with the defense program. Congress has gone all out for it. We have, as the gentleman from Virginia stated here today, appropriated and authorized something like $52,000,000,000 for that purpose since the program began when this bill is considered. We undoubtedly will have to authorize much more. It is not too much for the Congress to ask the cooperation of the War Department and the administration in cleaning up that situation.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 2 more minutes.

I want now to say a word or two about the C. C. C. racket. There is a provision in here at page 34 eliminating the limit of $1,000 a man that the C. C. C. may cost in the current fiscal year. They are down from 232,000 to 190,000 at this moment, according to their own testimony. Their organization has so little respect for its integrity that when they promised to put in the record the number of civilian employees that they had, they failed to do it. They have maintained the number of their civilian employees at a very high figure, high in comparison with their enlistments. They have to solicit enlistments. Is it not time that we stopped this kind of business and stopped catering to an organization that has no respect for Congress and refuses to give it information? When we reach this item I am going to make every effort to strike it out, because it is not in the interest of orderly governmental procedure. At this time the C. C. C. ought to be eliminated. The very least that anybody can say is that they should trim their sails and get down to earth and stop this advertising for trade.

I hope when these items are reached in the House we will be able to show some respect for orderly Government procedure and cut out these things.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, on yesterday the Committee on Public Buildings and Grounds held a meeting with reference to the item in this bill which has to do with the construction of a building to house, under one roof, in the city of Washington all the agencies and activities of the War Department. They are now scattered in 17 different buildings in the city and involve on that account a great loss of time and efficiency in operation. I doubt if, during the many years I have served on the Committee on Public Buildings and Grounds, a more practical, feasible, and sensible building project has been presented to us than this particular one. It is not to be a monumental building, ornate in its details, but a permanent workshop on Government-owned land. This proposal will involve savings which within the space of 12 years will pay for the building itself, and there are many additional advantages.

In the first place, we are now renting, in the District of Columbia, several hundred thousand square feet of space and we are paying rather high prices for that space. The War Department at present is occupying, among other buildings, the Social Security Building. The Social Security Agency has not yet been able to move into it and operate there. The War Department is occupying a considerable part of the Railroad Retirement Building, and that administration is having to occupy rented space in the District of Columbia.

The erection of this building will obviate the necessity for space rentals that will aggregate approximately $3,000,000 a year that the Government is now paying for such additional space.

In addition to this, a great deal of extra space is required by the Navy Department for its operations. This building

for the War Department can be completed in 1 year and a great part of it will be ready for occupancy in 6 months. When the War Department agencies and activities move into that building, or even into a considerable part of it, that Department can release to the Navy the present Munitions Building which joins the present Navy Department Building and thereby afford the Navy the additional space it needs. It can also vacate the unit which has heretofore been built for the War Department and it can be used by the Navy Department and in that way the Navy will have its various activities centered in one location.

One high official of the War Department testified before our committee that his particular agency was in four places in the city of Washington and that he wasted 2 hours a day in necessary trips of travel that he had to make from one building to another.

Now, in addition to the saving which in a few years will pay for the building by making this space rental unnecessary, and also the saving that will be very considerable in that we shall not have to build a second unit of the War Department, as was contemplated, this building can be constructed without drain upon Federal revenues because the second unit of the War Department in the estimate of costs is $15,000,000.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield the gentleman from Texas 3 additional minutes.

Mr. LANHAM. In addition to the saving in money, which will in a short time pay for the building, there will be a great additional advantage of efficiency in the operation of the War Department, and those who have appeared before the committee have testified that the least estimate of that gain in efficiency would be 25 percent. And in these critical times, when the War Department is a very busy institution of the Government, it behooves us to increase its efficiency; and, fortunately, in this instance it can be done economically.

There is also another advantage we have had presented before our committee with respect to the great traffic congestion in this city, especially with reference to Government workers. This will relieve several of the difficulties of our traffic problem, because the workers in the War Department who come from places of residence in Virginia will not have to come into the city at all, and those who live in certain northwest portions of the city of Washington can go to their work over the Key Bridge and not come into the heavily congested traffic section of the city proper.

So, from the standpoint of economy, in eliminating this space and making available for the various governmental agencies buildings that we have already constructed for them, and which they have not been able to occupy, in increasing the efficiency of the Army and in relieving the traffic of this Capital City, I think this is one of the most feasible and practical building propositions that has ever been presented to the Congress within the time of my experience in these Halls.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WOODRUM of Virginia. I yield the gentleman 2 minutes more.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Yes.

Mr. STEFAN. Mr. Chairman, I compliment the chairman of the Committee on Public Buildings and Grounds upon the interesting information that he has given us on this proposal to build a structure which will house all of the employees of the War Department. I understand that eventually 30,000 employees will be housed in this building and that it has a capacity for 40,000.

Mr. LANHAM. That is correct.

Mr. STEFAN. Sometime the war will be over, and there is going to be a dissemination of these people and, therefore, a great amount of space will be available in that building. I understand that the records of the last war are scattered in garages and all sorts of places in the city of Washington, and that the records of the present war are becoming voluminous. Will that building be available for storage of those records?

Mr. LANHAM. Provision in this building is made for the storage of records and for nearby parking space, and may I say that in the interest of speed and dispatch in getting this work accomplished—because the testimony shows that the construction can be begun within 2 weeks after this authorization is made—the Committee on Public Buildings and Grounds yesterday with a large attendance unanimously gave its approval to this proposal after hearings held upon it.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 15 minutes and ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, as has been pointed out, this bill carries a total, if we include the $1,000,000,000 contract authorization for the Maritime Commission, amounting to $8,063,238,478. Of this total, roughly $4,760,000,000 goes to the Army, $1,600,000,000 to the Navy, $1,700,000,000 to the Maritime Commission, and $45,000,000 to other items.

If these totals be added to the appropriations and contract authorizations heretofore made, we find that we have a grand total for national defense as from July 1, 1940, for all appropriations and contract authorizations exclusive of allotted funds, amounting to $38,178,179,620. Of this total, $24,753,255,541 has been for the Army, $9,406,066,526 for the Navy, and $4,018,957,533 for other agencies. If we add the $7,000,000,000 appropriated under the lend-lease bill the total rises to $45,000,000,000. If we add the further estimated sum of about $7,000,000,000 for the two-ocean Navy, we arrive at the figure of $52,000,000,000, which the distinguished gentleman from Virginia [Mr. WOODRUM] has given us this morning.

This is a terrific sum of money to appropriate or to expend rapidly. The speed with which existing facilities can absorb it is a question of fundamental importance.

I call the Committee's attention in this connection to the testimony appearing at pages 8, 9, 63, and 84 of the hearings. That testimony given by Under Secretary Patterson, after consultation with Mr. Knudsen, and Mr. Batt, of the O. P. M.; by Under Secretary Forrestal; by General Wesson; and by Mr. Biggers, of the O. P. M., who went over the requests item by item, may be summarized in substance by saying that in the opinion of these gentlemen America will have no trouble in taking care of both approved and proposed defense programs, including the $7,000,000,000 appropriated for lease-lend purposes, with some slack for civilian demands, for the most part in the next 18 to 24 months. Your subcommittee has been forced to rely on the judgment of these gentlemen in this matter.

Mr. Chairman, the basis for the Army appropriation is to be found primarily in the increase in essential items so as to provide for 1,700,000 men instead of 1,400,000 men, and in critical items so as to provide for 3,000,000 instead of 2,000,000 men. It is largely a matter of mathematics, determined in the light of tables of organization, the amounts requested being the amounts necessary to fill deficiencies in the various items under consideration.

The principal items are for ordnance, $3,486,000,000; for clothing and equipment, $443,000,000; for Signal Corps equipment, $347,000,000; for Air Corps equipment, $204,000,000; and for transportation, $98,000,000.

The Navy increase reflects an increase in personnel from about 258,000 to 369,000 for the Navy and from about 46,000 to 75,000 for the Marine Corps. It includes, of course, additional shore facilities needed for the two-ocean Navy, many of which were authorized in the bill which passed the House yesterday afternoon.

The principal items are for the Bureau of Ships, maintenance, $380,000,000; for ordnance $247,000,000; for the Bureau of Supplies and Accounts, $169,000,000; for repair facilities, $160,000,000,—public yards, private yards, and miscellaneous; for the naval supply account fund, $90,000,000; for the Marine Corps, $88,000,000; for the Bureau of Aeronautics, $77,000,000, including 21 lighter-than-air ships; for internal security and passive resistance, $14,500,600; for the Bureau of Yards and Docks, $13,500,000, including the items referred to.

The basis for the increase requested by the Maritime Commission is to be found principally in the construction of 541 additional ships, 48 additional ways, and in plans for the purchase, charter, and requisition of other vessels.

The attention of the Members is called to page 9 of the committee report, in which will be found the estimated ship requirements as a result of sinkings, of service to the Red Sea, of service in the North Atlantic, of service to China, of service for our Army, of service generally for necessary importations into this country.

The record indicates that the Maritime Commission has acquired or constructed since September 1, 1939, or now has under construction, 111 vessels. The Commission states it will be able to produce 1 ship a day in the very near future and 2 ships a day by the first of the coming year, more than sufficient to offset sinkings at the present rate.

Mr. Chairman, the War Department building has been thoroughly discussed by the gentleman from Virginia [Mr. WOODRUM] and the gentleman from Texas [Mr. LANHAM]. Your committee was unanimous as to the wisdom of embarking upon this project, particularly in view of the substantial savings involved.

Mr. Chairman, I am not satisfied with everything in this bill. There are a number of items to which I desire to call attention.

In discussing the second deficiency bill 3 or 4 weeks ago, I stressed the enormous program upon which we have embarked for recreation facilities. Large requests have been made by the armed services for facilities inside our camps and cantonments. The coordinator of health, welfare, and related activities, Mr. Taft, estimates $14,000,000 as essential for facilities outside the cantonments and camps. The U. S. O. seeks $10,750,000 from the public, much of which will be used in facilities outside the camps. Provision for recreation facilities on a large scale will also be found in various items in this bill. The most conspicuous, I think, was the request in respect to the navy yard at Norfolk.

In connection with that project there was included a request for $300,000 for recreation facilities, including 34 acres of land, 4 baseball fields, 12 tennis courts, 10 bowling alleys, a gymnasium, lockers and showers, and a motion-picture hall. Your subcommittee made a substantial reduction in this item.

Request was also made, Mr. Chairman, for medical research, particularly in the aviation field. On investigation it appeared that this request largely duplicated the request made by Mr. TAFT in the second deficiency bill, in the course of testimony in respect to which he outlined some 56 projects in the same field desired to be covered by the medical officers of the Navy. The committee allowed the Navy request, after advising the Office for Emergency Management that the reduction in appropriation previously made in respect to the several organizations functioning through the O. E. M. should be so applied as to assure that the work would not be undertaken by the Taft organization.

There is also on item of $14,500,000 for "internal security and passive resistance." On the basis of the testimony given your committee, I question the wisdom of expending this amount of money for that purpose.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield briefly.

Mr. DITTER. Would the gentleman inform the House as to just what those words mean—"internal security and passive resistance," especially the "passive resistance"?

Mr. WIGGLESWORTH. I will say, frankly, to the gentleman that the meaning was anything but clear in the light of the testimony that was given to us. It appears that the chief enthusiasm for this item came from an officer who did not actually appear before the committee. As presented, it included such things as measures for the prevention of mob hysteria. The outline was very hazy and in very general terms.

There is also an item, Mr. Chairman, for $174,000 for the so-called American defense medal, as the result of an Executive order issued by the President. This expenditure contemplates the preparation of a 60-cent medal to be presented to everyone who has been in any branch of the service in any capacity since September 1, 1939.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. DITTER. Do I understand these are to be medals for achievements, medals awarded for merit? Or are these just to be wholesale distributions to anybody irrespective of his ability or capabilities in the service?

Mr. WIGGLESWORTH. I understand merit has nothing whatsoever to do with the award, that no exceptional qualification is needed to obtain one. Anyone in any branch of the Service since September 1, 1939, is to be presented with a medal.

Mr. DITTER. Mr. Chairman, will the gentleman yield further?

Mr. WIGGLESWORTH. I yield.

Mr. DITTER. It is a fact, I believe, that the gentleman himself served during the last war? Has it not generally been the custom to give medals to those who by valor or other meritorious service earned such distinction?

Mr. WIGGLESWORTH. I think it is customary to award medals either for campaign service in time of actual war or for conspicuous accomplishment in some line or other.

The bill carries also, Mr. Chairman, an increase for the Electric Home and Farm Authority. If I had my way I would eliminate the increase and for that matter the functions of this agency. I do not believe they are justified at this time.

Mr. DITTER. Mr. Chairman, will the gentleman yield further?

Mr. WIGGLESWORTH. I yield.

Mr. DITTER. Referring again to the matter of these medals, am I to understand that the Naval Affairs Committee passed upon this item and authorized it? Has it, in other words, the backing of the authorization of the Naval Affairs Committee?

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 6 additional minutes.

I am not absolutely certain as to that. My impression is there has been no authorization by the Naval Affairs Committee, the Executive order of the President having been issued.

If I had more time, Mr. Chairman, I should like to call attention to certain matters in connection with the United States Maritime Commission.

The Committee will find, for example, that the Commission is still paying construction subsidies in many cases to the extent of 50 percent although by law these subsidies are limited to 33 percent in the absence of convincing evidence that the actual differential between construction in this country and abroad exceeds 33 percent.

The Committee will also find, at pages 49 and 50 of the hearings, a table showing the amount the Maritime Commission has paid in the form of operating subsidies to cover insurance or excess insurance on subsidized vessels of private operating companies. Included in the list is an item of $699,000 to the Moore-McCormack Line; an item of $691,000 to the American Export Line, in which there is substantial Lehman interest; an item of $653,000 to the American President Lines, presumably covering the insurance placed by the firm of Roosevelt & Sargent.

The Committee will also have in mind that the law requires any income earned by subsidized operators in excess of 10 percent of the capital employed to be paid to the Maritime Commission. The record indicates that for the 3 years 1938, 1939, and 1940 earnings amounted to $47,600,000, or $33,680,000 over and above the 10 percent of capital employed. Nevertheless, it appears that very little has been realized to date by the Commission.

The Committee will also note the enormous costs involved in the conversion of subsidized ships into Navy or Army auxiliaries. In some instances the cost is more than 100 percent of the cost of constructing the vessel. The law specifically provides for inspection by the Navy with a view to insuring speedy and economical conversion into an Army or Navy auxiliary.

There are other matters I should like to refer to, Mr. Chairman, but my time is limited.

I am going along with this bill. I do not see that any other course is possible under existing conditions. It is imperative, as all of us appreciate, that the maximum cooperation be given to the national-defense effort. In fact, cooperation in and coordination of that effort seems to me the most vital need in the entire picture at this time.

I call attention in closing in this connection to the testimony of the Navy Department appearing on page 83 of the hearings. This testimony based on the first 5 or 6 months of this year indicates that our machine-tool program is 60 percent behind schedule; that our antiaircraft equipment and ammunition program is behind schedule; that our aircraft-production program is behind schedule. It affords further evidence of the fact that our defense effort is not measuring up to expectations.

Day after day, Mr. Chairman, we get more and more evidence of this character. At the present moment the papers are filled with an apparent conflict between O. P. M. on the one hand, under Mr. Knudsen and Mr. Hillman, and O. P. A. C. S. on the other hand, under Mr. Henderson.

I believe it is absolutely essential that our entire defense effort be coordinated under a single responsible, capable head.

I feel that the situation calls imperatively for immediate action. I do not believe it should be further postponed. I do not believe we shall ever get the results the Congress and the country demand until this action is taken.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR. Mr. Chairman, there has been considerable discussion from time to time recently concerning the comparison of nondefense appropriations. I have had prepared a statement showing these appropriations for the fiscal years 1941 and 1942 in comparative form. These figures show that, as of July 19, 1941, the nondefense appropriations for the fiscal year 1942 are $342,000,000 less than the appropriations for the fiscal year 1941.

Mr. Chairman, I ask unanimous consent to place this table in the RECORD. I may say it is very brief and shows comparative figures for the legislative, judicial, and executive departments, the civil departments and agencies, the general public-works program, the veterans' pensions and benefits, aids to agriculture, aids to youth, social security, work relief, refunds of receipts, interest on the public debt, transfer to trust accounts, and statutory debt retirement. In other words, the total nondefense appropriations for 1941 were $7,487,971,964, and for 1942, $7,145,309,956. I feel these authentic figures which I have had prepared by the Bureau of the Budget and the Secretary of the Interior should go in the RECORD.

The CHAIRMAN. May the Chair inquire of the gentleman from Colorado if this is his own table?

Mr. TAYLOR. Yes.

The CHAIRMAN. Without objection, it will be incorporated in the RECORD; otherwise permission would have to be had in the House.

There was no objection.

Mr. TAYLOR. Mr. Chairman, the statement referred to follows:

Comparison of nondefense appropriations, fiscal years 1941 and 1942 (as of July 19, 1941)

	1941	1942	1942 compared with 1941
Legislative, judicial, and executive	$39,883,021	$41,575,724	+$1,692,703
Civil departments and agencies	1,034,113,062	984,604,613	−49,508,449
General public-works program	525,650,590	531,233,060	+5,582,470
Veterans' pensions and benefits	578,856,984	575,193,162	−3,663,822
Aids to agriculture	1,067,416,466	1,100,535,785	+33,119,319
Aids to youth	437,151,020	338,727,000	−98,424,020
Social security	446,986,960	466,929,000	+19,942,040
Work relief	1,371,671,961	885,905,000	−485,766,961
Refunds of receipts	83,011,900	82,006,350	−1,005,550
Interest on the public debt	1,100,000,000	1,275,000,000	+175,000,000
Transfers to trust accounts	215,315,000	273,735,262	+58,420,262
Statutory debt retirement	587,915,000	589,865,000	+1,950,000
Total, nondefense appropriations	7,487,971,964	7,145,309,956	−342,662,008

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. TAYLOR. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I believe the gentleman has given a table here with the statement that it is nondefense appropriations?

Mr. TAYLOR. That is correct. I am talking about nondefense, not national defense.

Mr. ROBSION of Kentucky. I have heard many statements and I have seen many statements. Many of them differ very widely as to the sum appropriated and contract authority given since January 3, 1941. I wonder if the distinguished chairman could give me in the aggregate about what they amount to? I mean for defense purposes.

Mr. TAYLOR. That is a separate item. The gentleman from Virginia [Mr. WOODRUM] has put such a table in the RECORD today. Every month I am inserting in the RECORD an official statement concerning receipts and expenditures, which comes from the Secretary of the Treasury. For the first time in the history of our Congress I make that report every month instead of annually.

Mr. ROBSION of Kentucky. I want to commend the gentleman for that fine service to the House and to the country. I think it would be helpful if that would be placed with the statement he is making now. It would be very helpful.

Mr. TAYLOR. It was placed in the RECORD 2 days ago for the last month giving the whole period of the fiscal year 1941 and estimates for the fiscal year 1942.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 7 minutes to the gentleman from Ohio [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, it is not my intention to question General Marshall's statements of a national emergency. We would not have voted enormous appropriations such as the bill now under consideration and placed this country on virtually a war basis if we did not understand the seriousness of the present situation.

However, I do question, and seriously, General Marshall's contention that the retention of present selectees beyond 12 months is necessary or desirable.

I am perfectly aware that there was no legal contract with selectees, guaranteeing their release from service after 1 year. The Selective Service Act, as passed by Congress, provided that these men might be continued in service if Congress declared a national emergency. That has not been done.

Until it is done, we have a moral, if not a legal, obligation to permit these men to return to their homes after they have served 12 months.

I disbelieve the statement that to fulfill this moral contract will disrupt our forces. The statement that 85 percent of some of the outfits sent to such outlying possessions as Hawaii and Alaska are selectees, if true, shows mighty poor judgment on the part of the Chief of Staff.

I submit these facts obtained through the War Department only yesterday. Of 1,540,351 men in the armed service of the United States, exclusive of the 253,413 men in the Navy, but 630,675 are draftees, or less than 41 percent.

With less than 41 percent of our armed forces made up of selectees, surely there has been no valid reason why the General Staff should garrison our most distant posts with troops made up of a majority of untrained selectees.

The General Staff had no right to assume, in advance of the act, that Congress would extend the period of service for selectees. It had no right to make its plans on the basis of this as an accomplished fact. It was obligated to assume that every man chosen through selected service would be released when his 12 months' period had been completed.

If the General Staff had followed the course to which it was so clearly obligated, the bulk of men sent to such distant posts would not be selectees. They would be the enlisted men.

As I have said, I am willing to admit that we face a grave situation. I do not wish to embarrass the Army General Staff in its work.

But I do protest, strongly, against drafting men for 1 year and then changing the rules after they are in the Army.

For one thing, there are many married men and many men of 28 and over in the present drafted Army. Such men are not exempted automatically. Shall we say to those who agreed to serve 1 year without protest, "It's just your hard luck"?

I offer the suggestion which I made at the time this House first discussed a draft of men for the Army.

First, make Army service as attractive as possible through better opportunities for promotion and pay increases, such as are provided by the Navy and air force.

Conduct an honest and wholehearted effort to build up the force by voluntary enlistment. Nothing of this sort has yet been done.

Men who are subject to the draft are today being told they can enlist in the Navy or the air force and get better jobs than they can if they wait to be drafted.

The Navy, the air force, the marines, are all making energetic and successful drives for voluntary enlistments. Why not the Army?

And no less important—the vast reservoir of manpower in the United States has hardly been tapped. Under our present Draft Act, it is still possible to bring into the Army hundreds of thousands of young men who have not yet been called. Each year will bring additional thousands within the prescribed age limits.

I will hazard an opinion, and I do not believe General Marshall or any other informed person will take issue with this opinion. It is that the General Staff today is not prepared, and cannot be prepared for months to come, to train and equip even 50 percent of the men it would be possible to call to the colors tomorrow under our present selective-service law.

Let us not forget, the men who have served their 12 months will be trained—perhaps not as thoroughly as General Marshall would like, but nevertheless trained. They will have 12 months of training, which was more than many men who served in the front lines in the last war ever received.

In event of war, these men can be called back to the colors with no additional legislation and with very little organization difficulty. They will be prepared to step into the breach in any emergency.

I contend, we cannot expect to choose our Army instructors, our officers, and our noncommissioned officers from selectees. If a selectee is capable and interested enough to earn a commissioned or noncommissioned rank, he should be given the opportunity to volunteer his services beyond his 12 months. By giving such opportunities, it would be possible to keep some of our best men, willingly, for whatever period of time the General Staff deems necessary.

Our instructors, our officers, must be on a professional basis. Our General Staff has erred if this is not the case.

If this has been done, then the General Staff should welcome the opportunity to send back to their homes, subject to call again if necessary, those selectees who have had 12 months of rigorous training. They should be glad to make room for new men who can be sent to fill these vacancies.

I favor an effort to make Army service more attractive. I favor an effort to provide opportunities for advancement within the Army equal to those opportunities provided in other branches of the Service. And I favor a real effort to secure voluntary enlistments.

I oppose breaking faith with those who have served their 12 months and have a right to expect to be returned to their homes and jobs.

Only actual war or the immediate danger of actual war would, in my opinion, change this obligation. If such a condition now exists, the public should be told exactly what it is.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I rise to make some observations during the discussion of this huge bill, which calls for an appropriation of $7,063,238,478. We are appalled by the vast sums of money which are being appropriated and authorized for our national defense. We cannot visualize these vast sums of money, and we are unable to collect our thoughts to the extent that we can contemplate the effort which is required to accumulate the huge sum of money represented by this bill—seven billions of dollars. We are greatly concerned at the moment regarding the amounts which have been appropriated and authorized for national defense prior to this appropriation bill. When we analyze this vast spending program we find that there has been approximately $40,000,000,000 already appropriated for our national defense before this bill was presented. In addition to that staggering sum of money there have been authorizations of approximately $5,000,000,000 which have been granted. This huge bill provides for an additional sum of $7,063,238,478. All of this, the people must remember, has been done at a time when our country is at peace. This sum of money is far greater than the cost of the last World War from its beginning to its completion. We are not yet in this war, and I hope we will be able to avoid any participation in it. Our people do not want to become involved in this war. It is the demand of the people of this Nation that we keep out of this war. The people who reside within my congressional district and which I have the honor to represent are violently opposed to our participation in this war. The boys who are now in the camps in our country, taking their 1 year of Army training, are opposed to our entry into this war.

The boys who fall within the age by which they will have to follow and take their training, just as the boys are now doing who are in camp are opposed to our participation in this war. We do not want any part in it. This war is not our war. We did not make this war, and we did not have any part in causing this war. Yet we find those within our country, some of whom hold high positions, who are eager to enter this war and to become an active participant in it. Mark you this, that those who want our country to become involved in this war and who would welcome the day when we send another A. E. F. to Europe or Asia do not have any boy or boys who would have to engage in the fighting of it, or they were not within the ranks of our great Army during the last World War, or their boys have the full protection of commissions as officers which would permit their services as inspectors far in the rear and in perfect safety. The great masses of our people, the common people of our country, who cannot give commissions to their sons and send them, at Government expense, to the four corners of the earth, where they are in safety at all times, view their sons as serving in the trenches, where mud and slime predominate and where the shot and shell rain heavily upon them. That is war. That is war as the people view it. That is war as our boys must face it if the warmongers cause our involvement in it.

Mr. Chairman, we face a very serious situation in our country. When the people appreciate the financial condition of our country following the wild orgy of spending which this administration has continued for the past 8 years they, too, will become alarmed. During the 8 years the tremendous spending of the taxpayers' money had caused our debt to vault to more than $45,000,000,000 before we began our preparation for our defense in case of attack. That was our financial record before we began this defense program. When we add the almost $50,000,000,000 of defense appropriations we face the staggering sum of approximately $95,000,000,000 of debt. When we add the authorizations already approved, which approximate another $5,000,000,000, we face a debt today of approximately $100,000,000,000. Yet we are not in this war. With this huge debt, whatever may be said by any person respecting its approval, I wonder what the debt would be if we should become involved in this war? If we had today some of the billions of dollars which have been wasted by the President and his administration during the past 8 years we would have ample funds for many battleships, untold numbers of planes, division upon division of tanks, for many Army cantonments, and a vast supply of equipment of every kind and character. That money was in large part very foolishly spent. Little, if any, business judgment was exercised by the administration now in power respecting the spending of the taxpayers' money. The people know of those foolish expenditures, and the people now witness the folly of it all.

Mr. Chairman, I am greatly alarmed because of this mad rush toward this war. I have opposed and voted against every war measure which has been presented to the Congress. I will so continue in the future. I am in full accord with the building and the development of our national defense so it will be both sound and strong, and that we will be fully equipped and amply able to defend our country, our people, and our institutions against any attack. But I do demand that the strictest business methods be applied to every contract and every purchase that we may receive $1 in value for every dollar which is spent in this defense program. Every department and agency of our Government is charged with this great responsibility. They must make an accounting to the people of this Nation in the end. The taxpayers want to know what has been done with these huge sums of money which have been appropriated by the Congress for national defense. The Congress does not spend the money, and the Congress has no control over the spending of the money after its appropriation.

Mr. Chairman, with the vast spending of money for our national defense, I have advocated repeatedly that every nondefense item must be reduced and cut down. We have one goal now, and that is our defense. That must be completed in order that we may be secure. May I say that I am convinced that the nondefense items can be reduced and cut down more than $2,000,000,000 annually without impairing in any degree the efficiency of our Government? Boards and bureaus have been set up and are now continued which are costing the people enormous sums of money each year; these can be discontinued. Many of the agencies, and many of the commissions which have been established by the administration now in power, and which are now continued, should be entirely eliminated. The normal cost of government has reached an all-time high, and yet the administration in power declines and refuses to reduce that cost. The wild ride of spending proceeds without abatement. That is the reason of the great alarm on the part of the people. We are faced with other huge appropriations in the immediate future for national defense. These items, which we do not yet know in what amount they will be when presented, will send our debt skyrocketing again, and no one can tell to

what heights it may reach in the future. I am alarmed, and the people are alarmed. I would think the majority in the House would become alarmed. We have one duty, as Americans, and that is to prepare for our defense, and that must be done sanely and within reason. We must guard against the foes without, and, too, we must guard against the foes within. The destruction of our financial structure and the loss of our liberty and freedom are involved; the complete loss of our form of government, which is entirely sacred to every American, may well be involved in this rush toward another European war. Let us think seriously and sanely—let us think as Americans—let us do those things which will redound to the glory of the United States of America and our people.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. BENDER].

SELECTIVE SERVICE AND ANOTHER "EMERGENCY"

Mr. BENDER. Mr. Chairman, a tremendous drive is on to force congressional approval of an extended training period for selective-service draftees. Administration supporters are bringing tremendous pressure to compel speedy action, and military circles are stretching their arguments in favor of the extension to the breaking point. The only two ways in which the present year limitation can be changed are by way of amendment to the Conscription Act or the congressional declaration of a national emergency.

The President some time ago proclaimed an unlimited national emergency, which has somehow failed to materialize. General Marshall is asking Congress to declare one, apparently in the hope that this one will really "click."

But the facts are easy to see. Our draftees went to their camps with the expectation of serving 12 months. They anticipated membership in some force of reserve corps after this year of service had expired. They did not bargain for their own Government breaking faith with them. As for the new emergency, it is difficult to find justification for it. China is still holding out in the Far East. Russia has added another battleground to the Nazis' headaches, and even if Russia is conquered it will take millions of Nazis to police the victory. Is Britain more seriously menaced today than she was when the Burke-Wadsworth bill was passed? Not even the British think so. Only the militarists in America find more danger now than there was a year ago. Let us keep a great Army. But let us remember that honesty and faith toward the people of our democracy must be kept too.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. CHIPERFIELD].

Mr. CHIPERFIELD. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. STRATTON], may be permitted to extend his own remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. CHIPERFIELD]?

There was no objection.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, the fact that the people are probably more intensely interested in the problems of the Government today than at any other time in the history of the Republic is proof that our system of government is working. Verily, verily, eternal vigilance is the price of liberty.

There is no question but that a republican form of government is the best yet devised by the minds of men. No government should be more acceptable to the people than a "government of the people, by the people, and for the people." Because we have the best form of government yet devised, and because we live in the most prosperous country in the world, we are prone to think that ours is the easiest and freest form of government under which we might live. This is hardly true. To him who appreciates that one of the sternest rules of life is that benefits and responsibilities are always commensurate, our form of government is the most difficult form under which one can live. The grandeur of our great country was accomplished only at great sacrifice of blood and treasure. A man to do his full share for the maintenance of our great country must believe in it; he must love it; he must obey its laws; he must have respect for those in authority; he must uphold its Constitution; he must pay his part for its maintenance and he must fight for it and die for it if necessary. In our country to be a good citizen one must think. He must strive to know what his country is doing and he must strive to cooperate with his country for its advantage.

In the totalitarian countries a citizen is not encouraged to think. In fact, he is admonished not to think too much. All that is demanded of him is that he obey. The function of the dictator is to dictate. That form of government is much easier than ours. And it is surprising how many people there are in the world who would prefer to accept dictation than to risk the consequences of affirmative individual assertions. Dictators thrive best where there are submerged populations. They cannot gain dominion in a country where the people love freedom and will fight to retain it. Should we ever endure a dictator, it will be when the character and stamina of our people shall have been lowered to the degree where we would be satisfied to passively obey rather than to think and to fight, and to affirmatively maintain our freedom.

Today the people of our country are agitated with an intense interest in two national problems. Both of these are closely related. The two problems that I have in mind are: First, our imminence to and our preparation for war and, second, the dangers incident to our enormous national debt and our enormous national expenditures.

I shall not discuss the first of these problems. Our imminence to war and our preparations for war. You know that probably 90 percent of the American people are opposed to war. I should like to ask you to think with me about the dangers incident to our enormous national debt and our enormous national expenditures. To know that we are now carrying a national debt much more than twice as large as we ever carried before is in itself a profound fact. And to know that we spent money much faster than we spent it in the World War is also a profound fact. But to know that these conditions exist when we are at peace with the world is more than profound—it is appalling. But still more appalling are the facts that this administration has shown not one bit of concern about the situation. It has made not one single effort to economize in any way, but on the contrary has proceeded to spend outside of national defense in a most profligate and reckless way. Every year that this administration has been in power it has spent billions more than it has collected. It is a dangerous situation when a government fails to balance its Budget but when it runs behind billions every year of its existence it is simply terrible. The following is a table showing our national deficits each year of the New Deal:

1933	$2,245,452,980
1934	3,255,393,297
1935	3,782,966,360
1936	4,952,928,957
1937	3,252,539,810
1938	1,449,625,881
1939	3,600,514,405
1940	3,740,249,136
1941	5,167,678,471

And again the administration shows no concern in a situation which I think is most serious. I refer to the fact that your Ways and Means Committee, which has for many weeks been considering the proposed tax bill, found it very difficult to raise three and one-half billion dollars in taxes. While this seems to be a very small amount in comparison to the tremendous spending of these days, still the people will complain bitterly against it. And at the same time the Government will be spending at the rate of more than one hundred millions a day. In other words, if we consider the twenty millions per day that we are now collecting in taxes and the ten millions per day that the new bill promises to produce, we will only have an income of thirty millions per day as against an outlay of one hundred millions per days with promise of a much greater expense should war be declared. If all appropriations are expended for 1942, we will be spending $33,311,513,240.88, plus a probable $7,000,000,000 more that the President has asked for. If we spend thirty-three billions, that will be more than ninety millions per day. If we spend forty billions, that will be one hundred millions per day. What worries me is that if we can, after searching every possible source of taxes, only raise an additional three and one-half billions how is it possible to raise thirty or forty additional millions per day which may be necessary? You may not appreciate the seriousness of this situation today, but you will appreciate it before March 15, 1942, when you will be called upon to pay about 2 months of your salary to the Government in income taxes. And this in addition to the enormous hidden taxes and State and municipal taxes, which you must pay.

Mr. KNUTSON. Will the gentleman yield?

Mr. JENKINS of Ohio. Yes; I am always delighted to yield to the gentleman from Minnesota, who is one of our oldest Members in point of service and a member of the Ways and Means Committee.

Mr. KNUTSON. Even to raise three and a half billion dollars it was necessary to tap some new sources?

Mr. JENKINS of Ohio. Yes; the gentleman is exactly right. We tapped every known source. It is quite certain that the people will be surprised when they appreciate just what sources we have tapped.

Let me discuss with you the danger from the failure of the administration to appreciate the necessity for economy. One of the most effective arguments used by Mr. Roosevelt in his first campaign was his promise to cut the governmental expenditures by 25 percent. This argument, with the further fact that the depression had come down upon Mr. Hoover, was primarily responsible for Mr. Roosevelt's first election. It was with a mixture of hope and fear that the people awaited his inauguration. As a gesture toward fulfilling his promise to reduce governmental expenditures, he cut off the soldiers' pensions and the Congress cut off 15 percent from the salaries of its Members and that was about all that was done. He did not keep his promise. The Congressmen had their salaries restored after about 2 years and the soldiers got some of their pensions restored.

Early in his administration, the President invented the term "emergency." He was always in an emergency. Every few days he asked the Congress to surrender some of its powers because he claimed the country was in an emergency. He had called around him a lot of political mavericks who thought that theoretic socialism and satanic communism were political doctrines. The first thing they decided was that everything was wrong so they invented the New Deal. Frankfurter, Hillman, Rosemond, Mordecai Ezekiel, A. A. Berle, and Benny Cohen and others put the thing together. Raymond Moley, Hugh Johnson, Professor Warren, and a few others were called in to run it, but they were soon relieved and the regular gang took it over themselves. They, with Madam Perkins and a few others, have been in charge ever since.

With the magic of this word "emergency," the President succeeded in getting the Congress to appropriate for him shamefully exhorbitant amounts of money. This money was spent with a reckless abandon the like of which no man ever saw. I am glad that I protested against many billions of these appropriations and my conscience is freed from that responsibility.

Under a plea of an emergency billions have been appropriated for relief. Much of it was wasted. Billions have been appropriated for Federal Housing and slum clearance and similar social experiments. Much of this went into the hands of profiteers. Millions upon millions have been wasted by a dozen or more new bureaus in the Agriculture and other departments. As a result of this socialistic transformation, the Government has about all the gold in the world buried in the ground, and the Government practically owns the banks because of the fact that a large portion of the assets of the banks are in Government bonds. And the Government, through the R. F. C., which was established under a Republican administration, is the chief money lender in the world today. It was intended to be an assistance to the people and not to be a financial monster which threatens disaster to the Nation. Because of all this the people have lost faith in the financial structure of the Government and are worried. With deficit upon deficit and with no manifestation of interest on the part of the Government there is nothing ahead of us but inflation and repudiation or war. And war it seems to be. Especially is this the case if the President and his Cabinet can have their way about it. And, my friends, mistake not the fact that we are fooling nobody but ourselves with this false prosperity which is being produced from money derived from excessive taxes and unrestrained borrowing. We will pay for it all in depreciated values, in lost savings, and when the Government will be called upon to take back the millions of houses and other buildings constructed with our money handed out by Jesse Jones we will experience a depression that might easily carry us over the brink. If we were producing lasting wealth we might have a chance, but if we produce only commodities that are to be destroyed in war our loss is total.

Although the national income is now considered to be above $80,000,000,000, and although the Nation is prosperous, and although the Nation should, under these circumstances, be able to reduce its debts, yet these debts are mounting higher and higher. Yes; but you say to me we are preparing for war, and we must spend for defense materials, yet I say to you, "Yes; we must spend for defense, but why not economize on nondefense expenditures?" Then you ask, "Can that be done without affecting national defense?" I say, "Yes; it can be done." What evidence do I offer? I offer the testimony of the highest fiscal official of the Government, none other than the Secretary of the Treasury, Mr. Morgenthau. When Mr. Morgenthau appeared before the Ways and Means Committee of this House, of which committee I am a humble member, I engaged him in an interesting and friendly colloquy which brought from him the statement that we could economize to the extent of $1,000,000,000 by reducing nondefense expenditures. I was moved to ask these questions of Mr. Morgenthau, because I had gone on record as saying that we could reduce national nondefense expenditures by at least $1,000,000,000. And, naturally, I felt strengthened in my belief when supported by so eminent an authority as the highest fiscal official of the Nation. Let me read to you what he said and what I said in that colloquy:

Mr. JENKINS. Very well. Here is just one other question I would like to ask you: How do you propose to save the billion dollars? I could not hear your explanation very well.

Secretary MORGENTHAU. I am sorry.

Mr. JENKINS. So am I.

Secretary MORGENTHAU. Well, it is worth doing again.

Mr. JENKINS. Yes.

Secretary MORGENTHAU. I pointed out that I thought a billion dollars might be saved from the C. C. C., and the N. Y. A., and public works, and the other nondefense items. The point I made about the C. C. C. and the N. Y. A. is that in view of the large enrollment in the Army, whether there was still the necessity of enrolling boys over 21 years of age in the N. Y. A. and the C. C. C.

And then I said I though certain things in public works could be postponed. And I pointed out an item of $500,000,000 for soil conservation in the Department of Agriculture. And I believe that if those items were studied, that it is possible from these and other economies to save a billion dollars in 1942.

From this testimony and from other testimony given frankly by Mr. Morgenthau it was evident that he was giving his honest views. I feel that if Mr. Morgenthau were free from administration restraints, he would reduce these nondefense expenditures by at least $1,000,000,000 per year. When the news of Mr. Morgenthau's statements came to the ears of the President, through his New Deal satraps, he must have scolded Mr. Morgenthau, for the press seemed to indicate as much. And further indication of this was seen in the refusal of Mr. Morgenthau later to go into detail as to how, in his judgment, this saving could be effected. For when, a few days after he gave his testimony, I wrote him a letter asking for suggestions as to how this amount could be saved he did not reply readily. He did, however, reply after being prodded a little. In his reply he indicated that he "had heard his master's voice." I think, if allowed to follow his own judgment, he would have been glad to cooperate with me and with the committee and with Congress to effectuate this much-needed economy of $1,000,000,000, but the insatiable spenders of the New Deal said no. They expect to use this money to maintain themselves in power.

Since the press has already carried the correspondence between Mr. Morgenthau and myself, there will be no breach of confidence in my reading these letters to you so that you may judge for yourselves of the merits of my contention and that the New Deal through the President has refused to economize:

MAY 9, 1941.

Hon. HENRY MORGENTHAU, JR.,
Secretary of the Treasury,
Washington, D. C.

DEAR MR. SECRETARY: When you appeared before the Ways and Means Committee on April 24 advocating the passage of a bill seeking to raise additional revenue of $3,500,000,000, you very properly stated that this proposed increase in taxation was the largest ever attempted in the history of our Government and that it was without precedent.

During your appearance before our committee it was my privilege to ask you a few questions about a matter in which I think the Nation is profoundly interested. I refer to the matter of the reduction of Government expenditures. I mean Government expenditures outside of expense incident to national defense. At that time you and I agreed that the expense of Government outside of national defense could be reduced at least a billion dollars per year. At that time you expressed as your view that you "thought a billion dollars might be saved from C. C. C. and

N. Y. A. and Public Works and other nondefense items." And you further stated that you thought "certain things in public works could be postponed." And you further stated that you had pointed out an item of $500,000,000 for soil conservation, which should be studied with the idea that from these various sources it would be possible "to save a billion dollars in 1942."

Further in our discussion I raised the point as to whether it would be possible and practical to reduce all nondefense expenditures by 25 percent. You indicated that it would not be wise to make a general cut of 25 percent applicable to all expenditures but that you thought that if Congress "would reexamine all nondefense items out of the total there would be a possibility of saving a billion dollars."

Now that the public hearings on the big tax program are about to conclude and the committee will soon be writing the bill in executive session, I should like very much if you would give me your specific recommendations on where this reduction of expenditures to the extent of at least a billion dollars per year can be best accomplished.

I hope that you will submit your recommendations to me at the earliest possible moment.

With assurances of profound respect, I am,

Sincerely yours,

THOMAS A. JENKINS.

MAY 20, 1941.

Hon. THOMAS A. JENKINS,
House of Representatives,
Washington, D. C.

DEAR MR. JENKINS: I have your letter of May 9, 1941, asking me to furnish you with specific recommendations on how a reduction of $1,000,000,000 in expenditures can be accomplished.

When I appeared before the Ways and Means Committee I stated that I thought a billion dollars could be saved in the nondefense items included in the 1942 Budget. I suggested that a large part of the savings could perhaps be made in the items for Civilian Conservation Corps, National Youth Administration, Work Projects Administration, public works, and aids to agriculture, and recommended that these items be reviewed with that in mind. It seems to me, with a Budget contemplating expenditures of more than $12,000,000,000 on account of national defense alone, which sum is larger than any total Budget we have had during any previous peacetime period, that we should take another look at the nondefense expenditures. This is a matter to be worked out by the Congress in cooperation with the Bureau of the Budget, since the Treasury does not have the details that go to make up these nondefense items, including items that I specifically pointed out for review. I feel that as head of the Treasury I have performed my duty to maintain a sound fiscal position for this Government in suggesting that the nondefense expenditures be restudied with a view to eliminating at least $1,000,000,000. I made this suggestion because of the change in the situation since the Budget was submitted last January.

Sincerely yours,

H. MORGENTHAU, JR.,
Secretary of the Treasury.

You will note that Mr. Morgenthau suggests that I should properly take this matter up with the Director of the Budget. On May 24, 1941, I wrote Mr. Harold D. Smith, the Director of the Budget, a letter similar to the one I wrote to Mr. Morgenthau. He did not reply for nearly 2 months and not until I had prodded him by telephone. When he did condescend to reply, his reply was just what I had expected. He made no effort to answer my inquiry.

Again let me say that the two great questions about which the American people are thinking are: First, our imminence to and our preparation for war, and, second, the dangers incident to our enormous national debt and our enormous national expenditures.

You may set down two additional profound facts. First, the administration is anxious to put the country into war. Second, the administration does not want to practice economy.

The administration knows that 90 percent of the American people are opposed to our entrance into the European war and the administration further knows that 90 percent of the people of the country are demanding greater economy in Government.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Minnesota.

Mr. KNUTSON. If expenditures are not drastically curtailed, we will have to resort to a capital levy.

Mr. JENKINS of Ohio. Yes. The gentleman from Minnesota has propounded a very serious question. I hope it never comes to a capital levy, but it may. Do you know what a capital levy means? It means to take the corpus of your property—that is, that the Government will demand that you sell your property in order to pay your taxes.

Extravagance in public expenditures leads to extravagance in private expenditures, all of which lead to inflation. Leon Henderson and Mr. Morgenthau and others high up in the administration argue that we should discourage the sale and purchase of commodities manufactured from materials needed for defense such as automobiles and articles manufactured from steel. They advocate controlling the sale of these products through a system of levying taxes so high as to limit the sale and production of such articles. This is a brand new theory of taxation which I think is very unwise. The proper way to control this situation is through priorities. These people claim to be very anxious to control spending and thereby to prevent inflation, yet they will do nothing to curtail the spending of money by the United States Government, which is by far the greatest spender in the world. There is no organization in America that spends one small fractional part of the amount of money spent by the Government. Reckless expenditure by the Government is sufficient to bring about serious inflation in this country.

Since I am advocating that a billion dollars can be easily saved from nondefense activities and that a billion dollars can be easily saved from defense activities I probably should justify my position in this respect. This I shall try to do.

In the first place, I maintain that many millions of dollars are appropriated for national defense which are not in fact items of national defense. The administration is taking advantage of the patriotism of the American people and of Congress and asking for many millions of dollars under the guise of national defense. A study of this situation would show many items grouped as defense items that are nondefense items. As I have heretofore stated, those of us who have served in Congress during the past 8 years know that millions upon millions of dollars have been appropriated under the magic spell of the word "emergency." Now the cry is national defense. Already many millions of dollars have been appropriated for national defense that would not have been appropriated if the full facts were known. It can be easily recalled that in the first World War millions upon millions were squandered in the construction of cantonments. At that time Members of Congress did not know until after the war was over that the Government had bought seven halters for every horse that the Government owned. The same is true today. Our colleague the gentleman from Michigan [Mr. ENGEL] has raised his voice in protest. His voice was for a long time the voice of one crying in the wilderness, but finally his voice was heard. He has shown from his investigations that of the expenditure of $800,000,000 for cantonments that at least two hundred fifty millions of this was wasted. His statements have not been refuted by anyone, but on the contrary they have been approved by the people and the press and by many individuals high in Government positions who know the facts. Mr. ENGEL's investigations only dealt with about one-fourth of the expenditures made for the construction of other Government cantonments and buildings. If the same average of wastefulness would obtain in the construction of these buildings as the ones investigated by the gentleman from Michigan [Mr. ENGEL], the wastefulness in this field of Government activities would amount to at least a billion dollars. Therefore, I say that if the gentleman from Michigan [Mr. ENGEL] with proper assistance had the time and funds with which to make these investigations for a period of no longer than 2 weeks, he could easily show where the Government has been cheated and robbed of at least a billion dollars.

Who is responsible for this wastefulness? It is not the Congress. It is not the American people because they have clamored in vain for economy. The responsibility rests absolutely in the fact that the administration has at no time shown any indication of a desire to economize. If the President would select men of proven capacity to handle these projects instead of a lot of political racketeers he could save five billion a year.

The Bureau of the Budget has failed miserably in the performance of its intended duties. When the Bureau of the Budget was first established by Congress it was intended to be an impartial Bureau set up for the purpose of accelerating the fiscal transactions between the Congress and the President and of serving both of these divisions of the Government. But the New Deal changed all this under the reorganization bill passed a few years ago, giving unheard of powers to the

President. The Bureau of the Budget is now as completely dominated by the President as is one of his secretaries. It is even housed in the Executive offices of the President.

There is no question that the Bureau of the Budget does recommend appropriations for many items as items of national defense which are clearly not items of national defense. This is done to deceive Congress for the Bureau knows that Congress and the American people are interested in national defense and are inclined to go to extremes in that direction. If these items were listed properly and fairly in their proper classification, many millions of dollars would be saved because these items if listed as nondefense items would be rejected by the Congress.

The New Deal administration has always been in the red any place from two to five billion dollars annually. The Nation is awakening to the fact that millions are appropriated as for national defense when in fact they are not for national defense. The current issue of the Weekly Analysis of Newspaper Opinion says:

> Heretofore all protests against spending have emphasized that nondefense items should be cut, while this week 19 percent take an unfavorable attitude on spending in general. The protests are of a weak nature, and no specific call for a cut in defense expenditure is made, but this is the first time in over a year that any substantial part of the press has even faintly intimated displeasure at expanding defense expenditures.

It is impossible in the short time that I have at my disposal to go into great detail, but I shall ask your indulgence for a few minutes to consider the last Budget message from the President dated May 15, 1941, and designated as an "additional urgent defense" message. In this message he asks for $158,667,020 and says that all but $146,020 is for defense activities. The President in his letter of transmittal to the Speaker of the House employs the exact language employed by the Director of the Budget in his letter to the President. Therefore the Bureau of the Budget is responsible for the statement that practically all the items listed in that message were defense items. The following is a statement of a part of that message to which I refer:

The amounts recommended for the Department of Labor total $1,431,600, as follows:

Salaries and expenses, Division of Labor Standards, national defense	$353,000
Commissioners of Conciliation, national defense	183,000
Salaries and expenses, Maternal and Child Welfare, national defense	878,000
Salaries and expenses, Women's Bureau	17,600

The amounts recommended for the Federal Security Agency total $157,107,000, as follows:

Office of Administrator:	
Work-experience training in National Youth Administration facilities:	
Work-experience training program	$56,972,000
Salaries and expenses	3,028,000
Education and training, defense workers:	
Vocational courses of less-than-college grade	52,400,000
Office of Administrator—Con.	
Education and training, defense workers—Continued.	
Equipment, immediately available	$12,000,000
Short courses of college grade	17,500,000
Vocational courses for rural and nonrural youth	10,000,000
Refresher and postgraduate courses for nurses	1,200,000
Administrative expenses	1,272,000
Public Health Service: Emergency health and sanitation	1,235,000
Social Security Board: Selecting, testing, and placement of defense workers	1,500,000

Let me comment on these items briefly. The fact that this amount of money asked to be appropriated is for expenditures in the Labor Department presided over by Madam Perkins will immediately arouse the suspicion of Congress and the people.

I notice an item of $353,000 as salaries and expenses in the Bureau of Labor Standards. The Bureau of Labor Standards is not a recently established Bureau and this large expenditure designated as national defense would in my mind be subject to question.

One hundred and eighty-three thousand dollars is designated as national defense and is to be paid to the Commissioner of Conciliation. This likewise would be subject to question.

But let us consider the next item which calls for an expenditure of $878,000. This is nearly a million dollars and is to be used as indicated for salaries and expenses for maternal and child welfare. Since when in the name of common sense is maternal and child welfare a legitimate item of national defense?

Let us pass to two other large items in this list. One is for nearly $57,000,000. It is designated as work expense and training program. The other is for the training of defense workers in the amount of $52,400,000. Mr. Speaker, when the Bureau of the Budget recommends the payment of over $100,000,000 for training, I ask why not let private industry do much of this?

It would seem to me that there are many Government projects which are to be constructed over a long period of years which could be postponed, in part at least, during these stressful times. I know of two projects in my section of the country calling for the expenditure of probably $30,000,000 which have been postponed because of the stress for national-defense expenditures. I will call your attention to a project known as the Blue Ridge-Natchez Trace Parkway. The estimated total expense of completing this parkway is $57,800,000. It is not half completed yet but we have appropriated $6,000,000 to be spent on this parkway in 1942. I have before me a list of similar projects which illustrate the point I am trying to make. I shall incorporate them in my remarks.

Contract authorizations in Interior Department appropriation law, 1942

Project	Amount of contract authorization in 1942 law	Amount required to complete project in addition to contract authorizations and previous appropriations	Total cost of project
Gila project, Arizona	$500,000	$10,878,000	$20,500,000
Colorado-Big Thompson	1,500,000	41,738,000	54,288,000
Boise project, Idaho, Anderson ranch	500,000	11,100,000	13,100,000
Tucumcari project, New Mexico	1,550,000	2,414,000	5,155,000
Lugert-Altus project, Oklahoma	1,150,000	2,028,000	5,600,000
Provo River project, Utah	1,150,000	6,789,000	16,129,000
Yakima project, Washington, Roza division	1,100,000	4,915,000	18,085,000
Fort Peck project, Montana, transmission lines	500,000	4,550,000	5,050,000
National park roads and trails	2,500,000	(1)	(1)
Blue Ridge-Natchez Trace Parkway	6,000,000	26,300,000	57,800,000
Total	16,675,000	110,712,000	198,707,000

[1] Indefinite.

I think that many of these could be postponed in whole or in part whereby a saving of fifteen or twenty million dollars could be made. No doubt there are other projects that illustrate my point more convincingly than these projects that I have designated. I have taken these projects at random and with no prejudice against any of them.

We could save millions of dollars from money wasted in seeking to buy the friendship of foreign countries. The story of the present World War with all the dishonesty and double-dealing practiced by foreign governments should teach us to beware in that respect. How many millions could be saved in that direction I leave to your imagination.

Additional millions could be saved if we were to throttle the various propaganda agencies in this country, many of which owe their origin strictly to New Deal activities. These are costing more than $100,000,000 and are absolutely worthless.

I have heretofore commented on the terrific expense of our Government and upon the terrific burden of additional taxes that is about to be placed upon the American people. This present Congress—the first session of the Seventy-seventh Congress—has already appropriated more than any other Congress in the history of the Republic. For the fiscal year 1942 this Congress has already appropriated the sum of $33,311,513,240.88 and will no doubt in a few days appropriate the additional $7,000,000,000 which the President is demanding. This will bring the appropriation to over forty billions. And additional deficiency bills will no doubt be passed raising this total by many additional millions. It is probable that the utmost of taxation that we will

be able to raise for 1942 will be approximately $15,000,000,000. I am inserting with my remarks a table showing just how this tremendous sum of $33,311,513,240.88 is made up. In the parallel column I am showing how much was appropriated for the fiscal year 1941. In another column I show that upon every single individual item, both in defense and nondefense expenditures, the amount appropriated for 1942 exceeds the amount appropriated for 1941, with one exception. A small saving was effected in the W. P. A. appropriations.

Appropriation comparisons by dates and departments

Department	Regular supply bill 1942	Regular supply bill 1941	Amounts of increase or decrease
Agriculture	$1,060,500,063.00	$918,603,918.00	$141,896,145.00
District of Columbia	54,785,686.00	48,765,080.00	6,020,606.00
Independent offices	1,414,626,838.00	1,120,243,528.00	294,383,310.00
Interior	188,325,923.00	135,383,330.05	52,942,592.95
Labor-Federal Security	1,195,861,940.00	1,023,282,690.00	172,579,250.00
Legislative	25,002,256.00	23,671,220.00	1,331,036.00
Military	10,384,821,624.00	1,499,323,322.00	8,885,498,302.00
Navy	3,415,521,750.00	1,308,171,138.00	2,107,350,612.00
State, Justice, and Commerce	279,142,477.00	107,149,000.00	171,993,477.00
Treasury—Post Office	1,147,624,384.00	1,032,801,095.00	114,823,289.00
War—civil functions	228,601,828.00	222,718,717.00	5,883,111.00
Urgent Deficiency	393,687,775.00		
First deficiency	191,478,544.88		
Second deficiency	1,041,000,000.00		
Fourth supplemental national defense, 1941	1,376,464,602.00		
Fifth supplemental national defense, 1941	2,299,767,920.00		
Defense aid	7,000,000,000.00		
Additional urgent defense	174,409,630.00		
Relief—Work Projects Administration	911,390,000.00	1,157,711,357.00	—246,321,357.00
Army clothing	175,000,000.00		
Merchant ships	313,500,000.00		
Tennessee Valley Authority	40,000,000.00	25,000,000.00	15,000,000.00
Total	33,311,513,240.88	16,490,667,262.17	
Approximate amount President's last message now being considered by Appropriations Committee	7,000,000,000.00		
Approximate amount additional request expected before end of session	6,000,000,000.00		

This statement shows that the amount appropriated for the Department of Agriculture in 1942 is approximately $142,000,000 more than it was in 1941. I am a friend of the farmer and a friend of the Department of Agriculture, but the activities of this Department have increased more rapidly than the activities of any other Department in the Government. There is absolutely no justification for increasing the expenditures of this Department in this colossal sum of $142,000,000 when the price of farm products have risen and when we are compelled to spend such stupendous sums for defense.

Here is another appropriation designated as Independent Offices Appropriations. The figures show that the amount appropriated for 1942 is over $294,000,000 in excess of that appropriated in 1941. This tremendous increase cannot be justified in face of the tremendous clamor in our country for economy.

And again I call your attention to the Labor and Federal Security Departments. If there is any one single Department in the Government activity that has shown its inability to function properly over the last year, it is the Labor Department. Yet in the Labor and Federal Security appropriation $173,000,000 more has been appropriated for 1942 than for 1941. This is little short of an outrage.

The military appropriation bill shows an increase of nearly $9,000,000,000. I am making no complaint against this except that I know that there are millions of dollars in that appropriation that will be wasted.

The Navy Department appropriation has been jumped over $2,000,000,000, but I am making no complaint with reference to that.

Mr. Chairman, the blatant persistence of the administration in increasing the expenditures of these civil nonmilitary and nonnaval functions of the Government by hundred of millions of dollars cannot and will not be justified by the American people when they know the facts.

Mr. Morgenthau was right when he said in effect that a billion dollars could have been saved from the appropriations made in this session of Congress. Since not a single dollar has been saved, but, on the contrary, since the civil function expenditures have been increased by nearly a billion dollars, who is at fault? Have the American people cried for economy in vain? Yes; they have asked for bread and have received a stone. The New Deal continues to ride roughshod over the American people. The President once said this: "Many nations have been wrecked upon the rocks of loose fiscal policy." The New Deal has surely taken our country upon these same rocks. The old ship of state is bumping along on these same rocks. The only chance to save her is to change the skipper and the crew. [Applause.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

RESERVE LIABILITY OF SELECTEES

Mr. CASE of South Dakota. Mr. Chairman, during the discussion of the Selective Service Act which we passed in September of last year a number of us protested sharply against the 10-year reserve provision in the bill. I do not like to call attention to the matter at this time but possibly the situation that we face where the Congress and the country are to be shoved into a debate over the extension of the liability of these boys who were taken under the Selective Service Act, makes it my duty to do so.

That 10-year reserve provision in the Selective Service Act, coupled with the language in the so-called National Guard Act, Public, No. 96, of the Seventy-sixth Congress, approved August 27, 1940, makes unnecessary any legislation to extend the active service of the selectees for another year. I wish it were otherwise, but that I think is the law.

I shall read a few sentences from the two acts.

I hold in my hand the Selective Service Act which is Public, No. 783, Seventy-sixth Congress, approved September 16, 1940, and direct attention to section 3 which governs the liability for service and the liability for reserve duty. Subsection (a) of section 3 provides for the induction and training of up to 900,000 men at any one time. Subsection (b) provides that each man so inducted shall serve for a training and service period of 12 consecutive months unless sooner discharged except when Congress shall declare that the national interest is imperiled. Subsection (c) then says—

each such man after the completion of his period of training and service under subsection (b) shall be transferred to a reserve component of the land or naval forces of the United States.

Note the "shall." He shall be transferred to a reserve component. Then it provides that as a member of such reserve component he—

shall be subject to such additional training and service as may now or hereafter be prescribed by law.

Then there follows the proviso which relieves him from the liability for reserve duty in time of peace if he serves in the Regular Army or in the active National Guard for 2 additional years, but the language winds up—

but nothing in this subsection shall be construed to prevent any such man while in a reserve component of such forces from being ordered or called to active duty in such forces.

It seems perfectly clear, then, that the selectee, when he has completed his 12 months of service, shall be transferred into a reserve component either of the land or naval forces, and as a member of that reserve component shall be liable for call to active duty under such law as was then in existence or might be enacted subsequently.

The law governing the active duty of reserve components which was in effect at that time and had been approved, in fact, on the 27th of August 1940, the so-called National Guard Act, Public, No. 96, of the Seventy-sixth Congress, in its first section, reads, in part, as follows:

Resolved, etc., That during the period ending June 30, 1942, the President be, and is hereby, authorized from time to time to order into the active military service of the United States for a period of 12 consecutive months each, any or all members and units of any or all reserve components of the Army of the United States * * * with or without their consent. * * *

I have asked some men in the War Department and also some Members of the House who, I think are pretty good law-

yers—I am not a lawyer—and so far I have not found anyone who will contend that these two laws taken together leave any need for any declaration of emergency legislation to put the selectee into active duty as a Reservist when he has completed his period of inducted training and service. If plain words mean what they say, immediately upon the completion of the 12 months' service and training period under the Selective Service Act of September 16, 1940, the selectee goes into the Reserve and immediately as a member of the Reserve he can be called to active duty under the Reserve Act of August 27, 1940, by which the President already has the authority to order any member of a reserve component into active duty for an additional 12 months.

Indeed, I do not know why there should be any question about it for attention was called to this when the Selective Service Act was under consideration. Several of us protested it at the time. I think the only answer ever given was a suggestion that instead of keeping the boys in for more than a year another class would be called. But it is now proposed to keep them in for more than a year by extending their training period as selectees. If it is to be done, the individual might well prefer to serve his additional time as a Reservist than as a selectee. There are two reasons for that: One is that a member of a reserve component has a better military status than a selectee; the second reason is that additional time spent as a selectee does not reduce his period of liability as a Reservist. The 10 years of liability as a Reservist does not begin to run until the period of training and service as a selectee has ended whether 1 year or extended.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. In view of what the gentleman has read and has just stated it would appear that the administration does not want to exercise the power it has under the law and that they want to pass the buck to Congress and make us assume the responsibility for continuing men in the Service.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. CASE of South Dakota. I am not sure that is the reason or whether it is a fact that these two sections have not been generally read in connection with each other, but, certainly, that possibility was explored at the time we were debating the selective-service proposition. The gentleman from Michigan [Mr. MICHENER] spoke on the subject at some length, and very forcefully. And, in my remarks of September 7, I said:

> The 10-year reserve provision saddles 10 years of uncertainty and liability for training onto a man after he has given his year of service.

Some of us who voted against the bill protested as much as anything else the unequal burden thrown on the boys who were called by the long liability for reserve duty. The proposal now to extend their selectee-training period makes their term of liability just that much longer.

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman.

Mr. CHIPERFIELD. Do the provisions of law which the gentleman just read give them the right to extend for another year members of the National Guard?

Mr. CASE of South Dakota. The law gives the President the authority to order into active duty any reserve component for 12 consecutive months. There might be some uncertainty whether a member of the National Guard who had served his 12 months would be liable for an additional 12 months, but there is no question, I think, about the liability of the selectee. The question as to the National Guard may rest on the basic Guard legislation in the National Defense Act when read in connection with subsection (c) of the first section of the Selective Service Act.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, the four freedoms advocated by President Roosevelt for the world have been thrown into discard when we consider what New Deal administrators are doing to American producers of dairy, beef, and feed products. Un-American activities on the part of bureaucrats in Washington against the interests of millions of our fellow citizens is the order of the day.

I refer in particular to the activity of Secretary Claude Wickard and some of the Bureau chiefs under his jurisdiction in a recent Nation-wide radio broadcast from the Department of Agriculture urging American consumers to buy and eat oleomargarine instead of butter.

For the first time in the history of our country the Department of Agriculture, which was created to protect and aid American farmers, has inaugurated a National-wide propaganda program to sabotage and scuttle the dairy industry—the largest unit in our agricultural structure.

It may be that Secretary Wickard has little knowledge of what is going on in his Department, for he has devoted most of his time since appointed in the Cabinet to making speeches over the Nation, strongly urging that our country enter the European war. Nevertheless, the Secretary is responsible for official pronouncements of employees in his Department, and he should remain on the job to look after them.

When I turned on my radio in Minnesota on the morning of July 5 I was amazed to hear representatives of the Consumers Counsel Division of the Department of Agriculture brazenly extol for 10 minutes the virtues of oleomargarine in a cleverly worded radio skit. The radio performers, presumably employees of the Department of Agriculture, did their level best to put over the idea that oleomargarine, under the new formula as promulgated by Paul V. McNutt in charge of the Food and Drug Administration, who is also seeking to destroy the dairy industry, was equal, if not superior, to butter in food value, and they boldly urged consumers to buy oleo instead of butter.

What a slap at more than 3,000,000 dairy farmers who toil from dawn to late at night to supply the Nation with the most healthy food product known to Nature since the beginning of time. Who ever heard of an agency of the Federal Government publicly advertising a synthetic product, or any other product, as far as that goes? Can it be that some of our Federal officials are financially interested in foreign coconut plantations or in manufacturing plants engaged in the production of oleomargarine?

Mr. Chairman, I ask for an immediate investigation of this matter by a committee in Congress. We cannot permit Federal departments and their employees to maliciously and willfully carry out policies to wreck any branch of agriculture or any other segment of our economic structure. If Secretary Wickard is not responsible, he should find out what is being done in his Department, and the responsible officials should be summarily dealt with. I also ask that Paul V. McNutt and his Food and Drug Division be investigated by the same committee. The employees of this agency have been sniping to injure the legitimate distribution of wholesome dairy products.

A little over a year ago President Roosevelt urged the purchase of Argentine beef, because, he said, "It was cheaper and better than beef produced on American farms." Now the Department of Agriculture urges American consumers to buy oleomargarine instead of butter, because, they say oleo is just as good as butter under the new McNutt standard, and cheaper. What are we coming to in this country? And this is not the end. I predict that, over the protest of more than 120 Republican Representatives in the House and other Members of Congress, and against the unanimous opposition of American producers, the President and the Secretary of State will shortly announce drastic reductions in tariff duties on foreign dairy products, beef, flax, and other competitive farm products in the trade agreements with Argentina and Uruguay. An attempt also may be made in these agreements to set aside the Sanitary Convention which now prohibits the importation of beef from cattle infected with hoof-and-mouth disease. Members of the House, there will be a day of reckoning, but why must we wait so long to get justice?

Mr. Chairman, when Cicero lamented the conditions of the times and the decay of public morals before the Senate of the Roman Republic of his day he must have had a weather eye ahead for conditions that would break out in this Republic under what Hugh Johnson calls the "Fourth New Deal." Assuredly now, as then, the time is out of joint when employees on the public pay rolls are allowed, without rebuke, to conduct vast propaganda campaigns not only in the interest of one class of society against another, but in the interest of certain manufacturers of synthetic foods against

the interest of those who produce the natural foods of the farm.

Now, Mr. Chairman, I must confess that I grew to manhood in a period when citizens regarded their Government as primarily an agency to maintain peace and order and to establish conditions under which the various elements of society could proceed with some degree of liberty, provided that they did not tread upon each other's toes. I was taught that the duty of government is to permit the greatest amount of liberty possible without ensuing disorder, and that the Government should not take sides among its citizens. It is true, during the past decade, I have seen much of the subversive work of the "lavender" lawyers, "pink" economists, and the "mauve" home-economic ladies, operating together on Uncle Sam's pay rolls in an effort to transform our social institution so that a vast and intricate network can be spread to control the individual lives of our people from Washington, but never before, to my knowledge, has the radio been used so blatantly by them to advertise a food product or to attempt to turn the trend of consumption from one food product to another.

Now, what are the facts? The facts are that we are in the midst of another wild wave of dietary fad-ism. We think we can eat almost anything and go to a drug store and buy a bottle of vitamin pills and everything will be all right. We are being led to believe that we can take low-grade fats and fortify them with vitamins and make a product which is as good as that which Nature makes. This reminds me of that school of diet, which only a few years ago recommended living on cracked wheat and walking barefooted every morning in the fresh dews of the grass. Such fads pass with growing knowledge.

Notwithstanding the admissible benefits which may come from artificially vitamining some of these low-grade foods, I happen to know that many great scientists, who are seeking the truth, are not yet convinced that the so-called "fortified, synthetic foods" will produce the same constructive results in nutrition that is known to come from the intake of natural foods containing both known elements and certain unknown elements which these scientists are trying to isolate in order to explain, for example, why milk and its byproducts behave as they do in nutrition.

But the insidious part of this Government-sponsored propaganda in not so much in favor of using oleomargarine in baking as it is in encouraging American housewives to put it on the table, where butter has its chief consumption outlet. It is a campaign to change American habits. It is virtually a public conspiracy against the farmers. Its success will harm millions of domestic producers.

Mr. Chairman, is this the last blow directed against the dairy farmers? How long are they to be the economic shock troops of the New Deal? The triple A has already diverted permanently more than 30,000,000 acres of land from the favored basic crops of cotton, corn, wheat, tobacco, and rice. Encouragement has been given to the producers of these crops to plant extensively grasses, clovers, and the like. Little attention was also paid by the Government to the enforcement of the Bolleau amendment, designed to protect dairy farmers from overproduction in conjunction with the triple-A program. As a result the total production of milk has increased steadily to where, this year, it will probably be more than 117,000,000,000 pounds. This will be an increase of about 6 percent over last year's production. On top of this the Government is asking for an additional 8 percent increase in production over that of the present year in order to supply the somewhat nebulous needs of the Allies and of the stricken democracies when, as, and if the present World War is over.

At the present time the Government says it needs 250,000,000 pounds of cheese, 200,000,000 pounds of dry skimmed milk, and 15,000,000 cases of evaporated milk for export. What is it doing to increase the domestic-butter consumption except to urge consumers not to eat butter and to eat oleomargarine? On the 1st of July our butter holdings totaled over 120,000,000 pounds, the greatest storage holdings on record, and nearly 40,000,000 over the holdings on the same date a year ago. These butter holdings this year are more than 18,000,000 pounds above the average for the past 5 years.

Now, everyone knew that butter production would increase this year, but in the face of it the Secretary of Agriculture removed butter from the stamp list, and thus denied to a vast body of persons on relief and in very low income groups the opportunity of buying butter at prices relatively competitive with oleomargarine. By that act the Secretary closed a yearly outlet of more than 3,000,000 pounds over the same month's production a year ago. The combination of the order removing butter from the stamp list and the propaganda campaign conducted by the Government agencies during the past months to increase the consumption of oleomargarine is certainly doing its work.

Mr. Chairman, these facts which I have given to the House in regard to the activities of Federal oleomargarine salesmen, who are on the Government pay roll, are of such tremendous significance to millions of dairy farmers in this country as to warrant an immediate investigation by a committee of Congress. I demand such an investigation, and I also insist that the Department of Agriculture stop for all time the activities of its employees in their attempt to scuttle and injure American dairy farmers.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Chairman, the Congress has appropriated a good national defense. What we need now is to realize that from now on we cannot merely talk a good national defense. We need build a good national defense. We need action, not words. I am going to give you some figures, all from official sources, which will show the promise and the performance, the words and the actions, on aircraft production. These are not things that you heard around some place, but official estimates and reports. No one can make these figures parse out exactly, because they are apparently deliberately confusing, but certain results stand out clearly from an analysis of them.

First. Our responsible public officials have consistently overestimated our future production of aircraft;

Second. They have repeatedly overstated our current production;

Third. According to their own estimates of our needs, our production schedules are lagging behind our needs; and

Fourth. Our own armed forces are not getting the planes they say they need.

These constantly conflicting statements from public officers charged with this responsibility are disturbing. They are deliberately meant to be confusing and deceptive. Whom are they intended to fool? I do not believe they fool Hitler or any of our potential enemies. This administration is apparently trying to mislead the American public and by the adroit manipulation of the figures make them think they are getting adequate defense production when they are not. It will be remembered that a year ago, April 16, 1940, the President made his first great national-defense speech, and glibly spoke of a goal of 50,000 planes, to be produced in 2 years, and he asserted that by that time American industry would be in a position to produce 50,000 a year. The National Defense Advisory Commission immediately reduced this goal, and during the summer of 1940 the Defense Commission drew up a 2-year program for the production of about 40,000 planes from July 1, 1940, to June 30, 1942, 18,000 being for the Army, 7,000 for the Navy, and about 14,000 for the British orders. There have been additional orders since 1940, so that there are now more than 44,000 planes on order.

What about delivery of these planes? Are they being delivered up to schedule? As I say, it is hard to get these figures, but let us look at some of the statements we have. On the 3d of September 1940 the National Defense Advisory Commission issued a boastful statement entitled "Building for Defense." In this the Commission set forth a schedule of what it expected airplane production would be in the United States for the next year and a half. Let me read you one statement from this pamphlet, and I quote:

> We are turning out roughly 1,000 planes a month now. Early next year we will be turning out 2,000 a month. By the end of next year (1941) we will be turning out 3,000.

Let us see whether this schedule has been lived up to. Remember the statement was made in September 1940. The O. P. M. issued a press release on May 29, 1941, and according to this press release, 586 airplanes were produced in August 1940, and 670 in September 1940, at the very time that the pamphlet of the Defense Commission said "We are now producing 1,000 planes a month."

Mr. Chairman, at that rate we were 33 percent behind schedule in the month of September 1940. This pamphlet went on to say "early next year," that would be 1941, "we will be turning out 2,000." I take it that "early next year" would be at least February 1941. According to the before-mentioned press release of the Office

of Production Management, 972 planes were turned out in February. Thus we were producing less than half of the number that the National Defense Advisory Commission predicted we would be producing in that month. The statement went on, let me remind you, "by the end of next year," that would be 1941, "we will be turning out 3,000." We are not yet at the end of the calendar year 1941. We are only half way through it. But according to the Office of Production Management, in the month of June we produced 1,476 airplanes of all types for all uses. We have not even approached the figure that the Defense Commission set for early in 1941.

In October 1940 we had some revised estimates of airplane production. This new schedule called for production of 2,068 airplanes in April 1941, and 2,466 in June 1941. What were the facts? In April 1941 we produced 1,389 planes, as against the 2,068 estimated, and in June 1941 we produced 1,476 planes, as against an estimated 2,466.

A little later in 1940 Mr. Knudsen presented a still lower schedule of airplane production. This called for a production of 1,000 planes in December 1940, more than 1,600 in April 1941, 2,200 in July 1941, and 2,700 in February 1942. And this revision has not been lived up to so far. In December 1940 we produced but 900 planes as against an estimate of 1,000. In April 1941 we produced 1,384 planes as against an estimate of 1,600. The month of July 1941 has not been completed but it seems very dubious that we will produce 2,200 planes this month as estimated, for in June we produced but 1,476 planes.

From these over-all figures it is quite apparent that we are not getting the production of airplanes that the American public has been led to believe by informed Government officials that they could well anticipate. As to why we are not getting airplanes produced, that is another matter. The point I am here interested in is that we have not been getting production in accordance with the schedules that officials in the Defense Commission and the O. P. M. have held out to the American people as schedules of deliveries.

When it comes to the Navy Department we are in a very good position to compare actual production with the schedule of deliveries. On January 7, 1941, Admiral Towers, head of the Bureau of Aeronautics, presented before the House Committee on Naval Affairs a schedule of airplane deliveries for 1941. According to this schedule we were to receive 334 planes for the Navy in January, 263 in February, 299 in March, 334 in April, and 393 in May. This would make a total of 1,629 planes during the first 5 months of 1941. In a press conference on May 21, 1941, Secretary of the Navy Knox presented the actual deliveries of airplanes to the Navy for the first 4 months of 1941. In January, according to this schedule, instead of the 334 planes projected, only 297 were delivered. In February only 183 were delivered instead of the scheduled 263. In March the deliveries amounted to 243 planes as against the projected 299, and in April 273 planes were delivered instead of the scheduled 334. In this press conference Secretary Knox attempted to leave the impression without directly saying so that the production of naval airplanes was ahead of schedule. During the first 4 months of 1941 the delivery of airplanes to the Navy Department was 19 percent behind schedule.

Now, when we turn to the May 1941 figures, the picture becomes even worse. We do not have any direct statement of how many planes were delivered to the Navy in May, but we know how many planes were on hand at the end of April and we know how many planes were on hand at the end of May. Secretary Knox, in the above-mentioned press conference, said that on April 30 the Navy had 3,476 planes. In the House Hearings on the Second Deficiency Bill, page 280, it is stated that there were 3,704 planes in the Navy on May 31, 1941. On this basis the net accession of planes by the Navy Department in May was 228, as against a scheduled delivery of 393. Then for the first 5 months of 1941 the scheduled accession of airplanes by the Navy was 1,629. The actual increase in the air force of the Navy during that period was but 1,224. Consequently, it is quite apparent that the production of airplanes for the Navy during the first 5 months of 1941 was 25 percent behind schedule. Admiral Towers, last Tuesday, told a House committee that actual deliveries of naval planes for the first 6 months of 1941 fell 20 percent short of estimates, saying only 1,547 were delivered. Why should the administration try to fool the public and make them believe that we are achieving adequate national defense, when production of vital items such as planes is lagging way behind?

Mr. TABER. Mr. Chairman, I yield to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, long ago I was taught that open confession is good for the soul. I wonder if you Members of Congress are as confused as I am on some aspects of the defense program and what is happening in the United States of America.

I looked at this bill this morning for the first time with real trepidation in mind and heart, and found myself baffled in analyzing the efficiency of the expenditures that are being made at the present time. The gentleman from Virginia [Mr. WOODRUM] indicated to us this morning that, including the lease-lend and the completion of the two-ocean Navy, we will have expended for national defense up to this time fifty-two thousand million dollars. Estimate that in the terms of the going Treasury rate of interest, which is somewhere in the neighborhood of 2½ percent——

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. DIRKSEN. Yes; I yield.

Mr. WOODRUM of Virginia. Not "expended"; but we have appropriated.

Mr. DIRKSEN. That is correct. We have appropriated that amount. When it is expended and the long, green paper, otherwise known as Government securities, are issued from the well-oiled printing presses of the Bureau of Engraving and Printing, you estimate the interest at 2½ percent, and you can see what the carrying cost of this tremendous program will be. Reconcile yourself right now to a $100,000,000,000 debt. We have not seen the end of the expenditure. And, if my arithmetic is correct, 2½ percent on $100,000,000,000 will be two and one-half billion dollars annually to carry this tremendous load, an amount infinitely more than the whole expenditure of government only a comparatively few years ago.

I am concerned. Someone has estimated that this program is going to cost $15 per month for the average American family. What about the dislocation that is going to ensue? To what extent is Congress indulging in and devoting some profound thought to the things that must be done as compensatory devices as we go along to prevent the deluge? We might, in all conscience, say just as Louis XIV did a long time ago, "After us, the deluge." I am frankly alarmed that that may be the case. I am alarmed about the dislocations that are beginning to manifest themselves already.

I have a young radio industry out in Peoria. Once they employed 60 of the finest radio craftsmen of the country. They may have to fold up in a short time. Why? They are too small to get a primary defense contract. They have not been able to get a subcontract, despite all my fussing with the Signal Corps and the O. P. M. They do not have an A–1 priority rating. So there is a little industry that must fold up and cease doing business. We are informed from reasonably authoritative sources now that 10 whole industries, by virtue of the impact of priorities, must fold up unless they find defense contracts. You cannot adapt machinery devoted to one type of commodity overnight to the mechanical requirements of defense commodities, and the result is what? Not being able to get their material with which they have been articulating before, they stop. What about the men who are employed in those factories? Their work terminates. We are beginning now to be confronted with the amazing, paradoxical spectacle of spending billions upon billions only to find that ultimately the static unemployment factor in the country will be bigger than it was before.

When the work-relief bill was on the floor what did you read in the report? Defense contracts awarded to only 761 counties in the United States out of a total of 3,073 counties. That is the reason there was $884,000,000 provided for the work-relief program. There has been no diffusion of these benefits. We are beginning now to see the various dislocations one place and another. That ought to be cause for real concern not only to every Member of Congress, but to every businessman as well.

We are going to have a tax bill next Tuesday—$3,500,000,000. Is there anybody so naive and so simple in his mental processes that he does not recognize now the inadequacy of that tax bill to these enormous expenditures? It is only the beginning and it is a drop in the bucket to the heavy impositions that will be made upon the American people, and in proportion as they are made, there

come further dislocations of our industrial and agricultural economy.

Another thing that disturbs me as I think of the $7,000,000,000 now before us, is a dislocation of the productive capacity of America. The other day I was out in California. The air-crash committee spent 5 days in the Lockheed plant. Last Friday morning we went to the Douglas plant. To the same extent I am afraid I take issue with my friend from Ohio [Mr. VORYS] as to their capacity to make airplanes. I saw Jimmy Mattern, the great pilot, sit in the one thousandth bomber and start off for Montreal. But I found out also that the reported military imperatives are said to be such that the air lines of the country can secure no planes to take care of the growing business, except for planes that are destroyed, and except for parts for planes that they are operating at the present time. All of it has gone overboard. So here is a great industry which carried 3,000,000 passengers in 1940, which was estimated to carry 11,000,000 in 1945, which has an unofficial curbstone over it at the present time which will prevent its expansion.

I suppose we call it sacrifice in the interest of the country. Perhaps it is right. I will go along with the program so long as they quit delivering transport planes so that other countries can open up more commercial air lines. I want to be thinking a little about America and about the safety of the people who ride the skyways of the country today. Considering the sacrifices we are making for other countries, can we be deemed selfish if we give a little thought to the safety and welfare of our own people and our own enterprises?

You read in the paper this morning of the growing divergence of opinion between Mr. Henderson, of the Office of Price Administration and Civilian Supply, and Messrs. Knudsen and Hillman, of the O. P. M. Mr. Henderson wants to halve the auto production immediately. Mr. Knudsen says it must be done progressively. Mr. Henderson says he has the power to do it. We shall see. You fellows from Michigan, from the productive auto centers of the country, what will it do to the boys who are working out there? Hundreds of thousands of them would be put out of work because of a rather capricious and arbitrary imposition of an order which says that starting on the first day of a certain month production will be diminished by 50 percent of what it normally was in the year 1940.

What would happen as the result of that kind of action in terms of revenue production, revenue and wealth that will be lost? And yet we come along with a tax bill to squeeze infinitely more money out of a diminished production and a diminished creation of wealth in the country. Can we, the lawmaking body, stand idly by without making some serious and profound study of that growing economic problem? I realize that if there is not to be a cataclysm at the end of this defense path the time for action is right now; and I am beginning to think seriously in terms of opposing some of these broad delegations of authority and in my humble way doing what little I can to see that we do not continue to dislocate the industrial picture of the country too far.

And finally let me remind you how painful it will be when D-day comes. We hear so much about M-day, but do not forget there will be a D-day when it is anticipated that the soldiers will go home. I went through D-day in 1919 or 1920 as I was demobilized at Fort Dodge, Iowa. On the next D-day thousands and hundreds of thousands will be demobilized in the cantonments all over the country. We are producing a two-ocean Navy. You have got to man battleships whether there is a war or not. There will be over 600 vessels, including auxiliaries, in our two-ocean Navy.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Illinois.

Mr. DIRKSEN. It will require a maintenance force of 550,000 men. There will be 25,000 military airplanes in the country. Are they to deteriorate on the ground or are men to fly them and keep in training? And what will be the cost to the Government when it is all over? Reckon it on the basis of naval tonnage at $500 a ton and on the basis of $1,500 per man in the Army. This will give you some idea of the cost. When it is all over we may well be looking for the storm cellars, but it will be too late to look for the storm cellar then. The time is at hand when you and I, charged with great responsibility for hundreds of thousands of people in our respective constituencies, are going to have to give some attention to it. I am concerned about the little industries that are going to pot. I am concerned about the great unemployment problem. Then once more we must have a glorified public-works program calling for the expenditure of additional billions. So instead of diminishing the debt it is going to be carried to greater astronomical heights.

As we carry this enormous problem of dealing with a greatly distorted fiscal economy and can scarcely see clearly ahead, will people then rise in their despair and clamor for a strong man with autocratic powers to lead the way out of the wilderness?

If that should ever happen, who will then say that American democracy has come to an end and that the distortions of war and war preparation have provided for us the very type of government against which the defense effort of America is leveled at the present time?

I shall at no time quarrel with necessary defense expenditures, but our difficulty arises in interpreting the word "necessary." Is it, for instance, necessary that we should expand every quartermaster depot in the country and build a large number of new buildings which, in strict fact, might be placed in the class of nonvital projects? Consider also for a moment the vast appropriations that have been made and the capacity of this country or any agency therein to expend such appropriations efficiently and effectively within the space of a year.

Somewhere I saw a reference that Rolls-Royce liquid-cooled motors which were quoted at about $15,000 each a year ago have now jumped to nearly $21,000. Is there any excuse for that kind of a situation or is it the natural result of making it appear that we are doing an effective job for the defense of this country merely by the quantity of money that is expended and the amount of contracts which are awarded?

From time to time I have scanned the list of contract awards and the types of commodities which are being purchased and cannot help but wonder whether all of these are indispensable to the defense establishment of this country. Obviously I cannot speak as an expert, but one can apply common sense and some experience to this matter in struggling with his doubts.

One thing is certain as one seeks to get a perspective of what is happening at the present time and what conditions we must confront when the military perils are at an end. Conditions will be ideal for an over-all and major social and economic operation upon the country. For years we have heard so much about planning from the President and his advisers. A host of books have been written on social planning and social control. We have become quite plan-conscious. Heretofore there have been people on the defensive against a planned economy to place the burden of proof upon planners to show that a planned economy would work. As one now envisions the growing psychology in the country and the forces which are operative, it may well be that the burden of proof will be upon a gallant group of real defenders of the American scheme of life to show that planning will not work.

For the last 8 years we have had but partial planning in various fields of governmental enterprise. In the field of finance one needs but mention the R. F. C., the F. D. I. C., the H. O. L. C., the S. E. C., and others.

In the field of industry one sees the hand of partial planning in such agencies as the ancient N. R. A., the N. L. R. B., the Wages and Hours Act, the Walsh-Healey Act, the T. V. A., the U. S. H. A., and many others.

In the field of agriculture we have seen the application of a partial plan in the form of production controls, marketing acts, surplus disposal, and the various modifications of these three basic approaches to our farm problem.

Partial planning, as everyone knows, can reach but a definite proportion of our people and must obviously be somewhat hit and miss. In many cases the effects are quite disturbing, and those who are devoted to the philosophy of a planned economy are sure of two things. The first is that partial planning cannot succeed. The second is that they anticipate a blow-up as a result of the enormous debt, the immense debt-carrying charge, the dislocation of international trade, the dislocation of the productive capacity of this country, the emphasis on military needs, the imposition of priorities throughout the industry and commerce of the country, the factor of rising prices, and the tremendous tax burden which is being accumulated for this generation and the generations to come

after. They know that when the catechism arises there may be no going back and that it will be the signal for them to move forward for a completely planned economy in this country. Who will deny that the broad grants of power which are requested of the Congress such as the property-seizure bill, the enormous blank-check appropriations, the lend-lease bill, and other measures which will be presented to the Congress will be the vehicle to be employed to bring planning to our country?

This, then, gentlemen, is the time to carefully scrutinize the request for power and appropriations which are made upon the Congress every week. This is the time to try to dip into the future and envision the forces of dislocation which are already at work. This is the time to appreciate that the death of small businesses, the certain growth of unemployment in industries which are so unfortunate as to be unable to procure priorities or defense contracts, the proposal to impose a regimented price system upon the various lines of industries and businesses of the country, the siphoning off of purchasing power by means of an extraordinary tax bill are not so many unrelated and accidental results but rather are symptoms of the large dislocations which lie ahead.

I wish I had a complete and entire answer to these disturbing problems but at the moment let me conclude this discourse by suggesting that each request for funds and each request for expanded Executive authority be measured and interpreted in the light of the movement toward a planned economy when the present conflict is at an end and the slow but certain break-down of the American way.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I rise at this time not with any thought of augmenting or amplifying some of the statements which have been made by the distinguished members of the Committee on Appropriations but rather with the idea of presenting to the members of the committee some thoughts I have been able to gather after having talked with some of the folks back home.

In the first place, I want to emphasize from what I have been able to gather that the country is absolutely sold on the idea of national defense, that the people back home want to see every effort brought to bear in their Government so that our Army will be invulnerable, so that the Navy will be in a position to resist aggression, and so that any attempt of a foreign invader to precipitate himself upon our shores will be a failure. Fifteen months have passed since the Congress, apprehensive and concerned, at the behest of the people, began to appropriate vast sums for the protection of our country and the furtherance of our national-defense program. We have now reached, with the passage of the bill under consideration, a total of appropriations of some $52,000,000,000, including the lease-lend program. Like some of the other Members, I feel it is high time to take cognizance of the fact that the great majority of the American people must sooner or later realize, along with the Congress, that a serious economic situation is facing us or will face us as the months go on.

Unlike many, I believe that if the United States is ever brought into real military and fighting shape, it will be absolutely invulnerable and will be able to resist every power an aggressor can bring against us; but I do feel that, unless the men in authority, who have been charged with the construction and the managing of this great and gigantic military attempt, realize their duty is a responsibility to the American people, the program we are all striving so hard to complete will not succeed in the objectives we are now looking for.

There is one more point. Before I sought reelection to the Congress, and I am sure this applies to every other Member, I felt, and I was not afraid to say it to the people of my district, that any attempt on the part of either capital, entrepreneurs or labor to sabotage this program would be treasonable, and I repeat at this time, Mr. Chairman, it is absolutely necessary to see to it that the boys in our training camps are equipped so that they can make this Nation indefatigable.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, the timely warning sounded by the distinguished gentleman from Ohio [Mr. JENKINS] was most pertinent. The observations made by the distinguished gentleman from Illinois [Mr. DIRKSEN] indicating his disturbed state of mind emphasize the dire difficulties and serious situation which we face today. I feel that neither of these gentlemen appeared to be critical of the Appropriations Committee. I think both of them sought to emphasize not only to the Appropriations Committee but to the membership of the House as a whole its responsibility today. As for myself, however, I think a very large share of the responsibility rests not with the Congress but with the executive branch of the Government. I believe a large part of the difficulty with which we are confronted today is due to the glaring inconsistencies and the dangerous vacillations which have marked the defense program since it started.

Let me point out just one incident developed during the course of the hearings on this new appropriation bill. I believe this incident is characteristic of much of the lack of planning and programing on the part of the executive branch of the Government. The Navy sought to justify a request for a substantial sum of money for the new air station in Newfoundland. During the course of that justification it was disclosed that in February of this year the plans of the defense program were that but one squadron was to be housed at Newfoundland and the expenditures for the air station there were on that basis. Mark you, that was February 1941. Yet we are here in July with the Navy Department coming to us and telling us that the program as of February of this year with reference to this air station at Newfoundland has been thrown out of the window and that instead of the planning as contemplated but a few short months ago an entirely new plan has been projected.

I say to the House today that we cannot economize, we cannot run the business of the Government with any sense of efficiency if inconsistencies and vacillations of this kind continue. Nor can we have the defense which we hope for. Mark you, by the admission of the admiral charged with the responsibility of constructing the shore stations, the costs as a result of the changes which have been made, represent not only the additional costs of the new structures, but the further costs made necessary by reason of having a dual project rather than a single project.

It is an easy thing to bask today in the favor of popular acclaim with reference to a defense project. It is easy to stand here in the well of the House and shout, "I am for national defense. I will back every defense program," but I join with my friend from Ohio and with my friend from Illinois in the warning sounded that it is high time that we examine carefully, and if need be critically, the defense program. Consistency and competency go hand in hand. I believe the American people have the right to know what our objectives are, and the policies by which those objectives are to be reached. I throw out the question now, Why is it that in less than a month we have a new appropriation bill before us for national defense? It has been but a few weeks ago that a large supplemental item was here for national defense. What is it to be, a monthly program?

Is there a lack of courage on the part of the administration which suggests that the costs of the defense program must be given in small doses? Why must we be fed one appropriation bill after another, all intended for the same purpose? Oh, I know the excuse that is at hand. I know the excuses about shifting, changing world conditions, and probably even new secret allies; but I say to you, there has been ample time for the administration and those identified with the military establishments of the country to decide upon a policy, to set an objective, and to determine upon a method and then to have the candor, the forthrightness and the frankness to come to the country and to the Congress and tell them what the costs and the sacrifices are to be.

Opinion is practically unanimous today that the United States is still not adequately prepared to defend itself and its possessions against attack and the progress to date of the emergency national-defense program is generally unsatisfactory. Now we are called upon to approve another many billion dollar supplemental national defense appropriation bill, and we know that still others are in the offing. There is no alternative but to provide the additional billions, for we must be prepared to defend the security of the United States and its vital interests. There is no retreat from that and time is of the essence. But I am constrained to say that I have no real

confidence that the billions which we are now appropriating are allocated to the proper places and will be spent expeditiously and efficiently in the best interests of our defense.

For more than a year now we have been appropriating billions for defense as requested by the President and the armed forces in one bill after another. But we have had no real plan to guide us and the objectives of the defense program have constantly shifted and changed. It is apparent that a year ago the administration had no clear idea of what it was driving at and little concept of what the program was going to cost. Inconsistent and contradictory statements of our defense policy have been made by the score. The President and his spokesmen talked loosely about "adequate preparedness," "defending the Western Hemisphere," and making the United States the "arsenal of democracy." But there was no clear statement of policy and objectives with a plan for their accomplishment.

A discussion of the objectives and plans of the present defense program of the administration requires that some attention be given to the record of the New Deal in respect to national defense prior to the outbreak of the present war. There is no need to go into detail about the early New Deal record, as the question has often been aired in the past. But it is desirable to outline the chief issues, since they have a distinct bearing upon the present chaotic state of unpreparedness and help explain the vacillations in policy and lack of planning in the present crisis.

For a period of about a decade and a half after the close of the first World War the leading nations of the world supported—with many qualifications, it is true—a policy of limitation of armament. Germany was completely disarmed, and the Washington and London Naval Disarmament Conferences of 1922 and 1930 established the principle of naval armament limitation on the basis of relativity—the 5–5–3 ratio for Great Britain, the United States, and Japan, respectively. Our Army consisted of only 122,000 enlisted men in 1933, but our national defenses were probably adequate in view of world conditions.

At the very time that President Roosevelt came into office, March 1933, two events occurred that should have changed the course and direction of our national-defense program. On January 5, 1933, Hitler became Chancelor of the German Reich, and on March 5, 1933, he secured a majority of the membership of the Reichstag. Later in March of the same year Japan withdrew its membership from the League of Nations. These two events certainly changed the world picture on armaments.

I need not dwell at length, Mr. Chairman, on the disastrous consequences of the London Economic Conference in 1933 or on the factors which caused the wrecking of that gathering. The responsibility for the unfortunate turn has been established.

In due course Hitler moved forward, step by step, building up his army, his navy, and his air force. Little, however, was done here, despite the fact that Army and naval intelligence officers were stationed in Europe who had every opportunity to see the Hitler machine in the making.

In 1938 an expansion program of 20 percent for the Navy was proposed, but nothing to speak of was suggested at that time for the Army.

It should be said to the credit of the administration that the Vinson-Trammell Act in 1934 provided for building the Navy up to treaty strength.

It was practically the same provision as the Hale-Britten bill of 1932, which had passed the Republican Senate, but was killed by the Democratic House committee. But the picture on naval armament was completely changed by the fact that Japan gave written notice on December 30, 1934, that it would terminate the Washington Treaty at the end of 1936. The attempt of the President to secure in 1935 a new treaty or the extension of the old ones failed and the limitations expired at the end of 1936. Japan and Great Britain immediately started extensive building programs.

On January 28, 1938, the President addressed a message to Congress recommending a 20-percent increase in naval tonnage to keep abreast of changes in the British, Japanese, and other navies. He stated in part:

> As Commander in Chief of the Army and Navy of the United States, it is my constitutional duty to report to Congress that our national defense is, in the light of the increasing armaments of other nations, inadequate for purposes of national security and requires increases for that reason. * * *
>
> Adequate defense means that for the protection not only of our coasts but also of our communities far removed from the coast we must keep any potential enemy many hundred miles away from our continental limits.
>
> We cannot assume that our defense would be limited to one ocean and one coast and that the other ocean and the other coast would with certainty be safe. We cannot be certain that the connecting link—the Panama Canal—would be safe. Adequate defense affects, therefore, the simultaneous defense of every part of the United States.

It is interesting to note that there is no mention in the President's message of protecting all of the Western Hemisphere. Admiral Leahy, Chief of Naval Operations, testified before the House Naval Affairs Committee that even with the 20-percent increase the Navy would not be sufficiently strong to arrange for the protection by the United States of the Philippines against any major power and that the increased Navy could afford protection to only one coast at a time. At that time the Navy knew little about Japan's expansion program but judged it to be substantial. Yet the Navy was apparently satisfied with the 20-percent increase as indicated in the following excerpt from testimony in the Senate Naval Affairs Committee on April 4, 1938, pages 3 and 4:

> The CHAIRMAN (Senator WALSH). Admiral Leahy, does the Navy Department believe that this bill provides all that is necessary for a proper size Navy to defend American interest?
>
> Admiral LEAHY. The Navy Department is of the opinion that the Navy authorized in this bill will be sufficient to provide an adequate defense to America providing the foreign nations do not expand their navies beyond what we now believe they are doing. It is not, in my opinion, sufficiently strong to insure our being successful against foreign attack, but it is believed to be sufficient to provide reasonable assurance.

The 20-percent increase was authorized.

The first step taken by the President to strengthen our Army in any significant sense came in January 1939. This was nearly a year after Hitler had taken Austria and several months after Munich. On January 12 he sent a special message to Congress asking for the appropriation of $525,000,000 for an emergency program. Only $210,000,000 was to be spent before the end of the fiscal year 1940. The Army was to receive $450,000,000, the Navy $65,000,000, mainly for bases, and $10,000,000 was for training civilian air pilots.

The chief item in the request for the Army was $300,000,000 for approximately 3,000 airplanes. The authorized strength of the Army Air Corps was increased from 4,120 to 6,000. In this connection the President said:

> No responsible officer advocates building our air forces up to the total either of planes on hand or of productive capacity equal to the forces of certain other nations.

A little over a year later the President himself was advocating 50,000 airplanes on hand and 50,000 a year production.

The major share of the balance of the Army appropriation went for critical items of equipment for the so-called initial protective force of 400,000 men. No expansion in personnel was requested and several important items such as urgent personnel and adequate Panama Canal defenses were not included. The program was entirely inadequate for substantial progress. The President determined that about $525,000,000 should be spent, and told the Army to decide what they wanted most. They chose airplanes and critical material.

Another statement of the President in that message is significant in the light of subsequent developments.

> It is equally sensational and untrue to take the position that we must at once spend billions of additional money for building up our land, sea, and air forces on the one hand, or to insist that no further changes are necessary on the other.

Shortly after this message President Roosevelt had his famous conference with the members of the Senate Military Affairs Committee, out of which came the story that he had stated that our frontier was on the Rhine. He denied this, and on February 3, 1939, issued the following statement as to our foreign policy, as reported by the press:

> No. 1: We are against any entangling alliances, obviously.
>
> No. 2: We are in favor of maintenance of world trade for everybody—all nations—including ourselves.
>
> No. 3: We are in complete sympathy with any and every effort made to reduce or limit armaments.
>
> No. 4: As a nation—as American people—we are sympathetic with the peaceful maintenance of political, economic, and social independence of all nations in the world.

In September 1939 came the war, but the President did not take immediate action to further our rearmament program.

He did issue Executive orders increasing the authorization of our Army, Navy, and Marine Corps to peacetime strength. But this had little immediate effect, since adequate appropriations had not been made for an enlarged force. A special session of Congress was called late in September, but at the President's insistence, nothing but the amendment to the neutrality law was considered. Late in November he warned that disturbed world conditions would necessitate a record national-defense budget of about $2,500,000,000 for 1941. Actually national-defense expenditures in 1941 came to $6,043,000,000.

At a press conference on September 12, 1939, the President stated that he interpreted the Monroe Doctrine to mean that the United States should go to war, if necessary, to protect not only the independent nations of Latin America but also Canada and all British, French, and Dutch possessions in the Americas, including islands lying some distance off the American coast. But the President did not tell us with what forces he could do that. And, as General Marshall testified a year later, we were not getting a force large enough to do that.

In January 1940 the Secretary of the Navy went to Congress asking for a 25-percent expansion in naval tonnage. The Navy Department officials believed that the 25-percent increase would fall somewhat short of maintaining parity with England but that it would bring us about up to the 5–3 ratio with Japan if built quickly. In respect to objectives of our naval policy, Admiral Stark listed the following requirements:

(a) The protection of the continental United States and its possessions.

(b) The protection of United States citizens.

(c) The protection of United States shipping, with special emphasis on the vital shipping along the Atlantic coast.

(d) The safeguarding, in concert with other American powers, of the Western Hemisphere.

The admiral stated in the event of a war by possible combinations against us, concurrently in both oceans, all of the tasks outlined could not be undertaken even with the 25-percent increase. He said:

> Obviously, some of these tasks must be abandoned for the time in order that we can assure the accomplishment of those which are most vital. The most vital ones would include the protection of Hawaii and its communications to the United States, the protection of the Panama Canal, the domestic shipping along the Atlantic coast, and, of course, the continental United States.

The Navy denied that it was seeking a two-ocean Navy. On April 15, 1940, Admiral Stark stated before the Senate Naval Affairs Committee:

> This is not to imply, however, that the Navy Department seeks an Atlantic Navy and a Pacific Navy. It does not. What was asked for in H. R. 7665 (25-percent increase) would just about maintain the 5–3 ratio with Japan, which even in 1922 was considered a minimum. It certainly seems essential today, very much more than in 1922, to support at least the policy then established of the 5–5–3 ratio.

The National Peace Conference asked the following question of the Navy and received the accompanying answer:

> Question 6. Does expert naval opinion favor the proposed establishment of a two-ocean Navy? As a strategic measure? As a political measure?
>
> Answer. Responsible naval expert opinion does not advocate a so-called two-ocean Navy in the sense of having a Navy in both oceans each capable of dealing successfully with the strongest possible enemy in that ocean. What has been and still is so advocated is the 5–5–3 ratio of naval strength.

Congress gave the Navy an 11-percent increase instead of the 25 percent and increased the authorized strength of the air force from 3,000 to 4,500 planes. Actually the 11-percent increase was the first 2-year program of the 25-percent program, and we left the door open for further requests. The Navy already had authority to ask Congress to appropriate money to build 41 or 42 combatant vessels, but had not done so. Little effort had been made to speed up construction or increase the number of ways.

While the 11-percent-increase bill was going through Congress the President entered into the discussion of the two-ocean Navy and said that it was just plain stupid and dumb to talk of it. Such remarks were made at a press conference on May 14, 1940, as reported by the press:

> Mr. Roosevelt brushed aside as utterly stupid suggestions that developments in the European struggle and their implications in the Pacific strengthened the arguments for a two-ocean American Navy. If it ever had any merit, that theory became outmoded with the acquisition of California in 1847, he said. Such a conception of the Nation's floating defenses was just plain dumb, he said.

Within a month after the President had expressed himself so definitely on the subject of the two-ocean Navy, the Germans had completely overrun the Low Countries and France had capitulated. The thought of the possible fall of the British Fleet must have shocked the President and the Navy considerably, for on June 18, 1940, Admiral Stark, Chief of Naval Operations, appeared before the House Naval Affairs Committee to advocate the increase of 200 ships with an over-all tonnage of 1,250,000 tons. The bill as finally passed provided for 1,350,000 tons, or an increase of 70 percent. It was signed by the President on July 19, without comment. The two-ocean Navy was on the way.

Along with the great expansion of naval ship strength went a great increase in the authorized plane strength of the naval forces. In a little over a month the authorized strength was increased fivefold. The Eleven Percent Act, signed June 14, 1940, increased the authorization from 3,000 to 4,500 planes; the Aviation Expansion Act, approved June 15, 1940, raised the number to 10,000; and the Two Ocean Navy Act, approved July 19, 1940, set 15,000 as the limit.

Although the two-ocean Navy was authorized on July 19, 1940, construction is just getting under way. I am afraid that it will be at least 6 years before it can be completed. Today it is a hope rather than a reality. Statements as to the objectives behind it and our present naval policy have been rather vague. Secretary Knox has stated that our policy is complete hemispheric defense. And apparently the continuance of the British Navy is not counted upon in the calculations. Note the following testimony in the House hearings on the second national-defense appropriation bill on July 22, 1940:

> Mr. WOODRUM. What is the objective?
>
> Admiral STARK. The objective is that we hope to finish the bulk of them in about 4 years. That is what we are striving for. My original estimate was that the total program would be completed in 6 or 7 years. But the more we study it the more hopeful we are that we may anticipate that time.
>
> Mr. WOODRUM. That will give us the so-called two-ocean Navy.
>
> When was it decided, as a matter of policy, that we should have this 70-percent increase?
>
> I know, of course, when we passed the authorizing legislation; but when, as a matter of policy, did we decide that we should have a Navy in each ocean?
>
> Secretary KNOX. I suppose that would be speculative, but I guess it came when we thought we possibly might be threatened by an enemy in both oceans, due to developments abroad.
>
> Mr. WOODRUM. By an enemy in each ocean, due to developments abroad?
>
> Secretary KNOX. Yes.
>
> Mr. WOODRUM. How far does the question of Great Britain's present status and that country's future status enter into this? In other words, are we building this two-ocean Navy on the theory that Great Britain's sea power might not be available for such assistance that we might need? If we knew that Great Britain might be able to hold the fort and come out of this situation with her sea power intact, would we need a two-ocean Navy?
>
> In view of the world situation as it stands today, regardless of the outcome of the present threatened invasion of the British Isles, as a matter of policy, for an adequate total hemisphere defense, we need a navy as presently proposed. Can you make that statement in the affirmative?
>
> Secretary KNOX. Yes; I think so.

On May 16, 1940, the President stated that the American people must recast their thinking about national protection and the protection of the whole American hemisphere. He said that we should plan then a program that would provide us with 50,000 military and naval planes and that he would like to see the Nation geared up to turn out at least 50,000 planes a year. The tone was alarming, but what did he ask for to implement his policy? His proposal was for the immediate appropriation of $1,182,000,000—$896,000,000 cash and $286,000,000 in contract authorizations. This amount was far more than he had said 2 weeks before could be spent efficiently and yet nowhere near enough to provide 50,000 planes, let alone further to strengthen the land and sea forces. The 50,000 airplanes alone would cost at least $5,000,000,000, if not more.

The effect of his alarming speech was, however, largely destroyed by two other statements of the President within the next 2 weeks. On May 26 he delivered his famous "on hand or on order" radio speech in which he represented the status of our preparedness to the Nation and

assured the people that the defense program could be carried on without sacrificing our social gains. There was nothing in the present emergency to justify the extension of the hours of labor, the lowering of standards of employment, the breaking down of old-age pensions or unemployment insurance, and the retreat from conservation of resources, assistance to agriculture, housing, and help to the underprivileged.

And then came, on May 28, the famous press conference in which he said the Nation need not be "discomboomerated." This conference was reported in the press on May 29, as follows:

The President said that there was no reason for the country to become "discomboomerated" in apprehension of what may come to pass. The women of the country would not have to give up their cosmetics, lipsticks, and chocolate sodas in consequence of the preparedness program. It was the intention not to upset the normal trends of American life any more than necessary.

Mr. Roosevelt underscored his observation that the present defense program was not to be compared with that of 1917, when the Nation was attempting to raise an army of 4,000,000 men. There was no thought in Government today to revive the draft system, whether of men or money.

In other words, the emergency was not serious. Business would go on as usual. We could have "guns and butter" and have our cake and eat it too. It is no wonder that the American Nation did not take the defense effort seriously enough with such soothing syrup being spooned out.

Another example of the lack of vision of the administration as to the future of the defense program of a year ago was the stand it took on the question of financing the extra cost. On May 28 a statement was made that the total so-called emergency defense program would cost about $4,000,000,000 during the course of the next 5 years. To finance this the debt limit was to be raised $3,000,000,000 to $48,000,000,000; this added borrowing power was to be used solely for national defense purposes. To finance the new debt, income taxes and certain excise taxes were to be raised about 10 percent. It was estimated that these taxes would yield $650,000,000 to $700,000,000 a year and would liquidate the added defense cost. This program was announced in a statement that was issued after a conference between congressional leaders and Treasury experts. The statement was as follows:

Chairman DOUGHTON, Mr. COOPER, chairman of the tax subcommittee of the Ways and Means Committee, and Senator Harrison, chairman of the Senate Finance Committee, have been in conference since 9 o'clock this morning with Secretary Morgenthau and with Mr. Bell, Mr. Sullivan, and Mr. Helvering of the Treasury, and with the joint congressional committee expert, Mr. Stam, and they have agreed to ask Congress at this session to consider legislation to provide funds for the payment of the national-defense program. Chairman DOUGHTON and Senator Harrison stated that they will convene their committees immediately to formulate a plan.

They will propose an increase in the national debt authorization by $3,000,000,000 to provide for the issuance of national-defense obligations to be sold with maturities not to exceed 5 years and they will also propose the levy of additional taxes, the details of which are to be worked out by the committee. These proposed taxes will yield between $600,000,000 and $700,000,000 annually over the 5-year period, which will be sufficient to liquidate the national defense securities.

On May 31, just 3 days after he had approved a program to finance a $4,000,000 5-year defense program, the President asked Congress for another $1,277,741,170 for emergency defense appropriations. That time he was more frank about what he thought was ahead for he said, "No individual, no group can clearly foretell the future." But this apparently was all he had in mind then for on June 4 and again on June 11 he reiterated suggestions that Congress clean up loose ends and go home, implying that there was no more legislation of consequence for Congress to consider.

And yet on July 10 the President sent Congress a third message, marked by its urgency, requesting a supplemental appropriation of $4,848,171,957 for defense. Then he urged "the participation of the whole country in the total defense of the country." This plea was somewhat in contrast with his lipstick and chocolate soda statements of only 6 weeks before. And less than 2 weeks before he had turned down Navy Department requests to modify the rigidity of the 44-hour week requirements of the Walsh-Healey Act.

The sum total of the President's statements and changes of program and of mind that they imply are definite evidences of piecemeal, uncoordinated, and opportunistic planning or lack of it. Further proof of this is provided by analysis of the military objectives and plans involved in the numerous appropriation requests and the testimony of the Army men.

The 1941 War Department Budget estimates provided for a Regular Army enlisted force of 227,000 and provided incomplete funds for the acquisition of critical equipment for the initial protective force of 450,000 Regulars and National Guard men. The Army had requested $240,000,000 for critical items of equipment for the protective mobilization force plan of 750,000 men plus replacements, $205,000,000 to provide that force with essential items of equipment, $35,000,000 for seacoast defense, and $45,000,000 for increased arsenal and depot facilities. All of these requests were turned down by the Budget Bureau—in effect, by the President.

The War Department appropriation bill for 1941 was amended after the President's message on May 16 so as to provide for 280,000 regulars and to provide for the critical and essential items of equipment for the protective mobilization force of 750,000 men with replacements.

It is rather difficult to understand just what this protective mobilization force was to protect. On May 29, 1940, General Marshall outlined our national-defense policy before the subcommittee of the House Appropriations Committee, as follows:

We are supposed, under our present national-defense policy, to guarantee the security of continental United States, which includes outposts in the Pacific and Alaska; to maintain the Panama Canal as a part of that security in order that the fleet can operate on either coast; and also, under the policy of the President as announced in his special message to Congress of last January a year ago, to guarantee the Monroe Doctrine throughout the Western Hemisphere.

Mr. Chairman, I feel that the glaring inconsistencies and unexplained vacillations should be brought to an end. I intend to support the bill before us, but I believe the time is at hand when some degree of certainty and some measure of competency should characterize our defense endeavor. Surely the sacrifices which have been suggested as necessary cannot be justified unless every degree of care and caution mark our every step in authorizing and appropriating these billions of dollars. We may have billions for defense, as I am confident we have, but not one cent for wasted effort or for extravagant endeavors.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself the balance of the time on this side.

Mr. Chairman, if the gentleman from Pennsylvania can tell the Congress and the people of America what the moves of the dictators of Europe will be, whether or not they will conquer Russia and when and, if so, what they will turn to then, if he is wise enough to draw a chart on the wall as to the happenings in this shifting scene, then it would be a very simple matter for those in authority to tell him what we would have to do to protect America. The only logical, sensible way to approach this matter is to meet it as conditions arise and show the necessity of being met.

When we passed the conscription bill it was the deliberate judgment of the Army and the Navy that a year's induction of the conscriptees would be sufficient. Today they do not think it is sufficient and they come to you with a different program. Yet they are met with stiff resistance.

I think the time has come for some of these gentlemen to make up their minds as to whether they want to buckle in and help defend America or whether they want to stand at the crossroads every time the band wagon passes by and try to throw a few political monkey wrenches. The only way to meet this thing is as it arises. This is a growing program. The Army and the Navy are building as fast as they can reasonably be able to give us an impregnable America, ready to meet any dictator or any combination of dictators who want to turn their footsteps toward our country.

That is what I am working for and that is what the appropriations are for that my friend has been voting for, because he has been voting for these appropriations, as I am sure he would want to do. But I do not believe his criticism is well founded when he comes in here now and criticizes the Navy or the Army because a year ago they could not forecast everything and every step they were going to need in this program as it has developed. I believe it is to their credit today that they are moving cautiously but expeditiously, and meeting the situation as it arises. That is what this bill does.

This bill is a conservative bill. We may be back next month with another bill. If it is needed to defend America, we will be here with it, and I know the gentleman from Pennsylvania well enough to know that while he may get up and make a little speech, he will vote for the bill just as he has always done.

[Here the gavel fell.]

The Clerk read as follows:

For additional amounts for appropriations for the Military Establishment, fiscal year 1942, to be supplemental to, and merged with, the appropriations under the same heads in the Military Appropriation Act, 1942, including the objects and subject to the limitations and conditions specified in that act, as follows:

Mr. DITTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had hardly supposed that my distinguished friend from Virginia, for whom I have not only a profound respect but a deep regard, would have resorted to the innuendo he did with reference to accusing me of throwing monkey wrenches into the program. I should like to suggest to my friend that I feel I have very substantial and most liberal support for the attitude I take in exposing faults and disclosing failures. The distinguished jurist, Justice Holmes, whose memory is revered by all liberals, supported my position, when he said:

We do not lose our right to condemn either measures or men because the country is at war.

Mark you, that had reference to condemnations that might come in time of war. As for myself, I maintain that we are not at war. I contend that we still have the right to be critical of both measures and men in connection with this defense program. Not only is that a right, Mr. Chairman, but I believe it is our duty to the people we represent.

I submit that the mark of patriotism, the measure of devotion to duty, the yardstick of our Americanism, do not depend simply upon a blind acquiescence in everything that may be suggested by either the War or the Naval Establishment. I submit that changing scenes may alter certain conditions, but changing scenes do not account for a failure on the part of the administration to indicate to the American people what our course is to be.

May I remind my very distinguished friend from Virginia that last year at one point the President referred to the possibility of a two-ocean Navy as stupid, and yet before long the Chief of Naval Operations was before the Committee on Naval Affairs suggesting that we need a two-ocean Navy.

The observations I make are that somehow there should be a definite policy which would make confusions of that kind impossible. I used the suggestion of Newfoundland simply as characteristic of others. I still believe that there is little in the way of an explanation as to why many of these items which are in the present bill should not have been incorporated in other bills.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I yield to the gentleman from New York.

Mr. TABER. Can the gentleman recall that it is not so very many months ago that the President threw a monkey wrench into the defense program by appointing Harry Hopkins in charge of the lease-lend program?

Mr. DITTER. Lest my friend from Virginia charge me with partisanship if I answer the contribution that I believe is both timely and pertinent, coming from my friend from New York, I shall refrain from comment.

I wanted to emphasize, and I intend to stand by that position, that a responsibility rests upon those in charge of the Naval and War Establishments to give us a policy and a program. I emphatically take issue with the assertion that one who constructively criticizes the vacillations and inconsistencies of the administration is guilty of throwing monkey wrenches into the works or is lacking in patriotism.

[Here the gavel fell.]

Mr. POAGE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, it is not necessary for anyone to rise to discuss the merits of this bill. I believe that even those who have sought to criticize are going right along and vote for this bill, which they know is necessary for the defense of this Nation. The criticism that has been voiced here has come as to very minor matters, but I wish to discuss one matter that was raised some time ago after all the time on our side was exhausted, when one of the minority members of the Committee on Agriculture criticized the Department of Agriculture for what he charged to be a failure to attend to the interests of the farmers of this Nation in not protesting against permission granted the Government of the United States to purchase any and all pure-food products produced in the United States from American-grown products. In other words, the gentleman from Minnesota stood here and suggested that the Department of Agriculture is neglectful of its duty in not protesting the passage of this bill, because it allows the expenditure of public funds to buy the pure products of the cotton fields, of the livestock producers, of the soybean producers, and of the corn growers, in competition with the dairy products of his district.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. The gentleman apparently did not hear my speech. What I charged was that the Department of Agriculture was broadcasting over the country on a Nation-wide hook-up urging the people to eat oleomargarine, which is principally made out of coconut oil, instead of butter.

Mr. POAGE. The gentleman evidently does not know anything about oleomargarine, except that he and the dairy farmers have been able for a good many years to make the people of the United States pay a burdensome tax to enjoy a wholesome fat. There is practically no oleomargarine made from any kind of foreign oils now sold in the United States, and there has not been for a number of years. For many years a superior product has been manufactured from American-grown cottonseed. Oleomargarine is now made almost exclusively out of domestic fats. The gentleman recognizes that time and again the American oil producers have endeavored to pass legislation removing the discrimination against domestic margarine. We have not asked that any product of foreign oils be relieved of any burden, but the same group he speaks for this afternoon has opposed legislation that would allow foods produced 100 percent out of domestic fats to be sold on the American market without paying a discriminatory tax. Today oleomargarine produced from American cottonseed oil and American beef fat has to pay a tax to be sold in the United States in competition with American imported butter. There is not enough butter—probably not half enough—produced in the United States to provide the necessary and proper standards for every American family. There is a large deficiency in our butter production, there being only nine States that have a surplus of butter, and yet those who do not have enough butter to sell to the people of the United States would say to those who cannot afford to buy it, "You cannot buy the products of the cotton fields and the western prairies, or the northern feed lots. We want to sell you the butter we do not have. Therefore we will not allow you to buy the oleomargarine that the same Department that the gentleman quoted—and has quoted for 50 years now—tells you is just as pure as butter. Not only must those of you who can afford to do so pay a higher price for your spread, but the masses who do not have the price must go without."

Now, after scientific investigation, the Department has said, and the gentleman from Minnesota has said they have so stated, that oleomargarine is just as pure and healthful as butter; that oleomargarine is a good spread, that oleomargarine serves a purpose in giving a spread to those who can afford to buy butter and that it is not competitive with butter, because those who use it cannot afford to buy butter. Those who can afford to buy butter—fine, let them eat it. But as for those who cannot afford it and as for those who cannot get it because there is not enough produced in the United States; why not allow the American farmers to produce those things that go into oleomargarine and supply their needs? As for discriminating against a large group of American farmers, there are many more farmers in America producing vegetable and animal fats going into oleomargarine than there are engaged in the dairy industry. Let the products of all American farms move freely to all American consumers.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I hope I can slide your imaginations from the rather lubricating subject of butter and oleomargarine back to the subject of national defense for a moment to make an observation or two concerning the statement of my good friend from Virginia. First, let it be said that it is so fortunate that on the anvil

of dispassionate controversy we can beat out those truths that are essential to unity and to the defense of the country. That is a grand thing. So we ought to raise inquiries from time to time as to the efficacy of expenditures. My difficulty is this. I have some real trouble in understanding the objective we are pursuing. It is defense? Well, what constitutes defense? Some say you have got to crush Hitler. Well, it seems to me that would involve sending an American expeditionary force to Europe, and yet I heard General Marshall say in the Military Affairs Committee yesterday morning that he did not contemplate an A. E. F. So I become still more confused. Is it lease-lend? That is quite all right. Yet we heard the President's message from this desk not so long ago after providing $7,000,000,000 that only $75,000,000 or about 1 percent of that amount had actually been articulated into real instrumentalities of war and had been sent over, and $20,000,000 of that was shipping.

Are we appropriating so much money that it cannot be advantageously expended and efficiently expended in a single year? If we are, then it is very doubtful whether we ought to pursue that course. That is one thing that disturbs me.

The second thing is this: I listened to a naval bill on the floor yesterday afternoon involving 100 projects, 200 projects, in amounts of $10,000, $12,000, $100,000, and $5,000,000, and I sometimes wonder whether we ought to go on building quartermaster and supply depots at this time on the ground that they are not really essential to the defense of the United States of America. If this is the case, we ought to know about it, but we are in the difficult position of trying to practice surgery without having any knowledge of anatomy, and the only way we can find out about the anatomy of the War and Navy programs is from the lips of those running the show, and it occurs to me that some of these things ought to be broken down in greater detail for the legislative branch of the Government that is expected to provide the appropriations. If they are all right and necessary, I do not care, but I do say that they ought to be scrutinized very carefully, and I cross my fingers somewhat when I view some of the items, because I am confused on this question of what we are to defend, and if we cannot clearly define that, I do not know how you can define and project a program to achieve an undefined objective.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. JENKINS of Ohio. I have a very startling item in line with what the gentleman has just said. I am sure that anyone would wonder at an appropriation for Madam Perkins of $1,451,600, including the item:

Maternal and child welfare, national defense, $878,000.

Mr. DIRKSEN. Mr. Chairman, I am wondering about maternal and child welfare. It was called to my observation only last week that $300,000 or more was made available to the Navy for advertising purposes, and that the advertising was placed in the hands of a New York firm. One of the mediums in which they inserted the ad was in a high-school paper in Des Moines, Iowa. That might be in line with child welfare.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The Clerk read as follows:

Relief of Marijo McMillan Williams: For the relief of Marijo McMillan Williams, as authorized by the act approved June 3, 1941 (Private Law 73, 77th Cong.), $868.01, to be paid from the appropriation "Maintenance, Bureau of Ships, 1942."

Mr. VINSON of Georgia. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia: On page 30, after line 16, insert the following:

"SEC. 201. That there is hereby created and established in the office of the Secretary of the Navy an office of Budgets and Reports, which shall be charged with such duties pertaining to naval budgetary matters and statistical and work reporting as may be prescribed by the Secretary of the Navy. All the duties of this office shall be performed under the authority of the Secretary of the Navy, and its orders shall be considered as emanating from him and shall have full force and effect as such.

"(a) At the head of the office of Budget and Reports there shall be a Director of Budget and Reports, appointed by the President, by and with the advice and consent of the Senate, for a term of 3 years, from among line officers not below the grade of lieutenant commander on the active list of the Navy. The Director of Budget and Reports shall have the same rank and shall be entitled to the same pay, allowances, and privileges of retirement as are now or may hereafter be prescribed by or in pursuance of law for chiefs of bureaus in the Navy Department.

"(b) An officer of the line of the Navy may be detailed as assistant to the Director of Budget and Reports, and in case of death, resignation, absence, or sickness of such Director, shall perform the duties of such Director until his successor is appointed or such absence or sickness shall cease. The assistant to the Director of Budget and Reports shall, while so serving, receive the highest pay of his rank."

Mr. WOODRUM of Virginia. Mr. Chairman, we have no objection to that amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Georgia.

Mr. KNUTSON. Mr. Chairman, I think we ought to have a little explanation of this. We seem to be setting up a new bureau when we already have a general Budget Bureau.

Mr. VINSON of Georgia. Mr. Chairman, this is merely giving statutory existence to what is already being done in the Navy Department.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The amendment was agreed to.

The Clerk read as follows:

FEDERAL SECURITY AGENCY

Civilian Conservation Corps: The twelfth paragraph under the caption "Civilian Conservation Corps" in the Federal Security Appropriation Act, 1942, is hereby amended to read as follows:

"In the expenditure of funds appropriated herein under the heading 'Civilian Conservation Corps', the over-all expenditure per enrollee per year shall not exceed $1,000: *Provided*, That such limit of $1,000 may be exceeded if the average enrollee strength is below 210,000 enrollees, but in such event the total expenditures from such appropriation shall not exceed $210,000,000."

Mr. TABER. Mr. Chairman, I make a point of order against the paragraph on the ground that it is legislation upon an appropriation bill and changes existing law.

Mr. WOODRUM of Virginia. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For the construction by and for the use of the War Department on Government-owned land comprising the site formerly occupied by the Department of Agriculture Experimental Farm and land adjacent thereto in Arlington County, Va., of an office building and appurtenances thereto, including interior facilities, fixed equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, preparation of an automobile parking area, purchase and installation of telephone and radio equipment, and similar improvements, and other expenses in connection therewith, $35,000,000, to be expended in accordance with laws relating to the construction of military post projects but without reference to the laws suspended in connection with such projects in the Military Appropriation Act, 1942, and to remain available until expended.

Mr. HULL. Mr. Chairman, I make a point of order against this paragraph on the ground that it is legislation on an appropriation bill.

Mr. WOODRUM of Virginia. Would the gentleman reserve his point of order for a moment until I can make a short statement?

Mr. HULL. Yes; I will reserve the point of order.

Mr. WOODRUM of Virginia. Mr. Chairman, I would like to say to the gentleman that the point of order is good, if he wishes to insist upon it. I do not know whether the gentleman was in the House and heard the statement I made earlier on this matter. The only effect of the point of order will be to delay beginning the construction of this project. The matter has been considered. The Public Buildings and Grounds Committee of the House has considered it and acted unanimously on it. The deficiency subcommittee and the full Appropriations Committee of the House were unanimous in approving it. Nothing that we could do in this bill or anywhere else would give such an impetus to the efficiency of our defense program as to be able to get the War Department under one roof in order that they may attend to the business for which we are appropriating these large sums.

I am sympathetic generally with the statement made by the gentleman that we ought not put legislation in an appropriation bill. For that reason our committee would not consider it until the Public Buildings and Grounds Committee of the House had considered it and acted upon it. In this bill are many public-works projects in the Navy which have not finally been authorized by law, but

they were acted upon by the Naval Affairs Committee, and in order to save time and because of the critical situation we have put them in this bill with that committee's approval.

I hope the gentleman will not insist upon the point of order, because this is a very critical matter that the whole administrative force of the War Department feels is very vital in this situation.

Mr. HULL. I am willing to concede the point made by the gentleman from Virginia [Mr. WOODRUM] that this may be necessary from his standpoint, but it does seem to me that when we are restricting the use of steel in the manufacture of the automobiles, washing machines, refrigerators, and similar commodities because the supply of steel is not sufficient for defense purposes, we should not now be called upon without any further consideration than has been given to this item by this House, to make an appropriation involving thousands of tons of steel.

Mr. WOODRUM of Virginia. The Budget estimate which was sent to us on which we provided this appropriation provided for 4 or 5 buildings, which would have contained much more steel than this building. This is to be a reinforced-concrete building. It is just as necessary to house these 30,000 people working on the War Department defense program as it is to build a battleship. It is not a question of using more steel than we would otherwise use. This building permits us to get the Army all under one roof and save two or three million dollars a year in rent which we are paying to owners of buildings, including apartment houses, garages, residences, and other space here in Washington for office purposes.

I am sure if the gentleman had sat in the hearings, as did the gentleman from New York [Mr. TABER] and the gentleman from Texas [Mr. LANHAM], and heard all this testimony he would feel that this project would really be not only in the interest of efficiency but of economy.

I would be glad if the gentleman from New York [Mr. TABER] would say what his understanding of the matter is.

Mr. TABER. If the gentleman would reserve his point of order, there are currently appropriations for several buildings besides the item contained in the Budget estimate for temporary buildings. This is following the example set by Chairman Sherley of the Appropriations Committee 25 years ago, when he knocked out a lot of the temporary buildings which were submitted to the Appropriations Committee, and built what is now known as the Munitions Building and the Navy Department Building. Those buildings have lasted for 25 years. This building will be completed in a year, and a very considerable part of it will be ready in 6 months, and more of it within a year. It will tend to consolidate the operations of the War Department under one roof and will improve the efficiency of their operations tremendously. The annual saving, as a result of that improved efficiency, in my opinion, will pay for the whole building.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. TABER. I yield.

Mr. WOODRUM of Virginia. Would the gentleman also recall the fact that there are no elevators in it? Every effort was made to conserve the use of steel. There is probably less steel in this building than any other proposal that has been sent to the committee.

Mr. TABER. That is correct. There will be a large basement that can be used for storage. The committee is breaking away from that idea of having such monumental-type buildings that they are apt to break the country, all over Washington.

Mr. WOODRUM of Virginia. If the gentleman will also permit, not to be overlooked, this project will permit the release of some apartment houses in Washington so that people who have to live here and work here will have some place to live.

Mr. HULL. I will say that the gentlemen may be better informed on that point than I am, and particularly with reference to this building, but this means an appropriation large enough to pay for two buildings the size of the Commerce Department Building, the largest Goveernment building in the city, which cost only $17,000,000. It is sufficient to build four capitol buildings the size of the one we are now working in, so I am going to insist on my point of order. If the gentleman wants to bring it up in some other way, that is another matter.

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. HULL. I yield.

Mr. WILSON. I may say in behalf of the legislative committee that this bill was brought before our Committee on Public Buildings and Grounds and we unanimously agreed to withhold any point of order on the inclusion of this item in the appropriation bill. We were sold on the fact that this was a much-needed piece of legislation and that speed was very important. We realize there are many problems confronting us right now in regard to office space. We were told the War Department has offices in some 17 buildings in the District. Many days' time are lost by people coming to Washington and commuting back and forth from one department to another. Sometimes it is 2 or 3 days before they find the right party.

The construction of this project would release these 17 buildings the War Department is occupying to other departments and also would give the Navy Department the use of the adjoining buildings in the munitions group.

I am not sold on all of this New Deal stuff myself; in fact, I think many things are being misrepresented; much of it I do not approve of at all, but I am not going to go into that now. I do believe at this moment that no point of order should be made against this item because of its smallness compared to the size of many other defense items. We should not let this comparatively small item retard our great defense program.

Mr. HULL. Mr. Chairman, I am sorry to disagree with the gentleman so far as the immediate necessity of this appropriation is concerned. We are just completing a $10,000,000 War Department building now, down on Virginia Avenue, and it is true the Government has leased buildings for a long period of years to take care of the temporary situation, and I fear that this method of appropriating thirty-five millions is not proper.

Mr. Chairman, I insist on my point of order.

Mr. WOODRUM of Virginia. Mr. Chairman, if I may be heard further on the point of order, I recognize the prerogative of my friend, and I do not question his sincerity. This is a very vital matter and we ought not to have the delay on it. I think under the circumstances I am not going to conclude this bill today but will call it up again Monday or Tuesday after we have tried to get a rule making this item in order if the gentleman insists on his point of order.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. DITTER. The gentleman has referred to the new War Department Building now nearing completion. This building will be used, as the gentleman from Virginia pointed out earlier in the day, by the Navy Department. So there will be no loss by reason of the fact that one War Department Building has already been built. In other words, it will save a very substantial sum if this expedition can be brought about that the gentleman is urging at this time.

Mr. WOODRUM of Virginia. We are renting over 5,000,000 feet of space in the District of Columbia, for which we are paying over $4,800,000 a year rental.

Mr. DITTER. And every day's delay in the building of this project means much to the taxpayers.

Mr. WOODRUM of Virginia. The gentleman is correct.

Mr. HULL. Mr. Chairman, I wish the gentleman would tell me what guaranty we have from any source that the $5,000,000 rental bill will be reduced by even 10 cents through putting up this building.

Mr. WOODRUM of Virginia. I may say to the gentleman from Wisconsin that he has this assurance from the Appropriations Committee and from the Committee on Public Buildings and Grounds that the facts show we are renting because of lack of space 5,000,000 feet of office room. This building will house the whole War Department and retire at least 2,000,000 feet of rented space. I give the gentleman from Wisconsin definite assurance of that, and I believe the gentleman from New York and the gentleman from Pennsylvania will underwrite my statement.

I know how the gentleman feels about some things. There are many constituents of the gentleman and every Member of Congress in the city of Washington who have no place to live because the Government is renting apartment houses and even garages and stores and everything they can find in the District of Columbia. I believe the situation is such as to be very well worth our serious consideration.

Mr. HULL. Mr. Chairman, I believe the matter should come up in the regular way and insist on my point of order.

Mr. WOODRUM of Virginia. Mr. Chairman, I move the Committee do now rise.

Mr. HULL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HULL. Has the Chair ruled on the point of order?

The CHAIRMAN. Inasmuch as the motion to rise has been made, the Chair will not pass upon the point of order at this time.

The question is on the motion of the gentleman from Virginia.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and also to extend my remarks in the Appendix.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had agreed without amendment to a concurrent resolution of the House of the following title:

H. Con. Res. 38. Concurrent resolution to amend House Concurrent Resolution 32, Seventy-sixth Congress, first session.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1580) entitled "An act to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes."

CONSTRUCTION OF ROADS FOR NATIONAL DEFENSE

Mr. CARTWRIGHT submitted the following conference report and statement on the bill S. 1580, to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the said bill and agree to the same with amendments as follows:

In section 2 of the House amendment, strike out the figure "$100,000,000" and insert in lieu thereof the figure "$125,000,000".

In section 4 of the House amendment, strike out the figure "$2,000,000" and insert in lieu thereof the figure "$10,000,000".

And the House agree to the same.

WILBURN CARTWRIGHT,
WM. M. WHITTINGTON,
J. W. ROBINSON,
JESSE P. WOLCOTT,
JAMES W. MOTT,
Managers on the part of the House.

KENNETH MCKELLAR,
CARL HAYDEN,
J. W. BAILEY,
DENNIS CHAVEZ,
RAYMOND E. WILLIS,
JOHN THOMAS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

The first amendment to the House amendment authorizes appropriation of $125,000,000 to correct critical deficiencies in lines of the strategic highway network, instead of $100,000,000 as proposed by the House and "such sums as may be necessary" as proposed by the Senate.

The second amendment to the House amendment authorizes appropriation of $10,000,000 to provide for construction of flight strips adjacent to public highways, in cooperation with the Army Air Corps, instead of $2,000,000 as proposed by the House and "such sums as may be necessary" as proposed by the Senate.

WILBURN CARTWRIGHT,
WM. M. WHITTINGTON,
J. W. ROBINSON,
JESSE P. WOLCOTT,
JAMES W. MOTT,
Managers on the part of the House.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill S. 1580.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. CARTWRIGHT].

Mr. TABER. Mr. Speaker, reserving the right to object, has the gentleman taken this up with the Members on the majority side?

Mr. CARTWRIGHT. Yes; I certainly have.

Mr. TABER. What does the conference report do?

Mr. CARTWRIGHT. It does not cross a "t" nor dot an "i." In section 2 it strikes out $100,000,000 and inserts $125,000,000, and in section 4 it strikes out $2,000,000 and inserts $10,000,000. It has been thoroughly worked out in every way.

Mr. TABER. Is it a unanimous report?

Mr. CARTWRIGHT. It is. The gentleman from Michigan [Mr. WOLCOTT] can verify what I have just said.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. CARTWRIGHT]?

There was no objection.

The Clerk read the conference report.

Mr. CARTWRIGHT. Mr. Speaker, I move the previous question on agreeing to the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill before us today.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short speech I recently made.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. ALLEN]?

There was no objection.

REPORT ON H. R. 5395, AMENDING NATIONAL HOUSING ACT

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency of the House may have until midnight tonight to file a report on the bill (H. R. 5395) amending the National Housing Act.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. MILLS]?

There was no objection.

EXTENSION OF REMARKS

Mr. DITTER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein certain quotations; and on behalf of my colleague from Pennsylvania [Mr. VAN ZANDT] I ask unanimous consent that he may have the privilege of extending his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 122. An act to amend section 226 of the act of March 4, 1909; to the Committee on the Post Office and Post Roads.

S. 261. An act relating to the compensation of William J. Muse for services rendered as a clerk in the post office at Mountain City, Tenn.; to the Committee on Claims.

S. 415. An act to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become dis-

abled by reason of their service therein, equivalent to 90 percent of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes; to the Committee on Invalid Pensions.

S. 493. An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor; to the Committee on Claims.

S. 899. An act for the relief of Ernest A. McNabb; to the Committee on Claims.

S. 1055. An act for the relief of Julius Yuhasz and Arvid Olson; to the Committee on Claims.

S. 1228. An act for the relief of Mrs. A. B. Tanner; to the Committee on Claims.

S. 1229. An act to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended; to the Committee on the Judiciary.

S. 1266. An act conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon the claim of Etta Houser Freeman; to the Committee on Claims.

S. 1429. An act for the relief of William Corder; to the Committee on Claims.

S. 1476. An act providing for Federal assistance in eradicating the cattle tick in the Seminole Indian Reservation in Florida; to the Committee on Indian Affairs.

S. 1550. An act for the relief of Carl Chalker; to the Committee on Claims.

S. 1570. An act to further amend the acts for promoting the circulation of reading matter among the blind; to the Committee on the Post Office and Post Roads.

S. 1642. An act to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes; to the Committee on the Judiciary.

S. 1725. An act to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.; to the Committee on Indian Affairs.

S. 1731. An act to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes; to the Committee on Naval Affairs.

S. 1736. An act to authorize the payment of an indemnity to the British Government, for and on behalf of John Bailey, former stoker of His Majesty's ship *Orion*, in full and final settlement of a claim arising as a consequence of injuries inflicted by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1073. An act to amend the Classification Act of 1923, as amended;

H. R. 1702. An act for the relief of Mary McCutcheon;

H. R. 1746. An act for the relief of Charles J. Schay;

H. R. 2382. An act for the relief of William Cromer;

H. R. 2855. An act to provide for payment of pension to certain dependent parents notwithstanding remarriage, and for other purposes;

H. R. 2888. An act for the relief of H. E. Buzby;

H. R. 3247. An act for the relief of Mrs. O. B. Olson;

H. R. 3367. An act relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937;

H. R. 3523. An act for the relief of the Equitable Insurance Alliance, the Fidelity & Guaranty Fire Corporation, and the Hartford Fire Insurance Co.;

H. R. 3551. An act for the relief of Lillian Korkemas and Rose Grazioli;

H. R. 3607. An act for the relief of Anton Waytashek;

H. R. 3801. An act for the relief of Mr. and Mrs. W. A. Batchelor;

H. R. 3933. An act to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover;

H. R. 3943. An act for the relief of Mr. and Mrs. J. W. Johns;

H. R. 4210. An act to adjust the salaries of rural letter carriers;

H. R. 4293. An act to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes;

H. R. 4816. An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce;

H. R. 4921. An act for the relief of Antonio or Anthony Maurin; and

H. R. 5256. An act authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes.

ADJOURNMENT

Mr. CARTWRIGHT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 41 minutes p. m.) the House, pursuant to the order heretofore adopted, adjourned until Monday, July 28, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, July 30, 1941, to consider private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

781. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 30, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Ashtabula Harbor, Ohio, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 9, 1939 (H. Doc. No. 321); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

782. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 25, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of St. Johns River, Fla., from Jacksonville to the ocean, and St. Johns River, Fla., in the vicinity of Dames Point and New Berlin, requested by resolutions of the Committee on Rivers and Harbors, House of Representative, adopted June 9, 1937, and March 16, 1939 (H. Doc. No. 322); to the Committee on Rivers and Harbors and ordered to be printed, with three illustrations.

783. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 25, 1941, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Ventura River, Ventura County, Calif., authorized by Flood Control Acts approved June 22, 1936, and August 28, 1937 (H. Doc. No. 323); to the Committee on Flood Control and ordered to be printed, with an illustration.

784. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 30, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Columbia River, Oreg., and Wash., with a view to improvement at and near Kennewick, Wash., in the interest of navigation, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted November 27, 1939 (H. Doc. No. 324); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

785. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 30, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Gastineau Channel, Alaska, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 24, 1939 (H. Doc. No. 325); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

786. A letter from the Acting Attorney General, transmitting a draft of a proposed bill to authorize the Attorney General to stipulate to the exclusion of certain property from condemnation proceedings; to the Committee on the Judiciary.

787. A letter from the Secretary of War, transmitting a draft of a proposed bill to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GWYNNE: Committee on the Judiciary. Part 2, minority views on H. R. 146, a bill dealing with the trial of good behavior of certain Federal judges; without amendment (Rept. No. 921). Referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR: Committee on Appropriations. H. R. 5412. A bill making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; without amendment (Rept. No. 988). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Accounts. House Resolution 277. Resolution to provide for the further expenses of the Select Committee to Investigate Air Accidents; without amendment (Rept. No. 989). Referred to the House Calendar.

Mr. KRAMER: Committee on Patents. H. R. 5258. A bill to simplify the practice in cases where a patent is or may be in part valid and in part invalid; without amendment (Rept. No. 990). Referred to the

Committee of the Whole House on the state of the Union.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 991. Report on the disposition of records by the Office for Emergency Management. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 992. Report on the disposition of records by the War Department. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 993. Report on the disposition of records by the Social Security Board, Federal Security Agency. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 994. Report on the disposition of records by the Federal Home Loan Bank Board, Federal Loan Agency. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 995. Report on the disposition of records by the United States marshal of western district of Wisconsin, with the approval of the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 996. Report on the disposition of records by the War Department. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 997. Report on the disposition of records by the Department of Agriculture. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 998. Report on the disposition of records by the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 999. Report on the disposition of records by the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1000. Report on the disposition of records by the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1001. Report on the disposition of records by the Treasury Department. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1002. Report on the disposition of records by the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1003. Report on the disposition of records by the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1004. Report on the disposition of records by the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1005. Report on the disposition of records by Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1006. Report on the disposition of records by the United States marshal, middle district of Tennessee. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1007. Report on the disposition of records by the United States marshal, eastern district of Pennsylvania. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1008. Report on the disposition of records by the United States marshal, northern district of Iowa. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1009. Report on the disposition of records by the United States District Court, Northern District of California. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1010. Report on the disposition of records by the United States marshal, eastern district of Kentucky. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1011. Report on the disposition of records by the United States marshal, District of Columbia. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1012. Report on the disposition of records by the United States marshal, eastern district of Louisiana. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1013. Report on the disposition of records by the United States marshal, district of Nevada. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1014. Report on the disposition of records by the United States attorney, northern district of Alabama. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1015. Report on the disposition of records by the Treasury Department. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1016. Report on the disposition of records by the Treasury Department. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1017. Report on the disposition of records by the Treasury Department. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1018. Report on the disposition of records by the United States Civil Service Commission. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1019. Report on the disposition of records by the United States Civil Service Commission. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1020. Report on the disposition of records by the United States Civil Service Commission. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1021. Report on the disposition of records by the United States Civil Service Commission. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1022. Report on the disposition of records by the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1023. Report on the disposition of records by the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1024. Report on the disposition of records by the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1025. Report on the disposition of records by the Board of Governors of the Federal Reserve System. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1026. Report on the disposition of records by the Federal Works Agency. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1027. Report on the disposition of records by the Federal Works Agency. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1028. Report on the disposition of records by the Federal Security Agency. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1029. Report on the disposition of records by the Department of Labor. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1030. Report on the disposition of records by the Department of State. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1032. Report on the disposition of records by the Navy Department. Ordered to be printed.

Mr. ELLIOTT of California: Joint Committee on the Disposition of Executive Papers. House Report No. 1032. Report on the disposition of records by the Navy Department. Ordered to be printed.

Mr. KING: Committee on Military Affairs. S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.; without amendment (Rept. No. 1033). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING: Committee on Military Affairs. S. 1346. An act to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, Territory of Hawaii, in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands; without amendment (Rept. No. 1034). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING: Committee on Military Affairs. S. 173. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940; without amendment (Rept. No. 1035). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING: Committee on Military Affairs. H. R. 586. A bill to authorize maintenance and use of a banking house upon the United States military reservation at Hickam Field, Oahu, Hawaii; without amendment (Rept. No. 1036). Referred to the Committee of the Whole House on the state of the Union.

Mr. KING: Committee on Military Affairs. H. R. 588. A bill to authorize an appropriation for the purpose of establishing a national cemetery at Honolulu, T. H.; with amendment (Rept. No. 1037). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 5111. A bill

authorizing the waiver of the navigation and inspection laws during the national emergency; with amendment (Rept. No. 1038). Referred to the Committee of the Whole House on the state of the Union.

Mr. CARTWRIGHT: Committee of conference on the disagreeing votes of the two Houses. S. 1580. An act to supplement the Federal Aid Act (Rept. No. 1039). Referred to the Committee of the Whole House on the state of the Union.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 5417. A bill to provide revenue, and for other purposes; without amendment (Rept. No. 1040). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. H. R. 5395. A bill to amend the National Housing Act, as amended; without amendment (Rept. No. 1041). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 5404) granting an increase of pension to Elizabeth Ann Hoke, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DIMOND:

H. R. 5413. A bill to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska settlement project in Alaska, and for other purposes; to the Committee on the Public Lands.

By Mr. JARMAN:

H. R. 5414. A bill to provide for the health and welfare of the children of the United States, and to contribute to the future national defense of the United States, by providing all children of the United States, of the age of 14 years or less, with an adequate supply of wholesome milk; to the Committee on Agriculture.

By Mr. KRAMER:

H. R. 5415. A bill to place the care of rooms of committees of the House of Representatives under the jurisdiction of the Architect of the Capitol; to the Committee on Public Buildings and Grounds.

By Mr. SOMERS of New York:

H. R. 5416. A bill for the incorporation of the Ladies of the Grand Army of the Republic; to the Committee on the Judiciary.

By Mr. MAY:

H. J. Res. 222. Joint resolution declaring a national emergency, extending terms of enlistments, appointments, and commissions in the Army of the United States, suspending certain restrictions upon the employment of retired personnel of the Army, making further provisions for restoration of civil positions to members of the Army on relief from military service, and for other purposes; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 5418. A bill for the relief of John Fleckstein; to the Committee on Claims.

By Mr. BROWN of Georgia:

H. R. 5419. A bill for the relief of John C. Wall; to the Committee on Claims.

By Mr. HEALEY:

H. R. 5420. A bill for the relief of Gloria Hayes; to the Committee on Claims.

By Mr. KRAMER:

H. R. 5421. A bill for the relief of Harry A. Langjahr; to the Committee on Pensions.

By Mr. LANDIS:

H. R. 5422. A bill for the relief of George Rogers; to the Committee on Military Affairs.

H. R. 5423. A bill granting a pension to John Porter Naanes; to the Committee on Pensions.

By Mr. MICHENER:

H. R. 5424. A bill granting a pension to Anna C. Osgood; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1684. By Mr. ELSTON: Petition of Vera Simi and 20 other residents of Cincinnati, Ohio, opposing the extension of service of National Guard men and draftees over the 1-year period; to the Committee on Military Affairs.

1685. Also, petition of Alice K. Tonnies and 28 other citizens of Cincinnati, Ohio, opposing legislation to extend the time limit of training of selectees beyond the 1-year period; to the Committee on Military Affairs.

1686. Also, petition of Florence M. Healey and 15 other residents of Cincinnati, Ohio, opposing legislation to keep the selectees in service beyond the 1-year period and the sending of our boys outside the Western Hemisphere; to the Committee on Military Affairs.

1687. By Mr. HAINES: Petition of Mr. and Mrs. Samuel B. Snyder, of Red Lion, Pa., and other constituents in that vicinity, protesting against the extension of service of draftees beyond 1 year; to the Committee on Military Affairs.

1688. By Mr. LUTHER A. JOHNSON: Petition of W. P. Orme, of Blooming Grove, Tex., and Capt. H. R. Williamson, president of the War Veterans' Relief Association, Dallas, Tex., favoring extension of the 1-year period of the National Guard men and selectees in the Army; to the Committee on Military Affairs.

1689. Also, petition of Dr. J. W. Tolleson, president, Citizens National Bank in Ennis, Ennis, Tex., favoring Senate Bill 1557; to the Committee on Appropriations.

1690. By Mr. LYNCH: Petition of the United Irish Republicans, Bronx, N. Y., opposing the establishment of United States bases in Ireland; to the Committee on Foreign Affairs.

1691. By Mr. JOSEPH L. PFEIFER: Petition of the Lithuanian American National Association, Brooklyn, N. Y., concerning the present state of affairs in Lithuania; to the Committee on Foreign Affairs.

1692. By Mr. ROLPH: Resolution of the Board of Governors of the State Bar of California, respectfully urging the Congress to amend the Soldiers and Sailors Civil Relief Act to make sections 301 and 302 conform to section 402, wherein the only limitation is that the contract be made not less than 30 days before entry into military service; to the Committee on Military Affairs.

1693. By the SPEAKER: Petition of the State Bar of California, San Francisco, Calif., petitioning consideration of their resolution with reference to the Soldiers and Sailors Civil Relief Act; to the Committee on Military Affairs.

SENATE

MONDAY, JULY 28, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Almighty God, Eternal Spirit, Source of Wisdom and Understanding: Let the benediction of Thy Grace rest upon the Members of the Senate as they meet together to resume the responsibility of making decisions in the name of our Nation. Purify their hearts, clarify their minds, and strengthen their bodies, that neither the rigors nor the temptations of public office shall harm them. Make them sensitive to the needs and desires of the people, that the will of our Nation shall be voiced in their consultations and deliberations. Help them never to confuse generosity in concession with cowardice in compromise. Save them from all error, ignorance, pride, and prejudice, and, of Thy great mercy, vouchsafe, O Lord, we beseech Thee, so to direct, sanctify, and govern them in their work, that the problems of our Nation may be settled upon the best and surest foundations, and that out of these days of crisis may come a world at peace with itself and with Thee. Grant this, O Heavenly Father, for the sake of Him who is our peace, Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, July 24, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on July 24, 1941, the President had approved and signed the following acts:

S. 127. An act for the relief of Joseph A. Petrin, Joseph Petrin, Angus LeBlanc, William J. Demelle, Samuel Fishman, and Hector LaPointe;

S. 176. An act for the relief of Samuel M. Lipton;

S. 1348. An act for the relief of J. M. Swinney; and

S. 1352. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of R. Brinskelle and Charlie Melcher.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, FEDERAL COMMUNICATIONS COMMISSION (S. Doc. No. 95)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for national-defense activities of the Federal Communications Commission, amounting to $209,000 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

AWARDS OF CONTRACTS FOR THE ARMY

A letter from the Secretary of War, reporting, pursuant to law, relative to division of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder under authority of law; to the Committee on Military Affairs.

LEGISLATION BY MUNICIPAL COUNCILS IN VIRGIN ISLANDS

Two letters from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of legislation enacted by the municipal councils of St. Croix and St. Thomas and St. John, V. I. (with accompanying papers); to the Committee on Territories and Insular Affairs.

COMPENSATION OF CIVILIAN OFFICERS OR EMPLOYEES FOR TRAVEL IN PRIVATELY OWNED AIRPLANES

A letter from the Acting Secretary of Commerce, transmitting a draft of legislation to amend the act of February 14, 1931, as amended, so as to permit the compensation on a mileage basis, of civilian officers or employees for the use of privately owned airplanes while traveling on official business (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

The petition of the Chamber of Commerce of Newport, Oreg., praying for the enactment of the bill (S. 1327) for the relief of Lincoln County, Oreg.; to the Committee on Claims.

Memorials of several citizens of River Rouge, Mich., remonstrating against the enactment of the so-called Vinson-Connally bill pertaining to strikes in defense industries; to the Committee on Education and Labor.

A letter in the nature of a petition from Irving Roy Werner, of Hartford, Conn., praying for the enactment of tax legislation to make impossible an individual net income exceeding $10,000 or thereabouts and to level incomes in general; to the Committee on Finance.

The petition of Mrs. Caroline Wolf, of Byron Center, Mich., praying that the United States keep out of war; to the Committee on Foreign Relations.

Memorials of sundry citizens of the United States, remonstrating against the enactment of legislation to retain draft selectees in the military service for more than 1 year; to the table.

Petitions of sundry citizens of the United States, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

The petition of members of the Friendship Class of the Oakland Presbyterian Church of Topeka, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table

RESOLUTIONS OF ALABAMA LEAGUE OF YOUNG DEMOCRATS—EDITORIAL FROM THE MONTGOMERY ADVERTISER

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred three resolutions adopted by the Alabama League of Young Democrats adopted at their biennial State convention at Montgomery, Ala., July 26, 1941, and also, along with the resolutions, an editorial written by Mr. Gould Beech, a brilliant young Democrat, and published in the Montgomery Advertiser of July 27, 1941, under the caption "They did not hesitate."

There being no objection, the resolutions and editorial were ordered to be printed in the RECORD and referred to committees, as follows:

To the Committee on Education and Labor:

"Resolution 12

"Whereas the Alabama State League of Young Democrats, in convention assembled, appreciates the needs of our educational facilities in the State of Alabama; and

"Whereas this body endorses the following recommendations of the Educational Committee as being meet and proper: Now, therefore, be it

"Resolved by the Alabama State League of Young Democrats—

"1. That increased Federal aid for schools without Federal control be granted Alabama.

"2. That we are in favor of a State program to provide for a minimum school term of 8 months.

"3. That we are in favor of immediate Federal relief for education in defense centers.

"4. That we are in favor of increased salaries of all teachers due to increased cost of living and the fact that many of the most valuable members of the profession are having to turn to other vocations for economic reasons.

"5. Leave of absence granted without loss of tenure of office for those teachers who are called for the defense of the United States.

"Done in Montgomery, Ala., this the 26th day of July 1941."

To the Committee on Military Affairs:

"Resolution 1

"Whereas the United States is faced with the greatest crisis in the history of this Nation; and

"Whereas the present Democratic administration has met these problems with wisdom and understanding; and

"Whereas there has been much unjust criticism of the action of our Government and our President: Now, therefore, be it

"Resolved by the Alabama League of Young Democrats now in session, That it go on record as commending and ratifying the actions of our Federal Government and our great President, Franklin D. Roosevelt, and urging Congress and our President to take more strenuous steps and make greater efforts to prepare this Nation to defend itself whenever and wherever attacked.

"Done in Montgomery this 26th day of July 1941."

"Resolution 9

"Whereas the destiny of the Nation is at stake in the trying days ahead; and

"Whereas the Alabama League of Young Democrats has complete faith in both the patriotism and intelligence of the men who are responsible for the Nation's defense; and

"Whereas Senator LISTER HILL, of Alabama, has introduced resolutions in the Senate of the United States providing for a congressional declaration of national emergency; and

"Whereas these resolutions would provide that selectees, reservists, and National Guard men be kept in service so long as the safety of the Nation requires; and

"Whereas such a step is essential to prevent the Army of the United States from dismemberment according to the highest military authorities of the Nation; and

"Whereas from the ranks of young Democrats in Alabama there has been and will continue to be a flow of young men into the armed services of the Nation; and

"Whereas it is essential that the Nation unite behind our national leadership in Congress, in the administration, and in the armed services, and make every sacrifice required for the preservation of the Nation: Be it

"Resolved, therefore, That the Alabama League of Young Democrats does hereby endorse Senator HILL's resolution, Senate Joint Resolution 98 and Senate Joint Resolution 99, and does urge unqualified support for the same; be it further

"Resolved, That copies of this resolution be sent to Senator HILL and to the members of the Alabama delegation in Congress and to the press.

"Done in Montgomery, Ala., on this the 26th day of July 1941."

[From the Montgomery (Ala.) Advertiser, Sunday, July 27, 1941]

THEY DID NOT HESITATE

Among the members of the Alabama League of Young Democrats who attended the State convention here were many who expect to be called to service—some next week, some next month, some next year.

In canvassing those present to decide on officers, there were frequently comments of this nature: "He's already been called," "He has a Reserve commission," "He's trying to get in the Navy." And so some of these young men were eliminated from consideration as officers because of the prospect that they would not be able to serve but a very short time.

Yet when a resolution was introduced calling for unqualified support of legislation introduced by Senator HILL calling for a congressional declaration of emergency, and the retention in service of selectees, Reservists, and National Guard men, there was not a single dissenting vote.

This action was an effective and significant demonstration of the sentiment of Alabama's young men. It showed that they are fully aware of both the national and personal implications of our present situation. It showed that they fully recognize that careers will be interrupted, some temporarily, some permanently.

It showed also that to them there is little point in even debating questions involving the effectiveness of this Nation's preparedness effort. If they do not hesitate, why should any Member of Congress hesitate?

RESOLUTIONS OF SLOVAK CATHOLIC SOKOL

Mr. DAVIS. Mr. President, the Slovak Catholic Sokol, a fraternal and athletic organization composed of Americans of Slovak birth or descent, all loyal Americans, desire to do their part in promoting the sale of national-defense bonds. They have already purchased $50,000 worth of such bonds. I ask unanimous consent to have printed in the RECORD a copy of the resolutions adopted by the fourteenth convention of the organization held in Philadelphia, Pa., from July 7 to 11, 1941.

There being no objection, the resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas the Slovak Catholic Sokol is a fraternal and athletic organization composed of over 45,000 Americans of Slovak birth or descent; and

Whereas local branches and groups have been established in various States throughout the Union; and

Whereas the fourteenth convention of the Slovak Catholic Sokol is being held at Philadelphia, Pa., from July 7 through July 11, 1941, with the supreme officers and 250 delegates from several parts of the Nation; and

Whereas we are cognizant as are all loyal Americans of the national emergency now

existing in the world-wide conflict between the Christian democratic philosophy and the pagan totalitarian system of government: Be it therefore

Resolved, That the Slovak Catholic Sokol hereby reaffirms our pledge of loyalty and allegiance to the United States of America and its institutions, because we believe that the democratic form of government is the best method of insuring the continuation of the American way of life and of preserving for us and our posterity the cherished freedom of worship, freedom of speech, freedom of assemblage, and other precious and God-given rights, which today are denied to our brethren in other lands; and be it further

Resolved, That if and when called upon by our authorities, we shall devote ourselves, our abilities, and our energies to carry out any matter desired for national interests, by our President and our duly elected civic authorities; and be it further

Resolved, That we hereby join in and urge our members to do their part in the present drive of the United States defense bonds, of which our organization has already purchased $50,000 worth; and be it further

Resolved, That a copy of this resolution be sent to Hon JAMES J. DAVIS, Senator from Pennsylvania.

Given at Philadelphia, Pa., this 11th day of July 1941.

EXTENSION OF SELECTIVE SERVICE—REPORT OF COMMITTEE ON MILITARY AFFAIRS

Mr. THOMAS of Utah. Mr. President, the report of the Military Affairs Committee on Senate Joint Resolution 95, relating to extension of the Selective Training and Service Act, is now being typed. I, therefore, ask unanimous consent that, on behalf of the committee, I may submit the report to the Secretary as soon as it is ready. It is completed, but, as I have stated, it is not yet typed.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BARKLEY. Mr. President, following the statement made by the Senator from Utah, I will say that it had been our hope that we might proceed today or tomorrow to consider the bill just reported by the Senator from Utah but the hearings on the bill have just been printed and laid on our desks, and the Senator from Utah, who is making the report from the committee, advises me that he does not think it is feasible to proceed to consider that bill before Thursday, in order that Members of the Senate may have an opportunity to read the hearings and study the report. I am a little disappointed we cannot proceed sooner than that, but, in view of the statement of the Senator from Utah, I think it is wise that the Senate should understand that on Thursday of this week we will proceed to consider the bill reported by the Military Affairs Committee by the Senator from Utah.

Mr. THOMAS of Utah subsequently, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes, reported it with amendments and submitted a report (No. 595) thereon.

REPORTS OF COMMITTEES FILED DURING ADJOURNMENT

Under authority of the order of the 24th instant,

The following reports of committees were submitted during adjournment of the Senate on July 25, 1941:

By Mr. BAILEY, from the Committee on Commerce:

S. 1355. A bill to authorize improvement of navigation facilities on the Santee, Congaree, and Cooper Rivers in the counties of Berkeley, Clarendon, Calhoun, Richland, and Orangeburg, S. C., and for other purposes; with amendments (Rept. No. 592);

S. 1595. A bill to extend the times for commencing and completing the construction of a bridge across the Monongahela River between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; with an amendment (Rept. No. 582);

H. R. 3625. A bill to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.; without amendment (Rept. No. 583);

H. R. 4052. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.; without amendment (Rept. No. 584);

H. R. 4085. A bill to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.; without amendment (Rept. No. 585);

H. R. 4150. A bill to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes; without amendment (Rept. No. 586);

H. R. 4231. A bill granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River at or near Leneudes Ferry, S. C.; without amendment (Rept. No. 587);

H. R. 4306. A bill to extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind.; without amendment (Rept. No. 588);

H. R. 4315. A bill to legalize the construction by the Big Creek Bridge Co., Consolidated, of a bridge across the Tug Fork of the Big Sandy River at Nolan, W. Va.; without amendment (Rept. No. 589); and

H. R. 4732. A bill granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia; without amendment (Rept. No. 590).

By Mr. SMITH, from the Committee on Agriculture and Forestry:

H. R. 5300. A bill to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; with amendments (Rept. No. 591).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McFARLAND, from the Committee on the Judiciary:

S. 1698. A bill to amend the act reorganizing the administration of Federal prisons; with an amendment (Rept. No. 593).

By Mr. SMITH, from the Committee on Agriculture and Forestry:

H. R. 5204. A bill authorizing the charging of fees for brand inspection under the Packers and Stockyards Act, 1921, as amended; without amendment (Rept. No. 594).

By Mr. TYDINGS, from the Committee on Territories and Insular Affairs:

S. 1358. A bill to amend section 1 of the act entitled "An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for permanent rehabilitation, and for other purposes," approved February 11, 1936; with an amendment (Rept. No. 596); and

H. R. 1606. A bill for the protection of walruses in the Territory of Alaska; without amendment (Rept. No. 597).

By Mr. HUGHES, from the Committee on the District of Columbia:

H. R. 4498. A bill to provide for the admission to St. Elizabeths Hospital of insane persons belonging to the Foreign Service of the United States; with amendments (Rept. No. 598).

By Mr. BURTON, from the Committee on the District of Columbia:

H. R. 4131. A bill to amend the District of Columbia Traffic Act, as amended; with an amendment (Rept. No. 599).

By Mr. GURNEY, from the Committee on Military Affairs:

H. R. 5146. A bill to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938; without amendment (Rept. No. 600).

By Mr. REYNOLDS, from the Committee on Military Affairs:

S. 1533. A bill authorizing the designation of Army mail clerks and assistant Army mail clerks; with amendments (Rept. No. 601);

S. 1707. A bill to prevent the making of photographs and sketches of military or naval reservations, naval vessels, and other naval and military properties, and for other purposes; without amendment (Rept. No. 606); and

S. 1770. A bill authorizing the President of the United States to appoint Sgt. Alvin C. York as a colonel in the United States Army and then place him on the retired list; without amendment.

By Mr. KILGORE, from the Committee on Military Affairs:

S. 1772. A bill to authorize Army officers designated by the Secretary of War to take final action on reports of survey and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of Government property; without amendment (Rept. No. 602).

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

H. J. Res. 199. Joint resolution to authorize temporary appointments of officers in the Army of the United States; without amendment (Rept. No. 603).

By Mr. HILL, from the Committee on Military Affairs:

H. R. 3484. A bill to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty; with amendments (Rept. No. 604).

By Mr. TRUMAN, from the Committee on Military Affairs:

S. 1782. A bill to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment; without amendment (Rept. No. 605).

By Mr. WALSH, from the Committee on Naval Affairs:

S. 377. A bill to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes; without amendment (Rept. No. 607);

S. 858. A bill to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–9; without amendment (Rept. No. 608);

S. 1587. A bill to provide rental allowances for officers without dependents on sea duty when deprived of quarters on board ship; with an amendment (Rept. No. 610);

S. 1637. A bill to authorize the conveyance to the State of Illinois, for highway purposes only, a portion of the naval training station, Great Lakes, Ill.; without amendment (Rept. No. 611);

S. 1677. A bill authorizing subsistence allowance provided for aviation cadets to be paid to messes in manner as prescribed by the act of March 14, 1940 (Public, No. 433, 76th Cong.); without amendment (Rept. No. 612);

S. 1678. A bill to authorize the Secretary of the Navy to grant to the city of San Diego for street purposes a parcel of land situated in the city of San Diego and State of California; without amendment (Rept. No. 613);

S. 1701. A bill to provide for pay and allowances and mileage or transportation for certain officers and enlisted men of the Naval Reserve and Marine Corps Reserve and retired officers and enlisted men of the Navy and Marine Corps; without amendment (Rept. No. 614);

H. R. 4338. A bill to provide for adjustment of the inactive-duty pay of certain transferred and retired members of the Fleet Reserve; without amendment (Rept. No. 615); and

H. R. 5312. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; with amendments (Rept. No. 616).

By Mr ANDREWS, from the Committee on Naval Affairs:

S. 1521. A bill to provide that the Navy ration shall include canned or powdered or concentrated fruit juices, without amendment (Rept. No. 609).

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred, for examination and recommendation, 42 lists of records transmitted to the Senate by the Archivist of the United States, which appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on July 24, 1941, that committee presented to the President of the United States the following enrolled bills and joint resolutions:

S. 849. An act for the relief of Eben Vaughn Cleaves;

S. 1110. An act to amend section 1118 of the Revised Statutes, as amended, to eliminate the prohibition against enlistment in the military service of the United States of any person convicted of a felony;

S. 1120. An act for the acquisition of Indian lands for the Central Valley project, and for other purposes;

S. 1200. An act to authorize additional appropriations to provide for the further development of cooperative agricultural extension work;

S. J. Res. 1. Joint resolution directing the Comptroller General to readjust the account between the United States and the State of Vermont; and

S. J. Res. 88. Joint resolution to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HUGHES:

S. 1786. A bill for the relief of Elizabeth Anderson; to the Committee on Claims.

By Mr. GEORGE:

S. 1787. A bill for the relief of R. E. Cotton Co.; to the Committee on Claims.

By Mr. LANGER:

S. 1788. A bill to provide for the leasing of certain lands of the United States in the State of North Dakota for the development of oil, gas, and other minerals; to the Committee on Public Lands and Surveys.

By Mr. SMITH:

S. 1789. A bill to amend the act known as the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531), approved June 10, as amended; to the Committee on Agriculture and Forestry.

By Mr. VAN NUYS:

S. 1790. A bill to authorize the Attorney General to stipulate to the exclusion of certain property from condemnation proceedings; and

S. 1791. A bill to amend an act entitled "An act to amend an act entitled 'An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes,'" approved November 30, 1940; to the Committee on the Judiciary.

By Mr. TAFT:

S. 1792. A bill to amend the Selective Service and Training Act of 1940, and for other purposes; to the Committee on Military Affairs.

By Mr. BONE:

S. 1793. A bill to amend sections 116, 118, 126, 128, and 135 of the Judicial Code, as amended, to divide the ninth judicial circuit of the United States, and to create an eleventh judicial circuit; to the Committee on the Judiciary.

AMENDMENT OF LAW RELATING TO WHEAT-MARKETING QUOTAS—AMENDMENTS

Mr. TAFT submitted an amendment, and Mr. LEE, Mr. McCARRAN, and Mr. WILLIS each submitted amendments intended to be proposed by them, respectively, to the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, which were severally ordered to lie on the table and to be printed.

BAYOU TECHE, TECHE-VERMILION WATERWAY, AND VERMILION RIVER, LA. (S. DOC. NO. 93)

Mr. OVERTON presented a letter from the Secretary of War, transmitting to the chairman of the Committee on Commerce, pursuant to resolution of that committee, a report dated June 23, 1941, from the Chief of Engineers of the Army on preliminary examination and survey of, and review of reports on, Bayou Teche, Teche-Vermilion Waterway, and Vermilion River, La., which, with the accompanying papers, was referred to the Committee on Commerce and ordered to be printed, with illustrations.

MERMENTAU RIVER AND TRIBUTARIES, LOUISIANA, AND LOUISIANA AND TEXAS INTRACOASTAL WATERWAY FROM THE MISSISSIPPI RIVER AT OR NEAR NEW ORLEANS, LA. (S. DOC. NO. 94)

Mr. OVERTON also presented a letter from the Secretary of War, transmitting to the chairman of the Committee on Commerce, pursuant to resolution of that committee, a report dated June 19, 1941, from the Chief of Engineers of the Army, on reexamination of Mermentau River and tributaries, Louisiana, and the Louisiana and Texas Intracoastal Waterway from the Mississippi River at or near New Orleans, La., to Corpus Christi, Tex., which, with the accompanying papers, was referred to the Committee on Commerce and ordered to be printed, with illustrations.

DEFERMENT UNDER SELECTIVE SERVICE ACT, ETC.

Mr. CONNALLY. Mr. President, I should like to inquire what has become of the conference report on Senate bill 1524, relating to deferment under the Selective Service Act and to other matters.

Mr. HILL. Is the Senator referring to the bill to defer those of 28 years of age and over from the service?

Mr. CONNALLY. Yes.

Mr. HILL. The conference report was agreed on and signed by the conferees on Thursday. It had first to go to the House of Representatives. The House was not in session, I understand, on Friday or Saturday. So the conference report will be submitted to the House today, and, as the Senator from Texas knows, under the rules of the House, the report will have to lie over 1 day and be printed in the RECORD.

Mr. CONNALLY. Under the rules and procedure, the House has first to act on it.

Mr. HILL. Yes; the House has to act on it first.

Mr. CONNALLY. That is satisfactory.

GENERAL WELFARE ACT—ADDRESS BY SENATOR LANGER

[Mr. McCARRAN asked and obtained leave to have printed in the RECORD an address by Senator LANGER on the General Welfare Act, which appears in the Appendix.]

CERTAINLY NOT TREASON—EDITORIAL FROM NEW YORK SUN

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an editorial from the New York Sun entitled "Certainly Not Treason," which appears in the Appendix.]

PROPOSED SEPARATE AIR FORCE—GALLUP POLL

[Mr. McCARRAN asked and obtained leave to have printed in the RECORD a Gallup poll on the subject of whether or not there should be a separate air force for the defense of the United States, which appears in the Appendix.]

MANDATORY JOINT INCOME-TAX RETURNS

[Mr. McCARRAN asked and obtained leave to have printed in the RECORD an article which appeared in the New York Times on July 20, 1941, by Godfry M. Nelson, relating to the proposed mandatory joint income-tax returns of husband and wife, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supple-

mented, to authorize appropriations during the national emergency declared by the President of May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

The message also announced that the House had passed a bill (H. R. 1030) to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 1073. An act to amend the Classification Act of 1923, as amended;

H. R. 1702. An act for the relief of Mary McCutcheon;

H. R. 1746. An act for the relief of Charles J. Schay;

H. R. 2382. An act for the relief of William Cromer;

H. R. 2855. An act to provide for payment of pension to certain dependent parents notwithstanding remarriage, and for other purposes;

H. R. 2888. An act for the relief of H. E. Buzby;

H. R. 3247. An act for the relief of Mrs. O. B. Olson;

H. R. 3367. An act relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937;

H. R. 3523. An act for the relief of the Equitable Insurance Alliance, the Fidelity & Guaranty Fire Corporation, and the Hartford Fire Insurance Co.;

H. R. 3551. An act for the relief of Lillian Korkemas and Rose Grazioli;

H. R. 3607. An act for the relief of Anton Waytashek;

H. R. 3801. An act for the relief of Mr. and Mrs. W. A. Batchelor;

H. R. 3933. An act to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover;

H. R. 3943. An act for the relief of Mr. and Mrs. J. W. Johns;

H. R. 4210. An act to adjust the salaries of rural letter carriers;

H. R. 4293. An act to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes;

H. R. 4816. An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce;

H. R. 4921. An act for the relief of Antonio or Anthony Maurin; and

H. R. 5256. An act authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes.

HOUSE BILL REFERRED

The bill (H. R. 1030) to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes, was read twice by its title and referred to the Committee on Pensions.

DEFERMENT UNDER SELECTIVE SERVICE ACT, ETC.—CONFERENCE REPORT (S. DOC. NO. 92)

Mr. REYNOLDS submitted the following report, which was ordered to lie on the table and to be printed:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment, insert the following:

"That section 5 (b) (1) of the Selective Training and Service Act of 1940, as amended, is hereby amended by inserting before the colon the following: ', or any enlisted man who has been or is hereafter honorably discharged from the Regular Army or the Coast Guard for the convenience of the Government within six months prior to the completion of his regular three-year period of enlistment'.

"Sec. 2. Section 5 (e) of the Selective Training and Service Act of 1940 is amended by adding '(1)' after '(e)', and by adding at the end thereof the following: 'Rules and regulations issued pursuant to this subsection shall include provisions requiring that there be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those men who have been classified by such local board.

"'(2) Anything in this Act to the contrary notwithstanding, there shall be deferred from training and service under this Act in the land and naval forces of the United States until Congress shall declare otherwise, the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) have attained the twenty-eighth anniversary of the day of their birth: *Provided*, That any of such men may after volunteering for induction be inducted pursuant and subject to the provisions of section 3 (a) of this Act.'

"Sec. 3. Section 9 of the Selective Training and Service Act of 1940 is hereby amended by adding at the end thereof the following new paragraph:

"'The power of the President under the foregoing provisions of this section to take immediate possession of any plant upon a failure to comply with any such provisions, and the authority granted by this section for the use and operation by the United States or in its interests of any plant of which possession is so taken, shall also apply as hereinafter provided to any plant equipped for the manufacture of any articles or materials which may be required for the national defense or which may be useful in connection therewith. Such power and authority may be exercised with respect to any such plant during the existence of the unlimited national emergency proclaimed by the President on May 27, 1941, whenever the President finds, after investigation, that there is an interruption of production at such plant, that the national-defense program will be unduly impeded or delayed by such interruption, and that the exercise of such power and authority is necessary to insure production at such plant in the interest of the national defense: *Provided*, That with respect to any plant of which possession shall have been taken under the provisions of this paragraph, such plant shall be returned to its owners whenever the President determines that such plant will be privately operated in a manner consistent with the needs of the national defense.'"

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows: In lieu of the amended title proposed by the House, amend the title so as to read: "An Act providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, for operation of certain plants to expedite the defense program, and for other purposes"; and the House agree to the same.

ROBERT R. REYNOLDS,
ELBERT D. THOMAS,
H. H. SCHWARTZ,
LISTER HILL,
WARREN R. AUSTIN,
CHAN GURNEY,
Managers on the part of the Senate.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
L. C. ARENDS,
Managers on the part of the House.

STRIKES IN DEFENSE INDUSTRIES

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from a previous day, which will be stated.

The LEGISLATIVE CLERK. A concurrent resolution (S. Con. Res. 12) submitted by Mr. BYRD on May 26, 1941, relative to strikes in defense industries.

Mr. BARKLEY. Let the concurrent resolution go over.

The VICE PRESIDENT. Without objection, the concurrent resolution will be passed over.

The morning business is closed.

RIVER AND HARBOR IMPROVEMENTS—FLOOD CONTROL

Mr. OVERTON. I move that the Senate proceed to the consideration of House bill 4911, authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. OVERTON. Mr. President, before I proceed with the presentation of the bill, the senior Senator from Montana [Mr. WHEELER] has requested I yield to him on a matter of personal privilege, and I shall be very happy to do so.

QUESTION OF PERSONAL PRIVILEGE

Mr. WHEELER. Mr. President, I rise to a question of personal privilege, and I am going to ask that my colleagues do not interrupt me until I have finished the statement I desire to make. At the outset, I wish to say that I do not want any of my colleagues to think that I am complaining on personal grounds because of Mr. Stimson's baseless attack upon me. As Members of the Senate know, I "can

take it" and I "can give it." The Secretary's attack, however, is an attack upon the fundamental principles of government. It involves the question of free speech and freedom of petition.

Some 19 years ago I came to the Senate of the United States. The late Senator Thomas J. Walsh was my colleague. No more able man ever served in this body than Senator Tom Walsh. Old battling Bob La Follette, that great liberal and progressive, introduced a resolution to investigate the corruption in connection with Teapot Dome. Senator Walsh conducted that inquiry. He exposed graft and corruption; and I launched an investigation into the corruption of the Department of Justice. Mr. Harry Daugherty was then Attorney General. As the investigation proceeded high officials in the Harding administration became frantic; they resolved to "smear" those who were prosecuting that investigation. Their agents were sent throughout the United States; detectives rifled the offices of the late Senator Walsh, of the late Senator La Follette, and the offices of other Senators who had the temerity to stand upon the floor and say a word against the administration. It was an attempt upon their part to conduct government by blackmail. It was denounced by every Democratic leader and every Republican leader, I think, in this body. It was denounced even by John W. Davis, who was a candidate for the Presidency on the Democratic ticket in 1924, even though at that time I was a Vice Presidential candidate upon the Progressive ticket with Senator La Follette.

The agents of Mr. Daugherty and others studied my record. Government sleuths went to Montana. They journeyed from town to town. They were determined that somewhere in my past they could find something with which to "smear" me. These agents resorted to any and every device to find some little thing on which to attack those of us who were waging the fight against the corruption of that administration. They worked hard. They were industrious. They left no stone unturned. They found nothing. Finally, they deliberately framed charges. Then I was indicted in Montana and in Washington. They brought a witness from Cuba who testified, and whom afterward we asked to have prosecuted for perjury, but we were unable even to get the Department to prosecute him.

It was a dark hour in my life, but one in which a ray of light shone. A great liberal Justice of the United States Supreme Court, one who had devoted long years to public service, invited me to his house and said, in substance, "Don't let them stop you. Keep up your fight." He told me that truth and honesty always triumph, and time proved that he was right. The framed charges withered in the light of facts. The indictments exploded. I accepted those base charges of a Cabinet member of the Harding administration as a badge of honor for myself.

A few days ago Secretary Stimson accused me of "near treason." This accusation is more serious to right-thinking Americans than those made by Daugherty; but I accept these low and perfidious charges of "near treason" by Secretary Stimson as another badge of honor.

Secretary Stimson's charges will blow up and boomerang just as those of Daugherty did, and for the same reasons. Both sets of charges were laid in the quicksands of falsehood. Such slander always reacts against its makers.

I will give my colleagues the hard, cold facts. I have here one of the now famous cards. It contains only excerpts from the CONGRESSIONAL RECORD. Every printed word is taken from speeches of President Roosevelt, former President Hoover, Colonel Lindbergh, Senator Nye, and myself. Every printed word on this card is in the CONGRESSIONAL RECORD. Can it be that the RECORD is a treasonable document? Can it be that reading the RECORD is a "subversive activity"?

Let me read the card, so that the Senate may know what Secretary Stimson apparently thinks is "near treason."

On the outside of the card it says:

Write today to President Roosevelt, at the White House, in Washington, that you are against our entry into the European war.

With my name signed to it:

Senator BURTON K. WHEELER.

At the top of the card is a quotation from President Roosevelt:

President Roosevelt said:

"And while I am talking to you fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, and again, and again, your boys are not going to be sent into any foreign wars." (Speech at Boston, October 30, 1940.)

The next paragraph quotes former President Herbert Hoover as follows:

Right now we need calm thinking. We need reason. We need tolerance. We need deliberation. We must not be swept off our feet by the profound depths of our emotions.

The next quotation is from me:

Senator BURTON K. WHEELER says:

"The American people should tell President Roosevelt that they expect him to live up to his campaign pledges and keep this country out of the European war. They should write their Senators and Congressmen regarding their views."

I call attention to the fact that all I said about that was that the American people should give their Senators and Congressmen their views, regardless of whatever they might be.

Ambassador Joseph P. Kennedy says—

And everybody in this body, I think, knows Mr. Kennedy as an able public servant, one who has been confirmed by the Senate on at least three different occasions. He was Ambassador to Great Britain, and I think was probably one of the few great ambassadors we have sent to that country. He was not taken in by British propaganda. He returned to the United States and made a speech for the reelection of the President of the United States in 1940, one of the most effective speeches made in the campaign. This is what he said, and it is what is on the card:

The people who must suffer and give up their lives are entitled to know the facts before their judgment can be won to the interventionist cause. We must have the completest candor; we must have the fullest disclosure; we must have the freest debate. * * * A direct attack on us would require an armada mightier than the power of man could create.

Then the card contains this quotation from Colonel Lindbergh:

Col. Charles Lindbergh says:

"* * * the propaganda of war has spread through our country. Once we entered a war that was going to make the world safe for democracy and end all need for war in the future. We sent 2,000,000 troops overseas. After that we left the future of the world in the hands of our college presidents and our idealists. The greatest wars and the bloodiest revolutions of all history have taken place under their guidance.

"* * * Now they want us to go to war again. Our Government asks us to preserve democracy abroad by creating a dictatorship in our own country. And all this in the name of idealism.

"The future of democracy depends on our ability to govern our own country. It is far more essential for this country to have farms without mortgages, workmen with their own homes, and young people who can afford families than it is for us to crusade abroad for freedoms that are tottering in our own country.

"Our principles are open and clear. We believe that the security of this country depends upon our own character and strength. We believe that the best way to defend our Nation is to keep our armies on our own soil. We stand for an independent American destiny.

"If you stand with us, we ask you to help us by organizing meetings, by talking to your friends, and by writing to your Representatives in Washington. The crisis is here. We need your assistance now. The entire future of America depends on the action we take at this time."

Whether my colleagues believe in that philosophy or whether they do not believe in it—and so far as I am concerned I do believe in it—I say that there is nothing in any one of the statements I have so far read which is treasonable, or near treasonable, or subversive; but, to my mind, it is the preaching of good, sound, American doctrine.

Then I quote from GERALD P. NYE, Senator from North Dakota:

My fear is not as to any probable or likely outcome of Europe's war. What concerns me is the knowledge that if we go into the war, whatever the outcome of that war will be, the United States will be the nation most hated and most despised by all the warring nations and their peoples.

That is the card, and that is everything that was on it—nothing else. The card was sent to more than a million people. It was not sent to Army officials. It was sent to those whose names appeared on a commercial list. I never saw the list, as a matter of fact, and I did not address the cards; but I am willing to take full responsibility for everything that was done and everything that was said.

I know there are some Members of this body who disagree with me violently. They think it is necessary for us to get into the war and go over to Europe and fight, because some of them have said to me privately that they would rather fight over there than fight over here. I disagree with them violently in that philosophy; I have disagreed with some of

my brethren on the Republican side and some on the Democratic side; but certainly never have I felt that they were traitors to the Government, or that anything they were saying or that anything they were doing was said or done for the purpose of destroying the United States Government. In my opinion, there is not a Member of the Senate who has any different opinion as to me.

There is no question about the card being frankable.

To whom were these cards sent?

With deliberate cunning, Secretary Stimson created the utterly false and spurious impression that I had circulated this franked card principally among selectees, and that it encouraged these American boys to resist any attempt to keep them in service over a year.

I denounce these attempts of Secretary Stimson and warmongering newspapers who seek to convey such an untruthful impression as both deceptive and un-American. At my direction, a million or more of these cards were mailed to all names which appeared on a commercial list. It contained the names and addresses of Americans in every walk of life. I did not examine the list, though I assume all responsibility. There is nothing extraordinary in using such lists. One of the so-called Allied governments obtained such a list from the same source this very month of July. They used it to disseminate their foreign propaganda; but I have not heard Secretary Stimson charge that government with near treason.

Last fall the friends of Wendell Willkie used some of the commercial lists and franked some 7,000,000 pieces of mail to the voters of the country. They sent out to the voters 7,000,000 cards similar to this card, and I do not know how much other literature was sent under frank. I did not and I do not condemn them, nor does Secretary Stimson.

The material appearing on this card was prepared in the first part of May, 2 months before we heard anything about an extension of the draft, and I think it was in April that General Marshall testified before a committee of the House of Representatives that the boys were going home at the end of their service. That was in April. This card was prepared during the first part of May. The order was submitted to the Government Printing Office on the 27th of May.

At a press conference on May 28, President Roosevelt was asked if men being taken into the Army would be expected to serve "for the duration." The President said the reporter was letting his imagination run away with him. This statement was generally accepted to mean that the draftees would be released at the end of their year's training.

On June 24, 1941, the first of these cards were delivered by the Government Printing Office. On June 27, the final delivery was made. I am told that on July 1 most of the cards were in the mail. I did not put them in the mail, but my information is that by July 1 they were put in the mail, addressed to those whose names appeared on this commercial list.

The President did not formally request legislation to extend the training period beyond a year until July 21, 1941, although the Chief of Staff recommended it on July 3, 2 days after most of these cards had been put into the mail. I think that was the first time any of us on the floor of the Senate ever conceived the boys were to be kept beyond a year; at least, so far as I am concerned, that is true.

These cards, prepared, printed, and mailed before the extension of the Army training was suggested, contain no reference to conscription or the legislation to extend the length of service of selectees and guardsmen. It only asks that people write to the President of the United States and ask him to keep us out of war. Three out of more than a million cards, so far as I know, have reached American soldiers. Three, I repeat, out of more than a million cards, have actually reached soldiers. Probably more will come into possession of some of the 2,000,000 men who wear their country's uniform on land, sea, and in the air. But when Secretary Stimson learned that three of these cards—which reproduced President Roosevelt's solemn pledges of October 30, 1940, never to send American boys into foreign wars—had in July 1941 come into possession of three soldiers, the Secretary said:

> At this moment a circular is sent out which will necessarily have the effect of impairing that discipline and impairing that training and thus impairing our defense against the dangers which now confront this country.

If three franked cards can impair the discipline of our Army; if three franked cards can impair the training of our armed forces; if three franked cards can impair our national defense—how badly we need a new Secretary of War.

If the morale of the United States Army can be either threatened or destroyed by three cards urging addressees in the Army to write the President against going to war—our national defenses and the morale of the Army are in a tragic state.

If three cards can sabotage General Marshall's army-training program, I fear that billions upon billions of tax dollars have been wasted, and I know, better than ever before, that we must avoid participation in a foreign war.

Those who fear the consequences of soldiers receiving these cards will find comfort in the knowledge that the New York Times is conducting a survey to determine the exact number of cards which have reached soldiers. I sent a telegram to the New York Times, asking if they were conducting such an investigation, and if they were, I should like to have them tell me what they found out. I have in my hand an article printed in the New York Times on July 27, under the heading "Got no Wheeler cards."

The article continues:

FOURTEEN CAMPS REPORTED THAT THEY HAD RECEIVED NONE

A message of inquiry was sent last week by the New York Times to 14 correspondents at or near military camps in the Eastern and Southern States, asking if any of the cards issued by Senator WHEELER had been received by men at those establishments.

The camps, chosen at random, were Camp Devens, Fort Ethan Allen, Fort Ontario, Pine Camp, Camp Upton, Fort Dupont, Fort Meade, Camp Pendelton, Camp Wheeler, Fort Jackson, Fort McClellan, Camp Shelby, Camp Stewart, and Fort Bragg.

No reports of any cards being received from Senator WHEELER came from any of them.

Yet because of the fact that I wanted to protest, Secretary Stimson gives the impression that I am carrying on a campaign among the soldiers, sending them cards, and that the act of sending them is near treason. As a matter of fact, I do not know that there is any regular list of soldiers in the country, and I am informed that there is not. I repeat the list from which the names were taken was strictly a commercial list, which, as a matter of fact, I never saw.

Mr. President, I do not apologize for sending a million cards containing excerpts from addresses made by such eminent Americans as President Roosevelt, former President Hoover, ex-Ambassador Kennedy, Senator Nye, and Colonel Lindbergh. I only wish I could afford to send one of these cards to every American father in the country. I only wish I had the funds, or that a patriotic group, such as America First, could afford to send 100,000,000 cards to each of the 79 percent of the American people who oppose war today. I only wish I could send under my frank an urgent appeal to every American to exercise now his right of petition for peace and for democracy in the United States.

The franking privilege is a means by which knowledge of government has been given the people of the United States. It has been a means and is a means of informing citizens. The franking privilege exists for the same reason that postal rates for newspapers and magazines are so low that, I am told, the Government loses many millions of dollars in distributing them through the mails. If the franking privilege has been abused it has not been abused by Senators, because we have to pay for the cards. If it is abused, it is abused by Government departments, which send out truckloads of propaganda, mailed at Government expense, to every section of the country, the Government also paying for the printing of it.

Mr. President, I have used the franking privilege to distribute speeches and other information contained in the CONGRESSIONAL RECORD. There was a time, when I ran for office, when there was hardly a great daily newspaper in my State that supported me, and yet I was elected. The next time I came up for election I circulated in my State speeches I had previously made, for the simple reason that I wanted to have the people of my State know what my record was, and it seemed to me it was the only way I could get that knowledge before the rank and file of the people. What Senator has not sent out speeches which were delivered in the Senate?

The dissemination of intelligence, if one wants to call it that, and most of us do, is a bulwark of democracy. Only a knowledge of facts permits an intelligent decision.

If the American people have the facts, they will ultimately reach a correct

conclusion. Only those who seek special privilege at the hands of the Government or those who would impose their will upon the people would deny the freest exchange of ideas and of facts.

I have also used the franking privilege to encourage expression from the American people. The voter can express himself directly only on election day, and between elections the President of the United States, and every Senator and Representative, must depend largely upon letters he receives to know the wishes of his constituents, particularly when he comes from a State which is in a section of the United States distant from the Capital in Washington.

In 1936 the Democratic National Committee sent out, not 1,000,000, not 2,000,000, but 13,500,000 postal cards containing excerpts from the CONGRESSIONAL RECORD, at a cost to the Government, I am told—that is the amount the committee would have been obliged to pay if it had paid the postage on that matter—of $130,000. In addition to that, there was a tremendous number of other speeches sent under frank by various Senators and Representatives. Such wholesale mailing of franked matter was designed to aid the reelection of President Roosevelt. I know that some of my speeches were sent out by the Democratic National Committee, and I know that speeches made by other Senators and Representatives were sent out at that time.

During the Hoover administration the Democrats had an organization in Washington, which sent out thousands and hundreds of thousands of speeches. Some of those speeches were written by Charlie Michaelson. They were read or placed in the RECORD by various Senators and Representatives, and then they were sent broadcast from one end of the country to the other.

Most of the great metropolitan newspapers opposed President Roosevelt in 1936. The franked material from the CONGRESSIONAL RECORD was used to give the people the facts with reference to his administration from 1932 to 1936. On some of these cards I remember—and I do not know but it was on most of them—were figures showing what the charges were for electricity produced by the T. V. A. and in Ontario, compared with what electricity cost the people of the State of Pennsylvania, the State of Kansas, and other States throughout the country, because at that time the power issue was one of the main issues upon which the President of the United States was fighting, and, as Senators all know, I was the one who handled for the administration the legislation known at that time as the holding company bill.

Mr. President, I do not condemn the sending of postal cards or letters by the administration or by the Republican or Democratic Parties. I realize that it is often necessary to resort to direct mail.

In the last campaign in 1940 I do not know how many cards were sent out by the Democratic National Committee, and I do not know how many speeches were sent out by that committee, but I venture the assertion that millions of them were sent out during that campaign. I know that a hundred thousand excerpts from speeches which I made praising the President and lauding his work were sent into the State of Montana under the frank of the junior Senator from Pennsylvania [Mr. GUFFEY].

Mr. President, the very basis of democracy is a well informed people participating in their Government. To encourage interest and participation in Government by all the people is one means of preserving our Republic. Our forefathers recognized the democratic importance of the right of petition. They guaranteed it to the people in the Constitution. Why did they do it? They placed that guaranty in the Constitution because of the fact that in England at one time, when certain farm laborers petitioned their government, they were immediately arrested and thrown into jail, and then sent across the waters to what was then the wild country of Australia. One of those sent to Australia wrote back and received some information bearing on the situation and as a result of action then taken this became one of the great and famous cases in the history of the world.

The founding fathers knew that the right of petition was an important method by which a responsible government, a government responsible to the people, could be maintained. In a democracy the government is subject to the people. In a dictatorship the people are subject to the government.

The present vilification of those of us who are against war is a part of a well-organized and carefully planned "smear" campaign by certain warmongers—perhaps I should say by certain individuals who honestly believe that the thing we ought to do is to go into the war. But the minute I and others of us started to advocate peace, the minute we started to say exactly what the President of the United States and Mr. Willkie said before election, certain groups, with headquarters principally in the city of New York, and with great financial backing, started to call us appeasers, Nazi sympathizers, anti-semitic, and God only knows what. I deplore the use of the term "warmongers," and I never used it until after such time as the persons to whom I have referred started to vilify everybody who dared to oppose the war and dared to say what Mr. Roosevelt and Mr. Willkie said about our getting into the war.

I say that this campaign is being carried on for the purpose of trying to stifle and silence free speech in this country, and to intimidate Members of the Senate and other public speakers. Think of the vilification of Colonel Lindbergh. Whether any one agrees with him or not, I do not believe that there is any truer American patriot than Colonel Lindbergh. To say that he is a Nazi agent, or to intimate that he is a Nazi agent, it seems to me, is beneath the dignity of any Cabinet member or any other decent American citizen.

First, General Marshall, Chief of Staff, described as sabotage certain alleged efforts to arouse draftees and National Guard men against legislation to extend the period of service. He did not tell us who was making such efforts. He did not tell us who the saboteurs were. My mail shows that men have written to me from 41 different camps, some of them representing whole groups, some of them saying that they represent a whole section of the force, protesting against the extension of the period of service. I have 2 stacks of them. However, in no single letter is it stated that the writer received a card from me. Not only that, but I never answered one of the letters. I instructed those in my office not to answer them, or even to acknowledge them, because I knew that such action would be seized upon by somebody as a basis for saying that I was encouraging the boys.

The next day after General Marshall made his statement Mr. Stimson, aided and abetted by high-salaried war propagandists, delayed his scheduled press conference. War Department officials whispered to newspapermen that most important developments had caused a postponement. This sly, unofficial announcement assured full attendance. Finally, the warlike Secretary spoke, and I quote him:

> Some matters, however, have come to my attention today, including two circulars franked by Senator WHEELER. Without expressing legal opinions, I will simply say that I think that comes very near the line of subversive activities against the United States, if not treason.

I have read the card. I have stated how the cards were sent out. If it is near treason to send out those cards, then every speech against war that is made by any Senator on the floor of the Senate and published in a newspaper makes him guilty of near treason. If any man over the radio makes a speech saying that we ought to keep out of war, and the speech happens to be heard by some man in an Army camp, or read in a newspaper, then in Mr. Stimson's opinion the speaker is guilty of near treason. Let me state parenthetically that the Secretary's definition of treason, or near treason, is not taken from the Constitution——

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. WHEELER. I prefer not to yield until I shall have concluded.

The Secretary's definition of treason, or near treason, is not taken from the Constitution or from any statement or writing of any responsible person in the history of this country. When the Secretary charges that sending excerpts from the CONGRESSIONAL RECORD to the American people is subversive activity and near treason, it is obvious that his definition of treason must be one which can be found only in the philosophies and preachings of Mr. Hitler and Mr. Stalin.

We are not at war with any country. Seventy-nine or eighty percent—and in some localities 90 percent—of the people are opposed to war. We cannot say that we represent 79 percent of the people and encourage them to write to the President and to Members of Congress without being charged with near-treason.

The Stimson statement, artfully and skillfully prepared, produced results. Newspaper headlines screamed "WHEELER acts subversive—Stimson"; "Stimson charges WHEELER with near subversive activities"; "WHEELER near treason, says

Secretary Stimson"; "Stimson charges WHEELER's appeals border on treason."

The next day—last Friday—the President of the United States, one whom I helped to nominate and elect, one whose domestic program I have supported, joined the wolves of war in their slanderous attack. New headlines appeared—"WHEELER has gone too far—F. D."; "Senator WHEELER goes too far and is in danger—F. D. R. warns."

Whatever temporary success this smear campaign has enjoyed can be attributed to the artful planning and the falsity of its foundation. The Secretary of War apparently cares not for truth or facts. He wanted the American people to believe that I had circularized Army camps. That impression was created with cold and calculated cunning. It is false, but it sired those shrieking headlines.

This attack was not made against a particular United States Senator or a particular individual. It was not made because of what appeared on the cards, or because of the individuals to whom the cards were addressed. It was not made because I sent the cards. It was made to silence all those who oppose and fight our entry into war. In my judgment, it is part of a program to terrify the American people into submission and to make them accept participation in a foreign war.

Which is treasonable—to plunge this country into a disastrous and ruinous war, resulting in the death of perhaps millions of American boys, or to try to maintain peace and democracy in the United States? If when we are at peace we are to be denounced as guilty of treason, or near treason, what would happen after a declaration of war?

Which is subversive—to deny freedom of speech, press, and petition or to maintain our civil liberties guaranteed by the Constitution of the United States?

Apparently Mr. Stimson believes that war and the suppression of constitutional government constitute a mark of patriotism. I do not.

A year ago the move for an enlarged army was launched. National Guard men assembled at camps. The Army had begun its expansion program. Many people feared war. Mr. Willkie charged that President Roosevelt was leading the Nation into war. As Mr. Willkie's strength seemed to be mounting, many Democrats throughout the country insisted that the President go on the stump. Not once, not twice, but many times in the last few days before election in 1940, President Roosevelt stood before microphones and promised peace. He said that he was going to keep the country out of war. When he spoke before one of the great labor organizations of the country he publicly resented the idea that Mr. Willkie and some others were charging him with taking the country into war. He said:

> I repeat it, again, and again, and again.

Undoubtedly soldiers read the speeches the President made. The soldiers had radio sets, and they heard what he said, and they read what he said. When he said those things, did it constitute "subversive action" or "near treason" because the soldiers heard him say he was going to keep us out of war? Certainly not. Nor was it "subversive" when Mr. Willkie said that the President was going to take us into war, and charged him with it. But when I reproduced and distributed President Roosevelt's peace pledges 9 months later, then cries arose of "traitor," "treason."

If one, two, or three members of our armed forces are listening, can a man plead the cause of peace only under the penalty of being labeled a traitor? If a newspaper reaching an Army camp, I repeat, publishes an antiwar speech, it engages in "subversive activity."

Under the new formula announced by Mr. Stimson, and apparently approved by the President—and I may say parenthetically that I cannot believe that the President knew the facts when he gave out that statement; I think he took Mr. Stimson's word for it, and believed the cards were being circulated as Mr. Stimson tried to create the impression—freedom of speech, freedom of press, and freedom of petition are to be suppressed in America by calling the utterances of speakers and the articles of writers treasonable.

I would rather, my friends, be the humblest American than any prince, or king, or potentate, or czar in Europe or Asia. I am an American citizen; I was born and reared in the United States of America; and, as I have repeatedly said, every drop of blood in my veins is English. I intend to continue my efforts, in my feeble way, to keep this country out of war. I intend to preach against war, and I intend to do so until the Congress of the United States declares war in a constitutional way. When I speak on this floor, or over the radio, or before any audience, and say that this country ought to keep out of war, and that both the President and Mr. Willkie promised to keep us out of war, if that be "near treason" or "treason" or "subversive activity," then, I say, make the most of it.

I may differ with my colleagues, as I said a moment ago, on both domestic and foreign policies, but I never question their patriotism. I think every Member of this body is just as patriotic as any other man in the United States, including Secretary Stimson. We differ, of course. As I said a moment ago, persons differ as to what steps we should take for peace, and persons differ as to whether or not we should go into the war now; but I assume that is an honest difference of opinion. I do not think any Member of the Senate or anyone else desires to take us into the war for the purpose of destroying the United States of America. I think it may have that effect. That is one of the principal reasons why I am opposed to it. They do not think so. They feel that by going into the war now we can keep war from our shores, and they feel that Mr. Hitler is coming over here and is going to conquer us. I think that is ridiculous; but the fact that I disagree with them does not mean that I think they are seeking to destroy this country, and the fact that I want to keep out of the war and that I think the way to preserve the United States is to keep out of war does not mean that I am guilty of subversive activities or anything of the kind.

I disagreed with Mr. Willkie; but I did not charge, as some influential Democrats charged, that because he had a German name he was a Nazi. I did not criticize him because he happened to change his name. A great many persons have changed their names. My forbears did not; but the fact that Mr. Willkie changed his name is not anything against him. I did not charge that he was anti-Semitic, and I did not believe it, nor did I ever say that I believed the charges which were made by prominent Democrats to the effect that Mr. Willkie would set up a dictatorship in the United States of America if he should be elected. I did not agree with him on his foreign policy, and I did not believe what he said about "short of war"; but I refused to believe he was going to set up a dictatorship in the United States if he should be elected.

One prominent man said to me, "If Mr. Willkie is elected he is going to set up a dictatorship. He will put you in a concentration camp, and he will put all of us Democrats in a concentration camp." I said, "You do not believe that." Many persons said they did believe it, and I think the person to whom I referred believed it.

If a United States Senator cannot ask the people of America to petition the President to keep us out of war, if free speech and free assemblage are to be denied to the people of this country, democracy in the United States will have been sabotaged while we talk of establishing the four freedoms all over the world. We cannot and we must not ask American boys to die upon the bloody battlefields of Europe and Asia in order to establish liberty denied to the people of the United States. So long as this country remains at peace, so long as Congress has not declared war, I will not be silenced. I will speak the truth as I see it. "Truth wears no mask, bows at no human shrine, seeks neither place nor applause. It only asks a hearing." Time and history will prove who is blinded by the clouds of glory, who sought to sell America's birthright for a mess of pottage; and it will prove, too, who honestly and rightly fought to preserve this land as a free and democratic Republic.

Mr. JOHNSON of California. Mr. President——

The VICE PRESIDENT. The Senator from Louisiana [Mr. OVERTON] has the floor.

Mr. WHEELER. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from Louisiana yielded to the Senator from Montana.

Mr. WHEELER. I do not so understand. I understood that I had the floor in my own right.

Mr. OVERTON. I shall be very happy to yield to the Senator from California.

Mr. JOHNSON of California. If the Senator will yield to me for just a few moments; I shall not be long.

Mr. President, the Senator from Montana has performed a very useful service today. I take my stand with him. I stand by his side in the fight he is making

for free speech. If we ever see the time when it is possible for a single officer of this Government to obliterate and destroy free speech, we shall have reached the last step in the Republic and the last prop of the Republic.

This is a very serious matter to me. It is a serious matter not in the charge which has been made, but it is serious in the consequences and implications of that charge. A man is charged with treason—just think of it—with treason for saying to men in camp that they have the right to petition—whom? The President of the United States. For God's sake, have we reached such a point in this Government that there can be no right of petition to the duly constituted authorities in the land?

Have we reached such a point in this Government that there can be no right of free speech on the part of the men who serve the Republic? The men who serve the Republic are entitled to some sort of hearing. I do not blame those who constitute the heads of the military from clamping on every bit of force they can and precluding, if it be possible, any right of complaint or any right of free speech at all; but I do blame the Senate of the United States if it sits here so supine, so indifferent, so cowardly that it will not denounce this unholy attack that is made against our brother in the Senate.

I stand with you, let me say to the Senator from Montana. If we must go to a concentration camp, I will go with you, and there will be two of us, at least; there will not be one alone; and if every other man in this body chooses to be the poltroon he can be if he so wishes, then, we will go alone; we will go together, and we will stand up together for what we believe to be the rights of the people of the United States.

To say that one cannot write to a soldier of this land, and, suggest that, in respectful language, he petition the President so and so, whether for or against war, is to say that civil liberty no longer prevails in America. I will not subscribe to any such doctrine. Let the commanders of the military force choose to do so; let the distinguished Secretary of War and the distinguished Secretary of the Navy do so, if they will; we cannot afford in these times, or in any times, to forego the rightful privilege that is the privilege of American citizens.

I want to suggest one further thought. When the selective-service bill was under consideration I said to the Senate that I feared it would militarize this country; that I feared every single vacant lot would become a playground for the military, and we would be militarized exactly as foreign countries have been. Then nobody would pay any attention to us. Now we see the consequences of it; we see the militarization of the country carried on to a farce by Secretary Stimson and Secretary Knox, and, perhaps, by others. The President himself, by making certain editorials in the newspapers his own, has taken the burden of this thing and he himself must bear this burden. Let him seek that path if he chooses; let him seek that path to win his fight here; let him seek that path and go forward in the days to come. I will not follow him; I hope my Brother WHEELER will not follow him, and I trust enough Members of this body will refuse to follow him so that he will not be successful. I am so full of the subject that I cannot palliate nor tolerate for a moment the suggestion that is contained in the reproofs which have been sent out by Stimson, by the military authorities, and by others.

Stick to it, Brother WHEELER. Stand up; stand out. Never mind how many are with you; never mind who is with you; stand up; there will be one at least with you in the fight.

I have to pay to the Senator from Montana the very grudging compliment that was paid to Fuzzy-Wuzzy by Kipling:

So 'ere's to you, Fuzzy Wuzzy, at your 'ome in the Soudan;
You're a pore benighted 'eathen but a first-class fightin' man;
And 'ere's to you, Fuzzy Wuzzy, with your 'hayriek 'ead of 'air;
You big black, boundin' beggar—for you broke a British square.

So let us take that as our motto, and we will fight on and on and on; and any man who will be so foolish as to doubt your patriotism, your standing, your ability to take care of yourself, will be badly fooled in the end. You have done your part; you have done that part well; and every man here should be singing hosannas in your praise; every man in this body should be proud of you, as I am proud of you today, and every man of us should say, "Hurrah for WHEELER!" [Manifestations of applause in the galleries.]

The VICE PRESIDENT. The occupants of the galleries will be in order.

Mr. TYDINGS. Mr. President, I wish to say a few words; not that they need to be said, but only from a sense of fair play.

The Senator from Montana and I have differed on many of the votes which have been taken in the Senate on the international situation during the past year and a half. I have generally, I think, almost completely—and, so far as I know, completely—supported every recommendation which the President of the United States has sent to the Congress for troops and money and affecting policies generally in this international emergency. Like the Senator from Montana, I am hopeful that the course we are pursuing will keep this Nation out of war. I voted for these measures not with pleasure but because I believed, of the alternatives furnished to the Congress and the Nation, they were perhaps the wisest alternatives for the Congress to adopt. Therefore in these debates I have voted, as the Senator from Montana has voted, for the course which I believed to be best for the country.

The Senator from Montana does not need any defense at my hands. Everyone who has served in the Congress with the Senator from Montana realizes that he is not only one of the outstanding men of this body but that he ranks well with the outstanding men who have served the Nation in the Senate throughout all its history. It would be inconceivable that any person knowing Senator WHEELER could for a moment question the sincerity of his motives or his patriotism.

After listening to his remarks and knowing that he himself did not send out these cards, as I knew in the first place, but that they were sent out by a committee, it seemed to me inevitable that a few of the cards would fall into the hands of soldiers, for taking the names from commercial lists would undoubtedly necessitate using the names of some persons who had since gone into the armed forces of the United States. I knew that the Senator from Montana would not deliberately circularize the soldiers of America as a class, and that all he would be a party to would be the circularization of the citizenry and of the voters of the country, and, therefore, would be perfectly proper and well within his right as a Senator of the United States or a citizen of the United States. Therefore, I am sorry that, in the heat and in the emotion of these grave hours, the Secretary of War should seize upon the few cards that have turned up as having been received by soldiers to attempt to smear the Senator from Montana, to question his sincerity and his patriotism. There is not a man on the floor of this body who questions the sincerity or the patriotism of Senator WHEELER. I have enjoyed my association with him. I have voted differently from Senator WHEELER on many occasions, but I respect him as a man; I admire him as a public servant; and Montana is indeed fortunate to have one of his caliber speak for her on the floor of the Senate.

If this Nation should become involved in war later on, no one will work harder to win that war than will the Senator from Montana. I know that; but, as he sees the matter, he thinks the course which he is pursuing will be best for the Nation in the long run, and as a representative of his people, he is entitled to express his opinion and to express his position on this floor as occasion demands.

I look back on some of the fights which have taken place here since I have been a Senator. I remember that some of them have been bitter. I know that on one occasion when I agreed with the Senator from Montana in a very bitter and prolonged fight, I believed that in that fight he was upholding the finest traditions of the Republic. In the very nature of things, I do not believe we could have won that fight without the daring, brilliant, and democratic leadership which he evinced on that occasion. I am speaking of the Supreme Court packing bill, which occupied the attention of this body through many months. I can remember other great contests. If a man has ever stood on the floor of the Senate who has been more in earnest in improving the lot of his fellow man through democratic processes, who has been more sincere in the positions he has taken on any question, and whose desire has been to further the sum total of human happiness more than has the Senator from Montana [Mr. WHEELER], I do not know him.

I am glad to add this brief statement, for whatever it is worth, to the debate which has taken place here, for I should not want to remain silent in the face of

this unjust attack on one of the outstanding men of this time, disagreeing though I do in many respects with the votes and the policies which he advocates in international matters. Fair play, justice, and an appreciation of his sterling service, make it necessary that someone voice these views, and I am satisfied that in my poor way I have expressed the views of many men in this body and in the body at the other end of the Capitol as well. [Manifestations of applause in the galleries.]

The VICE PRESIDENT. For the benefit of the occupants of the galleries who are not familiar with the rules, the Chair will call attention to rule XIX, subsection 6, which directs that—

> Whenever confusion arises in the Chamber or the galleries, or demonstrations of approval or disapproval are indulged in by the occupants of the galleries, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator.

Those who are in the galleries are here through the courtesy of the Senate, and it is requested that they observe the rules of the Senate.

Mr. BARKLEY. Mr. President, I have no purpose to inject myself into any personal quarrel between any Senator and any other officer of the United States. In my opinion, in these grave times, when the welfare of our country and the preservation of civilization themselves may be at stake, it is extremely unfortunate for us to be indulging in quarrels with one another over what somebody has been called; and it is not a one-way street, Mr. President, on which we are traveling. As I see it, there is no issue here of freedom of speech, though I can understand how men may consider that that issue is at stake.

The Senator from Montana [Mr. WHEELER] is one of the ablest and one of the most courageous men in the Senate of the United States or in public life. I think sometimes his judgment is bad, and I have told him so personally. Before this incident with respect to the franked cards arose, the Senator from Montana and certain Cabinet members were paying their respects to one another. The Senator from Montana has called the Secretary of War, the Secretary of the Navy, and other close advisers of the President a "motley crowd." The Senator from Montana probably was angry when he made those descriptive assaults upon members of the Cabinet. I do not think the sincerity of the Senator from Montana was involved in that matter, or is involved here; I concede his sincerity.

I have been a Member of this body for 14 years. During most of that time I have been a member of the Committee on Interstate Commerce, of which the Senator from Montana is chairman; and he and I have many times worked shoulder to shoulder together in behalf of progressive legislation. I have always thought that from the standpoint at least of domestic legislation, the Senator from Montana and I thought very much alike in regard to liberalism in the matter of domestic policy.

I do not agree with the Senator from Montana in his assessment of our international situation. I have said so here publicly, and I repeat that I do not agree with the Senator from Montana; and yet I would not deny him the right here on the floor, or anywhere else in the United States, to speak his mind upon that subject; and I think the communities which have denied him the right to speak have been short-sighted in their policy.

Nevertheless, Mr. President, the Senator from Montana has enjoyed practically without limitation the right of free speech here and elsewhere in the country; and if it were to be denied to him on any comprehensive scale either here or elsewhere, I should be one of the first to insist that he enjoy that right, and that every other Senator enjoy that right and that every other American citizen enjoy that right. But the right of free speech itself is not a one-way street, either. Members of the Cabinet have the right to express their views with respect to Government policies. They may sometimes exercise bad judgment in doing it, as some of us here sometimes exercise bad judgment in doing it; but our country will not be preserved and our theory of democracy will not be perpetuated merely by calling names, whether those names are being called by Members of the United States Senate, or by Cabinet members, or by private citizens.

What I really rose to discuss for just a moment was the question of the franking privilege. I am willing to concede that it has been frequently abused; and in order that the Senate and the country may know what the statute on the subject is, I shall read two sections:

> The Vice President, Members and Members-elect of, Delegates and Delegates-elect to Congress, and the Resident Commissioners from Puerto Rico and the Philippines shall have the privilege of sending free through the mails, and under their frank, any mail matter to any Government official or to any person, correspondence, not exceeding 4 ounces in weight, upon official or departmental business.

That is section 327 of title 39 of the United States Code, Annotated.

Section 335 of title 39 reads as follows:

> It shall be unlawful for any person entitled under the law to the use of a frank to lend said frank or permit its use by any committee, organization, or association, or permit its use by any person for the benefit or use of any such committee, organization, or association. This provision shall not apply to any committee composed of Members of Congress.

I do not raise any question here, by reading that statute, of the violation of any law, but I do desire to call a matter to the attention of the Senate, and I desire especially to call it to the attention of the Senator from Montana, in the most friendly spirit, because he knows I have for him deep personal affection. He and I have worked together in the Senate, and we have traveled together over the world, and I cannot imagine him doing anything, either personal or official, which would deprive me of my personal regard for him. I do not know how many soldiers received these cards. The Senator says a million of them were sent out. They were sent out by a committee of some kind, not made up of Members of Congress.

Mr. WHEELER. Let me correct the Senator.

Mr. BARKLEY. I yield.

Mr. WHEELER. They were sent out at my direction, and I was the one who paid for them.

Mr. BARKLEY. That I understand.

Mr. WHEELER. The Democratic National Committee has sent out speeches by the hundreds. They have sent out mine, they have sent out the Senator's, and they have sent out speeches of other Senators.

Mr. BARKLEY. I know that senatorial committees and congressional committees have sent out those speeches, and they come within the provision of the statute.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. Has not the Democratic National Committee itself sent out literature under the Senator's own frank?

Mr. BARKLEY. I am not certain of that. It may be true. It very likely is.

Mr. CLARK of Missouri. If that is not true the Senator is in a rather unique position. All of us have let the Democratic National Committee, or the Republican National Committee, as the case may be, frank out stuff by the hundreds of thousands of pounds under senatorial and congressional franks, and it seems to me the Senator is trying to draw the matter rather fine.

Mr. BARKLEY. Not at all. If the national committee is not made up of Members of Congress, then, under the statute, it has probably abused the law.

Mr. CLARK of Missouri. The Senator is well aware of the fact that the Democratic National Committee is not made up of Members of Congress, and that the Republican National Committee is not made up of Members of Congress. There may happen occasionally to be a Senator or a Representative who is a member of the national committee of either party, but, taking it by and large, the Senator certainly would not maintain that the Democratic National Committee or the Republican National Committee was made up of Members of Congress, within the meaning of the statute.

Mr. BARKLEY. I grant that to be true. But the point is the Senator states that these million cards were ordered by him, but I believe paid for by the America First Committee.

Mr. WHEELER. That is true.

Mr. BARKLEY. And they were mailed out by the America First Committee. The Senator did not know to whom they were mailed, and I do not suppose he knows now to whom they were mailed. I am willing to concede that what he states is true, that very likely some of them were mailed to men at their home addresses and were forwarded to their organization in the Army. I will say, however, that one of the cards which was printed in the newspapers appeared to have been addressed to a man named White, of company so-and-so, of a certain infantry division, at Fort Stevens,

in Florida, and forwarded from that fort to Fort Benning, Ga. I do not suppose the Senator knew that, because he did not mail it and did not see the list. It may be that is the only case in which that happened.

Mr. WHEELER. That is the only one which has been called to my attention, and, as I understand from checking it up, it happened in this way. That man's wife ordered a magazine, paid a dollar for it, and with the subscription she got three rose bushes. She ordered the magazine, however, in her husband's name, and her husband's name happened to be on this list as stationed at some fort. When they were making out the list, he was on this regular commercial list, and the card happened to go to a camp. That is the only one that has come to my attention, or to the attention of the War Department, thus far, as I understand, the only one that went directly to anyone in a camp.

Mr. BARKLEY. That may be true, but what I was about to say really involved the matter of propriety and fairness among Members of the Senate. As I was about to say, during the lend-lease fight, which was bitter and controversial, the Senator from Montana dictated a letter and signed it, which was to be used, I presume, by the same committee which sent out these cards, or by some other private committee. The letter was photostated, and a facsimile of the letter over the Senator's signature was mailed all over the United States, or very widely over the United States, and it was accompanied by a speech which the Senator had delivered on some radio forum in Washington, which had been printed in the CONGRESSIONAL RECORD.

The Senator will recall that I spoke to him about the matter afterward, because in his letter the Senator urged the people who received the letter, and received the speech he had made in the forum, to write to Members of the United States Senate and demand that they vote against the lend-lease bill, and the Senator gave his own interpretation of the bill in the letter and in the speech which he had made.

One of the recipients of this letter in Ohio—I recall that one especially—sent me the letter which the Senator from Montana had forwarded him, and the speech which had accompanied it, and told me the sort of letter he wrote back to the Senator from Montana.

The question of fairness, it seems to me—and I wish to submit this to the judgment of the Senator from Montana—is, Is it really fair for one United States Senator—I do not care whether he franks the letter or whether he pays postage on it—is it quite fair to Members of the United States Senate, when controversial legislation is under consideration, for one Senator, I do not care who he is, to send out all over the United States, at the expense of some private organization or otherwise, even at his own expense, letters to people he knows not, and of whom he never heard, in States not represented by him or by us, ex parte interpretations of the controversial legislation, asking the recipients to write to us, his colleagues, and demand that we vote against certain proposed legislation? That is a matter which, I say in all good faith to my friend, has impressed me as not quite fair to Members of the Senate.

Mr. WHEELER. Mr. President——

Mr. BARKLEY. Let me say that the Senator made a very able and a very determined and a very courageous fight against the lease-lend bill. He had a right to do that. It is a matter of some pride to me that, although the bill was under consideraton in the Senate longer than I thought was necessary, we finally got it through without any difficulty, and we got it through without denying any one the right to speak as long as he desired to speak. I think the Senator from Montana will agree with that statement.

Mr. WHEELER. That is correct.

Mr. BARKLEY. No one would deny the Senator the right, certainly I would not, to go anywhere in the United States and make speeches on any subject in which he was interested. But I submit in all good faith to the Senator whether it is fair for any Senator to send out over the country—to Ohio, Indiana, Wisconsin, or anywhere else—letters urging people who are not our constituents, and are not the Senator's constituents, to write to us insisting that we vote against proposed legislation, upon the Senator's interpretation of the legislation.

Mr. WHEELER. In reference to that, let me say to the Senator that during the fight on the lease-lend bill I received over a hundred thousand letters.

Mr. BARKLEY. Does the Senator know how many of them were inspired by the letter he sent out?

Mr. WHEELER. They were not so inspired. The letter to which the Senator refers was sent out in answer to communications which were sent me. People wrote asking for speeches. I could not take up each letter and answer it. Many of them asked for copies of my speeches, so we prepared a circular form letter to accompany the speeches and sent it out. I believe the Senator is in error when he says that I demanded they write their Senators. I never demanded that. I suggested that the people's representatives in Congress had a right to know their views.

Mr. BARKLEY. Strongly suggested, perhaps. [Laughter.]

Mr. WHEELER. I never wrote to anyone requesting that he write a Senator and ask him to vote against the bill. What I did was to send a copy of a speech and a letter. During the debate, as I told the Senator at the time, some people wrote me and asked me if I could send them a hundred copies of my speech, and very frequently we sent from 10 to a hundred copies to those who requested them. They in turn sometimes mailed them out to their friends, to whom I did not know. That also has been a common practice.

I will say to the Senator from Kentucky that copies of his speeches have gone to members of the Legislature in Montana, copies of his speeches have been sent to every member of the State Democratic committee in Montana, copies of the Senator's speeches, some of them opposing my views, have gone into Montana, and I never objected to that practice at all. Not only that, but as I said, copies of my speech were sent out under someone else's frank.

Mr. BARKLEY. It may be that some of my speeches have gone into the Senator's State, but I never accompanied those speeches with a letter asking his constituents, or any other Senator's constituents to write to my colleagues here to vote a certain way on some particular legislation.

Mr. WHEELER. If the Senator will read the letter, I think he will find that it does not ask those to whom it was addressed to ask their Senators to vote a certain way.

Mr. BARKLEY. I think the Senator's letter will show that he did ask his unknown correspondents to write us letters protesting against the lend-lease bill.

Mr. WHEELER. I do not think I asked them to write letters protesting against it. What I did was to suggest that they write to their Senators and give them their views. I have said that over the radio in numerous speeches. Other individuals, private individuals, have said to them, "Write to your Senators and tell them that you want them to vote a certain way." I think the one way to preserve democracy in the United States of America is for the people of this country to get both sides of a question and to see to it that their views are communicated to their representatives in Congress.

Mr. BARKLEY. I agree with the Senator. But the people only get one side when they get the Senator's letters suggesting that they write to us about the matter.

Mr. WHEELER. But they get the other side also.

Mr. BARKLEY. I will be frank with the Senator. It seems to me the thing the Senator, and all Senators, ought to consider is the propriety of any Senator trying to build a fire under other Senators by getting people back home to write letters. If I cannot convince my colleagues here in the arguments I make for or against legislation, I do not feel that I am called upon to circularize the United States in order to get other people to write letters here demanding that the Senators vote my way on proposed legislation.

Mr. WHEELER. I agree with the Senator. However, I do not believe that the letter in question asked those to whom sent to write to their Senators to vote against the legislation. I think I said, "Write your views to your Senator."

Mr. BARKLEY. Mr. President, last Saturday, I believe it was, I received a letter from friends of mine in Massachusetts, and this is something which goes to the propriety of what may be called the farming out of the franking privilege. It did not involve the Senator from Montana, nor either Senator from Massachusetts. I received a letter from a friend of mine in Massachusetts who said he had gone into a certain building there for some purpose, I do not know what, and found an office of the America First Committee, and in a corner of that office were stacks of franked envelopes of another United States Senator; not the Senator from Montana. I hope Senators will not take any offense at it, but I raise

the question in good faith of the propriety and the fairness of Senators sending their official envelopes, franked by them, unaddressed, by the hundreds or the thousands, to some private committee anywhere in the United States, and authorizing the use of their frank in sending material and literature which a private committee in any State sees fit to send out. I think that goes to the very privilege of franking mail which we all enjoy.

Mr. President, it was the original intention of Congress that Members of Congress and departments of the Government might send out public documents to the people. If I had to pay for postage stamps, or if the Senator from Missouri [Mr. CLARK] had to pay postage on all the letters he sends out, even letters in answer to the correspondence which comes to him, it would absorb more than the salary we draw; and the Congress long ago recognized the propriety of us sending out letters in response to letters we receive on official business, or public documents, or parts of the CONGRESSIONAL RECORD. But I seriously doubt the propriety and the fairness—and I hope Senators will keep this in mind in the future—of any Senator authorizing the use of his frank by any private organization. I think that in the future Senators ought to be a little more scrupulous about allowing private organizations to use their franks when those organizations really ought to pay postage in order that their literature might go out to the people of the United States.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. I am very much interested and intrigued by the lecture of the Senator from Kentucky on the subject of the propriety of the use of the franking privilege. It well may be that the statute having to do with the franking privilege ought to be repealed or amended, but, in all good conscience and good faith, I should like to ask the Senator briefly where he draws the line?

When the Senator from Kentucky was last a candidate for the United States Senate he went to Kentucky and made a most eloquent and ingenious speech in his own behalf, explaining to the people of Kentucky why he ought to be reelected to the United States Senate. I thought it was such a fine speech that I went to the Senator from Kentucky and volunteered to put it in the RECORD, and it was later sent out in very large quantities and, incidentally, under my frank.

I take it the Senator's campaign committee was a private committee. I do not know to whom the speeches of the Senator from Kentucky were addressed. I do know that I received a number of complaints from friends of the then Governor of Kentucky, now the Senator's colleague from Kentucky [Mr. CHANDLER], protesting that I was abusing the franking privilege by permitting the committee of the Senator from Kentucky to send out, under my frank, this eloquent bit of special pleading urging the Senator's own reelection. I do not think it was an abuse of the franking privilege. I did not think so then, and do not think so now. But when the Senator comes here today to lecture a Senator for sending out under his own frank, or permitting somebody else to send out under his own frank, extracts from the CONGRESSIONAL RECORD on matters of great public concern, I should like to ask the Senator in all good faith where he draws the line?

Mr. BARKLEY. I will say to the Senator from Missouri very frankly that the year I was a candidate for reelection, in 1938, Congress did not adjourn until the last of June. I went home and made my campaign.

Mr. CLARK of Missouri. I am well aware of that. I was running at that time, also.

Mr. BARKLEY. Yes; the Senator was a candidate, also. I did not make any formal speeches in Kentucky, and no formal speech that I made, so far as I recall, advocating my reelection, was printed in the CONGRESSIONAL RECORD.

Mr. CLARK of Missouri. I will point it out to the Senator, because I placed it in the RECORD myself, and sent it out under my frank.

Mr. BARKLEY. I think what the Senator from Missouri put in the RECORD, it may be, was a speech I made before I became a candidate, at a nonpartisan dinner in Louisville, given in honor of my 25 years in the Congress of the United States. I do not recall that any copies of that speech were sent out. If the Senator from Missouri put that speech in the RECORD because he thought it was a good one, I appreciate it.

Mr. CLARK of Missouri. I can show the Senator a number of letters sent to me from Kentucky by friends of the now junior Senator from Kentucky [Mr. CHANDLER] protesting against the sending of that speech under my frank.

Mr. BARKLEY. That may be. If I made a speech in Kentucky in my own behalf, and the Senator from Missouri put it in the RECORD because he thought it worthy of being put in the RECORD, and he sent it to some people in Kentucky, it did not go generally to the people all over the State. I did not order any copies of those speeches. I did not request that any copies of it be sent to Kentucky, because I did not think as much of my speech as the Senator from Missouri seems to have thought of it.

But the point I make is that it is unfair to Senators for other Senators to write people all over the United States and ask them to build a fire under us in behalf of legislation. That certainly is a different proposition even from that which the Senator is discussing. I am not lecturing the Senate. I am calling attention to the law, and if it has been abused by a Democratic or by a Republican committee in the past, that affords no excuse for it being abused in the present.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WALSH. I am much in sympathy with what the Senator says about the expense the Government is put to by reason of the very generous use of the franking privilege.

I should like to ask the Senator a question about a situation which has occurred in my experience, and I presume also in the experience of other Senators. A constituent has written to me and said, "I like your speech. Will you send me 100 copies of it so that I may send them to friends under your frank?" What would the Senator do in such a situation?

Mr. BARKLEY. I probably should send it. But if some committee should ask the Senator from Massachusetts to have 1,000,000 copies of the speech printed and shipped out by the carload to an equal number of people, accompanied by a letter from the Senator, I think that would present a different situation. I may be mistaken about it.

The point I raise, and the question of fairness to the Senate which I raise is this: Is it the duty of any United States Senator who enjoys the confidence and respect of his colleagues, whose arguments make deep impressions upon us, though we may not always vote with him, or is it really within the bounds of fairness to our colleagues for any of us to try to build a fire under other Senators in order to influence their votes?

Mr. WALSH. I do not see any objection to a letter accompanying a speech, the letter being to the effect that "if you agree with my views I should like to have you say so." I see no objection to such a letter, although I have never sent one.

Mr. BARKLEY. That is all right. Of course, the Senator would have the right to place in the RECORD all the letters which he might receive in response to such an invitation. However, it seems to me that the Senator would not feel that it was within his province as a Senator, after sending out copies of the speech, to say, "If you agree with my views I want you to write to every other Senator."

Mr. WALSH. I should hesitate to do so.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. Do I correctly understand the Senator to suggest that a violation of the franking privilege justifies the charge of treason against a Senator?

Mr. BARKLEY. Mr. President, that is a pettifogging question.

Mr. TAFT. After all, it is a question which relates to the matter before us. The Senator has diverted attention from the main issue in this discussion. I am asking the Senator whether he thinks the question has anything to do with the main issue.

Mr. BARKLEY. Yes; I think it has something to do with what we are discussing. If the Senator desires a categorical answer from me as to whether I think that the abuse of the franking privilege constitutes treason, my answer is "No."

Mr. TAFT. My question was, Would such action justify the charge of treason?

Mr. BARKLEY. I have answered the Senator's question.

Mr. President, that is all I have to say about this matter. I think we ought to be cautioned. My remarks are regarded by the Senator from Missouri [Mr. CLARK] as a lecture. I must insist that I do not qualify as a lecturer. However, I feel that the proprieties ought to be observed by Senators, particularly with respect to their colleagues, as well as other public and private citizens.

Mr. VANDENBERG. Mr. President, the discussion of the franking privilege by the able Senator from Kentucky has been interesting, and probably useful in many aspects. Without question the franking privilege is subject to abuse. Such abuse may well be explored, and if possible corrected. But, as the Senator from Kentucky has indicated, he has no thought that an abuse of the franking privilege, even though it might be a challenging one, involves any suggestion of treason, or near treason. So let us get back to the realities of this discussion.

The thing which so profoundly shocks me in connection with this situation is that a member of the President's Cabinet indicts a Member of the United States Senate for treason, or near treason, on charges that lack any color of justification or validity. That transcends any consideration of the franking privilege, or any consideration of the use of the United States mails for any purpose whatsoever in this connection.

I agree with the able Senator from Kentucky that on many occasions there has been a mutual exchange of epithets in connection with our debates on American foreign policies which has not been helpful, and which has been unfortunate. There are offenders on both sides of the argument. But that amounts to nothing compared to the indictment of a Member of the United States Senate by a member of the President's Cabinet for treason, or near treason. I respectfully submit that that proposition is entitled to our concentrated and exclusive attention at the moment.

Mr. President, the senior Senator from Montana [Mr. WHEELER] has a proven love of country which is as clear as crystal. His character as a patriot is unimpeachable. He has a courage which is as firm as steel. He has an intrepid sincerity in his public work which is above and beyond political or personal considerations; and that dedication to the public weal has been demonstrated time and time again.

Mr. President, love of country, patriotism, courage, and sincerity are not the things out of which treason is made. On the contrary, love of country, sincerity, patriotism, and courage of the type personified by the Senator from Montana—whether one agrees with his views or not—are the hope of democracy.

Above all else, the point I wish to make is this: If it is a united America which is ultimately sought in connection with our foreign policies, let it not be overlooked that there are millions of Americans—and I happen to be one—who agree with the Senator from Montana in respect to his implacable purpose to keep America out of a shooting war, unless we are attacked. Millions of Americans thank God for his spokesmanship. They propose to continue to be heard. Mr. President, if the Secretary of War wants to indict those millions of Americans for treason, or near treason, then we can bid good-bye to any hope for a united America. We are not going to lose free speech at home for the sake of establishing it abroad.

I voted against the confirmation of the nomination of Mr. Stimson to be Secretary of War. Today I feel completely justified in that attitude.

I rise to present my compliments to the distinguished, militant senior Senator from Montana, not because he needs any defense from me, but because in his willingness to stand fearlessly forward upon the battle lines of public opinion for the convictions which possess him, he represents, not the seeds of treason, but the preservation of the democratic process under the Stars and Stripes.

[Manifestations of applause in the galleries.]

The VICE PRESIDENT. The Chair wishes to announce to the occupants of the gallaries that if there is any further demonstration of approval or disapproval during the course of this particular debate, the Chair will call on the Sergeant at Arms to clear the galleries until the debate is concluded.

Mr. CONNALLY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CONNALLY. Why does the Chair threaten to clear the galleries? Why not simply eject those who violate the rules? The Doorkeepers are supposed to know the ones who violate the rules. Only those who violate the rules should be ejected from the galleries.

Mr. SHIPSTEAD. Mr. President, I cannot permit the record of this day to pass without registering my protest against the action which the Secretary of War took in making the charge which he made against the Senator from Montana. When he made that charge he questioned the right of free speech not only by Senators, but also by other American citizens. It was an indictment of any Senator who rises on the floor asking protection for the right of petition by the American people.

We must bear in mind that the President is the Chief Executive of the Nation; and in order to carry out his duties and to speak for him, and him only, the law has furnished him with Cabinet officers to act as secretaries to the President. They have no original authority to act or to speak officially except as the representatives of the President. If Mr. Stimson in making the charge against the brilliant Senator from Montana does not speak for the President of the United States, the President ought to repudiate what he said. The President must be held responsible for every act and every word spoken officially by the members of his Cabinet. They have no right to speak except for the President because they are subordinates in the Executive department of which he is the head. I am afraid the Secretary of War has become afflicted with the totalitarian virus which is spreading all over the world, because his remarks, as the Senator from Montana mentioned, can only be influenced by the virus that affects a Hitler or a Stalin or a Goebbels. This smearing of men in the Congress and in private life who still consider the Constitution of the United States to be the supreme law of the land, giving to Congress certain duties the Congress cannot evade, even to the declaration of war, is done for a purpose. This propaganda and smearing have been going on. One Senator is accused of being a traitor for urging citizens to use their right to petition; and others are called pro-Nazi for not permitting any official to usurp the powers granted to Congress by the Constitution.

It is not necessary for me to pay a tribute to the Senator from Montana or to his ability. I only want to join with the Senator from California, the Senator from Maryland, and the Senator from Michigan to show that I am willing to carry the colors which they carry in company with the Senator from Montana. I resent the idea that is being propagandized, that it is necessary to be a fool in order to be a patriot. I voted against the confirmation of the Secretary of War, and I stated at the time—which was before the last election—that I voted against him because of his well-known attitude and advocacy of taking the United States into war. I said at the time that that was why I voted against him. I did not question his patriotism. But after the President had pledged himself to the people of the United States that he would not take us into a foreign war, I thought I could not vote to confirm as a member of his Cabinet, particularly as the head of the War Department, a man who has spoken publicly in opposition to the declared views of the President of the United States.

If it was patriotism before election to be opposed to a foreign war, it ought to be patriotism after an election. Does the decision made in the last election make it treason to uphold the views expressed by both candidates for the Presidency before the election? What has brought this change? What a change—patriotism into treason! It comes with poor grace for the members of the President's Cabinet, speaking for the President, to accuse private citizens or Members in Congress of treason. Is it treason to speak earnestly in favor of aiding the defense of one's country by keeping it out of war? Is that less patriotic than by every act and every word for a man in public life to try to drag this country step by step and mile by mile into a foreign war of which we were not the initiators or the makers? So long as there are men in the Congress of the United States like the Senator from Montana who have the courage to speak to uphold the Constitution and the welfare of the Nation, this country is safe. When these smear campaigns can make cowards of men in public life or private citizens so they dare not speak—as is done in the totalitarian countries of the world—when the time comes when by such methods the mouths of patriotic men can be closed, then we shall have no more a Republic of the United States.

Mr. LA FOLLETTE. Mr. President, the senior Senator from Montana needs no defense at the hands of any of his colleagues. His record of public service in Montana and in the United States Senate speaks for itself; but I should not want this debate to close until I register my emphatic protest that a member of the President's Cabinet should dare, without complete proof to charge the Senator from Montana or any other Member of this body with an act "near to treason." The record now shows, I think, indisputably that there was not one word in the communication the Senator from Montana sent out which could by any stretch of the imagination be construed to border upon treason or near treason. I think the record now shows without dispute that the inference clearly drawn by the Secretary of War that the Senator from Montana was directly circularizing men in the armed forces of the United States was without any foundation whatsoever in fact.

Mr. President, during the last World War the conduct of men in high public office in this country in denouncing as traitors those who had the courage to oppose our entrance into that war did democracy no good in the United States. In his annual message to Congress the President of the United States outlined four freedoms for which he said his whole policy was dedicated. Among them was "the right of free speech everywhere in the world." I suggest that the President of the United States had best inculcate that fundamental democratic principle in the members of his Cabinet before he endeavors to guarantee the principle of free speech everywhere in the world.

I realize it is not necessary for me to say so, but, having been through fights in the past with the senior Senator from Montana, often when we were in a hopeless minority upon various pieces of domestic legislation, I know that this effort to intimidate him, to "smear" him, will not deter him so much as a hair's breadth from the course which he has marked out for himself in this critical hour in the Nation's history. So far as I am concerned, Mr. President, I am glad to be associated with the Senator from Montana in the effort to prevent the sending again of American boys to die on foreign battlefields. [Manifestations of applause in the galleries.]

Mr. WALSH. Mr. President, I had not intended to speak upon the subject under discussion, but I have been moved to relate something to the Senate that came to my personal knowledge; and I am saying it without the approval of the Senator from Montana.

The "smearing" of the Senator from Montana and others who agree with him is bad enough and indefensible enough when confined to those who, like the Senator from Montana, are capable of defending and protecting themselves, but when it comes to a man's family, or to his children, it is time to call a halt. Recently the son of the Senator from Montana made application, like other college boys, to attend a naval school so that he could qualify for a commission as ensign in the Navy. He met all the physical requirements and all the educational requirements, for he was a recent graduate of a recognized college. He was advised by the officer who asked him the various preliminary questions to take his case up with a certain admiral of the Navy. The admiral in question said to him, "Are you the son of Senator WHEELER?" The boy replied, "Yes, sir." "Do you share your father's view?" Think of it! "Yes, sir." "Well, the Navy has no place for you." If he did not say "The Navy has no place for you," he used language that meant the same thing. It is difficult to conceive of any American boy, willing to serve his country, being treated by any officer of the Army or Navy in that fashion. Knowing the Navy as I do, I do not believe more than 1 or 2 of its 70 admirals would act so foolishly and indeed so arbitrarily.

It so happened that some naval officers who overheard or learned what took place informed the boy not to worry, and the case was finally taken to the Secretary of the Navy. To his credit although I do not know that he or any representative of our naval force deserves any great credit for it, he approved the granting of the commission.

Mr. President, I rose to tell of this discreditable incident for the purpose of indicating how far agencies of our Government are being permeated with retaliatory measures and thereby attempting to impose upon others different views than they honestly entertain. It all evidences a disposition on their part to punish those who may differ with them or with their superiors. So far as I can do so, I intend to speak with what power I have as a member and as chairman of the Committee on Naval Affairs against such abuse of authority.

It is deplorable. I make this statement because I think it is appropriate on this occasion to point out the humiliation and punishments that follow when we depart from a recognition of the right of free speech.

The Senator from Montana, of course, needs no eulogy from me or any other Member on this floor; he has a place in the hearts of the American people—millions of them—that many of us should envy. I have received letters attempting to reprimand some of us who are opposed to war for not doing more to lessen the tremendous burden the Senator from Montana has been carrying in the fight to keep the country out of war. He is held in deep affection; he has built a monument of fame to himself that cannot be destroyed, by abuse or cruel epithets. History will give him a place of honor for his courageous and manly fighting qualities in behalf of his country.

I am sure the Senator has been heartened this day by the expressions of confidence in him and by the denunciation of officials of our Government who attempt by intemperate language to interfere with the free speech of Members of the Congress by serving notice that they will be made to suffer if they say what they think, speak what they believe, and give expression to the depths of their conscience on the most serious question in life, namely, the question of war or peace. It is well to call the people's attention to the fact that war is mass murder and never ought to be resorted to until the very, very last possible course of action to avoid war has been taken.

The American people, as I view the situation, are getting sick and tired of such methods, on whatever side employed, as have been referred to here today. Public officials on both sides of great issues should learn to be temperate and impersonal in debate.

This attack will not hurt the Senator from Montana; it will hurt, unfortunately, as I think, those who ought by reason of their office, to have the affection and esteem of the American people. I raise my voice to say for Heaven's sake, let it stop. Let the families of Members of the House and the Senate be free from encroachment on their rights because of views, for peace or war, which may be entertained by any member of the household.

Mr. O'MAHONEY. Mr. President, it had not been my intention to participate in this debate, but having listened to the various speeches which have been made here this morning, I cannot feel that I should remain silent, for, as it seems to me, the issue has not been made clear.

I am one of those who have been associated with the Senator from Montana during a long period of years. I have admired him and have followed him. I recall very well in years that have gone when the Senator from Montana was under attack by the Department of Justice of a previous administration. I knew that he was suffering because of his loyalty to his convictions as to what was good for his country, and I am very ready to testify now to my belief that the Senator from Montana, in everything he has said and everything he has done, has undoubtedly been moved by the same high spirit of loyalty to his country.

But, Mr. President, that does not blind me to the fact that the "smearing" has not been on one side alone. We make a mistake if we try to persuade ourselves that criticism of the administration's foreign policy has been motivated only by patriotic intention.

I have listened on the radio while those who have ventured to say that the President of the United States is a warmonger were making their appeals to prejudice and tickling the ears of subversive elements in this country, and, as I have listened to those radio talks, I have heard the applause issuing from the mouths and tongues of those whose hearts are with Herr Hitler, rather than with America and its defense.

Why should anybody stand upon this floor or stand before any audience in the United States and say that the President of the United States is a warmonger and that he is attempting to drag the country step by step into war? Mr. President, I do not believe that; and I speak as one who stood upon this floor when the lease-lend bill was under consideration and offered an amendment to that bill which provided for protecting the right of Congress to declare war. I believe in the right of Congress to declare war, and I shall defend that right; but I do not believe those who stand here or elsewhere have the slightest justification

for saying that the policy of this Government has been to drag the United States into war against the will of the people of the United States. I have seen nothing to justify that point of view. And I am convinced that the primary purpose of the Government and its spokesmen has been to defend this Nation and its rights.

Mr. President, there are many who believe that to defend the principles to which our country is devoted, to protect our country, it may be necessary to go into war. There are some who urge that in a world the leaders of which pay no respect whatsoever to the pledged word of nations it may be necessary for our country to take the first step. Who can forget that in the World War the Government of Germany was bound by a formal treaty to respect the territorial integrity of Belgium? Who can forget that the Government of Germany, without denouncing that treaty, disregarded it and invaded Belgium? Who can forget that the national spokesman of Germany in that era declared that the treaty was but a scrap of paper?

That was the national policy of Germany in 1914. It is the national policy of Germany today. Treaties—peace—promises—who is there to say to the American people that we can depend upon the promises of Germany or upon the promises of the leaders of Germany? The representations of Germany are designed, frankly, to deceive and to mislead. Herr Hitler is first among those who call the President a warmonger.

Mr. President, we are blind to what is going on about us if we do not recognize the fact that the policy of the German Government has been to lull into false security all the nations of the world and then to attack as it pleases that Government to attack those nations it has deceived. It can be no argument against the President of the United States or the Government of the United States that the President has been wise enough and far-seeing enough to recognize this fact.

I realize that Members of the Senate and Members of the House and those who are attacking what they conceive to be a warmongering policy level many attacks upon the Chicago speech of the President, delivered in 1937, when he warned the world that aggressor nations were preparing their assault upon human freedom, and when he urged upon the world that all the nations should unite to protect themselves. Mr. President, it is a great tragedy that that warning, uttered by the President of the United States in 1937, was not heard not only by the Congress and the people of this country but in the offices of the Government of Great Britain and of other countries. I am impressed by the fact that in the attacks which I have heard upon the President of the United States and upon the foreign policy of this Government, in almost every instance the basis of the attack is hatred of Great Britain. Day after day we listen to those who preach defense of America uttering their sentiments based upon hatred of Great Britain.

I stand here today as one who knows what the governing class in Great Britain has done in days gone by to nations which were under its control; but I also stand here as one who knows that whenever a question of human freedom was presented to the people of England the verdict of the people of England was always upon the side of freedom; and I am ready to pay tribute to the loyalty of the people of England to the elemental principles of human freedom. When we strip ourselves of emotional reaction and study the facts we must acknowledge that the fundamental principles of individual liberty have come down to us from the people of the British Isles—Scotch and Welsh and Irish and English. There has been no differentiation in the loyalty of the people of the British Isles to the fundamental bases of human freedom; and we are blind indeed to what is going on in the world if we do not realize that the Government of Germany is warring against those principles. The German dictatorship today places the same low value on international rights and international treaties as was expressed by Chancellor von Bethmann-Hollweg when he called a treaty with Belgium a scrap of paper to be torn up.

So I rise here to utter my protest against any assumption of virtue on behalf of the critics of our national policy. The President of the United States has been smeared from the Atlantic coast to the Pacific coast by those who have called him a warmonger, although we stand here in the latter part of July 1941, and under his leadership the Government of the United States and the people of the United States are still free from war. We may not be able to avoid war, but we are still free from it, and we have not surrendered our freedom or left ourselves defenseless.

Oh, the policy of the administration and the policy of the Congress as enunciated in the Lease Lend Act has been a policy of rendering every aid possible to Great Britain in the noble and valiant fight which the people of Britain are making against those who would disregard the sanctity of human freedom. We know that to be a fact. We know, too, there is not a single individual who indulges in the week-long and month-long and year-long denunciation of the President as a warmonger who does not at the same time rise and say, "Why, of course we are for defense"; but when we read the record we will find that those who are loudest in making claims of that kind have opposed every step in preparing this country to defend itself against the type of attack that is being made by those who would crush freedom in the whole world. Defenseless nations have been the victims of the aggressors, and we would now be defenseless if this Congress had listened to those who call the President a warmonger.

Mr. President, let us not close our eyes to the facts. Let us recall the necessity of defending the fundamental human rights to maintain which our Government was founded. Let us give some attention to the necessity, not of hurling epithets at one another, calling one another warmongers of Nazi helpers, but of realizing that here in the United States we are fortunate to be citizens of the greatest Republic that has ever come into existence upon the face of this globe. We have the opportunity here to work out freedom for all mankind. Let us have faith in one another. Let us have a little confidence in one another and in our Government.

I was very happy to hear the Senator from Montana, at the beginning of his talk, make a declaration of confidence in the good faith of those who disagree with him. I knew that was his attitude. I knew that I could depend upon the Senator from Montana and that the country could depend upon him, to respect in good faith the arguments which are advanced against him. But we have come to a time in the development of civilization when it may be a question whether this country or Germany will mark the line upon which the future of mankind for a thousand years will be defined. Herr Hitler, when he called upon the armies of Germany to follow his direction, as he was about to invade Holland and Belgium, declared that the fate of Germany for a thousand years would depend upon the decision he was then making.

Germany and the scientists of Germany have done more than any other people in the whole world, except those of the United States, to develop the technological and industrial wonders of this era. Sometimes I believe that the alternative which is presented to the world is whether, under the leadership of German dictators, science and invention shall be used to crush human freedom, or whether, under the leadership of the United States, industrial and scientific advance shall be used to free mankind and to keep mankind free. Certainly if I am right in that supposition, it ill behooves any Member of Congress or of the Government or any of the people of the United States to forget their patriotism for America in the desire to overcome the arguments of those with whom they disagree.

Mr. President, the time has come for Americans to unite, and I believe that President Franklin D. Roosevelt, by the manner in which he has acted during the past 4 years, has demonstrated that he desires to maintain the freedom of America and that he is entitled to the undivided loyalty of the people of this country in this effort, and for one, I give him mine.

Mr. BROOKS. Mr. President, I rise only to pay my tribute and respect to the distinguished Member of this body who has been charged with an almost treasonous act because he was willing to express his views and, in order to advise the American people of a situation about which they might wish to express their opinions, to use facilities which, apparently, from what I have heard on the floor of the Senate, have been used rather extensively by many men to hold themselves in public office.

I doubt whether there is any Member of the Senate who could not agree with the Senator from Wyoming in his feeling about Hitler and about Germany. I know of no one with whom I have had

any contact who would not give his life to defeat Hitler and Germany if they should approach our shores. But we do have a definite right to believe that it is not our responsibility to defeat him in Africa, or in India, or at the cross roads of the world. I believe that 70 if not 80 percent of the people of America are of that opinion, and for that reason we should approach active participation in the present war, if it ever comes—and God grant it may not—with a careful step and with rather soft words.

There is a feeling throughout the world that dictators must rise to oppose dictators, and that nothing but dictatorial policies can prevail. In the last few months we have gone far in furthering that view. We have all hoped that the President would be willing and able—we believed him to be able, and we hoped he would be willing—to keep his promises to the people of this country, because if the people cannot believe the promises of their leader, we cannot have unity. We cannot have unity behind a leader who does not keep faith with his people. We want to help the President to keep faith. But if he is going to have members of his Cabinet constantly shouting for war, asking for authority to weed out of the departments everyone who does not agree with them, and then condemning and charging Members of the Senate with treason because they do not agree with them, we will be exceedingly close to the moment when we shall have established for ourselves, for America, the dictatorial system which we wish to destroy elsewhere.

If there ever was a time when we should be grateful that anyone was charged with treason, we should be grateful now that the charge was leveled against one of our own Members. I say to the Senator from Montana that he will never have occasion to render greater service to democracy than by now accepting the brunt of this challenge. They could challenge someone outside the Congress and get away with it, but they have struck at the heart of the thing. It is not important to me that they charged the Senator as a Senator, or would charge me as a Senator, but that they should charge any American citizen as being treasonable because, while we are at peace, he spoke his desire that we remain at peace.

We are a people composed of all the nationalities of the world, and it was to get away from the wars of the Old World that the early settlers came to this country and builded a civilization. They want to cling to it, they want to retain their type of Government, they want to preserve a Government where men present themselves and tell the people what they are going to do, and who do it after they are elected. If the leaders keep faith, we will move on, and we will have a united people. Of course, we are going to be united, but remember, in order to have unity, there must be included the 70 percent of our people who today do not want to go to war. For that reason I would say to those who are close to the administration that they should ask the Secretary of War to build an army, and not try to lead us into war by his utterances, or seek to still the voices of those who represent people who believe we should not enter the war.

My tribute to you, sir, Senator WHEELER, and I hope you will continue to render valiant service to the American people.

Mr. CHAVEZ. Mr. President, in order to have the unity of which the Senator from Illinois [Mr. BROOKS] speaks, we need such Americanism as that of the Senator from Montana [Mr. WHEELER]. And I prefer the Americanism of the Senator from Montana to that of Mr. Wedgwood—otherwise we are not going to have unity. We are not going to have unity if we accept whatever is said by a member of a foreign parliament and refuse to accept the honesty, the loyalty, and the Americanism of a Member of the Senate.

We might not agree with the Senator from Montana—so far as I am concerned I do—but we can still disagree with him and not accuse him of being a traitor to the country. I still think there is more Americanism in the Senator from Montana—and I would trust him more in carrying out the ideas of democracy—than I would any member of Parliament, whether English-born or Virginia-born.

Mr. President, we also agree with the Americanism of the Senator from Wyoming [Mr. O'MAHONEY], but I for one am becoming a little annoyed at the idea that anyone who dares to think more of America than he does of some other country can be accused of being disloyal. I do not think that is fair; I do not think it is right.

Mr. President, when we think of the four freedoms which we heard about in a joint session last January, let us not forget that it was a President of the United States, thinking about those four freedoms, who made possible the existence of Latvia, who made possible the existence of Estonia and Finland, and other countries. Now, when we are talking about those four freedoms, who do we find to be the aggressor against the freedom that was provided by Woodrow Wilson?

But the main point I am trying to make to this body is that we have only one loyalty. So far as I am concerned, the only loyalty and respect I owe is not to Hitler—I want him to be defeated—it is not to England, it is not to Russia, but it is to Uncle Sam. I still think that if we want to carry out the idea of democracy, we must do it in our way, the American way. Let the Senator from Montana feel one way, let other Senators feel any way they wish to about the question, but let us do what we do in the American way and not the way of any foreign country.

Mr. SMITH. Mr. President, as the oldest Member of this body in point of service, I am glad I was here today to hear a discussion of the great crime which the Senator from Montana [Mr. WHEELER] has committed. I will say that I was in doubt about him; I had reached the point where I was afraid to sit in the same seat he had occupied. Now, it has come to a pretty pass, when an American citizen, expressing his conviction, is denounced by a little group which we all recognize as thinking it holds a censorship of American thought and American attitude. I do not believe the American people, I do not believe the boys who fought in the last war, will vote to go to war under the present conditions.

The other day I asked the question what this terrible thing was that is menacing us, and I have not yet been able to find what it is. But I do not want to branch off on that subject now.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. CLARK of Missouri. Is it not a fact that the War Department itself has admitted what the result would have been if the Gallup poll of the draftees had been completed? The Gallup organization started to take a poll of the draftees on the question of whether the United States should go to war, and it was only after the first returns began coming in that suddenly Secretary Stimson woke up and forbade the poll.

Mr. SMITH. Mr. President, I say there is a little group which is running affairs, and those who agree with that group are highbrows and darlings, and those who disagree with it are to be denounced as near traitors. Traitors to what?

Earlier today I heard read the statements appearing on the card, copies of which were sent out in great numbers, and the statements were made by very high authority, barring the Senator from Montana [Mr. WHEELER], Mr. Lindbergh, and the Senator from North Dakota [Mr. NYE], who constituted what might be called the tail end of the thing. The other quotations were from remarks made by big wigs, one who is now at the other end of the Avenue, and one who is an ex-President.

Mr. President, I am mortified, after hearing that card read earlier today, and after hearing the tribute which has been paid to the Senator from Montana. I think those who paid tribute to him overshot the mark a little. I think he is a pretty good man, but not nearly so great as they make him out to be. He is on a dead level with all the rest of us. [Laughter.]

My mail is full of denunciation of BURT WHEELER. Persons who do not know WHEELER from Adam's house cat are writing that he is a traitor, and intimating that if I say any word in his behalf I am one also. I have been in the dog house so long that I feel that other people are dogs and not I. I was delighted to hear the card read today. The one who objected to it is an ex-Republican—I do not know what in the name of God he is now—Mr. Stimson. In the first place, he discredited himself when he allowed himself to be drawn into the Cabinet of an opposing party. I believe in a man standing for his principles. I have lived long enough to find out that under certain conditions the Republican Party begins to look good to me. [Laughter.] We have sunk so low and have become so confused that it seems some persons do not care a thing about the country and its policies; all they do is to say, "Let our purposes be promoted, and the country can go to the demnition bow-wows."

I wish to congratulate the Senator from Montana on this opportunity of putting before the American public just what he said on the card, and I want to congratulate him on how he said it. I was astounded when our so-called leader rose and called into question the use of the franking privilege except by Senators personally. I was raised on the procedure of the Democratic and Republican Parties sending out franked stuff, and no one knew anything about it except those sending it out, and they were not Representatives or Senators, much to their honor.

Mr. President, it is time for us as American citizens on the floor of the Senate and in the House to assert our right to mold the opinion of the American people. There are three coordinate branches of our Government, the legislative, the judicial, and the executive. Power is all now concentrated in one branch except for a few persons who do not say, "Yes, sir." I think it is time for us to use the present opportunity to denounce the interference on the part of those for whom no one has ever voted and who could not be elected justices of the peace if they were to run. They denounce a man for issuing a card every word of which every true and loyal American endorses as being pure Americanism.

Some persons would like to go to war. I would not. I do not see why there is all this commotion and furor. We have insulted every nation on earth. If they were to combine and express their feelings we should have a hell of a time. [Laughter.] How we have kept them from doing so, only God in His wisdom knows.

I want the privilege—and I assert that I have it—to express myself as I see fit, so long as I am not guilty of actual subversive or treasonable utterances. I am delighted that I heard the card read. I am delighted that I heard the Senator from Montana speak. I want to write to every person who wrote to me, denouncing the Senator from Montana, to demand an apology. They were like me, for I did not know what was on the card until it was read today. I did not believe that the Senator from Montana was capable of getting out such a good American card as that, but he did. [Laughter.] I hope Senators will not forget our responsibility of representing the sovereign States of the constitutional United Stater of America. The body at the other end of the Capitol represents the people. We are supposed to represent the sovereign States and to maintain their sovereignty and integrity.

I was delighted that the Senator from Montana took the floor. He did not attempt to defend himself. He simply gave the facts that were in controversy. I should have been ashamed of him if he had tried to defend himself against that one-time Republican, Mr. Stimson. I do not know what he is now. I do not think he himself knows. I rather think he was cued by somebody else to denounce the Senator from Montana. I do not believe he would have had the "guts" to denounce the Senator from Montana as being guilty of treason if it had not been suggested by somebody else. I think he thought—as perhaps some of us may think—that by belittling one's self and defending certain powers that be, one may obtain an appointment. In these days loyalty "to me" is paid by high appointments. I do not think the Senator from Montana will get one.

Mr. WHEELER. I do not want one.

Mr. SMITH. Do not tell a lie about it. [Laughter.] The Senator wants one, but I do not think he would like to get it from the crowd that is in power.

In conclusion, I want to appeal to Senators who have not been here so long as I have. I have been here for 32 years. If I had my life to live over, I would do exactly as I have done. I would do my own thinking. I have not much to think with, but I use it.

America is in the worst condition in which she has ever been in her history. A terrible depression demoralized everybody. Then a terrible flood of taxpayers' money was poured out, and the recipient of the Government's bounty said, "Glory be to God. I got a check." Wait until the tax bill comes out next year.

I sincerely hope that today's proceedings will bring us back to a realization of the responsibility which rests upon us to pursue the course which we think is the American course, and to denounce any of those in temporary authority who attempt to coerce or discredit.

I was actually becoming wary. I said to myself, "I do not know about WHEELER." I did not know him. I was becoming afraid to sit next to him. [Laughter.]

I am glad these speeches have been made today—that is, some of them. I think some of them could have been omitted to the betterment of those who made them.

There are those in America who hate the name of WHEELER because of this star-chamber proceeding. It is up to us to vindicate his right, as he has expressed it today.

I never did thoroughly agree with the Senator from Montana. He was too "unanimous" for me. But he has shown the courage of his convictions. He has rendered a great service to the country by arousing the American people to think for themselves. Some of them, if called upon really to think, would die of apoplexy. I really believe that he has done a marvelous work.

Consider the mothers of America, whose function in life is to reproduce the race, and who love the boys of their bodies with a passion you and I will never know. What do they think when they see their boys jeopardized at the will of a few unscrupulous politicians? We can talk about politics and international affairs; but such things never rise any higher than the homestead. When a boy is called out to become cannon fodder it may please the Nation, but it breaks the heart of his mother. Thank God, American women can vote today. When the question arises I hope they will express themselves as to whether men who are trying to keep us out of war shall be denounced; men who are trying to put us into war shall be praised.

I was astounded to hear that there was no evidence that we were being led step by step to war. I know that my logical faculties are not so acute as those of some others; but I think if I had the time this afternoon I could prove to men of the same caliber of mind I have that from the very beginning every step has been either directly or indirectly toward entrance into the war.

Every man who has sense encugh to be here knows that to be true. Who is responsible for it? I am not, and I do not think the Senate is—except for the "yes, yes" and "me, too" men, who will accept anything. I do not believe this country is going into the war. In view of what has been said and done in the past, I believe that if the question is ever put up to Congress it will never vote to negative every promise we have made. We have gone back on our promise to keep out of war. We have inveigled the boys into going to camp. Then when we get them there we propose to shut the door and keep them there as long as we see fit.

I, for one, am not going to vote to extend the time. I do not give a continental. I believe this country would be better off by keeping its word than by breaking it. If the boys are given a chance, and it is proved to them that there is an emergency, those who are worth having will stay and those who are not will go. I am not going to vote for the extension of the time of the draftees, in view of what we have already promised them, and I want the Senate not only to express itself as it has today but to call upon the other departments to keep their mouths out of our business. It is time for us to assert our rights and to adopt a resolution condemning either the Executive or the Judiciary for interfering with the legislative functions of the Government. The President can veto a bill if he thinks he does not like it, and he can write a message as to the state of the Nation. But when it comes to the departments interfering with the personal expression of the sentiment of Senators we ought to give them to understand that they will suffer if they do so. I think it is time for us to assert our authority to those who seek to usurp it, rather than for us to be "yes, yes," and "me, too," men.

I congratulate the Senator from Montana on the opportunity at last to clear the mind of one who was doubting him very greatly.

CONSTRUCTION OF NAVAL PUBLIC WORKS—CONFERENCE REPORT

Mr. WALSH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3537) authorizing the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2 and agree to the same.

DAVID I. WALSH,
MILLARD E. TYDINGS,
JAMES J. DAVIS,
Managers on the part of the Senate.

CARL VINSON,
PATRICK H. DREWRY,
W. STERLING COLE,
Managers of the part of the House.

Mr. WALSH. I ask for the present consideration of the conference report.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. WALSH. Mr. President, this is a House bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes. When the bill reached the Senate two amendments were added. The House has now receded from its disagreement to the two amendments of the Senate. Therefore, I move that the conference report be agreed to.

The motion was agreed to.

RIVER AND HARBOR IMPROVEMENTS FOR FLOOD CONTROL

The Senate resumed the consideration of the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Mr. OVERTON. Mr. President, now that the storm of this debate is at an end I hope I may proceed in a clarified atmosphere with the business at hand, which is the bill relating to flood control.

Mr. McKELLAR. Has the Senator asked for consideration of the committee amendments?

Mr. OVERTON. Not yet, but I shall do so directly.

Mr. President, I desire to make a general statement with respect to the objectives of the bill, and a brief explanation of the amendments recommended by the Senate Committee on Commerce. Then I desire to ask unanimous consent that at the conclusion of my remarks the formal reading of the bill be dispensed with, that the Senate proceed with the consideration of amendments, and that committee amendments be first considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. OVERTON. Mr. President, before entering upon a detailed discussion of the committee amendments to the flood-control bill, H. R. 4911, I should like briefly to summarize the status of flood control work and the need for an authorization bill at this time. The last Flood Control Authorization Act was approved June 28, 1938. In its report of June 7, 1939, on the survey bill enacted in that year the Flood Control Committee of the House of Representatives pointed out the need for orderly development of the national policy of flood control, and stated that an authorization bill might properly be introduced early in 1940. Extensive hearings for such a bill were held in the House committee in the spring of 1940, but the resulting bill introduced in May of that year was never enacted into law.

The objects of the pending bill are to renew legislation proposed in the 1940 bill, to incorporate certain worthy projects on which favorable reports have been submitted by the Chief of Engineers since the 1940 bill, and to include specific modifications to existing authorized projects as developed by extensive hearings.

Since the last authorization act, the War Department has completed many surveys and reports pursuant to acts of Congress and requests of the committees of Congress and has concurrently prosecuted projects previously authorized. General Schley, Chief of Engineers, advised the committee that—

> By the end of the fiscal year 1942 there will remain only approximately $143,000,000 of authority available for all new general flood-control projects.

This amount is far too small to permit orderly progress on flood control on a national scale; and it is, in reality, only $107,000,000, since the larger sum includes authority for about 70 local protection projects, at an estimated cost of some $36,000,000, which cannot be initiated by the War Department because the local cooperation required by law has never been given. The need for increasing the authority for this meritorious work is therefore apparent, and it will be recalled that the President suggested in his Budget message of last January that it would be very wise for us to establish a reservoir of post-defense projects to help absorb labor that later will be released by defense industries.

Furthermore, many of the projects for which authority is sought in the bill under consideration will be of direct benefit to the national-defense program. Then, also, there are factors other than enemy action which must be taken into account in a long-range defense program such as the President considers our present emergency to require. The essential war industries, in addition to being protected against possible hostile attack and sabotage, must be protected against the hazards of nature. In the case, for example, of the vast Mississippi and Ohio Basins, a zone which has a vitally important role in national defense, adequate safeguards include the fullest utilization of flood-control plans to eliminate the risk that a great flood might cause serious damage and otherwise hamper the defense program at a critical moment. Such hazards must likewise be eliminated to the greatest possible extent in New England, California, and those coastal areas where, under the compulsion of necessity, defense industries are now in full operation. The safeguarding of our lines of communication, our national resources, and our homes and families from flood threats is, perhaps, as necessary and pertinent as protection against the possible threat of foreign invasion.

The Committee on Commerce has approved, with one exception, all the items contained in the bill as passed by the House of Representatives. In addition, the Committee on Commerce in its hearings has considered reports which have been approved by the Chief of Engineers and reached Congress since the bill was considered by the House, and the committee has added to the bill projects recommended in such reports, together with certain modifications of existing projects on which complete agreement has been reached.

I shall now briefly explain the main committee amendments. I refer to the page and line of the respective amendments so that the Senators who are interested may readily follow me by consulting the bill.

On page 2, line 21, the proviso—

> That the authorization for any flood-control project heretofore or herein adopted requiring local cooperation shall expire 5 years from the date of approval of this act unless local interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished—

has been amended so as to become operative only after local interests have been officially and formally notified in writing by the War Department of the requirements of local cooperation.

On page 7, after line 22, under the Susquehanna River Basin, the project for flood control in that basin, adopted by the act of June 22, 1936, has been modified to include and authorize the construction of the Stillwater Reservoir on the Lackawanna River about 2 miles above Forest City, at an estimated cost to the United States of $2,420,000. This reservoir will control 55 percent of the watershed above Carbondale, 28 percent of that above Olyphant, and 17 percent of that above Scranton, Pa., and it will offer economically justified protection for the cities mentioned and the surrounding area.

On page 8, after line 13, there has been added an item in the Neuse River Basin for local flood protection in the vicinity of Goldsboro, N. C., substantially in accordance with the recommendation of the Chief of Engineers, at an estimated cost of $40,000. Floods on Neuse River cause severe damage to growing crops and to portions of the community of Goldsboro, and an appreciable reduction in such damages can be effected by the construction of a cut-off as contemplated in this proposed project.

On page 9, after line 18, the bill is proposed to be amended by adding a project for the improvement of Bayou Teche and the Vermilion River in Louisiana in accordance with recommendations of the Chief of Engineers, at an estimated cost of $1,390,000. The most destructive flood that has visited this watershed in recent years occurred following the storm of August 1940. The estimated damage from this flood alone in the Teche-Vermilion area amounted to $1,250,000. The plan of improvement, which will afford benefits well in excess of the cost of the work, provides for channel improvement in the upper Vermilion River, Ruth Canal, and upper Bayou Teche.

At this point in the bill there is also added an item for the Mermentau River Basin in Louisiana in accordance with recommendations of the Chief of Engineers. The project provides for an enlarged channel in the lower Mermentau River and a lock and control structure to prevent salt-water intrusion. The estimated cost to the United States for the recommended flood-control features of this project is $970,000.

On page 13, lines 2 and 3, and page 14, line 1, minor clarification amendments have been made to subsections (b) and (c) under the lower Mississippi River project, and on page 14, after line 19, a proviso has been added to subsection (c) to give the Chief of Engineers discretionary authority, after further investigation, to substitute other levees and appurtenant

works for improvements authorized in the bill for the protection of the Red River backwater area which may be found to afford protection to a larger area, at a total cost not to exceed $14,000,000.

On page 16, after line 5, a new subsection (f) has been added to the lower Mississippi River project to provide, in the development of the authorized project, the construction of improvements for Bayous Rapides, Boeuf, and Cocodrie, La., as contemplated in the report dated March 24, 1941, of the special board of officers, at an estimated cost of $2,600,000.

On page 16, after line 22, subsection (h), which has been recommended to the Committee on Commerce, has been added to provide that any officer of the Corps of Engineers who has served or shall serve 4 years as president of the Mississippi River Commission and who has been or shall be retired shall, from the date of such retirement, receive the rank, pay, and allowances of a retired major general. As we know, the president of the Mississippi River Commission is appointed with rank of brigadier general by the President and confirmed by the Senate, but, at the present time, upon completion of his duty as president of the Mississippi River Commission, such officer reverts to his former rank, usually that of colonel.

On page 18, after line 16, an amendment is added to the Red-Ouachita River Basin project which modifies the existing project for the Bayou Bodcau Reservoir, La., so to include channel improvements below the reservoir on Bayou Bodcau, Red Chute, and Loggy Bayou, at an estimated cost of $198,000. Recent studies made by the Chief of Engineers show that there is a need for additional flood control in the Bayou Bodcau Basin in order to supplement the protection to be afforded by the authorized flood-control reservoir.

On page 22, after line 2, an item is inserted under the Ohio River Basin to provide for local flood protection on the Licking River at Salyersville, Ky., in accordance with recommendations of the Chief of Engineers, at an estimated cost of $174,000. Flooding in this area is of frequent occurrence as indicated by the fact that 48 floods have occurred in a period of 13 years.

On page 24, line 23, a proviso has been added to the item for flood protection along both banks of the Missouri River between Sioux City and Kansas City to facilitate local cooperation by eliminating the requirement that the States having a common boundary on the Missouri River shall, as a condition precedent to the initiation of construction along that portion of the river, established by interstate compact floodway boundary lines and floodway regulations satisfactory to the Secretary of War.

On page 25, lines 4 to 9, an amendment is recommended by the committee to eliminate from the work authorized by the bill the proposed Liberty Bend cut-off in the Missouri River below Kansas City, Mo., and Kansas City, Kans., pending the completion of the review report on the Kansas City area now being made in accordance with a resolution of the committee.

On page 27, line 1, the bill has been amended to include the project for local flood protection on the Yaquina River in the Mill Four district, Oregon, in accordance with the recommendations of the Chief of Engineers, at an estimated cost of $72,000.

On page 28, line 20, an item has been added to the Columbia River Basin to authorize a project for local flood protection on Birch Creek in the vicinity of Pilot Rock, Oreg., in accordance with recommendations of the Chief of Engineers, at an estimated cost of $34,000.

On pages 29 and 30, section 4 of the bill has been amended as suggested, for the most part, by the President in his message of July 3, 1941, House Document No. 301, Seventy-seventh Congress. These amendments provide (1) that the Secretary of War, as well as Congress, may direct preliminary examinations and surveys anywhere in the United States and its possessions; (2) the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to Congress if such review is required by the national defense or by changed physical or economic conditions; and (3) there is covered by law the procedure now being followed under Executive order and agreement between the departments concerned that whenever the Chief of Engineers, in making any preliminary examination or survey for flood-control purposes, finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall request the participation of the Department of the Interior, the Federal Power Commission, or the Federal Security Agency, whichever is concerned in the multiple-use study.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I am very glad to yield to the Senator from Wyoming.

Mr. O'MAHONEY. The Senator has just referred to the amendment on page 30, in which it is provided that whenever the Chief of Engineers, in making a preliminary determination, finds it desirable to do thus-and-so, he shall request the participation of the Department of the Interior, and so forth. I wish the Senator would explain that amendment a little more at length.

Mr. OVERTON. This amendment was adopted by the subcommittee and by the full Committee on Commerce of the Senate and added to the bill under consideration upon the recommendation of the President of the United States in a letter which he addressed under date of July 3 of this year to the Speaker of the House and to the Vice President. I may say to the Senator from Wyoming that the amendment does not, in reality, make any change in the procedure now followed in the preparation of plans, preliminary examinations, and surveys.

Mr. O'MAHONEY. As I read the amendment, it seems to have the effect of delegating to the Chief of Engineers the initiative in three very broad fields of what has heretofore been congressional actively, namely, in any investigation relating to irrigation development, in any investigation relating to recreational development of reservoirs and waterways, and in any investigation relating to the conservation of aquatic and other wildlife, and so forth.

Mr. OVERTON. If the Senator will read the first few lines of the proposed amendment, he will find that the functions of the Chief of Engineers are confined to making preliminary examinations and surveys for flood-control purposes. If, in making an examination for flood-control purposes, he finds it desirable to include in the examination or survey some project, we will say, that is related to irrigation, if the project itself bears a relation to irrigation—in which, I know, the Senator from Wyoming is vitally interested—then the Chief of Engineers will consult with the Department of the Interior in order that he may have the benefit of the views of the Department of the Interior in relation to such flood-control project insofar as it may affect irrigation.

Mr. McKELLAR. Mr. President——

Mr. O'MAHONEY. But, as I remarked, the amendment apparently gives the initiative to the Chief of Engineers.

Mr. OVERTON. The Chief of Engineers has always had the initiative in reference to flood-control projects.

Mr. O'MAHONEY. Oh, yes, of course; but this is the language, and I rise merely to have the matter more clearly explained.

Whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes—

As we go that far, we recognize the full power of the Chief of Engineers over flood control. Then we proceed—

finds it desirable—

In other words, whenever the Chief of Engineers finds it desirable—

to include in such examination or survey an investigation of one or more related purposes—

And then the three different fields are mentioned. Did the committee submit this proposal to the Bureau of Reclamation, for example?

Mr. OVERTON. It did not. It was submitted to the committee by the President of the United States, and I assume that he consulted the different departments and agencies in interest. It was upon his recommendation that the amendment was adopted. Let me emphasize to the Senator that the amendment does not increase one iota the authority now enjoyed under existing law, and that has been enjoyed under the law as long as I have had any connection with the flood-control program.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. OVERTON. I will yield in a moment. The amendment does not add to the authority of the Chief of Engineers.

Mr. O'MAHONEY. No; I understand that.

Mr. OVERTON. It does not detract from the authority of the Department of the Interior or the authority of the Federal Power Commission. It simply says, "Mr. Chief of Engineers, if you have a power project, you should consult with the Power Commission before you undertake to submit a report in reference to

the project. In making your examination and survey, consult with the Power Commission. If it is a matter of reclamation, drainage, or irrigation, consult with the Department of the Interior." The amendment is proposed in order that there may be a coordination of effort on the part of agencies of the Government which have their different jurisdictions and their different functions to perform.

I now yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, I was about to add that while the amendment gives this power, I think it gives an additional power to the Chief of Engineers. It is a power which he has not now, and this amendment undoubtedly would give it to him; but all he does is to report to Congress.

Mr. OVERTON. Let me interrupt the Senator. He is in error. The Chief of Engineers has the authority in reference to flood-control projects.

Mr. McKELLAR. Of course, Congress has not yet passed the bill.

Mr. OVERTON. I mean, under existing law.

Mr. McKELLAR. But I desire to call the Senator's attention to the fact that after the report is made the Congress first has to authorize the project, and afterward has to appropriate the money for the project; so I cannot see that much harm will be done under any circumstances.

Mr. OVERTON. To continue my explanation, on page 34, line 21, a new section 8 has been added which increases from $300,000 to $600,000 the annual amount the Secretary of War may use from any appropriations heretofore or hereafter made for removing accumulated snags and other debris, and clearing and straightening channels in navigable streams and tributaries thereof, provided that not more than $25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year.

Mr. PEPPER. Mr. President, I was interested in the item included in what the Senator is reading. I suppose the words "snags and other debris" would include hyacinths.

Mr. OVERTON. I think they would include hyacinths.

Mr. PEPPER. They form quite an obstruction in our State.

Mr. OVERTON. Especially if they are a cause of flood. A great many hyacinths grow in the water courses of Louisiana, and they are a very pretty flower when in bloom, are they not?

Mr. PEPPER. They are beautiful.

Mr. OVERTON. Just as everything in Florida, as well as in Louisiana, is beautiful.

On page 35, section 8, of the bill as it passed the House, becomes section 9 of the amended bill, and the sum of $260,000,000 is increased to $275,000,000 to cover the items added by the Senate amendments.

On page 35, line 19, the amendment with respect to the work of the Department of Agriculture has been added as suggested by the President.

Mr. President, I have a break-down by basins, showing, first, the authorizations contained in the bill as it passed the House, and, secondly, the authorizations for projects represented by the amendments suggested by the Senate Committee on Commerce.

The total of authorizations contained in the bill as it passed the House was actually $254,890,100, to which have been added by the Senate committee authorizations in the sum of $12,322,000, making a total of $267,212,100.

I ask unanimous consent to have printed in the RECORD at this point the break-down by basins.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Projects in H. R. 4911 as passed by the House of Representatives

River or basin:	*Authorization*
Connecticut River Basin	$16,000,000
Thames River Basin	6,000,000
Pawtuxet River Basin	1,320,000
Hudson River Basin	2,170,000
Lake Champlain Basin	1,188,000
Oswego River Basin	3,220,000
Susquehanna River Basin	1,900,000
Delaware River Basin	300,000
Mobile River Basin	3,680,000
Colorado River Basin (Tex.)	10,725,000
Brazos River Basin	5,000,000
Lower Mississippi River (backwater improvements)	[1] 18,958,000
Homochitto River	50,000
Red-Ouachita River Basin	4,123,600
White River Basin	26,847,500
Arkansas River Basin	31,238,000
Ohio River Basin	45,000,000
Chattanooga, Tenn., and Rossville, Ga	13,500,000
Upper Mississippi River Basin	460,000
Sebewaing River Basin	250,000
Missouri River Basin	12,131,000
Santa Ana River Basin	2,500,000
Los Angeles-San Gabriel River Basin	25,000,000
Sacramento-San Joaquin River Basin	11,160,000
Umpqua River Basin	176,000
Willamette River Basin	11,062,000
Columbia River Basin	931,000
	254,890,100

[1] Includes $11,982,000 for Yazoo River backwater and $6,976,000 for Red River backwater.

Projects proposed for inclusion in H. R. 4911 by the Senate

River or basin:	*Authorization*
Neuse River Basin	$40,000
Susquehanna River Basin (Stillwater Reservoir), Pa.	2,420,000
Bayou Teche and Vermilion River Basins	1,390,000
Mermentau River Basin	970,000
Lower Mississippi River (backwater improvements)	[1] 7,024,000
Red-Ouachita River Basin	198,000
Ohio River Basin	174,000
Yaquina River Basin	72,000
Columbia River Basin	34,000
	12,322,000
Grand total	267,212,100

[1] Increases Red River backwater to $14,000,000.

Mr. OVERTON. Mr. President, I think it would be very informative to Members of Congress and to the public at large to submit a break-down of the different projects by States, arranged alphabetically. I have a statement showing projects contained in the flood-control bill according to States, including amendments proposed by the Senate Committee on Commerce, and I ask unanimous consent that it be printed in the RECORD at this point.

The VICE PRESIDENT. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Projects contained in flood-control bill according to States, including amendments proposed by the Senate Committee on Commerce

State and project	Page in House report	Amount
1. Alabama:		
Alabama-Coosa River Basin (Mobile River Basin)	13	$530,000
2. Arkansas:		
Red-Ouachita River Basin, Calion, Ark	23	50,000
Little Missouri River	24	3,000,000
White River Basin	25	21,600,000
White River between Augusta and Clarendon, Ark	26	2,847,500
Arkansas River, Little Rock to Pine Bluff	28	641,000
Arkansas River, Crawford County Levee	28	284,000
Total		28,422,500
3. California:		
Santa Ana River Basin	36	2,500,000
Los Angeles County Drainage Area	37	25,000,000
Sacramento River	38	10,650,000
Fresno County project	39	510,000
Total		38,660,000
4. Colorado: Cherry Creek and tributaries	33	3,000,000
5. Connecticut:		
Connecticut River Basin	7	6,820,000
Thames River Flood Control	8	3,450,000
Total		10,270,000
6. Georgia:		
Allatoona Reservoir, Etowah River	14	3,000,000
Rossville, Ga., Tennessee River Basin	30	514,000
Total		3,514,000
7. Indiana: Ohio River Basin	29	17,600,000
8. Iowa:		
Indian Creek, Council Bluffs	34	18,000
Missouri River, Sioux City to Kansas City, Mo.	35	100,000
Dry Run at Decorah	31	460,000
Total		578,000
9. Kansas: Missouri River, Sioux City to Kansas City, Mo.	35	300,000
10. Kentucky: Licking River at Salyersville		174,000
11. Louisiana:		
Red River (Grant and Rapides Parishes)	24	1,073,600
Bayous Rapides, Boeuf and Cocodrie		2,600,000
Bayou Teche and Vermilion River		1,390,000
Mermentau River		970,000
Bayou Bodcau		198,000
Tensas-Cocodrie Area	22	14,000,000
Total		20,231,600
12. Massachusetts:		
Hudson River Basin, Hoosic River	10	1,742,000
Connecticut River Basin	7	965,000
Thames River Basin	8	2,550,000
Total		5,257,000

Projects contained in flood-control bill according to States, including amendments proposed by the Senate Committee on Commerce—Continued

State and project	Page in House report	Amount
13. Michigan: Sebewaing River	32	$250,000
14. Mississippi:		
Tombigbee River	14	150,000
Homochitto River	23	50,000
Yazoo River (Mississippi River Basin)	22	11,982,000
Total		12,182,000
15. Missouri:		
White River	25	2,400,000
Missouri River, Sioux City to Kansas City, Mo	35	400,000
Total		2,800,000
17. Nebraska:		
Platte River in the vicinity of Schuyler	33	63,000
Republican River (Harlan County Res.)	32	7,000,000
Missouri River, Sioux City to Kansas City, Mo	35	200,000
Total		7,263,000
18. New Hampshire: Connecticut River Basin	7	1,935,000
19. New Jersey: Delaware River Basin, Rancocas Creek at at Mount Holly	13	300,000
20. New York:		
Hudson River Basin, Hoosic River	10	137,000
Oswego River Watershed	11	3,220,000
Total		3,357,000
21. North Carolina: Neuse River Basin		40,000
22. Ohio: Ohio River Basin	29	7,000,000
23. Oklahoma:		
Salt Fork in the vicinity of Cherokee	27	800,000
Arkansas River—levees at Tulsa and West Tulsa	29	513,000
Arkansas River Basin	27	29,000,000
Total		30,313,000
24. Oregon:		
Birch Creek		34,000
Umpqua River Basin	40	176,000
Willamette River Basin	40	11,000,000
Pudding River	41	62,000
Walla Walla River	42	567,000
Yaquina River Basin		72,000
Total		11,911,000
25. Pennsylvania:		
Susquehanna River at Sunbury	12	1,900,000
Susquehanna River Basin, Southern New York and Eastern Pennsylvania, Stillwater Reservoir		2,420,000
Ohio River Basin	29	20,400,000
Total		24,720,000
26. Rhode Island: Pawtuxet River	9	1,320,000
27. South Dakota: Fall River	34	1,050,000
28. Tennessee: Tennessee River Basin, Chattanooga	30	12,986,000
29. Texas:		
Concho River	15	2,000,000
Lower Colorado River	15	6,500,000
Pecan Bayou	16	1,400,000
Brady Creek	16	825,000
Whitney Dam, Brazos River	17	5,000,000
Total		15,725,000
30. Vermont:		
Hudson River Basin, Hoosic River	9	291,000
Lake Champlain Basin (Winooski River)	10	880,000
Otter Creek at Rutland	11	308,000
Connecticut River Basin	7	6,280,000
Total		7,759,000

Projects contained in flood-control bill according to States, including amendments proposed by the Senate Committee on Commerce—Continued

State and project	Page in House report	Amount
31. Washington:		
Columbia River Basin, Touchet River	41	$146,000
Walla Walla River	42	187,000
Cowlitz River and tributaries	42	31,000
Total		364,000
Grand total		209,812,100

Mr. OVERTON. Mr. President, I believe I obtained consent that the formal reading of the bill be dispensed with.

The VICE PRESIDENT. The Senator is correct, and the clerk will state the first amendment of the Committee on Commerce.

The first amendment of the Committee on Commerce was, on page 2, line 20, after the word "date", to strike out "of approval of this Act unless local", and insert "on which local interests are notified in writing by the War Department of the requirements of local cooperation, unless said."

The amendment was agreed to.

The next amendment was, under the head "Susquehanna River Basin", on page 7, after line 22, to insert:

The project for flood control in the Susquehanna River Basin in southern New York and eastern Pennsylvania adopted by the act of June 22, 1936, is hereby modified to include and authorize the construction of the Stillwater Reservoir on the Lackawanna River, Pa., for flood control and other purposes in accordance with plans now in the Office of the Chief of Engineers at an estimated cost to the United States of $2,420,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 13, to insert:

NEUSE RIVER BASIN

The project for local flood protection on the Neuse River in the vicinity of Goldsboro, N. C., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 330, Seventy-seventh Congress, first session, at an estimated cost of $40,000.

Mr. OVERTON. Mr. President, I desire to offer a perfecting amendment so as to indicate the number of the report. I send the amendment to the desk.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 8, line 19, after the word "Numbered," it is proposed to insert the numerals "327."

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the amendment of the committee as amended.

Mr. O'MAHONEY. Mr. President, I inquire of the Senator from Louisiana whether the project covered by the amendment is now under construction.

Mr. OVERTON. It is not under construction. It is now being authorized.

Mr. O'MAHONEY. How many projects are there in the bill as reported by the committee which are not under construction and what will be the total cost of the new projects?

Let me say, before the Senator replies, that I am prompted to ask the question by reason of the fact that the House of Representatives is now about to consider a huge tax bill, which is necessitated by the defense preparations. The question arises in the minds of many to what extent, in the light of the enormous tax burden we are about to place upon the people, we should willingly incur new expenditures which are not for defense purposes. That is why I ask the Senator whether he will be good enough to indicate the total amount of the authorizations in the bill for projects on which work has not been started.

Mr. OVERTON. That would require a mathematical calculation which it is utterly impossible for me to make on the floor. I should be glad to take the bill and go through it. As I understand the request made by the Senator from Wyoming, he desires a statement of the total cost of the new projects, in both the bill as it passed the House, and in the Senate committee amendments.

Mr. O'MAHONEY. That is correct.

Mr. OVERTON. I regret that I cannot give the Senator the information.

Mr. O'MAHONEY. The answer may develop as we proceed. The amendment now under consideration is for a new project involving two and a half million dollars?

Mr. OVERTON. Yes; that is what the Senate committee amendment provides. Let me say to the Senator, in that connection, that this is an authorization bill and not an appropriation bill, and that before any of these new projects can be put under way it will be necessary for Congress to appropriate the funds necessary.

Let me further call his attention to the fact that in January of this year the President of the United States suggested, in a message to Congress, that it would be well to provide a backlog of projects on which labor could be employed when the present national emergency shall have passed.

I repeat, this is an authorization bill, and no one in the United States need be alarmed by the authorizations contained in the bill. The question of how much shall be expended upon these projects will arise when the appropriation bills, and especially the War Department civil functions bill, come before the Congress.

Let me say to the Senator from Wyoming further in that connection that many of these projects are of stupendous value in the national-defense program, and many of them are directly connected with it, such as projects for developing power, which the Government is bending every energy to obtain. The probability is that a number of these projects, especially the power projects, will, under the budgetary recommendations, be incorporated in appropriation bills, and possibly some of them in supplemental appropriation bills before this session shall end.

Mr. O'MAHONEY. Mr. President, this is a rather serious question, and I was

about to ask the Senator from Louisiana whether the amendments which have been added by the Senate committee are all of the same character as the one now pending, namely, amendments involving new projects.

Mr. OVERTON. No; some of them are for modifications of existing projects.

Mr. O'MAHONEY. Would it be improper to suggest that amendments covering new projects, upon which no work has been done at all, be delayed for consideration until the Senator shall have presented the amendments covering projects which are already under way?

Mr. OVERTON. I could not agree to such a suggestion. I desire to proceed with the bill, and I wish to take up every project on its merits. I shall be very glad to answer any question the Senator from Wyoming or any other Senator may desire to address to me in respect to any project under consideration, supported by a suggested Senate amendment.

Mr. O'MAHONEY. Then, Mr. President, may I ask the Senator with respect to the suggested amendment to the committee amendment, upon what basis of costs the estimate of $2,420,000 was based? In other words, when was that estimate made? Are we to judge that under present costs it would not require an outlay greater than that?

Mr. OVERTON. Mr. President, the estimate of costs was made by experts who know infinitely more about these projects than I do, or, I may add, than the Senator from Wyoming does. This project was considered by the district engineer; he made his report thereon; his report was reviewed by the division engineer, and then the reports of the district engineer and the division engineer were submitted to the Board of Engineers for Rivers and Harbors. They carefully examined the project and approved it, and then it was submitted to the Chief of Engineers, who used the entire findings of the district engineer, the division engineer, and the Board of Engineers for Rivers and Harbors, and came to a conclusion and made the recommendation as to costs contained in this bill.

If the Senator from Wyoming desires any better authority I am not in a position, I am sorry to say, to give it to him.

Mr. O'MAHONEY. Mr. President, will the Senator again yield?

Mr. OVERTON. I yield.

Mr. O'MAHONEY. I readily admit, as the Senator intimates, that I am not an engineer, and have very little knowledge about the cost of engineering projects, but one does not have to be an engineer to know that within the past 6 months costs have greatly increased, and my question to the Senator was not to infer that the engineers who made this estimate did not know what they were doing at the time they made it; the question was to determine whether this estimate was made upon costs of a year ago or the costs of the present.

Mr. OVERTON. Of course, the Senator can readily understand that in the orderly procedure in the investigation of projects, examinations, and reports thereon, the estimate of the cost is not made at the very instant the Senator from Wyoming is considering the bill.

Mr. O'MAHONEY. The appropriation which we authorize is at the very instant the Senate is considering the bill.

Mr. OVERTON. Exactly; but necessarily one cannot obtain information as to a project at the last instant. This project is estimated to cost $2,420,000. So far as the Committee on Commerce of the Senate has been informed, that amount is sufficient for the execution of the project. If the Senator desires to amend by increasing the amount, we can consider the proposal.

Mr. O'MAHONEY. Mr. President, my thought was that the committee amendment probably might be very much improved by elimination rather than by increasing the amount.

Mr. OVERTON. The Senator may object to the committee amendment.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 8, beginning in line 14, as amended.

The amendment as amended was agreed to.

Mr. O'MAHONEY. Mr. President, I desire to be recorded in the negative.

The VICE PRESIDENT. The amendment has to do with the Neuse River Basin.

Mr. O'MAHONEY. Mr. President, the Chair will recall that after the amendment with respect to the Susquehanna River Basin was submitted and the Chair declared it adopted, the Senator from Louisiana rose to offer a perfecting amendment, whereupon the Chair declared that the matter was up for reconsideration. Since that time, if I may say so, the Senator from Wyoming and the Senator from Louisiana have been occupying all the time, and I doubt whether the Chair, expert though he may be in passing amendments and bills, had the opportunity to pass the amendment. So in any event, I desire to be recorded as voting against this amendment upon the ground that there is not sufficient showing by the Committee on Commerce that the cost mentioned in the bill is actually the cost of the project.

The VICE PRESIDENT. The Chair may say to the Senator from Wyoming that it appears when the Senator from Louisiana submitted his amendment it was with regard to the Neuse River Basin and not with regard to the Susquehanna River Basin.

Mr. OVERTON. May I observe, that is news to the Senator from Wyoming. [Laughter.]

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, on page 9, after line 18, to insert:

BAYOU TECHE AND VERMILION RIVER

The project for the improvement of Bayou Teche and the Vermilion River, La., is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in his report of June 23, 1941, at an estimated cost of $1,390,000.

Mr. OVERTON. Mr. President, I desire to submit an amendment to the committee amendment, which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 9, lines 23 and 24, it is proposed to strike out the words "his report of June 23, 1941," and substitute in place thereof the words "House Document Numbered 328, Seventy-seventh Congress, first session."

The VICE PRESIDENT. Without objection, the amendment to the committee amendment is agreed to; and without objection, the committee amendment, as amended, is agreed to.

The next amendment was, at the top of page 10, to insert:

MERMENTAU RIVER BASIN

The project for the improvement of the Mermentau River in Louisiana for flood control is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in his report dated June 19, 1941, at an estimated cost of $970,000.

Mr. OVERTON. I send forward an amendment to the committee amendment, which I ask to have stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 10, lines 5 and 6, it is proposed to strike out the words "his report dated June 19, 1941", and substitute in place thereof the words "House Document No. 329, Seventy-seventh Congress, first session,".

The VICE PRESIDENT. Without objection, the amendment to the committee amendment is agreed to, and, without objection, the committee amendment, as amended, is agreed to.

The next amendment was, under the head "Lower Mississippi River", on page 13, line 2, after the words "that the", to strike out "improvements" and insert "extension of the authorized project and improvements."

The amendment was agreed to.

The next amendment was, on page 14, line 1, after "(c)", to strike out "The" and insert "in the development of the authorized project, the"; and in line 20, after the name "Chief of Engineers", to insert a colon and the following additional proviso:

Provided further, That subject to the foregoing conditions of local cooperation the Chief of Engineers may in his discretion substitute other levees and appurtenant works for, or make such modifications of, the levees and improvements herein authorized for the protection of the Tensas-Cocodrie area as may be found after further investigation to afford protection to a larger area in the Red River backwater at a total cost not to exceed $14,000,000 and without jeopardizing the safety and integrity of the main Mississippi River levees and without jeopardizing the diversion contemplated in the adopted project through the Atchafalaya Basin.

The amendment was agreed to.

The next amendment was, on page 16, after line 5, to insert:

(f) In the development of the authorized project, the construction of improvements for Bayou Rapides, Boeuf, and Cocodrie, La., contemplated in the report dated March 24, 1941, of the Special Board of Officers at an estimated cost of $2,600,000 is hereby authorized.

The amendment was agreed to.

The next amendment was, or page 16, after line 22, to insert:

(h) Any officer of the Corps of Engineers who has served or shall serve 4 years as President of the Mississippi River Commission and who has been or shall subsequently

be retired, shall, from the date of such retirement, receive the rank, pay, and allowances of a retired major general.

Mr. ADAMS. Mr. President, the Senator from Louisiana, while he mentioned this amendment, gave no explanation as to the necessity or desirability of it, and I am wondering why we should give special legislative treatment to a particular member of the Corps of Engineers who happens to serve as president of the Mississippi River Commission. Why should not the same treatment be accorded to every engineer?

Mr. OVERTON. Mr. President, because the same treatment is not now accorded to every engineer that is accorded to the president of the Mississippi River Commission. When the president of the Mississippi River Commission is appointed, regardless of his rank, he ipso facto, under an act of Congress, becomes a brigadier general. There is no special nomination of him to that rank. By virtue of his becoming president of the Mississippi River Commission he becomes a brigadier general. The law goes that far and no farther. So if a colonel is appointed—and usually a colonel is appointed president of the Mississippi River Commission—he becomes a brigadier general. On his retirement from active service, he retires as a colonel instead of as a brigadier general, and it is a demotion of him as a retired officer.

This suggested amendment provides that any officer of the Corps of Engineers who has served for 4 years as president of the Mississippi River Commission shall, upon retirement, retire with the same pay and rank and allowances as a major general.

I wish to say further in that connection, if the Senator from Colorado will indulge me, that I do not know whether the Senator from Colorado is sufficiently familiar with flood-control work to know of Gen. Harley B. Ferguson. I consider General Ferguson to be one of the greatest engineers this country has ever produced. I look upon him as an engineering genius. General Ferguson was president of the Mississippi River Commission for a period of 4 years, and did some bold pioneering work contrary to the recommendations of other engineers. He did not follow the beaten path. The results were magnificient. I shall not take the time to go into them.

General Ferguson has retired with the rank of colonel. In considering this amendment the subcommittee was very much moved to its favorable recommendation by reason of the record made by General Ferguson, now retired.

In addition, I think that after anyone has occupied for a period of 4 years as important a post as that of president of the Mississippi River Commission—I do not care whether he is elevated to that rank from a lieutenancy—with the rank of brigadier general, when he is retired he should be retired with the rank of major general.

Mr. ADAMS. Mr. President, the Senator is quite correct in assuming that I know very little about flood control.

Mr. OVERTON. I did not assume it. I said I did not know to what extent the Senator was familiar with it.

Mr. ADAMS. I am admitting my ignorance. I merely rise to make inquiry as to why special treatment should be given to an Army officer who occupies this particular place. I know that there are other services in the Army in which men are given a certain rank for certain service. That is particularly true in the Navy. A man is given a certain rank for a certain service, and when he is withdrawn from that service he reverts to his former rank. It is nothing unusual. The reason the Senator gives is that in his opinion this is the proper thing to do. I shall not differ with the Senator. I merely have the feeling that if we wish to do something for Colonel Ferguson we could very readily do it by limiting this provision to the man who is retired. However, the amendment provides that hereafter every man who subsequently becomes president of the Mississippi River Commission, or who ever has been president of the Mississippi River Commission, shall be a major general, and shall be entitled to retirement at that rank. It seems to me, in my ignorance of flood control, that there is no reason why we should pick out a particular officer who happens to serve in this important place, and give to him a treatment which we do not give to other officers who serve in other important places in the Army.

Mr. OVERTON. The Senator is mistaken. There is a statute to the same effect in relation to the Chief of Engineers of the Army, and there may be other statutes relating to other positions. It is not so much a matter of the individual. It is the office he holds for a certain period of time—in this case 4 years. That is the usual tenure of office of the president of the Commission.

Mr. ADAMS. Perhaps I do not appreciate the importance of the president of the Mississippi River Commission, but I appreciate the importance of appropriations. The provision seemed to me to be unusual, and that is the reason why I made inquiry of the Senator. I have heard the Senator's explanation.

Mr. OVERTON. I gave the Senator the full benefit of the information I have, and my views in connection with it.

Mr. ADAMS. Unfortunately, I am still unconvinced, although mine is an individual opinion. Doubtless the committee amendment will prevail.

Mr. DANAHER. Mr. President, I was seeking recognition when the Senator from Colorado obtained the floor. I had substantially the same general thoughts in mind. However, I have a question or two which I should like to have answered by the Senator from Louisiana.

Mr. OVERTON. I shall be very glad to answer if I can.

Mr. DANAHER. Assume the case of an officer who serves in this very important post between the ages of 40 and 44. Would he be eligible to retirement, say 20 years later, with the rank of major general, if he is thereafter detailed to a less important post?

Mr. OVERTON. The Senator is correct.

Mr. DANAHER. Is this permanent legislation, or does it apply only to some incumbent?

Mr. OVERTON. It is permanent legislation. It applies only to this particular office, the presidency of the Mississippi River Commission.

Mr. DANAHER. Would not this provision have the tendency to place a premium upon officers seeking this particularly important post, especially if they might not otherwise achieve the rank of major general?

Mr. OVERTON. I have no doubt it would; but those nominations are made by the President, and are confirmed by the Senate. I do not think it would be at all unwise or unsound to offer an inducement—if it may be considered as an inducement—to officers to take charge of that important post.

Mr. DANAHER. Is it the Senator's premise that anybody who will spend 4 hard years as president of the Mississippi River Commission is entitled to be retired as a major general when he retires?

Mr. OVERTON. That is the amendment suggested by the Committee on Commerce.

Mr. DANAHER. On the theory that he has served as president of the Mississippi River Commission?

Mr. OVERTON. For a period of 4 years; that is correct.

Mr. DANAHER. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 16, after line 22.

Mr. ADAMS. Mr. President, I should like to have an opportunity to vote against it.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 16, after line 22. [Putting the question.]

Mr. OVERTON. Mr. President, I ask for a division.

On a division the amendment was agreed to.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, under the head "Red-Ouachita River Basin", on page 18, after line 16, to insert:

The project for the Bayou Bodcau Reservoir, La., authorized by the act of June 22, 1936, as modified by the acts of June 28, 1938, and June 28, 1939, is hereby further modified to include and to authorize channel improvements below the reservoir on Bayou Bodcau, Red Chute, and Loggy Bayou at an estimated cost of $198,000, subject to the provisions of section 3 of the Flood Control Act approved June 22, 1936.

The amendment was agreed to.

The next amendment was, under the head "White River Basin", on page 19, line 18, after the name "Chief of Engineers", to insert "in House Document No. 290, Seventy-seventh Congress, first session."

The amendment was agreed to.

The next amendment was, under the head "Ohio River Basin", on page 22, after line 2, to insert:

The project for local flood protection on the Licking River at Salyersville, Ky., is hereby authorized to be constructed substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 261, Seventy-seventh Congress, first session, at an estimated cost of $174,000.

The amendment was agreed to.

The next amendment was, under the head "Missouri River Basin", on page 24, line 23, after the word "thereof", to insert a colon and the following proviso:

Provided, That such project is hereby modified by eliminating the requirement that the States having a common boundary on the Missouri River shall, as a condition precedent to the initiation of construction along that portion of the river, establish by interstate compact, floodway boundary lines and floodway regulations satisfactory to the Secretary of War.

Mr. DANAHER. Mr. President, I should like to ask the Senator from Louisiana whether there was any inquiry in the committee as to how the Congress is permitted, under the Constitution, to delegate to the Secretary of War power to approve interstate compacts.

Let me say to the Senator from Louisiana that only within the past few months the President has vetoed an empowering or authorization bill passed by the Congress, authorizing States to enter into interstate compacts with reference to the regulation and control of the taking of fish and the like, on the ground that there was no provision for bringing such interstate compacts back to Congress for its approval. With such thoughts in mind, I ask the Senator from Louisiana if any thought was taken as to how the Congress is is delegate to the Secretary of War the approval of the interstate compacts?

Mr. OVERTON. Mr. President, if I may interrupt the Senator, I think he does not understand the amendment. The purpose of the amendment is to eliminate from a prior authorization act the requirement that the States having a common boundary on the Missouri River shall, as a condition precedent to the initiation of construction along that portion of the river, establish by interstate compact floodway boundary lines and floodway regulations satisfactory to the Secretary of War. That is the present requirement. The amendment provides in the beginning:

That such project is hereby modified by eliminating the requirement.

Therefore, if I understand the Senator's position, the amendment does the very thing the Senator thinks ought to be done. In his opinion, there ought not to be such a requirement.

Mr. DANAHER. I thank the Senator. Those of us who are not on the committee and who do not have the hearings before us must rely upon the explanation of the Senator from Louisiana, which I am glad to accept, since the matter was not explained in the report.

Mr. OVERTON. I am glad to make the explanation, because the questions of the Senator from Connecticut are always pertinent.

Mr. DANAHER. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 24, beginning in line 23.

The amendment was agreed to.

The next amendment was, on page 25, after line 3, to strike out:

The project adopted by the act of June 22, 1936, to provide flood protection of the Kansas City, Kans. and Mo., is hereby modified to include cut-offs in the vicinity of Liberty Bend substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 722, Seventy-sixth Congress, third session.

The amendment was agreed to.

The next amendment was, at the top of page 27, to insert:

YAQUINA RIVER BASIN

The project for local flood protection on the Yaquina River in the Mill Four district, Oregon, is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 304, Seventy-seventh Congress, first session, at an estimated cost of $72,000.

The amendment was agreed to.

The next amendment was, under the heading "Columbia River Basin", on page 28, after line 19, to insert:

The project for local flood protection on Birch Creek in the vicinity of Pilot Rock, Oreg., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in Senate Document No. 89, Seventy-seventh Congress, first session, at an estimated cost of $34,000.

The amendment was agreed to.

The next amendment was, on page 29, line 3, after the words "flood control", to strike out "including floods aggravated by or due to tidal effect at the following named localities," and insert "to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following named localities"; in line 10, after the word "on", to strike out "the watersheds of such localities" and insert "drainage areas"; in line 12, after the word "purposes", to strike out the colon and the following proviso: "*Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior act or joint resolution shall be made"; in line 16, after the word "*Provided*", to strike out "*further*"; in the same line, after the word "made", to strike out "as hereby authorized"; in line 20, after the word "law", to strike out "or by resolution of the Committee on Flood Control of the House of Representatives or the Committee on Commerce and of the Senate:" and insert "except that the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions:", and on page 30, line 1, before the words "*Provided further*", to strike out "And provided"

The amendment was agreed to.

The next amendment was, on page 30, line 6, after the word "law", to insert a colon and the following additional proviso:

And provided further, That whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development, to the recreational development of reservoirs and waterways, or to the conservation of aquatic and other wildlife, of the Federal Power Commission in any such investigation relating to electric power development, and of the Federal Security Agency in any such investigation relating to the abatement of water pollution and the provision of domestic and industrial water supply.

Mr. JOHNSON of Colorado. Mr. President, in the opinion of the Senator from Colorado this amendment should not be agreed to. Senators will notice that the language is as follows:

That whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development.

That is the provision to which I take exception. In the States having the doctrine of appropriation of waters the Department of the Interior has little or nothing to do with irrigation. That is a matter which is determined by the people in the States themselves. By implication it is suggested in this amendment that the Department of the Interior has some control or some authority over the irrigation waters of the States.

For instance, in the State of Colorado, Colorado being a so-called appropriation State, we have written into our Constitution priorities for the use of water, the first being for domestic use, the second for irrigation, and the third for manufacturing. The priorities run in that order.

In this amendment by implication, at least, we are suggesting that the Department of the Interior has authority over the irrigation waters of this country. I most certainly do not want to let it be taken for granted that the representatives from Colorado agree to any such doctrine as that, for we do not.

We are very jealous of our irrigation waters. We have developed them at our own expense. It is true that reclamation projects have come in; but in each of such cases the money has been borrowed from the reclamation fund and the water development has been made by the citizens of the State. The loan which has been secured from the reclamation fund will be repaid. We have every right in the world to be very jealous of our irrigation waters, and we cannot permit any Federal bureau to be given any authority over our waters.

I should like to ask the Senator from Louisiana if it would not be agreeable to him to strike out that portion of the amendment.

Mr. OVERTON. Mr. President, a few moments ago the Senator from Wyoming [Mr. O'MAHONEY] and I discussed this amendment. I do not know whether the Senator from Colorado was present at that time.

Mr. JOHNSON of Colorado. Yes; I was present, but I did not understand the discussion.

Mr. OVERTON. I shall undertake to make it clear. As I previously stated, this amendment is recommended by the

President. It is recommended for one purpose, and it achieves only one purpose, and that is that when the Chief of Engineers is making an examination and investigaton of a project which involves multiple-use of water he will consult the head of the department concerned with the other use of the water.

Mr. JOHNSON of Colorado. Will the Senator yield at that point?

Mr. OVERTON. I ask the Senator to wait a moment, because I am afraid he does not understand the amendment. After he understands it I think he will have no objection.

As I understand, the Senator from Wyoming was apprehensive that the amendment would give the Chief of Engineers authority which he does not now possess. That is not correct. It does not vest in the Chief of Engineers, the Department of the Interior, or the Federal Power Commission any authority to construct any projects whatever. All it provides is that when an investigation of a project is being made there shall be some correlation in the investigations by the different departments having jurisdicton.

Mr. JOHNSON of Colorado. But that is the point, Mr. President. In the appropriation States we do not agree that the Department of the Interior has any authority over irrigation. We say that it has none whatsover.

Mr. OVERTON. I think the Senator is in error.

Mr. JOHNSON of Colorado. In my State of Colorado irrigation is entirely and absolutely a State function.

Mr. OVERTON. The John Martin project in Colorado is a flood-control project, and certainly the waters of that dam and reservoir are utilized for irrigation purposes.

Mr. JOHNSON of Colorado. That is very true. It is expected that the waters will be used for irrigation purposes in the appropriation States of Kansas and Colorado; but the water belonged to the people of those States before the construction of the John Martin Dam.

Mr. OVERTON. Let me say to the Senator that this amendment would not take one drop of water from the people of Colorado.

Mr. JOHNSON of Colorado. No; but in connection with the John Martin Dam the Department of the Interior was not consulted as to the irrigation priorities and rights.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. OVERTON. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I think I understand the point of the Senator from Colorado, but I believe that the Senator from Louisiana has given the proper interpretation. This is the item which has to do with investigations of flood-control projects.

Mr. OVERTON. The Senator is correct.

Mr. CHAVEZ. We have a similar situation in New Mexico. We are jealous of our water rights and we do not want the Department of the Interior to interfere with those rights. Nevertheless, if the Army Engineers should make the investigation under this authority it might be possible that such investigation would prove that we could have a reclamation project. That has nothing whatever to do with the rights. Those are determined by Colorado and New Mexico.

Nevertheless, I feel that it is possible to make a joint investigation including an investigation for flood protection, provided it is understood that the amendment as drawn by the committee does not in any way interfere with the water rights of the individual States.

Mr. OVERTON. It does not in any way interfere with them; it does not undertake to do so.

Mr. McCARRAN. Mr. President——

Mr. OVERTON. Let me respond first to the inquiry, then I will yield to the Senator. It simply makes it mandatory on the Chief of Engineers to consult the departments that have any interest whatsoever.

Mr. JOHNSON of Colorado. Mr. President——

Mr. OVERTON. Allow me to proceed for a moment, please.

Mr. JOHNSON of Colorado. I have not interrupted the Senator, but I should like to do so.

Mr. OVERTON. The Senator was rising for that purpose. I should like to make a statement. Under the law today the Chief of Engineers, who has charge of flood-control projects, can consult the Department of the Interior in any investigation he is making; he can consult the Senator from Colorado, and there is nothing to stop him doing so; he can consult anybody he pleases to consult. The sole purpose of this amendment is to provide in the case of a multiple-use project that the different departments shall consult one with the other; but nothing can be done until the Congress of the United States authorizes the project to be undertaken. They can consult all they please; they can devise all they please; they can plan all they please; but they cannot do one thing until the Congress of the United States authorizes it to be done.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield now?

Mr. OVERTON. I yield.

Mr. JOHNSON of Colorado. The Senator from Louisiana a moment ago said he wanted this made a vehicle for consulting those who have an interest. That is the very point. The Department of the Interior has no interest whatsoever in our irrigation waters, and we do not want, by implication or otherwise, to authorize the Department to have any interest in our waters. The water belongs to us. If the Senator wants the Army engineers to go to those who are concerned, who have authority over the matter, and who have an interest in it, he should have them consult with the State authorities in States that have the right of appropriation under the doctrine of appropriation of irrigation waters. They are the ones to consult—not the Department of the Interior.

Mr. OVERTON. That may be true with reference to Colorado, but remember this bill embraces flood-control projects covering the whole United States.

Take the Conchas Dam in New Mexico as an example. It may be that the waters in the reservoirs back of dams may be used for irrigation purposes; it may be that the people of Colorado will refuse to use any water that is by a flood-control project backed up in any dam or reservoir and will have nothing to do with it; but that is not true, I take it, generally throughout the United States. I wish to emphasize that I think that the Senator from Colorado is simply seeing ghosts and fighting windmills. There is no authority vested in anybody except to make examinations—that is all—and report back to Congress.

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. OVERTON. I yield.

Mr. CHAVEZ. It is not understood by the chairman of the subcommittee now handling the bill or by the members of the committee that this provision does in any way interfere with the rights of the individual States?

Mr. OVERTON. That is absolutely correct.

Mr. CHAVEZ. All the power it gives is to investigate the possibilities of a project, whether it be for flood protection, irrigation, or perhaps drainage.

Mr. OVERTON. That is absolutely correct.

Mr. JOHNSON of Colorado. Would the Senator mind putting that in the bill?

Mr. OVERTON. It is already in the bill; there is nothing more authorized than what the Senator from New Mexico has very correctly and very succinctly stated.

Mr. McCARRAN. Mr. President——

Mr. OVERTON. I yield to the Senator from Nevada.

Mr. McCARRAN. In order to clarify this matter, let it be understood that the public-land States, the irrigation States of the Union, claim and demand sovereignty over the natural waters flowing out, in, or over those States. That claim, that demand, and that right we are not surrendering by either word or expression or inference. Our zeal in this matter is due to our desire to have nothing creep into this bill which would for a moment imply that for Federal aid, Federal money, Federal control, or unification of any kind whatever, we would surrender one jot or tittle of the sovereignty which we claim over the natural waters within our States and flowing into our States. If the Senator is ready to accept that doctrine, and say that it is in this bill, and that the language implies nothing else, I shall be glad to have him, as the Senator in charge of the bill, say so.

Mr. OVERTON. I am afraid I cannot go quite so far as the Senator suggests in reference to this amendment and say that I should favor a provision of law under which the Federal Government may exercise no authority whatsoever in respect to waters in the different States; otherwise we would just as well stop the flood-control program now. I will say, however, to the Senator, in all candor and fairness, that there is nothing in this amendment which would give any authority to the Federal Government in respect to the control or use of any water in any State. The amendment relates only to the preparation of plans,

and the purpose of the amendment is to direct the Chief of Engineers to consult with the various agencies.

Mr. McCARRAN. But, as I read it hurriedly, it provides that the consultation shall be had with the Secretary of the Interior. It is our position that the consultation should be had with, and the authority should be received from, those in authority in the respective States.

Mr. OVERTON. I will say that General Schley, testifying before the committee, stated—I think that his testimony is on pages 15 and 16 of the Senate hearings—that this is exactly what the Chief of Engineers is doing today, and he is doing it under an Executive order issued a year and a half or 2 years ago, requiring the Chief of Engineers, in making such investigations, to consult with other agencies of the Government. The amendment does not depart from the accepted practice. Certainly there is no reason why the Chief of Engineers should not consult with the Secretary of the Department of the Interior or with the Secretary of War, for that matter, or with the Secretary of the Navy. Suppose a matter of national defense is involved; why should he not consult with the Secretary of War and the Secretary of the Navy? If a flood-control project is of value to the national-defense program he should consult with the Secretary of War and the Secretary of the Navy.

Mr. McCARRAN. Mr. President, let me say to the Senator there are two uses which may be made of water: One is the commercial use for navigation; the other is its storage application to arid lands. It is the natural water rising in a State and flowing through a State or on the boundaries of a State in which we are interested in. Those of us who come from the arid and semiarid West are interested primarily in the use to be made of natural water for the reclamation of arid and semiarid soil. We have in mind that we have set up our own laws and our own regulations for the conservation of water and for the economic used of water. We do not surrender, and never have surrendered, the sovereignty over those waters to the Federal Government, and we want nothing to appear in this bill, or any other bill, that would imply a surrender on our part of any of that sovereignty.

Mr. OVERTON. My recollection is that the Senator from Wyoming and I debated this issue 2 years ago. He took the view that a provision which would permit the Federal Government to enter into a State for flood-control purposes, and to construct dams and condemn lands for that purpose was absolutely unconstitutional. Since then the Supreme Court of the United States has held that the Federal Government has ample authority in that regard. That, however, is entirely apart. That battle has previously been fought. There is no intention on the part of the Senate Committee on Commerce, and I am quite sure there is no intention on the part of the President, to undertake to do anything else in this amendment than to authorize the Chief of Engineers to consult with certain departments.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. O'MAHONEY. One of the chief difficulties about drafting legislation is, I think, to incorporate into language what is intended by those who are attempting to draw a bill. I am very happy to have the Senator from Louisiana say there is no intention upon the part of the Committee on Commerce to invade the prerogatives of the States; and I feel that that is, of course, the position of the committee.

Mr. OVERTON. In this amendment.

Mr. O'MAHONEY. In this particular amendment. The Senator may desire to invade the prerogatives of the States in other provisions of the bill which are not now under discussion.

Mr. OVERTON. If we did not do that, we would not have a national flood-control program.

Mr. O'MAHONEY. I suppose so; but, so far as we are here concerned, the question now is simply this amendment.

Let me say that there are two questions involved here, as I see the matter: First, the one which I raised with the Senator from Louisiana earlier in the session, when we discussed the effect of this language which gives to the Chief of Engineers the initiative. He, and he only, under this amendment, is empowered to decide when a question involving any one of these other five fields of enterprise is concerned. As I read the amendment the first time today, I was under the impression that it included three fields. Now I see that it includes five; so I ask the Senator if he will be good enough, with respect to that phase, to accept a perfecting amendment.

The second question involved here is that which has been raised by the Senator from Colorado [Mr. ADAMS], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Nevada [Mr. MCCARRAN], and others, speaking for the public-land States, namely, the right of those States to control the waters within their own boundaries so far as irrigation is concerned. I concede that it is not the intention of the Committee on Commerce to invade the States' power over irrigation, but that it is only intended that the Bureau of Reclamation in the Department of the Interior shall be called in when a question involving Federal reclamation is concerned.

Therefore, I ask the Senator if he will accept the following amendment:

Let us, in line 6, page 30, strike out the word "whenever", and in lines 8 and 9, strike out the words "finds it desirable to include in such examination or survey an investigation of," and insert in lieu thereof the words "of any project that includes," so that the first four lines will read:

And provided further, That the Chief of Engineers in making any preliminary examination or survey for flood-control purposes of any project that includes one or more related purposes of water use and control—

If the Senator will accept that amendment, it will have the effect of making it obligatory upon the Chief of Engineers to call in the other agencies whenever a project involves any one of them. Then, in order to eliminate the danger of invasion of States' rights, I should like to strike out the word "he" after the word "control" in line 10, and insert the words "for which provision is made by Federal law," so that it would be clear that what we are dealing with now is a project for which there is existing law, either statutory or constitutional, giving the Federal Government authority either to build reclamation projects, to construct recreational centers, to conserve aquatic and wildlife, to investigate sources of power, to abate water pollution, or to provide for domestic and industrial water supply.

The Senator will note from the last two lines of the amendment that apparently, in the conception of the committee, the Chief of Engineers would have the right to call in the Federal Security Agency not only to provide against water pollution but to provide for domestic and industrial water supply. I can conceive of nothing that is more local than domestic water supply, and I am sure it is not the intention of the Senator or of the committee to invade the authority of the States with respect to existing water supplies; is it?

Mr. OVERTON. Does the Senator consider a water supply a local project?

Mr. O'MAHONEY. So long as we have a union of separate, sovereign States, I do.

Mr. OVERTON. Does the Senator consider that a stream flowing through a number of States which is polluted as it goes through the different States——

Mr. O'MAHONEY. I am not talking now of pollution; I am talking about domestic water supply.

Mr. OVERTON. Permit me to conclude—which pollutes the domestic water supply in the different States, is a purely local project?

Mr. O'MAHONEY. I have no objection to the Federal Government doing whatever may be necessary to be done under Federal law, but I do not feel that the Congress should delegate to the Chief of Engineers unrestricted power.

Mr. OVERTON. No power at all is given to him.

Mr. O'MAHONEY. But the power is granted to him in this amendment to decide whether any one of these five fields is involved, and he alone is the judge.

Mr. OVERTON. He may do it now and he does it, and whether we say so or not he is going to do it. The only difference is that the amendment makes it mandatory on him to do it. He does it anyway.

Mr. O'MAHONEY. The language does not at all make it mandatory. That is one of the objections I have to it.

Mr. OVERTON. Let us analyze the amendment for a few minutes. I have the floor.

Mr. HATCH. Mr. President, before the Senator proceeds will he permit an interruption?

Mr. OVERTON. Certainly.

Mr. HATCH. I desire to ask the Senator a question on a subject which perhaps he has already covered. I have just come to the floor of the Senate and have been listening to the debate.

I should like to have the Senator explain, as he analyzes this amendment,

what the purpose of it is and why the committee saw fit to include this amendment, especially when this authority has already been given and is already possessed; and also why were irrigation and the other subjects included in a strictly flood-control bill?

Mr. OVERTON. I regret that the Senator from New Mexico was absent when the explanation was made. Briefly it is this:

The matter was first brought to the attention of the Senate Committee on Commerce in a letter addressed by the President to both Houses in which he made this recommendation, and went further and specifically set out the provisions which he desired to have incorporated in the bill. He simply recommended that they be incorporated in the bill. When the Chief of Engineers was upon the stand I asked him whether the proposed amendment would in any way alter or modify the present practice of the Chief of Engineers. He replied that it would not; that whenever the Chief of Engineers or the Army engineers are considering a flood-control project that has relation to some other agency—as, for instance, an agency having to do with water pollution, or an agency having to do with power, or an agency having to do with irrigation or reclamation—the Chief of Engineers consults with the heads of the different departments and agencies before he makes his recommendation to the Congress.

The amendment now suggested gives no authority to the Chief of Engineers or the Federal Power Commission or to anyone in the Department of the Interior. I started to analyze it. Let us analyze it for a moment, and I think it will be made clear. It reads:

And provided further, That whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes—

I call attention to the fact that it is when the Chief of Engineers is making a preliminary examination or survey for flood-control purposes. It is not when the Chief of Engineers is executing a project authorized by Congress; it is when he is making an examination or survey with a view of ultimately making a report to the Congress. The amendment proceeds:

finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control—

It is well known that many of these projects contemplate multiple uses of water, so that when the Chief of Engineers, in making such survey—

finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall—

That is the mandatory part. Today the Chief of Engineers does that very thing, but this amendment requires him to do so—

he shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development, to the recreational development of reservoirs and waterways, or to the conservation of aquatic and other wildlife, of the Federal Power Commission in any such investigation relating to electric power development, and of the Federal Security Agency in any such investigation relating to the abatement of water pollution and the provision of domestic and industrial water supply.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. HATCH. I am seeking information as to the meaning of the amendment. The Senator has pointed out that when the Chief of Engineers, in making a preliminary survey, finds it desirable to include an examination for some of the other purposes, then he shall request participation, and so forth. That is mandatory.

Mr. OVERTON. Yes.

Mr. HATCH. The words "which is hereby authorized" appear in parentheses. That means that the department which is requested by the Chief of Engineers "is hereby authorized."

Mr. OVERTON. To participate in the examination.

Mr. HATCH. How far does that go?

Mr. OVERTON. Merely to the examination and survey, that is all.

Mr. HATCH. Authority is given which is not now possessed by the Chief of Engineers. He does not now have the authority.

Mr. OVERTON. I beg the Senator's pardon; he does have the authority. He not only has the authority, but he acts under it all the time. The Chief of Engineers is the one who makes all preliminary examinations and surveys for flood-control projects.

Mr. HATCH. He does not do it except upon express authority of Congress.

Mr. OVERTON. Indeed, Congress authorizes him to do so.

Mr. HATCH. Congress authorizes it, and then he requests one of the departments to participate. Is there any authority of law now existing giving him authority to request participation of some other department?

Mr. OVERTON. There is no statutory authority.

Mr. HATCH. Where does he get the authority which the Senator says he possesses?

Mr. OVERTON. He has the authority, just as much as the Senator from New Mexico would have authority to consult with the Governor of his State, or with the legislature, or with any of his constituents in reference to the advisability of his supporting certain proposed legislation or recommendations.

Mr. HATCH. That is the authority of which the Senator speaks when he says the Chief of Engineers now has authority. There is not authority under existing law.

Mr. OVERTON. No; except that all flood-control works, examinations, and surveys are conducted under the supervision of the Chief of Engineers according to existing law.

Mr. HATCH. If he has such authority, and it is working out satisfactorily, why require an act of Congress, or an amendment such as that proposed here today? What is the purpose if the authority already exists?

Mr. OVERTON. It is in order to make it mandatory. That is the amendment suggested by the President, that is the amendment suggested by the committee. Whether it is incorporated in the bill or not, I think there will be that correlation of consultation and activities between the different departments.

Mr. HATCH. That was exactly the point which I had in mind. The Senator has just stated that the bill now makes it mandatory. It might be said that whenever Congress authorizes a flood-control project in any State of the Union, the Chief of Engineers must invite the participation of the Department of the Interior and other departments.

Mr. OVERTON. If I may interrupt the Senator, this does not relate to the authorization of a project; it relates only to the preliminary examination and survey, before a project is even authorized, in order that the Chief of Engineers may determine whether or not he shall make a recommendation.

Mr. HATCH. I understand that perfectly, but under the provisions of the bill the authorities can come out to any State of the Union and investigate the domestic water supply of the smallest town, perhaps make an ex parte investigation and report which would preclude the town, years later perhaps, getting a W. P. A. grant in assistance, and developing its own water supply. I am trying to get at what the effect and meaning of the amendment is, how far it might go.

Mr. OVERTON. I have tried to make that very clear. It is not going to have any effect at all at present.

Mr. CHAVEZ. Mr. President, I think I understand what the Senator from Louisiana has in mind, but in order to clarify it, so that Senators from the public domain States may have it in mind, I may say that I can readily see the necessity for some such provision as that urged whenever the Army engineers are investigating or making a survey for protection against floods, and there appear to be possibilities of irrigation, for instance, or the building of a dam for power development. I cannot see anything wrong with that of itself, provided we strictly understand, and it is the idea of the committee, notwithstanding they could investigate for protection against flood, possibly for irrigation, nevertheless the irrigation rights of the individual States will not be interfered with by whatever investigating agency of the Government makes the survey.

Mr. McCARRAN. Not only irrigation rights, but control over the waters within the boundaries of the State.

Mr. CHAVEZ. Yes; so that it does not in any way interfere with those rights.

Mr. O'MAHONEY. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. Certainly.

Mr. O'MAHONEY. It was precisely to draw that distinction that I asked the Senator from Louisiana to consent to strike out the word "irrigation," which includes State rights, as well as Federal rights, and to insert in lieu thereof the words "Federal reclamation." We have a Federal reclamation law, under which we are accustomed to operate.

Mr. CHAVEZ. At that point I may say that I would not object to the Army engineers inviting the participation of the States.

Mr. O'MAHONEY. Certainly; none of us would object to that. If the Senator from Louisiana would merely consent to the substitution of the words "Federal reclamation" for "irrigation", the debate would be eliminated, so far as that is concerned.

Mr. OVERTON. I shall be glad to take to conference any amendment that is offered, and see what can be done with it.

Mr. O'MAHONEY. Then let me read the amendment as I should like to see it worded, so that the Senator can get the idea.

Mr. OVERTON. The Senator can offer an amendment to the amendment.

Mr. O'MAHONEY. The Senator just stated that he would take to conference any amendment I might offer.

Mr. OVERTON. Along the line the Senator suggested.

Mr. O'MAHONEY. If the Senator will bear with me, let me read it. It should be understood that I am merely offering this on the floor, and I have had no more opportunity to consider it than has been offered during the debate; but I am seeking to overcome the objections which have been raised to the committee amendment by those of us who speak for the public-land States and not at all to interfere with the objective which the Senator from Louisiana and the Committee on Commerce have in mind.

The amendment as I would amend it would read as follows; and I shall begin from the beginning:

And provided further, That the Chief of Engineers in making any preliminary examination or survey for flood control purposes—

And here I change it—

of any project that includes one or more related purposes of water use and control for which provision is made by Federal law, shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development, to the recreational development of reservoirs and waterways, or to the conservation of aquatic and other wildlife, of the Federal Power Commission in any such investigation relating to electric power development, and of the Federal Security Agency in any such investigation relating to the abatement of water pollution and the provision of domestic and industrial water supply.

Mr. President, that is the modification of the amendment submitted by the committee which I offer to the Senator from Louisiana, and which I trust he may accept.

Mr. OVERTON. Mr. President, I think I have made my position as clear as it is possible to make it. If the Senate wishes to adopt the modified amendment, of course, I shall have done the best I can with respect to the matter.

Mr. O'MAHONEY. I offer the amendment as a perfecting amendment.

The VICE PRESIDENT. The question is on agreeing to perfecting amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] to the committee amendment.

The amendment to the committee amendment was agreed to.

The VICE PRESIDENT. The question now is on the committee amendment, as amended by the perfecting amendment offered by the Senator from Wyoming.

Mr. ADAMS. Mr. President, while I feel that the perfecting amendment is somewhat beneficial, I do not believe it meets the danger inherent in the committee amendment. Those of us who come from the States where irrigation is necessary are very sensitive, very apprehensive, about our water. The water in our streams, our irrigation water, is the lifeblood of the communities in which we live. When we find any phrasing in a bill, or any action by a department, dealing with the irrigation waters, we are naturally uneasy. We know that the people in other sections of the country do not understand our problems. Some of us do not understand the problems resulting from floods on the Mississippi.

Others do not understand the problems of those who have too little water. In the West, where we depend absolutely on being able to spread the waters over our land, we have been uneasy from year to year because of what seemed to us to be an indication of a Federal disposition to take control of the waters of our western streams. We are uneasy about it. Perhaps the Federal Government does not mean to do it, but we continually apprehend that the hand of the Federal Government is reaching out in that direction. We have been still more concerned since there have been some recent decisions in the Supreme Court, such as the New River decision.

The Senator from Louisiana says the provision in question merely is one directing investigation. On the face of it that is all it is, but this is a flood-control bill, and as my colleague from Colorado [Mr. JOHNSON] said, let us keep it a flood-control bill. Why make an investigation of something unless it is proposed to follow up the investigation with the exercise of some claimed authority?

The Senator from Louisiana says that the engineers can do all of this now. If they can, why put it in the bill? If we do not agree to this amendment we take nothing from them. If we adopt the amendment we provide for an investigation of the purposes of water use and control. The word "control" is a very disturbing word to those of us from the West. We do not want someone else's control. If the engineers investigating a flood-control project are to investigate the use of the water and its control, why do they make the investigation of the control unless they are contemplating some Federal action looking toward control?

We in the States are glad to cooperate with the engineers. Multiple-use projects are developing. But we are unwilling that in the multiple-use projects there shall be an abdication of a surrender by the States of their power and right over their streams and the use of their water.

The bill goes on to provide for participation by the Department of the Interior in any investigation relating to irrigation development. Irrigation development? We would like to take care of irrigation development ourselves. The bill goes on to cover recreational development of reservoirs and waterways, again reaching to a point which causes us to be uneasy. We are not concerned with conservation of aquatic and wildlife. That has been a Federal matter.

The Federal Power Commission is brought into this amendment. Then investigations relating to electric power development are brought in, and then, as pointed out by the Senator from Wyoming [Mr. O'MAHONEY], we come down to the question of provision for domestic and industrial supply. Mr. President, if anything is local it is domestic water supply.

The Senator from Louisiana coupled with that the matter of pollution, as if the investigation was of the problem of polluting a domestic water supply, but the provision is broader than that. The right to investigate pollution is one thing. An additional and independent thing is the question of domestic and industrial water supply.

Mr. President, I hope the apprehension of those of us from the Western States will be regarded, and that there will not be added to a flood-control bill provisions which give to the engineers no authority, as the Senator says, beyond that which they now have, but which, if added to the bill, would leave the implication or the inference that there is a Federal power over these matters.

Mr. HATCH. Mr. President, I desire merely to say a word in opposition to the entire amendment as proposed by the committee, even as modified by the Senator from Wyoming. I shall not restate the arguments which have been made by other Senators from Western States, or the one which has just been made by the Senator from Colorado [Mr. ADAMS], but I want to add one thought or two, and I do so without any disrespect whatever for the Committee on Commerce.

I have just glanced over the list of members of the Committee on Commerce, and I note not a single member of the Committee on Commerce who comes from a Western State, or a State concerned with irrigation problems and the use of water as we are concerned with it in the West. I think it can be taken for granted that Senators who are not intimately connected with such questions do not have the viewpoint and perhaps the understanding of the questions which we have who reside in that section of the country.

In the Senate we have a standing Committee on Irrigation and Reclamation, and I submit that an amendment of this nature, or any bill or amendment which relates directly to irrigation, as this amendment does, should at least have had some consideration by the Committee on Irrigation and Reclamation, and perhaps by some of the other committees which would be affected by other provisions in the amendment.

It is true the Senator from Louisiana says that the amendment was adopted at the request of the President of the United States, and that it confers no power

which is not already possessed. I am always suspicious of legislation, Mr. President, which is sought to be enacted, when it is said that it does not give any power which does not now exist, because if that be true, if there is nothing to be gained by such legislation, why enact it? Why pass a bill which gives nothing and confers no more authority than already exists? The natural and, of course, the logical answer to that is that the provision does have some purpose It does create something. It does confer some authority, or it would not be offered. Certainly the Chief Executive of the Nation would not request legislation that was meaningless and had no purpose. We have tried briefly to analyze it and find out the meaning. Frankly, I do not know the effect or the meaning of the amendment.

Mr. OVERTON. I shall read the statement of the President, which is very brief.

Mr. HATCH. I shall read the statement of the President, to show that in this particular amendment the committee does not even follow the suggestion of the President. I have a copy of the hearings before me.

Mr. OVERTON. I shall read directly from the message, if the Senator has no objection.

Mr. HATCH. I have no objection.

Mr. OVERTON. In his letter of July 3, 1941, the President said:

> The bill also authorizes additional examinations and surveys for flood control. I believe that these surveys, which should not be allowed to lag, could be correlated more effectively in the future if the authority of the Corps of Engineers to revise and extend the type of basin surveys first authorized in the River and Harbor Act of January 21, 1927, could be broadened somewhat——

Mr. HATCH. The amendment does broaden the authority.

Mr. OVERTON. That is in relation to the Secretary of War being authorized to make preliminary examinations and surveys. That amendment has already been adopted. This is the statement that is applicable to the present amendment. I quote from the President:

> and if provision could be made, at the same time, for the active participation of other Federal agencies concerned with multiple-purpose aspects of the surveys.

Mr. HATCH. Has the Senator finished reading the message?

Mr. OVERTON. Yes.

Mr. HATCH. Attached to that message from the President of the United States were certain suggested amendments which were submitted to the committee, among which is the amendment now under discussion. As I previously stated, it is apparent that the President of the United States had some purpose in mind. The purpose was to broaden the scope of the Board of Army Engineers, or the authority which they are now exercising. The amendment which was sent to the committee by the President reads as follows:

> *And provided further*, That whenever the Chief of Engineers in making any preliminary examination or survey for flood-control purposes finds it desirable to include in such examination or survey an investigation of one or more related purposes of water use and control, he shall request the participation (which is hereby authorized) of the Department of the Interior in any such investigation relating to irrigation development, to the recreational development of reservoirs and waterways, or to the conservation of aquatic and other wildlife, of the Federal Power Commission in any such investigation relating to electric power development, and of the Federal Security Agency in any such investigation relating to the abatement of water pollution and the provisions of domestic and industrial water supply——

Thus far the language of the amendment submitted to the committee by the President is exactly the language of the committee amendment contained in the pending bill. But the amendment suggested by the President contains this further provision:

> And in his report to the Congress on any preliminary examination or survey the Chief of Engineers shall include the reports of the participating Federal agencies.

I do not know why that was eliminated by the committee. In the amendment which the President suggested, the reports of the participating agencies were also to be submitted to Congress. For some reason the committee eliminated that provision. Congress is not even to have the benefit of the reports of the participating agencies. I draw no inference from that circumstance. I simply do not understand what the committee had in mind, and why those reports are withheld from the Congress, when the President had requested that they be made.

In view of the fact that the pending amendment relates strictly to irrigation and reclamation, I submit that at least part of the amendment ought to be defeated. I think the entire committee amendment should be defeated, until the whole question is studied by a committee which has jurisdiction of those subjects.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 30, beginning in line 6, as amended.

The amendment, as amended, was rejected.

The VICE PRESIDENT. The clerk will state the next committee amendment.

The next amendment was, on page 31, after line 6, to insert:

> Red River in the vicinity of Shreveport, La., with a view to determining the advisability of providing bank-protection works.

The amendment was agreed to.

The next amendment was, on page 34, after line 20, to insert the following new section:

> SEC. 8. That section 2 of the Flood Control Act of August 28, 1937, as amended, is hereby further amended to read as follows:
>
> "That the Secretary of War is hereby authorized to allot not to exceed $600,000 from any appropriations heretofore or hereafter made for any 1 fiscal year for flood control, for removing accumulated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than $25,000 shall be allotted for this purpose for any single tributary from the appropriations for any 1 fiscal year."

The amendment was agreed to.

The next amendment was, on page 35, line 8, to change the section number from 8 to 9; in the same line, after the words "sum of", to strike out "$260,000,000" and insert "$275,000,000", and in line 15, after the word "departments", to strike out the comma and "and the additional sum of $5,000,000 is authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act of June 28, 1938", and insert: "There is also hereby authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act of June 28, 1938, and which the Department is not otherwise authorized to undertake, such additional sums as may be necessary for that purpose."

The amendment was agreed to.

The VICE PRESIDENT. That completes the committee amendments. The bill is still before the Senate and open to further amendment.

Mr. OVERTON. Mr. President, since the bill was reported by the Senate Committee on Commerce recommendations have been submitted by the Chief of Engineers with reference to the construction of a flood-control project on Buffalo River Basin. In that connection I offer an amendment, which I send to the desk, and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Louisiana will be stated.

The CHIEF CLERK. On page 7, after line 13, it is proposed to insert the following:

BUFFALO RIVER BASIN

> The project for local flood protection on Cayuga Creek at Lancaster, N. Y., is hereby authorized to be constructed substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 326, Seventy-seventh Congress, first session, at an estimated cost of $575,000.

The amendment was agreed to.

Mr. OVERTON. I offer another amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Louisiana will be stated.

The CHIEF CLERK. On page 34, following line 9, it is proposed to insert a new section, as follows:

> SEC. 7. That 25 percent of all moneys received and deposited in the Treasury of the United States during any fiscal year on account of the leasing of lands acquired by the United States for flood-control purposes shall be paid, at the end of such year, by the Secretary of the Treasury to the State in which such property is situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such property is situated: *Provided*, That when such property is situated in more than one State or county the distributive share to each from the proceeds of such property shall be proportional to its area therein.

It is also proposed to change the numbers of the succeeding sections from 7, 8, and 9, respectively, to 8, 9, and 10, respectively.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, I offer an amendment, which I send to the desk and ask to have stated. The amendment is not to authorize construction but to authorize in one case a review of a survey and in another case a survey, in connection with two small streams in my State.

The VICE PRESIDENT. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

Polecat Creek, Creek County, Okla.
Walnut Creek, Love and Carter Counties, Okla.

Mr. OVERTON. Mr. President, I have no objection to that amendment.

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Kentucky will be stated.

The CHIEF CLERK. On page 32, after line 5, it is proposed to insert the following:

Barren River, Ky. and Tenn., with special reference to a dam in the vicinity of a site known as Barren No. 2.

Mr. BARKLEY. Mr. President, I understand that the Senator from Louisiana has no objection to this amendment. I wish to say just a word about it.

A survey was made in the vicinity of a site known as Barren No. 2, in Barren River in Kentucky, for the general purpose of including it in the Ohio Valley flood-control program.

But, in order to determine whether there may be available any funds out of appropriations hereafter made under this bill for that project, it is desirable that a special survey be made of that vicinity, including Barren No. 2 and a location known as Jew's-harp project, 6 or 8 miles above that. I have offered this amendment after conferring with the Army engineers, who say it will be helpful to them in determining future appropriations for the project.

Mr. OVERTON. I so understand that the amendment authorizes a survey. There is no objection to it.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. CONNALLY. Mr. President, I should like to ask the Senator from Louisiana a question which will take but a brief time.

Mr. OVERTON. I shall be very glad to answer it if I can.

Mr. CONNALLY. On pages 10 and 11 appears an item for the Colorado River Basin, Texas, and the Brazos River Basin, and so on. Under the Brazos River Basin, the plan for the Whitney Reservoir on the Brazos River in Texas is part of a project which already is partially in operation; that is to say, the dam already has been built on the upper reaches of the Brazos River, and it is now just about beginning to produce electrical energy and power for a great area. The Whitney Reservoir is down the river and is a part of the general plan. Can the Senator from Louisiana give us any assurance or any forecast as to when an appropriation may be recommended for that particular project?

Mr. OVERTON. No; except to say that I understand it is the policy of the administration to put under execution all power-producing projects as rapidly as the budgetary requirements will permit.

Mr. CONNALLY. I will say to the Senator that two of the chief objects in view in connection with the projected reservoir known as the Whitney Reservoir are flood-control and the production of power. The reservoir is located in an area in which public power could be disposed of, I think, profitably for the Government. The Government also has in mind the possible location of a munitions plant near this site, if and when the dam is constructed. I was wondering if those considerations would not hasten a request for an appropriation for that particular site.

Mr. OVERTON. I think they would; but, of course, that is a matter to be determined primarily by the Appropriations Committee.

Mr. CONNALLY. I understand that; but the Senator from Louisiana is a distinguished member of that committee as well as of the Commerce Committee, and I thought one side of him would consult with his other side when he got in the Appropriations Committee, and then that he would remember about being on the Commerce Committee, and that would speed up this matter.

Mr. OVERTON. If one side of me were to consult with the other side, I am sure the result would be very satisfactory to the Senator from Texas, and that might bring him into a triangle.

Mr. CONNALLY. I thank the Senator. These items, as I understand, are now only authorizations.

Mr. OVERTON. Yes; authorizations.

Mr. CONNALLY. But later on they are supposed to be followed by appropriations?

Mr. OVERTON. Yes; later on they will be followed by appropriations.

Mr. CONNALLY. I am desirous of having the Senator show the same zeal in securing an appropriation that he has shown in securing the authorization; and I am sure he will do so.

Mr. OVERTON. It is my understanding that any project which is of value to the defense program will have a high priority rating.

Mr. CONNALLY. I thank the Senator.

The VICE PRESIDENT. The bill is still open to amendment.

Mr. TRUMAN. Mr. President, I ask unanimous consent that the committee amendment beginning at line 4, on page 25, be reconsidered. I should like to offer to it the amendment which I send to the desk.

The VICE PRESIDENT. Is there objection to the reconsideration of the amendment? The Chair hears none. The clerk will state the amendment offered by the Senator from Missouri to the committee amendment.

The CHIEF CLERK. On page 25, between lines 9 and 10, it is proposed to insert the following:

The project adopted by the act of June 22, 1936, to provide flood protection for the Kansas Citys, Kans. and Mo., is herby modified to include cut-offs in the vicinity of Liberty Bend substantially in accordance with the recommendation of the Chief of Engineers in House Document No. 722, Seventy-sixth Congress, third session, and to include such other supplemental flood-control works at the Kansas Citys and in adjacent areas on the Missouri River and the tributaries thereof entering the Missouri River between approximate Missouri River mile 386 and approximate Missouri River mile 356, 1932 mileage, as the Secretary of War and the Chief of Engineers deem advisable: *Provided*, That the construction of the up-river portions of such project shall be given priority over the construction of such cut-offs in the vicinity of Liberty Bend.

Mr. TRUMAN. Mr. President, for some years a flood-control project has been under consideration and under construction at the junction of the Kaw River and the Missouri at Kansas City. Most of us thought the plans had been completely drawn up and a program outlined for the construction of the whole lay-out. Just about 3 or 4 months ago—hardly that long—I was informed that in order to lower the flood waters at the mouth of the Kaw River at Kansas City about 1 foot, a cut-off would have to be made at what is known as Liberty Bend, a long neck of land that sticks out in Jackson County toward Clay County, Mo. A bridge costing $1,200,000 has been built, and various other improvements have been made, and substantial sums have been spent by the War Department engineers to hold Liberty Bend as a part of the river.

Upon examination, I found that a large number of flood-control projects have been constructed on the west side of the Missouri River, opposite the Kansas City airport, for the protection of Kansas City, Kans., and for the protection of the central industrial district in Kansas City, Mo., but that not even a survey has been made for the part of the flooded section of Kansas City known as the East Bottoms, in the Blue River, and that no intent exists to make such surveys, or to protect that part of the flooded area around Kansas City. Due to the fact that until this year we have not had any high water for the past 12 years, no effort has been made to make a complete plan, although all of us interested in this matter had supposed that the engineers had made a complete plan.

When I ascertained these facts I suggested to the engineers that they furnish the Senate Committee on Commerce a complete and finished plan for the whole area, because $10,000,000 had been authorized in 1938 to complete the whole project. Such a survey has never been presented to the Committee on Commerce, although I requested the Committee on Commerce to ask for it.

It occurred to me, therefore, that the whole project should be taken into consideration in the construction of the flood-control projects around Kansas City, because one end of it is just as important, so far as flood control is concerned, as the part of it with which special interests are concerned. Therefore, I went before the Commerce Committee and asked them to eliminate this amendment; and in the meanwhile I have had an opportunity to go into the matter in some detail, and I have prepared the

amendment which I have now asked the committee to accept.

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). The question is on agreeing to the amendment offered by the Senator from Missouri to the committee amendment.

Mr. OVERTON. Mr. President, the provision on page 25, lines 4 to 9, authorizing the construction of the Liberty Bend cut-off, was inserted in the bill in the House. At the suggestion and at the request of both the senior Senator and the junior Senator from Missouri, the committee amended the bill by eliminating the authorization for the Liberty Bend cut-off; and that action on the part of the committee was satisfactory to both Senators, as I understood. Since then the junior Senator from Missouri has concluded that it might be well to substitute for the House provision the amendment which has just been read.

There are several objections to the amendment. The first is that there has been no report by the engineers on the modification of the project to which the Senator refers.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. TRUMAN. We had supposed that the reports on these projects had been made years ago. This matter has been pending for nearly 40 years, and it was just by accident that those of us interested in the whole project found that the thing was being done piecemeal, and we found that the only way in which we could possibly get any consideration of the project was by the method we are now pursuing.

Mr. OVERTON. I was very sympathetic with the position taken by both Senators, and I recommended to the committee that the House provision be eliminated. That was done. As the Senator has said, a review report has been ordered by the Senate Committee on Commerce. If the junior Senator from Missouri desires to wait until that review report is presented to Congress, we can then consider the project in the manner in which the Senator from Missouri now desires it to be considered. But what the Senator from Missouri undertakes to do under this amendment is to authorize something without any consideration being given to it by the Chief of Engineers, the Board of Engineers for Rivers and Harbors, or the committee. It is simply to authorize the Chief of Engineers to modify the project so as to include the Blue River project. There is no estimate as to cost. There is nothing upon which the Senate can intelligently act. I think it is bad legislation in respect to flood-control projects simply to authorize the Chief of Engineers to execute a project which the Congress has never considered at all.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. OVERTON. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. Ever since I have been a Member of the Senate, now something over 8 years, I have been extremely interested in the question of flood control and flood protection not only at Kansas City, Mo., but at Kansas City, Kans., because the situation of Kansas City, Kans., is intimately connected with that of Kansas City, Mo. I was very instrumental—at least, I flattered myself that I was; I was certainly very active, very much interested—in bringing about the authorization of this so-called Kansas City project 4 years ago. At that time neither the city government of Kansas City, the newspapers of Kansas City, nor any Kansas City organization, so far as I recall, took the slightest interest in the project. At least, none of them ever communicated with me about it, although I was one of the members of the committee. As a matter of fact, at that time I was chairman of the Subcommittee on Flood Control.

Mr. TRUMAN. Mr. President, if my colleague will yield, I think the whole discussion took place between the junior and senior Senators from Missouri.

Mr. CLARK of Missouri. The Senator from Louisiana has the floor, but I am very glad to have that comment from my colleague.

Mr. President, that project was authorized 4 years ago. It has been substantially carried into effect, at least to a large extent, on the Kansas side, but nothing has been done on the Missouri side. As a matter of fact, the Army engineers have been flagrantly neglectful of their duty under the plain provisions of the act of Congress. Now they come up, and, for no reason whatever that is apparent to anybody, they try to tie onto this Kansas City project—for which they already have all the authority of law that they possibly can need—an entirely different project having to do with the so-called Liberty Bend, a number of miles down the Missouri River, which would work a very flagrant and grave injustice on the city of Liberty, Mo., and on farmers down below.

I myself have been in communimation with the War Department; my colleague [Mr. TRUMAN] has been in communication with the War Department; Representative DUNCAN, who represents the Third Missouri District in Congress, has been in communication with them; and we have all been advised by the Corps of Engineers that they were conducting a reinvestigation of the project. As I say, there is no connection whatever between the Kansas City project and the Liberty Bend project except an artificial connection which the Corps of Engineers, for reasons of their own, have sought to give to it by going out and scaring the people of Kansas City and telling them that they will get no improvement unless they proceed to pitch in and put the Liberty Bend cut-off through as well.

There is only one fair thing to do in this matter to protect the rights of all concerned; and, as far as I am concerned, they are all constituents of mine. I am interested in every legitimate flood-control project, and always have been, but it seems to me that the rights of the little farmers down below and the rights of the city of Liberty Bend, while it is not as big as Kansas City, are as much entitled to be considered as the rights of Kansas City, or St. Louis, or any other city in Missouri, or outside of Missouri, in the United States. All that this amendment does is simply to leave the project for reexamination by the War Department, which they have already advised us they are making.

Mr. TRUMAN. Mr. President, will the Senator from Louisiana yield in order that I may make a remark at that point?

Mr. OVERTON. I yield.

Mr. TRUMAN. It is my honest opinion that the high water we have had this year—the first in 10 or 12 years—rather awoke the engineers to the fact that they had made all the construction at one place on this flood-control project and they hurriedly hunted a place where they run off a little surplus water, and picked Liberty Bend as a good place to do it.

Mr. CLARK of Missouri. Let me say to my colleague that I think somebody in the Corps of Engineers ought to be court-martialed for not carrying out the plain provisions of the act of Congress of 1937, instead of waiting and letting a situation develop which might have created a bad flood situation, but which fortunately did not, and then trying to shield himself by getting up a new proposition about the Liberty Bend cut-off.

Mr. TRUMAN. The whole flood-control project as it affects Kansas City, Mo., had not even been considered, and they were not considering it until I "jumped" on them about it.

Mr. OVERTON. If I may talk for a moment——

Mr. CLARK of Missouri. I thank the Senator for his kindness in permitting me to interrupt him.

Mr. OVERTON. I know very well the deep interest which the senior Senator from Missouri [Mr. CLARK] has taken in flood control. He is a member of the Commerce Committee of the Senate; and I also know the interest which the junior Senator from Missouri [Mr. TRUMAN] takes in flood control. It was at their suggestion that we eliminated the Liberty Bend cut-off, which I understand is objectionable to both Senators; and we did so in spite of the fact that the record showed that constructing the Liberty Bend cut-off just below Kansas City would so lower the flood stage that the flood walls, instead of being built 400 feet from the river, could be built within 100 feet of the river, resulting in a saving of 300 feet of a valuable portion of Kansas City.

However that may be, there was outstanding a review report to be submitted by the engineers, and the committee was perfectly willing to await that review report; but the amendment now offered by the junior Senator from Missouri does something which I am quite sure the senior Senator from Missouri objects to, and that is it authorizes the Chief of Engineers and the Secretary of War to make such modifications in that project as they deem desirable without any further action of the Congress. It is an out-and-out authorization; and the Senator from Missouri knows that the Committee on Commerce likes to have the facts before it before it undertakes to authorize a project, even though it is recommended by the Chief of Engineers.

Mr. CLARK of Missouri. Let me say to the Senator from Louisiana that I am very much opposed to this amendment. If anything is to be done about this Liberty Bend project, to my mind it ought to be done in conference by way of providing some means of compensation to the citizens below Kansas City whose rights are being invaded by the Liberty Bend cut-off.

Mr. OVERTON. The amendment to which I am calling the Senator's attention provides that—

The project adopted * * * to provide—

For the Liberty Bend cut-off—

is hereby modified to include cut-offs in the vicinity of Liberty Bend * * * and to include—

I call the Senator's attention to this—

such other supplemental flood-control works at the Kansas Citys and in adjacent areas on the Missouri River * * * between approximate Missouri River mile 386 and Missouri River miles 356—

That is 30 miles—

1932 mileage, as the Secretary of War and the Chief of Engineers deem advisable.

It takes in the whole thing, and tells the Chief of Engineers and the Secretary of War, "Do what you please with the Missouri for 30 miles in Kansas, around Kansas City, and in the vicinity of Kansas City." I am quite sure that the senior Senator from Missouri would agree with me that that would not be very good legislation.

Mr. CLARK of Missouri. I do agree with the Senator very heartily. I think it is the most vicious kind of legislation for Congress, without provision for any further control whatever, to turn the matter over to some executive authority, and it does not make any difference to me whether it is the Corps of Engineers, the Interior Department, the War Department, or some other department. This is a matter for Congress itself to regulate.

Mr. OVERTON. Let me suggest to the junior Senator from Missouri, in view of the debate as it has proceeded so far, and in view of the fact that the Senate has eliminated, as the bill stands now, this project for Liberty Bend cut-off, that we let it rest there, and undertake to see what can be done later on. I ask the Senator to withdraw his amendment.

Mr. TRUMAN. I cannot withdraw it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Missouri [Mr. TRUMAN] to the committee amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 25, beginning in line 4.

The amendment was agreed to.

Mr. PEPPER. Mr. President, on behalf of myself and the senior Senator from Florida [Mr. ANDREWS], I offer an amendment on page 31, line 6, just before the word "Florida", to insert the words "the Kissimmee River and its tributaries, and Upper Saint Johns River and its tributaries."

By way of explanation, I will merely say that by inadvertence the amendment has not been previously offered. It provides merely for a survey. I have spoken to the Senator in charge of the bill, the able Senator from Louisiana [Mr. OVERTON], and I hope the amendment will not be objected to.

Mr. OVERTON. There is no objection whatever.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 4911) was read the third time, and passed.

Mr. OVERTON. I ask unanimous consent that the clerk be authorized to change the numbers of the sections to conform to the amendments agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. OVERTON. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BAILEY, Mrs. CARAWAY, Mr. CLARK of Missouri, Mr. OVERTON, Mr. MCNARY, and Mr. JOHNSON of California conferees on the part of the Senate.

PROGRAM FOR THE WEEK

Mr. BARKLEY. Mr. President, I have been asked what the program for the remainder of the week will be, and I should like to make a statement for the information of Senators.

Earlier in the day I stated that in all probability the bill reported today from the Committee on Military Affairs to extend the service of selectees would not be taken up until Thursday. The report has been made and will be available, and printed copies of the hearings are on the desks of Senators. It is my hope now that we may proceed to consider the bill on Wednesday instead of on Thursday. Many Senators have urged that we take the bill up on Wednesday instead of Thursday, and I think it will be entirely possible to do so.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AUSTIN. In connection with the suggestion of the distinguished leader, let me say that during the afternoon I have been advised that some Senators on this side of the aisle have made plans to leave the city Thursday night, if it is convenient to do so, and if we could begin the consideration of the extension bill Wednesday morning it would be an accommodation to them.

Mr. BARKLEY. I appreciate that, and it is for that reason I have suggested a modified program, that we begin consideration of the bill on Wednesday. We will meet tomorrow, and the Senator from South Carolina desires that we make a bill in which he is interested the unfinished business.

WHEAT-MARKETING QUOTAS

Mr. SMITH. Mr. President, I ask unanimous consent that House bill 5300, the wheat-marketing quota bill, be made the unfinished business.

Mr. AUSTIN. I should like to ask the Senator from South Carolina whether this is the bill in which the Senator from Indiana [Mr. WILLIS] is interested.

Mr. SMITH. Yes; and I have the amendment he proposes. I wish to make the bill the unfinished business, and to proceed to its consideration tomorrow.

Mr. AUSTIN. I have no objection if it is the understanding that it will not be taken up this evening.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

There being no objection, the Senate proceeded to consider the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. BARKLEY. I wish to say, for the information of Senators, that it is my hope that tomorrow, following the disposition of the bill just made the unfinished business, we may consider bills on the calendar.

PAYMENT OF GOVERNMENT EMPLOYEES FOR MILITARY LEAVE—HOUSE AMENDMENTS

Mr. REYNOLDS. From the Committee on Military Affairs, which has considered the matter, I report back the amendments of the House of Representatives to the bill (S. 505) making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States, with the recommendation that they be accepted. I ask for the present consideration of the amendments.

There being no objection, the Senate proceeded to consider the amendments of the House of Representatives to Senate bill 505, which were, on page 2, line 2, after "Congress)," to insert "who have heretofore or who may hereafter be"; on page 2, line 3, strike out all after "States" down to and including "President," in line 4; and to amend the title so as to read: "An act making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States."

Mr. REYNOLDS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

GRADE OF CHIEF WARRANT OFFICER IN THE ARMY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 162) to

strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes.

Mr. REYNOLDS. I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. HILL, Mr. BRIDGES, Mr. GURNEY, and Mr. LODGE conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. CONNALLY, from the Committee on the Judiciary:

Matthew F. McGuire, of Massachusetts, to be associate justice of the District Court of the United States for the District of Columbia, vice Peyton Gordon, retired.

By Mr. GEORGE, from the Committee on Foreign Relations:

Anthony J. Drexel Biddle, Jr., of Pennsylvania, now Ambassador Extraordinary and Plenipotentiary to Poland, serving concurrently as Ambassador Extraordinary and Plenipotentiary near the Government of Belgium and as Envoy Extraordinary and Minister Plenipotentiary near the Governments of Norway and the Netherlands, now established in London, to serve concurrently and without additional compensation also as Envoy Extraordinary and Minister Plenipotentiary near the Government of Yugoslavia, also now established in London.

MAJ. GEN. DOUGLAS MACARTHUR

Mr. REYNOLDS. Mr. President, from the Military Affairs Committee I have the honor to report the nomination of Maj. Gen. Douglas MacArthur to be lieutenant general in the Army of the United States, and I ask unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of Maj. Gen. Douglas MacArthur, United States Army (General, U. S. Army, retired), for temporary appointment as lieutenant general in the Army of the United States, under the provisions of section 127a, National Defense Act, as amended by an act of Congress approved September 9, 1940.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina for the immediate consideration of the nomination? The Chair hears none, and, without objection, the nomination is confirmed.

Mr. REYNOLDS. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

DISTRICT OF COLUMBIA

The PRESIDING OFFICER. If there be no further reports of committees, the nominations on the calendar will be stated.

The legislative clerk read the nomination of Guy Mason to be Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination of Mr. Guy Mason to be Commissioner for the District of Columbia.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the postmasters be confirmed en bloc, and that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc, and the President will be immediately notified.

That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, July 29, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received July 28, 1941:

COLLECTOR OF CUSTOMS

James J. Connors, of Juneau, Alaska, to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska. Reappointment.

COAST GUARD OF THE UNITED STATES

Ensign James A. Hyslop to be a lieutenant (junior grade) in the Coast Guard of the United States, to rank as such from June 2, 1941.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Maj. Gen. Douglas MacArthur, United States Army (general, U. S. Army, retired), for temporary appointment as lieutenant general in the Army of the United States, under the provisions of section 127a, National Defense Act, as amended, by an act of Congress approved September 9, 1940.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Lt. Col. George Allan Miller, Infantry, with rank from August 18, 1940.

TO QUARTERMASTER CORPS

Maj. Joseph Albert Sullivan, Field Artillery (temporary lieutenant colonel, Army of the United States), with rank from November 18, 1939.

First Lt. Victor Edward Maston, Infantry (temporary captain, Army of the United States), with rank from June 13, 1936.

Second Lt. Robert Harold Rosen, Infantry, with rank from June 11, 1941.

TO FINANCE DEPARTMENT

Lt. Col. Frank M. Moore, Infantry, with rank from August 18, 1940.

TO ORDNANCE DEPARTMENT

First Lt. Jefferson Davis Childs, Infantry (temporary captain, Army of the United States), with rank from August 1, 1935.

TO INFANTRY

Second Lt. Roy George Hendrickson, Quartermaster Corps, with rank from June 11, 1941.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be lieutenant colonels with rank from August 4, 1941

Maj. Dale Clarence Hall, Ordnance Department (temporary lieutenant colonel, Army of the United States).

Maj. John Martin Clark, Air Corps (temporary lieutenant colonel, Air Corps; temporary lieutenant colonel, Army of the United States), subject to the examination required by law.

Maj. John James Downing, Signal Corps (temporary lieutenant colonel, Army of the United States), subject to the examination required by law.

Maj. Rowland Charles William Blessley, Air Corps (temporary lieutenant colonel, Air Corps; temporary lieutenant colonel, Army of the United States).

Maj. Arthur Thomas, Air Corps (temporary lieutenant colonel, Air Corps; temporary lieutenant colonel, Army of the United States).

To be lieutenant colonel with rank from August 6, 1941

Maj. Edward Albert Kimball, Infantry (temporary lieutenant colonel, Army of the United States).

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

MEDICAL CORPS

To be captains

First Lt. Doss Owen Lynn, Medical Corps (temporary captain, Army of the United States), with rank from August 15, 1941.

First Lt. Hallman Earl Sanders, Medical Corps (temporary captain, Army of the United States), with rank from August 18, 1941.

CHAPLAINS

To be captains

Chaplain (First Lt.) Emil William Geitner, United States Army (temporary captain, Army of the United States), with rank from August 14, 1941, subject to the examination required by law.

Chaplain (First Lt.) John Allen DeVeaux, United States Army (temporary captain, Army of the United States), with rank from August 24, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 28, 1941:

COMMISSIONER OF THE DISTRICT OF COLUMBIA

Guy Mason, to be a Commissioner of the District of Columbia.

POSTMASTERS

MISSISSIPPI

Ralph D. Sigler, Bucatunna.
Ethelbert R. Rankin, Tupelo.

NEW JERSEY

Carlton S. Giberson, Absecon.
Thomas F. Dix, Jr., Linwood.

NORTH CAROLINA

James E. Faison, Faison.
Eli H. Ange, Jamesville
William G. Cherry, Rocky Mount.
Nelle C. Markham, West End.

OKLAHOMA

Brown King, Britton.

PENNSYLVANIA

Richard Wilson, Baden.
Edward Aloysius O'Donnell, Beaverdale.
Alvin E. Moon, Blawnox.
Stuart H. Hauser, Catasauqua.
Howard C. Van Kirk, Danville.
Daniel J. O'Brien, Everson.
Walter E. Schell, Grindstone.
Dillinger H. Shaffer, Jeannette.
Francis J. Kelly, Mansfield.
Edwin F. Fox, Mertztown.
Clark Queer, Mount Pleasant.
William L. Mitsch, New Brighton.
Charles W. Ziegenfus, Palmerton.
Luke Binder, Renovo.
Joseph A. Kelly, Roslyn.
Mary S. Anderson, Royersford.
Edith Schaffer, Stockertown.
Ernest B. Wolf, Telford.
James N. McConnell, Volant.
Charles E. Fullwood, Wellsboro.
Ethel L. Esken, Whitaker.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Maj. Gen. Douglas MacArthur, United States Army (general, United States Army, Retired), to temporary appointment as lieutenant general in the Army of the United States, under the provisions of section 127a, National Defense Act, as amended by an act of Congress, approved September 9, 1940.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 28, 1941:

POSTMASTER

Charles V. Hoover to be postmaster at Project City, in the State of California.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 28, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thy way, O Lord, is the light that strikes a pathway through the years and he who followeth Thee shall not walk in darkness but shall have the light of life. Give us to understand that life in its greatest essence is nobility of soul, purity of heart, a spirit overflowing with charity for all, ceaseless activity in welldoing and a conscience void of offense before God and man. We beseech Thee to enable us to live the life that overflows from self—the fuller, deeper, and richer life as we move among men. Help us to keep radiant the torch of our Christian faith in this darkened world, rejoicing in the presence of Him who is the teacher in our streets, the quiet visitor in the hospital, the helping hand at the well, the brother of the poor outcast who knows not where to lay his head, and the friend of man by the side of the road. Dear Lord, remember all who by reason of weakness are overtasked and because of poverty are forgotten—and Thine shall be the praise. In the name of our Saviour. Amen.

The Journal of the proceedings of Thursday, July 24, 1941, was read and approved.

EXTENSION OF REMARKS

Mr. DIRKSEN asked and was given permission to extend his own remarks in the RECORD.

THE LATE WILLIS C. HAWLEY

The SPEAKER. The Chair recognizes the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Speaker, it is with the deepest sorrow and regret that I announce the passing of a distinguished former Member of the House, the Honorable Wlilis C. Hawley, of Oregon. Death came peacefully, though suddenly, to this elder statesman at his home in Salem on Thursday, July 24, at the age of 77.

To those who served with Mr. Hawley in this body I need not say with what keen sense of loss the news of his death has been received. For 27 years he represented the First Congressional District of Oregon, the district which I now have the honor to serve. No man, perhaps, in all that time was better known to his colleagues or more beloved by them than Willis C. Hawley.

To me his death comes not merely as the passing of a national figure of whom the people of my State were justly proud. It comes as a personal loss also, for I had known him since my earliest childhood. He was a fellow townsman, a friend and companion of my elders, and the first man of political importance whom I ever really knew. He was respected and admired by everyone for his high character, his honesty, and steadfast integrity. For twoscore years he always used as his political slogan "No interest to serve but the public interest." Many people differed with some of his political views, but no one ever doubted that he lived up faithfully to this precept, not only throughout his long and useful public career but throughout his private life as well.

Mr. Hawley was born near Monroe, Benton County, Oreg., on May 5, 1864. He attended the country schools and was graduated from the academic and law departments of Willamette University, Salem, Oreg., in 1888. He was principal of the Umpqua Academy, Wilbur, Oreg., from 1884 to 1886, and president of the Oregon State Normal School at Drain from 1888 to 1891. He was admitted to the bar in Oregon in 1893; was president of Willamette University from 1893 to 1902; and was professor of history and economics for 16 years. He was engaged in numerous business and educational enterprises; was a member of the National Forest Reservation Commission, a member of the Special Committee on Rural Credits created by Congress in 1915, and a member of the Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington. He was elected as a Republican to the Sixtieth and to the 13 succeeding Congresses. He was chairman of the Ways and Means Committee in the Seventy-first Congress and was coauthor of the Hawley-Smoot tariff bill.

Willis Chatman Hawley has lived a full life, a life filled with kindness, with gentleness, and with outstanding public service. His friends in Congress and in his native State of Oregon will miss him greatly, and they mourn his passing. But in our sorrow we have the satisfaction and the pride of knowing that he has fought the good fight, that he has finished his work, and that the world has been made a better place for his having lived in it.

ADDITIONAL COPIES OF THE REVENUE BILL OF 1941 AND THE REPORT THEREON

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably without amendment a privileged concurrent resolution (H. Con. Res. 49) providing for the printing of additional copies of the bill H. R. 5417, Revenue Act of 1941, together with the report (H. Rept. No. 1040) thereon, and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 11,500 additional copies of the bill H. R. 5417, Revenue Act of 1941, together with the report (H. Rept. No. 1040) thereon, of which 5,000 copies shall be for the use of the House document room, 2,000 copies for the use of the Senate document room, 3,500 copies for the use of the Committee on Ways and Means of the House of Representatives, and 1,000 copies for the use of the Committee on Finance of the Senate.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield to the gentleman from Michigan.

Mr. MICHENER. These copies are to be distributed through the document room?

Mr. JARMAN. Except that 3,500 will go to the Committee on Ways and Means and 1,000 to the Committee on Finance of the Senate.

Mr. MICHENER. So that any Member desiring copies of this bill or the report thereon must make application either to the document room or to the committee room of the Committee on Ways and Means?

Mr. JARMAN. The gentleman is correct.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, a few days ago I secured permission to extend

my own remarks in the RECORD by inserting a speech made by a former Governor of Minnesota. I am advised by the Printing Office that the speech will cover two and two-thirds pages of the CONGRESSIONAL RECORD. I ask unanimous consent that notwithstanding this the speech be permitted to be inserted in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

AUTOMATIC TEMPERATURE CONTROL CO., INC.

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3121) for the relief of the Automatic Temperature Control Co., Inc., with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. McGEHEE, Mr. KEOGH, and Mr. WINTER.

FRED SPENCER

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3774) for the relief of Fred Spencer, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. McGEHEE, Mr. CAPOZZOLI, and Mr. PITTENGER.

LAURA McSTAY

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1855) for the relief of Laura McStay, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "$2,500" and insert "$1,172.99."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. RICH. Reserving the right to object, Mr. Speaker, may I observe that this is the first time I have seen the Senate consider three little bills and try to cut them down in amount. They nearly always raise the amounts. We ought to congratulate the Senate on a change of heart.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

LOUIS A. SCHWAN

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3802) for the relief of Louis A. Schwan, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "$1,284" and insert "$642."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CURTAILMENT IN PRODUCTION OF AUTOMOBILES

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROLPH. Mr. Speaker, the people of San Francisco are very much concerned over the threatened reduction of 50 percent in the production of automobiles. I desire to read a telegram received from my home city:

Our organization of 6,000 members employed in the automobile industry of San Francisco is quite alarmed at the curtailment in production of automobiles. We believe that to curtail production 50 percent would result in the loss of thousands of jobs for our people and also the loss of millions of dollars in taxes to the Government. We believe that thorough investigation will prove that sufficient amount of raw material can be secured to meet the needs of defense industries without this heavy cut in the production of automobiles. We urgently request that the subject matter be given very close study before any definite and final program has been reached.

This telegram is signed by the Automotive Trades Union Council, District No. 1, of San Francisco, by G. A. Rhodes, secretary.

EXTENSION OF REMARKS

Mr. TALLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein brief excerpts from some Government documents and the Associated Press.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to insert in the RECORD two extensions of my own remarks and to include in one a brief poem entitled "Indiana."

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

STEAM POWER DEVELOPMENT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. WALTER addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial appearing in the Evening Star.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Times-Herald of this morning.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. MAY submitted a conference report and statement on the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940.

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution adopted in convention by the Ancient Order of Hibernians.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter from the Fifth Avenue Association of New York, addressed to President Roosevelt, on the question of moving Government bureaus to the city of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMUNITY SERVICE PROGRAMS—WORK PROJECTS ADMINISTRATION

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

[Mr. DISNEY addressed the House. His remarks appear in the Appendix of the RECORD.]

PEACE TERMS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I want to ask my friend from Mississippi [Mr. RANKIN], who so often gives us so much information, and also my friend from Pennsylvania [Mr. FADDIS] what sort of peace terms could be proposed by the German people that would be acceptable

to our British friends, so we might know what we could expect, when we have reached a point where we can have peace, and not go on and send a million boys over there to fight this war until we know just how far we are to go.

Mr. KOPPLEMANN. The gentleman might ask Mr. Hitler.

Mr. HOFFMAN. The gentleman is on better terms with him than I am, and he should ask him.

EXTENSION OF REMARKS

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an essay written by Donna Jeanne Wright, which was awarded first place in a national essay contest.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution of the Sixty-second General Assembly of the State of Illinois.

The SPEAKER. Is there objection?

There was no objection.

Mr. WINTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a radio address by my colleague the Honorable FREDERICK C. SMITH, of Ohio.

The SPEAKER. Is there objection?

There was no objection.

FIGHT FOR FREEDOM

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to speak for 1 minute and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. JONKMAN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Antioch (Ill.) News.

The SPEAKER. Is there objection?

There was no objection.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the New York Times.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an excerpt from a news letter sent out by the gentleman from Minnesota [Mr. GALE] to his constituents.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief editorial.

The SPEAKER. Is there objection?

There was no objection.

COMMITTEE ON MILITARY AFFAIRS

Mr. FADDIS. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs may have permission to sit this week during the sessions of the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PEACE TERMS

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FADDIS. Mr. Speaker, if the gentleman from Michigan [Mr. HOFFMAN] is speaking as an advance agent or emissary from Mr. Hitler, I am sure that anyone concerned in the matter——

Mr. HOFFMAN. Just a moment, Mr. Speaker, I demand that the words be taken down. The gentleman knows better than that. There is no accuracy about it.

Mr. FADDIS. I know the gentleman was asking what terms would be agreeable.

The SPEAKER. The gentleman from Pennsylvania will suspend.

Mr. HOFFMAN. I did not mention the name of Hitler.

The SPEAKER. The gentleman from Michigan will suspend.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to withdraw the words objected to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FADDIS. Mr. Speaker, the gentleman from Michigan [Mr. HOFFMAN] has informed me that he mentioned the German people and not Mr. Hitler. I am sure if he is an emissary from the German people, any responsible parties that are having trouble with the German people would be glad to talk over with him any feasible plan to end the present difficulty.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a short editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address before the Rivers and Harbors Committee by the secretary of state of Canada.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, today I have 30 minutes to address the House. I have begun speaking twice on the subject I expect to discuss today. After everything is over, if any of you gentlement will stick around, we will discuss whether or not the Democratic record for national defense is as good as the Republican record.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks and include a recent editorial from the Shenango Telegraph.

The SPEAKER. Is there objection?

There was no objection.

FIRST SUPPLEMENTAL NATIONAL-DEFENSE APPROPRIATION BILL, 1942

Mr. SABATH, from the Committee on Rules, submitted the following privileged report (Rept. No. 1064) on House Resolution 278, waiving points of order against the provisions in the bill H. R. 5412, for printing in the RECORD:

Resolved, That during the further consideration of the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, all points of order against said bill are hereby waived.

Mr. SABATH. Mr. Speaker, I move the immediate consideration of House Resolution 278.

The Clerk read the resolution, as follows:

Resolved, That during the further consideration of the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, all points of order against said bill are hereby waived.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Illinois.

The question was taken; and two-thirds having voted in favor thereof, the motion was agreed to.

Mr. SABATH. Mr. Speaker, I understand that the gentleman from New York and the gentleman from Wisconsin desire some time on the resolution.

Mr. RICH. I also want 5 minutes.

Mr. SABATH. Later on I will yield the usual 30 minutes to the gentleman from New York [Mr. FISH].

Mr. Speaker, on last Friday the gentleman from Virginia [Mr. WOODRUM] appeared before the Rules Committee and explained the situation in which the House found itself in view of the point of order that was raised against some provision in the bill. The point of order, as was explained to the Rules Committee by the able chairman of the Subcommittee on Appropriations, the gentleman from Virginia [Mr. WOODRUM], was raised against the appropriation of $35,000,000 for a new War Department building. The gentleman from Virginia explained the need for the building. He explained that the War Department now occupies more than 12 buildings in the District of Columbia; that this building, if erected, will house all the activities of the War Department, and will relieve the condition of other departments, because arrangements will be made by which they can use the space that is now occupied by various bureaus and branches of the War Department.

I have been advocating decentralization here in the District of Columbia. I am of the opinion that something must

be done to relieve the congested conditions of the Capital City, but I also realize the necessity of the War Department's having office space in one building, instead of having its various bureaus and branches scattered among twelve or more structures, which will provide for the tremendous increase in personnel and eliminate considerable time now wasted by the higher officials and officers in going daily from one building to another. In view of these facts I feel it is absolutely necessary, even though this appropriation has not been authorized heretofore, that favorable action be taken upon this much-needed War Department office building. I know, Mr. Speaker, that among those who have listened to the explanation given by the gentleman from Virginia as to the needs for this building, there will be no vote cast against this resolution waiving points of order against this unauthorized but needed appropriation. I favor the resolution and I am satisfied that the Secretary of War, the Under Secretary of War, Quartermaster General Gregory, and the Chief of the Construction Division, General Somervell, all of whom are exceptionally able gentlemen, would not recommend and urge the construction of this building if it were not needed. I have the utmost confidence in their judgment. I understand that the committee having heard these gentlemen have unanimously agreed upon this project.

To be sure, the structure will be built across the river in Arlington, Va. My only fear has been that it might require a tunnel or an additional bridge to accommodate the thousands of people who will be employed there, but here again I have been informed by the gentleman from Virginia that this will not be necessary. We are giving Virginia a great deal. When this structure is built we shall have given them the greatest building ever constructed anywhere by any nation. We have been very kind to Virginia. We have been very kind to Maryland. Virginia and Maryland have received many, many considerations and favors from this Congress and from this administration; and I cannot understand why it is that invariably they are against any proposition or most of the propositions this administration advocates. I hope by this action they will realize and recognize the fact they have been dealt with fairly and that they, in turn, will deal fairly with the administration in the future.

I do not care to take up unnecessary time. Only a little while ago the Rules Committee granted a rule providing for consideration of the revenue bill. The revenue bill will come up tomorrow, and I feel we should conclude consideration of this supplemental appropriation bill today so we can immediately take up the revenue bill tomorrow.

Mr. Speaker, I reserve the balance of my time.

Mr. FISH. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. SHORT].

THE LATE EDWARD D. HAYS

Mr. SHORT. Mr. Speaker, I am sorry to announce to the Members of the House the death of a former Member of this body, the Honorable Edward D. Hays. He passed away last Friday, and his funeral and burial was held in the city of Washington this morning.

Judge Hays was born and reared in Cape Girardeau County, Mo. He attended the public schools and was graduated from the Cape Girardeau State Normal. After teaching school for several years he moved to Jackson, Mo., where he successfully practiced law and served as mayor of that city from 1903 to 1907. From 1907 to 1918 he served as probate judge of the Cape Girardeau County Probate Court. Mr. Hays was elected to the Sixty-sixth and Sixty-seventh Congresses from the old Fourteenth District of Missouri, which it was my honor once to represent but most of which is now in the Tenth Missouri District, represented by our colleague the gentleman from Missouri [Mr. ZIMMERMAN].

While in Congress Judge Hays interested himself particularly in veterans' legislation. At the expiration of his second term he served as a trial lawyer for the Department of Justice and later was appointed a senior attorney with the Interstate Commerce Commission, defending cases in the Court of Claims. Judge Hays saved the Government thousands of dollars before he resigned this position in 1933.

Ed Hays was an able lawyer, a fair and impartial jurist, and a wise legislator. He possessed an analytical mind, a resolute will, and a kind heart. No one ever met the man and left him without liking him. He was a great American who loved his country, revered its Constitution, respected its institutions, and devoted his energies to its well-being. Quiet and unobtrusive, he remained faithful to his duties to the end.

Mr. Hays had just completed his work on a history of Missouri before his death and was compiling material for another historical work.

Surely a crown of righteousness is laid up as a reward for one who lived so worthy a life. I join his many friends who mourn his passing.

RULE ON FIRST SUPPLEMENTAL APPROPRIATION BILL, 1942

Mr. FISH. Mr. Speaker, I yield myself 5 minutes and ask unanimous consent to proceed out of order for the 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I heard some Member under the 1-minute rule—and I had intended to answer him under the 1-minute rule—make some remarks emanating from the Fight for Freedom Committee to the effect how easy it would be for any foreign nation, particularly Germany, if and when she overcomes Russia, to attack the United States by way of Alaska. It used to be through the impenetrable forests of Brazil after a flight from Dakar. Now it is through the mountains of Alaska. I want to nip that propaganda in the bud right now.

In the early days, when I was a good deal younger, I used to hunt and shoot in Alaska. I have hunted after mountain sheep in the big mountains and the vast wastes of Alaska. Even if an enemy army should get into Alaska, I do not believe it could make any progress in getting out or coming down toward the United States. I want to take this occasion to say that as soon as I saw this false propaganda in the press—and it was paid to be inserted in most of the big newspapers of the country by the Fight for Freedom Committee—how easy it would be to attack us by way of the Bering Strait, I got out a map. In Soviet Russia, on the western side of Bering Strait, the nearest railroad to the strait is 2,500 miles away. This makes it totally and physically impossible for any army to attack across the Bering Strait and even get into Alaska if we had no defense there whatever.

That is the typical kind of propaganda that you are going to read day after day, and how defenseless poor little America is, and how we are going to be overwhelmed, how foreign armies can march right straight across Bering Strait and come down and capture the States of Oregon, Washington, and California. I personally like to face facts in the beginning, and those are the facts. There is not a railroad within 2,500 miles of the west coast of Alaska on the Siberian side, and practically no roads.

Mr. Speaker, I was not aware that this rule was coming up this morning, but I am going to take a few minutes to report to the House certain observations of my own which I think the House will be glad to hear. I have just returned from 28 days' military training at Fort Bragg, N. C., our largest, greatest, and I believe the finest military post in this country. I knew nothing about Fort Bragg when I went down there, but I soon found out that its location was probably the best in America. It is not far from Pinehurst, only a few miles from Seven Pines, two well-known winter resorts. It is located among the pines in a sandy country. It rained three-fourths of the time I was there, but this made no difference to the training. The water just drained off through the sand, and the soldiers went right on with their training. The morale and spirit of the men and the officers and the conditions at the post were excellent.

The training is unprecedented. It is proceeding in all branches smoothly and rapidly. I served with three or four different units, white and colored, of our armed forces at Fort Bragg, and found the same high morale to exist among the officers and men of all branches of the service. The progress in training is far more rapid than it was during the World War; and if the other forts, as they call them, or encampments or posts, are training their men the same as they are being trained at Fort Bragg, we are on the way to having the best army in the world.

The commanding officer at Fort Bragg, Maj. Gen. Jacob Devers, has been largely responsible for its high morale, cooperation, and training.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 4 additional minutes.

Mr. Speaker, Major General Devers is one of our younger officers. He is around 55 years of age. He has just been

assigned to command our armored force. If we have many officers of that type and kind in the Army, we will have nothing to fear from any aggressor-minded nations. I do not believe there is a German Army officer who is better trained or better equipped to command soldiers right now than is General Devers. If this same spirit prevails throughout our Army and if our selectees are given the same military training, soldier for soldier and officer for officer our American troops will in a short time, if provided with modern weapons, be as good as the best German soldiers.

Mr. MAY. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Kentucky.

Mr. MAY. I visited Fort Bragg about 40 days ago and in connection with what the gentleman had to say about drainage and the sand, I was told that the troops could train within 30 minutes after the most violent storm down there on perfectly dry ground. I did drive through the camp. It is located on rolling land, so they have a natural drainage in every direction. They have even taken the precaution of locating their rifle range beyond the camp, so that it has no exposure whatever.

Mr. FISH. The gentleman is absolutely correct. I can only compare it with World War conditions. We never had anything like it in the World War. The training is incomparably better, we have better equipment of all kinds, and they are now gradually getting the new guns. I believe that in the next 6 months they will have their full quota of new guns. The soldiers are ahead of the equipment, and as soon as they get the guns those soldiers can take over immediately, and they will be ready to defend America and the American Continent against any combination of nations.

Mr. MAY. May I say to the gentleman that Major General Devers appeared before the House Military Affairs Committee this last week and testified. He gave us the whole story about the camp, and, as I got his testimony, his training of the groups and divisions is equal, if not superior, to the German training.

Mr. FISH. I believe that to be so. I do not think it could be better anywhere. I do not know very much about the German training, but I am sure the training at Fort Bragg cannot be improved upon. I want the Members of the Congress to know that every dollar that is spent down there for military training is money well spent.

Mr. RICH. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Pennsylvania.

Mr. RICH. From the gentleman's statement, then, we can believe that that camp will have the men trained within 6 months?

Mr. FISH. The men themselves; yes; but our Army has not yet received all the equipment necessary, and until it does it cannot train them with the new weapons. There are no 105's; there are not half enough antiaircraft guns or 37-millimeter guns; but the officers are doing their best with the limited equipment. The men are way ahead of the equipment and ready to participate in the fall maneuvers with or without their full quota of artillery guns.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. HULL].

Mr. HULL. Mr. Speaker, when I made a point of order against the civil provision in this defense measure when it was under consideration last Thursday I had very little information as to what really was proposed, but for months we have been listening to a great deal of talk about the necessity of holding down civil expenditures in order to conserve funds for our national defense. When I found on page 34 of H. R. 5412, under the heading "War Department, civil functions, Quartermaster Corps," an authorization for the construction of a new War Department Building across the Potomac River to cost $35,000,000, I was astonished. Further, when I realized, before I made my point of order, that the provision was sponsored by two of the most eminent Members of our body, two of the Members most prominent in advocating the conservation of our financial resources, holding down the size of the public debt, and so forth, I was all the more astonished. So I made the point of order that this provision is legislation in an appropriation bill. However, the Chair failed or declined to rule on my point of order and the Committee rose. It seems that on the following day the Committee on Rules was appealed to for a special rule which would obviate such a point of order.

My objection to this provision is not that I want to interfere in any way with the operation of the War Department, neither have I any desire to impede the progress of the national-defense appropriation bill in this House, but it does seem to me that this proposition is so staggering, so astounding, that if my point of order did nothing more, it served to give the Congress and at least some of the press an opportunity to consider what was being brought in here under the guise of national defense.

That the proposal came as a surprise to others may be indicated by the following editorial in the Washington Star, July 25, 1941:

A STAGGERING PROJECT

The $35,000,000 War Department building project planned for Arlington County, Va., is so staggering in its proportions as to be difficult to grasp on short notice—and the notice was so short that even such customary planning agencies as the National Capital Park and Planning Commission and the Fine Arts Commission were not consulted by the House Appropriations Committee before it reported the proposal favorably to the House yesterday. That the plan was drawn in haste is evident from testimony given before the committee. Brig. Gen. Brehon B. Somervell, of the Quartermaster General's department of the Army, who was identified as author of the plan, told the committee he had not had time to confer with the Fine Arts Commission. He explained, moreover, that the Park and Planning Commission was not consulted, because "of course it is outside of the jurisdiction" of the commission. This view, however, is in conflict with the act of April 30, 1926, which gives the Commission authority to develop a plan not only for Washington proper but for its environs.

Since the record of the hearings shows that the project was first described to the House committee on Tuesday of this week, it is natural that questions should arise as to practical as well as esthetic aspects of the plan. Disregarding the long-approved Northwest rectangle program, which called for the new War Department buildings near Virginia Avenue and Twenty-first Street and a new Navy Building west of the Naval Hospital, the new plan provides for a structure on the old Arlington Experimental Farm large enough to accommodate 40,000 employees, about 15,000 persons less than the present population of Arlington County and some 18,000 more employees than work in all of the buildings of the present Federal Triangle. The cost will approximate that of New York City's Empire State Building and the area of its three floors will be about double that of the Empire State Building, according to General Somervell, although other figures contest the accuracy of such a comparison.

A building of such colossal size requires adequate sewerage, water, and other utility services. It is assumed the War Department and Congress will take into consideration the fact that Arlington County's water and sewerage facilities in the proposed area already are undergoing strain. County officials recently declared that a new sewage-disposal plant and other equipment would be required to serve any large new Federal buildings on that site. Bridge connections with Washington are taxed to capacity by existing traffic. The committee was told that the bulk of War Department employees live in the District, which means that additional facilities for crossing the Potomac may be necessary.

Surely Congress will not adopt so far-reaching and revolutionary a project without affording the Park and Planning Commission and other interested agencies or officials an opportunity to pass upon the technical, artistic, and other aspects of the undertaking. It may well be that careful studies by building and planning experts will show that the proposal is feasible, and, in view of emergency conditions, altogether desirable. To ignore the advice of experienced planners, however, would be a serious mistake that might bring disastrous complications later.

In the first place, as to the estimated cost of this proposition—$35,000,000, it is approximately four times the cost of the United States Capitol from the time it was built until the present. It is just about double the cost, and the building will be more than double the size, of the Commerce Department Building on Fifteenth Street. Some of you have frequently heard that building referred to as "Hoover's Folly" because it was erected during the time he was Secretary of Commerce. This proposition is to erect a building at least four times the size of the Capitol and twice the size of the Commerce Department Building, and nobody knows how much more in the way of appropriation may be added before this bill finally receives the approval of the President, if it passes Congress.

In New York City there is the great Empire State Building, which cost just about the same amount as it is proposed to spend on this new building for the War Department, on the west side of the Potomac River. It seems to me that before such a measure passes, the House at least ought to have the opportunity to learn more about what the proposition really means.

As to the cost, I would not set my judgment up against that of the eminent gentleman from New York or the equally

eminent gentleman from Virginia, who are familiar with the appropriation bills that are passed from time to time for building purposes, but it does seem to me that there has not been sufficient time in the limited time which the committee has had to consider the measure since it was first brought to its attention on Tuesday of last week to really learn what the cost of this project will be.

The statement is made in the report that it is to cost $35,000,000. General Somervell was present at the hearings and stated that they would negotiate a contract at that price, or words to that effect. They do not propose, however, to let the contract to the lowest bidder. Included in the amount is a million-dollar parking lot for automobiles, but nothing for many other extras.

There are many other things in connection with this proposition which will have to be considered before the Federal Treasury gets through paying the bill. Our colleague from Virginia [Mr. SMITH], who is well versed on the traffic situation here in Washington, states that the traffic situation will grow far more deplorable if this building is erected unless the Government also appropriates a sum sufficient to build the double-tube tunnel which he believes should be built under the Potomac. We do know that the situation so far as bridge access to the city from Virginia is concerned is now very unfortunate. We do know that there has been under consideration the matter of a double-tube tunnel under the Potomac River between Washington and the Virginia shore and the matter of a new bridge. At present there is a proposition which has been submitted to some governmental authority by the people of Arlington County asking for the construction of a pontoon bridge between Washington and Roosevelt Island, and thence across to the Virginia shore, in order to relieve the traffic congestion which is already here. So that is another item of cost.

We also learn from the public press that the people in Arlington County are much worried about how much more they have to ask for, if this building is to be erected there, in order to provide for the sewerage systems and the highways, the underpasses, and overpasses, and the various other changes which will have to be made in order to accommodate the structure and its proposed population of some 40,000 Government employees. The original obligation to Arlington County, I understand, is $2,000,000, and the probabilities are that they will ask for $2,000,000 or maybe $3,000,000 more just for those facilities.

When we start on this proposition, there is nothing concrete before the committee, or before the House, as to how far these expenditures will go or what they will include before the structure is completed.

This measure is urged for two reasons. One is that there is a limited amount of space for office purposes in Washington, that a large number of buildings have been rented by various Government agencies, and that by putting up this building, twice the size of the Commerce Department Building, on lands west of the Potomac the Government will be able to save some money. I understand that at present the Government has an appropriation of a little less than $4,000,000 a year for rental purposes. However, there is no other great department in the city which has less building space leased than the War Department. In the testimony in the short and limited hearing before the committee on last Tuesday the statement was made that the War Department is now leasing 110,000 square feet out of some million or more square feet of leased premises. This project is not merely for aiding the civil purposes of the War Department; it is also for the purpose of relieving congestion in departments which have nothing whatever to do with national defense. It does seem to me there is no reason why we should consider the matter of expanding room for all the various agencies in Washington by attaching to an appropriation bill for national-defense purposes an amendment of this kind.

It does seem to me before any action is taken we ought to proceed further into what this bill means, what it is going to cost, and whether there is going to be any real economy or not. I have called attention to the fact that General Somervell submitted the project to the committee only on Tuesday of last week. That seems to have been a very hurriedly arranged meeting of the committee for the purpose of hearing just this proposition, and, apparently, very little else was considered, except that General Reybold and Commissioner Reynolds made statements on the general matter of office space for Government departments.

We are going to build this structure, if we build it at all, with borrowed funds, which will mean approximately an interest charge of 2½ percent per annum on $35,000,000 plus the cost of improvements in Arlington County, plus the cost of a bridge or a tunnel or something of that sort to relieve the terrible conditions with respect to traffic which will result, and we find in addition to this that the general estimates the annual depreciation cost at about 2½ percent. Instead of an original cost of thirty-five millions the total may run to twice that sum.

Comment on the project touches upon many angles, but County Manager Hanrahan, of Arlington County, points the way to ultimate costs in the Washington Post of July 25:

ARLINGTON'S NEED FOR UNITED STATES AID INCREASED

Admittedly dazed by the War Department's sudden proposal to construct a $35,000,000 central building in Arlington County, Frank C. Hanrahan, county manager, announced yesterday the county would have to increase by several millions its recent application for $2,000,000 in Federal funds for extension of public services.

At the same time the House Rules Committee yesterday opened the way for immediate action on the proposal when it approved a special rule which would waive all points of order against the $35,000,000 appropriation.

Thus the proposal will come up in the House Monday as part of the $8,000,000,000 supplemental defense appropriations bill.

ENOUGH TO MAKE ONE DIZZY

The new building, to house all War Department offices and a personnel of 40,000, is to be erected on the site of what was formerly the Arlington Experimental Farm, on the south side of the Virginia entrance to Memorial Bridge. Arlington County officials already have been working for the past several weeks on the estimates for extending water and sewer mains, school facilities, and roads, the need for which has been created by the recent influx of defense workers, the development of Washington Airport, and the enlargement of Fort Myer and Arlington Cantonment.

On the basis of these needs, Hanrahan said, the county was prepared to go before the priority board in Alexandria next Tuesday and ask for $2,000,000 in Federal funds under provision of the Lanham Act, which offers Federal aid to communities affected by defense workers.

Now the estimates will have to be drastically changed and revised upward.

"It's enough to make one dizzy," Hanrahan exclaimed.

THOUSANDS WILL MOVE IN

In the House hearing Thursday it was pointed out by sponsors of the project that, with the construction of the new War Department Building, thousands of workers there will likely move into Arlington County.

"It's a most unusual problem to face in an area of only 24 miles," Hanrahan said.

"All these Federal improvements present an unprecedented challenge in American municipal life, and it is fortunate that Arlington County has proper planning and zoning laws, as well as a modern police and fire system, to meet the new developments."

The county manager asserted that the county had not sought the improvements but that they were a natural result of the area's proximity to Washington.

Hanrahan pointed out that each time the Federal Government took over some of the county's land the county lost a source of taxation but he added:

"I have great faith in the Federal Government's sense of fairness."

Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain clippings from Washington papers on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Mississippi [Mr. COLLINS] may have permission to extend his remarks in the RECORD in two particulars.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FIRST SUPPLEMENTAL NATIONAL DEFENSE APPROPRIATION BILL, 1942

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, when this matter was before the House on Friday, I made remarks in explanation of this situation, and I think if you will peruse those remarks in the RECORD you will get an accurate account of it. The gentleman from Wisconsin [Mr. HULL] was quite within his rights, of course, in making the point of order, and now we are considering a resolution to waive points of order, particularly against this proposal.

Through the courtesy of the Committee on Appropriations, I attended the hearings held before that committee with reference to this proposed construction. On the following day the Committee on Public Buildings and Grounds held hearings of its own, looking into the feasibility of this construction. We were very much impressed with the testimony presented to us, as was the Committee on Appropriations. I think there is no greater economist in this body than our distinguished friend from New York [Mr. TABER], who on Friday spoke in approval of this measure and the type of construction contemplated by it. The testimony before the Committee on Public Buildings and Grounds, which committee gave its unanimous approval to this matter, shows, in the first place, that $3,000,000 a year in rented space will be saved by this construction and that in the course of 12 years that saving itself would pay for the entire building.

The War Department is now occupying 17 different buildings in the District of Columbia, and included among those buildings are the Social Security Building and the Railroad Retirement Building, and the agencies for which those buildings were originally designated have never yet been able to occupy them. They have been taken care of by rented space in the District of Columbia. So from the standpoint of savings in rentals alone, 12 years would pay for this structure.

It will increase by at least 25 percent the efficiency of the War Department in having all of its agencies and activities under one roof. In addition to this it will release the Munitions Building for the use of the Navy Department, which is also very much in need of additional space, and thereby obviate any necessity for additional appropriations to provide space for that great department. In addition to this, it will obviate the necessity, at least for the present, of the construction of the second unit of the War Department building heretofore authorized and one unit of which has been constructed, which would be turned over to the Navy Department and thereby not only assist in taking care of the space needed by the Navy Department but also centralize in one location of the city the various activities of the Navy, which is the very thing that is contemplated for the Army in this proposed construction of a building for that Department.

This is to be a permanent building that will last for 100 years. It is to be built on Government-owned land, and, as I stated on Friday, I do not believe there has been a more feasible and sensible and practical building project presented to the Committee on Public Buildings and Grounds, on which I have served for many years, during the time I have been a member of that committee. The War Department certainly needs any possible increase in its efficiency in these critical times, and so does the Navy Department. One of the high officers of the War Department who appeared before our committee testified that his offices now are in four different places in the city of Washington and that he loses 2 hours a day going from one to another. In addition to this, our constituents from all over the country who come here for conferences frequently require 2 or 3 days to locate and get in contact with the parties whom they really came to consult. So, by all means, I say it is feasible and practical and sensible and economical, in addition to its efficiency, to pass this legislation which has been approved after hearings both by the Committee on Public Buildings and Grounds and by the Committee on Appropriations.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, if it is necessary to construct this War Department building at a cost of $35,000,000, we ought to come in here in the regular way and argue the question pro and con and then vote upon it. We should not permit the Rules Committee to come in here with a closed rule, with 25 Members of the House present, and say you have got to take it or leave it, regardless of the merits of the question of whether the building is necessary or not. It does not seem to me that that is the proper way to legislate, and I am opposed to it. Two months ago, or less, the Army began to occupy a new War Department building which you had constructed for the Army at a cost of six millions or more. Now they say it is too small and they want to move out. Think of it—after 2 months of occupancy of the present building they find that it is too small and they want to go somewhere else. That is the way I view the situation all the way down that we are doing here in Washington, regardless of any committee. We are going so fast in spending money that the Congress does not know where it is going, that the Army does not know where it is going, that the Navy does not know where it is going, and God knows the administration does not. I say you are going into bankruptcy and probably revolution at home. I hope not, however, but I can see no salvation from it.

Mr. POWERS. Mr. Speaker, will the gentleman yield?

Mr. RICH. No; I have not the time. We have appropriated in this Congress $33,311,000,000, and you are now asking for $7,100,878,256.01 in this bill. With the waste and extravagance that have been shown and the way things are going on, with the extravagance of this administration, I think the World War will sink into insignificance when everything is revealed in the extravagances that take place today. It seems to me that you cannot spend these fabulous sums and do it in a way that will be satisfactory and helpful to the American Nation. I do not believe it is possible. In 1941 and 1942 we appropriated for war $27,200,000,000, and now you are asking in this bill for $7,000,000,000 more, which will make the staggering sum of $34,000,000,000 for war in 2 years. Where are you going, where are you taking this Nation? No place, except to national bankruptcy and ruin. There are no men on the Appropriations Committee—certainly there are no men who are financially able in this House of Representatives, in my judgment, who know how to spend this money and spend it wisely in so short a time. If this Nation were trying to pursue what the President termed a year or so ago "a good-neighbor policy," certainly we would not be doing what we are now doing. He would not be trying to have such men as Willkie, Knox, Stimson, Ickes, and others drag us into this war, and that is what they are trying to do, in my judgment, and I am opposed to it in every way I can be. War in Europe or Asia for us spells ruination for America.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Speaker, the chairman of the Rules Committee has reported a rule which, if adopted, makes in order the consideration of H. R. 5417, a bill entitled "to provide revenue, and for other purposes." The rule allows several days' general debate but prohibits any amendment to the bill except amendments offered by the Committee on Ways and Means.

I believe the bill is badly in need of amendment, and for that reason I shall oppose the rule. By voting for the rule, I virtually give my approval to the bill and to the new principles of taxation which it contains and which I think are basically wrong.

I refer specifically to the following: First, the joint returns of husband and wife living together; second, the proposal to tax outdoor advertising.

The joint return has been severely condemned by many of our leading churchmen, such as Bishop Manning, of New York; the various bar associations; and the majority of the businessmen and the thinking women of the country. The adoption of the joint return will only serve to antagonize many of our best citizens and produce little revenue.

The proposal to tax outdoor advertising to the tune of millions of dollars and the failure to impose even one penny of additional tax on advertising in magazines and newspapers is grossly unjust and discriminatory. Could anything be more unfair? I do not think so and I am further of the opinion that the publishers of magazines and newspapers should be the first ones to protest such a tax inequality. Aside from the terrific subsidiary to magazines and newspapers, in postal rates, which are in excess of $80,000,000, the newspapers are paid, at their regular rates, for every inch of Government advertising, while the outdoor advertising boards are always, in part at least, covered by free copy of the Federal Government, State governments, municipalities, Nation-wide campaigns for the Red Cross, charity drives, American Legion, tuberculosis, cancer, safety, hospitals, fraternal and religious organizations.

This tax proposal makes no allowance for space not rented but requires the advertising company to pay a tax even where it may not be receiving one cent of revenue from the board.

It has always been considered economically unsound to tax a stimulus to a business, such as advertising, rather than

the income produced by business. This proposed tax on outdoor advertising will violate that principle. Do not let us make the fundamental error of taxing advertising.

I am sure that every industry in this country is anxious and willing to cooperate with the President and this Congress in our efforts to raise sufficient revenue to meet the obligations of our Government, but we should not ask or expect an industry to accept a burden which might possibly cause financial ruin. Unless something is done to distribute the tax so that it will apply to all forms of advertising, including newspapers and magazines, we will be saddling on one form of advertising, "outdoor advertising," an unbearable load and to do this will be a rank injustice.

The Committee on Ways and Means has time, until tomorrow, to change the bill so as to meet my objections and at the same time to do justice to all forms of advertising. I hope the committee will act promptly and fairly.

President Roosevelt recently urged the business leaders of the country to increase their advertising appropriations because such expenditures mean more employment for the skilled trades, artists, and sales people. "Advertising," he said, "gives people a desire for the better things of life and helps to maintain morale." To tax advertising would run counter to the President's wishes.

William E. Beehan, Esq., attorney of New York City and recognized authority on advertising and tax legislation, informed me this morning that no notice was ever given to the interested parties by the Ways and Means Committee on the advertising item in the tax bill, nor was there a public hearing. Mr. Beehan emphatically protested the action of the committee on this involved subject without proper and mature deliberation. He expressed, on behalf of the outdoor advertising industry, a perfect willingness to sit around the table with the officials of the Treasury Department and the Joint Committee on Taxation of the Congress and assist in the preparation of a tax program on advertising which would produce the expected revenue from this item without being confiscatory and unfair.

I respectfully ask the Committee on Ways and Means to give serious consideration to my views and take the necessary action to correct the palpable defects in the bill. I appreciate the attention given my remarks by the House and I trust that I may have the cooperation of each and every Member of the House in my efforts to remedy this glaring error as regards taxes on outdoor advertising.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DIRKSEN] 3½ minutes.

Mr. SABATH. Mr. Speaker, I yield the gentleman 1½ minutes.

The SPEAKER. The gentleman from Illinois [Mr. DIRKSEN] is recognized for 5 minutes.

Mr. DIRKSEN. Mr. Speaker, this undertaking to spend $35,000,000 for a new building is rather disturbing. Some day the military imperatives will be at an end. Every war has an ending, and that will be the case with the present conflict. When the last war ended there were 918,000 people on the pay roll in the District of Columbia. That was on the 11th day of November 1918. That number finally dwindled to 510,000 in 1922, a diminution of about 400,000.

This is only my fifth term in Congress, but I can remember when Chinatown was at the base of the Capitol and the Mall was strewn with temporary war buildings. When the imperatives and necessities were at an end, they had to be torn down. Here is a building proposed to house 30,000 people, to stand over across the Potomac River. You can ride to the present War Department for 20 cents. It will cost you at least 60 cents to go over there in a taxicab and 60 cents back. We may not need all that space when the war comes to an end. Then how will we distribute the personnel in the District of Columbia and what will we do with the space, if there is extra space? It is a very appropriate question at the present time as to whether or not, when these necessities come to an end, we will need that building, and the time to look at it is now, and not after awhile when the plans are drawn. It is all in a rather nebulous state at the present time, and I am rather disposed to part company with my friends on the Appropriations Committee on this thing until I have had another look at it.

I still believe we can decentralize some of the agencies of government, send them into the field, where they are closer to the functions that they translate today, and make available some space that the War Department can use.

My good friend the gentleman from Texas [Mr. LANHAM] said a moment ago that 12 years hence this building will pay for itself. May some kind providence grant that we shall not be in an emergency for another 12 years and have this staggering pay roll. So you cannot accept a speculative building, seeking to amortize its cost on the basis of a saving over a 12-year period, when this emergency may blow up within the next 6 months or a year. Every Christian man or woman in the world hopes that somehow this great conflagration will come to an end speedily, and when it does, will we need a $35,000,000 monument on the other side of the Potomac? I have some doubt about the wisdom and desirability of the course. So at the moment at least I certainly am not reconciled to another $35,000,000 edifice of concrete and masonry for the War Department, because I do not believe, on a long-term basis, a case in behalf of this item has been made.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the chairman of the Subcommittee on Appropriations, the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Speaker, if this were a proposition to put up a building, as is suggested here, just to house the War Department during this emergency, of course the remarks of my friend, the gentleman from Illinois [Mr. DIRKSEN] would be absolutely correct. If we will remember back a little bit, those of us who have had to deal with this proposition, before the so-called emergency arose, a year or so ago, we were going all over Washington renting everywhere we could, spending millions of dollars every year for rented space for the expanded agencies of government. That was before the present emergency.

The building herein contemplated can ultimately take care of 40,000 people. We asked the War Department the very question that the gentleman from Illinois [Mr. DIRKSEN] has raised, What about later, if the day comes—and we hope it will come—when you will not have to have so many people? They said, "If that day comes we will welcome an opportunity to get into one place all the records of the War Department." They have all the records of the World War, very important and very valuable records, scattered in Washington in various places. The records of the present emergency are assuming voluminous proportions. Not only that, but if the time comes when the War Department does not need all of that space there will be a splendid opportunity to house some of the other agencies for which we are now renting space. But the War Department today is in 17 buildings in the city of Washington. A large part of the time of high-ranking Army officers and important officials is spent in taxiing all over town, running from one office to another.

The erection of this building will enable the whole War Department, with its records, to go under one roof. It will enable the whole Navy Department, with its records, to be concentrated in one group. It will relieve the Social Security Building so that it can move into the building which we erected for them. It will relieve the Railroad Retirement Board so that that agency can go into the building we erected for them. It will turn back more than 2,000,000 square feet of space which the War Department is using in other buildings and release it to agencies that are paying rent. We should save the equivalent of $2,500,000 to $3,000,000 on rent. Not only that, there is now available $2,000,000 to build a temporary building over on that same area. We will not have to expend that amount.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. VORYS of Ohio. How soon would this building be built?

Mr. WOODRUM of Virginia. They testified they could build it in a year. They could have a million feet of space ready in 6 months. It is to be a utilitarian type of building. There are no frills or ruffles. There are no elevators, no trimmings, no gymnasiums, or the like. It is to be a building designed for maximum service.

Mr. RICH. Why do we not eliminate a great many functions of government that have been set up in the last 6 or 8 years? Why do you not do as the administration promised in 1933, decrease Government expenses by 25 percent? Then there might be room enough in Washington for the War Department without the need of what we are doing here.

Mr. WOODRUM of Virginia. I will not quarrel with the gentleman's observation, but the proposition we are dealing with now is to get the War Department under

one roof where they can function efficiently.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. McGREGOR. Is it not true that this $35,000,000 covers everything, even office equipment and parking facilities?

Mr. WOODRUM of Virginia. The gentleman is correct.

Mr. Speaker, the Public Buildings and Grounds Committee, the Appropriations Committee, the Public Buildings Administration, the Rules Committee, the Budget, the War Department, every group that has considered this project has approved it because for the first time we have approached the problem of relieving a shortage of office space in Washington in a logical manner. We had presented to us as a substitute a proposition to build four buildings—one at Suitland, one at Beltsville, one at Bethesda, and one over across the river, spreading them out in a very illogical fashion. I feel that this is one of the best things we could possibly do for the defense program, providing the War Department with office facilities where they can attend to their business in a businesslike way.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, I wish to ask the chairman of the committee whether testimony was taken by the committee in respect of the traffic situation that would result from this building being located across the river?

Mr. WOODRUM of Virginia. The Department testified that it would not affect the traffic situation. They estimated that from 17 to 20 percent of the people who now work in the War Department live on the other side of the river. There will be access to this proposed building over the Key Bridge, from Georgetown, over the Fourteenth Street Bridge, the widening of which has already been proposed, and over the Memorial Bridge; and the traffic going over the bridges would be going one way in the morning and the other way in the afternoon; there would not be a convergence of peak traffic on the bridges from different directions. This coupled with certain underpasses that can be constructed we think will greatly relieve traffic congestion, because it will take 10,000 cars off the streets of the city and put them on the other side of the river.

Mr. CASE of South Dakota. The gentleman possibly has noticed in the Washington papers recently a renewal of agitation for a subway under the river. Did any testimony before the committee relate to the matter of a subway?

Mr. WOODRUM of Virginia. That matter was not gone into, and I think it should not have anything to do with this bill.

Mr. FISH. Mr. Speaker, I yield the balance of my time to the gentleman from New York [Mr. TABER].

The SPEAKER. The gentleman from New York is recognized for 3 minutes.

Mr. TABER. Mr. Speaker, I am for this rule because I believe the erection of this building means economy. I believe that the saving to be effected comes not from the saving in rents or from the saving in operating expenses but from an increase in the efficiency of the War Department; and with a tremendous program involving $30,000,000,000 of expenditures in the next couple of years in sight it is absolutely necessary that we get everything under one roof so they can function without having to operate shuttle cars from one building to another all the time. Many of the buildings in which the War Department is now located are upward of a mile apart.

Let us look at it from another angle. It will be the type of building that the Navy Department now occupies, and the Munitions Building. It is a departure from the program of monumental structures in Washington. Let me remind you that there has just been completed 1 building with a capacity of 2,500 workers which cost $6,000,000. On this basis to house the 40,000 workers it is expected will be required by the War Department would cost a total of $96,000,000 as compared with an expenditure here of $35,000,000.

When unsettled conditions throughout the world quiet down enormous space will be required for records and that sort of thing. By erecting this building we will get rid of having to spend $15,000,000 for the second unit of the War Department, we will get rid of the necessity of having to spend $2,000,000 for temporary structures, $6,500,000 carried in the present estimates of the Budget, and I believe we shall be able very largely to reduce the Records Library that has been provided for the War Department at a cost of $4,500,000. So there is a direct saving of approximately $25,000,000 in addition to getting the War Department under one roof in shape so it can function. I believe this building should be built; that it will prove to be a step for economy.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, if there is one Member of the House who should be against this proposal, it should be me, because I have been advocating relieving the overcrowded conditions in this city. I am afraid the erection of this tremendous building will not aid my cause, but I realize the need for this building. When gentlemen like the gentleman from New York [Mr. TABER], and others, when the Committee on Public Buildings and Grounds and the Appropriations Committee both unanimously report the project favorably, and when gentlemen from the War Department whom I consider men of extraordinary ability, all urge the need of this project, I am constrained for the time being to press my efforts for decentralization. I hope that in the near future, however, that very thing will take place. I realize it cannot be done now as to the War Department.

The gentleman from Pennsylvania [Mr. RICH] again criticizes, but as between the viewpoint of the gentleman from Pennsylvania on the one side and these gentlemen I have mentioned on the other, I come to the conclusion, as did the Committee on Rules, that the judgment of the latter should prevail. Contrary to the gentleman's statement that it is a gag rule, it is not a gag rule. Unfortunately, that will come tomorrow. It merely permits consideration on the proposal by the House and does not gag anybody. Members will have full opportunity to debate it and vote for or against it. The rule merely makes this possible.

EXTENSION OF REMARKS

Mr. MAGNUSON. Mr. Speaker, next week, the city of Seattle will hold what is known as the Potlach celebration which commemorates the signing of a treaty with the Indians. I ask unanimous consent to insert in the RECORD a speech made by Chief Seattle at the time of the signing of that treaty. He was a proud old Indian. For the first time this has been translated from the original Duwamish tongue.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. MAGNUSON]?

There was no objection.

FIRST SUPPLEMENTAL NATIONAL DEFENSE APPROPRIATION BILL—1942

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. HULL) there were—ayes 65, noes 21.

So the resolution was agreed to.

REVENUE ACT OF 1941

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 279, Rept. No. 1065), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5417, a bill to provide revenue, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 days, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, and rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

FIRST SUPPLEMENTAL NATIONAL DEFENSE APPROPRIATION BILL, 1942

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House

on the state of the Union for the further consideration of the bill H. R. 5412, with Mr. LANHAM in the chair.

The Clerk read the title of the bill.

Mr. HULL. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HULL: Strike out lines 10 to 25, inclusive, on page 34 and lines 1 and 2 on page 35.

Mr. HULL. Mr. Chairman, notwithstanding the adoption of the rule and the fact that we are now about to consider legislation in an appropriation bill, I have offered an amendment to strike out that provision in the pending measure. It will give those of you who do not believe that at this time, when we need funds for equipment for our national defense, at this time when there is such a dearth of revenue that we are about to enact a new revenue bill, at a time when the people are looking to the Congress to reduce the civil expenditures, an opportunity to at least express your will as to whether or not you think the War Department should have a new and palatial structure, twice as large as the Empire Building in New York, erected on the west bank of the Potomac River at a cost that will run to fifty or sixty million dollars.

I cannot agree with some of the figures that have been quoted here. As near as I can estimate, on a $35,000,000 cost alone the annual interest and depreciation charges would be $1,750,000; and when you figure in the group rates, when you figure in the tunnel under the river, when you figure in the new sewer system that we shall have to install in Arlington County, the custodial costs, highway improvements, and so forth, there will be an overhead charge far in excess of any so-called economy, which it is now figured by some will be approximately $4,000,000 a year.

I have previously stated my objection to including in a national-defense measure, a national-defense program, a huge appropriation for the purpose of relieving the crowded office conditions of the numerous other departments rather than that of the War Department alone.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. HULL. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. What is the amount of space available for housing the War Department now as compared with the situation in 1916–19?

Mr. HULL. I am sorry; I have not those figures. The fact is, I have had little opportunity to study this question. I cannot give the gentleman a statement on that.

Mr. SMITH of Ohio. I wonder if there is any less space now than there was then?

Mr. HULL. No; there is far greater space. As a matter of fact, the War Department is scattered through 17 buildings in Washington. If we can judge anything from the Dupont Circle Apartment situation, every time some people find a pretty good proposition here in the way of rentals, the building is rented to some Government department.

The fact remains that we have before us the proposition, Shall we strike out $35,000,000 for a new office building from this $8,000,000,000 defense bill? That is the proposition which my amendment involves and which I submit for your consideration.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 25 minutes, the last minutes to be reserved to myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I do not wish to quarrel with anybody concerning his idea of how the Government should be operated. If I could see some relief and security to America in the things we are doing, I would want to be for them. I am for the defense of America 100 percent, but I certainly do not and cannot go along with the things we are trying to do nowadays to get us into this war in Europe. If America gets into this war now through interfering with events in Europe, Asia, or Africa, to the extent that it causes us to send our men abroad, after the experience we had in the World War, when every American citizen I know of said, "It will never happen again," then I believe we are the biggest bunch of lunatics that ever lived. That is a pretty broad statement, but I believe that if the American people are going to be forced into this situation against our wills, we are in pretty bad shape, and we will be in worse shape when it is over.

We can protect America. We can take care of America if we do the things that will take care of America. When the Monroe Doctrine was put into force it had three principles. The first was that we would allow no more colonization by the peoples of Europe, Asia, or Africa in the Western Hemisphere. The second was that we would not interfere with things in Europe, Asia, or Africa. The third was that we would not permit them to interfere in North or South America, or the Western Hemisphere.

What are we doing? Are we obeying the Monroe Doctrine, the doctrine that was always so sacred? I say no. We certainly are going far afield. We are permitting a lot of people, who are desirous of getting us into this war, to create public sentiment, and the first thing you know the American people will believe what they say about our entering the war. Such propaganda is un-American.

When you turn on the radio in the morning, the first thing someone says, "We want you to buy defense-saving bonds," or "We want you to come over to help England," or "We want you to do this and we want you to do that" to defend democracy. Who is behind all this? I believe the people who are behind it are the ones who are being persecuted in Europe, the ones who have investments in Europe and in Asia which they do not want to lose. They are the American bankers and the American businessmen who want to do business in those countries, and want American protection for their investments. They want young American men to go over there and support them and fight for them.

What are you doing? You appropriate great sums here. They are staggering sums. Thirty-four billion dollars you are asking the American people to cough up for war in 2 years. You can spend more money here in an hour's time than the Committee on Ways and Means can raise in months. They have been working for the last 3 or 4 months trying to get a tax bill that will raise $3,500,000,000.

Are we in our right mind in going so far? To collect $3,500,000,000 from American taxpayers is a great job. For Congress to spend $7,000,000,000 seems trivial. If I felt any danger of anybody in Europe or Asia coming over here across 3,000 miles of water, I would become alarmed, but I am not. I fear subversive activities in America ten times more than I fear Hitler or Stalin or Mussolini or anybody else coming over here to attack America. You heard the gentleman from New York [Mr. FISH] this morning say how well our Army is organized in only the few months of training they have had. We can defend America, but we do not want to go to war in Europe or Asia.

It seems to me we ought to cut down some of our appropriations and save a little bit some place somewhere, sometime. This administration promised to cut down on the regular functions of Government, but it has not done a thing. Nor, in my judgment, it will not do anything to save a dollar of regular appropriations. You are fooling as well as financially wrecking America. They have no one to blame more than the President, who is permitting it to go on; he says nothing about it. He, more than any other person, is responsible.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, may I inquire of the gentleman from New York [Mr. TABER] what is the available office space now for the Army and Navy as compared with that available during the World War?

Mr. TABER. I have not the slightest idea about the World War space. I do know that at the present time the Army has officers and civilian employees to the number of 25,200, as against approximately 6,000 2 years ago, and this number is increasing at the rate of 2,000 per month. I could not give the gentleman any idea as to the World War figures.

Mr. SMITH of Ohio. Can the gentleman from Virginia give me those figures?

Mr. WOODRUM of Virginia. I cannot; and I can say to the gentleman that I do not believe they would mean anything because the effort and the job are not in any way comparable.

Mr. SMITH of Ohio. I thank the gentleman.

It seems to me that is a rather important question that should be answered. If we need more office space to house these two Departments now than we did during the World War, it appears to me that we ought to have some figures showing that to be the case. From the very lack of such figures it seems to me there

has not been made out a very good case for this appropriation.

I feel like the gentleman from Pennsylvania and some of the other Members that in a time like this we should be making the most effort possible to be sparing and economical. It is a question in my mind as to whether the danger of bankruptcy here is not about as grave as the danger of military attack from the outside. After all, in the long run it is going to mean everything to us as to whether or not we retain our financial structure. In fact, an adequate defense cannot be built except upon a sound financial structure. There is no question in my mind about that.

I want to be shown that the providing of this expensive structure for the Army and Navy Departments will really enhance the efficiency of these two Departments sufficiently to justify this expenditure. That has not been shown.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Ohio.

Mr. McGREGOR. Does not the gentleman believe that if we are saving 2,000,000 feet of floor space per year at an annual rental of $3,000,000, that would be a saving?

On last Thursday when this bill was explained figures were given showing that this is one expenditure that would result in a saving and carrying forward the plan of economy that we on our side of the aisle so desire. The whole War Department would go in this building and in this way stop the running from one building to another that is taking up so much time of our officials. In other words, we would have about 25 percent more efficiency in our Army, as was shown to our committee. I am for economy but I also believe that it pays to carefully investigate these items and where it can be shown that in the end we save money we should agree to the expenditure. I think this is a very feasible and practical proposition. Let us stop paying high-priced rent and really save the taxpayers some money.

Mr. SMITH of Ohio. I would answer the gentleman in this way. If you empty a building in Washington it will not be very long until that building is refilled by some other agency. If you could show me where this space was really going to remain vacant, that would be quite another thing, but we are in the mood of building up a bureaucracy by increasing our Government personnel and I do not believe we can expect that there will be any space really saved by this proposition.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. AUGUST H. ANDRESEN. We cannot win wars with buildings. Apparently, what we need in this country for our national defense are bombers and more bombers. This $35,000,000 would build 350 big bombers costing $100,000 apiece and that would go a long way toward winning any difficulty we might get into. We cannot win by building buildings.

Mr. SMITH of Ohio. I agree with the gentleman.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman.

Mr. REES of Kansas. Nobody seems to know how long this condition is going to last, but it is going to take about 2 years to complete this building or it will be that length of time before it will be useful.

Mr. McGREGOR. If the gentleman will yield, the evidence before our committee is that a million square feet of floor space will be available in 6 months and the entire building completed in 11 or 12 months.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. AUGUST H. ANDRESEN. I understand the report is quite current around here that they want these big buildings and large facilities so we can police the world after the war is over and, maybe, that is one reason why this building is called for.

Mr. SMITH of Ohio. I think so. There is no evidence to show that we have less space available now than we had in the last war, and we certainly have not the war personnel we had at that time, and we hope it will not be necessary to build an army of that size. I feel that the evidence to sustain this proposition is hardly satisfactory.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN] for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, there is no doubt but what the committee can justify the expenditure of this amount of money by figures showing a decrease in rent that will follow. This is always true, I guess, of any request for an appropriation, but the thought that comes to me is this. We are going to be asked in a few days to vote to break faith with the men who were drafted into the Government service. Those men were told they were being drafted for national defense. We now know they were drafted for and are going to be used, if that measure goes through, for an offensive war. The ground for that request is the statement that this Nation is in great and immediate danger from abroad. If that statement is true, what do we need? A building? Or do we need arms and munitions of war—which is it, or can we have both? You may say we can have both, but that cannot be true because we learn from Henderson that automobile production is to be cut in half, or cut some such figure, because of lack of materials. We learn from the Priorities Board that some such cut is going to be made all the way through. I do not believe there is a Member from a manufacturing community on the floor now who has not had letters to that effect, and these factories throughout the country will have to discharge men because they cannot get the material to operate. And yet we are going to put some appreciable portion of $35,000,000 worth of materials into this War Department building. There would be just as much sense, to my mind at least, in a dairy farmer building a whale of a big barn to house his cattle when he did not have any pasture land and no feed for the cows—just as much sense and no more. What is the use of pouring our money into this building when you know very well we have not enough money to buy guns and planes and ships, which we must have. When you know, too, that every day the press carries notices of another strike which always, or so far at least, has resulted in an increase of wages recommended either by the National Defense Board or by the National Labor Relations Board. I know I will be criticized for objecting to these increases in wages, but every time wages are increased you decree, absolutely, without any exception, that you are going to get less for the Nation's dollar by way of defense—every time, and in addition the cost of living goes up so the wage earner is no better situated than before.

It does seem that we should give attention to some of the essential things—"first things first"—and we should learn, as I tried to find out this morning from a gentleman on the majority side, and it is about time that we learned what we are going into this war for. If you have a prize fight it is a 5- or 10- or 15-round fight. If you have some other kind of a fight, a lawsuit, or a street brawl, the fellows who engage in it have some objective; they have some point to which they are driving. Now, what is it that England wants? The gentleman who answered me this morning referred to me as an emissary of the German people. Of course, that man knew, as do the Members of the House, there was not one single word of truth in that statement. I represent no one except the people of my district and incidentally the people of this country, and the people of this country are asking now and they are going to continue to ask not Congress as a whole but every individual Congressman who comes up for reelection in 1942 and 1944; they are going to ask you all, What are you fighting for? What is your objective? Why are you sending our boys to Europe?

Now, I say in all fairness to the men who are going to be killed in this war, in all fairness to the people who are going to pay the cost of this war, why not let England tell us on what terms she will settle this controversy, this war into which she and the President are dragging us.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, it is too bad, if we are going to spend $30,000,000,000 for airplanes and tanks and all those things that we need, if we do not put the executive and administrative forces that are to do that thing under one roof, and get the matter in shape so that we can have efficiency and expect some efficiency out of the officers and men who are called into the service at this time. At the present time we have 17 different buildings using approximately 2,300,000 square feet of space, and there are 25,200 officers and men at this time in those buildings. From that standpoint, with a growth of 2,000 a month, it means that we will have to go ahead and spend millions of dollars on

temporary buildings and spread them all over where they cannot be together, where they cannot function efficiently, or go ahead and put the whole thing under one roof. If we put it all under one roof, we can save $15,000,000 now authorized for the second unit of the War Department, $2,000,000 already appropriated for temporary buildings, six million and a half that has been asked for by the Budget at the present time for more war buildings, and undoubtedly eight or ten million dollars more that will be asked for in the future as we go along and scatter them all over. Why is it not better to get rid of the monumental type of structure and have an efficient building such as the Munitions Building is at the present time, 3 stories high, without elevators, and put the whole thing under one roof, where it is accessible. I am in favor of this because I believe it promotes efficiency in the War Department. I believe the saving out of the $30,000,000,000 that will have to be spent will amount to more than $35,000,000 that this building is going to cost.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. REES of Kansas. Thirty-five million dollars seems like a lot of money for the sort of building that the gentleman has in mind. I have in mind that the Mellon Art Gallery cost about $15,000,000. Does the gentleman think the entire cost of $35,000,000, or is it not likely that the whole business will cost considerably more, in view of the fact that you are going across the Potomac into Virginia? Are you not going to be compelled to spend more money for highways and bridges and sewers, and will that not run up to fifty or sixty million dollars?

Mr. TABER. Thirty-five million dollars covers the total cost, including equipment in the building. The highway is there now, the junction of that old Mount Vernon Highway, running from the end of the Arlington Bridge, and the road running up by the cemetery are all there, all done. We may have to have some sewers and some water supply in addition to what is now available, but that will be comparatively a minor item. It will be included within that figure, as I understand, and I also understand the work on the lot across the road for parking, in the land available there. There will not have to be a dollar spent on highways beyond what has already been laid out by the Bureau of Roads. It will put this thing in shape where we can save practically $25,000,000 already and probably $10,000,000 more that will be asked for, for temporary structures; so that I do not believe it will cost a dollar more than a temporary proposition.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I think it is well to have this discussion because I think by having it we can clear up some things. I believe that almost any Member of this House, any gentleman here who has spoken against this proposition, had he sat with either the Committee on Appropriations or the Committee on Public Buildings and Grounds and listened to the testimony, would have seen the situation somewhat differently.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. HOLMES. The gentleman refers to the Committee on Public Buildings and Grounds. Unfortunately I could not attend the hearings of the Committee on Appropriations, but if I had I would have probably taken a different view than other members of the committee who reported favorably upon the matter, because right on the eve of starting an investigation in respect to decentralization of the departments in Washington, to provide additional space, you come in with this proposition requesting $35,000,000 for a building across the Potomac River. You authorized them to make this investigation.

Mr. WOODRUM of Virginia. I cannot yield further to the gentleman. The gentleman will have to excuse me. I would have been glad to have given the gentleman time if I had known it, but I only have about 3½ minutes now instead of 5.

Someone has referred to this as being a palatial building. It is purely a utilitarian building of concrete and brick, costing $7 a square foot. You cannot build office buildings any cheaper than that. That is the type building it is to be. There is to be no strategic material in it.

Somebody said, "You cannot defend the Nation with office buildings. You need bombers." That is true. We have commissioned the Army to spend $25,000,000,000—including the money in this bill—for training and equipping an army, for buying the munitions necessary for them; to build cantonments to house them; to buy planes and tanks and to build plants to manufacture this equipment. We have commissioned the Army to do that tremendous job. There is no more important part of the national defense than that the Army have the personnel and have it ready to be able to do an efficient job in building and spending and buying these materials and equipping just such an army as the gentleman from New York [Mr. FISH] spoke of today. The direction and planning of this program is centered in the War Department, and its efficient execution depends upon giving the Department adequate facilities in which to transact the departmental business expeditiously and with as little lost motion as possible. We are handicapped in Washington by having our War Department scattered around in 17 different buildings, which are badly crowded. General Somervell told me it took most of his time every day running from one building to another to see his own people, and then coming up on the hill to appear before some congressional committee. The responsible officers in the Department are all in the same situation.

Somebody has said something about the traffic situation. This should not aggravate the traffic situation, which is bad there now. It is bad on all sides of Washington. It is bad coming in from Maryland. I think this building would not aggravate it at all. People can get over to it from the Francis Scott Key Bridge coming from the District of Columbia into Virginia. That is not congested traffic, because that lane of traffic is open in the morning. They can go to it across the Arlington Memorial Bridge. That lane is open in the morning. They can go to it over the Highway Bridge from Fourteenth Street. The lanes of traffic going out of Washington are open all morning and to put the traffic in that lane relieves the situation in Washington. When you take care of them on the other side by underpasses so they do not have to cross each other, that relieves the situation. So I do not see why this should aggravate the traffic situation at all, and I know that by putting the War Department under one roof and giving them this facility, it will not only add to their efficiency but will enable us to put Government agencies in Government-owned property and get out of some of these expensive rented apartments, stores, garages, and buildings that we are presently renting in the District of Columbia.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. RANDOLPH. In the very able discussion which the gentleman makes of the traffic problems in the District I am pleased to advise the House that the Commissioners have before them at the present time an over-all highway plan involving some $44,500,000. The District Committee is at present considering legislation which would bring about sufficient funds to make it possible to carry forward the great street and highway improvement program which is increasingly being found vital to the functioning of our National Capital.

Mr. WOODRUM of Virginia. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

All time has expired.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. HULL].

Mr. BENDER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the enacting clause stricken out.

The CHAIRMAN. The motion is not made in the order which makes it in order.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. HULL].

The question was taken; and on a division (demanded by Mr. HULL) there were ayes 15 and noes 65.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. This act may be cited as the "First Supplemental National Defense Appropriation Act, 1942."

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise at this time to call the attention of the Members to the fact that in this bill provision is made for $50,000,000 for the building of 48 more new shipways.

I have risen continually during the 6 months of this session in opposition to the expanding and building of new shipways while we have existing facilities

throughout this country that are not in use. I understand that on the Great Lakes alone they have 48 ways idle today. The gentleman from New York [Mr. FISH] has stated on this floor many times that there are shipyards in his district idle. Along the Mississippi River and in other places there are idle shipyards, while we are expanding and building new ones.

As I have stated before, in my district there is one of the best shipyards on the North Atlantic coast that is idle today. On July 9, 1938, the Maritime Commission made a survey or inspection of this yard, and I want to read into this RECORD a part of their report:

The six shipways are in excellent condition, except possibly for the underwater portions, the condition of which could not be determined. The ways themselves are of concrete set on solid rock and in substantially as good condition as when constructed. The overhead craneways serving the shipways are also of concrete construction and in substantially as good condition as when constructed except, of course, for the ties which have been removed.

The ways are sufficiently long for any of our cargo vessels. The yard as a whole insofar as existing buildings and other fixed equipment are concerned is in general good condition far superior to that which I have observed in any other wartime shipyards. It would be entirely practical to utilize same for a shipyard provided the necessary rehabilitation was undertaken.

It also goes on to say there is plenty of labor available in that locality. This report was made on July 9, 1938, when the Maritime Commission was considering the building of cargo ships. It was only a few weeks ago that a subcommittee of the Committee on Naval Affairs of this House inspected this shipyard. They recommended to the Navy Department that if there was to be any further expansion at the Electric Boat Corporation for the building of submarines in that vicinity this yard should be utilized.

There has been considerable question with regard to the amount of labor available in that vicinity. Let me call attention to figures supplied to the department of labor of the State of Connecticut. Within a 30-mile radius of that yard in January 1941 there were 12,106 men on the active file of the employment office. In February of 1941 there were 13,290 on the active files. In March of 1941 there were 12,841 idle men in that vicinity. Let me read you now portions of a letter I received from the Union Label Trades Department of the American Federation of Labor on July 3, 1941:

Knowing of your interest in bringing about the operation of the Groton Iron Works in New London, Conn., it occurred to me that you would be interested in knowing the attitude of officials of the American Federation of Labor, who are in a position to furnish the type of skilled workers required for the successful conduct of this enterprise.

It has been reported in the columns of the daily press that opposition has developed to the reopening of this plant due, it was stated, to a shortage of labor in the vicinity of New London.

During the past 3 weeks I have made a very careful survey among the officers of the unions having jurisdiction over shipyard workers. I am authorized to say to you that we shall experience no difficulty in furnishing a complete complement of workers in this vicinity.

This letter is signed by I. M. Ornburn, secretary-treasurer.

[Here the gavel fell.]

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FITZGERALD. I have a letter here from H. W. Brown, international president of the International Association of Machinists, dated July 3, 1941, from which I read this paragraph:

I am writing to assure you that if the Groton Iron Works plant is reopened we, of the International Association of Machinists, can furnish the needed machinists and machine-shop workers without persuading employees of establishments now engaged with defense work to leave their present employment.

Here is another letter from Mr. Fitzgerald, general secretary-treasurer of the International Union of Operating Engineers. In it he makes this statement:

Please be advised that our organization is in position to furnish a full complement of hoisting and stationary engineers, their helpers, and apprentices without interfering with or interrupting the present regular operation of neighboring competitors.

The general representative of the International Hodcarriers, Building and Common Laborers' Union of America has this to say:

This is to assure you that the International Hodcarriers, Building and Common Laborers' Union of America is in the position to furnish all of the semiskilled and unskilled labor required for the complete operation of this yard in the event you are successful in prevailing upon the Government agencies to reopen this property.

The Pattern Makers' League of North America writes the following:

Our records show that we are in a position to supply the pattern makers needed without withdrawing any from industries doing defense work.

Then I have a long letter from the International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America; and I have a number of other letters, all to the same effect—that skilled help is available in the vicinity of this yard.

This shows conclusively that within 30 miles of this yard there is all the labor necessary to its full and complete operation.

I say that ships are necessary. At the present time all the ports of the country are filled with munitions of war that we cannot move from this country to Great Britain and to the other countries we are trying to help; and I say it is a crying shame. This yard and other yards in the country that are closed should be reopened. Instead of spending millions for the building of new yards we should be using these idle yards.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. HOLMES. Did not Admiral Land tell the gentleman and his colleague from Connecticut when they interceded for the opening of that yard that New England already had got the hog's share of shipbuilding and should not have any more?

Mr. FITZGERALD. The gentleman is right; that is what Admiral Land said.

Mr. HOLMES. I want to add to the testimony of the gentleman from Connecticut by saying that during the World War the Groton Iron Works was turning out wonderful freighters. They are in position to turn them out of any size and any speed the Government wants, but here are six ways that have been lying idle for 2 years and we are crying for ships and freighters. I do not wonder that the gentleman from Connecticut feels his district is being discriminated against.

Mr. FITZGERALD. It is my opinion, Mr. Chairman, that if ever an investigation was needed it is needed in this case, and should be made by Members of this House. It is pretty nearly time the Members of the House knew the true situation.

[Here the gavel fell.]

Mr. BENDER. Mr. Chairman, I move to strike out the last three words.

Mr. RICH. Mr. Chairman, will the gentleman yield for a question?

Mr. BENDER. I yield.

Mr. RICH. The gentleman from Connecticut said, "our Allies." I ask him, Allies in what?

Mr. FITZGERALD. The democracies, the countries we are trying to help. I want to defeat Hitler and I do not want to wait 4 years to do it. I want to do it right now, and one way to do it now is to provide facilities to transport munitions to those countries that are doing the job.

Mr. BENDER. Mr. Chairman, I cannot yield further. I have but 5 minutes.

Mr. Chairman, I hope the gentleman from Wisconsin [Mr. HULL] will exhaust every means to get a vote on his amendment.

Here we are about to expend $35,000,000 for another building to help make this emergency permanent. That is exactly what you are doing when you erect a structure to house thirty to forty thousand people, even though it will not be a monumental structure. You are helping to make the emergency permanent.

It is not only the initial expense; it is the expense in filling those offices, in providing smiling faces to fill the fine-cushioned seats in that building permanently. It will provide an incentive to keep more people on the Government pay roll long after this emergency has passed.

At this time, when there is a shortage of material, a shortage of equipment, we should economize so far as new buildings are concerned. Any soldier boy will tell you that in his camp there is not sufficient equipment, yet here we are with a shortage of skilled labor building a structure costing the taxpayers more than the Mellon Art Gallery has cost, and you know what a fine building that is. The War Department complains that it is housed in 17 buildings and the officers have to go from one building to the other, but Members of Congress every day are called upon to run errands for their constituents not to 17 buildings but possibly 70 different departments. That is a daily procedure. We are working at it all the time; we are using the telephone; we are personally running errands to these places so that we may get information for our constituents.

On one major goal the entire United States of America is agreed. We must

have the strongest military and naval force anywhere on the face of the globe. Whatever may be our differences of viewpoint on a thousand and one other matters of policy, we are united in our determination to build for defense. This united determination will not be satisfied with anything less than maximum performance.

But what is the record? How have we utilized the tremendous productive capacity of our industrial plants? Have we used the time at our disposal advantageously? Have we built the armed forces of our country to a satisfactory stage of development in the last year?

The answers are disappointing. In the last year our armament output has equaled less in material results than Europe produces in 2 months. Our year's production of military supplies equals what England, besieged and battered by war, turns out in only 3 months. Our requirements in ships, airplanes, tanks, ammunition, rifles, machine guns are tremendous. With the single exception of planes, our production is comparatively insignificant.

Congress has authorized huge expenditures. Our Government has at its disposal $45,000,000,000 for armament purposes. The sum is regarded as sufficient to build a two-ocean navy, to purchase full equipment for 1,500,000 men in the field, and to supply Britain with many of her needs. Of this sum of $45,000,000,000 the Army, Navy, and British purchasing commissions have placed contracts totaling $18,000,000,000. American industry has turned $7,000,000,000 of these orders into actual materials of war.

How much of these $7,000,000,000 went into the manufacture of weapons? The figures tell us that only $3,000,000,000 worth of military aircraft, guns, ammunition, tanks, and ships have been built. The other $4,000,000,000 were spent to erect camps, to furnish clothing, to provide food, and to do the thousand and one other things necessary for the creation of a preparedness program.

Only by actual comparisons can we realize the inconsequential size of this effort. Our own Government officials calculate the present output of European war industry at the figure of $2,000,000,000 per month, or $24,000,000,000 a year. The British Empire is turning out war supplies at a rate believed to be worth $1,000,000,000 monthly. We are doing less than half as well, with a productive capacity of at least five times as much.

What all this means to the United States is all too easy to discern. Our defense today is still on order. We are lagging far behind in the competitive race for rearmament which has swept across the world. Our Government experts had predicted an all-out drive in arms production for June. Now it has been postponed until October or November.

Perhaps the most critical single weapon in modern warfare is the airplane. We have concentrated on plane production as the No. 1 necessity in the last year. In 12 months' time our factories have built 10,500 planes, one-half of them equipped for fighting service and the remainder usable for training. The speed-up here is impressive.

But even here, Nazi Germany is outdistancing us. Our Army and Navy together have some 8,000 planes, including trainers, fighters, and bombers. Germany is reported to have more than 20,000 aircraft of all types, and the Nazi rate of production is flowing along evenly while we are making desperate efforts to catch up. But catching up will not be nearly enough. Our rate of manufacture must exceed anything of which Germany is capable to satisfy the needs and demands of the American people. We have just decided to develop a program of long-range bomber construction. It will be at least 2 years before this program begins to achieve tangible results.

In still other areas of preparedness, the record is no less discouraging. In the last 12 months, the combined energies of every American enterprise dealing with the building of cargo ships produced little more than $800,000,000 worth of shipping. Merchant ships may play a critical role in the ultimate outcome of this war. But the number of ships built is most unimpressive in comparison with the monthly records of tonnage being destroyed by Axis submarines, airplanes, and surface craft. To date, we have planned the building of 442 ships, but the first ships scheduled for delivery will not be ready until November. The big years are still far behind the hills in 1942 and 1943.

The figures of our naval building program are regarded as more satisfactory, but no details are offered by our Government to substantiate this optimism. We know that some launchings have taken place ahead of schedule, but we do not know how heavily armored our new fighting craft may be. We do not know what new materials have been used to furnish protection from air attack and from bomb splinters.

Our development of an adequate defense machinery for tanks, guns, and ammunition is of no less importance than the production of our air fleet. In the last year we have begun to realize the difficulties in the way of ordnance manufacture. We are producing light tanks at the rate of 450 per month. This will give us 5,400 a year, but our goal is listed at 30,000. To get them will take more than 5 years. We have laid plans to build medium-weight tanks, but these will start rolling out of factories no sooner than fall of this year. Our 80-ton tanks are still in the talking stage.

The entire defense picture is still in the sketching stage after 2 years of conversation. The famous howitzers, so useful in the World War, are practically nonexistent in the United States Army. Our production of powder is still described as a bottleneck item. For the tanks we are building, there are not enough shells available or in production.

These are the facts. They reveal shortages in our equipment for defense which cannot be ignored without danger to the Republic. The administration has asked virtually unlimited authority to deal with our defense program. It has requested huge congressional appropriations. They have been voted. The responsibility for our long delays can be squarely fixed. It lies at the door of the national administration.

We have given complete and wholehearted support to the Government in every defense plan it has formulated. We deserve better results. We must have them speedily if our program is to succeed.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 5412, making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the "ayes" had it.

Mr. RICH. Mr. Speaker, I make the point of order there is not a quorum present.

Mr. McCORMACK. Will the gentleman from Pennsylvania withhold that point of order? I understand the gentleman made the point of order that a quorum is not present?

Mr. RICH. Yes.

Mr. WOODRUM of Virginia. I know what the gentleman from Pennsylvania has in mind. He is objecting to the building of this new War Department building, but may I point out that the only vote on a roll call would be a vote for or against the defense bill, and I am sure the gentleman knows that the vote would be favorable.

Mr. RICH. We want a vote on that amendment, which we thought we would get in the committee and which we withheld because the majority leader requested it. We want to accommodate the majority any time we can. If we cannot vote on the amendment, then we ought to vote the bill down and let them bring in a new bill eliminating some of the things that are already in it.

Mr. WOODRUM of Virginia. I have never seen the gentleman when he was dilatory. I know he is persistent, but he is not dilatory. The gentleman knows the House will not vote down this defense bill as a whole. If he insists, it will be put off a day. I may say that the other

body wants to start hearings tomorrow. It is very important to pass this bill as quickly as we can.

Mr. RICH. I do not want to be dilatory, but we are spending money rapidly and fast, and we ought to put the Members of the House on record. We ought to let the country know who is doing this spending. Then they will know back home and they will have an opportunity next year to say, "We want new Congressmen," or they will say they are willing to have you come back and spend, and then they will see what a wreck we will have later on.

Mr. McCORMACK. May I say that my purpose in asking the gentleman from Pennsylvania to withhold his point of order was that if the gentleman insisted, I was going to ask unanimous consent to carry out the gentlemen's agreement? Of course, on the particular matter the gentleman has in mind, it is impossible to obtain a vote on that. The vote on final passage would be on the appropriation bill as a whole. The way to have gotten a vote on the proposed War Department building would have been to have offered a motion to recommit with instructions to strike out this particular item, but that has gone by now.

Mr. RICH. Will the gentleman yield so that I may ask the gentleman from Virginia [Mr. WOODRUM] a question?

Mr. McCORMACK. Certainly.

Mr. RICH. Is it necessary, in your judgment, that this bill be passed today?

Mr. WOODRUM of Virginia. Every day counts, I may say to the gentleman. We are told that the Senate committee has scheduled a hearing tomorrow on the bill.

Mr. RICH. All I want you to do is to record me as being against the bill.

Mr. WOODRUM of Virginia. I will be glad to do that.

Mr. RICH. If you will see that I am properly recorded, then I will not detain the House. You can go ahead and pass the bill, but I am against it.

The SPEAKER. Does the gentleman from Pennsylvania withdraw his point of order?

Mr. RICH. I withdraw my point of order, Mr. Speaker.

So the bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I have not conferred with the minority leadership, but assuming that the distinguished gentleman from Michigan [Mr. MICHENER] would have no objection, in view of the fact that the consideration of the tax bill will begin tomorrow, I ask unanimous consent that the business in order on Calendar Wednesday of this week be dispensed with.

Mr. MICHENER. That is the understanding.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the proposed St. Lawrence seaway in relation to transportation.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short article on New Jersey farm incomes.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

(Mr. ANDERSON of New Mexico asked and was given permission to extend his own remarks in the RECORD.)

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD a brief article concerning a technical library in Denver which has been of great benefit to the men in the service of the Army there as well as to other persons.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ZIMMERMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the death of Hon. Edward D. Hays, who formerly lived in the district which I have the honor to represent.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech made by Father John O'Brien, of Notre Dame.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DELANEY, indefinitely, on account of illness.

HAVE REPUBLICANS SUPPORTED NATIONAL DEFENSE?

The SPEAKER. Under a previous order of the House, the gentleman from Alabama [Mr. PATRICK] is recognized for 30 minutes.

Mr. PATRICK. Mr. Speaker, you know I have been trying to make a little talk here and get some facts and figures into the RECORD, showing how the Republicans have voted on defense bills. The reason I have been so anxious to deliver this little talk is that the minority leader, who, unfortunately, is not here today, took occasion to announce to the press and to the country that the Democrats are responsible for our lag in national defense. I feel that it is just the same as if a vote had been recorded "aye" when the vote was actually "no," or vice versa, and that we ought to show by the record here what are the facts. So I have gone back to 1935 and on down to date, reviewing those cases in which bills were introduced and voted upon in this Congress having to do with national defense. From the time the table is started I have tried to skip no vote on the subject. If any have been left out, it is an oversight. There are some back of those I worked up that I would be glad to have covered today, but 30 minutes somehow flits by when going over figures.

I am afraid that the Republican gentlemen have in national defense been a little bit like Buck Ducobage was when he got ready to go home for lunch. He said, "I am going home for dinner now. If dinner is ready, I ain't going to eat a bite, and if it isn't, I am going to raise sand."

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. If the gentleman will allow me to yield in the last 15 minutes——

Mr. TABER. This is very important right now.

Mr. PATRICK. I will yield in the last 15 minutes, if I can get this first 15 minutes in.

Mr. TABER. The gentleman does not want to be interrupted so that the facts can be brought out.

Mr. PATRICK. I would like to, if I can——

Mr. WILSON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Indiana makes the point of order that a quorum is not present.

Mr. PATRICK. That is the third time. It seems to me that the gentlemen of the Republican ranks do not want the facts and figures to be revealed to the people of this country.

The SPEAKER. The gentleman from Alabama will suspend. A point of order has been made.

Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I am going to move that the House adjourn.

Mr. PATRICK. Mr. Speaker, will the gentleman yield to me?

The SPEAKER. The gentleman cannot yield. Nothing is in order but a motion to adjourn or a motion for a call of the House.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 23 minutes p. m.) the House adjourned until tomorrow, Tuesday, July 29, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Tuesday, July 29, in the caucus room, for consideration of House Resolution 264.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, July 30, 1941, to consider private bills.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will start hearings in room 346, old House Office Building, on Wednesday, August 6, 1941, at 10:30 a. m. on H. R. 5234, to amend the Judicial Code in respect to the jurisdiction of the Court of Claims in certain cases. (Mr. SUMNERS of Texas.)

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

788. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 9, 1941, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Neuse River, N. C., with a view to improvement for navigation and flood control between the Johnston County line and New Bern, authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 327); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

789. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 20, 1941, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Cayuga, Buffalo, and Cazenovia Creeks, N. Y., authorized by an act of Congress approved July 30, 1937 (H. Doc. No. 326); to the Committee on Flood Control and ordered to be printed, with two illustrations.

790. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 23, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Mississippi River with a view to modification of the existing project, particularly at and in the vicinity of Sabula, Iowa, requested by resolution of the Committee on Flood Control, House of Representatives, adopted August 2, 1939 (H. Doc. No. 328); to the Committee on Flood Control and ordered to be printed, with an illustration.

791. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 25, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Gloucester Harbor and Annisquam River, Mass., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted October 8, 1938 (H. Doc. No. 329); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

792. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 29, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of Inner Harbor, Block Island, R. I., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted March 26, 1940, and the Committee on Commerce, United States Senate, adopted March 5, 1940 (H. Doc. No. 330); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

793. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 29, 1941, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Port Angeles Harbor, Wash., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 331); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

794. A letter from the Secretary of War, transmitting a report of contracts awarded under the act of March 5, 1940; to the Committee on Military Affairs.

795. A letter from the Acting Secretary of Commerce, transmitting a draft of a proposed bill to amend the act of February 14, 1931, as amended so as to permit the compensation on a mileage basis, of civilian officers or employees for the use of privately owned airplanes while traveling on official business; to the Committee on Expenditures in the Executive Departments.

796. A letter from the Acting Secretary of the Interior, transmitting a copy of the legislation passed by the Municipal Council of St. Croix, Virgin Islands of the United States; to the Committee on Insular Affairs.

797. A letter from the Acting Secretary of the Interior, transmitting a copy of legislation passed by the Municipal Council of St. Thomas and St. John, Virgin Islands of the United States; to the Committee on Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. H. R. 4769. A bill authorizing the designation of Army mail clerks and assistant Army mail clerks; with amendment (Rept. No. 1062). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee of conference on the disagreeing votes of the two Houses. S. 1524. An act to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940; (Rept. No. 1063). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 278. Resolution waiving points of order against provisions in H. R. 5412, making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; without amendment (Rept. No. 1064). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 279. Resolution providing for the consideration of H. R. 5417, a bill to provide revenue, and for other purposes; without amendment (Rept. No. 1065). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 666. A bill for the relief of Frank Kasner; with amendment (Rept. No. 1042). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 793. A bill for the relief of Marie V. Talbert and her sons James Osborn Talbert and Dewey Talbert; with amendment (Rept. No. 1043). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 1854. A bill for the relief of Walter M. Ziegler; with amendment (Rept. No. 1044). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 2462. A bill for the relief of William Schoeb; with amendment (Rept. No. 1045). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 2726. A bill for the relief of George Kennedy; with amendment (Rept. No. 1046). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 2962. A bill for the relief of John C. Martin; with amendment (Rept. No. 1047). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 2963. A bill for the relief of Flossie Bivins; with amendment (Rept. No. 1048). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 3174. A bill for the relief of H. L. Reppart, E. J. Terrill, Lloyd M. Blanchard, E. J. Corman, Hazel Ann Clark, O. E. Henkle, Alva E. Home, Robert F. Mason, Paul E. Jackson, W. F. Tannahill, Alton A. Register, Walter E. Crabb, Guy A. Murray, Wilson E. Stroup, Lorraine Giesy, and Katherine M. Holt; with amendment (Rept. No. 1049). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3185. A bill for the relief of the State of Oregon, Department of Forestry of the State of Oregon, and certain organized protection agencies in the State of Oregon for protection of unappropriated public-forest lands intermingled with Oregon and California lands from July 1, 1938, to June 30, 1939; without amendment (Rept. No. 1050). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 3472. A bill for the relief of Oscar C. Wollan, Fred F. Diel, Laura I. Martin, Jane E. Koppes, and Helen Olson; with amendment (Rept. No. 1051). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H R. 3643. A bill for the relief of Kehl Markley, Jr.; with amendment (Rept. No. 1052). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 4061. A bill for the relief of Louise L. Kapfer; with amendment (Rept. No. 1053). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 4561. A bill for the relief of Mrs. Della Thompson; with amendment (Rept. No. 1054). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 4778. A bill for the relief of Delbert E. Libbey; without amendment (Rept. No. 1055). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 4998. A bill for the relief of Lt. Daniel Elliott and Helen Elliott; with amendment (Rept. No. 1056). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 5206. A bill for the relief of Nettie Woolfolk Montague and Jerry L. Woolfolk and others; with amendment (Rept. No. 1057). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. S. 755. An act for the relief of W. W. Carlton; with amendment (Rept. No. 1058). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. S. 1251. An act to amend Private Act. No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes; with amendment (Rept. No. 1059). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. S. 1392. An act for the relief of

Homer J. Swope; without amendment (Rept. No. 1060). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. S. 1709. An act conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States to I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc.; without amendment (Rept. No. 1061). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 4604. A bill for the relief of Doris Mongol Rai; without amendment (Rept. No. 1066). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CARTER:

H. R. 5425. A bill to permit the steamship *Port Saunders*, official No. 220150, and the steamship *Hawk*, official No. 220149, to engage in the fisheries; to the Committee on the Merchant Marine and Fisheries.

By Mr. COLLINS:

H. R. 5426. A bill to exempt salaries of persons in military or naval forces from income tax; to the Committee on Ways and Means.

By Mr. MAY:

H. R. 5427. A bill to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment; to the Committee on Military Affairs.

By Mr. TENEROWICZ:

H. R. 5428. A bill making eligible for citizenship any alien not racially ineligible to naturalization heretofore admitted to the United States for permanent residence under special act of Congress; to the Committee on Immigration and Naturalization.

By Mr. VOORHIS of California:

H. R. 5429. A bill to provide for the payment, after the termination of service, of additional compensation to certain persons on account of service in the land or naval forces of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. MAGNUSON:

H. R. 5430. A bill amending the Nationality Act of 1940 to permit certain aliens whose childhood was spent in the United States, if eligible to citizenship, to become naturalized without filing declaration of intention; to the Committee on Immigration and Naturalization.

By Mr. RANDOLPH:

H. R. 5431. A bill to consolidate the police and municipal courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. WICKERSHAM:

H. R. 5432. A bill to amend Public Law No. 74 of the Seventy-seventh Congress relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. WEISS:

H. J. Res. 223. Joint resolution redistricting congressional Representatives of the several States; to the Committee on the Census.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States to consider their Senate Joint Resolution No. 40 with reference to the Brooks' Lincoln holiday bill; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 5433. A bill for the relief of the guardian of Charles Jirinec, an infant; to the Committee on Claims.

By Mr. ROLPH:

H. R. 5434. A bill for the relief of the East Asiatic Co., Inc.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1694. By Mr. CROWTHER: Petition of sundry citizens of Fulton County, N. Y., protesting against the retention of the selectees beyond the 1-year period; to the Committee on Military Affairs.

1695. By Mr. JOSEPH L. PFEIFER: Petition of the Brooklyn Botanic Garden, Brooklyn, N. Y., opposing consideration and passage of the Murdock bill, H. R. 2675, to open the Organ Pipe Cactus National Monument, Ariz., to prospecting and mining; to the Committee on the Public Lands.

1696 By Mr. LUDLOW: Petition of Arthur W. Macy, president of the Indianapolis Association of Credit Men, for an estimated $2,031,000,000 saving for national defense; to the Committee on Military Affairs.

1697. By Mr. CASE of South Dakota: Resolutions adopted by the South Dakota State Livestock Committee at the annual meeting in Pierre on June 17, 1941, relating to problems of concern to agricultural and livestock interests; to the Committee on Agriculture.

1698. By Mr. ROBERTSON of North Dakota: Petition of the Townsend Club, No. 1, of Bismarck, N. Dak., urging enactment of House bill 1024, which would abolish payment of poll taxes as a requirement for voting; to the Committee on the Judiciary.

1699. By the SPEAKER: Petition of the city of Cleveland, Ohio, petitioning consideration of their resolution with reference to the problem of decentralization of the large industrial cities; to the Committee on Public Buildings and Grounds.

SENATE

TUESDAY, JULY 29, 1941

(Legislative day of Monday, July 28, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Thou Creator and Giver of Life, Thou Spirit of Wisdom and Source of all Thought, Who dost inspire Thy children to yearn for Thee, and hidest not Thyself from those who seek for Thee: Look down from the habitation of Thy holiness, O Lord, and teach us the things that belong to Thy peace. For Thy thoughts are not our thoughts, neither are our ways Thy ways; and as the heavens are higher than the earth, so are Thy ways higher than our ways, and Thy thoughts than our thoughts. Lift us up, we beseech Thee, to Thy presence, O Lord, that we may see Thee more clearly, love Thee more fully, serve Thee more faithfully and build Thee more surely Thy Kingdom upon earth. We ask it in the name of the Master Builder, who in lowly service revealed to us the fullest life, Thy Son, Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, July 28, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed a bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 49) providing for the printing of additional copies of the bill and report on the bill H. R. 5417, Revenue Act of 1941, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 505. An act making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States; and

S. 1580. An act to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a petition from Mrs. Minnie Klepper, of South Euclid, Ohio, praying that the United States immediately engage in war against Germany; to the Committee on Foreign Relations.

A letter in the nature of a petition from Pvt. Charles Taylor, Company L, Fifty-third A. M. Regiment, Fort Bragg, N. C., a draft selectee, praying that he be released from military service on account of his age, stated as 36 years; to the Committee on Military Affairs.

Petitions of sundry citizens of the United States, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of McPherson, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTION OF MAYOR AND COUNCIL OF MANITOWOC, WIS.

Mr. WILEY. Mr. President, I present and ask unanimous consent to have printed in the RECORD and appropriately referred a resolution by the mayor and Common Council of the City of Manitowoc, Wis., relating to the aluminum situation.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas the aluminum industry in the United States has been hard hit because of shortage of aluminum in our country, thus throwing many thousands of people out of work in our city and county; and

Whereas the aluminum plants in Manitowoc and Two Rivers are equipped to manufacture many other defense products not requiring the use of aluminum metal; and

Whereas the O. P. M. of the Federal Government has had several representatives in Manitowoc and Two Rivers for the purpose of meeting with the representatives of the various aluminum industries in these communities, with a view of aiding these plants in securing defense contracts which do not require the use of aluminum metal: Now, therefore, be it

Resolved by the mayor and Common Council of the City of Manitowoc, That we urge upon the Federal Government to do everything within their power to give our aluminum plants contracts to manufacture defense products needed by our Government which do or do not require the use of aluminum metal, so that the employees of these plants may be able to put their employees now out of work back to work, which otherwise may require many of these employees to go on relief; be it further

Resolved, That a copy of this resolution be sent to the O. P. M. of the Federal Government and to our representatives at Washington.

Introduced July 21, 1941.
Adopted July 21, 1941.

W. C. RANDOLPH.
JOHN J. ZAGRODNIK.

RESOLUTION OF GREEN BAY (WIS.) ASSOCIATION OF COMMERCE

Mr. WILEY. I also present a resolution of the Green Bay (Wis.) Association of Commerce, relating to the Social Security Board, which I ask to have printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Be it resolved by the Green Bay Association of Commerce by action of its board of directors in its regular meeting on July 11, 1941, That there should be no action taken by the Congress of the United States or the Social Security Board which would—

(1) Eliminate or in any way reduce or hinder the free action of individual employer experience rating which provides the most effective incentive to reduce seasonal and cyclical fluctuations in volume of employment.

(2) Impose Federal control of State benefit payments through introduction of benefit standards in the Federal Unemployment Tax Act.

(3) In any way tend toward nationalizing our present Federal-State systems of unemployment compensation; be it further

Resolved, That copies of this resolution be sent to the Green Bay representatives in the Congress.

GREEN BAY ASSOCIATION OF COMMERCE,
EARL S. WARD, *Executive Secretary.*

RESOLUTIONS OF FARMERS EQUITY UNION OF ST. CROIX COUNTY, WIS.

Mr. WILEY. I also present resolutions of the Farmers Equity Union, of St. Croix County, Wis., relating to several matters, which I ask to have printed in the RECORD and referred.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolved by the Farmers Equity Union of St. Croix County, That we ask for passage of the dairy bill (H. R. 6500) to provide all-around parity for the farmer. And that a copy of this resolution be forwarded to our representatives in Congress, urging them to actively support this bill.

Mrs. WALTER RICHTER,
Secretary, St. Croix County Farmers Equity Union,
Clear Lake, Wis.

Be it resolved, we reaffirm our stand of nonintervention in foreign wars.

Mrs. WALTER RICHTER,
Secretary, etc.

We, the St. Croix County Farmers Equity Union, reaffirm our stand on the farmers union debt adjustment bill, which would enable our farmers to retain possession of their homes by providing flexible credit and repayment.

Mrs. WALTER RICHTER,
Secretary, etc.

Whereas the private electric-power organizations are actively opposing the expansion of the R. E. A., which may constitute a menace to the R. E. A. cooperatives.

Therefore, we, the Farmers Equity Union, assembled in convention, oppose any such action and urge whole-hearted support of rural electrification through cooperatives. And urge our Congressmen to at all times do all possible in behalf of rural-electrification cooperatives.

Resolved, That a copy of this resolution be forwarded to our Congressmen and Senators.

Mrs. WALTER RICHTER,
Secretary, etc.

RECOGNITION OF CIVILIAN OFFICIALS AND EMPLOYEES ENGAGED IN CONSTRUCTION OF PANAMA CANAL—REPORT

Mr. PEPPER, from the Committee on Interoceanic Canals, submitted a report (No. 574) to accompany the bill (S. 1481) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal, heretofore reported by him from that committee without amendment.

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that today, July 29, 1941, that committee presented to the President of the United States the enrolled bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BAILEY:

S. 1794. A bill to declare abandoned the title of the city of Marquette, Mich., to certain land in the county of Marquette, and to vest control of such land in the Secretary of the Treasury for Coast Guard purposes; to the Committee on Commerce.

By Mr. WALSH:

S. 1795. A bill to provide for the security of United States naval vessels, and for other purposes; and

S. 1796. A bill to authorize transfer of enlisted men of the Naval and Marine Corps Reserve to the Regular Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. BANKHEAD (for himself, Mr. BARKLEY, Mr. HUGHES, Mr. HERRING, Mr. SMATHERS, Mr. DOWNEY, Mr. WHEELER, Mrs. CARAWAY, Mr. BILBO, Mr. STEWART, Mr. BUNKER, Mr. PEPPER, Mr. MEAD, Mr. SCHWARTZ, Mr. HILL, Mr. LA FOLLETTE, and Mr. LEE):

S. 1797. A bill to provide for improving the functioning of the cooperative features of the Federal Land Bank System; to establish a method for relieving Federal land-bank borrowers of stock liability, for organizing the Federal land banks and the national farm-loan associations as membership corporations, and for placing Federal land banks on a self-supporting basis and increasing the functions and responsibilities of national farm-loan associations; to establish a method for determining the interest rates on Federal land-bank and the Land Bank Commissioner loans; to provide for refunding and guaranteeing certain bonds of such banks; to establish a method for adjusting and refinancing agricultural indebtedness; to provide for limiting the taking of deficiency judgments by Federal land banks and by the Federal Farm Mortgage Corporation; and for other purposes; to the Committee on Banking and Currency.

HOUSE BILL REFERRED

The bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

EXTENSION OF SELECTIVE SERVICE—AMENDMENT PROVIDING ADDITIONAL COMPENSATION TO CERTAIN MEMBERS OF THE ARMED FORCES

Mr. DOWNEY submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes, which was ordered to lie on the table and to be printed.

LETTER AND STATEMENT FROM JESSE H. JONES REGARDING BRITISH LOAN

Mr. GLASS. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a letter and statement from Mr. Jesse H. Jones, Administrator of the Federal Loan Agency.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

FEDERAL LOAN AGENCY,
Washington, July 23, 1941.

Hon. CARTER GLASS,
United States Senate, Washington, D. C.

DEAR SENATOR GLASS: I enclose a statement given to the press concerning the $425,000,000 loan authorized by the Reconstruction

Finance Corporation to the United Kingdom of Great Britain and Northern Ireland, together with a list of the collateral to be pledged as security for the loan.

You will note that the value of the securities pledged is estimated at $500,000,000, although their going-concern value is estimated to be approximately $600,000,000. In addition, the loan will be secured by assignments of the earnings of the United States branches of 41 British insurance companies whose net asset values above obligations to policyholders, aggregate approximately $200,000,000.

Sincerely,

JESSE H. JONES,
Administrator.

With the approval of the President, and at the request of the Federal Loan Administrator, the Reconstruction Finance Corporation has authorized a loan to the United Kingdom of Great Britain and Northern Ireland of $425,000,000. The loan is made under specific authority granted the R. F. C. by Congress in an act approved by the President June 10, 1941, for the purpose of providing the British with dollar exchange without having to sell their securities and investments at forced sale. The proceeds will be used by Great Britain to pay for war supplies in this country contracted for prior to the enactment of the lend-lease bill.

The collateral includes securities of United States corporations listed on the New York Stock Exchange having an aggregate value at present quoted prices of approximately $205,000,000, unlisted securities of United States corporations estimated to be worth approximately $115,000,000, and capital stock of 41 British-owned United States insurance companies estimated to have an aggregate net worth of something over $180,000,000. The going-concern value of the insurance companies is substantially more than this figure. There will be no change in the control or management of these direct investments, including the insurance companies. Their financial position and stability will continue unaffected.

In addition to the foregoing, there will be assigned to the R. F. C. the earnings of the United States branches of 41 British insurance companies not incorporated in this country. The net assets of these branches in this country, evidenced by investments in the United States over and above reserves necessary to meet their policy obligations in this country is approximately $200,000,000, consisting largely of cash and United States Government securities.

The collateral will be pledged to the R. F. C. and deposited with a Federal Reserve bank as in the case of other loans made by the R. F. C.

The interest and dividends on the collateral, together with the earnings of the United States branches of the 41 British insurance companies, have averaged approximately $36,000,000 a year for the past 5 years, all of which will be applied to the payment of interest and principal of the loan.

The loan will bear interest at the rate of 3 percent per annum and mature in 15 years, provided that an extension for 5 years may be made if two-thirds of the principal has been repaid by the end of 15 years.

On the basis of the past 5 years, the available income would amortize the loan in approximately 15 years.

The funds will be available to the British as needed to meet their commitments at the approximate rate of $100,000,000 a month.

The listed and unlisted securities pledged include the stock or other securities of the corporations enumerated in the accompanying schedules:

LISTED SECURITIES

Thirty-five thousand shares Allied Stores Corporation, 5-percent cumulative preferred.

Nineteen thousand shares of Allis-Chalmers Manufacturing Co., common.

One hundred and thirty-three thousand shares Amerada Corporation, capital.

One hundred thousand shares American & Foreign Power Co., Inc., $7 first cumulative preferred.

Four thousand eight hundred shares American Locomotive Co., 7-percent cumulative preferred.

Ten thousand shares American News Co., capital.

One hundred and thirty-three thousand shares American Rolling Mill Co., common.

Fifty-six thousand shares American Smelting & Refining Co., common.

Four thousand shares American Sugar Refining Co., 7-percent cumulative preferred.

Seventy thousand shares American Telephone & Telegraph Co., capital.

Thirty-four thousand shares American Tobacco Co., B common.

Six thousand shares Arkansas Power & Light Co., $7 cumulative preferred.

Fifty thousand shares Barnsdall Oil Co., capital.

Thirty-five thousand shares Briggs Manufacturing Co., capital.

Thirty-six thousand shares Chrysler Corporation, common.

Nineteen thousand shares Columbia Gas & Electric Corporation, 6-percent cumulative preferred A.

Fifty-nine thousand shares Commercial Investment Trust Corporation, common.

Fifty thousand shares Commonwealth & Southern Corporation, $6 cumulative preferred.

Eleven thousand shares Consolidated Gas Electric Light & Power Co., of Baltimore, common.

Twelve thousand shares Continental Baking Co., 8-percent cumulative preferred.

Fifty-seven thousand shares Eastman Kodak Co., common.

Fifteen thousand shares Electric Power & Light Corporation, $6 cumulative preferred.

Twenty-seven thousand shares Flintkote Co., common.

One thousand three hundred shares First National Bank of the City of New York.

Ten thousand shares General American Transportation Corporation, common.

Four hundred and thirty-four thousand shares General Motors Corporation, common.

Thirty thousand shares Gillette Safety Razor Co., $5 cumulative preference convertible.

Eleven thousand eight hundred shares W. T. Grant Co., common.

Forty-four thousand shares Great Northern Railway Co., preferred.

Fifty-four thousand shares Ingersoll-Rand Co., common.

Thirty-four thousand shares Loew's, Inc., common.

Twelve thousand five hundred shares P. Lorillard Co., common.

Seven thousand shares Marlin-Rockwell Corporation, common.

Twenty-two thousand shares McGraw Electric Co., common.

Fifty-three thousand shares Monsanto Chemical Co., common.

Sixty thousand shares National Biscuit Co., common.

Eight thousand five hundred shares New York Air Brake Co., common.

Twenty-five thousand shares Oxford Paper Co., $5 cumulative preference.

Twenty-four thousand shares Public Service Corporation of New Jersey, common.

One hundred and seventy-seven thousand shares Radio Corporation of America, common.

Eight thousand shares Radio Corporation of America, $3.50 first cumulative convertible preferred.

Ten thousand shares St. Joseph Lead Co., capital.

Forty-seven thousand shares Sears, Roebuck & Co., capital.

Thirty thousand shares Servel, Inc., common.

Nine hundred thousand shares Shell Union Oil Corporation, common.

Seventeen thousand five hundred shares Simmons Co., capital.

One hundred and thirty thousand shares Socony-Vacuum Oil Co., Inc., capital.

One hundred and seventy thousand shares Standard Brands, Inc., common.

Three hundred and fifteen thousand shares Standard Oil Co. (Indiana), capital.

Thirty-six thousand shares Sterling Products, Inc., capital.

Nineteen thousand shares Timken Roller Bearing Co., common.

Thirty thousand shares Tri-Continental Corporation, $6 cumulative preferred.

Fifteen thousand shares United Shoe Machinery Corporation, common.

Twenty-one thousand shares United States Steel Corporation, 7-percent cumulative preferred.

Ten thousand shares Vick Chemical Co., capital.

Forty thousand shares Westinghouse Air Brake Co., capital.

Seven thousand shares Wheeling Steel Corporation, $5 cumulative convertible prior preferred.

Two hundred and forty-seven thousand shares F. W. Woolworth Co., capital.

Seventy-five thousand shares Youngstown Sheet & Tube Co., common.

Two million seven hundred and fifty thousand dollars par value American & Foreign Power Co., Inc., 5-percent debentures, March 1, 2030.

Three hundred and fifty thousand dollars par value Cities Service Power & Light Co., 5½-percent debentures, November 1, 1952.

Fifty thousand shares Celanese Corporation of America, 7-percent cumulative prior preferred.

Forty thousand shares Celanese Corporapar-value Cities Service Power & Light Co., participating preferred.

Two hundred and thirty thousand shares Celanese Corporation of America, common.

Thirty thousand shares Chicago Pneumatic Tool Co., $3 cumulative convertible preference.

One million two hundred and fifty thousand dollars par value Cities Service Co., 5-percent convertible gold debentures, June 1, 1950.

Eighty thousand shares Climax Molybdenum Co., common.

Three hundred thousand shares Congoleum Nairn, Inc., common.

Three million eight hundred thousand shares Dividend Shares, Inc., capital.

Four thousand seven hundred shares W. R. Grace & Co., 8-percent cumulative "A" preferred.

Four thousand one hundred shares W. R. Grace & Co., 8-percent noncumulative "B" preferred.

Three thousand four hundred shares W. R. Grace & Co., cumulative preferred.

Twenty-six thousand four hundred shares W. R. Grace & Co., common.

Seventy thousand shares Great Northern Iron Ore Properties, certificates of beneficial interest.

Fifty thousand shares International Paper & Power, 5-percent cumulative convertible preferred.

Fifty-seven thousand shares John Morrell & Co., common.

Nine thousand shares Pure Oil Co., 5-percent cumulative convertible preferred.

Ninety-five thousand shares Singer Manufacturing Co., capital.

One hundred and eighty thousand shares Standard Oil Co., Inc. (New Jersey), capital.

Thirty thousand shares United States & International Securities Corporation, $5 cumulative first preferred.

One million nine hundred and seventy-four thousand dollars par value Virginian Corporation, 5-percent collateral trust serial notes M, January 1, 1952.

UNLISTED SECURITIES

Six hundred and fifteen shares United States Potash Co., Inc., preferred stock, 6 percent.

Two hundred eighty-eight thousand seven hundred and fifty shares United States Potash Co., Inc., common stock.

Two thousand nine hundred and eighty shares Delta & Pine Land Co. of Mississippi, capital stock.

Three million dollars par value Delta & Pine Land Co. of Mississippi, first-mortgage bonds.

One million eight hundred thousand dollars par value Delta & Pine Land Co. of Mississippi, second-mortgage bonds.

Three thousand four hundred and thirty-four shares Delta Planting Co., capital stock.

Seventy-eight thousand seven hundred and twenty-two shares Linen Thread Co., Inc., capital stock.

Thirty thousand five hundred and ninety-five shares Yardley of London, Inc., 4½-percent preferred.

Eighty-seven thousand two hundred and forty-seven shares Yardley of London, Inc., common.

Six thousand shares Ferguson-Sherman Manufacturing Corporation, class A common.

One thousand five hundred shares Ferguson-Sherman Manufacturing Corporation, class B common.

Thirty-five thousand shares R. T. French Co., capital stock.

Fifty shares Atlantic Sales Corporation, capital stock.

Eight thousand four hundred shares Oldbury Electro-Chemical Co., capital stock.

Two thousand one hundred and seven shares Lea & Perrins, Inc., class A stock.

Five shares Lea & Perrins, Inc., class B stock.

Seven thousand shares Arkwright Finishing Co., capital stock.

Twenty thousand shares Interlaken Mills, capital stock.

Eight hundred fifty thousand two hundred and fifty shares Distillers Co., Ltd. (Delaware), capital stock.

Seven thousand five hundred shares Morganite Brush Co., Inc., capital stock.

Two thousand five hundred shares B. Priestley & Co., Inc., capital stock.

Two thousand six hundred and thirty-six shares Firth-Sterling Steel Co., 7-percent cumulative preferred.

Ten thousand one hundred and seventy-three shares Firth-Sterling Steel Co., common.

Twenty thousand one hundred and forty shares Keasbey & Mattison Co., capital stock.

Twelve thousand shares Funch, Edye & Co., Inc., capital stock.

Eleven thousand three hundred shares Twenty-five Broadway Corporation, capital stock.

One thousand and fifty-one shares Baker Perkins, Inc., 7-percent cumulative preferred.

Sixty-five thousand eight hundred and fifty-one shares Baker Perkins, Inc., common stock.

Three thousand seven hundred and fifty shares Pacific Molasses Co., Ltd., capital stock.

Five hundred shares A. J. White, Ltd., capital stock.

One thousand five hundred and fifty shares Menley & James, Ltd., capital stock.

Two thousand three hundred and ninety-eight shares Hecht, Levis & Kahn, Inc., capital stock.

Five thousand shares Crown Mills, Inc., 7-percent cumulative preferred.

Ten thousand shares Crown Mills, Inc., common.

One hundred shares F. W. Berk & Co., Inc., capital stock.

One hundred fifty-eight thousand three hundred and twenty-five shares American Association, Inc., capital stock.

One million four hundred eighty-six thousand seven hundred and fifty dollars par value American Association, Inc., income debentures.

Five thousand three hundred and ninety-four shares Mica Insulator Co., capital stock.

Seven thousand one hundred and sixty-four shares C. Tennant Sons & Co. of New York, capital stock.

Four hundred thirty-seven thousand three hundred and seventy-five shares American Thread Co., 5-percent cumulative preferred.

One million one hundred ninety-seven thousand three hundred and seventy-five shares American Thread Co., common.

Four thousand five hundred and eighty shares Joseph Tetley & Co., Inc., preferred stock, 8 percent.

Four thousand shares Joseph Tetley & Co., Inc., common stock.

Six hundred and ten shares Dunlop Tire & Rubber Corporation, 8-percent cumulative first preferred.

Thirty-one thousand six hundred shares Dunlop Tire & Rubber Corporation, 8-percent second preferred.

One hundred ninety-seven thousand three hundred shares Dunlop Tire & Rubber Corporation, common.

One hundred forty-five thousand shares J. & P. Coats (Rhode Island), Inc., capital stock.

One hundred eighty thousand shares Clark Thread Co. capital stock.

Eighteen thousand six hundred and seven shares Clark Thread Co. of Georgia, capital stock.

Eight hundred shares North Georgia Processing Co., Inc., capital stock.

Four thousand three hundred and ninety-nine shares Stowell-MacGregor Corporation, capital stock

Two thousand five hundred shares Spool Cotton Co., capital stock.

One hundred shares Jonas Brook & Bros. (United States of America), capital stock.

One hundred thousand seven hundred and sixty-five shares Dentists Supply Co. of New York, common.

One thousand and five shares F. W Cook Co., capital stock.

Seven thousand and twenty-nine shares Norma-Hoffman Bearings Corporation, 6-percent cumulative preferred.

Ninety-thousand shares Norma-Hoffman Bearings Corporation, common.

Ten thousand seven hundred and seventy-nine shares Ensign-Bickford Co., common stock.

One thousand shares Okonite-Callender Cable Co., Inc., 6-percent noncumulative preferred.

Seven thousand five hundred shares Okonite-Callender Cable Co., Inc., common.

Two hundred seventy-five thousand dollars par value Okonite-Callender Cable Co., Inc., 5-percent first-mortgage debentures.

Two hundred and fifty-five shares Pembroke Chemical Corporation, capital stock.

Two hundred and fifteen shares Josiah Wedgwood & Sons, Inc., of America, B capital stock.

UNITED STATES INSURANCE COMPANIES

American & Foreign Insurance Co.
Capital Fire Insurance Co. of California.
Eagle Indemnity Co.
Federal Union Insurance Co.
Globe Indemnity Co.
Newark Fire Insurance Co.
Queen Insurance Co. of America.
Royal Indemnity Co.
Seaboard Insurance Co.
Star Insurance Co. of America.
American Central Insurance Co.
California Insurance Co.
Columbia Casualty Co.
Commercial Union Fire Insurance Co. of New York.
Commonwealth Insurance Co. of New York.
Homeland Insurance Co. of America.
Mercantile Insurance Co.
Pennsylvania Fire Insurance Co.
Columbia Insurance Co. of New York.
Imperial Assurance Co.
Phoenix Indemnity Co.
United Firemen's Insurance Co. of Philadelphia.
Potomac Insurance Co. of the District of Columbia.
London & Lancashire Indemnity Co. of America.
Orient Insurance Co.
Safeguard Insurance Co.
Eureka-Security Fire & Marine Insurance Co.
Monarch Fire Insurance Co.
Sun Indemnity Co. of New York.
Sun Underwriters Insurance Co.
American Union Insurance Co. of New York.
Central Union Insurance Co.
Provident Fire Insurance Co.
Manhattan Fire & Marine Insurance Co.
Seaboard Fire & Marine Insurance Co. of New York.
Yorkshire Indemnity Co.
Eagle Fire Co. of New York.
Norwich Union Indemnity Co.
Albany Insurance Co.
Prudential Insurance Co. of Great Britain, located in New York.
Caledonian-American Insurance Co.

UNITED STATES BRANCHES OF BRITISH INSURANCE COMPANIES

British & Foreign Marine Insurance Co., Ltd.
Liverpool & London & Globe Insurance Co., Ltd.
Royal Insurance Co., Ltd.
Thames & Mersey Marine Insurance Co., Ltd.
British General Insurance Co., Ltd.
Commercial Union Assurance Co., Ltd.
Ocean Accident & Guarantee Corporation, Ltd.
Palatine Insurance Co., Ltd.
Union Assurance Society, Ltd.
North British & Mercantile Insurance Co., Ltd.
Ocean Marine Insurance Co., Ltd.
London Guarantee & Accident Co., Ltd.
Phoenix Assurance Co., Ltd.
The Union Marine & General Insurance Co., Ltd.
General Accident Fire & Life Assurance Corporation, Ltd.
Employers' Liability Assurance Corporation, Ltd.
Law Union & Rock Insurance Co., Ltd.
London & Lancashire Insurance Co., Ltd.
Marine Insurance Co., Ltd.
Standard Marine Insurance Co., Ltd.
Pearl Assurance Co., Ltd.
Sun Insurance Office, Ltd.
Maritime Insurance Co., Ltd.
Scottish Union & National Insurance Co.
Car & General Insurance Corporation, Ltd.
Royal Exchange Assurance.
State Assurance Co., Ltd.
London Assurance.
London & Provincial Marine & General Insurance Co., Ltd.
Yorkshire Insurance Co., Ltd.
Indemnity Marine Assurance Co., Ltd.
London & Scottish Assurance Corporation, Ltd.
Northern Assurance Co., Ltd.
Norwich Union Fire Insurance Society, Ltd.
Atlas Assurance Co., Ltd.
Eagle Star Insurance Co., Ltd.
Caledonian Insurance Co.
Century Insurance Co., Ltd.
Sea Insurance Co., Ltd.
Alliance Assurance Co., Ltd.
Reliance Marine Insurance Co., Ltd.

IMPORTATION OF ARGENTINE BEEF

Mr. CAPPER. Mr. President, I ask to have printed in the RECORD a statement received by myself from F. E. Mollin, of Denver, secretary of the American Na-

tional Livestock Association, commenting on a news dispatch from Buenos Aires under date of July 19. The dispatch is as follows:

The action of the United States in lifting the ban on the importation of Argentine beef, which was greeted with great satisfaction here, was believed connected with the recent visit to Argentina of a group of qualified American stockmen.

From all I can learn, Mr. President, the dispatch from Buenos Aires was erroneous, or, at least, premature. The ban on imports of cattle and fresh beef, and other livestock and livestock products, from countries where foot-and-mouth disease is prevalent, including Argentina, apparently still is in effect. But it seems that the Attorney General of the United States wrote an opinion that the ban could be lifted on shipments of certain animal products from some area in Argentina at the discretion of the Secretary of Agriculture. Why information of this opinion came to people in the United States by way of Argentina before the Secretary of Agriculture had issued any order concerning the matter I do not know. I understand the whole matter is now under restudy in both the Department of Justice and the Department of Agriculture.

Before asking unanimous consent to have the letter from Mr. Mollin placed in the RECORD as a part of my remarks I desire to say that there were very good reasons for the action of Congress in placing the ban on imports of animals and fresh meats from countries where the foot-and-mouth disease is prevalent. Once that disease gets a foothold in the United States the livestock industry of the United States faces ruinous losses—losses so heavy that they will be reflected in very high prices for poor quality meat for the consumers of the United States. I do not believe the Senate or the Congress would consider lifting the sanitary embargo against imports from foot-and-mouth disease countries. Such being the case, I wish to protest vigorously against what looks like a back-door effort to lift the embargo by executive opinions and orders.

I ask unanimous consent to have Mr. Mollin's statement printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF F. E. MOLLIN ON IMPORTATION OF ARGENTINE BEEF

Wishful thinking only can be responsible for the dispatch from Buenos Aires, dated July 19, stating that "the action of the United States in lifting the ban on the importation of Argentine beef, which was greeted with great satisfaction here, was believed connected with the recent visit to Argentina of a group of qualified American stockmen," according to F. E. Mollin, secretary of the American National Live Stock Association.

Mollin said that the ban against importation of Argentine beef has not been lifted, and, in his opinion, will not be lifted. Apparently, he said, the dispatch is based upon the opinion of the Attorney General dated May 16 and released in Buenos Aires on June 27. This opinion attempted to define the Province of Tierra del Fuego as a separate country under the meaning of the embargo provision of the Tariff Act of 1930, and therefore stated that importations of lamb and mutton from this newly defined "country" could be permitted within the discretion of Secretary of Agriculture Wickard.

"The decision when released to the American public by the Argentine friends of our diplomatic officials in the State Department raised such a storm of protest," Mollin declared, "that the Attorney General is now reconsidering it, and after conference with Treasury Department officials Secretary Wickard announced that the bars were still up and would remain so until he gave official declaration that the embargo against Tierra del Fuego was lifted. Such declaration is necessary according to the terms of the Tariff Act, and since then Secretary Wickard has announced that the matter is now being restudied by his Department along with the reconsideration by the Attorney General's office."

So far as there being any connection between the action of the Attorney General and the visit of the American committee, of which J. Elmer Brock, of Kaycee, Wyo., president of the American National Live Stock Association, was a member, attention should be called to the fact that this committee did not return to the United States until Monday, June 16, a month after the opinion was rendered by the Attorney General, Secretary Mollin said. He added that statements by members of the committee since their return have been to the effect that they were convinced that the foot-and-mouth disease in cattle in South America constitutes a real threat to the health of our livestock.

Foot-and-mouth disease was found wherever cattle were found in Argentina, according to advices from President Brock, Mollin said, and he and the other members of the committee were unanimous in the opinion that the sanitary embargo, long maintained against Argentina and all other countries—some fifty-odd in all—which harbor foot-and-mouth disease, should be maintained in full force and effect, and they so advised Washington officials immediately upon their return to this country.

The committee found, according to President Brock, that not only was foot-and-mouth disease prevalent but that cattle and sheep scab were common and that little effort was made to control any of these diseases and no effort to stamp them out.

Another member of the committee, Howard Hill, of Iowa, said that the party saw evidence of foot-and-mouth disease on every one of the cattle ranches visited in Argentina, Uruguay, and Brazil. He furthermore said he saw no evidence of any effort to control the disease. "One operator of an estancia in Uruguay told us that we should take every precaution against the disease if our cattle are now free of it," he said. Harry Terrell, also a member of the five-man committee, agreed with Hill's remarks.

Dr. T. W. Schultz, another member of the committee, said that "the Argentine leaders must be confronted with the facts of foot-and-mouth as a disease. They need to be told to quit talking discrimination and get to work and clean up their disease-ridden, infected herds. They have done and are doing nothing."

The executive committee of the American National Live Stock Association, meeting in Colorado Springs on Saturday, July 19, after listening to a detailed explanation by President Brock of his trip to Argentina, adopted a resolution declaring that the opinion of the Attorney General "violates the plain meaning of the Tariff Act of 1930, is contrary to the long established policy of our Bureau of Animal Industry, and establishes a very dangerous precedent."

The resolution ended in this fashion: *Resolved*, That we condemn this effort as a subterfuge to break down the sanitary embargo by administrative action, though the matter of the Argentine sanitary convention is now pending before the Senate Foreign Relations Committee; and be it further

Resolved, That we deplore the tactics employed in allowing the facts of the action taken to become known here only by press dispatch from Argentina many weeks after the opinion was given."

"The misleading, inaccurate statement referred to, similar to many which have emanated from Buenos Aires," Mollin declared, "indicates that Argentina will go to any length in attempting to force beef from territory infected with disease onto the markets of the United States."

COOPERATION OF STATES HELD NECESSARY TO WORLD PEACE

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an article by Dr. Clarence A. Berdahl, Dr. Kenneth Colegrove, Dr. Walter Rice Sharp, and Dr. Quincy Wright, entitled "Cooperation of States Held Necessary to World Peace," which appears in the Appendix.]

ARTICLE BY REV. CHARLES M. SHELDON ON THE WORLD'S PROBLEM

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article by Rev. Charles M. Sheldon entitled "The World's Problem," which appears in the Appendix.]

INVESTIGATION OF THE NATIONAL DEFENSE PROGRAM

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD the script of a radio program relating to the investigation of the national-defense program, which appears in the Appendix.]

WHEAT-MARKETING QUOTAS

The Senate resumed the consideration of the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

The VICE PRESIDENT. The clerk will state the first committee amendment.

Mr. BARKLEY. Mr. President, I suppose the sponsor of the bill ought to be present.

Mr. TAFT. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Glass	Radcliffe
Aiken	Green	Rosier
Andrews	Guffey	Russell
Austin	Gurney	Schwartz
Bailey	Hatch	Shipstead
Bankhead	Hayden	Smathers
Barkley	Hill	Smith
Bone	Hughes	Taft
Brewster	Johnson, Calif.	Thomas, Idaho
Bunker	Johnson, Colo.	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Byrd	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chavez	Lumpkin	Tydings
Connally	McCarran	Vandenberg
Danaher	McFarland	Van Nuys
Davis	McKellar	Walsh
Downey	Maloney	Wheeler
Eastland	O'Mahoney	Wiley
George	Overton	Willis
Gillette	Pepper	

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr.

BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Louisiana Mr. ELLENDER], the Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from New York [Mr. MEAD], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Arkansas [Mr. SPENCER], the Senator from Tennessee [Mr. STEWART], and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Nebraska [Mr. BUTLER], the Senator from New Jersey [Mr. BARBOUR], the Senator from Minnesota [Mr. BALL], the Senator from Illinois [Mr. BROOKS], the Senator from Oregon [Mr. HOLMAN] and the Senator from Kansas [Mr. REED] are necessarily absent.

The VICE PRESIDENT. Sixty-five Senators have answered to their names. A quorum is present.

The clerk will state the first committee amendment.

The CHIEF CLERK. On page 2, after line 8, it is proposed to insert the following new section:

SEC. 2. That the Commodity Credit Corporation is authorized and directed to acquire title to all cotton of the 1940 and previous crops on which loans have been made or arranged for by such Corporation, as soon as it has the right to do so in accordance with the terms and conditions on which such loans were made: *Provided*, That upon acquiring title to any such cotton in which the producer has an equity, the Commodity Credit Corporation shall pay to the producer a sum equal to the amount by which the market price of such cotton (determined on the basis of the place where it is located and as of the date the Corporation acquires title) exceeds the amount of the loan on such cotton, including accrued interest and accrued carrying charges.

During the continuation of the present European war, and thereafter until the Congress shall otherwise provide, no cotton of the 1940 crop, or any previous crop, title to which is now held or hereafter acquired by the Commodity Credit Corporation shall be sold or otherwise disposed of by such Corporation; except that—

(a) Such cotton may be disposed of for use for relief purposes (pursuant to authority contained in other provisions of law) in any case in which the Secretary of Agriculture determines that the use of such cotton for such purposes will not interfere with the sale or distribution of cotton or cotton products in the normal channels of trade and commerce;

(b) Such cotton may be disposed of for use by other departments or agencies of the Government for purposes important to the national defense in any case in which the Secretary of Agriculture determines that the use of such cotton for such purposes will not interfere with the sale or distribution of cotton or cotton products in the normal channels of trade and commerce; and

(c) Such cotton may be exchanged for other cotton in any case in which the Secretary of Agriculture finds that such exchange is necessary in order that sufficient quantities of cotton of particular grades, types, or staples may be made available to meet the needs of trade and commerce for such particular grades, types, or staples.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. VANDENBERG. Mr. President, may we have an explanation of the amendment?

Mr. SMITH. Mr. President, this amendment incorporates the substance of a bill which has already passed the Senate, but upon which the House has not acted. The House has acted on the wheat portion of the bill.

About 6,000,000 bales of cotton are owned by the Government. I have here telegrams from the commissioners of agriculture of all the cotton-growing States. I asked them in a telegram what they thought was the prospect for the cotton crop, and what price they thought the farmer ought to get in order to break even—not to make a profit but merely to break even. Without reading the telegrams, I ask that they be incorporated in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegrams are as follows:

BIRMINGHAM, ALA., *July 24, 1941.*

Senator SMITH, of South Carolina,
Senate Office Building,
Washington, D. C.:

With prices for shoes and leather goods advancing approximately 100 percent, Henderson puts a ceiling on hides which have declined 2 cents from last year. This don't make sense by any rule. Unless you gentlemen impound Henderson, he is likely to wreck entire agricultural markets. What Senator THOMAS reported as saying about Henderson playing the markets may be worthy of investigation before he pulls another Jardine.

R. A. HINSON,
Fayette, Ala.

OKLAHOMA CITY, OKLA., *July 24, 1941.*

Senator E. D. SMITH,
Senate Office Building:

Outlook for Oklahoma cotton crop this year is poor due to wet spring, late planting, and heavy boll-weevil infestation. At this time it appears that farmers should receive 20 cents a pound for cotton this fall to assure Oklahoma farmers a living rate on their investment.

GEO. C. SCOTT,
President, State Board of Agriculture.

RALEIGH, N. C., *July 23, 1941.*

Senator E. D. SMITH,
Senate Office Building,
Washington, D. C.:

July conditions unfavorable for cotton production. Weevil infestation general. On July 17 I testified before subcommittee of Senate Agricultural Committee that in my opinion cotton should be from 22 to 25 cents this fall to be in line with what farmers had to buy on the markets.

W. KERR SCOTT.

ATLANTA, GA., *July 23, 1941.*

Hon. E. D. SMITH,
United States Senator,
Senate Office Building,
Washington, D. C.:

Cotton crop very short. Farmers would have to receive on this short crop 30 cents for cotton and $60 for seed to break even.

TOM LINDER,
Commissioner of Agriculture.

BATON ROUGE, LA., *July 23, 1941.*

Hon. E. D. SMITH,
United States Senator,
Washington, D. C.:

Re telegram: Cotton outlook extremely poor; excessive rains and boll weevil have made great inroads; and if weather conditions do not improve, our crop will be smaller than last year. Farmers should receive at least 20 cents for cotton under present conditions.

HARRY D. WILSON,
Commissioner.

DILLON, S. C., *July 24, 1941.*

Hon. E. D. SMITH,
Senate Office Building:

I am ready join you in march on Washington. Try put an end to damaging and unwarranted statements made to depress price cotton and cottonseed. Would be glad testify before Senate Agricultural Committee.

M. S. STACKHOUSE,
GINNERS' ASSOCIATION OF SOUTH CAROLINA.

AUSTIN, TEX., *July 23, 1941.*

Senator ELLISON D. SMITH,
Senate Office Building,
Washington, D. C.:

Re telegram: Texas cotton crop very poor and insects numerous. Think Texas crop will be shortest in 15 years. Texas farmers must have parity price for cotton if able to meet taxes, avert mortgage foreclosures, and live decently. Parity price for cotton based on 1920–29 period, currently 26¼ cents a pound.

J. E. MCDONALD,
Commissioner of Agriculture.

JACKSON, MISS., *July 24, 1941.*

Hon. E. D. SMITH,
United States Senator:

Commissioner Corley out of State. Present outlook cotton crop Mississippi good; final result will depend on insect damage, weather. Cotton should bring parity price at least to assure living rate on investment.

J. M. DEAN,
Chief, Publications and Inspection.

DILLON, S. C., *July 23, 1941.*

Hon. E. D. SMITH,
Chairman, Senate Agricultural Committee:

Due continued rains, heaviest weevil infestation in years. South Carolina now facing shortest cotton crop since 1921. Complete survey points to crop of 400,000 bales. Dire distress this fall if cotton does not sell at minimum 20 cents pound. Market broke 50 points today on article appearing New York papers stating C. C. C. plans release additional cotton loan holding. Urgent you call your committee together, point out disaster we are facing. Oppose release loan cotton under 20 cents. Urgent you take prompt action.

M. S. STACKHOUSE,
Secretary, Ginners' Association of South Carolina.

AUSTIN, TEX., *July 23, 1941.*

Senator ELLISON D. SMITH,
Senate Office Building,
Washington, D. C.:

President Roosevelt says South the Nation's economic problem No. 1. Cotton is South's major crop. Price advancing because of increased consumption. Leon Henderson proposes throwing Government-held cotton on market, which will prevent cotton price reaching parity levels. Unless South can obtain full parity price for its cotton crop, it will continue to be Nation's economic problem No. 1. Using 1920–29 as base period for determining price relationship, current parity price is 26¼ cents per pound. I respectfully urge you sponsor and support congressional action which will prohibit sale of Government-held cotton at price less than 26¼ cents per pound.

J. E. MCDONALD,
Commissioner of Agriculture.

NEW YORK, N. Y., *July 24, 1941.*
Hon. E. D. SMITH,
Senate Office Building,
Washington, D. C.:

The proposal to release 300,000 bales Government cotton in order depress price of cotton or keep it below parity caused semidemoralization in cotton market yesterday and broke price more than 40 points. In interest of our cotton farmers and the country, I hope for following reasons you will demand that Government cotton not be sold below 25 cents: First, the object of Congress in authorizing Government loans on cotton was to try and obtain fair price for cotton farmer; second, 25 cents per pound means only 25 cents per hour to the farmers for their labor, and I know you will agree they are entitled to this amount; third, because curtailed acreage and poor growing conditions, our cotton farmers are faced with crop less than 10,000,000 bales. Therefore, to sell Government cotton in competition with the farmers' cotton crop, which is just coming on market, at less than 25 cents is certainly contrary to intent of Congress, will do our farmers a great injustice, and retard sound economic recovery as well as adequate national preparedness.

ROBERT HARRISS.

FLORENCE, ALA., *July 24, 1941.*
Hon. "COTTON ED" SMITH,
United States Senator:

Four and ninety-one one-hundredths was low on our cotton prices during Hoover and Jardine administration, and the book had no such word as "flooring" then. The sheriffs were very busy selling our farms, and we did not have a friend this side of heaven.

LISTER and JOHN are doing a real job in representing we cotton farmers, and we feel sure you and your Oklahoma friend will go the limit in supporting them.

The mills are clamoring for our cotton at decent prices now, and this crop should be allowed to move without any "ceilings" being placed over it. We are being asked buy United States bonds. We cannot do this on 8-cent cotton and 60-cent wheat and corn.

PATRICK HENRY PERRY.

COLUMBIA, S. C., *July 24, 1941.*
Senator E. D. SMITH,
Washington, D. C.:

Re telegram: State-wide survey reveals our crop off 40 to 50 percent, and if rains continue as at present, more than that. Feel that cotton this fall should bring a minimum of 20 cents per pound for break even, more if farmer is to receive a profit. See absolutely no need for release of Government cotton for immediate mill demand and believe that agitation for release is purely speculative. Consider farming conditions this State most critical in last 25 years, as living cost jumping by leaps and bounds. If ever farmer needed Government protection, it is now, and I urge immediate resolution prohibiting release of Government cotton and also resolution curbing Leon Henderson dabbling in fixing price ceiling on farm commodities, as everything else is running wild. We are looking to Congress for immediate protection and earnestly urge your every effort to this effect.

J. ROY JONES.

LITTLE ROCK, ARK., *July 24, 1941.*
Hon. E. D. SMITH,
United States Senator:

Arkansas cotton crop fair. Due to increased living conditions and prices also drastic cut in cotton acreage I think from present levels to 18 cents per pound should be fair investment to farmer.

WALDO FRAZIER,
Executive Director, Farm Bureau Federation.

LOS ALTOS, CALIF., *July 24, 1941.*
E. D. SMITH,
United States Senate,
Washington, D. C.:

Congratulations on your expressions regarding agricultural prices. California's prunes and apricots must secure greatly changed attitude by Department of Agriculture if they are to survive rapidly rising labor and material costs after long unprofitable period growers' efforts to improve situation largely futile owing to their own lack of effective organization and flat refusals of Department to recognize need of taking them out of continuing distressed position.

K. BATCHELDER.

MONTGOMERY, ALA., *July 24, 1941.*
Hon. E. D. SMITH,
United States Senate:

Excessive rains have caused some shedding of cotton and weevils are reported in considerable numbers. Cannot undertake to suggest proper price. Probably parity would be acceptable. First official report August 8.

MAYGOOD PATERSON,
Commissioner of Agriculture.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. BARKLEY. I have just this moment received a telegram from Mr. Edward A. O'Neal, president of the American Farm Bureau Federation. I am not certain what amendment his telegram has reference to, but it may refer to the committee amendment that is in the bill. I should like to read the telegram and ask the Senator from South Carolina to what amendment he thinks it refers:

Respectfully urge you oppose amendments to H. R. 5300, particularly proposals to reduce penalties to noncooperators or permit them to escape penalties by feeding excess wheat, as these proposals would break down program. Great majority of farmers favor present program. We do not favor proposed amendment to freeze cotton stocks. We favor, instead, prohibiting sales at less than parity except for export or relief, with a 10-percent margin above parity before any stocks are released.

Mr. SMITH. Mr. President, the first part of the telegram refers to the action of the House of Representatives on the wheat proposition. The House has already passed the bill. The explanation in regard to wheat was that when the parity price of wheat was raised in order to protect the cooperatives the penalty was also raised from 15 cents to 49 cents. The loan price was raised and it was thought there should be a severer penalty. That is for the wheat interests to decide.

As to cotton, Mr. O'Neal's position is somewhat stronger than the proposed amendment. As I was saying, we are faced with perhaps the shortest cotton crop we have had in 30 years or more. As an indication, on my own farm I went through a hundred acres which ordinarily made from 75 to a hundred bales, and I will sell it to any man for 25 bales, and cheat him if he takes it. I did not know how the cotton crop was throughout the Cotton Belt, so I sent a telegram to every agricultural commissioner, and I have here the replies. Outside the State of Mississippi, I think the cotton crop is a comparative failure this year.

When we consider that it costs just as much, outside the gathering, to produce a very small cotton crop as to produce a large one, I think it is time for us to have some consideration for the man in the field. I do not want him shown any special favors to offset the digging to which he has been subject from the time Cain and Abel had their misunderstanding, but it is a fact that now there is prospect for a "break" for the cotton farmer in the price he is to receive for his cotton. The market has been going up steadily, and those who run the market do not run it for fun. Every time it goes up some official of the Government issues a statement which breaks it. It was broken a hundred points today, I understand, on the statement that this august body is to consider a bill providing for price fixing. I do not think the unorganized farmer needs anything but just an open chance.

According to Mr. Hutson, who was in my office this morning, we have on hand, accumulated from 1934 to 1935, about 6,000,000 bales of Government cotton. He frankly admitted to me that he was ready to cooperate. He is president of the Commodity Credit Corporation. He said, "I am ready to cooperate with you in every way that will benefit the farmers of this country, without too great a drain on other people." I said, "I take you at your word. We would like to have you come before the conference." We will have to have a conference committee.

Mr. BARKLEY. This telegram relates to two different propositions.

Mr. SMITH. Yes.

Mr. BARKLEY. The wheat proposition is contained in the language of the bill as it passed the House.

Mr. SMITH. Yes.

Mr. BARKLEY. The Senate committee amendment deals only with cotton?

Mr. SMITH. Only with cotton.

Mr. BARKLEY. I should like to ask the Senator first about the wheat situation. I suppose Mr. O'Neal is speaking for the American Farm Bureau Federation, and they propose "to reduce penalties to noncooperators or permit them to escape penalties by feeding excess wheat as these proposals would break down the program." What is the meat in the coconut he is trying to arrive at?

Mr. SMITH. There are amendments to be offered to the bill reducing the penalty.

Mr. BARKLEY. So that this telegram, so far as wheat is concerned, relates to amendments which are to be offered, and not to anything in the bill at present?

Mr. SMITH. Yes; nothing in the bill now touches the penalty.

Mr. BARKLEY. Does the remainder of the telegram relate to the committee amendment in regard to cotton? He says, "Great majority of farmers favor present program. We do not favor proposed amendment to freeze cotton stocks."

Mr. SMITH. Yes.

Mr. BARKLEY. That is the language which is already in the amendment?

Mr. SMITH. Yes. I think Mr. O'Neal represents the wheat farmer and grain farmer more than the cotton farmer, though he comes from Alabama. I do not think he knows too much about the

situation. I have a telegram here from Alabama, and since Mr. O'Neal is from Alabama, I think perhaps I shall read it. Certain farm experts farm the farmer and do not farm the land. Here is one telegram I have received:

Excessive rains have caused some shedding of cotton, and weevils are reported in considerable numbers. Cannot undertake to suggest proper price. Probably parity would be acceptable. First official report August 8.

I have another telegram, from Little Rock, Ark.:

Arkansas cotton crop fair. Due to increased living conditions and prices also drastic cut in cotton acreage I think from present levels to 18 cents per pound should be fair investment to farmer.

Mr. BARKLEY. While the Senator is looking for the telegram he desires to read, let me see if I understand properly the latter part of the telegram from Mr. O'Neal:

We favor instead—

That is, instead of freezing the cotton to which he had referred—

We favor instead prohibiting sales at less than parity except for export or relief.

Mr. SMITH. We provide for relief in the bill.

Mr. BARKLEY. "With a 10-percent margin above parity before any stocks are released." Does he mean that while he objects to any sales for amounts below parity except for export or relief, he does not want any of this cotton released for other purposes except on a 10-percent margin above parity?

Mr. SMITH. I think that is what he is driving at.

Mr. BARKLEY. There seems to be some little inconsistency in the language.

Mr. SMITH. The farmers are faced with a failure in the cotton crop. They do not want any attempt to interfere with the laws of nature, where the supply will be short of the demand, and they will get a reasonable price for what little they do make. I am not so much personally interested that I would have them given undue favors, but I think the cotton on which the Government has loaned, and which the Government now has on hand, should not be turned loose on the market.

The Government made loans on cotton to help the farmer obtain a better price, and now that he has an opportunity to obtain a better price it is said in the public press that the Government is releasing cotton. Mr. Hutson says his organization has not released a bale, and indicates that he will cooperate with me in obtaining a reasonable return for the farmer.

Mr. President, I hope the bill may be passed. Some modifications of it may be made in conference. I would never stand for any modification providing that the Government may release cotton for a less price than is indicated by every commissioner of agriculture. Ninety percent of the commissioners of agriculture say the farmers will not get out under anything less than 20 cents a pound minimum.

I do not know how many Senators understand the production of cotton, but I hope they have sufficient confidence in me to believe that I would not be asking for that which I did not believe would directly and immediately affect the man in the field. In view of the tremendous tax bill which is now imminent I think we should do everything we can to help the producer make something with which to meet the enormous taxes which will be levied.

Mr. President, I think the committee did not understand the marked significance of the bill which was recently passed by the Senate and is now in the House. That bill was passed in addition to a House bill which had previously been passed, in order that we may obtain extra action on the matter.

Mr. VANDENBERG. Mr. President, may I ask the Senator a further question?

Mr. SMITH. Yes.

Mr. VANDENBERG. Do I understand the first paragraph of section 2 to mean not only that the cotton previously owned by the Commodity Credit Corporation shall not be released but also that the cotton producers shall be paid the difference between the market price and the loans which the producers have received upon cotton heretofore?

Mr. SMITH. Yes. We amended that bill before it went to the House, to provide that when a farmer had an equity in cotton and he still held partial ownership, if the Government took it over, and at the time the Government took it over the price was greater than the farmer's loan, together with overhead charges, the farmer should be given the difference. That is what the language in question means.

Mr. VANDENBERG. Has the Senator any idea how much this would amount to in dollars and cents?

Mr. SMITH. I was informed by Mr. Hutson this morning that the farmers had reclaimed practically all their cotton which was under loan to which the Senator has reference So there is practically no cotton that would fall under the provisions of section 2. It will be noted that section 2 provides:

That the Commodity Credit Corporation is authorized and directed to acquire title—

And so forth—

as soon as it has the right to do so in accordance with the terms and conditions on which such loans were made.

There was a deadline provided in the previous bill which passed the Senate that after the cotton has been under loan for a certain length of time the Corporation has the right to notify the producer that it is going to sell the cotton or acquire title. That is the reason this language is placed in section 2:

As soon as it (the Commodity Credit Corporation) has the right to do so in accordance with the terms and conditions on which such loans were made—

It may acquire title.

I understand from Mr. Hutson that practically all the 1939 and 1940 cotton has been released by the farmers. The price was sufficient to guarantee the farmers sufficient money to pay their loans and the overhead charges, and they sold their cotton.

Mr. VANDENBERG. So the Senator from South Carolina is now saying that there will be practically no payments under the first paragraph of section 2.

Mr. SMITH. I do not think there will be any substantial payments made under that provision, according to Mr. Hutson.

Mr. VANDENBERG. Does the Senator object, then, to removing this particular provision from the amendment, since it does not mean anything?

Mr. SMITH. Yes, I do. No matter how small the amounts may be, they should be provided for. The provision is:

That the Commodity Credit Corporation is authorized and directed to acquire title to all cotton of the 1940 and previous crops on which loans have been made or arranged for by such Corporation.

I understand there are a few bales of cotton in which there is an equity from as far back as 1935 and 1936. To what extent that obtains I do not know. I do not think it amounts to much. But the subsequent arrangement that the farmer shall be settled with I think is nothing but fair. If I put my cotton in a loan, and accept the overhead charges and insurance and storage, and the price goes up sufficiently high to indemnify me for the loan and charges, and leave me a profit, and the law allows me to withdraw my cotton, I think I would be a fool if I should not do so.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. SMITH. Yes.

Mr. AUSTIN. Will the Senator say that under the existing law the owner of the equity would not be able to recover the value of the equity in the circumstances to which the Senator alludes?

Mr. SMITH. Yes. That is what this language provides.

Mr. AUSTIN. No; Mr. President——

Mr. SMITH. It provides that if on the day the Government takes it over the market is sufficient to reimburse the Government for all the expenses, and leave a profit, the profit goes to the producer.

Mr. AUSTIN. Mr. President, my question is: Is there any necessity at all for section 2? Under existing law would not the Government be bound to turn over to the owner of the equity the value of the net equity?

Mr. SMITH. I do not think so.

Mr. AUSTIN. That surprises me somewhat. I cannot conceive of the Government taking away from the owner of the equity its value under any circumstances at all.

Mr. SMITH. It has been done. Mr. Hutson said to me this morning:

What little cotton is left we propose to place in a pool, and when we have sold it, if there is any equity, we will distribute that amongst those who have an equity in the pool.

Mr. AUSTIN. Mr. President, is not that an affirmative answer to my question, namely, that when the property is sold, if there is a net equity, it shall be returned to the owner of the equity?

Mr. SMITH. There is quite a good deal of confusion about the situation of those who own cotton which is now held by the Government. I wish I had brought with me a letter received from a con-

stituent of mine, in which he said, in effect:

I had 39 bales, and I have asked for release of those bales, and the Government agency said that the time of release had passed, and that the cotton belonged to the Government.

Of course, that farmer made his request after the price of cotton had gone up to the point where he would have a profit. He did not sell it on the day the Government took it.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. LANGER. I am very sympathetic with the cotton farmer, but I wish to know why the wheat farmer is not included with the cotton farmer.

Mr. SMITH. I am willing to do anything I can for the wheat farmers. I know nothing about the wheat situation. Those who know the least about cotton seem to have most to say about cotton. That is what has been the trouble here. I understand that the wheat price—and if I am wrong about it I wish some Senator would correct me—is about up to parity now, and I am told 180,000,000 bushels of wheat is about all that is in loans, and the Government has prospects of selling that at a profit.

Mr. LANGER. Would the Senator have any objection to including wheat with cotton?

Mr. SMITH. No. If the wheat farmers think it would relieve them, I would be willing to do so.

Mr. LANGER. I think the Senator from Oklahoma [Mr. THOMAS] would be in favor of such an amendment. I ask the Senator from Oklahoma if he is not in favor of such an amendment.

Mr. THOMAS of Oklahoma. Mr. President, the Department says it now has about 180,000,000 bushels of wheat in loans. The Department says that the parity price on wheat is 114 cents a bushel. The 85-percent loan makes the amount the farmer can borrow about 95 cents. The Department further says that the cash price to the farmer is not as high as the loan value of the wheat.

The Department further states that, there being so little wheat in the loan, it does not think there would be any effect upon the market if it were frozen. Personally I should favor freezing it if such an amendment were offered.

Mr. VANDENBERG. Mr. President, reverting to the question submitted by the Senator from Vermont, as I understand the situation, while under existing law the Government would return the equity to the producer whenever an equity was produced through sale by the Government, under the pending proposal the quota would be paid regardless of whether or not the Government should sell. On the contrary, the Government would be refused permission to sell, but the quota would be paid on the basis of the quotation. Is not that the situation?

Mr. SMITH. Mr. President, the Senator must understand that on July 1 the Government had the right to take all this cotton, and I presume it did so; but until July 1 the farmers had the right to withdraw, and I understand that most of the cotton has been withdrawn. I have received letters from all over the Cotton Belt complaining of the fact that the cotton was taken, and that the producers were not permitted to repossess it after the Government took it. I can see the Government's side. The Government wanted the settlement made as of the date when the release was requested. When the Government took the cotton in 1935 or 1936 the growers would not have had a profit. They would have a profit now.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. BYRD. I should like to ask the Senator from South Carolina to what extent he thinks the bill would raise the price of cotton?

Mr. SMITH. I am not afraid of the price of cotton going too high. I do not know. The commissioners say that the price would be about 20 cents a pound.

Mr. BYRD. The actual influence in raising the price would be the fact that the 6,000,000 bales on which the Government has made loans would be withheld from the market.

Mr. SMITH. That is correct.

Mr. BYRD. That is the thing which would raise the price.

Mr. SMITH. The report was that the cotton held by the Government was being put on the market, though the president of the Commodity Credit Corporation says that none has been sold. I do not know who is telling the truth.

Mr. BYRD. When does the Senator think the restriction would be released? Would the Government permanently own the 6,000,000 bales, which it could not sell?

Mr. SMITH. No. The restriction would remain until Congress should see fit to repeal the act. If export trade should revive, and a regular market should be restored, I should expect the restriction to be removed.

Mr. BYRD. If an effort should ever be made to sell the cotton, the argument would be made that such action would depress the price. Of course, it would.

Mr. SMITH. I think, after the present crop is disposed of, which will not take very long, we can take such action as the Senate sees fit.

Mr. President, it is not a very pleasant task to try to plead for the man in the field. I know he is not considered, except on election day. Then he is a great man. Otherwise he is not considered at all. I think that freezing the cotton at this juncture would be the best indication of the feeling of the Senate toward the wheat, cotton, corn, and tobacco farmers.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. HUGHES. I do not understand that the amendment designated as section 2 applies to wheat.

Mr. SMITH. The first part of the bill applies to wheat.

Mr. HUGHES. The language in section 2 is:

During the continuation of the present European war—

which may be a very long and indefinite time—

and thereafter until the Congress shall otherwise provide—

the cotton crop may not be marketed.

Mr. SMITH. That is correct.

Mr. HUGHES. But that does not refer to the wheat crop.

Mr. SMITH. I am referring to the Government-owned crop.

Mr. LANGER. Mr. President, in view of the statement of the chairman of the Committee on Agriculture and Forestry, and the statement of the Senator from Oklahoma [Mr. THOMAS], I move that in section 2, on page 2, line 10, after the word "cotton", there be inserted the words "and wheat", and that those words be inserted at every place in the measure where the word "cotton" appears.

Mr. SMITH. Mr. President, if that is the desire of the wheat growers I am perfectly willing to accept the amendment and let it go to conference.

Mr. THOMAS of Oklahoma. Mr. President, I suggest to the author of the amendment that instead of using the words "and wheat" he use the words "or wheat."

Mr. LANGER. Mr. President, I accept that modification.

Mr. THOMAS of Oklahoma. If the amendment offered by the Senator from North Dakota to the committee amendment should be adopted, it would appear on page 2 in line 10, line 15, line 18, line 20, and line 24; and on page 3, in line 3, line 6, twice in line 8, in line 10, line 14, twice in line 15, twice in line 17, and in line 20.

The VICE PRESIDENT. The question is on agreeing to the modified amendment offered by the Senator from North Dakota [Mr. LANGER] to the amendment reported by the committee on page 2, after line 8.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the committee amendment, as amended.

Mr. BARKLEY. Mr. President, I doubt if we understand what we are doing. Sometimes, perhaps, I do not know what I am doing. That may be a chronic situation with me. However, the amendment offered by the Senator from North Dakota has been adopted by two Senators voting for it and none voting against it. In my opinion a little confusion has been created. I should like to ask the Senator from North Dakota what the amendment does. I suppose it is too late, but there was no discussion about it, and I expected that there would be.

Mr. LANGER. The amendment treats wheat in the same way in which cotton is treated. It freezes wheat, as cotton is frozen.

Mr. VANDENBERG. If there is any iniquity in the one, it is multiplied by two.

Mr. LANGER. Yes.

Mr. BARKLEY. The House language deals with wheat, and not with cotton. The committee amendment deals with cotton, and not with wheat.

Mr. LANGER. That is correct.

Mr. BARKLEY. So the Senator wants the committee amendment to deal with wheat in the same way it deals with cotton, although the House language which we are considering deals only with wheat.

Mr. LANGER. That is correct.

Mr. BARKLEY. That clears up the situation marvelously. [Laughter.]

Mr. SMITH. Mr. President, any legislation for the farmers is always a great joke. Nobody understands it. But when we begin to appropriate billions of dollars for other purposes, it is all right.

Mr. BARKLEY. Mr. President, the amendment to the committee amendment has been agreed to. I am not opposing it. I am trying to understand it. If it is such a virtuous proposal, why did not the Committee on Agriculture and Forestry put it in the bill without waiting to have the amendment offered on the floor of the Senate, so that we could have had the benefit of the judgment of the committee?

Mr. SMITH. The committee considered the amendment, and thought it best not to put it in. It was the judgment of certain witnesses who appeared before the committee that it should not be included. However, I am perfectly willing to try to help the wheat farmers.

Mr. BARKLEY. As the Senator well knows, I am as much interested in the wheat farmer as I am in the cotton farmer. If I were dealing with the question purely from a geographical standpoint I should consider the fact that in Kentucky we produce more wheat than cotton. However, I am interested in the cotton farmer as a national matter. I have always voted for legislation to help all the farmers, regardless of their products and regardless of geography. In this case the committee has considered the House bill and reported an amendment which it thinks is adequate. An amendment to the committee amendment was offered on the floor. Nobody discussed it, and it was agreed to without debate.

Mr. SMITH. The Senator from Oklahoma [Mr. THOMAS] indicated that only about 180,000,000 bushels of wheat are involved, and that conditions are not such as to justify our freezing such a small amount of wheat.

Mr. BARKLEY. But the amendment which has been adopted does freeze it.

Mr. SMITH. Yes.

Mr. THOMAS of Oklahoma. Mr. President, the Department is in favor of the House bill. The Senate Committee on Agriculture and Forestry has heretofore considered a bill in the language of the amendment designated as section 2, and reported the bill to the Senate, and the Senate has passed the bill. A few days ago the committee decided that it would take no chances on the bill which heretofore passed the Senate, but it would offer as section 2 the exact bill that heretofore passed the Senate. In the committee, during consideration of this amendment, questions were asked as to the status of wheat. The committee had before it departmental officials who testified that they did not have in the loan sufficient wheat to make any particular difference in the price—only some 180,000,000 bushels. That is only a few months' supply for the United States.

So reason No. 1 as to why we did not modify this amendment was that it has heretofore passed the Senate, and we did not want to take a chance on having to open it up with a new amendment. So amendment No. 2 is the exact language the Senate has heretofore approved of in the passage of the Smith bill.

Now a motion has been made to add wheat to cotton so far as freezing is concerned. The testimony before the committee was that we did not have very much so-called free cotton in the loan. That means that the Government does not have title to very much of this cotton that it can sell. Hereafter it may acquire the title, but it does not now have the title. This amendment provides that it may acquire the title later on.

The amendment which has been suggested and which has been adopted puts wheat on the same basis in this bill as cotton. Whatever wheat we have title to is frozen in the department of the Government which holds it, which means the Commodity Credit Corporation.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TAFT. Merely to get the matter clear, am I to understand that this cotton and wheat then will be held by the Government, and cannot be sold at any time during the existence of the entire European war?

Mr. THOMAS of Oklahoma. The amendment provides how it shall be sold.

Mr. TAFT. The first purpose is for relief. The second one is for use by other departments and agencies of the Government. What I am particularly curious about is whether the Government could sell this cotton, let us say, under the Lend Lease Act to the British Government. The authority to sell seems to be confined solely to the departments of the Government. Is it the intention that the wheat shall not be sold for export, either?

Mr. THOMAS of Oklahoma. No; that is not the intention. It is the intention to make this cotton susceptible of use under the Lend Lease Act, if we can find a purchaser who has the money to buy it. If that intention is not clear, in conference it can be made clear.

Mr. TAFT. It seems to me to be questionable whether the amendment provides that, because it says, "other departments or agencies of the Government," meaning the United States Government; and it seems doubtful whether it can be sold for export.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. Yes; I yield.

Mr. AUSTIN. I suggest that the words following that clause, "for purposes important to the national defense," take the cotton right into the provisions of the Lend Lease Act, so that any department of the Government having jurisdiction of the cotton could either loan it or give it away or sell it to any country whose aid is deemed necessary in the defense of the United States.

Mr. THOMAS of Oklahoma. I think that is the intent of the section—to make all proper use of this cotton. If we can sell it abroad at any time, we may sell it where we can get the cash money for it. If we give it away, of course, Congress must make provision for making restitution.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WALSH. I have not had an opportunity to study the bill; but before the debate is closed I should like to inquire what effect, if any, this legislation will have upon the consumers of cotton and wheat products.

Mr. THOMAS of Oklahoma. Mr. President, the best information the committee can secure is that if cotton should go up to 25 cents a pound there would be no necessity for increasing the price of any ordinary garment. An increase in the price of cotton to 25 cents a pound would not cost an additional amount to the consumer, let us say, for a shirt, of more than 5 cents, and about the same amount for a pair of work overalls; so at that price there would be no material increase.

Wheat is now selling on the cash market for less than 90 cents a bushel to the farmer. The parity price is $1.14 a bushel. The loan price is about 95 cents a bushel. We hope that this bill will raise the price of wheat up to parity. If that can be done, there will be no occasion for making loans, and we can save the money that would otherwise be devoted to loans to the farmer. If the cotton price goes above 85 percent of parity, the farmers will sell instead of making a loan, so that that would save money to the Treasury.

Mr. WALSH. So it appears that the committee, in bringing forward this proposed legislation, had in mind and took into consideration the effect of the bill on the consumers of these products.

Mr. THOMAS of Oklahoma. The price these basic commodities will go to need not and should not affect the retail price of finished products in any way whatever until cotton goes above 25 cents a pound and wheat goes above $1.25 a bushel. There should be no increase whatever in the price of an ordinary cotton garment or in the price of bread.

Mr. WALSH. Of course, it is possible to control any abuses that may result from exorbitant increases in prices.

Mr. THOMAS of Oklahoma. The committee is not at all worried about prices going too high now. We have too great a surplus on hand. The world is covered with wheat and cotton, and we are just trying to do something to help the farmer get enough to live on during this period of emergency.

Mr. VANDENBERG. Mr. President, will the Senator yield before he takes his seat?

Mr. THOMAS of Oklahoma. Yes; I yield.

Mr. VANDENBERG. Is the opinion of the Department of Agriculture available respecting the pending proposition?

Mr. THOMAS of Oklahoma. As to section No. 1, I will state affirmatively that the Department favors section No. 1. As to section No. 2, I cannot answer the question.

Mr. SMITH. Mr. President, I should like to state that Mr. Hutson, the man who, I suppose, is the real representative of the Department, was in my office this morning, and he stated that he had no idea of opposing section 2.

Mr. VANDENBERG. I find nothing in the report of the committee dealing with the attitude of the Department of Agri-

culture, and it seems to me it has some importance, inasmuch as the Department is in general charge of our agricultural economy.

Mr. SMITH. I am only stating to the Senator what occurred this morning. I am not trying to hide anything. I am only trying to help the farmers of the country. Those who do not want to do so may do what to them seems best.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BARKLEY. I have just talked over the telephone to the Secretary of Agriculture. I did not ask him with reference to the amendment offered by the Senator from North Dakota [Mr. LANGER], because I did not know it was going to be offered; but I think I am correct in stating that the attitude of the Secretary generally is opposed to the absolute, rigid freezing of these crops, and he is opposed to the amendment which will be offered later, I think, to permit the diversion of the excess wheat for feeding. I know that definitely. In that respect he is in line with the opinion expressed by Mr. O'Neal, of the Farm Bureau, because he thinks that will break down the wheat program entirely or substantially so. But whether the Secretary of Agriculture has given any thought to the amendment offered by the Senator from North Dakota [Mr. LANGER] I do not know, because I did not discuss it with him.

Mr. VANDENBERG. Before the amendment offered by the Senator from North Dakota is adopted, am I now to understand the Senator from Kentucky to say that he thinks the attitude of the Department of Agriculture is adverse to section 2?

Mr. BARKLEY. No; I do not think that, because section 2 provides a way by which the cotton can be sold for certain purposes. The Secretary's attitude, as I gathered it over the telephone, was that he is opposed to the absolutely unconditional freezing of the cotton held by the Government under all circumstances; that there might be conditions under which it would be wise to distribute some of it.

Mr. VANDENBERG. And apparently that is also the attitude of the American Farm Bureau Federation.

Mr. BARKLEY. Yes.

Mr. VANDENBERG. Would that objective be reached through an amendment to section 2?

Mr. BARKLEY. I have not studied the language of an amendment that would carry out that particular thought. It would seem that the telegram of Mr. O'Neal is in opposition to certain amendments which are to be offered. I understand that the Senator from Indiana [Mr. WILLIS] is to offer one which does what the Secretary and also Mr. O'Neal say they object to.

Mr. AUSTIN. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield to the Senator from Vermont.

Mr. AUSTIN. I understand the Senator from Indiana [Mr. WILLIS] does not intend to offer his amendment to the pending amendment and that it does not affect the pending amendment in a parliamentary way at all. Whether it affects it in legal result, I am not sure.

Mr. BARKLEY. The amendment has not as yet been proposed, but it is the general understanding that the amendment, if proposed and adopted, would permit those who have excess quantities of wheat on hand to divert it to the feeding of livestock, and that the penalties which are carried under the Agricultural Adjustment Act would also be reduced or at least authority would be given for their reduction. That is what the Secretary opposes, and that is what the Farm Bureau opposes.

Mr. AUSTIN. It is limited entirely to the feeding of livestock on the farm of the owner of the wheat.

Mr. BARKLEY. That is true, yes; but they still insist that that will break down the wheat program. That is their view about it.

Mr. GILLETTE. Mr. President, I should like to ask the distinguished chairman of the Committee on Agriculture and Forestry a question with reference to the effect of this amendment, as amended, if it should be adopted. By the Lease Lend Act we clothed the President with plenary power to dispose of war materials, defense materials of any kind in any way he might see fit for the direct or indirect benefit of the defense of the United States. With the inclusion of wheat in this proposal and with the adoption of the amendment as suggested by the Senator from North Dakota the bill will read:

> Such cotton or wheat may be disposed of for use by other departments or agencies of the Government for purposes important to the national defense in any case in which the Secretary of Agriculture determines—

certain things to be necessary and proper.

Is it the thought of the committee that this is to be a limitation on the power of the President under the Lease Lend Act?

Mr. SMITH. No. The reading of the entire amendment indicates that the different departments of the Government, if the stuff does not go into the channels of trade, may use it as they please.

Mr. GILLETTE. But there must be a finding and determination by the Secretary of Agriculture before any of the commodity may be disposed of for national-defense purposes.

Mr. SMITH. Yes; of course.

Mr. GILLETTE. Will not that, in effect, be a limitation on the plenary powers of the President conferred by the Lease Lend Act?

Mr. SMITH. If the Senator wants to turn over everything to him, very well. I think that is a mere form.

Mr. GILLETTE. As the Senator well knows, I opposed the lease-lend bill as strenuously as I knew how. I am merely asking for information as to the effect of the proposal.

Mr. SMITH. My information is that no law we have passed for defense purposes would be interfered with by this amendment.

Mr. SHIPSTEAD. Mr. President, this bill was considered by the committee when I was unable to be present, but I have talked with the Senator from North Dakota as to the purpose of the amendment, and from what discussion I have heard this morning I am glad it has been adopted. I understand, if the bill will have any effect on cotton, it will have the same effect on wheat. Is that so?

Mr. LANGER. That is correct.

Mr. SHIPSTEAD. I think that is a very important arrangement. I very distinctly remember during the last war the Food Administration was given power to fix the price of wheat, and they fixed the minimum at $2.25 at the terminal market. After they assumed jurisdiction, they decided that that was the maximum price at the terminal market, and the wheat farmer had to sell his wheat on the terminal market, pay the freight from the place of shipment to the terminal market, and take whatever was left of the $2.25. No provision such as that was made as to cotton. Cotton went to 40 cents a pound during the war. If cotton should sell for 40 cents a pound, wheat should sell for $4 a bushel to be on a parity with cotton. I tnink under this bill that such an arrangement as existed in the last war should not be permitted to be put into practice. If we are to have price fixing at this time, we are not going to put over anything on the grain farmer. I think that every man who believes in equality should serve notice upon the conferees, and that this amendment should remain in the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

Mr. LEE. Mr. President, is the bill open to amendment?

The VICE PRESIDENT. No; the Senate is still considering committee amendments.

Mr. AIKEN. Mr. President, I may say that the purpose of the proposed amendment to the bill is to prevent any official of the Government from using the threat of putting 6,000,000 bales of cotton on the market in order to depress the cotton market. The other day Mr. Henderson appeared before the committee and some of the members of the committee advised him that they felt he did not have the authority to fix prices on farm products at this time. As he left the committee room, he inferred that he was going to do it, anyway, authority or no authority. Quite naturally, that did not sit too well with the members of the committee.

Then the other day, when the price of cotton was working up toward parity but had not reached parity, Mr. Henderson threatened to throw 3,000,000 bales of Government cotton on the market; by what authority nobody knows; but the result of the threat was to start the price of cotton downward again. When the committee met the other day and proposed this amendment to the wheat bill the price of cotton went up about 2 cents a pound, as I remember, although the supply of cotton and the ordinary demand for cotton probably did not change at all in the meantime.

In regard to the Farm Bureau attitude on the wheat bill, I have been advised by the Farm Bureau Office that they have no objection to the House bill relating to

the marketing of wheat and that the Department of Agriculture also approves it; but the Farm Bureau Federation does oppose certain amendments which they fear might be offered on the floor of the Senate.

In regard to the Farm Bureau attitude as to the second part of the bill, they state they would give their approval to the sale of 6,000,000 bales of cotton at any time when the market reaches 10 percent above parity. That would mean that at this time they would approve the Government's sale of any of this cotton when the price of cotton reaches 17.73 cents. In view of the increasing cost to the farmer, it is apparent that the parity price of cotton will increase, and it is not unreasonable to believe that if the Farm Bureau's suggestion is adopted the Government would be prohibited from disposing of any of this cotton unless it reaches a price of approximately 20 cents a pound.

Personally, I think either the amendment of the Senator from South Carolina [Mr. SMITH] or the proposed amendment of the Farm Bureau would have the effect of maintaining cotton prices so that the cotton farmer would not find himself in a disastrous position.

As for the suggestion of the Senator from Iowa that the President would have to get the approval of the Secretary of Agriculture before disposing of any of this cotton, I, for one, do not worry about the Secretary of Agriculture undertaking to use his power to curb the President.

The VICE PRESIDENT. The question is on agreeing to the committee amendment, as amended.

On a division, the amendment, as amended, was agreed to.

Mr. McCARRAN. Mr. President, I have at the desk an amendment which I ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. On page 1, line 3, after the word "That", it is proposed to insert "(a)."

On page 2, between lines 8 and 9, it is proposed to insert the following new subsection:

(b) The penalty provided for in paragraph (2) of such act of May 26, 1941, shall not be applicable during the marketing year commencing July 1, 1941, with respect to winter wheat harvested during the calendar year 1941.

Mr. McCARRAN. Mr. President, I have discussed this matter slightly with the chairman of the Committee on Agriculture and Forestry; but I wish to say, by way of explanation, that at the time the present law became effective winter wheat had been planted. That winter wheat would have carried with it only the then-existing 15-cent penalty. After we enacted the existing law the winter wheat either had to be plowed up or destroyed, or to bear the additional penalty, amounting to 49 cents.

It seemed fair and it seems fair to those engaged in raising winter wheat, who had planted winter wheat, had invested in the seed and in the necessary expense of planting before Congress enacted the existing law, that they should be exempt from the penalty for the winter wheat sold in 1941. That is the object of this amendment, so that the existing law shall not be retroactive as against the winter-wheat raisers.

Mr. SMITH. Mr. President, that subject, of course, was brought up before the committee. Representatives of the Department appeared to inform us that in keeping faith with those who had planted prior to the action of the Congress they had raised the loan price very much above the previous loan price, and therefore they had raised the penalty, in order to protect those who cooperated.

As between 15 and 49 cents there is quite a difference in the penalty. To a cooperative who is keeping his pledge in good faith it makes no difference whether the penalty is 1 cent or $1; he will not be subject to the penalty. But this question was pretty thoroughly worked out in the committee on the ground of the increase in the loan price and then the increase in the penalty. So far as I am concerned, I will accept the amendment and let it go to conference.

Mr. GILLETTE. Mr. President, will the Senator from Nevada yield for a question?

Mr. McCARRAN. I yield.

Mr. GILLETTE. If the amendment proposed by the Senator from Nevada is adopted, does not the Senator feel that it will be discriminatory against the spring-wheat producers? The present penalty provisions were enacted on May 26. Spring wheat was all sowed by that time, I think, everywhere in the United States. Now it is proposed to take out of the provisions of the penalty the winter-wheat producers and to leave the spring-wheat producers within the provisions of the penalty.

Mr. McCARRAN. I do not regard it as discriminatory. The Senator from Iowa may be correct as to his locality, that the spring wheat had been planted at that time. I am not familiar with the planting season; but the spring wheat in many other sections of the country had not been planted at that time, and the planters had ample opportunity not to plant after the bill was enacted carrying the 49-cent penalty. What I am interested in is a very small group of wheat producers who plant winter wheat, and who had their winter wheat planted at the time the 49-cent penalty was enacted.

Let me be a little more specific. The amendment applies largely to the intermountain farmers, to those who plant winter wheat quite regularly because of climatic conditions. The area affected will not exceed about 2,000,000 acres, as I am advised by the Agricultural Department.

Mr. GILLETTE. Mr. President, will the Senator yield for just a further observation?

Mr. McCARRAN. Certainly.

Mr. GILLETTE. It is true, of course, that winter wheat is sowed in the fall of the preceding year, and matures in the spring of the succeeding year; but in Iowa, the section of the country from which I come, the northern section of the country, and also in Minnesota, there is no question that all the spring wheat is sowed before the first of May. It seems to me it is utterly unfair to the spring-wheat producers to leave them subject to the penalty, and try to take out one group from the provisions of the bill.

Mr. McCARRAN. Mr. President, I do not see the unfairness. Nevertheless, the Senator has his views on the subject, for which I have great respect; but there is in America today a small group of producers who were really penalized unless they destroyed their then-planted wheat. They were penalized by the act of Congress. It seems to me we should not have made the present penalty retroactive against those who took a chance with the known penalty, then existing, of 15 cents per bushel.

Mr. SHIPSTEAD. Mr. President, will the Senator yield at that point?

Mr. McCARRAN. I yield.

Mr. SHIPSTEAD. I sympathize with the views of the Senator from Nevada as to the penalty, but I must say that, in my opinion, the Senator from Iowa has stated the case absolutely correctly. As far north as the Canadian border, spring wheat was seeded before the passage of the act inflicting the penalty. There is merit in what the Senator from Iowa states. I am very confident of that.

Mr. McCARRAN. It may be that even in that section they are doing what we read of their doing elsewhere—burning their wheat rather than put up with the law.

Mr. SHIPSTEAD. I think something should be done about the penalty, because it was imposed long after the crops had been seeded.

Mr. McCARRAN. That is correct.

Mr. SHIPSTEAD. I think it is an injustice.

Mr. McCARRAN. I am glad to have the Senator with me on that point.

Mr. SHIPSTEAD. Yes; I agree with the Senator.

Mr. McCARRAN. I understand that the chairman of the committee says he is willing to take the amendment to conference, and I am willing to have it go that way.

Mr. SMITH. Yes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN].

On a division (requested by Mr. McCARRAN) the amendment was agreed to.

Mr. TAFT. Mr. President, I will not at the present time offer the amendment I had intended to offer, because of the adoption of the amendment presented by the Senator from Nevada [Mr. McCARRAN]. But I have quite a fear that this amendment will be taken to conference and promptly thrown out by the conferees, and I wish to say a word in behalf of our conferees insisting on some such amendment.

The amendment I was about to offer differs from that of the Senator from Nevada in that it proposes to reduce the penalty to 15 cents instead of wiping it out entirely, and to apply to all wheat, instead of only to winter wheat. Of course, the suggestion that this applies only to a few intermountain farmers is far from the fact, because more than half the wheat raised in the United States is winter wheat, and all the wheat raised in

the State of Ohio, which I in part represent, is winter wheat.

There has been the most tremendous protest from Ohio farmers against the enforcement of the 49-cent penalty. They are holding meetings in every county in Ohio. They are resolving that they will not sell any of their wheat. There are places where wheat has been burned because of the feeling of unfairness produced by the attempt to impose a 49-cent penalty, when, at the time the wheat was planted, the penalty was only 15 cents.

I can present only the views of a layman; but, as I understand, for a number of years an acreage quota has been imposed on corn and wheat. There has never before been invoked a provision of law imposing a marketing quota. The marketing quota, as it comes into Ohio, for instance, says to the farmer, "You shall not sell any of your wheat whatever until you have paid a penalty of 49 cents a bushel on the acreage in excess of the acreage limitation to which you are subject." When those farmers got their acreage limitation, it was distinctly stated to them that they did not have to abide by the acreage limitation. There is no law requiring any farmer to abide by an acreage limitation. The law merely says, "If you do not abide by the acreage limitation, you shall not have various benefits from the Government. You shall not have the right to avail yourself of the loan provisions; you shall not have certain rights in the way of conservation payments." Any farmer had a perfect right, looking at the law, to say, "I will take a chance on a 15-cent penalty and plant as much wheat as I choose to plant."

I have stated what the farmer was told. Then on May 26 of this year Congress changed the law, and raised the penalty from 15 cents a bushel to 49 cents, of course, in many cases imposing a penalty away beyond the farmer's ability to pay, and as it has been administered, certainly in some places, it is a grossly unjust provision.

Mr. SHIPSTEAD. It was changed after the wheat was planted.

Mr. TAFT. Wheat is planted in Ohio in the fall, and this year it was all ready for harvesting by the time the change was made. The same situation existed in many other places. Of course, the spring wheat was planted in the spring.

I do not see why this proposal should apply only to winter wheat. As I have said, in Ohio all the wheat planted is winter wheat, so that it applies to all our wheat.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. RUSSELL. I think the Senator might state that since the penalty has been increased the wheat farmers have voted on the question, and by an overwhelming majority, about 85 or 86 percent, approved the marketing quota with a 49-cent penalty.

Mr. TAFT. However, I do not think it was understood by the farmers. So far as the Ohio farmers are concerned, the Senator's statement does not apply, because in Ohio the farmers voted 51 to 49 percent against imposing the penalty.

Mr. RUSSELL. So the Senator would have the wheat farmers of Ohio impose their will on the wheat farmers of the rest of the country.

Mr. TAFT. No; I made no such argument. My only argument is that it is unjust, unfair, retroactive, ex post facto to impose a larger penalty after the wheat is planted.

The excuse is that because we raised the loan figure, and therefore may have raised the price of wheat, we are entitled to impose a larger penalty. The farmers would not get the benefit of that provision. When the wheat was planted in Ohio, for instance, the average price of wheat was 72 cents, and there was a very reasonable prospect that the price might go higher. War has nearly always resulted in an increase in the price of wheat. It may easily happen that the time may come when the English will have to come to this continent for all their wheat, as was the case during the World War. The submarine campaign during that war reduced shipping to such a point that the British could not afford to send ships to the Argentine or to Australia for wheat, to any of the ordinary sources of supply, and all of Europe was fed with American wheat. The same condition may occur again. Any farmer had the right to think the price of wheat might increase without further Government action, and no one can say that the increase from 72 cents to 90 cents has resulted necessarily from Government action. It might well have occurred anyway. So that if a farmer planted with the price at 72 cents, and paid a 15-cent penalty, he would get about 57 cents a bushel. We came along with a 49-cent penalty, and, with the loan price at 98 cents, the farmer gets 49 cents a bushel. Therefore that is clearly an indication of what the farmer was entitled to think he would get for wheat at that time.

Furthermore, there is this extraordinary fact: Of course, the farmers are forbidden even to feed the wheat to their own stock, on their own farms, or to feed the wheat to their own families. I think that provision will be unenforceable. I do not know how it will be possible to collect the penalty imposed on these farmers. I do not know whether the district attorney is to go out and sue them if they do not intend to market their wheat.

In Ohio the farmers voted against the proposal, while farmers farther west voted for it. The farmers voted against it in Pennsylvania, and it did not get a majority in Indiana. In Ohio we have all-purpose farms, finally resulting in rotation of crops, certain acres being planted to wheat, or grass, or clover. That rotation is frequently upset completely by an acreage limitation on wheat. Many of the farmers are perfectly able to market no wheat at all. They can feed all their wheat, and many of them have fed all their wheat in the past. Ohio produces about 37,000,000 bushels of wheat. It is the seventh wheat-producing State in the United States, and the fourth or fifth agricultural State.

What has happened is this: As a result of the holding back of wheat and the reduction in the penalty on feed wheat, a tremendous volume of feed wheat is now being imported from Canada, brought into this country and sold at prices above what the American farmer can get after he has paid the penalty.

The increase in the importation of feed wheat from Canada is well worth noting. The total imports of feed wheat from Canada in 1939 were 87,000 bushels. From July 1940 to April 1941 the importation of feed wheat amounted to 924,000 bushels. In the month of April alone this year the importation of feed wheat from Canada amounted to 234,000 bushels. In the month of May the importation of feed wheat from Canada amounted to 1,712,000 bushels of Canadian wheat, wheat which we are importing from Canada to go into feed, which has been sold back to the American farmer, while the American farmer himself is penalized to such an extent that he cannot even afford to sell his wheat for feed after paying the penalty, and, as a matter of fact, he is practically forbidden to use wheat for feed on his own farm.

Mr. President, that is a drastic provision. It seems to me perfectly clear that any reasonable and fair man will say that those farmers should not have to pay a penalty greater than 15 cents a bushel, to which they knew they were subject when they planted the wheat, which they intended to pay, if it were necessary, or not pay, and feed the stuff to their stock.

Of course, in addition, there is the fact that the Secretary of Agriculture says that today there are not enough hogs, there is not enough beef, there are not enough chickens. He is encouraging farmers to raise more livestock, and then forbidding farmers to use their own wheat on their own farms to feed to their own stock, or even to feed their own families.

The Senate has adopted an amendment offered by the Senator from Nevada [Mr. McCARRAN] abolishing the penalty. That is entirely satisfactory to me, except that while it has no direct concern to Ohio farmers, I think it should apply to spring wheat as well as to winter wheat. But certainty I believe that the Senate conferees should absolutely insist on the retention of this amendment, or some modification of the amendment, which will right the injustice which has been done to every wheat farmer in the United States.

Mr. LEE. Mr. President, I offer certain amendments.

Mr. SHIPSTEAD. I note the absence of a quorum.

Mr. LEE. Mr. President, I do not yield for that purpose. I ask that my amendments may be stated.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Brown	Connally
Aiken	Bulow	Danaher
Andrews	Bunker	Davis
Austin	Burton	Downey
Bailey	Byrd	Eastland
Bankhead	Capper	George
Barkley	Caraway	Gillette
Bone	Chavez	Glass
Brewster	Clark, Mo.	Green

Guffey	McFarland	Taft
Gurney	McKellar	Thomas, Idaho
Hatch	Maloney	Thomas, Okla.
Hayden	Nye	Thomas, Utah
Hill	O'Mahoney	Tobey
Hughes	Overton	Truman
Johnson, Calif.	Pepper	Tunnell
Johnson, Colo.	Radcliffe	Tydings
La Follette	Rosier	Vandenberg
Langer	Russell	Van Nuys
Lee	Schwartz	Walsh
Lodge	Shipstead	Wheeler
Lumpkin	Smathers	Wiley
McCarran	Smith	Willis

The PRESIDENT pro tempore. Sixty-nine Senators having answered to their names, a quorum is present.

Mr. LEE. Mr. President, I offer certain amendments which I ask to have stated.

The PRESIDENT pro tempore. The amendments will be stated.

The LEGISLATIVE CLERK. On page 1, line 5, it is proposed to strike out "paragraph" and insert "paragraphs."

On page 2, line 8, it is proposed to strike out "producer." " and insert "producer."

On page 2, after line 8, it is proposed to insert the following:

(13) Notwithstanding any of the foregoing provisions the penalty upon wheat shall not apply to that portion of the farm-marketing excess for any farm which the producer establishes in accordance with the regulations of the Secretary, which was or will be used as feed for livestock or poultry for any purpose or for seed or which was or will be consumed by the farmer's family or household. The amount of any penalty paid on that portion of the farm-marketing excess of wheat which was or will be used as feed for livestock or poultry for any purpose or for seed or which was or will be consumed by the farmer's family or household, shall be returned or allowed the producer.

Mr. LEE. Mr. President, the purpose of the amendment is clear from a reading of it. It simply provides that the farmer may feed the excess wheat without penalty.

Mr. HATCH. Mr. President, I think the amendment should be rejected. The amendment offered at this point would simply have the effect of adding an additional marketing quota to farmers who have not complied with the program. It is in effect destructive of the very purpose of the Agricultural Adjustment Act. It relieves the farmers who have refused to cooperate and to comply with regulations from the burdens under the act which it was anticipated and hoped would secure compliance with its provisions.

Mr. President, I am not speaking from the standpoint of trying to hold the reins tight on noncooperatives. I am speaking in behalf of the millions of farmers who have cooperated with the program and have sustained the burdens throughout the years before we had marketing quotas. At this time, the only year in which a marketing quota has been voted, to relieve noncooperators from the burdens would be to destroy the very purposes of the act. If we wish to do that let us repeal the act in its entirety. Let us not place the burdens on the cooperators, and then come along and relieve the noncooperators.

The amendment should be rejected.

Mr. GILLETTE. Mr. President, in addition to the very powerful argument just advanced by the Senator from New Mexico against this amendment I should like to add a few words relative to another phase of the matter.

The entire production-control program is based on a philosophy under the terms of which the producers of the five basic commodities limit their production in the hope of taking off the market a certain percentage of surplus, and by such cooperative effort seek to maintain a price level.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. HATCH. I wish to point out that the producers have done so not only this year but during all the years the act has been in force.

Mr. GILLETTE. That is true. The farmers of the country have been wonderfully cooperative in all the legislation which has been presented relative to this matter. It has been my fortune to be either at this end of the Capitol or at the other end when all such legislation was proposed. Whenever a proposal has been presented farmers producing cotton, rice, wheat, corn, or tobacco—any of the five basic commodities—have been cooperative, and have approached the question in a spirit of comity.

In behalf of the farmers of my State, which I have the honor in part to represent in the Senate, let me say that ours is a corn-producing State. Eighty-five percent of our corn is marketed, as we say, "on the hoof," in the form of beef or pork.

In this connection a controversy has arisen as to whether acreage taken out of production shall be used in competition with the producers of other commodities. The producers of the basic commodities have been fair in approaching the discussion of the controversy. The contention is made that a farmer should not take acreage out of corn production and put it into cotton production or take acreage from cotton and put it into corn.

The effect of this amendment would be that if we should allow the noncooperator to use the excess wheat which he has harvested above the quota limitation as feed for livestock, and put the livestock on the market in competition with the cooperator in corn or the cooperator in some other feed, we should destroy the whole foundational basis for the program. If we want to wreck the program from start to finish an amendment of this kind ought to be adopted. But if we wish to preserve it and preserve the farmers producing any of the basic crops, in fairness to all the other farmers in the country, and to attract as large a percentage of cooperators as possible, without which there can be no success in a program of this kind, then the amendment should be rejected.

I sincerely hope that the Senate will not adopt a proposal of this kind.

Mr. WILLIS. Mr. President, the able Senator from Iowa has presented a very alarming picture of what is to happen to the corn market, as well as to the whole agricultural program, if this amendment should be adopted. I think he has made much more out of the argument than is justified.

As a matter of fact, we shall have only about 60,000,000 bushels of surplus or penalty wheat. The amount to be used on the producer's farm is a small fraction of that. The corn price is held up by the loan on the basis of 85 percent of parity, so the corn market will hardly be affected even in a slight degree by this measure.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WILLIS. I yield.

Mr. HATCH. Today corn is selling for about 20 cents under parity.

Mr. WILLIS. Corn growers can obtain a loan of 85 percent of parity.

Mr. HATCH. I was speaking about the market price.

Mr. WILLIS. I am not informed as to the market price today.

There are three ways in which the penalty wheat can be handled. A farmer may pay the penalty and market his excess wheat, or he may put it in storage and have the penalty deferred. Then when the next year's allotment is set up, he may take it out of that allotment. Why go through that process? Why not let him begin to feed it at once to the stock on his own farm, thus preserving the value and quality of the wheat and avoid useless technicalities?

In my State it is considered a fundamental American principle that a man should have the right to raise on his own farm crops to feed to the livestock which he raises on his farm, or to be consumed as food by his own family, which is the purport of this amendment.

I have supported the agricultural-adjustment program in its principal objectives. If those in charge of the program will recognize the fundamental principle which I have just outlined, they will obtain more universal cooperation from the farmers of America.

The Secretary of Agriculture has asked that we produce agriculture for defense. He has asked that we produce more dairy cattle, more hogs, and more poultry. Why not put the penalty wheat into defense wheat immediately, and begin to feed it into the avenues of production which the Secretary of Agriculture urges? Why delay the process for weeks in enforcing limitations on products raised wholly on the producer's farm?

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. WILLIS. I yield.

Mr. GILLETTE. The Senator has just referred to feeding wheat to stock on the farm. I am sure the Senator has in mind the fact that an acreage below 15 acres does not come within the provisions of the act. In addition, under the present limitations wheat may be fed to livestock for home consumption or use on the farm. The question to which I have just referred arises when we attempt to permit excess wheat to be fed to livestock for the market, in competition with cooperators in other basic commodities.

Mr. WILLIS. I understand. Has the Senator any estimate as to how much wheat would be affected by the pending amendment?

Mr. HATCH. Mr. President, let me answer the Senator's question. It makes no difference how much would be affected. It is the principle involved that concerns me, and whether the amount

be 1,000,000 bushels or 100 bushels, the principle remains the same.

Mr. WILLIS. The principle remains the same; and this principle is also the same for every American farmer. Whether he has 15 acres or 1,500 acres, he has a right to be heard and his fundamental rights should be protected.

Mr. HATCH. If that is the philosophy of the Senator, we should repeal the entire act. We should not wait until a man has gone through several years, accepting all the benefits and advantages of the program, and then, when the time comes for him to pay a little penalty, let him walk out from under it and place the penalty on the men who have made the program possible. That is what the Senator wants to do.

Mr. WILLIS. Not at all. The Senator from New Mexico understands, I presume, that the grievance of the wheat producers arises from the fact that the penalty was changed after the crop was planted. They have no grievance over the penalty in effect when the crop was planted. In this amendment, however, we refer only to the grievance felt because of the penalty charged on wheat raised and used on the producer's own farm and not to the whole crop of excess wheat.

Mr. HATCH. Not at all. The Senator from New Mexico does not understand that, because that is not the fact.

Mr. WILLIS. Was not the penalty changed after the crop was planted?

Mr. HATCH. The penalty was changed at the same time the advance in the loan price was made, and the advance in the loan price more than offset the penalty. The farmer is still gaining more than he has lost.

Mr. WILLIS. That may be true, I will say to the Senator from New Mexico, but the American people are against changing the rules in the midst of the game.

Mr. HATCH. Oh, no; the Senator from New Mexico is not going to change the rules in the midst of the game.

Will the Senator from Indiana be willing to put the loan price back to where it was?

Mr. WILLIS. Not in the face of present conditions.

Mr. HATCH. Oh, no; he will take the benefits, but he does not want to bear the burden.

Mr. WILLIS. Under present conditions, I cannot say I would be willing to have the loan price go back to where it was, but that evades the issue. It is not the loan rate on the great bulk of the crop raised by cooperators, the issue is: Should we not permit the feeding of excess wheat on the producer's own farm? And that is an almost insignificant portion of the crop, even of the penalty portion.

Mr. McCARRAN. Mr. President, will the Senator from New Mexico yield? I should like to ask him a question.

Mr. HATCH. The Senator from New Mexico is always delighted to reply if he can do so.

Mr. McCARRAN. To the producer who wants to sell, what difference will it make what the loan price may be? The loan price does not interest the man who wants to sell, because he is dependent on the market and he is willing to take the market price.

Mr. HATCH. Will the Senator yield so that I may answer that statement?

Mr. McCARRAN. Yes.

Mr. HATCH. I will tell the Senator from Nevada what difference it will make. I wonder if anyone knows what the quotation on wheat is today. I guess September wheat in Chicago probably is worth $1.06, and I will state that if it had not been for the loan price, September wheat in Chicago would be around 30 cents. That is the difference it makes to the man who wants to sell. The Senator can figure it out on that basis.

Mr. McCARRAN. No; I will not figure it out on that basis because the hypothesis of the Senator from New Mexico is incorrect.

Mr. HATCH. No; my hypothesis is absolutely correct.

Mr. McCARRAN. Had it not been for world conditions, neither the loan price nor the sale price would be what they are.

Mr. HATCH. The Senator from Nevada now is adopting the argument of Mr. Hoover in 1932.

Mr. McCARRAN. Oh, no; that is just another smear. Do not put it off on that.

Mr. HATCH. If that offends the Senator I withdraw it.

Mr. McCARRAN. It does not offend me at all, because I regard Mr. Hoover as a very fine gentleman.

Mr. HATCH. I regard him as such, too; but the reason I refer to Mr. Hoover is that I myself sold wheat for 19 cents a bushel.

Mr. McCARRAN. I have no doubt of that.

Mr. HATCH. It was not a very pleasant experience.

Mr. McCARRAN. I sold wool for 8 cents.

Mr. HATCH. I sold it for 5 cents. [Laughter.]

Mr. McCARRAN. We were going down.

Mr. HATCH. We did not have an administration that was trying to take care of the situation.

Mr. McCARRAN. That is correct.

Mr. HATCH. We do have now; and under this administration we have fixed a loan price of 85 percent of parity, and that is the sole reason that wheat is selling today for the price at which it is selling. It is the sole reason why cotton is selling at as high a price. If we destroy that program we will destroy the very man we want to help. That is what I am trying to argue with the Senator.

Mr. McCARRAN. I do not propose to destroy the program.

Mr. HATCH. Well, these things are going to destroy the program, and I will say to the Senator from Nevada that his own amendment reducing the penalty from 49 cents to 15 cents, which was adopted during my absence, and which presently I shall ask to have reconsidered, will be destructive of the very man he wants to help.

Mr. McCARRAN. If 2,000,000 acres of wheat produced in this country will destroy a principle, then it should be destroyed. The fact of the matter is that we have abandoned the fundamental law of supply and demand; we have gone away from it, and have again created an artificial law.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. McCARRAN. If the Senator from New Mexico will permit me to make a statement, then I will desist. The Senator from Indiana has the floor.

Mr. HATCH. Very well.

Mr. McCARRAN. If we go back to the fundamental principle of supply and demand we shall have no necessity for programmed production.

Mr. HATCH. The Senator from Nevada asked that we go back to the fundamental principle of supply and demand. Let us see where that would place us. How many bales of cotton do we have in surplus?

Mr. THOMAS of Oklahoma. Over 6,000,000 bales.

Mr. HATCH. Over 6,000,000 bales of surplus cotton now. If the Senator from Nevada were to go back to the principle he advocates, I venture to say that cotton would not sell for 4 cents a pound.

Mr. BANKHEAD. Were we to go back to the law of supply and demand with respect to the farmer, I suppose we should have to do the same with respect to labor. That would force the Senator from Nevada to advocate the repeal of the Fair Labor Standards and Practices Act, and to let labor get what it could get and work what hours it would be required to work under the law of supply and demand.

Mr. McCARRAN. Oh, no; that rule does not apply at all.

Mr. HATCH. I am talking about the agricultural situation right now. If we were to go back to the law of supply and demand, with 6,000,000 bales of cotton on hand, cotton selling at 4 cents a pound would bankrupt every farmer in the country in 2 years. With many million bushels of wheat on hand, at the end of the crop this year there would be at least a 2-year supply thrown on the market, and it would bankrupt every wheat man. He would be worse than bankrupt.

Mr. McCARRAN. I am wondering what we have been passing bankruptcy laws for.

Mr. HATCH. The Senator from Nevada does not want every farmer in the United States to go into bankruptcy, does he?

Mr. McCARRAN. Certainly not; and that is the reason we have been preventing it.

Mr. HATCH. I desire to say we have been preventing it by artificial means, and I am for whatever means are necessary to prevent the poverty and the bankruptcy of the farmers of this country.

Mr. McCARRAN. So am I.

Mr. HATCH. That is the reason I am opposed to the Senator's amendment. That is the reason I am opposed to this amendment; because I know they are entering wedges by which the whole program will be destroyed, and we will go back to where we were in 1931 or 1932. That is all there is to it.

Mr. McCARRAN. If the Senator will yield again, I do not want to return to a

policy or a plan whereby the producer, losing everything he has, goes out and destroys that which he sowed. Today in America wheat producers are setting fire to wheat—wheat which is the staff of life and which this world is asking for and clamoring for and will be hungry for in no time.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HATCH. A most remarkable statement has just been made. The Senator from Nevada says the wheat producers of America are burning up their wheat fields.

Mr. McCARRAN. Why, there are pictures of that in the newspapers.

Mr. HATCH. In what place in the Union is any wheat field on fire?

Mr. WILLIS. Mr. President, do I have the floor?

The PRESIDENT pro tempore. The Senator from Indiana has the floor and has not yielded it.

Mr. WILLIS. Mr. President, the lifting of the penalty on the small amount of wheat that will be fed to stock raised on the producers' farms is not going to break the American wheat market. I want to emphasize the fact and to say that in all probability all the wheat we can produce is going to be needed, and we ought to encourage the farmer to produce all the wheat necessary to aid the Nation, which may be called upon to feed a war-devastated world.

I support the amendment of the Senator from Oklahoma [Mr. LEE], and I hope it will have the support of the Senate.

Mr. GILLETTE. Mr. President, before the Senator takes his seat, will he yield to me?

Mr. WILLIS. Yes; I yield.

Mr. GILLETTE. I should like to make one observation. With reference to any argument which has been made here or which will be presented relative to the passage of legislation providing an increased penalty, the act increasing the penalty on May 26, and the suggestion that it was adopted after the winter-wheat areas had been sowed—whatever merit there might be in that argument certainly does not apply to the amendments presented by the Senator from Indiana.

Mr. WILLIS. Will the Senator yield for just a minute?

Mr. GILLETTE. I yield.

Mr. WILLIS. I am speaking, I presume, on the amendment of the Senator from Oklahoma [Mr. LEE].

Mr. GILLETTE. The amendment of the Senator from Oklahoma?

Mr. WILLIS. Yes.

Mr. GILLETTE. Oh; I beg the Senator's pardon.

In July 1940 the United States Congress passed the act under which the use of excess wheat as feed is limited.

That act provides that "market" shall be defined as follows:

(6) (A) "Market," in the case of corn, cotton, rice, tobacco, and wheat, means to dispose of, in raw or processed form, by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos, and, in the case of corn and wheat, by feeding (in any form) to poultry or livestock which, or the products of which, are sold, bartered, or exchanged.

On May 26 of this year, when the penalty was increased, section 7 provided that no penalty should apply on wheat on a nonallotment farm "if the acreage of the commodity harvested on such nonallotment farm is not in excess of 15 acres or the acreage allotment for the farm, whichever is larger"; nor should there be a penalty for wheat harvested if the wheat was fed to livestock for home consumption or used for home consumption.

So the wheat farmer had full notice, he had more than a year's notice of what constitutes an illegal sale and marketing of excess wheat. To allow wheat to be used now to feed to livestock and thrown onto the market in competition with the producers of other feeds, I insist, as I stated before, is destructive of the whole philosophy and the whole framework of the act.

Mr. WILLIS. It is true, is it not, that the penalty was changed and a different penalty provided since last fall, since the 1941 crop was planted?

Mr. GILLETTE. So far as the penalty is concerned and the provision as to use as feed for livestock, it has been on the statute books for more than a year.

Mr. WILLIS. This penalty was more than tripled under the farm program.

Mr. GILLETTE. Of course, that is another question.

Mr. TAFT. Mr. President, the opinion of the Farm Bureau has been cited here. I should like to read a letter written by the master of the National Grange to the Secretary of Agriculture, who supports the amendment, or the principle of the amendment, which is now offered. The letter to the Secretary of Agriculture from Mr. Louis J. Taber, master of the National Grange, says in part:

The purpose of this letter is to thank you for your courtesy and also to suggest further action relative to the problem of so-called penalty wheat. I have received many long-distance telephone calls from Texas to New York on this question. Farmers feel that they planted their crop last September and October in good faith. They feel that a Canadian farmer has a 7-cent less penalty than themselves.

Senators will understand that the Canadian farmers can import feed wheat, pay a duty of only 4 cents, and obtain——

Mr. HATCH. Does the Senator contend that the Canadian farmer is better treated by our Government than are our own farmers?

Mr. TAFT. That is the effect or the result. Over all I should not say so, but in the month of May last 1,700,000 bushels of feed wheat were imported from Canada, sold and bought by American feed manufacturers in preference to American wheat because they could get the Canadian wheat cheaper. At the same time the Canadian farmer gets 49 cents for his feed wheat and the American farmer gets 42 cents for his feed wheat.

Mr. HATCH. Mr. President, I want to make this observation: The Senator is an excellent lawyer and an able statesman, but he takes one single fact and makes the argument he is making now. If he wants to do that, it is all right, but I think it is entirely unfair and entirely incorrect.

Mr. TAFT. I entirely disagree with the Senator. It is not an unfair argument; it is not an all-compelling argument; but it is a perfectly sound objection to the present policy. I do not say on that ground alone the penalty should be repealed, but I say today the Canadian farmer can get more money by selling his feed wheat on the American market than the American farmer can when he pays the penalty on his excess wheat. His wheat has to be locked up under Government lock and key, while the Canadian farmer is invited to send his wheat to be sold ultimately to the American farmer himself; that is the effect; and I say that is an argument against the system. I do not say it is an all-compelling argument.

Mr. HATCH. If the Senator wants to argue against the system I think he can make plenty of argument on that score, but when he takes one isolated case and does not discuss the value of the loan and does not discuss the fact——

Mr. TAFT. If the Senator will sit down and stop asking me questions, I will go on and discuss the other questions.

Mr. HATCH. The Senator has the floor; I will not ask any more questions; I will take my seat; but I reserve the right to take the floor later.

Mr. TAFT. Reading further from the letter of the Master of the National Grange:

They feel that a Canadian farmer has a 7-cent less penalty than themselves. The farmer across the border can pay the 42-cent tariff, take back American money, exchange it for his own money, and have 10 to 20 cents more per bushel than the farmer who has grown so-called penalty wheat.

The Grange suggests that any farmer with penalty wheat who will agree to cut future acreage should be allowed to feed this wheat to poultry, dairy cows, or hogs, the three items on which you are asking for increased defense production. In other words, the Grange wants to transform this penalty wheat into defense wheat. We think this is good common sense, patriotic and sound.

The Grange wants to lead any other group in the Nation in patriotic support of your program for increased food, for balanced agriculture, and for economic justice that will allow the farmer to survive.

L. J. TABER,
Master, National Grange.

It is not true that the increase in penalty from 15 to 49 cents is justified by the increased loan. The difficulty with the argument of the Senator from Iowa, as I see it, is this: We have not imposed a compulsory acreage reduction on the farmer. If we had, and he violated it, then I should say he could be properly penalized. But we did not do that. We said, "Here is your acreage; if you will comply with it the Government will give you certain benefits, and if you do not comply with it you will not get those benefits, and you will get a 15-cent penalty." Knowing that, and with wheat at about 72 cents a bushel, when it was planted in Ohio last fall, he figured he could get 57 cents a bushel for any of his excess wheat, and he reasonably, I think,

could expect an increase in view of the war. Now he finds that a 49-cent penalty is imposed on a 90-cent price, and he gets something like 40 cents a bushel instead of the 50 cents a bushel on which he counted. I think that is a retroactive provision and unfair. If the Senate finally adopts the amendment of the Senator from Nevada [Mr. McCARRAN], and reduces the penalty, then, the argument for the feed amendment is not so strong; on the other hand, I am not sure but that permitting the use as feed will have as much effect on the market finally as the reduction of the penalty to 15 cents; but I am inclined to think that it will satisfy most of the farmers, at least, the three or four hundred from whom I have heard and those with whom I have been able to talk. It seems to me that this is a reasonable amendment, and that the committee in conference can choose later which one it is best to adopt, whether the feed-wheat provision or the reduction of the penalty.

Mr. HATCH. Mr. President, I shall not further discuss the amendments. I think I have made practically all the statements I care to make. Presently I shall ask that the Senate reconsider the vote by which the amendment of the Senator from Nevada was adopted, and shall ask that that amendment be rejected. In doing so and in taking the position which I take on the various amendments, I wish to discuss for just a moment the bill itself which is before the Senate.

This bill was passed by the House of Representatives after the House had discussed every single solitary amendment which has been offered on the floor of the Senate. These amendments were all considered by the Committee on Agriculture and Forestry; at least, they were mentioned, and they were discussed. Some members of the Committee on Agriculture and Forestry favored some of the amendments which had been offered and which have been discussed on the floor. They thought, perhaps, the penalty should be reduced from 49 cents to 15 cents. Some favored the amendment that has been offered by the Senator from Oklahoma to permit the feeding of wheat, but we all—I do not think there was a single exception—after discussing all these matters and considering the situation which exists in the House of Representatives, reached the conclusion that if any of these amendments were adopted, if they were tied to this bill, it would kill the bill. I say to the Senate now, with every positive assurance that I can give, being, of course, no prophet but at least being willing to make the prediction, that if any of these amendments are tied to this bill, we will never have a law on this subject. The amendments will never be adopted by the other House; they will never get out of conference, and all you are doing today is killing this bill. That is what you are doing. If you want to do it, go ahead; but that will be the effect; that will be the result.

The bill itself has some merit. There is an element of justice in the bill. It is simply to provide that a man who planted excess wheat acreage and had a bad year, had a drought—such as we have in New Mexico sometimes, or such as sometimes occurs in South Carolina—and did not make his normal yield, may use the yield from his excess acreage to make up the normal yield which he would have made if he could have marketed his wheat without a penalty.

There is an element of justice and an element of fairness in that. Perhaps he should have taken his chances on the weather with the other man, but he had a little bad luck. The House of Representatives decided that that was as far as it could go and deal equitably with the situation, and it passed the pending bill. It came to our committee in this form, and we discussed all the amendments and decided that we should not tie them onto the bill, for they would destroy the little bit of justice that the unfortunate farmer has.

I know it is nice to stand up here and argue to relieve against penalties and to save the American farmer, and all that; but we passed the law. It was plain in its provisions. Everybody knew what it provided. We increased the penalty. It was not increased by the Department, as has been asserted in statements sent out over the country. I have had letters stating that a "dictator" in the Agricultural Department increased the penalty from 15 cents to 49 cents a bushel. That was an act of Congress. Senators did that.

Mr. McCARRAN. Mr. President, will the Senator yield at that point?

Mr. HATCH. Yes; I yield.

Mr. McCARRAN. Does the Senator believe the act of Congress was known to the farmers of the country when they voted on the penalty provision?

Mr. HATCH. It certainly was. It was a public law of the land.

Mr. McCARRAN. It may have been a public law of the land, but I venture the statement, on the basis of public expressions coming from the farm communities today, that it was not known what the penalty was. The farmers thought they were voting on the 15-cent penalty.

Mr. HATCH. Oh, no. I will tell the Senator what the farmers thought they were voting on; and I say this with no disrespect to them. I myself have been raising wheat. I am a cooperator. I have suffered these burdens in all the years, and I have benefited from the program, too. They voted to get the 85-percent-of-parity loan. That is what they voted for.

Mr. McCARRAN. Mr. President, will the Senator yield again?

Mr. HATCH. Yes; I yield. I may add that if they had not voted it, they would not have gotten the loan.

Mr. McCARRAN. How long was the 85-percent-of-parity loan in existence?

Mr. HATCH. It was in existence at just the same time that the 49-percent penalty was in existence.

Mr. McCARRAN. How long did the penalty provision exist prior to the enactment of the present law?

Mr. HATCH. What penalty provision does the Senator refer to?

Mr. McCARRAN. The 15-cent-penalty provision.

Mr. HATCH. That, as I recall, was included in the original act, passed 3 years ago.

Mr. McCARRAN. It was in effect 3 years and was never enforced.

Mr. HATCH. Oh, no; we never had a marketing quota before. The farmers never voted on it.

Mr. McCARRAN. There never was a threat of a surplus before.

Mr. HATCH. Oh, yes; there was.

Mr. McCARRAN. Oh, no.

Mr. HATCH. There was a surplus last year. Not only was there a threat of a surplus, but there was a surplus.

Mr. McCARRAN. That was the first year that there was even a threat of a surplus, and it was the first year that the quotas were enforced; and the Department officials came before Congress at that time and raised the penalty from 15 cents to 49 cents, and then went out to the farmer and induced him to vote for the 49-cent penalty.

Mr. HATCH. We raised the penalty and we also raised the benefits, and one corresponded to the other. If we compare the market figure, the loan values, the present penalty, and the penalty before the loan value was increased, it will be found that the situation has not changed at all. It is just about the same so far as the noncooperator is concerned.

The Senator from Iowa [Mr. GILLETTE] tells me—and I am sure the Senator speaks correctly, because he comes from a great farm State—that all the local committees went out and explained this exact situation to the farmers at the time they voted the quota; and I desire to say now that this penalty would not have been in effect if the farmers themselves had not voted for it. The great majority of the farmers of the country voted for this program. That is the reason why it is in effect. Now Representatives and Senators say we must relieve a man against the thing for which he himself voted.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. HATCH. I yield to the Senator from Delaware.

Mr. HUGHES. Does the Senator from New Mexico mean to say that the farmers, when they voted, knew that the 49-cent penalty was there?

Mr. HATCH. Why, certainly.

Mr. HUGHES. I do not think so. I am sure that in my State, where we grow a large amount of wheat, they did not.

Mr. HATCH. The Senator may say he does not think they did. I do not know what the farmers of his State understood; but, as a matter of fact, the law was just as it is today at the time they voted the marketing quota.

Mr. HUGHES. What I say is that they did not realize that it would apply to the wheat crop which they had already planted; that it would have a retroactive effect.

Mr. HATCH. I venture to say to the Senator from Delaware that the majority of the farmers in his State voted against it.

Mr. HUGHES. No; they did not.

Mr. HATCH. Then I guessed wrong. I know the agricultural situation in the State, and I imagined that that was the case, because in the East generally the vote on the wheat quota was against it, I think. I may be wrong.

Mr. HUGHES. My State is both an industrial and an agricultural State, but the agricultural part of the State is much larger than the industrial part; and that is why we are quite as much interested in farming as we are in industry, or more interested.

Mr. HATCH. I will say to the Senator from Delaware that if he will go to the Agriculture Department and get the facts and the figures, he will find that the farmers in his State, by virtue of the increased benefits, are not injured by the increased penalty; that one offsets the other, and that if these amendments are adopted the farmer will get the benefit and escape the burden. I think that is wrong. That is the reason why I am arguing as I am. I think that when a person takes the benefits he ought to bear the burdens, whether he is a farmer or a Senator or a lawyer or anybody else.

That is about all I have to say, except that I am very much interested in the passage of the bill itself, and I do not want to see it killed. If for no other reason, I hope that all these amendments will be defeated, and that the House bill, with the simple provision giving as much fairness and justice as it does, will eventually become the law.

Mr. McCARRAN. Mr. President, I rise to a question of information. Will the Chair kindly state the question before the Senate?

The PRESIDENT pro tempore. The question before the Senate is on agreeing to the amendments proposed by the Senator from Oklahoma [Mr. LEE.] [Putting the question.] The Chair is in doubt.

Mr. McCARRAN. I call for a division.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gillette	Radcliffe
Aiken	Glass	Rosier
Andrews	Green	Russell
Austin	Guffey	Schwartz
Bankhead	Gurney	Shipstead
Barkley	Hatch	Smathers
Bone	Hayden	Smith
Brewster	Hill	Taft
Bunker	Hughes	Thomas, Idaho
Burton	Johnson, Colo.	Thomas, Utah
Byrd	La Follette	Tobey
Capper	Langer	Truman
Caraway	Lee	Tunnell
Chavez	Lodge	Tydings
Connally	McCarran	Vandenberg
Danaher	McFarland	Walsh
Davis	McKellar	Wheeler
Downey	Maloney	Willis
Eastland	Overton	
George	Pepper	

The PRESIDENT pro tempore. Fifty-eight Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendments offered by the Senator from Oklahoma [Mr. LEE].

Mr. HATCH. I ask for the yeas and nays.

The yeas and nays were ordered, and the Legislative Clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. Not knowing how he would vote if present, I transfer my pair to the junior Senator from Kansas [Mr. REED], and will vote. I vote "yea."

The roll call was concluded.

Mr. BANKHEAD. I have a general pair with the senior Senator from Oregon [Mr. MCNARY]. I transfer that pair to the junior Senator from Arkansas [Mr. SPENCER], and will vote. I vote "nay." I am not advised how either of the Senators mentioned would vote if present and voting.

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES], which I transfer to the Senator from West Virginia [Mr. KILGORE], and will vote. I vote "nay." I am not advised how either Senator would vote if present and voting.

Mr. HILL. The Senator from Tennessee [Mr. STEWART] has a general pair with the Senator from Oregon [Mr. HOLMAN].

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from South Carolina [Mr. LUMPKIN], the Senator from New York [Mr. MEAD], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Arkansas [Mr. SPENCER], the Senator from Tennessee [Mr. STEWART], the Senator from Oklahoma [Mr. THOMAS], the Senator from Indiana [Mr. VAN NUYS], and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

The Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are detained by illness.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from New Jersey [Mr. BARBOUR], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. HOLMAN], the Senator from Kansas [Mr. REED], and the Senator from Maine [Mr. WHITE] are necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is temporarily absent on official business. If present, he would vote "yea."

The result was announced—yeas 34, nays 23, as follows:

YEAS—34

Adams	Eastland	Maloney
Aiken	Glass	Shipstead
Austin	Gurney	Taft
Bone	Hughes	Thomas, Idaho
Brewster	Johnson, Colo.	Tobey
Bunker	La Follette	Tydings
Burton	Langer	Vandenberg
Byrd	Lee	Walsh
Capper	Lodge	Wheeler
Chavez	McCarran	Willis
Danaher	McFarland	
Davis	McKellar	

NAYS—23

Andrews	Barkley	Connally
Bankhead	Caraway	George
Gillette	Overton	Smathers
Green	Pepper	Smith
Guffey	Radcliffe	Thomas, Utah
Hatch	Rosier	Truman
Hayden	Russell	Tunnell
Hill	Schwartz	

NOT VOTING—38

Bailey	Ellender	Nye
Ball	Gerry	O'Mahoney
Barbour	Herring	Reed
Bilbo	Holman	Reynolds
Bridges	Johnson, Calif.	Spencer
Brooks	Kilgore	Stewart
Brown	Lucas	Thomas, Okla.
Bulow	Lumpkin	Van Nuys
Butler	McNary	Wagner
Chandler	Mead	Wallgren
Clark, Idaho	Murdock	White
Clark, Mo.	Murray	Wiley
Downey	Norris	

So Mr. LEE's amendments were agreed to.

Mr. HATCH. Mr. President, earlier today an amendment offered by the Senator from Nevada [Mr. MCCARRAN] was adopted. As I understand the amendment, it provided that the penalty should be reduced from 49 cents to 15 cents a bushel. I now move that the vote by which that amendment was adopted be reconsidered.

Mr. McCARRAN. Mr. President, I wonder if the Senator from New Mexico has been advised as to what the amendment was.

Mr. HATCH. The Senator from New Mexico was not on the floor when the amendment was discussed and acted upon. I simply have a general knowledge of it. I do not have accurate information of it, I will say to the Senator.

Mr. McCARRAN. Mr. President, I ask that the amendment be stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 1, line 3, after the word "That", it is proposed to insert "(a)"; and on page 2, between lines 8 and 9, it is proposed to insert the following new subsection:

(b) The penalty provided for in paragraph (2) of such act of May 26, 1941, shall not be applicable during the marketing year commencing July 1, 1941, with respect to winter wheat harvested during the calendar year 1941.

Mr. HATCH. Mr. President, I do not propose to argue this amendment. The same principle is involved in it that was involved in the amendments which the Senate just adopted. If the Senate wishes to take that course, it has the right to do so, and I would not quarrel for a moment about it. I think the amendment is wrong. I know it is destructive of the entire agricultural program. I know that if this procedure continues we will not have any program. If it continues, I know that next year we will not have a single cooperator in the wheat-growing sections, and if it continues with respect to cotton we will not have a single cooperator in the Cotton Belt. I know those things are true, and I know we shall get back to the law of supply and demand which the Senator from Nevada wants. If the Congress wants to do that, that is its privilege, of course. I think it would be perhaps a more honorable course simply to repeal the act outright rather than to do it in this fashion.

I think perhaps the amendment of the Senator from Nevada should be further amended, however, so that if the penalty

is reduced, then also that the added loan value be reduced equally. In other words, if we remove the penalty which was provided in the act which Congress passed, then let us also remove the benefits. Is that not fair? Is that not a reasonable proposition? If we give a benefit and at the same time increase a burden, and then later on we reduce the burden, then should we not also correspondingly reduce the benefit? So if my motion to reconsider prevails, I shall ask the Senate to do the fair and reasonable thing, and also reduce the loan value the same as the penalty is reduced, and put the whole situation back exactly where it was when the legislation was passed. I think that is a fair and a reasonable proposition. Would the Senator from Nevada accept such an amendment?

Mr. McCARRAN. Mr. President, I will pass on one amendment at a time.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New Mexico [Mr. HATCH] to reconsider the vote by which the amendment of the Senator from Nevada [Mr. McCARRAN] was adopted.

Mr. HATCH. I suggest the absence of a quorum.

Mr. BARKLEY. Mr. President, will the Senator yield to me for a question?

Mr. McCARRAN. Mr. President, a point of order. No business has been transacted since the last quorum call.

Mr. HATCH. Mr. President, a record vote was had, but I withdraw my suggestion of the absence of a quorum at this time.

Mr. BARKLEY. Mr. President, I simply wish to ask the Senator from New Mexico if the only object of his motion to reconsider the vote by which the amendment was adopted is to offer an amendment reducing the benefits?

Mr. HATCH. No; I would not say that. That is a little strategy. I propose to offer an amendment reducing the benefits in the hope that I can kill the amendment itself.

Mr. BARKLEY. I wish to say frankly to the Senator that I am in sympathy with his position generally, as I indicated by my vote a while ago, but I would not vote to reconsider the vote by which the McCarran amendment was adopted simply in order to afford an opportunity to reduce the farmers' benefits.

Mr. HATCH. No; I do not want anyone to get that idea, and I did not mean to create that impression. I wish to kill the amendment offered by the Senator from Nevada. I think it is a vicious thing, and that it ought to be killed. But if it is to be adopted, if the Senate follows the same course and votes as it did a while ago, then it ought to reduce the benefits correspondingly. But even if my proposed amendment should be adopted I would vote against the McCarran amendment.

Mr. President, I now suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Andrews	Bankhead
Aiken	Austin	Barkley
Bone	Hatch	Rosier
Brewster	Hayden	Russell
Bunker	Hill	Schwartz
Burton	Hughes	Shipstead
Byrd	Johnson, Calif.	Smathers
Capper	Johnson, Colo.	Smith
Caraway	La Follette	Taft
Chavez	Langer	Thomas, Idaho
Connally	Lee	Thomas, Okla.
Danaher	Lodge	Thomas, Utah
Davis	Lumpkin	Tobey
Downey	McCarran	Truman
Eastland	McFarland	Tunnell
George	McKellar	Tydings
Gillette	Maloney	Vandenberg
Glass	O'Mahoney	Walsh
Green	Overton	Wheeler
Guffey	Pepper	Wiley
Gurney	Radcliffe	Willis

The PRESIDENT pro tempore. Sixty-three Senators have answered to their names. A quorum is present.

Mr. TAFT. Mr. President, I should like to ask the Senator from Navada [Mr. McCARRAN] a question. Am I to understand that his amendment has the effect, or is intended to have the effect, of reducing the penalty from 49 cents to 15 cents, but not wiping it out entirely?

Mr. McCARRAN. So far as those who planted winter wheat are concerned, the amendment would restore the law to what it was when they planted the winter wheat. At that time the penalty was 15 cents a bushel.

Mr. GURNEY. Mr. President, I ask the Senator from Nevada if it would also reduce the penalty from 49 cents to 15 cents on spring wheat?

Mr. McCARRAN. My amendment does not go that far. It deals only with wheat known as winter wheat, which was planted the fall before we enacted the present law.

Mr. GURNEY. Is it not a fact that spring wheat was also planted before we increased the penalty?

Mr. McCARRAN. That depends on the locality. I am advised that there are localities in which spring wheat was planted, but in other localities spring wheat had not yet been planted.

Mr. GURNEY. I think the Territory of Alaska would be the only place that would come in the latter category.

Mr. McCARRAN. I cannot agree with that statement. Let me read the figures for the benefit of the Senator from South Dakota in answer to his inquiry.

The principal States growing winter wheat are Kansas, Oklahoma, Texas, Nebraska, Indiana, Illinois, and Washington. The principal States growing spring wheat are North and South Dakota, plus the States which grow winter wheat. The acreage of winter wheat planted was 40,316,000 acres; of spring wheat, 16,000,000 acres. The estimated yield of winter wheat is 682,000,000 bushels; and of spring wheat, 241,000,000 bushels.

Those figures come to me from the Department.

Mr. GURNEY. That does not answer my question.

Mr. McCARRAN. I do not want to evade the Senator's question.

Mr. GURNEY. My question was, Is there any spring-wheat State in the Union in which planting is not done previous to the 26th of May?

Mr. McCARRAN. I am unable to answer that question, because I do not know the custom in the respective localities. I know the custom only in my own locality.

Mr. GURNEY. I can answer the question by saying that in the Dakotas, which are about as far north as any other State, spring wheat is planted quite a while previous to May 26.

Mr. McCARRAN. I am so advised.

Mr. GURNEY. I give that information to the Senator from Nevada, feeling that spring-wheat growers are entitled to just as much consideration as are winter-wheat growers.

Mr. McCARRAN. That may be true. However, I wonder if the Senator has considered the fact that for 3 years prior to the time we enacted the present law the penalty was 15 cents a bushel. During the 3 years there was no attempt to enforce the law because there was no threat of a surplus. In 1941, when we enacted the present law, there was a very emphatic threat of a surplus.

Mr. GURNEY. Was the threat of surplus occasioned by the increased yield per acre in the Winter Wheat Belt, or in the Spring Wheat Belt?

Mr. McCARRAN. I am unable to answer that question. I wish I had the details.

Mr. GURNEY. I am quite sure it was in the Winter Wheat Belt, where already a large crop has been harvested, which has yielded a great amount per acre. At the moment the Spring Wheat Belt is subject to some very hot weather, which will decrease the yield per acre.

Mr. McCARRAN. That may be true. I would not argue with the Senator, because he comes from a great wheat-producing section. However, I wish to bring to the attention of the Senate the fact that there never was an attempt to enforce the law until we had a threat of a surplus; and as soon as there was a threat of a surplus there was not only a movement in Congress to enforce the penalty of 15 cents a bushel, which up to that date had not been enforced, but there was an increase in the penalty from 15 cents a bushel to 49 cents a bushel.

In the meantime farmers who had been accustomed to raising wheat had planted their wheat, and so the penalty came upon them.

It has been asserted that the benefits came upon them also. However, they knew but little about benefits on wheat which had not yet been harvested. They did know about the penalty of 15 cents, which was the law at that time.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HATCH. Will the Senator explain to me how they knew more about penalties on wheat which had not been harvested than they knew about benefits?

Mr. McCARRAN. Because the benefits had not yet been established, but the penalties had been established for 3 years.

Mr. HATCH. The benefits were established at the same time.

Mr. McCARRAN. The benefits were not established until after the law went into effect.

Mr. HATCH. Mr. President, although I have the highest regard for the Senator from Nevada, I disagree with him. I think he is as wrong as he can be.

Mr. McCARRAN. And I think the Senator from New Mexico is as wrong as he can be.

Mr. HATCH. Well, that is fair enough. I reserve the right to be wrong.

Mr. SHIPSTEAD. Mr. President, the Senator from Nevada [Mr. McCARRAN] has discussed the penalty on wheat, and that is one question. However, the question of reconsidering the amendment is an entirely different one. As the amendment was adopted by the Senate the penalty was removed from winter wheat, and that leaves a penalty on spring wheat.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. SHIPSTEAD. I yield.

Mr. HATCH. The Senator from Minnesota is just as right as he can be, and the only thing I regret about his statement is that that is an argument I expected to use later on.

Mr. SHIPSTEAD. I am sorry to inconvenience the Senator from New Mexico.

The situation is that the Senate has said that those who raise winter wheat do not have to pay a penalty. I think that applies to about two-thirds of the wheat acreage of the United States. Those who raise spring wheat must pay the penalty of 49 cents a bushel. I do not see how a more inequitable piece of legislation could be passed. This amendment ought to be reconsidered; and then the question should arise as to whether we will remove the penalty on all wheat or restore the penalty on winter wheat, so that all wheat r isers shall stand on a basis of equality before the law.

I cannot understand how the Senate or the Congress can pass a bill, and have it become law, whereby we divide wheat farmers into two different categories, in one of which the farmers must pay a penalty and in the other the farmers do not have to pay a penalty.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. SHIPSTEAD. I yield.

Mr. McCARRAN. In opposing the amendment which has been adopted by the Senate, is the Senator's reason based on his statement, as I understood it to be made, that all the penalty should be removed?

Mr. SHIPSTEAD. That is an entirely different question. I know that question may arise, but I am not discussing that now.

The Senator and the other supporters of this amendment have said it applies only to that wheat which was planted in the marketing year of 1940–41, I think it is. As a matter of fact, it applies to all wheat planted or harvested this year. It is true that in the north, along the Canadian border, we plant our wheat before the 24th or 25th or 26th of May. I do not know of any portion of the United States, unless it be in Alaska, where wheat is planted any later. I do not know how much wheat is raised in Alaska, but because of the shortness of the season there I do not know how any wheat can be raised up there.

That argument cannot apply here. In the entire tier of States along the Canadian border, from the Pacific coast to the Atlantic coast—I cannot say as to Maine; that is a little far north—I do not know of any territory, and I defy anyone to point out any territory along the northern border, in which wheat is planted after the 25th or 26th of May.

So, if we are going to have some sense in legislation, this amendment should be reconsidered, and then the question of repealing the penalty or equalizing it can be considered on its own merits. But certainly this amendment should be reconsidered for the purpose of getting rid of this iniquitous provision, and then the amendment or whatever other amendment may be offered, will be before the Senate.

INVESTIGATION OF CHARGES OF CONVOYING AND DESTRUCTION OF GERMAN VESSELS BY THE UNITED STATES NAVY—REPORT OF NAVAL AFFAIRS COMMITTEE

Mr. WALSH. Mr. President, I regret to have to divert for a few minutes the attention of the Senate from the subject now under consideration. I have waited for some time hoping that the bill before the Senate would be disposed of so that I could present to the Senate a report from the Naval Affairs Committee on the investigation of charges that American naval vessels are convoying ships or have destroyed German naval vessels.

The Senate will recall that the Senator from Montana [Mr. WHEELER] on June 30 introduced a resolution, which became Senate Resolution 138, in which he set forth various "whereases" which contained statements printed in newspapers and written by columnists dealing with naval operations at sea and which requested a Senate investigation. The resolution contained two important resolves: First, for the investigation of charges made through the press that American naval vessels are convoying or escorting at sea; and, second, that American naval units are fighting and dropping depth bombs on German naval units.

The committee felt that its object was simply that of making an ex parte investigation for the purpose of reporting to the Senate whether a full and more complete investigation, as asked for in the resolution, was desirable.

The committee called before it the only naval officers who could give information on the subject matter—Secretary Knox and Admiral Stark, Chief of Naval Operations. After hearing their testimony, the committee decided to report, in the nature of a preliminary report, the questions and answers that related to the subject matter of the resolution. The report set forth the questions asked by the members of the committee and the answers—not all of them, but such as pertain to the resolution and such as do not disclose military secrets. The Navy Department was requested to examine the report before it was finally acted upon by the committee, and was asked to delete—properly—such questions and answers as were of a military-secret nature.

I must say that the officers of the Navy were very frank in giving to the committee all information not within the sphere of military secrets, so-called.

The conclusion reached by the committee is that no further investigation is necessary, and that recommending a more complete investigation would result in going over the same matter. Because, after all, there is no one who can answer the questions as to the accuracy of the statements and allegations made but the naval officers who were interrogated.

I may add that, in my opinion, the report clears up a great many of the statements or misstatements which have been made about the Navy and its operations at sea. I think a reading of the report will indicate that up to date the Navy has confined itself to what is properly within its functions. I submit the report and ask unanimous consent that it be printed in the RECORD for the information of the Senate, and be placed on the calendar for further disposition.

The VICE PRESIDENT. Without objection, it is so ordered, and the report will be placed on the calendar. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. WALSH. I do not think that is necessary, because the resolution did not ask for the appropriation of any money, as I recall it. Am I mistaken about that?

The VICE PRESIDENT. The closing sentence of the resolution states:

> And to make such expenditures as it deems advisable.

Mr. WALSH. It may be desirable to refer the resolution as suggested; but I personally think the Committee on Naval Affairs has authority to make the investigation itself and to use for that purpose its general funds. In fact, I think that the committee itself, on its own initiative, could have made all the inquiries that were asked for in the resolution without any resolution at all. I personally think—and I believe it will be satisfactory to the Senator who submitted the resolution—that the proper course is to let the report be placed on file and so disposed of.

The VICE PRESIDENT. Is there objection to the filing of the report and letting it go directly on the calendar? The Chair hears no objection, and it is so ordered.

Mr. AUSTIN. Mr. President, will the Senator yield to me?

Mr. WALSH. I yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, if it is deemed proper by the Senator from Massachusetts to state briefly to the Senate whether the investigation revealed that the Navy was convoying and whether bombs were being dropped by American bombers, I think it would be well to state the facts simply at this time.

Mr. WALSH. I think the report will clear up a great many of the conflicting statements which have been given to the public and the misunderstandings under which the public labors as to just what the Navy has been doing. I will read the questions and answers dealing with the subject matter about which the Senator inquires. The chairman of the committee asked this question:

> Admiral, it was enlightening and helpful to have you saying that naval vessels have not

participated in any convoying. What distinction does the Navy make between patroling and convoying?

Admiral STARK. The public uses the word "convoy" more often than it uses the word "escort." A large number of ships together would constitute a convoy, even were the Navy with it, or without the Navy; but if you put naval ships with it to protect it, you escort the convoy; and I might say we have escorted no merchant ships whatever, with the single exception of the *Iroquois*.

As the Senator will recall, the *Iroquois* was bringing Americans back from Europe when notice was sent that it was to be torpedoed, and as a precaution our Government sent a convoy out to meet the ship and escort it to our own shores.

What was the other inquiry of the Senator from Vermont?

Mr. AUSTIN. The other question was whether the inquiry revealed the use of bombs by American bombers.

Mr. WALSH. I will be pleased to give that information by reading further from the report:

ATTACKS MADE UPON UNITED STATES VESSELS AND PLANES

Question. All information in the possession of the Navy relating to attacks made upon United States vessels and planes.

Secretary KNOX. None made; none whatever, except as attacks by the Axis vessels on ours. Is that it?

Question. All information in the possession of the Navy relating to attacks upon United States vessels and planes?

Secretary KNOX. None made; except the *Robin Moor*, the *Panay*, and the *Tutuila*, all of which are well known. In case the committee is not familiar with the *Tutuila* incident, she was struck by a bomb fragment during a recent bombing raid of the Japs on Chungking. The *Tutuila* was anchored in the designated spot, well clear of Chinese ships and installations.

Of course, as the Senator knows, the *Panay* incident occurred over 2 years ago. The *Panay* was an American gunboat that was fired upon in Chinese waters.

Question. All information in the possession of the Navy relating to attacks by United States Naval or Coast Guard vessels or planes on Axis vessels or planes.

Secretary KNOX. None made whatever, except that the *Panay* fired in self-defense when she was bombed.

Senator TYDINGS. That was how long ago?

Secretary KNOX. Two years ago.

That is the incident to which I referred.

SHOOTING

Question. Does collaboration with any other country envisage shooting by American ships on the ships of other nations?

Secretary KNOX. That falls in the same category.

Senator JOHNSON. What do you mean by that, by "falls in the same category"? As what?

Secretary KNOX. The word is "collaboration." That necessarily would mean plans, I take it, and whatever plans we may have for a future war in collaboration with some other nation.

Senator JOHNSON. I think it is in the present, whether the collaboration exists now, in writing or otherwise, with any other country regarding the ships of any other nation.

Secretary KNOX. Again I repeat, Senator, that is secret information.

Senator JOHNSON. Now, has there been any change in the orders since the peaceful taking of Iceland?

Secretary KNOX. The only thing we have to date, sir, is contained in the message of the President on Iceland. I would like to read just two paragraphs.

Senator JOHNSON. They are in general terms, aren't they?

Secretary KNOX. Yes; they are in general terms.

The CHAIRMAN. What we are trying to do here is to break down the opinion that has been given to the public through these statements that our Navy is pursuing a course of participation, remotely or indirectly, in war. The evidence shows that is not the fact.

Admiral STARK. That is right. In other words, the public has been led to believe we were shooting, working with British ships. That is not true.

Senator BONE. The trouble with these reports circulated by these newsmen—I know it is true in my State—when we want to get a statement clarified they will not disclose anything.

The CHAIRMAN. And we can assure the American people that there is not an undeclared war, a hidden war, or a naval war as far as we are concerned?

Secretary KNOX. That is right.

I think we have reason to be grateful for that situation today.

Mr. AUSTIN. I thank the Senator from Massachusetts for his clear statement.

Mr. WALSH. Other information on the line indicated by the inquiry of the Senator from Vermont will be found in the report.

Mr. BARKLEY. Mr. President, may I call the attention of the Senator from Massachusetts to the parliamentary situation with respect to the resolution? The resolution was submitted on June 30 and was referred to the Committee on Naval Affairs. There has never been any action by the Senate or by the Committee on Naval Affairs on the resolution.

Mr. WALSH. That is correct.

Mr. BARKLEY. A question arises purely as to the parliamentary situation.

Mr. WALSH. I took the reference of the resolution as calling for action by the committee whether the Senate adopted the resolution or not.

Mr. BARKLEY. That is what I was coming to.

Mr. WALSH. And that there was placed upon the committee the obligation of having a preliminary hearing, which we had. It so happens, in my opinion, and I think in the opinion of members of the committee, that the preliminary hearing was a full hearing, and, therefore, the committee has recommended that no further action be taken by the Senate, and I thought, the report having been filed, when it reached the calendar it could be disposed of then. Does the Senator think that would be a satisfactory parliamentary solution?

Mr. BARKLEY. That is what I am trying to get at. Of course, technically, the Senate might adopt the resolution now and have the Senate Committee on Naval Affairs make its report on it, or, otherwise, the committee might make a preliminary report, in view of the full hearings the committee had, and then recommend that the resolution be tabled and not be acted upon.

Mr. WALSH. That is correct. It seems to me that the latter course would be the better course to pursue.

Mr. BARKLEY. I think, formally, the resolution must be reported back to the Senate for such action as the committee may recommend. In view of the report now presented and the full hearing, it seems to me that the simplest way would be to report the resolution back to the Senate and recommend that no further action be taken upon it or that it be tabled, because the full information is laid before the Senate in the report.

Mr. WALSH. The committee had in mind preventing duplication of work by any committee and disposing of the matter once and for all; I think, if the report is satisfactory, that it might go to the calendar, and, when the calendar is reached I will move that the resolution be tabled if the report covers satisfactorily whatever action it would be necessary to take under the resolution.

Mr. BARKLEY. So the Senator now really is reporting the resolution back to the Senate?

Mr. WALSH. That is right, and making a report to show that it is not necessary for any further steps to be taken, because the committee has exhausted such inquiry as seemed to us ought to be made.

Mr. BARKLEY. Technically the committee would just report the resolution back to the Senate with the recommendation that it be not adopted.

Mr. WALSH. The language the committee used at the end of the report is this:

CONCLUSION

The committee is of the opinion that no further investigation need be undertaken at this time as the preliminary hearings covered the subject by a detailed examination of naval officials who were in a position to furnish the committee with the facts.

Mr. AUSTIN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. AUSTIN. Would it be in order, at such a stage of the proceedings as is revealed now, to have the resolution indefinitely postponed?

Mr. WALSH. I would prefer that that not be done until the Members of the Senate have had a chance to read the report in the RECORD.

Mr. AUSTIN. Very well; I shall not insist upon it.

Mr. WALSH. I have asked that the report be printed in the RECORD, and I think, when it goes on the calendar, we can agree upon a proper disposition of the resolution; but it is my judgment, and I rather assume the author of the resolution will agree, that the subject matter has been covered as fully as could be expected under the circumstances. The committee did not wish to recommend against the resolution, for it was most desirable for the Senate to have the real facts with respect to naval activities to date.

Mr. BARKLEY. In order to have the parliamentary situation clear, the committee is reporting the resolution back to the Senate.

Mr. WALSH. Yes, to be placed on the calendar.

Mr. BARKLEY. Ordinarily, resolutions are reported back with either a

favorable recommendation or an unfavorable recommendation, or without expression of the views of the committee as to what should happen. This resolution presents a little different situation.

Mr. WALSH. Although we do say that no further action seems to be necessary.

Mr. BARKLEY. In view of that fact, it seems to me the resolution should be reported back formally to the Senate accompanied by the report the Senator has made, and which is in writing, as I understand.

Mr. WALSH. In print, in fact.

Mr. BARKLEY. In print; and it recommends that no further action be taken upon the resolution.

Mr. WALSH. That is correct.

Mr. BARKLEY. So it will go to the calendar, and then be disposed of in that way.

Mr. WALSH. I appreciate the Senator's suggestions, and to conform to them I now formally, from the Committee on Naval Affairs, report back, without recommendation, the resolution (S. Res. 138) authorizing an investigation of charges that American naval vessels are convoying ships or have destroyed German naval vessels, and I submit a report (No. 617) thereon. I ask unanimous consent that the report of the committee may be printed in the RECORD for the information of the Senate, and that the resolution be placed on the calendar for further disposition.

The report of the Committee on Naval Affairs was ordered to be printed in the RECORD, as follows:

The Committee on Naval Affairs, to whom was referred Senate Resolution 138, introduced by Senator WHEELER on June 30 and referred to the Committee on Naval Affairs, submit the following report to the Senate:

THE COMMITTEE'S FUNCTION

The committee considered that its function was to conduct a preliminary hearing for the purpose of determining the question of whether or not to recommend to the Senate favorable action in support of an extensive and complete investigation into the subject matter presented therein.

The committee did not consider it necessary to do more at this time than to report to the Senate the results of its preliminary investigation and await the further action of the Senate regarding any further action it desired. The evidence presented to the committee was confined to the officials of the Navy Department who alone were in a position to inform the committee of the facts.

The resolution contains various "whereases" in which were set forth various statements printed in newspapers and written by columnists dealing with naval operations at sea. The particular statements are set forth in the resolution and referred to hereafter in detail.

The resolution contained two important "resolves":

First, an investigation of the charges that American naval units are convoying or escorting ships at sea; and

Second, that American naval units are shooting or dropping depth bombs on German naval units.

The committee made detailed investigations into these two subjects, and also made inquiries of the representatives of the Navy Department before the committee on many phases of Navy policies and activities up to the present time.

In view of the limited and ex parte nature of its preliminary inquiry, the committee is of the opinion that it should make its report in the nature of questions and answers rather than pass judgment on the accuracy and inaccuracy of the statements of evidence present in detail.

TESTIMONY

Excerpts from the hearing held on July 11, 1941, when Hon. Frank Knox, Secretary of the Navy, and Admiral H. R. Stark, Chief of Naval Operations, appeared before the committee in executive session are as follows:

The CHAIRMAN. Secretary Knox, the first paragraph of the first "whereas" in Senate Resolution 138, which the committee has under consideration, reads as follows:

"Whereas on June 2, 1941, Joseph W. Alsop was sworn in as a Naval Reserve officer by the Secretary of the Navy, Frank Knox; and

"Whereas the said Alsop, as coauthor of a syndicated newspaper column, on June 9, 1941, 1 week after he had taken the oath as a Naval Reserve officer, stated in that column:

" 'In one case, rather more than a month ago, an encounter between German and American warcraft at sea very nearly terminated in an attack by the Germans. In another, slightly more recent, an attack on what was believed to be a German submarine was actually made by an American destroyer.' "

The committee will be pleased to have your comments on this statement.

Secretary KNOX. We haven't any knowledge whatever of any such incident. In fact, we are supremely confident it never occurred. I think it is a pure fabrication out of whole cloth. Not any officer of ours—and the Chief of Naval Operations will support me in this—had ever heard of such an incident, and certainly the officer commanding the American ships involved would have been in duty bound to report.

The CHAIRMAN. The second paragraph of this first "whereas" reads as follows:

"No details of the first episode are available, but the basic facts of the second are known.

"The destroyer, the name of which cannot be ascertained, was picking up survivors from a British vessel sunk not far from the coast of Greenland. While the operation was in progress the destroyer's detecting device announced the approach of a submarine. The submarine could only have been German. It was virtually certain to use its torpedoes, as semidarkness concealed the nationality of the American ship. And the commander of the destroyer accordingly dropped three depth charges.

"Thus, although the President is waiting for the Germans to shoot first, the truth is that there has been shooting already."

Secretary KNOX. Now, here are the facts: One United States destroyer operating off Greenland heard the S O S of a steamer and proceeded to the location and picked up 60 of the survivors of the steamer. While engaged in this act of mercy, the operator of the listening equipment reported to the captain that he thought he heard a submerged submarine. The captain immediately turned toward the direction indicated and dropped three depth charges. In doing this, he very prudently exercised the right of self-preservation, for had there been a submarine there, his destroyer might have been sunk. There was no other evidence that a submarine was there and it is quite possible no submarine was there. The listening-equipment echo might have been received from a whale or a large fish, or a cold current, instead of a submarine—something which is frequently experienced.

Now, none of them knew whether there was a sub there or not, but the man in command did what any man would do who was on the verge of an attack by a submarine. He would do it in self-defense.

Senator JOHNSON. Now, how did these people get hold of that story?

Secretary KNOX. I happen to know how they got hold of that, because I went after the fellow with spikes in my boots. As I understand it, it was told to a Boston Post reporter on the streets of Boston by a couple of members of the crew of the destroyer when she came home.

The CHAIRMAN. Was it published first in the Boston Post?

Secretary KNOX. I do not know that. We did not get any word whatever of this for 2 weeks, so when the rumor first reached our office it was categorically denied. We had no knowledge whatever of it. Later we got the details as I have given them to you here.

The CHAIRMAN. Did you get the details voluntarily from the officer in command of the destroyer?

Secretary KNOX. Yes; he made a written report to his commander in chief.

The CHAIRMAN. By request of the Navy Department?

Secretary KNOX. No; not at all. Am I right about that, Admiral?

Admiral STARK. Yes; made to Admiral King, and King sent it right down to the office.

Senator BREWSTER. In this instance we have the peculiar angle that this man was apparently a member of the Navy Department at the time this happened How does that affect the picture? This Alsop was sworn in, as we understand, as a Naval Reserve officer 1 week before this happened.

Secretary KNOX. Yes.

Senator BREWSTER. What about discipline?

Secretary KNOX. I gave him the most godawful bawling out that a man ever got.

Senator BREWSTER. Do you think, Mr. Secretary, that that answers the question?

Secretary KNOX. That is as far as I went.

Senator JOHNSON. These incidents that you say were utterly false occurred just prior to his being commissioned, did they not?

Secretary KNOX. Just after.

The CHAIRMAN. Just before he was assigned to duty.

Secretary KNOX. He was a commissioned officer when I talked to him.

Senator JOHNSON. He was a commissioned officer when you talked to him?

Secretary KNOX. Yes, sir.

Senator JOHNSON. He is performing now the duties abroad that have been assigned to him?

Secretary KNOX. That is right.

Senator JOHNSON. They are of a secret and confidential nature, are they not?

Secretary KNOX. They are.

Senator JOHNSON. Well, what possible dependence can you place upon a man performing accurately a confidential mission when you have had such experience with him as you have had?

Secretary KNOX. Well, you have to choose. I gave him hell, all right. You had to choose between a reprimand and a discharge. My judgment may have been in error. I took the former rather than the latter course.

Senator JOHNSON. The lapse of time between his appointment and the incident was very short, wasn't it?

Secretary KNOX. That is right. It was very short.

Senator BYRD. One week. He was sworn in on June 2 and he wrote this article on June 9.

Secretary KNOX. I think that was the first article.

Senator BYRD. Mr. Secretary, what are his duties now?

Secretary KNOX. What is that?

Senator BYRD. What are his duties now?

Secretary KNOX. He is in the Intelligence Service.

Senator BYRD. Wasn't he given an assignment which is given to people with very unusual qualifications and which is very desirable?

Secretary KNOX. I would not say so. Of course, I cannot discuss what the assignment is, but I would not say it is very desirable.

Senator BYRD. Your reprimand dealt, as I understand it, with the second incident, not the first?

Secretary KNOX. I do not know anything about the first.

Senator BYRD. The first incident was very much worse than the second. He states a fact that never occurred at all.

Secretary KNOX. Completely untrue.

Senator BYRD. Should not that be made a part of the record? Should not he be reprimanded more severely for that than simply for an indiscretion?

Secretary KNOX. I did not go into the specifications. I was just bawling him out for writing as he did.

Senator BYRD. If he was a Naval Reserve officer at the time and had been sworn in a week before it seems to me that is much more reprehensible. What disturbs me about it, Mr. Secretary, very frankly is that you gave him this confidential commission, which must have been of some importance, after this occurrence and after your reprimand to him.

Secretary KNOX. I would have to do one of two things: Either discharge him or reprimand him, and I reprimanded him. The assignment to this particular duty came subsequently. He is now active in the Navy.

The CHAIRMAN. The next "whereas" in Senate Resolution 138 is as follows:

"Whereas on June 23, 1941, Drew Pearson and Robert S. Allen in their syndicated newspaper column charged:

" 'A group of American naval vessels has just returned from its first experience at Atlantic "patrol," or "convoying." Whatever it is called, they helped to get about 80 British merchantmen safely most of the way to the west coast of Africa. Then the British took over.

" 'Three United States airplane carriers, 6 destroyers, and 3 cruisers accompanied the convoy across the Atlantic—but never within sight of the 80 British merchantmen.

" 'One airplane carrier steamed ahead of the merchantmen, another to the rear, another to the north. Each carrier was protected by two destroyers, zigzagging constantly. The carriers performed the most important part of the patrol, keeping their airplanes constantly scouring the sky.

" 'Once a plane sighted a German surface raider and radioed its position to British warships, which rushed up and sank her. The battle took place so close to American vessels that they could hear the fighting, though the never saw the ships. United States radio operators picked up the distress message sent to Berlin by the Nazi vessel saying that she was sinking.

" 'On another occasion an airplane-carrier detector picked up the vibrations of a submarine and signaled it come to the surface. When there was no answer, United States destroyers immediately dropped depth charges. After that the detector picked up no more vibrations.

" 'When the patrol reached its meeting place with the British, near Cape Verde Islands, off the African coast, it turned north, and shortly after this the 12 United States naval vessels headed home.' "

Secretary KNOX. That is a perfect piece of fabrication. There isn't a word of truth in it of any kind.

The CHAIRMAN. That statement goes down to the statement beginning "On another occasion"?

Secretary KNOX. Yes; down to "On another occasion" and including that. That is completely manufactured out of whole cloth.

The CHAIRMAN. Where did they get this information?

Secretary KNOX. I haven't the faintest idea. It looks to me like a pure invention.

Senator TYDINGS. That is worse than the other. Are you including the paragraph starting with "On another occasion"?

Secretary KNOX. Yes; the one about dropping depth charges. There isn't a particle of truth in it.

Senator BONE. Then the entire statement is utterly false?

Secretary KNOX. The entire statement is utterly false.

Senator LUCAS. Every sentence?

Secretary KNOX. Every single word in it, without qualification.

Senator BREWSTER. Nothing in it is true?

Secretary KNOX. Nothing whatever.

Senator TYDINGS. Mr. Secretary, if I may ask you 2 or 3 questions. It may be somewhat superfluous, but I would like to put it out in the clear. There was no incident where 1 or more airplane carriers convoyed 80 or a lesser amount of British merchantmen across the ocean?

Secretary KNOX. Never.

Senator TYDINGS. There was no case where a battle took place at sea which we inspired or that we stood by and listened to?

Secretary KNOX. Nothing of that kind whatever. We do not know a single thing about it, and we would know about it if it ever happened.

Admiral STARK. We never heard of it.

* * * * *

Admiral STARK. As regards our men-of-war going over with the British convoy and turning them over to the British authorities, there is just nothing in it at all. We have never convoyed a single merchant ship with the exception that early in the war, the American-flag steamship *Iroquois* was bringing home a large number of Americans. It all came out in the press that somebody warned—as a matter of fact, it came from the Germans, that the British were going to blow her up with a bomb. We put no credence in it, but we immediately sent ships out and escorted her from somewhere off the Grand Banks to New York. That is the only instance where we escorted a merchant ship.

The CHAIRMAN. The other "whereas" in Senate Resolution 138 is as follows:

"Whereas on June 23, 1941, Gen. Hugh S. Johnson in his syndicated column stated:

" 'To an experienced eye there can be small doubt, after reading innocent but censored letters from young naval officers, that we have already sunk Nazi submarines. A submerged sub isn't so hot with the radio. A depth bomb leaves no trace. If this is an incorrect conjecture, and it can be no more than conjecture, there is little doubt that our Navy "spots" German subs and guides British ships to them.

" 'It seems to be quite generally believed that the seizure of great passenger liners and recent shifts of the Navy from the Pacific (not through the Panama Canal, but around Cape Horn) are preparatory to an attack on Dakar in West Africa, or other key Atlantic positions.

" 'What's the difference between that and outright war?' "

Secretary KNOX. There is no truth in it whatever. I do not know but what these young naval officers may have written, I am sure, but the incident never occurred. We have never sunk any submarines.

OTHER QUESTIONS AND ANSWERS RELATING TO NAVAL ACTIVITIES

* * * * *

CONVOYING

The CHAIRMAN. Admiral, it was enlightening and helpful to have you saying that naval vessels have not participated in any convoying. What distinction does the Navy make between patroling and convoying?

Admiral STARK. The public uses the word "convoy" more often than it uses the word "escort." A large number of ships together would constitute a convoy, even were the Navy with it, or without the Navy, but if you put naval ships with it to protect it you escort the convoy, and I might say we have escorted no merchant ships whatever, with the single exception of the *Iroquois*.

* * * * *

ATTACKS MADE UPON UNITED STATES VESSELS AND PLANES

Question. All information in the possession of the Navy relating to attacks made upon United States vessels and planes.

Secretary KNOX. None made; none whatever, except as attacked by the Axis vessels on ours. Is that it?

Question. All information in the possession of the Navy relating to attacks upon United States vessels and planes?

Secretary KNOX. None made; except the *Robin Moor*, the *Panay*, and the *Tutuila*, all of which are well known. In case the committee is not familiar with the *Tutuila* incident, she was struck by a bomb fragment during a recent bombing raid of the Japs on Chungking. The *Tutuila* was anchored in the designated spot, well clear of Chinese ships and installations.

* * * * *

ATTACKS MADE BY UNITED STATES VESSELS AND PLANES

Question. All information in the possession of the Navy relating to attacks by United States Naval or Coast Guard vessels or planes on Axis vessels or planes?

Secretary KNOX. None made whatever, except that the *Panay* fired in self-defense when she was bombed.

Senator TYDINGS. That was how long ago?

Secretary KNOX. Two years ago.

ORDERS TO NEUTRALITY PATROL

Question. What, in general, are the orders and instructions which have heretofore been issued to commanding officers of vessels and airplanes on neutrality patrol?

Secretary KNOX. Of course, that is secret information.

The CHAIRMAN. That cannot be disclosed.

ORDERS TO FIRE

Question. Are any additional steps or orders contemplated which would cause American ships of war or American personnel to fire upon the ships or personnel of any other nation?

Secretary KNOX. As I have already stated, I am not at liberty to discuss operating plans, contemplated or otherwise. I would not be doing my duty if I did not require the Chief of Naval Operations, as directed by law, to prepare operating plans in advance so that the Navy can be effective under all eventualities. We are not at war, and the nature of these plans is a military secret which I cannot disclose. I may add that this procedure goes on year in and year out in the Navy Department, even when times are most peaceful, and even then such matters are inherently of the greatest secrecy.

SHOOTING

Question. Does collaboration with any other country envisage shooting by American ships on the ships of other nations?

Secretary KNOX. That falls in the same category.

Senator JOHNSON. What do you mean by that, by "falls in the same category"? As what?

Secretary KNOX. The word is "collaboration." That necessarily would mean plans, I take it, and whatever plans we may have for a future war in collaboration with some other nation.

Senator JOHNSON. I think it is in the present, whether the collaboration exists now, in writing or otherwise, with any other country regarding the ships of any other nation.

Secretary KNOX. Again I repeat, Senator, that is secret information.

Senator JOHNSON. Now, has there been any change in the orders since the peaceful taking of Iceland?

Secretary KNOX. The only thing we have to date, sir, is contained in the message of the President on Iceland. I would like to read just two paragraphs.

Senator JOHNSON. They are in general terms, aren't they?

Secretary KNOX. Yes; they are in general terms.

* * * * *

The CHAIRMAN. What we are trying to do here is to break down the opinion that has

been given to the public through these statements that our Navy is pursuing a course of participation, remotely or indirectly, in war. The evidence shows that is not the fact.

Admiral STARK. That is right. In other words, the public has been led to believe we were shooting, working with British ships. That is not true.

Senator BONE. The trouble with these reports circulated by these newsmen—I know it is true in my State—when we want to get a statement clarified they will not disclose anything.

The CHAIRMAN. And we can assure the American people that there is not an undeclared war, a hidden war, or a naval war as far as we are concerned?

Secretary KNOX. That is right.

* * * * *

OCCUPATION OF ICELAND

Question. Information regarding the occupation of Iceland, including the number of American troops landed, the number of British troops replaced by American troops, the date that the occupation was decided upon, and all other matters and things relating thereto?

Secretary KNOX. Obviously, I am not at liberty to answer this question. The answer to it, as to many of these other questions, would be eagerly welcomed by certain foreign powers. Any disclosure of military information may well result in the unnecessary sacrifice of life. Of course, the Germans would love to know how many troops there are there, and they would like to know how many the British had there.

Senator JOHNSON. Can you answer any part of it?

Secretary KNOX. No.

Senator JOHNSON. Well, it is published all over the world, isn't it?

Secretary KNOX. What?

Senator JOHNSON. The number of troops.

Secretary KNOX. No. Some very erroneous figures have been published that I have seen.

Admiral STARK. Utterly erroneous.

* * * * *

Senator BYRD. The President announced that he would supplant them. Churchill told the House of Commons that they would be there jointly. So if the Germans attack the British troops they would likewise have to attack the American troops.

* * * * *

Senator LUCAS. As one of the members of the committee I want to go on record now—you may transfer this to the proper authorities for what it is worth—as one member of the committee I want to go on record now as saying that I am one who hopes that the British will evacuate the troops that they have in there and let the world know that there is no one in there but American troops, on the island of Iceland. If that isn't done and the bombers come over and bomb Iceland and kill 100 American soldiers and 200 English, or vice versa, then we are in for a considerable amount of trouble, without getting the unanimity of thought from your people back home that you ought to have. If you leave American soldiers there alone and then your bombers come over and destroy American lives, and they know nobody is there but American soldiers, then you get a repercussion back home that you want. But you will never get it if you fraternize with the English soldiers on that island, and you are bound to have trouble just as sure as anything in this world if you keep them there.

Senator JOHNSON. How soon will that come?

Senator LUCAS. I don't know, Senator JOHNSON. I pass that along for what it is worth, and I think it is worth a whole lot.

Senator BYRD. I agree with you on that.

The CHAIRMAN. I think there is a general unanimity of opinion on that.

Senator LUCAS. I think that that point, Mr. Chairman, if it is agreeable to the committee, ought to be stressed, and the President of the United States ought to know what this Naval Affairs Committee is thinking about.

* * * * *

SEIZURE OF ADDITIONAL BASES AND LOCATIONS

Question. Whether or not the Navy expects to seize or occupy additional strategic locations?

Secretary KNOX. I do not suppose anybody wants me to answer that.

The CHAIRMAN. I suppose that includes the thought that has been expressed in the press, that it may be contemplated establishing bases in northern Ireland and Scotland.

Senator RUSSELL. You were answering the question a few minutes ago when you were interrupted.

Secretary KNOX. I will be glad to talk about that. Regarding Senator TAFT's statement in regard to the bases in the British Isles, the British Government has contracted with American contractors for the construction of certain bases in the British Isles. The details and locations of these bases must necessarily remain secret. The materials for the bases are being provided for the British Government with funds appropriated under the Lease Lend Act. The cost of construction at the sites is being paid for by the British Government with their own funds.

* * * * *

The CHAIRMAN. Are you in a position to say, Mr. Secretary, that there are no contemplated plans at all for establishing naval bases in northern Ireland?

Secretary KNOX. These bases are being established now, not for our use but for British use.

The CHAIRMAN. Not for our use?

Secretary KNOX. That is right.

The CHAIRMAN. Not for use of the United States Navy?

Secretary KNOX. No. It is being done for the British.

Senator BYRD. Being done by an American contractor?

Secretary KNOX. Yes.

Senator JOHNSON. Do you think you would be right in using them if the occasion shall arise? If we shall get in the war?

Secretary KNOX. We will probably use all kinds of British bases if we get in the war.

Senator JOHNSON. Certainly. These bases are as much for our purposes as they are for the British purposes, are they not?

Secretary KNOX. Not now they are not.

Senator JOHNSON. Why not?

Secretary KNOX. Because we are not in the war.

Senator JOHNSON. Well, we are paying the cost of them, aren't we?

Secretary KNOX. We are paying for them out of the lease-lend funds. As a matter of fact, we are repairing their battleships in our yards and paying for it out of the lease-lend funds.

* * * * *

Senator LUCAS. Whatever the English do with it, that is a matter within their own discretion.

Secretary KNOX. Correct.

Senator LUCAS. The only interest we have in it is just what you explained here in answer to the previous question?

Secretary KNOX. That is right.

Senator BYRD. The labor is being paid for by the British Government, you say?

Secretary KNOX. Paid for by the British Government.

Senator BONE. How are our funds employed in building the bases?

Secretary KNOX. Our funds are not employed in them at all.

Admiral STARK. That is for material only, Senator BONE.

Secretary KNOX. Those are out of the lease-lend funds.

Admiral STARK. Those are out of the lease-lend funds.

* * * * *

COOPERATION WITH BRITISH NAVY

Question. All information regarding the cooperation the United States Navy has extended to the British Navy?

Secretary KNOX. Collaboration with the British along the lines of the Lend-Lease Act. That is the only collaboration to date.

* * * * *

ADDITIONAL AID STEPS CONTEMPLATED

Question. Information concerning the additional steps that are contemplated to increase the aid that is now being given to the British Navy?

Secretary KNOX. I have nothing on that subject except under the terms of the Lend-Lease Act.

* * * * *

OPERATIONS FROM BRITISH BASES

Question. The steps that have been taken and the steps contemplated to operate American ships and planes from British ports or bases?

This is again an operating question and is in the same category.

* * * * *

Secretary KNOX. If you put that all in the past tense, up to this time.

Senator LUCAS. You have, up to this moment, operated no planes or ships from British ports, then?

Secretary KNOX. That is right.

Admiral STARK. Unless you consider Bermuda or Trinidad when you say, "British ports."

Senator LUCAS. I understand; but in European waters, where we consider the combat zones are, no ships or planes of any kind have ever been operated in that territory?

Secretary KNOX. That is right.

INSTRUCTIONS TO INSURE SAFETY OF AMERICAN VESSELS

Question. Information concerning any instructions which may have been issued to American naval officers to insure that American vessels and planes will not be mistaken for British vessels or planes?

Secretary KNOX. That is also in the secret category.

Senator LUCAS. Is it safe to say we are not operating as British vessels, we are not flying British flags, so forth and so on? We are operating as we have always operated, as far as American vessels are concerned? We are not doing any camouflaging?

Secretary KNOX. No. We are keeping our lights on and everything.

Senator LUCAS. Not trying to make anyone believe we are in the British Navy.

Secretary KNOX. No.

* * * * *

THE "RANGER"

Senator BREWSTER. There is quite a large story that the *Ranger* had its bow blown off by a German bomb.

Admiral STARK. A United States ship, the U. S. S. *Ranger*?

Senator BREWSTER. Yes.

Admiral STARK. I have never heard of it.

Senator BREWSTER. There is nothing to that story?

Admiral STARK. No.

* * * * *

AMERICAN SAILORS IN LONDON

Another whereas set forth in Senate Resolution 138 is as follows:

"Whereas other reports circulate to the effect that some of our ships have sunk German ships; and that American sailors are in London servicing American planes."

The Secretary of the Navy's testimony to the committee clearly indicated that no ships of the United States Navy have sunk German ships, and that American sailors are not in London servicing American planes.

The questions on this point asked Secretary Knox were as follows:

Question. Can you give the committee any information regarding the number of officers and men of the Navy, the Marine Corps, and the Coast Guard on British vessels, with British aircraft units, or on British soil, and the kind of duty they perform?

Secretary KNOX. I do not have the numbers with me, but may answer this question in general that we are taking every advantage of placing observers in positions where information obtained will be useful to the United States.

Senator BONE. Admiral, they are only placed there as observers, of course?

Admiral STARK. That is all.

CONCLUSION

The committee is of the opinion that no further investigation need be undertaken at this time as the preliminary hearings covered the subject by a detailed examination of naval officials who were in a position to furnish the committee with the facts.

WHEAT MARKETING QUOTAS

The Senate resumed the consideration of the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

The VICE PRESIDENT. The question is on the motion of the Senator from New Mexico [Mr. HATCH] to reconsider the vote by which the Senate agreed to the amendment offered by the Senator from Nevada [Mr. MCCARRAN].

Mr. SHIPSTEAD. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Glass	Pepper
Aiken	Green	Radcliffe
Andrews	Guffey	Rosier
Austin	Gurney	Russell
Bailey	Hatch	Schwartz
Bankhead	Hayden	Shipstead
Barkley	Hill	Smathers
Bone	Hughes	Smith
Brewster	Johnson, Calif.	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Okla.
Byrd	La Follette	Thomas, Utah
Capper	Langer	Tobey
Caraway	Lee	Truman
Chavez	Lodge	Tunnell
Connally	Lumpkin	Tydings
Danaher	McCarran	Vandenberg
Davis	McFarland	Walsh
Downey	McKellar	Wheeler
Eastland	Maloney	Wiley
George	O'Mahoney	Willis
Gillette	Overton	

The VICE PRESIDENT. Sixty-five Senators have answered to their names. A quorum is present.

Mr. HATCH. Mr. President, the question, if I am correct, arises on my motion to reconsider the McCarran amendment.

I shall not take the time of the Senate to argue that question at all. The Senator from Minnesota [Mr. SHIPSTEAD] has amply pointed out the ill-advised method by which the amendment was adopted. I am quite sure the Senate does not want to consider favorably this amendment, relating only to winter wheat and not relating to spring wheat. Whatever arguments are to be made on that subject I would rather defer until the motion is agreed to; but I think we should have the yeas and nays on the motion. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MCCARRAN. Mr. President, the question before the Senate is the reconsideration of the vote on an amendment which the Senate adopted less than 2 hours ago.

In this matter we are dealing with that which pertains to human life. We may realize within the next year how closely we are dealing with human life, because the time may not be far distant when the question of sustaining the teeming millions of the world from the pangs of hunger may be more important than how to create the engines of destruction that will snuff human life out of existence.

The greatest producing nation of the world is dealing with the question now. A people free to act, free to cultivate, free to raise the things that sustain human life, is about to speak through its constituted representatives; and we quibble here for an hour or two as to whether or not we will put a penalty on the staff of life; a penalty on raising, if you please, growing out of the earth, the thing that has sustained humanity through all the cycles of the centuries, and may be called upon to sustain humanity when the hordes of the dictators have smudged themselves out in the center of Russia. God grant that they will.

Will humanity continue to exist on bread? Wheat is the staff of bread and bread is the staff of life. Will we put a penalty of 49 cents a bushel on those who grow from the earth the staff of life? If so, then vote to reconsider the amendment that was adopted by the Senate only 2 hours ago. If, on the other hand, you believe in the law; if you believe that a law should not be ex post facto; if you believe in your enactment; if you believe in the things for which you have voted in times past and which went through a period of trial then sustain this amendment as it was adopted here by your votes less than 2 hours ago.

Mr. President, what is the question involved? Let us analyze it. Just about 4 years ago we enacted a program which placed a penalty on producing wheat over certain quotas, the quotas to be established by a program which would be inaugurated in the respective communities, the penalty being 15 cents a bushel. For 3 years there was not an attempt to impose the penalty on a farmer in the United States for production of wheat over the quota.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MCCARRAN. I yield for a question.

Mr. HATCH. I intend to ask the Senator a question. He says there was no attempt to impose the penalty. I am going to give him an actual illustration.

Mr. MCCARRAN. Mr. President——

Mr. HATCH. And then I am going to ask the Senator why he says there was no penalty.

Mr. MCCARRAN. Will the Senator kindly ask his question?

Mr. HATCH. May I state the facts first?

Mr. MCCARRAN. I will take care of the facts; the Senator may ask the question. [Laughter.] The facts are with me; the question is with the Senator.

Mr. HATCH. I desire to give an illustration of two wheat farmers. The Senator has said there was no penalty.

Mr. MCCARRAN. I did not say that.

Mr. HATCH. On one side of the road is an operating farmer who has 320 acres in cultivation.

Mr. MCCARRAN. Mr. President, I do not yield for an argument. I yield for a question. The Senator may propound his question.

Mr. HATCH. Very well.

Mr. MCCARRAN. If the Senator will propound his question, I will try to answer it.

Mr. HATCH. The Senator will not let me state the facts, and then make my inquiry.

Mr. MCCARRAN. The facts are with me; the question is with the Senator.

Mr. HATCH. I will ask the question in my own time. The Senator has said there was no penalty.

Mr. MCCARRAN. I said no penalty was imposed for 3 years, that there was no attempt to put the program into operation for 3 years, because there was no surplus.

Mr. HATCH. The Senator does not mean that.

Mr. MCCARRAN. I do not yield, unless the Senator wishes to ask a question. If he does, I will yield for his question. I will yield for a question of any Senator. If there is any Senator here who will say that the program imposing a penalty of 15 cents a bushel, enacted 3 years before the present law was put into effect, was put into operation, I will yield to him. But I know that it was not put into operation, and I know that when in 1941 we enacted the present law, the farmers of this country knew that there was a penalty of 15 cents and no more. Is there any Senator here who takes issue with that statement? I hear no reply.

Mr. President, on top of that, there is put through Congress a provision for a penalty of 49 cents a bushel. What does 49 cents a bushel mean? It means that if I plant 5 acres more than the allotment given to me, I will have to pay 49 cents a bushel before I can sell a single bushel of the wheat raised on my 15 acres. Does anyone take issue with that statement? I hear no reply.

Now, let us take another angle of it. When we enacted the present law, in the spring of this year, the winter-planting farmers had already planted their wheat. But that is not all of it. The winter-planting farmers had their wheat already growing and above the ground. Some of the winter-planting farmers had their wheat almost half way up the stem. It depended on the locality how far it had progressed. Those farmers planted knowing there was a penalty of 15 cents imposed on every bushel they would produce above the allotment; they knew that, and were willing to go along with the program, and they did go along with the program.

But, lo and behold, after the wheat was up, after they had expended their money for planting, for seed, for cultivation, for everything in connection with

it, in some instances for water with which to irrigate, Congress imposed a penalty of 49 cents a bushel as against 15 cents. I say in all fairness that that was an ex post facto law, and that it should not have been imposed against them. The Senate of the United States said so less than 2 hours ago.

Some now want to reconsider the vote. In all fairness, in all justice, under the law as I know the law, as I respect the law, as I believe the law should be, that vote of the Senate of the United States, taken less than 2 hours ago, should not be reconsidered. It should stand as the will of this body, in order that the people of the country may know that the Senate of the United States listens to the people, and, listening to the people, is willing to go forward to the end that no ex post facto law should be recognized, that no injustice should be imposed upon the producers of the staff of life in this country.

Mr. President, I am very frank with my colleagues; I believe the day is not far distant when programming the things which sustain life will find itself in the discard. Man must live, and, being compelled to live, he must produce from the earth those things which will sustain him, and that being true, after this holocaust of hell now raging is over—and I say again, God grant that it may soon be over—if it shall end tomorrow, the economy of this country will change. It cannot be stopped with $100,000,000,000 of indebtedness staring us in the face. It is going to change, and when it changes, then the question of what will sustain the stomachs of men is going to be more important than what will sustain a theoretical economy.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield, and I apologize to those who have asked me to yield and to whom I have not yielded.

Mr. ADAMS. My inquiry is as to the effect of the Senator's amendment. The amendment provides that the penalty imposed by the act of May 26, 1941, shall not apply to winter wheat. If the provision stands as it is now, will that leave in effect or reinstate the 15-cent penalty? That is, the 15-cent penalty will not be repealed by the Senator's amendment, or by the measure which is before the Senate?

Mr. McCARRAN. That is the intendment of my amendment. If it does not do so, I am entirely content to amend it so it will do so. In other words, those who planted in the fall of 1940 knew there was a penalty of 15 cents a bushel provided. They should pay the 15-cents-a-bushel penalty.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. McCARRAN. I am trying to answer the question asked by the Senator from Colorado.

Mr. HATCH. I wish to ask the Senator a question right in line with that question.

Mr. McCARRAN. Permit me to answer.

Mr. HATCH. Surely.

Mr. McCARRAN. I do not believe that those who planted in the fall of 1940 should have the penalty of 49 cents in addition to the 15-cent penalty. I believe the 15-cent-per-bushel penalty should apply.

Mr. HATCH. Will the Senator now yield to me?

Mr. McCARRAN. Yes.

Mr. HATCH. The Senator's amendment merely says that the penalty provided by the act of May 26, 1941, shall not be applicable. That is the language of the Senator's amendment.

Mr. McCARRAN. Yes.

Mr. HATCH. The act of May 26, 1941, repealed and modified the former act.

Mr. McCARRAN. No.

Mr. HATCH. I am asking the Senator, and he says, "No." I am quite sure the Senator has not looked that matter up. My opinion is that it did. This is the question I am getting at. If the act of 1941 did repeal the previous act, which it had to repeal in order that the act of 1941 could be applicable, then the repeal of the act of 1941 would not reinstate the former act, and I say that because the Senator, as a lawyer, knows that the repeal of a repealing act does not reinstate the former act. That is correct, is it not, as a proposition of law? I am quite sure that is correct.

Mr. McCARRAN. The Senator is finessing four deep there, and I must think.

Mr. HATCH. I am not finessing. If the Senator's amendment is adopted in its present form, it would merely make the penalty of 49 cents not applicable, and would leave the farmer free to sell his wheat without any penalty whatever.

Mr. McCARRAN. Excepting 15 cents.

Mr. HATCH. Oh, no.

Mr. McCARRAN. We differ on that matter.

Mr. GILLETTE. Mr. President, will the Senator yield to me for a question?

Mr. McCARRAN. I yield for a question.

Mr. GILLETTE. My question is this. The Senator just referred to the 49-cent penalty provided by the May 26, 1941, act, and called attention to the fact that wheat farmers had sown the wheat the previous fall when the 15-cent penalty was provided. The 49-cent penalty did not go into effect and could not go into effect until the wheat farmers had voted on it themselves by their own action. Is that not true?

Mr. McCARRAN. I take it that is true. I believe that is true. I will go a little further with the Senator from Iowa. My recollection is that the farmers of the country voted on it themselves by a vote of about 85 percent. I think that is true.

Mr. GILLETTE. Between 85 and 90 percent.

Mr. McCARRAN. I am taking as the basis for this argument, that the farmers of this country did not know what they were voting on when they voted 85 percent in favor of a 49-cent penalty on their excess bushels of wheat. They thought they were voting for a continuation of the program to which they had been accustomed for 3 years before that, which was a 15-cent per bushel penalty. I happen to know that that is true so far as a certain locality is concerned, very small indeed as compared with that splendid locality represented by the able Senator from Iowa.

Mr. ADAMS. Mr. President, will the Senator yield for another question?

Mr. McCARRAN. I yield.

Mr. ADAMS. This is a matter I ought to know about, but it is easier to ask the Senator from Nevada about it. Did the balloting by the wheat farmers cover the whole of the United States, or was the country divided into regions so that the penalty would apply in one region and not in another, or does it apply throughout the whole country?

Mr. McCARRAN. I put that query myself to the department. My recollection of the answer is that the majority in the whole country prevailed. That even though the State of Colorado, for instance—and I use that State merely for purposes of convenience—should vote against adopting the program, yet if the rest of the country adopted the program, it was forced upon the State of Colorado.

The reason I had that drawn to my attention was that the wheat growers of Nevada, who are very small in number and whose production is very small in bushel yield—as a matter of fact, it applies only to one reclamation district in the State of Nevada, very small indeed as compared to the rest of the country—but those farmers found out that the program was imposed upon them by the vote of the whole country, and it is for that reason I am making this appeal.

Mr. HATCH. Has the Senator completed his statement?

Mr. McCARRAN. I will finish in just a moment. I take it the Senator wants to close.

Mr. HATCH. Yes.

Mr. McCARRAN. Mr. President, my interest in this matter is for the benefit of those who produce the things on which life is sustained. I do not believe in programmed agriculture. I voted for it because those who have made a study of the matter thought it was the best program. I believe in the great law of supply and demand. I believe that eventually we will come back to that fundamental principle whereby those who produce and those who consume will be in an equilibrium somewhere. It has worked through the centuries. In my judgment, it will work through the centuries again.

Be that as it may, I do not believe in enforcing a famine by saying that those who produce the things which sustain life shall be penalized, and especially should they not be penalized when they did not know what the penalty was, but planted their grain on borrowed money, if you please, willing to pay a penalty of 15 cents; but when the grain came out of the ground, they found that a penalty of nearly half a dollar was imposed upon them.

Mr. HATCH. Mr. President, the Senator has talked a great deal about the staff of life, and I have been trying to think of a quotation from the Scriptures, something to the effect—

Man shall not live by bread alone—

I shall ask the Senator from Iowa, who has just conferred with the Vice

President, to finish the quotation. What is the remainder of it, Senator?

Mr. GILLETTE. Mr. President, in response to this courtesy, the two gentlemen from Iowa, the Vice President and the Senator now speaking, having conferred on the biblical reference, the Bible quotation to which the Senator refers is this:

Man shall not live by bread alone, but by every word that proceedeth out of the mouth of man.

The VICE PRESIDENT. Oh, no—

but by every word that proceedeth out of the mouth of God.

Mr. BARKLEY. Mr. President, will the Senator yield for an inquiry?

Mr. HATCH. I yield.

Mr. BARKLEY. Does it take two able men from Iowa to quote the Scriptures correctly when any other man could do it?

Mr. HATCH. Mr. President, aside from the scriptural quotation, I wish to say to the Senator from Nevada in all earnestness, and I wish to relieve his feelings about suffering humanity, and the vast numbers of people throughout the world who are going to starve and be hungry if his amendment is not adopted, that the crop to which his amendment applies has already been planted, harvested, and is now in the elevators. Whether there is a penalty or not, the staff of life will still remain.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. BARKLEY. I do not recall the debate at the time the 49-cent penalty was put into the law instead of the original 15-cent penalty. Does the Senator recall, or can the Senator from South Carolina inform me what the vote was?

Mr. HATCH. It was adopted by unanimous consent.

Mr. BARKLEY. Was any objection raised at the time to the increase in the penalty?

Mr. HATCH. None.

Mr. McCARRAN. It went in in conference.

Mr. BARKLEY. It could not have gone in in conference unless there was a difference between the two Houses, which would enable that to happen.

Mr. HATCH. Mr. President, I shall not detain the Senate much longer.

The Senator from Nevada has raised the question of stare decisis. He says that because 2 hours ago the Senate voted to adopt the amendment it is now precluded and barred from reconsidering it. If he wishes to reply on the doctrine of stare decisis, I will stand with him on that doctrine. The entire Congress adopted the penalty in May, the President signed it, and it is the law. If the Senator wishes to stand on the law of the land, we will stand on it as it is.

But that is not all. Not only did the Congress adopt it but it was submitted to the farmers of the country and they adopted it by an overwhelming vote. So if the Senator wishes to stand on the doctrine of stare decisis, we have two arguments to his one.

Mr. President, I am more serious than that. I do not care whether the increased penalty was adopted by the Congress or by the farmers. I am interested in the right of the matter. Is it right that this amendment should be adopted? If so, let us adopt it. If it is wrong, let us defeat it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. BARKLEY. I have just been informed—and it may or may not have any bearing on the merits of this question—that when the penalty was fixed at 49 cents instead of 15 cents the vote in the Senate was 75 to 2.

Mr. HATCH. Was there a yea-and-nay vote at that time?

Mr. BARKLEY. Yes.

Mr. HATCH. I do not think that is important.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. TAFT. I remember the debate on the bill, but I do not remember that a 49-cent penalty, or any change in the penalty, was called to the attention of the Senate. Of course, the act does not say that the penalty is increased from 15 to 49 cents. The act says that the penalty shall be one-half the loan price which may be in effect. I do not think that question was debated or discussed or really seriously considered by the Senate.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. HATCH. I do not wish to yield at this time. The Senator refused to yield to me.

Mr. McCARRAN. Will the Senator yield for a question?

Mr. HATCH. Not now.

The language of the act is as stated by the Senator from Ohio. I think every Member of Congress knew, or could have known if he had so desired, that we were making a decided increase in the loan value and that producers were to receive the benefit of the increase. Therefore, we increased the penalty accordingly.

The amendment of the Senator from Nevada not only would do away with the increase in the penalty but, as I construe his amendment—and I leave it to any lawyer in the Chamber—if his amendment is adopted now it will do away with any penalty. It will even do away with the 15-cent penalty, and we shall have no penalty whatever, because the law which fixed the penalty at 15 cents a bushel was amended and repealed by the act fixing the penalty at 49 cents. If we adopt this amendment, those who have refused to cooperate will escape scot-free and pay no penalty whatever, although they will receive all the benefits and advantages. If that is fairness and justice, then let the Senate adopt the amendment. That is the reason why I said I did not care to stand on the doctrine of stare decisis, because I knew that the doctrine which I have just announced is much stronger and fairer.

Mr. GLASS. Mr. President, will the Senator yield?

Mr. HATCH. I yield to the Senator from Virginia.

Mr. GLASS. If the Senator from Iowa [Mr. GILLETTE] correctly quoted the Scripture in saying that—

Man shall not live by bread alone, but by every word that proceedeth out of the mouth of man—

I expect to live for 500 years longer. [Laughter.]

Mr. HATCH. Let me say to the Senator from Virginia that we hope that he will live for the next 500 or 5,000 years, if he so desires. But in the present state of the world it is beyond my comprehension that anybody should care to live 500 years.

Mr. President, I do not wish to take the time of the Senate. Let us not forget the difference between the spring- and winter-wheat crops. I hope the motion to reconsider will be agreed to, and that the amendment will then be defeated.

Mr. McCARRAN. Mr. President, I am sorry that the able leader—inadvertently I think—created a false impression. I understood him to state—I hope I am mistaken—that the Senate voted for the penalty of 49 cents a bushel by a vote of 75 to 2. The fact of the matter is that there was no vote on the subject at all.

Mr. BARKLEY. The information upon which I based my statement was given me by the chairman of the committee, the Senator from South Carolina [Mr. SMITH], and by the Senator from Alabama [Mr. BANKHEAD]. I have been trying to check up on it. The Senate passed a bill containing a 50-cent penalty. The House had a similar provision, but with a different amount. The matter came back to us in a conference report, which contained the 49-cent penalty, and, according to the information I have, the conference report was agreed to by a vote of 75 to 2. Of course, the question was on the conference report as a whole, and not separately on the penalty itself.

Mr. McCARRAN. The penalty was related to the loan value.

Mr. BARKLEY. As I recall, the increase in the penalty was based upon the increase in the loan value.

Mr. McCARRAN. That is correct. The penalty was fixed on the basis of the loan value.

Mr. BARKLEY. That is correct.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New Mexico [Mr. HATCH] to reconsider the vote by which the amendment offered by the Senator from Nevada [Mr. McCARRAN] was agreed to. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BANKHEAD (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. McNARY]. I transfer that pair to the junior Senator from Arkansas [Mr. SPENCER] and will vote. I vote "yea." I am not advised how either the Senator from Oregon or the Senator from Arkansas would vote if present and voting.

Mr. DAVIS (when his name was called). Referring to my general pair with the Senator from Kentucky [Mr. CHANDLER] and its transfer heretofore announced, I am at liberty to vote. I

vote "nay." I am not advised how the Senator from Kentucky would vote if present.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from West Virginia [Mr. KILGORE] and will vote. I vote "yea." I am not advised how either the Senator from New Hampshire or the Senator from West Virginia would vote if present and voting.

The roll call was concluded.

Mr. BARKLEY. The Senator from Montana [Mr. WHEELER] has asked me to announce that he is absent on necessary departmental business. I am not authorized to say how he would vote on this particular question, but he is unavoidably detained on official business.

Mr. HILL. The Senator from Tennessee [Mr. STEWART] has a general pair with the Senator from Oregon [Mr. HOLMAN].

The Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from New York [Mr. MEAD], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Louisiana [Mr. OVERTON], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Arkansas [Mr. SPENCER], the Senator from Tennessee [Mr. STEWART], the Senator from Indiana [Mr. VAN NUYS], and the Senator from Washington [Mr. WALLGREN] are unavoidably absent.

The result was announced—yeas 40, nays 17, as follows:

YEAS—40

Adams	Green	Pepper
Aiken	Guffey	Rosier
Andrews	Gurney	Russell
Austin	Hatch	Schwartz
Bankhead	Hayden	Shipstead
Barkley	Hill	Smathers
Bunker	Johnson, Colo.	Smith
Caraway	La Follette	Thomas, Idaho
Chavez	Langer	Thomas, Okla.
Connally	Lee	Thomas, Utah
Danaher	Lumpkin	Truman
Eastland	McFarland	Tunnell
George	McKellar	
Gillette	Maloney	

NAYS—17

Brewster	Hughes	Tydings
Burton	Lodge	Vandenberg
Byrd	McCarran	Walsh
Capper	Radcliffe	Wiley
Davis	Taft	Willis
Glass	Tobey	

NOT VOTING—38

Bailey	Bone	Bulow
Ball	Bridges	Butler
Barbour	Brooks	Chandler
Bilbo	Brown	Clark, Idaho
Clark, Mo.	McNary	Reynolds
Downey	Mead	Spencer
Ellender	Murdock	Stewart
Gerry	Murray	Van Nuys
Herring	Norris	Wagner
Holman	Nye	Wallgren
Johnson, Calif.	O'Mahoney	Wheeler
Kilgore	Overton	White
Lucas	Reed	

So Mr. HATCH's motion to reconsider was agreed to.

The VICE PRESIDENT. The question now recurs on agreeing to the amendment offered by the Senator from Nevada [Mr. MCCARRAN].

Mr. MCCARRAN. Mr. President, it may be interesting to know what the Senate has now done. The Senate has revoked the vote by which it adopted the amendment, on the theory that my amendment would do away with the 15-cent penalty. The fact of the matter is that it would not do away with the 15-cent penalty at all. By its vote the Senate now has restored not only the 49-cent penalty, but the 15-cent penalty as well.

It is an unhappy circumstance that we should be confronted with this situation. It is unhappy because it shows how unwarranted statements may lead a great deliberative body astray. What we now have is not only a 49-cent penalty, but also a 15-cent penalty against the wheat growers of the country.

What we now have is the restoration of a program which has been repudiated by the farm communities throughout the length and breadth of America. I know why the Senate is voting to reconsider. The Senator from New Mexico probably does not realize—I hope he does not realize—the fact that he is about to be confronted with a vote which will do away with the whole penalty and destroy the program. It is an unhappy situation. We have had a program which might be worth while. We could have gone back to a plan which contained a penalty that was not drastic but was a reminder to those who are interested in curtailing certain lines of agriculture that they should not go to too great an extent in producing any crop. It was a 15-cent-a-bushel penalty. It did not do so much harm. It only reminded the producers of this country that they might curtail their production.

When the Congress increased the penalty to 49 cents it did not do so by a vote of 75 to 2 on that particular question. The question was what the loan value should be. That was what was before the Senate when we voted on the matter last spring. At that time we did not know what the loan value would be. Can any Senator tell me what was stated on the floor of the Senate as to what the loan value on a bushel of wheat would be at this time? I hear no voice raised in answer, because there was no such statement.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MCCARRAN. I yield.

Mr. BARKLEY. Let me ask a question of the Senator from Nevada. Of course, the loan value could not be stated in terms of dollars and cents, because it was impossible to tell at what price the commodity might be selling. Was it not rather definitely understood that the loan value would be 85 percent of parity?

Mr. HATCH. Mr. President, it was stated in the law.

Mr. BARKLEY. Yes.

Mr. MCCARRAN. I would not say that it was stated in the law; no.

Mr. BARKLEY. We did increase the loan value to 85 percent of the parity price. In the case of wheat I believe the parity price was about $1.14. Wheat would be eligible for a loan of 85 percent of $1.14, and that is a matter of calculation.

Mr. MCCARRAN. What I wanted to impress on the Senate was the fact that we never voted on the question of a 49-cent-a-bushel penalty on wheat. I do not believe it would be possible to put through a penalty of 49 cents on producing a bushel of wheat in this country. What we voted was that the penalty should be proportionate to the loan value. Fifteen cents a bushel had been the penalty for 3 years before we enacted the act which is now the law; but during the entire 3 years—I am now repeating, and I am sorry to do so—the program had never been enforced because there was no threat of a surplus at that time. But as soon as the threat of a surplus came the 15-cent penalty was not imposed. The penalty was raised to 49 cents plus the 15 cents.

Mr. RUSSELL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Georgia?

Mr. MCCARRAN. I yield.

Mr. RUSSELL. The Senator is usually correct in all his statements, but I think he has fallen into grievous error in the statement just made. The section of the act which the Senator's amendment undertakes to amend provides:

> That notwithstanding the provisions of the Agricultural Adjustment Act of 1938, as amended. * * *
>
> During any marketing year for which quotas are in effect, the producer shall be subject to a penalty on the farm-marketing excess of corn and wheat. The rate of the penalty shall be 50 percent of the basic rate of the loan on the commodity for cooperators for such marketing year under section 302 of the act and this resolution.

There is no doubt in my mind that the penalty on the surplus or excess wheat amounts to 50 percent of the loan, and the loan is 85 percent of parity. Parity is $1.13, as I recall—and I think I am correct—and the loan rate would be about 96 cents. Therefore the penalty would be about 48 cents a bushel, and that would be the total of the penalty that could be assessed against any bushel of wheat. I do not think that the penalty is in addition to the old 15-cent penalty under the soil-conservation law, because there have been no marketing quotas in effect as to wheat until this year, and the total penalty that could be assessed, in my opinion, is that referred to in section 2 of the act approved May 26, 1941, and I do not think it would amount to over 48 cents a bushel on each bushel of wheat in excess of the quota.

Mr. MCCARRAN. The Senator has correctly read the law as it now stands, but the law did not repeal the Soil Conservation Act; the law did not repeal the 15-percent penalty; the law providing the

15-percent penalty still prevails. The whole thing is still the program. There is no question about it. It is time to clear it; it is time to clarify it; it is time now for the Senate, as it has voted to reconsider the amendment, to expunge the whole thing. Let us be through with it.

Mr. RUSSELL. I merely want to say, if the Senator will permit me, that I cannot agree with his interpretation. In my opinion, the only penalty that could possibly be assessed would be a penalty equal to 50 percent of the loan value; the loan value is 85-percent parity. Of course, that figure will fluctuate from year to year. At the present time parity is $1.13 a bushel on wheat, and the loan value is around 96 cents or perhaps a fraction over.

Mr. HUGHES. Mr. President, will the Senator explain why we talk about a 49-cent penalty then?

Mr. RUSSELL. Of course, I cannot explain why any Senator is talking about a 49-cent penalty. I have not referred to a 49-cent penalty myself. I do not exactly know how that figure got in or exactly what the penalty amounts to.

Mr. TAFT. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Ohio?

Mr. McCARRAN. I yield the floor.

Mr. TAFT. I desire to offer a substitute for the McCarran amendment, which I think will clear up the questions which are in dispute.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 1, line 5, it is proposed to change the word "paragraph" to "paragraphs", and on page 2, after line 8, to add the following new paragraph:

(13) During the marketing year beginning in 1941, the producer shall be subject to a penalty of 15 cents per bushel and no more on the farm marketing excess of wheat.

Mr. TAFT. Mr. President, the substitute——

Mr. GILLETTE. Mr. President, before the Senator speaks on his substitute, I wonder if he will let me correct a wrong I inadvertently did the Vice President of the United States?

Mr. TAFT. I will be delighted to yield to the Senator for that noble purpose.

Mr. GILLETTE. I quoted the Vice President of the United States on a Scriptural reference which it seems to me was taking in a whole lot of territory. In the last few minutes I sent for a Bible and the following is the correct quotation:

Man shall not live by bread alone, but by every word that proceedeth out of the mouth of God.

Rather than—

out of the mouth of man.

So I misquoted the Vice President and I want to do him justice.

Mr. TAFT. That is certainly a substantial difference, to which attention should be called.

Mr. President, the substitute which I offer for the McCarran amendment attempts to carry out what I believe the Senator from Nevada has desired to carry out. It does two things: It makes it clear beyond any dispute as to the law that the new penalty is to be 15 cents and no cumulative addition or anything else; it is 15 cents a bushel as it was before the passage of the law of May 26.

The second thing is that the reduction of the penalty from 49 cents, or whatever it may be, to 15 cents is applied to winter wheat just as much as it applies to spring wheat. I do not see how we can draw a distinction. Most of the spring wheat was planted before the law went into effect.

I wish to say that I do not agree with the Senator from New Mexico or the Senator from Iowa that this will in any way break down the present program. Whether one is for the present program or is not for the present program, the program provides certain things if a man does not abide by his acreage limitation. There is no law that says he must abide by the limitation. We say to the farmer, You can plant more if you want to, but if you do plant more then you will be cut off from the soil conservation payment, you will cut off the ability to get the advantage of commodity loans, and you will pay a penalty of 15 cents a bushel, just as the law provided before the passage of the act of May 26, 1941, and it is just as much in accord with the general program as the same law with a 49-cent penalty.

Mr. HATCH. Is the Senator familiar with the provisions of the law as to excess wheat and also the recent ruling of the Department which permits the storage of the excess until next year, when with an appropriate reduction in acreage that excess may be marketed without penalty?

Mr. TAFT. Yes; I understand that has been done.

Mr. HATCH. I wanted to be sure the Senator knew about that.

Mr. TAFT. If he has to reduce his acreage next year, so far as the ordinary Ohio farmer is concerned, that throws the whole rotation of crops out of balance. He cannot plant wheat in fields that have been set aside for wheat and are regularly planted to wheat every 3 years or 4 years as the rotation of crops would provide.

This law came along and said that because of the increase of the loan value to 85 percent of parity or, as I understand, about 98 cents a bushel—it may be 96 cents a bushel; I am not certain—therefore it is said that that was a benefit and therefore the penalty should be increased from 15 to 49 cents. When that wheat was planted wheat was selling at 72 cents a bushel, a price which was 10 cents above the loan value of the wheat. The loan value would be increased from 72 to 90 cents. The noncomplying farmers are cut out by law from getting the 96-cent loan. All they can get for their wheat is the market value, which is 90 cents a bushel.

Mr. HATCH. Mr. President——

Mr. TAFT. Let me finish and see if I am correct. So that wheat is now selling for about 90 cents; it was selling at 72 cents when it was planted, and I see no reason to think that it might have increased somewhat without the additional loan. Whatever benefit was conferred, it certainly does not justify an increase in the penalty of 34 cents a bushel, which is the effect of the law of May 26, 1941.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Georgia.

Mr. RUSSELL. The Senator, of course, understands that the penalty applies only to the excess production. It does not apply to the entire crop of the farmer. The farmers will have to pay the penalty on only a very small number of bushels.

The Senator from Ohio is arguing that the penalty applies to the entire crop, which certainly is not the case. The penalty applies only to the amount in excess of each farmer's quota.

Mr. TAFT. That is correct.

Mr. RUSSELL. So if a farmer produced a thousand bushels, and 100 bushels were over the quota, he would enjoy the increased price on the 900 bushels and would have to pay the penalty only on the 100 bushels, and certainly would be nine times better off from a pecuniary standpoint than he would have been without the quota.

Mr. TAFT. He does not necessarily have a small excess. He may have a fairly large excess. The fact is that in the State of Ohio more than half the farmers have never conformed to the A. A. A. program. Their position is, "We do not want Government money. We are not asking for Government money. We do not want the soil-conservation payments. We do not want the loan value. All we want is to be able to plant all the wheat we need for our farms." The law has said to them, "That is perfectly justifiable. You may do that." They did it, and they did it with the knowledge that they had to pay a penalty of 15 cents a bushel on any excess of wheat. Then, after they have practically marketed their wheat, we raise the penalty on the excess to 49 cents.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Kentucky.

Mr. BARKLEY. Does the Senator mean to say that half the farmers of Ohio are willing to stay out of this cooperative arrangement and reap the benefit of increased prices brought about by the cooperation of the other 50 percent of the farmers who are willing to go into it?

Mr. TAFT. I say that more than 50 percent of the farmers of Ohio have not joined in the program; and I say, furthermore, that 51 percent of them have voted against even this quota.

Talk about these elections. If I could go out in one of them and run for reelection, I could be reelected to any office. Here is a campaign conducted to put through these programs which is solely an affirmative campaign. There is no negative campaign. Reams of literature go out telling the farmers that they should vote one way, and nothing goes out telling them that they should vote the other way. Under those circumstances I think it is extraordinary that 51 percent of the farmers of Ohio—one of

the great farm States of the Union—voted against the imposition of the marketing quota. I say it indicates, and I believe the facts show, that three-fourths of the farmers happen to be against the program.

I am not urging that we change the program; but I am saying that we should keep our word with the farmers, and we should not impose a penalty of more than 15 cents a bushel on the excess when we told them, "You have the choice. If you do not want to take any farm benefits or get any of this money, if you are willing to reduce the amount of money the Federal Government has to pay out of the Treasury and get out on your own, you may do so." I think we ought to keep faith with those farmers and not raise the penalty after the wheat is marketed. If we want to raise it next year, that is perfectly all right with me.

Mr. BARKLEY. Mr. President, will the Senator further yield?

Mr. TAFT. I yield to the Senator from Kentucky.

Mr. BARKLEY. Fifty percent or fifty-one percent of the farmers in Ohio or the farmers in all the States who have not gone into this arrangement are not penalized. They do not pay any penalty. It is only, as I understand, those who go into the program and then do not abide by it who do not cooperate.

Mr. TAFT. Oh, no. This is an acreage quota which is assigned to every farmer, whether he is in the program or not; and if he comes into the program he must abide by the acreage limitation.

Mr. BARKLEY. And if he does not abide by it, he is penalized.

Mr. TAFT. No; if he does not come in at all, he still is penalized.

Mr. BARKLEY. I understand. On the acreage basis, he is.

Mr. TAFT. Yes.

Mr. BARKLEY. But, on the other basis that has prevailed in some sections, he is not required to pay a penalty. But let that be as it may; on the 26th of May, scarcely 2 months ago, we passed the law raising the penalty from the 15 percent originally in the law to 50 percent, as it seems to be, instead of 49 cents. I do not know how the 49 cents got into this discussion.

Mr. TAFT. As I understand, it is probably 48 cents. It is one-half the loan value, and I thought the loan value was 98 cents, or it may be 96 cents.

Mr. BARKLEY. The law had fixed a penalty of 50 percent, however.

Mr. TAFT. 50 percent of the loan value.

Mr. BARKLEY. And 50 percent may amount to 49 cents a bushel or 48 cents a bushel, whatever the case may be.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from New Mexico.

Mr. HATCH. I have been trying to interrupt ever since the Senator quoted the price of wheat, because I just sent out and got today's newspaper. The Senator said wheat was selling at 90 cents a bushel.

Mr. TAFT. I was merely quoting what had been previously said. I thought I heard the Senator from New Mexico say it was about 90 cents.

Mr. HATCH. Oh, no.

Mr. TAFT. That it was not selling as high as the loan value. That was stated here, and I took it as the fact. I did not look it up.

Mr. HATCH. Just to correct the RECORD, today's market at 11 o'clock on September wheat was $1.06, and on December wheat $1.08.

Mr. TAFT. I still do not think the farmer can get that price at the elevator in Ohio.

Mr. HATCH. The loan price is fixed at 85 percent of parity on the farm.

Mr. RUSSELL. Mr. President, if I correctly understand the argument of the Senator from Ohio, because 51 percent of the wheat farmers of Ohio do not wish this program he desires to have the Senate take action which will deny the program to the wheat farmers of 47 other States, who approved it overwhelmingly in a referendum held for the purpose, in which every wheat farmer of the United States was permitted to vote.

Mr. TAFT. Mr. President, will the Senator yield to me?

Mr. RUSSELL. I yield.

Mr. TAFT. I did not use that as an argument.

Mr. RUSSELL. I know the Senator did not say that, but that is the effect of the Senator's statement.

Mr. TAFT. I used only the argument of justice. I was asked whether the farmers of Ohio approved the program, and I said they did not; but that is not the reason for keeping this penalty of 15 cents. The reason for keeping the penalty is to keep the promise to the people who knew what the law was and who proceeded on that basis in the expenditure of money.

Mr. RUSSELL. When the wheat farmers went to the polls and voted in the referendum as to whether the act should take effect, the wheat farmers knew the terms and provisions of the act which fixed the penalty at 50 percent of the loan value. I know, Mr. President, from my own experience—not with wheat, but with other commodities—that the county agents and the heads of the Triple A organization in the several sections of the country called meetings in every county in which the commodity was produced, and carefully and painstakingly explained to the farmers the provisions of the act on which they were to pass judgment when they voted; and after that explanation had been had, over 80 percent—I am not sure as to my figures, but I think approximately 86 percent—of all the wheat farmers in the United States voted in favor of the 50-percent penalty.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Kentucky.

Mr. BARKLEY. In order that we may understand the dates involved, the new law fixing the penalty of 50 percent was approved by the President on May 26, 1941. When was the vote taken to which the Senator refers?

Mr. RUSSELL. I do not recall.

Mr. BARKLEY. It was subsequent to that date.

Mr. RUSSELL. But it was subsequent to the approval of the act, because there had never been any referendum fixing a marketing quota as to wheat until after the passage of the act.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Delaware.

Mr. HUGHES. Does the Senator mean to say that when the farmers voted in 1941, they had knowledge that the penalty would be fixed on wheat that was sowed in 1940?

Mr. RUSSELL. I certainly say that.

Mr. HUGHES. And that they realized that that penalty would be applied to wheat which they had sowed the year before?

Mr. RUSSELL. I say that whether they had actual knowledge or not, they were charged with knowledge, because it was the law of the land, approved by the President, before the referendum was held.

Mr. HUGHES. I am sure the Senator is wrong in his conclusion as to that matter, because I am sure the farmers did not so understand. I have heard from a great many farmers in my section of the country, and they did not understand that the penalty applied to the crop which was planted in 1940.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HATCH. I desire to say to the Senator from Georgia, in answer to the Senator from Delaware, that of course the winter-wheat crop was planted in 1940. The crop was harvested in 1941. The marketing quota was voted on for the crop to be harvested in 1941. That was the only crop it affected. The farmers could not have had knowledge of any other crop, because the act affected that particular crop. That was what the vote was on.

Mr. RUSSELL. It is wholly possible that some of the farmers growing wheat in the State of Delaware did not understand the issue on which they were voting, but I dare say that by and large over the entire United States 95 percent of the farmers understood the issue that was submitted to them when they went to the polls to vote.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Ohio.

Mr. TAFT. The argument which I reject is that even if 80 percent were for the program—which I deny, as a matter of fact—even if 80 percent were for it, under our form of government I do not think 80 percent have a right to impose on the other 20 percent a penalty for violation of a contract, in effect, into which those people entered and under which they proceeded to plant their wheat and spend their money. I do not care how great the majority may have been; we still have in this country the right of the minority to be protected in good faith in the promises, in effect, that were made.

Mr. RUSSELL. Mr. President, I understand the philosophy of the Senator from Ohio, and it is at variance with my own, but certainly I shall not undertake to discuss the constitutionality of the act.

Mr. BARKLEY. The Supreme Court has held that the act is constitutional.

Mr. RUSSELL. The Supreme Court has held repeatedly, with respect to other crops, that marketing quotas are absolutely constitutional. But the Senator from Ohio is still entitled, as an American citizen, to dissent from the ruling of the Court. Of course, it is the law of the land. It has been upheld with respect to tobacco, with respect to cotton, and with respect to other commodities, that marketing quotas are wholly constitutional, and certainly the same rule would apply to the case of wheat, in my judgment. The Senator from Ohio is entitled to his opinion that it would not.

Mr. TAFT. I do not question the constitutionality, but in no one of the cases has the penalty been increased after the planting of the crop. So I do not think the mere fact that the law is constitutional is justification for the imposition of a 49-cent penalty now when previously it was only 15 cents.

Mr. RUSSELL. When the farmers voted, they were voting as to whether or not the penalty should apply to this year's crop; and for my part I am not going to charge all the wheat farmers of this country with being so ignorant that they did not know what they were doing when they voted on this matter.

Mr. BARKLEY. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I yield.

Mr. BARKLEY. I do not wish to delay the Senator or delay a vote, but I am interested in what happened in regard to this program.

The election held among all the wheat growers of the United States was held after the law was amended on May 26. While, of course, the Senator from Georgia was not present, and none of us was present, at all these county and local meetings where the law was explained, it is my understanding that the Department of Agriculture charged those who represented them in presenting the program with the obligation and the duty of explaining the law to all the people who were to vote. Of course, I suppose they explained the advantages as well as the disadvantages, and I understand that one of the advantages and one of the inducements for a farmer voting to go into the program, notwithstanding the increased penalties, was that he got a greater benefit out of it, and the penalty applied only to the excess. If he had no excuse, he paid no penalty. Therefore, the increased loan value, which automatically influenced an increase in price for his product, was a sufficient inducement to get 85 or 86 percent of the wheat producers to go into the program. Is that a fair assumption?

Mr. RUSSELL. The effect of the law was to raise the loan value of the commodity from 52 percent of parity, which had been the loan rate fixed prior to the passage of the law, to 85 percent of parity, on the farmer's total crop, whereas the penalty is applied only to the excess over and above the quota of each individual farmer.

Mr. BARKLEY. Is it not true also that the increased benefit in the way of a money return on that part of the farmer's crop which was not excess, was overwhelmingly larger than the penalty to which he subjected himself by reason of the excess?

Mr. RUSSELL. It would be tremendously larger. And not only that, there would be thousands of farmers in the country who did not plant in excess of their quotas who would not pay one dime of penalty, and those farmers naturally do not wish to see the program broken down by excepting those whose crops are in excess of their quotas.

Mr. President, I took the floor merely to read a resolution adopted by representatives of all farm bureaus in the Midwest region, at the Midwest Farm Bureau Training School, at Champaign, Ill., July 22, 1941. I will ask Senators to listen to what the wheat farmers themselves think of this program as expressed by one of the farm organizations, probably the strongest farm organization in the Nation. The resolution reads:

> Six hundred and forty-four Farm Bureau leaders from Illinois, Indiana, Ohio, Michigan, Iowa, Wisconsin, Minnesota, Nebraska, South Dakota, Kansas, and Missouri unanimously urge that no amendment to present wheat program be adopted, particularly any exemption for feeding purposes of excess wheat or decrease in marketing penalty. To do so will result in a break-down in the operation of an otherwise successful program. We feel sure that we are expressing the views of the vast majority of the wheat producers in the above-mentioned States.

Mr. President, the provision we are discussing is one which does not directly affect a large number of farmers in my own State. Georgia is not a large wheat-producing State. But I am interested in the farm program as a whole. If a movement is undertaken here to reduce the penalties as to any one commodity, naturally the producers of other commodities will come to the Congress of the United States and ask that their penalties be reduced. Certainly those of us who represent the cotton-producing States will not stand by and see a penalty of 7 or 8 cents a pound on cotton that is marketed in excess of the quota, if the producers of other commodities are to be permitted to escape paying a penalty of some amount.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HATCH. Can the Senator tell me of any good reason, if we reduce the penalty on wheat, why we should retain it on cotton, or corn, or any other crop?

Mr. RUSSELL. There is no earthly reason why any one commodity should be given a preference over another. Of course, there are individual farmers who will be compelled to pay some penalty, but the vast majority of farmers will not pay any penalty. They have approved this program, and if there is a desire to start breaking it down, I know of no better way to do it than by reducing the penalty on any one of the commodities to a lower proportion than is paid by the producers of another commodity.

Mr. GILLETTE. Permit me to say, before the Senator takes his seat, that I just called the Department of Agriculture and inquired as to the time when the wheat farmers voted on the application of this marketing quota putting into effect a penalty. It was on the 31st day of May. Some 84 percent voted in favor, and prior to taking the ballot, meetings were held in every wheat-producing community in the United States, where information as to the increase in the penalty and the increase in the loan value was presented to the participators.

Mr. TAFT. Was this matter voted on in the whole of the United States only 5 days after this long and complicated law was passed, and was every feature of it explained?

Mr. GILLETTE. The actual voting was on the 31st of May, and the law providing for marketing quotas had been on the statute books for many months.

Mr. TAFT. I do not object to the marketing quota. I am objecting to the law changing the penalty.

Let me ask the Senator from Georgia a question. Is there any prospect of a marketing quota on corn this year? Will it be voted on at all?

Mr. RUSSELL. I do not think there will be any marketing quota on corn this year, but I merely base that on statements I have seen in the press that the Department of Agriculture does not propose to conduct a vote.

Mr. TAFT. Has there been a marketing quota on cotton?

Mr. RUSSELL. There has been for 5 years. The cotton farmers have already approved it. The tobacco farmers have already approved a marketing quota for the current year.

Mr. TAFT. What is the penalty in the case of cotton?

Mr. RUSSELL. My recollection is that it is 7 cents a pound. It is the same penalty, in proportion, as is provided in the case of wheat.

Mr. HATCH. Mr. President, I wish to say to the Senator from Ohio that I am advised, and I think correctly, that the Secretary of Agriculture has already announced that, in view of the emergency, there will be no marketing quota voted on corn this year. I say that in answer to the Senator's question.

I dislike very much to delay the Senate, but so much has been said about penalties that I desire to say a word in behalf of the millions of farmers who have been cooperating throughout the years, and have been paying a penalty every year. I am one of the cooperating farmers myself, and I shall use my own case as an illustration just to show what the program has been costing, for instance, a farmer with a 300-acre piece of land.

The cooperating farmer in my State is required to leave out of production about 78 acres. He does that each year, and there are millions of such farmers. He does not get a dime of revenue from 78 acres, and if we assume that it would raise 10 bushels to the acre, that would mean 780 bushels of wheat on which he has been paying a penalty for 3 years. Has anyone stood up in Congress and offered a bill to relieve him from that penalty?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. TAFT. The farmers draw benefits, do they not, under the Soil Conservation Act, and those are the benefits which the noncooperative farmers are

willing to give up so as to relieve the Treasury of the United States of the large payments made to the wheat farmers.

Mr. HATCH. Mr. President, those benefits do not anywhere nearly equal the loss sustained in the production of their wheat. In my State they may, but in other States they do not. Farmers have been paying that penalty voluntarily throughout these 3 years, while farmers just across the road from them plant their full acreage, harvest their full acreage, and sell it at the increased market price made possible by those who leave their acreage out of production. For 3 years those across the road have been reaping these benefits, and the others have been paying the penalties.

Mr. President, if we want to relieve the noncooperator from the payment of penalties, then let a bill be introduced providing for giving to the cooperating farmer that difference which he has lost, taking into account all the benefits he has received. We should treat all farmers alike. Do not let one man, who has to pay a penalty 1 year, send a few letters and telegrams and be relieved from the penalty, while the man who has paid the penalty for 3 years continues to pay the penalty.

Mr. President, I hope the substitute for the McCarran amendment, as well as the McCarran amendment, may be defeated.

Mr. TAFT. Mr. President, if the Senator from Nevada is present I should like to ask if he would be willing to accept the substitute?

The VICE PRESIDENT. The Senator from Nevada does not seem to be in the Chamber at the moment.

The question is on agreeing to the substitute amendment offered by the Senator from Ohio [Mr. TAFT] for the McCarran amendment. [Putting the question.] The "noes" seem to have it.

Mr. TAFT. I ask for a standing vote. I should like to have it understood that this is a vote to amend the McCarran amendment, and not a vote on the McCarran amendment itself, so we may have a direct vote on the issue.

The VICE PRESIDENT. A division has been called for on the substitute amendment offered by the Senator from Ohio for the McCarran amendment.

On a division the amendment of Mr. TAFT in the nature of a substitute for the amendment of Mr. MCCARRAN was rejected.

The VICE PRESIDENT. The question now is on agreeing to the amendment offered by the Senator from Nevada [Mr. MCCARRAN].

The amendment was rejected.

Mr. DANAHER. Mr. President, I send to the desk an amendment and ask that it be stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to add to the bill a new section to read as follows:

Subsection (b) of section 4 of an act entitled "to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes" (Public, 147), approved July 1, 1941, is hereby repealed.

Mr. DANAHER. Mr. President, on the night of June 30, when there were some 15 Senators, and only 15 Senators, present in this Chamber, there was brought before the Senate a conference committee report. The report as submitted contained language which had been written into the bill in conference. The bill had been before the Committee on Banking and Currency, not before the Committee on Agriculture and Forestry. There was no member of the Committee on Banking and Currency familiar with the problems involved in the then pending proposed legislation. There had been no hearing before the Committee on Banking and Currency on the subject matter of the proposed amendment. As a matter of fact, when the Banking and Currency Committee reported to the Senate favorably a bill increasing the borrowing power of the Commodity Credit Corporation by the amount of one and one-quarter billion dollars, it was done as the result of a direct agreement in the Banking and Currency Committee that an entire section, known as section 4 of the then pending bill, would be eliminated. In the Banking and Currency Committee section 4 was eliminated. When the bill was acted on by the Senate not one word was said with reference to the proposed section 4, for the simple reason that it was not before the Senate. However, in the House version of the bill this section 4 was inserted.

Mr. President, let me say that Senators never heard an explanation of the program. They did not know what the policy was. They had not been called upon to vote upon it, and the Senate Banking and Currency Committee had never had any hearings upon the subject. The result was that when the conferees met there was inserted in the language of the House bill this proposed measure, which came back here on the night of June 30, most of the Senators, as I said previously, having left the Chamber, and the only question before us was whether we should vote that conference report up or down. There was no other way to take the matter into account.

Senators might well ask, in what respect is that involved in the pending proposed legislation? In the proposed legislation we are dealing with the Commodity Credit Corporation. The bill before the Banking and Currency Committee in June dealt with the Commodity Credit Corporation, and extended its life and authorized an increase in its borrowing power. We were all in favor of that. We were in favor of the general plan of the Commodity Credit Corporation. We were in favor even of giving it a billion and one quarter dollars with which to work.

Mr. President, section 4 appears at length in the CONGRESSIONAL RECORD for June 30, on page 5750. Let me read to the Senate what we sought to do. Before I read the language let me first explain what we sought to do. In the Banking and Currency Committee it was represented to us by Mr. Hutson, president of the Commodity Credit Corporation, that defense production might well call for an expansion of the production of certain crops for defense needs. He pointed out that it would be most inequitable to farmers to call upon them to produce excess crops and to expand the crops which might be specified and not to support the market for the particular commodity. That certainly was a reasonable position to take. We felt that if the Secretary of Agriculture called for an expansion in the production of certain crops it was no more than equitable that a market be maintained for such crops. But—and here is where the rub comes, let me say—we took care of the first proposition under section 4 (a), but in section 4 (b) the House added this language:

(b) It is hereby declared to be the policy of the Congress that the lending and purchase operations of the Department of Agriculture (other than those referred to in subsection (a)) shall be carried out so as to bring the price and income of the producers of nonbasic commodities not covered by any such public announcement to a fair parity relationship with other commodities to the extend that funds for such operations are available after taking into account the operations with respect to the basic commodities and the commodities listed in any such public announcement and the ability of producers to bring supplies into line with demand.

Did Senators know that they were declaring it to be the policy of the Congress to extend this parity program or the principle of it to all nonbasic commodities of whatever kind? Did Senators know that it has become the policy of the Congress that there should be geared to the United States Treasury, to be supported at public expense, a floor under all nonbasic commodities?

Let me point out that in the face of the fact that price regulation or price stabilization is becoming one of the most imperative needs of the current situation, we are maintaining, not a ceiling over, but a price under, nonbasic agricultural commodities.

Let me point out to the Senate that the proper way to consider a matter of policy of this kind is for the proponents to introduce legislation to that end. Let it go to the Committee on Agriculture and Forestry. Let there be proper hearings. Let some basis be established for controlling production and establishing some measure of control of the nonbasic commodities the prices of which it is proposed to maintain.

Let me point out that under the language of the measure which was passed on the night of June 30 we are to turn the Treasury over to the maintenance of a floor under nonbasic commodities, even after a surplus has been produced. We do not now know how many prunes there will be in the fall of 1941. The Commodity Credit Corporation already has 100,000,000 pounds of prunes on hand. Yet if there be an additional surplus, the Treasury of the United States will be called upon to maintain a floor under the price of prunes.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. AIKEN. Let me say to the Senator from Connecticut that I, for one, knew of this provision and the purpose of it. The purpose was to assist the producers of nonbasic commodities, particularly when such commodities are purchased by

the Surplus Commodity Corporation, requiring the Corporation to pay a fair price rather than the extremely low prices it had been accustomed to paying. The result of the declaration of policy should be to help particularly the producers of milk, apples, squash, and other nonbasic commodities produced in Connecticut, Vermont, and other New England States, as well as the prune producers of Oregon and California.

I will say that I was aware of that purpose all the time, and I thought it a very logical purpose. I felt that we should not undertake to maintain living prices or cost of production on basic commodities and let the nonbasic commodities which we produce in our States fall to the bottom of the pit.

Mr. DANAHER. I thank the Senator from Vermont for his views; but let me assure him that when the principle is wrong I have not the slightest interest whatever in whether the people of Connecticut raise apples, milk, or any other commodity which comes within the purview of this act. The point obviously is that if we are to maintain a floor under prices the general public will have to pay those prices. The general public will have to maintain them. In order to meet the rising cost of living that will thus be entailed, there will be fresh wage-increase demands. There will be set in motion a spiral of inflation, which is the very nemesis of our existence in these days. That is the very situation we are doing everything we possibly can to curb. We find those efforts being countered by 15 Senators on the night of June 30. The situation does not involve specifically whether there is or is not benefit to apple producers in Vermont or Connecticut. That is not the point.

Quite the contrary, we are without any means of control of production being established, with no method of assessment or appraisal of the expected production, and no method of judging in advance what the market will be, or the rate of overproduction. With no control established, we are now saying that as a matter of policy we are placing a floor under the prices of all nonbasic commodities.

Furthermore, let me point out that we are making available for the purpose not simply the funds involved in the borrowing powers of the Commodity Credit Corporation in the then pending bill but all funds available under section 32, section 12, and section 3 of the Agricultural Adjustment Act. Do Senators wonder where that provision appears? Let me read it. This is section 4 (a):

SEC. 4. (a) Whenever during the existing emergency the Secretary of Agriculture finds it necessary to encourage the expansion of production of any nonbasic agricultural commodity, he shall make public announcement thereof—

Specifically—

and he shall so use the funds made available under section 3 of this act or otherwise made available to him for the disposal of agricultural commodities, through a commodity loan, purchase, or other operation, taking into account the total funds available for such purpose for all commodities, so as to support a price for the producers of any such commodity with respect to which such announcement was made of not less than 85 percent of the parity or comparable price therefor.

I submit that we are turning over to the Commodity Credit Corporation a declaration of policy upon which we have had no hearings, the cost of which we do not know, the principle of which has not been explored, and as to which we have had no record made. The proposal came from a committee dealing with finance and credit, the Committee on Banking and Currency, and not the Committee on Agriculture and Forestry, which has spent years in canvassing the difficulties and complexities of the problem of the American farmer. I have the deepest sympathy with the producers of milk, apples, and everything else; but I submit to those who are interested in the maintenance of the parity program for the five basic commodities that the entire program is most certainly being jeopardized by the introduction of a new element into the complex scheme of things. I call upon any member of the Committee on Banking and Currency—of whom a number are present—to rise and say to the Senate that there is a basis upon which this program was adopted.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to my colleague.

Mr. MALONEY. As a member of the Committee on Banking and Currency I do not rise to meet the challenge of my colleague, but rather to associate myself with his remarks. He has just made the statement that the program as applied to basic commodities is jeopardized by the law to which he refers. I think I can go further than that. In my judgment, the provision to which he refers spells the doom of the entire program.

Without taking further time, I thank my colleague for permitting me this opportunity to associate myself with what he has said.

Mr. DANAHER. I appreciate the earnest assistance of my colleague.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. AIKEN. I should like to remind the Senator from Connecticut that, although the bill did not come before the Committee on Agriculture and Forestry at any time when I was present, it was sponsored by agricultural associations, and particularly by the American Farm Bureau Federation, which supported the adoption of the policy for the specific purpose of raising the income of producers of nonbasic commodities—farmers who were in almost the worst condition of any type of farmers in the whole United States. The purchase of surplus commodities by the Surplus Commodities Corporation has had a very beneficial effect upon the agriculture of New England. There was a time when hundreds of thousands of bushels of apples spoiled on the ground. As I remember, the Surplus Commodities Corporation first purchased them for about 30 or 40 cents a bushel, and distributed them in the larger cities of New England to the poor people who could not afford to buy them.

Mr. DANAHER. Let me ask the Senator from Vermont one question. Does he understand for one minute that my proposed amendment would interfere with the operations of the Surplus Commodities Corporation?

Mr. AIKEN. I think this policy was adopted for the express purpose of requiring the Surplus Commodities Corporation to pay at least the cost of production for the farm commodities which it purchased, which were largely nonbasic farm commodities.

Mr. DANAHFR. Let me assure the Senator from Vermont that my amendment would in no way interfere with the operations of the Surplus Commodities Corporation or the Commodity Credit Corporation as of the date when we adopted the legislation of which I complain.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. GEORGE. I am sure the Senator wants to be accurate. If he will explore the acts and the program of the Surplus Commodities Corporation and the Commodity Credit Corporation, he will find that many nonbasic agricultural commodities are cared for under the program, in which the price is pegged, and it is always done with reference to some percentage of the parity value or price of that particular commodity. Let me say to the Senator that I do not know whether the two Senators from Connecticut originally advocated any of the parity bills; but, instead of breaking down the program for the basic commodities, unless something is done for that very large body of agriculture under the program, an agricultural program cannot be maintained in this country.

Mr. MALONEY. Mr. President, I should like to say to the Senator——

Mr. GEORGE. Let me say, while I am on my feet, that this declaration of public policy was predicated definitely upon two things. The first and foremost thing is that the nonbasic agricultural commodity must have brought itself under a control program by which production could be controlled before that policy could even be invoked or become applicable. And why should it not? Suppose the milk producers, suppose the producers of any other considerable commodity, should submit themselves to a control program, voting to give the Department of Agriculture power to regulate it and to regulate the marketing of the product; why, then, should not that commodity have equal treatment along with the so-called basic commodities of corn, cotton, wheat, rice, and tobacco?

Mr. DANAHER. Let me ask the Senator where he stops?

Mr. GEORGE. I stop nowhere. Wherever there is a commodity that will subject itself to the same control, and will agree to the same or substantially the same limitations, that is to say, that will limit its production on the same general theory or philosophy that the production of other basic commodities is limited, why should we make fish of one and fowl of another? Because there are more votes for a basic commodity? Is that the principle for which the Senator is contending? Why is it not fair to

include in this program any nonbasic commodity? It may be a very considerable commodity; and there are produced in this country very considerable commodities the production of which is as great as that of some of the so-called basic commodities, and which enter into our economy in a much more vital way. We call rice a basic commodity. How does it compare with poultry products, milk and butter products, peanut products, and various other products which are grown in this country on a large scale, in the production of which many hundreds of thousands of persons are engaged, and from which they draw their livelihood?

I think the Senator is mistaken about this matter. He may be opposed to the whole theory of protecting the agricultural producer. All good and well, if that is his principle. My understanding is the Senator did not sign the conference report because this provision was in it.

Mr. DANAHER. That is correct.

Mr. GEORGE. So the Senator knew the provision was in the report.

Mr. DANAHER. I was a conferee, and was supposed to know what was in the report.

Mr. GEORGE. Does not the Senator remember that in this very year the present Congress asked for parity payments on the so-called basic commodities or products—why? Because as to them the farmer had been limited in his production. He had complied with the demands. He had cut down his production. He had paid a price for a price and he wanted parity. The present Congress voted it, and sooner or later it must come. If the farmer is to pay the price, he certainly should have that consideration.

What happened? We wound up by writing into the law a guaranty of 85 percent of parity price for the basic commodities. Take the case of rice: How does rice compare with milk and butter and poultry and various other products which are grown in this country in actual dollars and in the number of persons who are employed in producing them?

If the Senator quarrels with the whole theory and the whole principle of farm benefits based upon voluntary reduction in production by the farmer, I can understand him; but merely because one Congress has classified rice as a basic commodity and has refused to classify some other important product as a basic commodity, how he can say that when the same identical control provisions are applied to both, and limited production results in both instances, we should not treat both of them alike is beyond me. I do not understand it.

Mr. DANAHER. Does the Senator consider that Mr. Milo Perkins, of the Surplus Commodities Administration, is a competent man in his field?

Mr. GEORGE. Certainly.

Mr. DANAHER. Let me point out to the Senator what Mr. Perkins said with reference to this program.

Mr. GEORGE. But I should not say he has a right to make the policies.

Mr. DANAHER. Oh, not to bind the Senator from Georgia. He is an administrator, I know; but he does speak from his knowledge and cognizance of market conditions. He is dealing with the subject. He is trying to maintain prices of nonbasic commodities. He has butter and similar things above parity even now. He is dealing with perishables, and he knows that nonbasic commodities include many perishables. He knows that peanuts and peanut oil and cottonseed oil and turpentine and pecans and fibers and things of that kind most certainly are not the basic agricultural commodities upon which our economy depends; but he does know the situation, and he testified in the House hearings in opposition to this program, as follows:

> More important than this, however, is the principle involved in dealing with perishable and semiperishable crops as opposed to dealing with nonperishable crops which can be stored under Government loans for long periods of time. The loan approach in the latter case gives a guaranteed kind of support to farm income. The only way to get similar results in the case of nonbasic crops is to have adequate money available for moving perishable and semiperishable crops into consumption before they spoil.

So there is one radical difference, that it is necessary to move non-basic commodities, perishables, before they spoil; and yet you are going to tie in the maintenance of a floor under prices for all nonbasic, perishable commodities. Is that what the Senator wants?

Mr. GEORGE. I did not say that, because it is impracticable for many of them to submit to control programs, and the Secretary of Agriculture or the administrative officer is not required to take in all perishable crops—not by any means. But when there is a crop which can be treated under a diversion program or a loan program, and when similar or identical provisions restricting production, price-control, or marketing-control provisions can be adopted with reference to such a crop, I say there is not any reason why that general policy should not prevail. It is really an effort of Mr. Perkins to make it prevail in principle even with respect to perishable crops; but, of course, he cannot treat those crops as he treats the nonperishable crops, whether they are basic or nonbasic commodities; but he is trying all the time to bring up all the products to a reasonable parity basis.

Mr. DANAHER. Let me point out to the Senator from Georgia that Mr. Perkins testified before the House committee that if this program goes into effect the United States Government will become the best customer for all these products; that that is exactly what will happen. Of course, there are other vices in connection with the program. In any case, let me say to the Senator from Georgia, without undertaking to go into detail, it is that very vice with reference to this situation of which I make complaint. This bill should have been before a committee that knows something about this program. This bill should have been before a committee that knew the extent and the nature of the complexities of it. What did the Banking and Currency Committee know about the program, meeting on the morning of June 28 at half past 10, and adjourning half an hour later without any hearing of any kind, with no idea in the world of the nature or scope of the problem, only to have this thing come up in this way?

Mr. GLASS. Mr. President——

Mr. DANAHER. I yield to the Senator from Virginia.

Mr. GLASS. The Senator from Connecticut was on the conference committee, was he not?

Mr. DANAHER. I was.

Mr. GLASS. Why did not the Senator raise this objection when the conference report was presented?

Mr. DANAHER. Let me say to the Senator from Virginia that if he will turn to the CONGRESSIONAL RECORD for the night of June 30 and start reading at page 5748, and continue for the next 8 or 10 pages, he will find that not only did I raise the objection, but he was not even here to hear me.

Mr. GLASS. No; I was not, and I am glad I was not. [Laughter.]

Mr. DANAHER. That is right.

Mr. President, I point out to the Senator from Virginia that he was the chairman of the committee which heard this matter; that he, while present, was one of those who voted to report the bill with section 4 eliminated; and, of course, he was right. That is a vote in which the Senator from Virginia was right, and I joined him in it, and I applaud him for that course, because he was right. Of course, Mr. President, he does not imply now that he was not right. He just wondered if I took up the matter on the night of June 30—I realize that—when he had gone home with the other 81 Senators who were not here at a time when we were declaring the policy of the Congress.

So I do not take any umbrage at the interjection of my very dear friend, the Senator from Virginia, but I say, Mr. President, that this whole problem is so deep and so vast that it ought to be acted upon in such fashion that proper consideration can be given to it.

Mr. President, I ask for the adoption of the amendment; and I further ask for the yeas and nays on it.

Mr. TAFT. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Gillette	Pepper
Aiken	Glass	Radcliffe
Andrews	Green	Reed
Austin	Guffey	Russell
Bailey	Gurney	Schwartz
Bankhead	Hatch	Shipstead
Barkley	Hayden	Smathers
Bone	Hill	Smith
Brewster	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Idaho
Burton	Johnson, Colo.	Thomas, Okla.
Byrd	La Follette	Thomas, Utah
Capper	Langer	Tobey
Caraway	Lee	Truman
Chavez	Lodge	Tunnell
Clark, Mo.	Lumpkin	Tydings
Connally	McCarran	Vandenberg
Danaher	McFarland	Walsh
Davis	McKellar	Wheeler
Downey	Maloney	Wiley
Eastland	O'Mahoney	Willis
George	Overton	

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. A quorum is present.

Mr. GLASS. Mr. President, I hope this amendment will not be adopted. If the Senator from Connecticut [Mr. DAN-

AHER] wants to correct what he considers an evil, let him introduce a bill and have it referred to the committee, and the committee will consider it.

The Senator from Michigan [Mr. BROWN] had charge of the matter. He was the chairman of the conference committee. He is not now here; so I do not think the Senate is prepared to vote upon this amendment. It does not understand the question as clearly as the Senator from Connecticut undertook to explain it; so, if he wants to correct what he considers a mistake or an evil, let him introduce a bill and have it referred to the committee.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. GLASS. I yield to the Senator from New Mexico.

Mr. HATCH. I was about to rise to make exactly the same suggestion that the Senator from Virginia has made, with this exception: The Senator from Connecticut complains that this matter relates to agriculture, and ought to be considered by the Agricultural Committee.

Mr. GLASS. I do not care to what committee it goes, but I hope it will not come to the Committee on Banking and Currency again.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER] on which the yeas and nays have been demanded.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Connecticut.

The amendment was rejected.

Mr. GEORGE. Mr. President, I have an amendment which I wish to offer, and it is pertinent to the discussion we have just had.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to add a new section, as follows:

SEC. 3. Section 359 (e) of the Agricultural Adjustment Act of 1938, as amended (Public Law 27, 77th Cong., approved Apr. 3, 1941), is amended as follows: By adding after the words "peanut-diversion program" in the second sentence of said subsection the words "(at a price not less than 85 percent of the parity price of peanuts as herein established)"; and by striking the words and figures "50 percent and not more than 75 percent" appearing in the fourth sentence of said subsection and inserting in lieu thereof "85 percent."

Mr. GEORGE. Mr. President, peanuts form one of the nonbasic crops—presumably, at least—but early this year a bill was passed providing for the allocation of a national-acreage quota for peanuts to be fixed on the basis of a 5-year average, as in the case of cotton and other crops, and restricting the marketing of the peanuts to the allocated acreage under any marketing program set up by the Department of Agriculture.

Subsequently the 85-percent-of-parity program for the basic commodities was provided for in a measure passed by the Senate, but at the time the peanut bill was passed the 85-percent provision for basic commodities had not been passed. Subsequently came the bill on which the Senate voted, in which there was expressed by the Congress a national policy favorable to 85 percent of parity for the nonbasic crops when control measures had been taken by the producers of the crops.

Mr. President, we think this amendment is pertinent to the particular bill now pending, and it is offered by those of us who come from the producing areas. It is offered because there is money available now for inaugurating a diversion program, and for the further reason that the producers have submitted themselves by a national referendum to a rigid control program which embraces both the marketing and the acreage allocation.

I think there will be no opposition on the part of the proponents of the bill to accepting the amendment and letting it go to conference.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE].

The amendment was agreed to.

The VICE PRESIDENT. The question now is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill H. R. 5300 was read the third time, and passed.

The title was amended so as to read: "An act to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, and to provide for withholding from the normal channels of trade and commerce cotton or wheat of the 1940 and previous crops which is owned by the Government or which is pledged as security for Government loans, and to increase the parity price of peanuts."

Mr. SMITH subsequently said: Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. MCFARLAND in the chair) appointed Mr. SMITH, Mr. THOMAS of Oklahoma, Mr. BANKHEAD, Mr. CAPPER, and Mr. AIKEN, conferees on the part of the Senate.

PROMOTION OF ALVIN C. YORK TO THE RANK OF COLONEL

Mr. McKELLAR. Mr. President, I shall ask the Senate to listen to me for just a moment. Last year a bill was passed by the Senate providing as follows:

That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint Sgt. Alvin C. York, late of Company G, Three Hundred and Twenty-eighth Infantry, United States Army, an officer with the rank of colonel in the United States Army and then to place him on the retired list in that grade.

I think the bill was passed unanimously, and I hope it will pass unanimously again. I have reintroduced the bill at the present session of Congress, and I shall ask unanimous consent for its consideration this afternoon. I have reason to believe that the House will pass the bill at this session.

Mr. AUSTIN. Mr. President, I suggested to the distinguished Senator from Tennessee that briefly he state for the RECORD the reason for the honor he proposes to have conferred in this particular case.

Mr. McKELLAR. I shall be very happy to do so.

Mr. CONNALLY. Did the Senator say a similar bill has been passed heretofore?

Mr. McKELLAR. A similar bill passed the Senate at the last session but was lost in the House.

Mr. President, Sergeant York was the outstanding soldier in the first World War. We all remember the occasion when almost alone he broke up a German machine-gun nest, killed 26 Germans with his trusty rifle, and captured 132 more. This almost immediately gave Sergeant York world-wide fame. It certainly gave him a deserved Nation-wide fame.

When the Draft Act was passed in the first World War, Sergeant York was a conscientious objector because of his religious belief that he should not take the life of another human being. Upon the the advice of those in whom he had confidence, however, he came to the conclusion it was his moral duty to go into the Army and defend and uphold his country. Thereupon, he was enlisted, and served with the greatest distinction. He has a deeply religious nature, and is a minister in his church at the present time.

When Sergeant York came home from France he was showered with every attention. Moving-picture companies offered him fabulous sums to make pictures. He refused because he did not see wherein it would be of any value to anyone, except himself, and he felt he should not personally profit by his military performance in behalf of his country. Since his return to Tennessee he has led the life of a good citizen, he has taken an active interest in agricultural affairs, and in Government affairs, he owns quite a farm near the place where he was born. As I recall, the farm cost about $25,000, and was presented to Sergeant York by the people of Tennessee. He is a highly honored and respected citizen of Tennessee.

When the present World War broke out in Europe, Sergeant York was again besieged with offers to make a picture of his exploits in France. He finally consented to do this upon certain conditions, those conditions being that all the funds should be used by a Bible society for religious, educational, and better citizenship purposes. The picture has been made, and Sergeant York is being portrayed by the splendid and distinguished actor, Gary Cooper. I have seen the picture. It is unusually interesting, instructive, and well portrayed. I believe it will be of enormous benefit to citizens of the United States of America to see the picture, and I invite every Member of the Senate to attend the opening of the picture Thursday night.

I wish to say, Mr. President, that I have time and again introduced this bill to appoint Sergeant York a colonel and then retire him. It is an honor which I think the Government should accord to him.

I wish to assure the Senate that the bill has not grown out of the new fame which has come to Sergeant York by reason of the excellent picture, but because of his distinguished service to our country when it needed good soldiers. I hope to have better luck with the bill in the House this time than I had before. I think the picture should be seen by all, and especially I should like to have the country know what kind of men we have in Tennessee.

Mr. President, I wish to say a further word. When Senators look at the picture be certain to note that when the Sergeant was using his trusty rifle, before he took aim at the German whom he saw in front of him he would invariably hold his thumb and finger up to his mouth and wet them and reach way out at the end of his gun to the sight and put a little film on the sight so he could draw a better bead, and he got 25 of the Germans by actual count, and then captured all the others of them.

I hope the Senate will vote unanimously to pass this bill.

Mr. CLARK of Missouri. Mr. President, reserving the right to object—and I do not intend to object—I wish to say that I am very much interested in what the Senator from Tennessee has said about the great services of Sergeant York, with which everyone in the United States must agree. But I should like to call the attention of the Senator from Tennessee to the fact that other men performed outstanding services, for whom special bills have been introduced in Congress, which have been uniformly turned down by the War Department, and on which it has been impossible to get any action in the Congress.

I am not going to object to a bill for the promotion of Sergeant York, but I should like to call to the attention of the Senator from Tennessee, and to every other Senator, the fact that I have introduced in two different Congresses a bill to do justice to the memory of one of the greatest soldiers who ever wore the American uniform, a man who came not from my State, but who came from the State of Wisconsin, Gen. William Mitchell. Gen. William Mitchell, an impressive genius, foresaw the situation which now exists. General Mitchell was willing to sacrifice his rank in the United States Army by going counter to the brass hats of both the Army and the Navy, by not only predicting but demonstrating the shape of things to come. General Mitchell absolutely demonstrated, in the one opportunity when he had the chance to demonstrate, the use to which airplanes might be put in modern warfare.

Mr. President, 3 years ago I introduced a bill to correct the military record of General Mitchell. General Mitchell had been tried, court martialed, and "busted," not cashiered, because his superiors did not have anything to cashier him for, but set back, I think, some 40 or 50 numbers in the United States Army, and being proud, fine soldier that he was, General Mitchell was unwilling to rest with that imputation against his honorable services, and so he resigned.

General Mitchell died of a broken heart. Everything that General Mitchell predicted has been proved true, and except for the pride of the brass hats in the Army and the Navy the bill to correct General Mitchell's record could have already been enacted into law.

Mr. President, 3 years ago and again this year I introduced a bill to correct the military record of Gen. William Mitchell by providing that he be carried on the lineal list of the Army as having been a major general at the time of his death. I think that is reasonable. That could have been done for the memory of General Mitchell. I think Congress should have done it. But the War Department and the Navy Department very strenuously recommended against such action because they said it would be a distortion of the Army record and of the Navy record.

Mr. President, I certainly do not intend to object to any tribute that can be paid to such an heroic figure as Sergeant York, but when we pass the bill in his behalf, I insist that the Senate ought to think, if necessary, about discharging the Military Affairs Committee from further consideration and then consider a measure to do very scant justice to one of the greatest men that ever wore the uniform of the American Army, Gen. William Mitchell.

Mr. McKELLAR. Mr. President, I wish to say that I endorse every single word the Senator has said.

A bill providing for the promotion of Sergeant York was introduced by me early in my service as a Member of the Senate, and I have kept the matter before the Senate ever since. I think the measure was passed twice by the Senate. When I first introduced it many years ago it was passed by the Senate, and last year a similar bill was passed again, long before Sergeant York had any connection with moving pictures, so it is not on that account that I am introducing the bill.

Mr. CLARK of Missouri. Let me say to my friend the Senator from Tennessee that there is no tribute that could be paid to a fine soldier, such as Sergeant York undoubtedly was, that I would not agree with and go along with, and my remarks at this time are not in opposition to paying a simple tribute to Sergeant York.

Mr. McKELLAR. I understand that.

Mr. CLARK of Missouri. But I am also suggesting at this time that there are certain other great American soldiers whose services have never been properly recognized, some of whom were penalized for their honesty and patriotism, who ought to be recognized at this time.

Mr. McKELLAR. I wish to say to the Senate that I knew General Mitchell intimately during all the years he was here. What the Senator from Missouri said about Billy Mitchell is absolutely true all the way along the line. Billy Mitchell predicted exactly what has come to pass with respect to the use of airplanes.

Mr. CLARK of Missouri. And was court-martialed for his pains.

Mr. McKELLAR. Yes; he was court-martialed for it. That was an outrage. His record ought to be corrected. I wish to say that if the Senator can use my poor efforts in any way whatsoever to help do justice to William Mitchell I shall be 100 percent with him at all times, because William Mitchell was a great soldier, he was an honest and a fearless man.

Mr. CLARK of Missouri. He was patriotic.

Mr. McKELLAR. He was a patriotic individual.

Mr. CLARK of Missouri. He was patriotic enough to sell his star for what he thought was the well-being of this country.

Mr. McKELLAR. And the Congress will do itself proud by seeing that his good reputation is restored so far as the Congress can do so.

Mr. CLARK of Missouri. Mr. President, I appreciate very much what the Senator from Tennessee has said. It is my intention, if the Committee on Military Affairs does not report the bill favorably or adversely, to move to discharge the committee, because I think that Congress at this session ought to take what would be very belated steps to do a very small meed of honor to the memory of that great soldier, Gen. William Mitchell.

Mr. BARKLEY. What does the Senator's bill provide in that regard?

Mr. CLARK of Missouri. It simply provides for correcting the military record of General Mitchell. Instead of showing that he was retired or resigned as a colonel after being "busted" by court martial, it would restore him on the lineal list of the Army as a major general, and I think that is the very least the Congress of the United States can do for that great pioneer of air development, Gen. William Mitchell, who had as fine a record as any man ever had in the whole history of the United States Army.

Mr. McCARRAN. Mr. President, my study of the subject causes me to render a tribute to Billy Mitchell. If my tongue possessed the power, I should like to have an eloquent record made in the Senate. Today his words are coming forward with prophetic force. Some of us now see what he saw years ago. Some of us are determined to go forward with his great views and his great prescription.

If there ever was a prophet of the air from the standpoint of national defense, it was Billy Mitchell. Today the very things which he advocated and for which he was reduced in rank—the very things which he espoused and for which he was reviled, are becoming more and more true as time goes on. So I hope that within a short time we may round out the great tribute to Billy Mitchell. His reduction in rank for the prophecy which he made years ago was one of the greatest disgraces ever to come upon this country.

I hope his prophecy will be rounded out, and that a great independent air force for this country will be wrought in the name of Billy Mitchell. Any of us may take the authorship of the bill, but let the bill be written in the name and spirit of a great warrior who prophesied on the basis of his experiences in the world conflict and his knowledge of the subject of aviation, especially military aviation. Let the bill be rounded out in his name, whether it be the bill the author of which is the Senator from Missouri [Mr. CLARK] or some other bill. Let it be the Mitchell bill. It would be

the greatest monument that could be builded in his memory.

Mr. CLARK of Missouri. Mr. President, let me say to the Senator that I have no pride of authorship either in the bill which I have introduced for the establishment of a Department of National Defense, with three coordinate branches, namely, Army, Navy, and Aviation, or in the bill for restoring General Mitchell to the lineal list of the Army. I think the Congress is long overdue in doing justice to the memory of that great soldier.

Mr. McCARRAN. I am very much in accord with that suggestion, and I hope the Senator from Missouri and I may join in furthering the bill now pending before the Senate when hearings are held before the Military Affairs Committee, that we may work out a bill under which there will be a trinity of defense in America—by land, by water, and by air—and that it may be called the Mitchell bill, in honor of a great soldier who saw many years ahead.

Mr. WALSH. Mr. President, I should like to inquire from the Senator from Tennessee if the bill to which he refers increases the retirement pay, if any, of Sergeant York.

Mr. McKELLAR. There is no retirement pay. He draws none now. However, the bill authorizes the President to retire him as a colonel in the United States Army.

Mr. WALSH. That means, of course, that he would receive the retired pay of a colonel?

Mr. McKELLAR. That is correct.

Mr. WALSH. Approximately what would his retired pay be? Would it be as much as $4,000 or $5,000?

Mr. McKELLAR. No. It would be $3,600 or $3,200. I have forgotten which.

Mr. WALSH. I do not wish to object to the bill, but I wish to register my opposition to private bills of this type. As has been pointed out by the Senator from Missouri [Mr. CLARK], many enlisted men in the Army and Navy have performed glorious acts of heroism. If we start according them special marks of distinction and honor which give them more money, there will be no limit.

Mr. McKELLAR. Sergeant York would not receive more money, because he is not now receiving any.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. DANAHER. Mr. President, I wish to ask the Senator from Tennessee if the degree of collaboration rendered by Sgt. Bernard Early, of New Haven, Conn., has ever been called to his attention?

Mr. McKELLAR. I do not remember the name of the particular person. Sergeant York was aided by those who were with him. If the Senator will examine the history, he will find that Sergeant York became separated from his companions, and himself did the work which his companions afterward approved. They were in the same organization. I do not recall the particular name mentioned by the Senator, but if the Senator says that a particular man was with Sergeant York, or in the same organization with him, I have no doubt that his statement is correct. I do not dispute it at all. However, Sergeant York was by himself when he killed 25 Germans and captured the other 132.

Mr. DANAHER. Let me say to the Senator from Tennessee that I shall endeavor to obtain the details of Bernard Early's collaboration with Sergeant York, and supply them for the RECORD. They will form an interesting supplement.

Mr. McKELLAR. I shall be very happy to have the Senator do so.

Mr. CLARK of Missouri. Mr. President, I have already said that I have no intention to object to paying tribute, financial or otherwise, to the great record of Sergeant York.

A number of Senators have asked me about the bill with regard to General Mitchell, to which I referred a little while ago. It will take me only a moment to read it. I should like to have Senators present listen to it, because I think it is a very scant and belated tribute to a great soldier. I intend to pursue the matter as hard as I can. Let me read the bill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the President is authorized—

This does not confer any financial benefit on the family of General Mitchell—

to issue posthumously to the late William Lendrum Mitchell, late a colonel, United States Army—

That was his rank after he was demoted—

a commission as a major general, United States Army, with the date and rank as of ———, 1936.

When I drew the bill I did not have before me the date of General Mitchell's death.

SEC. 2. The Secretary of War is authorized and requested to amend the records of the War Department so as to carry the said William Lendrum Mitchell as a major general, United States Army, at the time of his death in 1936.

It seems to me that is as little as could possibly be done by the Congress of the United States at this late day, 5 years after General Mitchell died of a broken heart, to justify him in the patriotic, self-sacrificing course he took when, as an officer in the United States Army, he tried to develop a policy for the national defense.

Mr. WILEY. Mr. President, some months ago I introduced a bill along the lines suggested by the distinguished Senator who has just spoken. After hearing the Senator from Missouri, what is particularly significant to me is that for years now what he calls the "brass hats" have apparently not been willing to accept the situation with reference to which the President himself has said that Mitchell got "a rotten deal."

The danger to the country is that when we have a department which will not recognize that it has made a mistake and will not try to rectify it. Right now there may be many other Billy Mitchells with ideas, men who can see ahead of their time, who will be cashiered.

So I think the Senate of the United States should not delay action in this matter. I think it will serve as a lesson to the present War Department at a time when America is passing through a critical period.

Tomorrow I expect to put into the RECORD a letter the War Department wrote me, failing to admit they were wrong, again carrying on the old grudge.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WILEY. I will yield in a moment. If the War Department will not do what we are seeking, or will not recommend it, are we to take orders from the War Department—we, an independent branch of government? Or are we men who, recognizing that a mistake has been made, will attempt to correct it?

I am happy to yield to the Senator from Missouri.

Mr. CLARK of Missouri. If the Senator has read, as I know he has, the record of the Mitchell court martial, he will know that General Mitchell was actually court-martialed for proving statements which he had made, which were denied by the "brass hats" in the Navy Department. In other words—if the Senator or anyone else will read the specifications of the charges—General Mitchell was tried by the War Department for not only having stated certain facts, but for having proved, against the assertions of the "brass hats" of the Navy Department, those facts to be true. He was not cashiered; he was busted by 40 numbers in rank. He resigned, and died of a broken heart.

Congress might just as well look into that situation at this time; because, as the Senator from Wisconsin has said, the same situation may apply to various other of the best Army and Navy officers the country would have in its service in the next few years.

Mr. WILEY. I thank the distinguished Senator.

Let me read into the RECORD the bill I introduced. It is very short:

Be it enacted, etc., That the President is authorized to issue posthumously to the late William Mitchell, formerly a colonel, United States Army, a commission as a brigadier general, United States Army, with the date and rank as of the date of his death in 1936.

SEC. 2. The Secretary of War is authorized and directed to amend the records of the War Department so as to show that the said William Mitchell was a brigadier general of the United States Army at the time of his death.

It is a very simple bill, Mr. President; and yet now, when Billy Mitchell has been established in the hearts and minds of the citizens of the United States as one who is applauded because he had vision, we find the War Department recommending against the passage of a bill of that character. Such action indicates an absolute lack of vision, not only an absolute inability to perceive the duty of fulfillment of an obligation to a great hero who is dead, but it shows a blank wall in front of men who recognize that in this period we should give due credit to men of vision.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. McCARRAN. Let me say that the War Department not only recommends

against passage of the bill to which reference has been made by the Senator from Missouri and the Senator from Wisconsin, but the War Department now perfunctorily recommends against the program laid out by Billy Mitchell, which program, if it had gone into effect, would have put us 10 years ahead of our time in national defense. They now recommend against it and they are standing out against it. They not only do that, but they say that any one will be penalized if he testifies in favor of setting up an independent air force in this country, for which principle General Mitchell stood in his day and hour.

Mr. WILEY. I thank the Senator for his contribution.

Mr. McCARRAN. In my judgment the adoption of that principle will come about in this Congress, I hope, and if not, immediately thereafter.

Mr. WILEY. Just one further word. The ideas and the vision of Billy Mitchell were accepted by another gentleman on this globe, and that was Mr. Goering, in Germany. In every detail he carried out the methods Billy Mitchell attempted to teach to the "brass hats" in this country, and the result was the predominating air force which has given Germany the victory on every battlefield so far except in Russia.

The significant thing, I repeat, is that the men who now realize they had no vision, the men who because of their lack of vision, have made it possible for our own country to be unprepared, still persist in their blindness. The result of such blindness may be of great damage to this country, as it has been in the past.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. McKELLAR. I ask for the consideration of the bill, and that it be voted on.

There being no objection; the bill (S. 1770) authorizing the President of the United States to appoint Sergeant Alvin C. York as a colonel in the United States Army and then place him on the retired list, was considered, ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF SELECTIVE SERVICE

Mr. BARKLEY. Mr. President, not that we intend to proceed with the measure tonight, but in order to make it the unfinished business, I move that the Senate proceed to the consideration of Senate Joint Resolution 95, Calendar No. 617, the draft-extension measure.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kentucky.

The motion was agreed to; and the Senate proceeded to consider the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes, which had been reported from the Committee on Military Affairs, with amendments.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Several dentists to be assistant dental surgeons in the Public Health Service; and

James J. Connors, of Juneau, Alaska, to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska (reappointment).

By Mr. HILL, from the Committee on Military Affairs:

Several officers for appointment, by transfer, in the Regular Army; and

Sundry officers for promotion in the Regular Army, under the provisions of law.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE JUDICIARY

The Legislative Clerk read the nomination of Matthew F. McGuire, of Massachusetts, to be an associate justice of the District Court of the United States for the District of Columbia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. McCARRAN. I ask that the President be immediately notified of the confirmation of the nomination of Mr. McGuire.

The PRESIDING OFFICER. Without objection, it is so ordered.

DIPLOMATIC AND FOREIGN SERVICE

The Legislative Clerk read the nomination of Anthony J. Drexel Biddle, Jr., of Pennsylvania, now Ambassador Extraordinary and Plenipotentiary to Poland, serving concurrently as Ambassador Extraordinary and Plenipotentiary near the Government of Belgium and as Envoy Extraordinary and Minister Plenipotentiary near the Governments of Norway and the Netherlands, now established in London, to serve concurrently and without additional compensation also as Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Government of Yugoslavia, also now established in London.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The Legislative Clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

Mr. BARKLEY. I ask that the President be immediately notified of all these confirmations.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ARMY

Mr. BARKLEY. Mr. President, certain routine promotions and appointments in the Army have been reported and are now on the desk. I ask unanimous consent for their present consideration, and that the names merely be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? If not, it is so ordered, and the nominations are confirmed.

Mr. BARKLEY. I further ask unanimous consent that the President be notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, July 30, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 29 (legislative day of July 28), 1941:

DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

Matthew F. McGuire to be associate justice of the District Court of the United States for the District of Columbia.

DIPLOMATIC AND FOREIGN SERVICE

Anthony J. Drexel Biddle, Jr., to serve as Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Government of Yugoslavia now established in London.

POSTMASTERS

CONNECTICUT

Frank E. Collins, Rockfall.
Laurent E. Beauregard, Wauregan.

GEORGIA

Judge T. D. Conley, College Park.
Mrs. Hubert H. Berry, Sparta.

OKLAHOMA

John S. Dawson, Bennington.
J. Wendell Simmons, Edmond.

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY

TO ADJUTANT GENERAL'S DEPARTMENT

Lt. Col. George Allan Miller

TO QUARTERMASTER CORPS

Maj. Joseph Albert Sullivan
First Lt. Victor Edward Maston
Second Lt. Robert Harold Rosen

TO FINANCE DEPARTMENT

Lt. Col. Frank M. Moore

TO ORDNANCE DEPARTMENT

First Lt. Jefferson Davis Childs

TO INFANTRY

Second Lt. Roy George Hendrickson.

PROMOTIONS IN THE REGULAR ARMY

To be lieutenant colonels

Dale Clarence Hall, Ordnance Department.
John Martin Clark, Air Corps, subject to the examination required by law.
John James Downing, Signal Corps, subject to the examination required by law.
Rowland Charles William Blessley, Air Corps.
Arthur Thomas, Air Corps.
Edward Albert Kimball, Infantry.

MEDICAL CORPS

To be captains

Doss Owen Lynn, Medical Corps.
Hallman Earl Sanders, Medical Corps.

CHAPLAINS

To be captains, United States Army

Emil William Geitner, subject to the examination required by law.
John Allen DeVeaux.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 29, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We praise Thee, our Father in heaven, for this new day and for the opportunity which it offers to serve Thee and our country. Thou art constantly bestowing upon us the favors of the divine graces. Keep the house of our hearts open that we may live deep and honest lives, obtaining for us the spirit of prayer, blessed and preserved by Thy guidance. We would ask not for the perishing things of earth, but for the continued power and disposition to know Thee, for a faith that never wavers, and for a hope that never grows dim. We pray for the wisdom of our Master, although a Man of Sorrows, yet He spake ever of His joy and peace. Keep our minds pure of the soiling of evil motive, filling them with knowledge and a love to obey the truth, the one task that will always yield new and soul-deep satisfactions. As our country's very life and destiny have been delivered unto us, grant, O Lord God, that there may be a just balance in all deliberations, holding us in the strong grip of unity and cooperation. With clear vision and earnest purpose may we stand looking into the future, ready for its duties and responsibilities. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4911. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BAILEY, Mrs. CARAWAY, Mr. CLARK of Missouri, Mr. OVERTON, Mr. MCNARY, and Mr. JOHNSON of California to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 162) entitled "An act to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. HILL, Mr. BRIDGES, Mr. GURNEY, and Mr. LODGE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 505. An act making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3537) entitled "An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes."

EXTENSION OF REMARKS

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article entitled "Oceans Are Wider," by Al Williams, in the Washington News of yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

REFERENDUM ON WAR AND CONVOYS

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. HILL of Washington addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. TRAYNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter received by me referring to the bill H. R. 5417.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a few quotations from The Crisis, by Churchill.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter received from one of my constituents.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I have two unanimous-consent requests. First, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Gaelic American, entitled "Lord Halifax Should Be Sent Home."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SWEENEY. Second, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter from Hon. John J. O'Connor to the Washington Times-Herald, dealing with the international situation.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article from the Journal of the Brotherhood of Electrical Workers in support of the St. Lawrence project.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON. Mr. Speaker, we are confronted with a grave national emergency. To some this emergency means merely the defeat of Hitler, perhaps the sending of an expeditionary force and, perhaps, the expenditure of billions of dollars. To others it means a defense which will defy any and all comers. In either case and regardless of who is right, it is a challenge for the best that is in any of us. It will tax our health, strength, and nervous system to the limit.

To meet this challenge we must direct our every effort toward that end. We must seek unity. Therefore, I caution those who seek to create disunity and partisanship and who would consume our time by making accusations against Members of this body, to go slow. Is not our time more valuable elsewhere than here listening to such.

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent that after the legislative program of the day and following any previous special order, I may be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a poem by Emma Lazarus.

The SPEAKER. Is there objection?

There was no objection.

POLL ON ENTRANCE INTO WAR

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, I do this to state to the Members of the House the result of our poll in my district today. Against United States participation in war, 52,764; in favor of the United States participation in the war, 3,213.

Mr. FISH. Mr. Speaker, will the gentleman state what the percentage is?

Mr. SAUTHOFF. It runs about 5½ percent in favor thereof.

EXTENSION OF REMARKS

Mr. HESS. Mr. Speaker, I ask unanimous consent to extend my remarks by the inclusion of a letter received from the United States Selectee-Parent Legion.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an editorial from the Roxbury (N. Y.) Times.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to extend my remarks by including an editorial by Dan Tompkins, owner of the Jackson County Journal, published at Sylva, N. C.

The SPEAKER. Is there objection?

There was no objection.

RECENT HEARINGS OF COMMITTEE ON PATENTS

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. KRAMER addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. BARRY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my remarks by the inclusion of a speech I delivered on July 23 over the radio on the subject of a separate national air force.

The SPEAKER. Is there objection?

There was no objection.

Mr. OSMERS. Also, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of an address on the same subject by Charles T. Malone, president of the American Glider Association.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROBERTSON of North Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of an article written by Mr. David Lawrence.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of a resolution adopted by the National Aeronautic Association favoring a separate air force.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my remarks by the inclusion of a short editorial on "hot wheat."

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks by the inclusion of a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, two Members of the House have just announced the result of polls taken in their districts. The poll taken by the gentleman from Wisconsin [Mr. SAUTHOFF] showed that 95 percent of the people in his district were against our entrance into the war. The poll taken by the gentleman from Washington [Mr. HILL] showed that 85 percent of his constituents were against our being involved in the war. Nevertheless, today's newspaper announces that Winston Churchill, the British Prime Minister, says the United States is on the verge of war. I wonder who is advising Mr. Churchill? I wonder if he has been told about these polls taken in the different congressional district of our country? If not his American advisers are just not telling him the truth nor giving him the facts.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a radio broadcast which I made on July 23.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution adopted by the Pacific Northwest conference of savings and loan associations at Gearhart, Oreg.

The SPEAKER. Is there objection?

There was no objection.

THE WEATHER

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, yesterday morning, about 10:30, several thousand Government employees were allowed to go to their homes, the parks, and beaches because the humidity had reached 98 degrees and because they did not have air-conditioning.

I would like to say right here that in Oklahoma there are many of us who do not have air-conditioning, yet we continue to work. Today is Monday—washday back home—and thousands of good housewives are bending over steaming hot tubs, thousands of farmers are sweltering in the wheat fields, harvesting the grain, hundreds of laborers are swinging the pick in the ditches, many old folks are getting rather warm in their little homes where they reside and barely live on the mere pittance of old-age assistance given them, and thousands of our fine young men are sweating under the hot sun, marching up and down the training fields in order that they may defend this country.

Each of these fine citizens of Oklahoma are paying the price and sharing the burden of the defense program, rain or shine, hot or cold, and I want you to know that I do not think it is fair to give these Federal employees extra leave because it is a little warm here in Washington. I hope that the action of the department heads in allowing such "heat vacations" will not continue.

PARTICIPATION IN THE WAR

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GIFFORD. Mr. Speaker, I want to express my very great surprise to the two gentlemen who made reports today on the polls taken, that they should have found 15 percent ready to participate in the war. I did not think there would be that many. I wish those same gentlemen would take a poll to see whether we ought to have taken over Iceland or not. It is amazing how close to war people want to go, but do not want to get into it.

[Here the gavel fell.]

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, the Washington Daily News carries the statement:

"United States on verge of war."—Churchill.

That is the same statement that was made by the gentleman from New York [Mr. FISH] relative to the polls that were taken in this country. It shows that people are against war. I say to you Members of Congress, you ought to tell Churchill that we are against war. Let us let him know that we are not going to get into this war, and he will not be counting on us, and the administration will not be counting on us. Mr. Willkie, Mr. Stimson, Mr. Knox, or Mr. Ickes will not get us into it if we tell them we are not going to vote for war, because if we want to save this Nation we must stay out of it.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks on the tax bill and quote some brief excerpts from Messrs. Frank, Roosevelt, Hull, Knudsen, Henderson, and Stettinius.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. GEYER of California was granted permission to extend his own remarks in the RECORD.)

TO AMEND THE NATIONAL HOUSING ACT

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5395) to

amend the National Housing Act, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 603 of the National Housing Act is hereby amended by striking the figure "$100,000,000" appearing in subsection (a) thereof and inserting in lieu thereof the figure "$300,000,000."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconside was laid on the table.

SELECTIVE TRAINING AND SERVICE ACT AMENDMENTS

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. HARNESS. Mr. Speaker, reserving the right to object, I just wanted to ask the gentleman from Kentucky, in considering this conference report, if he will be good enough to yield this side one-half of the time, namely, 30 minutes?

Mr. MAY. I expect to yield to the gentleman all the time I can. I have several requests from this side from Members who are opposed to the bill. I may say to the gentleman that I will yield him all the time I can possibly spare.

Mr. HARNESS. There are several Members on this side who want to be heard.

Mr. MAY. I am going to yield the gentleman all the time I possibly can.

Mr. HARNESS. It is the custom, Mr. Speaker, to divide the time. I would appreciate it very much if the gentleman could give us one-half of the hour.

Mr. MAY. The customary practice is that the chairman in charge of the conference report controls the time, and I am saying to the gentleman that I am going to be just as liberal as I can consistent with the accommodation of everybody.

Mr. HARNESS. Will the gentleman indicate now that he will give us 30 minutes' time on this side?

Mr. MAY. No; I will not indicate that. There are too many requests from the committee and from Members on this side. I will divide the time just as equitably as I possibly can between those opposed to the report and those in favor of it.

Mr. HARNESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARNESS. Would the Speaker recognize me at this time to propound a unanimous consent that the time be extended to 2 hours?

The SPEAKER. There is one unanimous consent request pending. The gentleman from Kentucky has called up a conference report, which is his right, and asked unanimous consent that the statement be read in lieu of the report.

Mr. HARNESS. Further reserving the right to object, Mr. Speaker, I wonder if the distinguished Chairman of the Military Affairs Committee would incorporate in his unanimous consent request the proposition that the time be extended to 2 hours?

Mr. MAY. No.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky that the statement of the conferees be read in lieu of the report? [After a pause.] The Chair hears none.

CALL OF THE HOUSE

Mr. McKEOUGH. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. McKEOUGH. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 95]

Andersen, H. Carl	Grant, Ala.	Patman
Andrews	Heffernan	Plumley
Barnes	Heidinger	Ramspeck
Buckler, Minn.	Hinshaw	Rankin, Mont.
Burch	Hobbs	Romjue
Cannon, Mo.	Holbrook	Rutherford
Cartwright	Jarrett	Sasscer
Celler	Jenks, N. H.	Schaefer, Ill.
Collins	Johns	Scott
Copeland	Keefe	Scrugham
Culkin	Kirwan	Sheridan
Cullen	McArdle	Smith, Pa.
D'Alesandro	Maas	Sparkman
Delaney	Maciejewski	Stearns, N. H.
Douglas	Murray	Stevenson
Doxey	Norton	Thill
Duncan	O'Brien, N. Y.	Thomas, N. J.
Faddis	O'Connor	Vreeland
Fulmer	O'Day	Wene
Gillie	O'Hara	White
	O'Neal	

The SPEAKER. On this roll call 371 Members have answered to their names, a quorum.

By unanimous consent, further proceedings, under the call, were dispensed with.

FLOOD-CONTROL BILL—CONFEREES APPOINTED

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes, with Senate amendments, disagree to the amendments of the Senate, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WHITTINGTON, SECREST, and ENGLEBRIGHT.

AMENDMENT OF SELECTIVE TRAINING ACT

The SPEAKER. The Clerk will read the statement of the managers on the part of the House.

The Clerk read the statement of the managers.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 5 (b) (1) of the Selective Training and Service Act of 1940, as amended, is hereby amended by inserting before the colon the following: ', or any enlisted man who has been or is hereafter honorably discharged from the Regular Army or the Coast Guard for the convenience of the Government within six months prior to the completion of his regular 3-year period of enlistment'.

"SEC. 2. Section 5 (e) of the Selective Training and Service Act of 1940 is amended by adding '(1)' after '(e)', and by adding at the end thereof the following: 'Rules and regulations issued pursuant to this subsection shall include provisions requiring that there be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those men who have been classified by such local board.

"'(2) Anything in this Act to the contrary notwithstanding, there shall be deferred from training and service under this Act in the land and naval forces of the United States until Congress shall declare otherwise, the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) have attained the twenty-eighth anniversary of the day of their birth: *Provided*, That any of such men may after volunteering for induction be inducted pursuant and subject to the provisions of section 3 (a) of this Act.'

"SEC. 3. Section 9 of the Selective Training and Service Act of 1940 is hereby amended by adding at the end thereof the following new paragraph:

"'The power of the President under the foregoing provisions of this section to take immediate possession of any plant upon a failure to comply with any such provisions, and the authority granted by this section for the use and operation by the United States or in its interests of any plant of which possession is so taken, shall also apply as hereinafter provided to any plant equipped for the manufacture of any articles or materials which may be required for the national defense or which may be useful in connection therewith. Such powe and authority may be exercised with respect to any such plant during the existence of the unlimited national emergency proclaimed by the President on May 27, 1941, whenever the President finds, after investigation, that there is an interruption of production at such plant, that the national-defense program will be unduly impeded or delayed by such interruption, and that the exercise of such power and authority is necessary to insure production at such plant in the interest of the national defense: *Provided*, That with respect to any plant of which possession shall have been taken under the provisions of this paragraph, such plant shall be returned to its owners whenever the President determines that such plant will be privately operated in a manner consistent with the needs of the national defense.'"

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows: In lieu of the amended title proposed by the House, amend the title so as to read: "An act providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, for operation of certain plants to expedite the defense program, and for other purposes"; and the House agree to the same.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
L. O. ARENDS,
Managers on the part of the House.

ROBT. R. REYNOLDS,
ELBERT D. THOMAS,
H. H. SCHWARTZ,
LISTER HILL,
WARREN R. AUSTIN,
CHAN GURNEY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Senate bill

Section 1 of the Senate bill authorized the President, under such rules and regulations as he might prescribe, to provide for the deferment from training and service under the Selective Training and Service Act of 1940 of men who were liable therefor, had not been inducted into the land or naval forces, and who had attained the age of 28, on the first day of July 1941, or on the first day of July of any subsequent year.

Section 2 of the Senate bill extended the authority of the President under section 9 of such act to take over and operate certain plants in order to expedite the defense program. The extended authority was to apply (1) to any plant equipped for the manufacture of any articles or materials which may be required for the national defense or which may be useful in connection therewith, and (2) to any plant which, in the opinion of the Secretary of War or the Secretary of the Navy, is capable of being readily transformed into a plant equipped for the manufacture of any such articles or materials. The exercise of this extended authority was limited, however, to time of war in which the United States was engaged, or, during the unlimited national emergency proclaimed by the President on May 27, 1941. In addition, in each case, the President was required to make a finding, after investigation, that the national defense program would be impeded or delayed by an existing or threatened failure of production at the plant as a result of a strike, threatened strike, lock-out, or other cause, that the exercise of the added authority was necessary in the public interest, and that where the existing or threatened failure of production was due primarily to a labor dispute there had been a failure to use existing Government conciliation and mediation facilities, or that the dispute had not been settled despite the use of such facilities. It was also provided that any plant with respect to which the extended authority of the President had been exercised would be returned to its owners whenever the President determined that the plant would be privately operated in a manner consistent with the needs of the national defense.

Section 3 of the Senate bill contained a declaration that complete cooperation between government, management, and labor is necessary, that strikes or lock-outs in industries that impede or delay the national defense effort are contrary to sound public policy, and that strikes or lock-outs in such industries in which either side refused to recognize arbitration and mediation and abide by the decisions thereof are condemned.

Section 4 of the Senate bill contained a further declaration that such complete cooperation can best be achieved by the wholehearted acceptance of the principles of collective bargaining, and the recognition of the rights of employees to designate representatives of their own choosing for collective bargaining purposes without interference through unfair or oppressive labor practices.

House amendment

The House amendment contained no provisions corresponding to sections 2, 3, and 4 of the Senate bill.

The deferment provision of the House amendment applied to the same persons as section 1 of the Senate bill, but deferment was made mandatory until Congress declared otherwise instead of being left to the President's discretion.

The House amendment also provided for publicity with respect to the classification of registrants under the Selective Training and Service Act of 1940. A list of all the men classified by each local board was required to be posted in a conspicuous place at the board's office, together with a brief statement of the reasons for each classification. Further publicity was also required with the President determining the manner of publication of such lists.

The House amendment also provided for a peace-time exemption from liability to serve under such Act in the case of men discharged from the Regular Army for the convenience of the Government within 90 days before the completion of a 3-year enlistment period.

Conference report

The first section of the conference report extends the peacetime exemption from liability to serve under the Selective Training and Service Act of 1940 to men honorably discharged from the Regular Army or the Coast Guard for the convenience of the Government within 6 months of the completion of their 3-year enlistment period.

Section 2 of the conference report provides that rules and regulations providing for deferments include provisions requiring that there be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those men who have been classified by such local board.

Section 2 of the conference report also provides that there shall be deferred from training and service until Congress shall declare otherwise, the men who, on the 1st day of July, 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted, and (3) have attained the 28th anniversary of the day of their birth. Such men are permitted to volunteer, however, and be inducted as volunteers subject to existing provisions of law relating thereto.

Section 3 of the conference report extends the power of the President under section 9 of the Selective Training and Service Act of 1940 to take immediate possession of any plant upon failure to comply with the provisions of section 9, and the power under section 9 for the use and operation by the United States or in its interest of any plant of which possession is so taken, to any plant equipped for the manufacture of any articles or materials which may be required for the national defense or which may be useful in connection therewith. This additional power is to be exercised only during the existence of the unlimited national emergency proclaimed by the President on May 27, 1941, whenever the President finds, after investigation, that there is an interruption of production at such plant, that the national defense program will be unduly impeded or delayed by such interruption, and that the exercise of the additional power is necessary or desirable to insure production at such plant in the interest of the national defense. Any plant of which possession is taken under these additional powers is to be returned to its owners whenever the President determines that the plant will be privately operated in a manner consistent with the needs of the national defense.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
L. C. ARENDS,
Managers on the part of the House.

The SPEAKER. The gentleman from Kentucky [Mr. MAY] is recognized for 1 hour.

Mr. MICHENER. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. MAY. I yield briefly.

Mr. MICHENER. It will take only a minute.

Mr. MAY. I yield.

Mr. MICHENER. Mr. Speaker, since there is nothing in disagreement in this conference report, the vote will be either to accept the conference report or to send the bill back for further conference. The question I want to ask is, Would not the same result be obtained if the conference report were voted down? That simply sends the conferees back to conference without instructions.

The SPEAKER. If the conference report is voted down, the bill goes back to the Senate. The Senate may or may not attempt to concur in the House amendment.

Mr. MAY. Mr. Speaker, I yield myself such time as I may require and ask to be notified when I have spoken 10 minutes.

Mr. Speaker, this conference report, which is unanimously agreed to by the conferees on the part of the House and Senate, presents two questions: First, it provides for the deferment of certain persons under section 5–E of the Selective Training and Service Act of 1940.

Mr. HARNESS. Mr. Speaker, will the gentleman yield for a correction?

Mr. MAY. I yield.

Mr. HARNESS. I understood the gentleman to say the conference report comes back to the House unanimously; that there was unanimous agreement among the conferees.

Mr. MAY. I said in agreement on the part of the House and Senate conferees. The gentleman from Indiana did not sign the report, if that is what he means.

Mr. HARNESS. I objected to it and so did my colleague the gentleman from Illinois.

Mr. MAY. That is not in conflict with what I have stated. I said the report was unanimous in that it does not contain a report of separate questions and is unanimous in the sense that the conferees as a whole both as to the House and Senate have made a report, although the gentleman from Indiana [Mr. HARNESS] did not sign the report. The report presents two questions. It is provided that under section 5 (e) of the Selective Training and Service Act, all men who have not been

inducted into the service but who are eligible for induction and who have reached the anniversary of their twenty-eighth birthday on July 1, 1941, and on the 1st day of each succeeding July, shall be deferred.

The Senate provision on that subject left it discretionary with the President to defer in groups by regulation to be written by himself. The House provision made it mandatory that they be deferred, and the Senate yielded to the House conferees on that subject.

Mr. WOODRUFF of Michigan. Will the gentleman yield?

Mr. MAY. I cannot resist yielding to the gentleman.

Mr. WOODRUFF of Michigan. Will the gentleman tell the House whether or not the conference report provides for the discharge from the armed forces of those men who are today more than 28 years of age?

Mr. MAY. It does not. It leaves that to regulations to be promulgated by the War Department; but we are told by General Marshall, the Chief of Staff, and by other witnesses, that they are discharging those men now at the rate of 2,000 per month and that other hardship cases, you may say, will be considered in the same way.

Mr. WOODRUFF of Michigan. I thank the gentleman from Kentucky.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. MAY. I yield to the gentleman.

Mr. JOHNSON of Oklahoma. What about the man who is in the Army now and who is not a "hardship" case, as the gentleman termed it, but he is past 28; he may be 30 or 33; does the gentleman mean to say that you propose to keep him in the Army and at the same time a man who has never served any time at all is exempt altogether?

Mr. MAY. He may be discharged, but the Selective Service and Training Act has been passed and he is in the Army. That is about all I can say about that.

There are two other questions, and there seems to be no controversy except as to one of them. I would like to have the membership understand that the other question is one relating, as it is said, to labor. But there is not one word in the conference report or in the statement regarding labor. There is no mention whatever in the conference report or the statement of strikes or picketing or collective bargaining.

On that subject the Senate had a provision declaring what it said was a national policy, known as the Byrd amendment. That provision provided that it was the sense of the Congress that strikes in national-defense industries were inimical and detrimental to the national defense. This was eliminated in conference.

There was an amendment put in the bill on the floor of the House offered by the gentleman from Maryland [Mr. COLE], which provided for the publication of certain information with relation to inductees that are to be inducted into the service hereafter which required the local boards to post the names and the classification of all men who are inducted. The Senate had a provision which authorized the publication of that by the President and by other methods. We eliminated that feature of the amendment which related to the publication of the reasons for their rejection such as what may have happened on medical examination and things of that kind.

Mr. COLE of Maryland. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Maryland.

Mr. COLE of Maryland. The distinguished chairman of the Military Affairs Committee has referred to the amendment I offered to this bill and which was accepted by the House. Prior to the final agreement in conference the managers on the part of the House were kind enough to talk with me and to point out how a strict interpretation of my amendment might in some instances require the exposure of physical disabilities and other conditions which at no time did I have in mind should occur. I gladly consented to the suggestion that that feature of the amendment be eliminated so long as the principle embodied in the amendment to bring public scrutiny and knowledge into the decisions of the draft boards throughout the country was retained. I think the amendment as now recommended in the conference report is entirely acceptable and will in the end accomplish everything I had in mind at the time it was offered and which the tremendous support the amendment has received in my mail anticipates.

The gentleman and other Members of the House, I am sure, will be interested to know that following the passage of my amendment—and considerable publicity was given to it—my mail showed an overwhelming sentiment in favor of it, with only a few dissenting attitudes. In the support which my mail brought to me is a letter from Maj. Gen. Milton A. Reckord, now in command of the Twenty-ninth Division at Fort George G. Meade, and I think admittedly Maryland's leading soldier, heartily approving of my attitude. I quote in part from General Reckord's letter, as follows:

> I was very glad to note the amendment you placed on the recent Selective Service Act. * * * I want you to know that I think you are absolutely correct in the position you have taken.

It is mighty comforting to me to be able to bring to the attention of the House this very pleasing decision by General Reckord.

I could cite many more, but in view of the fact that the Senate and House conferees have unanimously approved the principle embodied in my amendment, I do not believe it is necessary to do so. I wish to thank the gentleman, however, for the very satisfactory way in which he and his associates in conference have handled this matter.

Mr. MAY. I thank the gentleman for his rather elaborate explanation and intelligent comments.

Mr. SHORT. Will the gentleman yield?

Mr. MAY. I will have to yield to my genial colleague.

Mr. SHORT. While there is no direct reference made to labor in this bill, is it not true that if the Government seized a plant and possesses it and operates it, labor cannot strike against that plant that is operated by the Government?

Mr. MAY. I have always understood that nobody could strike against the Government, or, at least, if they did the Government ought to be able to take care of itself on the proposition; consequently I think the bill itself would enable the President to control strikes in the event he took over a plant and it became necessary to do so.

Mr. HALLECK. Will the gentleman yield in connection with that matter?

Mr. MAY. I yield to the gentleman.

Mr. HALLECK. I understand by the gentleman's statement that if the Government, under order of the President, takes over a plant, the Government thereby becomes the employer of the men working in that plant?

Mr. MAY. The amendment agreed to in conference is an amendment to section 9 of the original Selective Training and Service Act of 1940. This section authorized the President to take over and operate plants for the Government. May I state here and now for the benefit of some of these gentlemen who are afraid that labor is going to be hurt in this thing, that that amendment, known as the Smith amendment, was passed last year by a vote of 330 to 83, and this is merely an amendment to that section that does not interfere in any manner whatsoever with labor, as I understand it; but labor would be, in the event of a tie-up or refusal by the owners of any plant to comply when it was taken over by the President, subject to whatever orders the President issued just as the management would be subject to those orders. In that sense the bill is more favorable to labor than the original Smith provision.

Mr. SHORT. For information, if the Government seizes these plants, would the employees in the plants, after the Government takes them over, have the status of Government employees?

Mr. MAY. The employees in the plant would have no authority or power to ask the Government to do anything about it. If the President, after investigation, finds that it is essential to the national defense that the plant continue to operate, he is authorized under this provision to take over the plant.

The SPEAKER. The gentleman has consumed 10 minutes.

Mr. MAY. Mr. Speaker, I yield myself 5 additional minutes.

Mr. EATON. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from New Jersey.

Mr. EATON. As I understand this amendment, if there is labor trouble in a plant and there results a slowing down of production, the cure for that, as provided in this amendment, is to punish the owners rather than the strikers?

Mr. MAY. No. It puts it in the discretion of the President after he has made a careful examination of all the circumstances incidental to the shutting down of the plant to determine whether or not the national interest is imperiled and whether or not it is an interference with the national defense. If and when

the President, after making a thorough investigation, finds that it is in the interest of the national defense and that production has been stopped, then he has the power and authority to take over the plant and see to it that it proceeds to carry on production in whatever manner he may determine, perhaps the same as he did in the California situation.

In that connection, may I say that this provision has a proviso—and I hope my friend from New Jersey will listen to this—that if and when the President does take over a plant he shall—not "may" but "shall"—as soon as he has determined that it will be operated in the interest of national defense, turn it back to the owners and maintain order in it while they operate it, or at least until he is satisfied that order has been maintained.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. MAY. Yes; I shall have to yield to the good-natured gentleman from Minnesota.

Mr. KNUTSON. It is significant that there have been very few strikes in defense industries since we became a bedfellow of Joe Stalin. This indicates to me that there is a very considerable sprinkling of Communists in American industry. Should this bill pass, would not all those elements immediately start agitating and slowing down production with a view to having the Government take over all the industries of the country that are engaged in national-defense production?

Mr. MAY. Of course, that could be a possibility. I do not believe it will take place, because I believe all the gentlemen referred to by the gentleman from Minnesota are engaged now in supporting their friend Joe Stalin, and they have as much to do now as they can take care of; consequently, they will not be bothering about industry. But if and when they do, the President of the United States will be placed in a position under the provisions of this bill to take care of the situation. But it should be remembered we are drafting the young men of this Nation by the hundreds of thousands into the military service to offer themselves for the safety of the country. You are willing to draft blood and flesh, but you are not willing to draft industry or require any sacrifice whatever from labor. These boys will be coming back home sometime, and they will likely have something to say themselves then. Do not forget that.

Mr. HARNESS. Mr. Speaker, America has determined to rearm. The American people have unmistakably expressed their undivided will that this country shall be made so strong with the weapons of defense that no power or combination of powers on earth will dare to attack us. We must keep that thought clearly before us here, because this will to prepare America is at the bottom of the problem for which we are now seeking a solution.

I think it is literally true, as we have been so often reminded by the press and radio, that popular sentiment is ahead of the President and Congress in this drive to make America impregnable. There is a depth and intensity to the American will that voluntarily asks for heavier taxes than we shall probably levy; that demanded summary action against the enemies within our gates long before the administration took its first hesitating steps to destroy this enemy. It is this depth and intensity of purpose which has led to the ever-increasing demands that strikes and work stoppages shall be ended in our key defense industries.

Congress has quite properly resisted the wave of sentiment against labor which has arisen as a result of these heartbreaking delays. We know that the rank and file of American labor is not to blame. We know it is just as loyal and just as anxious to contribute its full share in this emergency as any other American group. We know, too, that the President already has the power and the administrative machinery to put an end to needless strife almost the instant that he chooses to do so. Finally, we know that in almost every instance where stoppage has occurred in a vital industry, it has been engineered by the smallest handful of subverters, aliens, racketeers or selfish and misguided leaders whose very first victims are the loyal men and women in labor's ranks, in whose name they operate.

I cannot emphasize too strongly that this body believes in and trusts American labor. The very men and women who are now bearing the brunt of the bitter criticism heaped on labor are relatives of men now in the service of our armed forces. You could never make me believe for a minute that these men and women are so blindly selfish and self-centered that they would strike the weapons from the hands of their loved ones to gain a few cents on the hour for their labor or to establish the rights of one union over another. In the ranks of labor are thousands who have themselves served in our armed forces. Many of them are veterans of the World War, as many of you are, and I am. You cannot tell me that those men have so changed from the lads they were 23 years ago that they would sell their country for a few pieces of silver or jeopardize its safety to promote this local's contention against that local's claims to leadership.

Still, defense production suffers serious and unnecessary interruptions, and the people grow more and more insistent in their demands upon Congress for some adequate solution. I think there is not the slightest doubt that Congress, seeing the urgent necessity, will act. The most serious danger is that we may act too harshly; that in the name of emergency we may do permanent damage to individual rights and personal liberty.

Most favored by the administration is this proposal to empower the Federal Government to take over industry, to seize property. The idea is by no means new in this administration. It was not new even a year ago, when the seizure principle was written into the Selective Service Act in the provision giving the President limited authority to conscript industry. Now the principle advances another tremendous step in the Connally bill, which we are here considering.

A year ago the advocates of this principle made the plausible argument that if the Government may conscript manpower it may likewise conscript wealth and industry. There is no possible doubt—and let all the friends of labor mark this well—there is no doubt that government may conscript literally anything that may be determined necessary to national welfare and safety. It would be ridiculous to assume that a sovereign government cannot conscript wealth, property, industry, labor—literally anything less than life itself—when we have firmly established the principle that it can and will demand the very lives of its citizens for defense.

But a year ago, remember, this was presented as nothing more than another weapon against capital and industry. Note now the arguments for the power to seize property. No longer is this merely a threat to wealth. It is now, for the first time, frankly and openly advocated as the weapon with which government may destroy the strikers in defense industries. If you doubt it, read the Senate discussions on the passage of the Connally bill, S. 1524. Read also administration spokesmen's comments on the property-seizure bill now pending, and note the significant fact that the only valid arguments for the bill are that it will give the President arbitrary power to crush out strikes in defense industries.

The friends of labor must admit that these spokesmen are telling the bitter truth. I was warning a year ago that there cannot possibly be a more effective way to destroy labor. I repeat that if the Senate amendment should become law, if the seize-property bill should be enacted, labor as well as capital would be delivered completely into the hands of the President. Let me remind you why.

Government will not merely seize buildings and machinery, for these things are utterly worthless without the manpower which alone makes them productive. It is childish to believe that, once government commandeers a factory, it will not immediately recruit, by force if necessary, the workmen to operate it. What other earthly reason would there be to conscript an industry or factory? What other reason, in fact, do you hear from the advocates of property seizure?

See what happens to labor when Uncle Sam steps in as boss. In the first place, you cannot strike against government. That principle is so certainly established that it does not admit of argument; but to show you its current applications, I cite President Roosevelt on the occasion when he squelched the attempted strikes of the Workers Alliance, an organization of W. P. A. workers. I repeat, you simply do not strike against the Government.

Neither do you bargain collectively with Uncle Sam. If the friends of labor think so, where are the examples? Furthermore, workers for the Government do not enjoy the advantages of the Fair Labor Standards Act. In an emergency, a Federal employee works whatever hours may be necessary, and he may or may not receive additional pay. If you doubt it, check conditions right here in

Washington in the agencies carrying the defense load.

In fact, the minute Uncle Sam walks in and takes over a factory or an industry, all of the rights and privileges which labor now enjoys are destroyed or suspended. Of course, proponents of the property-seizure principle, as well as Communists and adherents of totalitarianism, will argue that the Government is a benevolent boss, and that labor need have nothing to fear if it becomes necessary in an emergency to displace private management. But the friends of labor must remember that the very persons who say this have completely contradicted the argument with the very truthful assertion that Government control is the perfect means of stamping out strikes and stoppages in defense industries.

I do not believe that we should permit the seize-property exponents to strike at labor and our free enterprise system in this indirect manner. I believe that we must not grant to any administration the sweeping powers to destroy labor, as well as private enterprise, which have been asked.

I urge instead that the basic rights to strike and to bargain collectively under private management be preserved. I urge that the benefits of the Fair Labor Standards Act be maintained. At the same time we must show the courage, so far completely lacking in this administration, to say that the day of special privilege is past.

The Congress should do this in a forthright and honest manner and not by indirection, as is proposed in this Connally bill. While this legislation was designed primarily to break strikes, it goes far beyond that and endangers our entire economic system. It is antistrike legislation with a vengeance, but it also endangers the rights of all the people of the country. It could be, and probably would be, seized upon by the enemies of our American system of government to take over all industry in the name of the Government and set up an autocratic state. This legislation is dangerous and un-American, and I hope the conference report will be voted down.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. At this time in this country, by reason of the exercise of priorities, many small industries are being hard pressed. They are being put to task. They cannot produce. In such situations, the President if he wishes, on their failure to produce, can step in without any fault of labor or capital and take over such little plants and try to operate them.

Mr. HARNESS. That is precisely what he could do under this measure. If you want to give to the President of the United States the absolute power to take over all industry in this country if he sees fit to do so, you are destroying not only private enterprise but the rights of labor as well. We know that as soon as the Government steps in and takes over an industry it must take over labor. All the men working at such seized plant then become Government employees. They cannot strike against the Government. They cannot bargain with the Government. The Fair Labor Standards Act may be suspended at the will of the President.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Indiana.

Mr. HALLECK. In the event the authority is exercised by the President under the bill as reported in this conference report, would the employees in the plant be taken over by the Government and become the employees of the Government?

Mr. HARNESS. I do not believe there is any question about that. I am satisfied that if the Government is authorized to take over industrial plants as is proposed here the employees in such seized plants then become Government employees. The Assistant Secretary of War came before our committee and testified that in connection with the North American Aviation plant this question arose. Although the President took it over without any statutory authority, they were concerned about whether the Government would have to pay the employees for the short time the President intended to keep that plant.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Missouri.

Mr. SHORT. Of course, this conference report would give the Government a stranglehold on both industry and labor. In the World War, when the Government took over the railroads, the railroad employees became employees of the Government. But here, even before we are in war, we are going to give the President the power to seize, possess, and operate private industry, and to hold a club over the heads of labor in time of peace, and I want to ask the gentleman as a member of our Committee on Military Affairs, after listening to innumerable witnesses, after listening to Mr. Knudsen, Mr. Hillman, Mr. Biggers, Mr. Nelson, the Chief of Staff of the Army, and all the others, has there been one scintilla of evidence or one single word of testimony offered at any time before our committee where private industry has refused to cooperate to the fullest degree with the Government in its defense program.

Mr. HARNESS. On the contrary, the Assistant Secretary of War, Judge Patterson, came before our committee and testified that industry had cooperated 100 percent in the defense program.

Mr. SHORT. Then why give this extraordinary power under those circumstances?

Mr. McKEOUGH. Mr. Speaker, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman.

Mr. McKEOUGH. Is it not also true that the gentlemen who have just been mentioned by the gentleman from Missouri as having appeared before your committee and having testified, likewise took the position that in no war did they enact such repressive and restrictive legislation as this proposed legislation in its application to labor as well as to industry?

Mr. HARNESS. What they said was that they did not think this applied to labor and was not at all harmful to labor.

Mr. McKEOUGH. Is it not true that they recognize the right of labor to exercise its God-given right to strike, which should in no way be violated by legislation at this time?

Mr. HARNESS. They say that in one breath, but in the next they urge this measure, which they must know takes away those rights. The measure is deceptive.

Mr. McKEOUGH. And is not the effect of this proposed legislation exactly the same as the repressive amendments voted down in the House, except it is dressed up in much more attractive language?

Mr. HARNESS. I will say to the gentleman that I thought the amendments voted on in the House were much less drastic than this proposal. This is the most drastic antistrike legislation that could possibly be passed by the House.

Mr. McKEOUGH. Except that it is masquerading in attractive language.

Mr. HARNESS. Exactly.

Mr. ELSTON. Mr. Speaker, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Ohio.

Mr. ELSTON. Is it not a fact that if this conference report is adopted it will apply not only to every plant equipped to manufacture those things that are useful in national defense but also to every plant which may be manufacturing anything which is useful in connection therewith, and can the gentleman conceive of anything that is being manufactured today that is not in some way or other useful in connection with national defense?

Mr. HARNESS. That is what I tried to say just a little while ago. It covers all industry, no matter how remotely that industry may be connected with manufacturing materials for national defense.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Iowa.

Mr. JENSEN. Does not the gentleman also agree that national socialism is the greatest threat confronting America today?

Mr. HARNESS. Yes; and the socialists and the Communists will take advantage of this by trying to get the Government to take over all industry.

Mr. JENSEN. Absolutely; and this is the first big step in that direction.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield to the gentleman from Indiana 1 additional minute.

Mr. HARNESS. Mr. Speaker, I want to take this minute to say to the House that I regret that we have to vote this conference report up or down just as it is. I would like to vote for all the provisions in it except section 3, the Connally bill. The only way we can strike this obnoxious section out of the report is to vote down the entire conference report and let it go back in conference.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, I simply desire to take these few minutes to fortify my position in having signed this conference report. At the time of the conference I emphatically stated to the conferees that I objected to section 3 of this report, but as has been stated here, I thought it should be brought back for the attention of the House, since it is a compromise of the so-called Connally bill as passed by the Senate. A couple of weeks ago when we had the May bill before the House, I supported that bill, feeling it was fair both to labor and industry. As you recall, the May bill merely gave the President the power, through the Army and Navy, to step into plants where production was at a standstill, police such plants, and afford protection to both management and labor in order that the output of defense materials might be constant. However, we are now back here with a bill much more drastic in its intent and purposes. It would permit the Government at any time to go into a plant, take possession thereof, and operate it. I do not believe the House wants to authorize the following of such procedure as that, and I ask that you give every consideration to section 3 of this bill so that we do not make the mistake of voting for something that may create a circumstance or circumstances which we do not desire.

As far as the other parts of the bill are concerned, we are in agreement as to age limits, and so forth, and if we go back to conference with this bill I think the matter in difficulty can be ironed out.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Speaker, I signed this conference report, and, unlike some of the signers, I have no apology to make for it. In the few minutes allotted to me I would like, if I can, to appeal to your judgment and your patriotism rather than to any bias you may have in favor of industry or labor or any prejudice you may have against either. The gentleman from Indiana [Mr. HARNESS] is a little inconsistent, because I recall it was he who not only in committee but on the floor of the House proposed and actively supported a bill that said when in the opinion of the Secretary of War or the Secretary of the Navy it was deemed necessary the Army could be called out to take over possession of any plant where labor troubles existed.

Mr. HARNESS. Mr. Speaker, will the gentleman yield to correct the statement?

Mr. THOMASON. Yes.

Mr. HARNESS. The gentleman knows that the bill I supported did not give the Government the power to seize and take over a plant. It was merely a policing power.

Mr. THOMASON. In any event, the main question in the bill that was here the other day was the fact that the Army was going in, and with swords and bayonets going to take charge of the plant. Call it policing, if you will. I invite a careful reading of this conference report as it affects section 2. Labor is not mentioned; strikes are not mentioned; the Army is not mentioned. I think, Mr. Speaker, I can with safety compare my record on labor measures here, and in the years before I came here, with the record of any man in the House, and I think I can speak favorably of the record of Senator THOMAS of Utah, chairman of the Senate Labor Committee, and likewise of the Senator from Alabama [Mr. HILL], both of whom actively supported this measure as it comes to you. I would like to go a little further and say this, that although as good a friend of labor as I claim to be, yet in this critical hour I am going to put the interest of national defense above every other consideration. When the conferees met in the office of the Senate Military Affairs Committee the other day, two gentlemen appeared there and asked to be heard. One of them was the Under Secretary of War, Mr. Patterson, in whom I have great confidence, and I believe this House and the country have also. I assume that he was there speaking for the President of the United States.

There was also present Mr. Edward McGrady, whom many of you have known about this Capitol for 25 years; and I say without hesitation and without fear of successful contradiction that Mr. McGrady has always been an unselfish friend of labor throughout all these years. For a long time he was a high official of the Labor Department. He has been active in the support of labor legislation for many years. He is now an official in the national-defense administration. He and Secretary Patterson both asked that Congress do something in this critical hour and clothe the President with the power to act when and if necessary. This, after all, is nothing much more than a confirmation of what the President did in the North American situation out in California some 3 or 4 weeks ago. This is to give him authority of law to act when the emergency requires it. I do not believe there is a member of this House who does not approve of what was done at that time. The industry has been returned to the owners, production has been resumed, and decent, honest, and patriotic labor has been satisfied.

I repeat, Mr. Speaker, that this conference report makes no reference to labor as such. This takes care of any interruption of the production lines for national defense. The provisions of this bill would cover insolvency, bankruptcy, mismanagement, or malmanagement, and, for heaven's sake, if the friends of labor in this House cannot trust the present occupant of the White House as being the best friend of labor this country ever had, then I do not know upon whom they can depend. That is all in the world these provisions do. It is merely to try to insure the production of necessary war material.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. Yes.

Mr. LUTHER A. JOHNSON. Is not this conference report brought in so as to be fair alike to labor and industry, so that both will be given the same treatment?

Mr. THOMASON. Yes.

Mr. LUTHER A. JOHNSON. So that the production of industry shall be guaranteed to continue.

Mr. THOMASON. I heard the gentleman from New Jersey [Mr. EATON] propound an inquiry indicating it was a slap at industry, and I answer by saying that Secretary Patterson, when he was before the conferees, cited a case where the labor people were asking that the Federal Government take over a plant. You cannot find in this section any reference to labor. It gives the President authority to take over a plant whenever necessary to insure production of war materials. It does not necessarily mean he calls in the Army. He can employ his own methods. The important thing is to produce munitions. Not only that, but that can be done only when on investigation it is proven that the national-defense program is unduly impeded or delayed, and you will find that after the first part of it it says:

> And that the exercise of such power and authority is necessary to insure production at such plant in the interest of the national defense.

We have not heard so much of strikes for the last month or 6 weeks, but all of us will recall the serious situation that existed about 4 months ago. The people were stirred. The Mediation Board has done a marvelous job. The great rank and file of labor is just as patriotic as anybody. Prominent labor leaders admitted that Communists were responsible for the deplorable situation in California. This bill does not deny the right to strike. It repeals no existing labor law. Labor loses none of its social gains, all of which I have supported. It only places national defense and the security of our country above every other consideration. The charge was made by responsible labor leaders themselves that Communists had infiltrated into the plant of the North American Co. in California. If this is a slap at Communists and saboteurs, all well and good. But this is merely to insure in this critical hour that production of guns and supplies to our soldier boys is not going to be stopped or interrupted.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. BENDER. Did not the gentleman speak against the May bill?

Mr. THOMASON. Yes. I opposed the labor provisions of the May bill in the committee. I spoke against some of its provisions on the floor of the House. I opposed those provisions which said that when, in the opinion of the Secretary of War or the Secretary of the Navy, it was necessary, they could call out the Army and the Navy whenever they chose. I was not willing to go that far.

Mr. BENDER. What has happened to change the gentleman's mind?

Mr. THOMASON. I have not changed my mind as to those provisions. If you cannot get legislation exactly as you want it, you must take the next best thing. I think, in view of the circumstances existing today, some kind of power like this is necessary if we are to insure production of the necessaries for defense.

Mr. BENDER. Is not fascism just as bad as communism?

Mr. THOMASON. Well, I am against both. I cannot see where any good American citizen, whether he is running a plant or working in a plant, can consistently object to the provisions of this bill if the crisis in America is what most of us think it is. Just look at what is going on in Russia today. Look at the situation in the Far East. Think over what Hitler has done in the last 12 months. Look at the money we have appropriated for defense purposes. Think of a million and a half boys now in uniform. If we are not in an emergency, then I do not know one. If Russia falls, as she probably will, then brave old England will likely meet her fate. If she does, then we are next on the list, and do not you forget it. This is a time for the highest order of patriotism and sacrifice. If Hitler wins, then labor will have lost all its gains. My only purpose is to make sure that the necessary guns, tanks, and planes come from industry so that we will be prepared, for that is the best way to keep out of war.

Mr. HARNESS. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. Yes; I yield.

Mr. HARNESS. The gentleman said he opposed the other bill before the House because it gave the Secretary of War the right to send in an army. Does not the gentleman know that this will give the same power to the President? How else can he seize a plant?

Mr. THOMASON. I trust the President to do the best and right thing. The other bill I opposed would have denied the right of collective bargaining. It would also have destroyed the National Labor Relations Board. This does but one thing to both management and labor, and that is to say that the Commander in Chief of the United States, when production is impaired has the right to take over that plant, with the understanding that he will turn it back just as soon as production is resumed.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield 5 additional minutes to the gentleman from Texas.

Will the gentleman yield to me?

Mr. THOMASON. I yield.

Mr. MAY. I would like to have the gentleman discuss the proviso at the end of this section, on the subject of the charge that we are going to establish a Fascist system over industry in this country.

Mr. THOMASON. Oh, I think the best answer to that is what the President did in the North American case. It has been admitted, as I said a while ago, by responsible labor leaders, that Communists had got in charge of that plant. The President moved in. I believe it met with the approval of the American people. But true to his record as the consistent friend of labor, that situation was cleared up in less than 2 weeks, and national-defense production at that plant was resumed. In addition to that, not one word of complaint came from the management or the men who were working in the plant. This in effect is a confirmation of the power that he exercised in the North American plant. This is nothing in the world but, to say by law to him "The power you exercised in the North American plant is given to you in the event of a crisis, if you want to exercise it."

You cannot find the slightest reference to the Army in here. You cannot find any reference to the Secretary of War or the Secretary of the Navy or the refusal of the right of labor to strike. It does not affect a single labor statute on the books today.

Mr. MAY. Will the gentleman yield further?

Mr. THOMASON. I yield.

Mr. MAY. I would like to call the gentleman's attention to the fact—I do not know whether he mentioned it or not—that a representative of labor in the War Department came before the conferees and recommended the passage of this bill.

Mr. THOMASON. I have already mentioned the fact that Mr. Edward McGrady came there and pleaded for legislation of this sort that applied to management as well as to labor. From what I know of him, I regard him one of the most loyal and active friends that labor has in this country. I think it safe to assume he and Secretary Patterson were speaking for the President. They said they wanted and needed this legislation.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. MARCANTONIO. There is not a single responsible labor leader today who would advocate the use of bayonets for the settlement of industrial disputes, and this amendment provides just that.

Mr. THOMASON. Neither do I approve of that. That is why I opposed the other bill and am for this. Does my friend approve of what was done at the North American plant?

Mr. MARCANTONIO. I certainly do not and I protested against the President's action on the floor of this House.

Mr. THOMASON. I think the rank and file of the people of the United States disagree with the gentleman. Order and production was immediately restored. Loyal American labor was not responsible for that situation. Everybody knows it was Communists. Cut them out and you will have no more labor trouble.

Mr. MARCANTONIO. Time will demonstrate that we are going to be ashamed of having gone into that Inglewood plant with the use of bayonets against American workers.

Mr. HINSHAW. Will the gentleman yield?

Mr. THOMASON. I yield.

Mr. HINSHAW. Will the gentleman discuss the difference between this section 3 and the so-called Smith amendment to the Selective Service Act?

Mr. THOMASON. There is only one difference in substance between this measure and the original bill, and that is the inclusion in the recommendation of the conferees of the word "failure" so that failure is a ground for taking over a national-defense plant as well as refusal. The Smith amendment, which this House voted out by a 3-to-1 vote, provided that if a plant refused to go ahead with production of national-defense supplies the President could take it over if necessary. This makes the same provision applicable to failure and applies to management with the same force as it does to labor.

Mr. HARNESS. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. HARNESS. If the gentleman approves what the President did at the North American plant without any statutory law specifically authorizing it, why is this necessary?

Mr. THOMASON. I ask the gentleman if he approves of what was done in the North American case?

Mr. HARNESS. Of course I approve keeping up the flow of production.

Mr. THOMASON. Certainly the gentleman did, and the American people approved it, too. I think that loyal, patriotic American labor also approved it. This measure will help, not hurt, honest labor. It will help to rid their ranks of subversive influences. In all the history of this Nation labor has never had a friend like Roosevelt. He has fought their battles in season and out. He stepped in at the North American plant because he placed the welfare of his country above everything else. He has already proved that he can be trusted not to abuse the power granted by this bill. He is trying to save this Nation and keep us out of war. We cannot defend ourselves unless we have the guns and supplies to do it with. Production must go forward. Labor will not lose a single right it now has. This bill has been exaggerated and misrepresented. Politics and partisanship has dominated the debate. I beg of you to think of the welfare and security of our country above everything else. The President has indicated he wants and needs this legislation. I am going to back him up to the limit.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. SHORT].

The SPEAKER pro tempore. The gentleman from Missouri is recognized for 5 minutes.

Mr. SHORT. Mr. Speaker——

Mr. CROWTHER. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield.

Mr. CROWTHER. I want to call the attention of the gentleman from Missouri to the fact there seems to be some doubt as to the meaning of this section. The gentleman from Texas [Mr. THOMASON] said it was merely a confirmation of the act of the President in taking over the Inglewood plant in the California strike. If this be so, then this section is nothing more nor less than a validating act. However, there appears to be grave conflict between the language and the declared policy of the proposal. You may remember a number of years ago when the Honorable John Nelson was here from Maine a similar discussion arose as to whether or not the language of a bill reported out by one of the House committees was in line with its purpose. He stated that there appeared to be "a Senegambian in the woodpile," and told the story of a French Canadian in his district who was an expert on fertilizer.

He could tell just what was in the fertilizer, the amount of nitrogen, filler, and other elements. So the boys fixed up a row of bags filled with fertilizer. All but the last one were filled with commercial fertilizer. The last was made up of old, decayed fish and some other very disagreeable materials with sand as a carrier. He went down the line and identified every one of them absolutely—8–8–4, 8–8–2, and so forth, and finally he came to this last bag. He took out a handful, let it sift through his fingers, smelled of it, took out another handful, looked at the label on the bag, and said, "Gentlemen, she no smell like she read on ze lay-bel."

The SPEAKER pro tempore. The gentleman from Missouri has consumed 3 minutes.

Mr. SHORT. I wonder if anybody else wants me to yield?

Mr. HEALEY. Mr. Speaker, will the gentleman yield?

Mr. SHORT. Yes; I yield to the gentleman from Massachusetts.

Mr. HEALEY. I asked the gentleman to yield because I could not get any time from the gentleman from Kentucky to speak in opposition to this report. I want to answer the insinuation that came, I think, from the previous speaker to the effect that some labor leaders were for this measure. I have here a very strong letter from William Green, president of the American Federation of Labor, against this report. We know, of course, the position that has been taken by Mr. Murray, president of the C. I. O., against this report. Section 3 of the conference report strikes at very fundamental American rights of free enterprise and free labor.

Mr. SHORT. Mr. Speaker, the gentleman from Missouri and the gentleman from Massachusetts have made such excellent speeches that I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Missouri yields back 1 minute.

Mr. MAY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

Mr. HEALEY. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. HEALEY moves to recommit the report to the committee of conference with instructions to the managers on the part of the House to insist further on the House amendment to Senate 1524.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Massachusetts.

Mr. HEALEY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 255, nays 114, not voting 63, as follows:

[Roll No. 96]

YEAS—255

Allen, Ill.	Arends	Beiter
Anderson, Calif.	Arnold	Bender
Anderson, N. Mex.	Baldwin	Bennett
	Barry	Bishop
Andresen, August H.	Bates, Mass.	Blackney
	Baumhart	Bloom
Angell	Beam	Boehne
Bolton	Hancock	Paddock
Bradley, Mich.	Harness	Patrick
Bradley, Pa.	Harrington	Pfeifer, Joseph L.
Brown, Ohio	Hart	
Buck	Harter	Pheiffer, William T.
Buckley, N. Y.	Healey	
Burdick	Heidinger	Pittenger
Butler	Hess	Ploeser
Byrne	Hill, Colo.	Powers
Byron	Hill, Wash.	Rabaut
Canfield	Hinshaw	Ramsay
Capozzoli	Hoffman	Reece, Tenn.
Carlson	Holmes	Reed, Ill.
Carter	Hook	Reed, N. Y.
Case, S. Dak.	Houston	Rees, Kans.
Casey, Mass.	Howell	Rich
Chenoweth	Hull	Rizley
Chiperfield	Hunter	Robertson, N. Dak.
Clason	Imhoff	
Claypool	Izac	Robinson, Utah
Clevenger	Jackson	Robsion, Ky.
Cluett	Jacobsen	Rockefeller
Coffee, Nebr.	Jenkins, Ohio	Rodgers, Pa.
Coffee, Wash.	Jennings	Rogers, Mass.
Cole, N. Y.	Jensen	Rogers, Okla.
Connery	Johnson, Calif.	Rolph
Crawford	Johnson, Ill.	Sabath
Crosser	Johnson, Ind.	Sacks
Crowther	Johnson, W. Va.	Sauthoff
Cunningham	Jones	Scanlon
Curtis	Jonkman	Schuetz
D'Alesandro	Kean	Schulte
Davis, Ohio	Kee	Secrest
Day	Kelley, Pa.	Shafer, Mich.
Dewey	Kelly, Ill.	Shanley
Dickstein	Kennedy, Martin J.	Shannon
Dingell		Short
Dirksen	Kennedy, Michael J.	Simpson
Ditter		Smith, Maine
Dondero	Keogh	Smith, Ohio
Downs	Kilburn	Smith, Wash.
Dworshak	Kinzer	Smith, W. Va.
Eaton	Kirwan	Somers, N. Y.
Eberharter	Knutson	Spence
Elliot, Mass.	Kopplemann	Springer
Elliott, Calif.	Kramer	Stearns, N. H.
Elston	Kunkel	Stefan
Engel	Lambertson	Stratton
Englebright	Landis	Sullivan
Fellows	Larrabee	Sumner, Ill.
Fenton	Leavy	Sutphin
Fish	LeCompte	Sweeney
Fitzgerald	Lesinski	Taber
Fitzpatrick	Ludlow	Talle
Flaherty	Lynch	Tenerowicz
Flannagan	McGranery	Thom
Flannery	McGregor	Thomas, Tex.
Fogarty	McIntyre	Tibbott
Forand	McKeough	Tinkham
Ford, Leland M.	McLaughlin	Tolan
Ford, Thomas F.	McLean	Traynor
Gale	Maciora	Treadway
Gamble	Magnuson	Van Zandt
Gavagan	Manasco	Voorhis, Calif.
Gearhart	Marcantonio	Vorys, Ohio
Gehrmann	Martin, Iowa	Wadsworth
Gerlach	Martin, Mass.	Walter
Geyer, Calif.	Mason	Wasielewski
Gifford	Merritt	Weiss
Gilchrist	Meyer, Md.	Welch
Graham	Michener	Wheat
Granger	Moser	Wigglesworth
Grant, Ind.	Mott	Wilson
Guyer, Kans.	Mundt	Winter
Gwynne	Myers, Pa.	Wolcott
Haines	Nichols	Wolfenden, Pa.
Hall, Edwin Arthur	O'Brien, Mich.	Wolverton, N. J.
	O'Leary	Woodruff, Mich.
Hall, Leonard W.	Oliver	Wright
	Osmers	Young
Halleck	O'Toole	Youngdahl

NAYS—114

Allen, La.	Cox	Hébert
Barden	Cravens	Hendricks
Bates, Ky.	Creal	Hope
Beckworth	Davis, Tenn.	Jarman
Biand	Dies	Johnson, Luther A.
Boggs	Disney	
Bonner	Domengeaux	Johnson, Lyndon B.
Brooks	Doughton	
Brown, Ga.	Drewry	Johnson, Okla.
Bryson	Duncan	Kefauver
Bulwinkle	Durham	Kerr
Burgin	Ellis	Kilday
Camp	Folger	Kleberg
Cannon, Fla.	Ford, Miss.	Kocialkowski
Cannon, Mo.	Fulmer	Lanham
Chapman	Gathings	Lea
Clark	Gibson	Lewis
Cole, Md.	Gore	McCormack
Colmer	Gossett	McGehee
Cooley	Green	McMillan
Cooper	Gregory	Mahon
Costello	Hare	Mansfield
Courtney	Harris, Ark.	May
Mills, Ark.	Randolph	Tarver
Mills, La.	Rankin, Miss.	Taylor
Mitchell	Richards	Terry
Monroney	Rivers	Thomason
Nelson	Robertson, Va.	Vincent, Ky.
Norrell	Russell	Ward
O'Neal	Sanders	Weaver
Pace	Sasscer	West
Patton	Satterfield	Whelchel
Pearson	Sikes	Whittington
Peterson, Fla.	Smith, Conn.	Wickersham
Peterson, Ga.	Smith, Va.	Williams
Pierce	South	Woodrum, Va.
Plauché	Starnes, Ala.	Worley
Poage	Steagall	Zimmerman
Priest	Sumners, Tex.	

NOT VOTING—63

Andersen, H. Carl	Gillie	Plumley
	Grant, Ala.	Ramspeck
Andrews	Harris, Va.	Rankin, Mont.
Barnes	Hartley	Romjue
Bell	Heffernan	Rutherford
Boland	Hobbs	Schaefer, Ill.
Boren	Holbrock	Scott
Boykin	Jarrett	Scrugham
Buckler, Minn.	Jenks, N. H.	Sheppard
Burch	Johns	Sheridan
Cartwright	Keefe	Smith, Pa.
Celler	McArdle	Snyder
Cochran	Maas	Sparkman
Collins	Maciejewski	Stevenson
Copeland	Murdock	Thill
Culkin	Murray	Thomas, N. J.
Cullen	Norton	Vinson, Ga.
Delaney	O'Brien, N. Y.	Vreeland
Douglas	O'Connor	Wene
Doxey	O'Day	White
Edmiston	O'Hara	
Faddis	Patman	

So the motion was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Cullen for, with Mr. Burch against.

Mr. Gillie for, with Mr. Grant of Alabama against.

General pairs:

Mr. Doxey with Mr. Keefe.

Mr. Ramspeck with Mr. Jarrett.

Mrs. Norton with Mr. Vreeland.

Mr. McArdle with Mr. H. Carl Andersen.

Mr. Celler with Mr. Murray.

Mr. Holbrock with Mr. Scott.

Mr. Cartwright with Mr. Stevenson.

Mr. Hobbs with Mr. Thill.

Mr. Vinson of Georgia with Mr. Hartley.

Mr. Delaney with Mr. Johns.

Mr. Cochran with Mr. Culkin.

Mr. Boland with Mr. Maas.

Mr. Collins with Mr. Plumley.

Mr. Boykin with Mr. O'Brien of New York.

Mr. Harris of Virginia with Mr. Rutherford.

Mr. Sparkman with Mr. Thomas of New Jersey.

Mr. Patman with Mr. Jenks of New Hampshire.

Mr. Schaefer of Illinois with Mr. O'Hara.

Mr. Barnes with Mr. Copeland.

Mr. Heffernan with Mr. Douglas.

Mr. Boren with Miss Rankin of Montana.

Mr. Maciejewski with Mr. Buckler of Minnesota.

Mr. Edmiston with Mr. Andrews.

Mr. Faddis with Mr. Bell.

Mr. Murdock with Mr. O'Connor.

Mrs. O'Day with Mr. Romjue.

Mr. Snyder with Mr. Wene.

Mr. Smith of Pennsylvania with Mr. Scrugham.

Mr. Sheppard with Mr. Sheridan.

Messrs. CURTIS and WRIGHT changed their votes from "nay" to "yea."

Messrs. CANNON of Missouri and MILLS of Louisiana changed their votes from "yea" to "nay."

EXTENSION OF REMARKS

Messrs. HARNESS and ARENDS asked and were given permission to revise and extend their own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN]?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, may I inquire if we are going to take up the tax bill today?

The SPEAKER. Not today.

Mr. MARTIN of Massachusetts. Will it probably come up tomorrow?

The SPEAKER. Probably.

Mr. FISH. Mr. Speaker, may I inquire whether it is proposed to bring up the rule on the tax bill today?

The SPEAKER. Not today.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a letter from the Department of Commerce on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There was no objection.

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. THOMASON]?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. MARTIN J. KENNEDY] is recognized for 5 minutes.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I have requested this time to direct the attention of the membership of the House to an editorial in today's New York Times entitled "The Vice of Seniority." The New York Times, recognized as a conservative newspaper, has gone Nazi. The editor is suggesting doing to the Congress of the United States what Hitler did to the Reichstag of Germany. They would fill important positions with the "right" men.

The New York Times' complaint is about a certain chairman in another body. Because that certain chairman is displeasing to them they insist that the seniority rule should be abolished.

The basis of the complaint in the editorial had to do with the reporting of a certain bill. Of course, the action of the committee was a complete answer to the New York Times editorial. The committee reported a bill, 9 to 1, even though the chairman of the committee voted in opposition.

It is difficult to understand the reasoning behind the editorial. In my opinion, it must have been written by a person unacquainted with the tradition and background of the seniority rule. Members of the Congress fought for years and finally succeeded in breaking the iron rule of the Speaker in 1911. In those days it was possible to do what the Times is now advocating: the handpicking of committee chairmen and the assignment of favorites to the important committees. Only legislation approved by the Government or the Speaker was reported to the Congress. To be recognized, one had to know the Speaker. Shades of 1911. The following should be read:

> The seniority system results not merely in putting at the heads of committees, with a determining voice in policy, men who may be opposed both to the policies of the Government in power and of the majority in Congress; it not only prevents the ablest and most highly regarded men in Congress from reaching the positions of major responsibility, but it tends to lower the average quality of the membership of Congress by discouraging able men from becoming candidates. Mr. Willkie would doubtless not so promptly have rejected the invitation to become the Republican candidate for Congress to succeed the late Kenneth Simpson if he could have looked forward immediately to being chosen to a position of responsibility and power in the House instead of having to wait until he had been reelected half a dozen times, served a dozen years or more, and finally come to the chairmanship of an important committee through the accident of someone else's death.
>
> Congress could play a far more effective and beneficent role in national affairs if it would consent to reform its own internal organization.

The above statement is pure nonsense. If Mr. Willkie had been elected as a Republican he would not have been made a chairman under a Democratic-controlled House. Who ever heard of a Republican being a chairman under a Democratic majority or vice versa.

Undoubtedly there are many able men who are not in Congress, but in the Congress you will find a serious and intelligent group constantly working for the best interest of our Government.

No business organization, educational institution, or even a newspaper publisher gives a beginner unlimited authority, unless that beginner happens to have married the daughter of the boss. Should that sound practice be ignored in the legislative branch of our Government? I think not.

The packing of the Supreme Court caused the Times to yell and shout, but the packing of the Court is less objectionable to the packing of Congress. Yesterday packing was wrong, today it is right. Why? Simply because the editorial policy flows that way. If we are going to call names, I would suggest that the editor go all the way and let us have his opinion of all the committee chairmen.

The secret ballot proposed for use in Congress selections reminds me of the anonymous letter. It is not manly.

No, Mr. Editor, you are wrong this time. Come down and get acquainted with the chairmen, and I am sure you will recant.

[Here the gavel fell.]

CHIEF WARRANT OFFICER IN THE ARMY

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, insist upon the House amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. MAY, THOMASON, HARTER, ANDREWS, and SHORT.

EXTENSION OF REMARKS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by the president of the Pennsylvania State Bar Association.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TALLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by Archbishop Beckman, of Dubuque, last Sunday night.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DISNEY. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day, I may be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. H. CARL ANDERSEN (at the request of Mr. AUGUST H. ANDRESEN), indefinitely, on account of serious illness in his family.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. MICHENER addressed the House. His remarks appear in the Appendix of the RECORD.]

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 505. An act making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States; and

S. 1580. An act to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on Monday, July 28, 1941,

present to the President, for his approval, bills of the House of the following titles:

H. R. 1073. An act to amend the Classification Act of 1923, as amended;

H. R. 1702. An act for the relief of Mary McCutcheon;

H. R. 1746. An act for the relief of Charles J. Schay;

H. R. 2382. An act for the relief of William Cromer;

H. R. 2855. An act to provide for payment of pension to certain dependent parents notwithstanding remarriage, and for other purposes;

H. R. 2888. An act for the relief of H. E. Bixby;

H. R. 3247. An act for the relief of Mrs. O. B. Olson;

H. R. 3367. An act relating to compensation of former employees of the Railway Mail Service in certain positions and reinstated prior to August 14, 1937;

H. R. 3523. An act for the relief of the Equitable Insurance Alliance, the Fidelity & Guaranty Fire Corporation, and the Hartford Fire Insurance Co.;

H. R. 3551. An act for the relief of Lillian Korkemas and Rose Grazioli;

H. R. 3607. An act for the relief of Anton Waytashek;

H. R. 3801. An act for the relief of Mr. and Mrs. W. A. Batchelor;

H. R. 3933. An act to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover;

H. R. 3943. An act for the relief of Mr. and Mrs. J. W. Johns;

H. R. 4210. An act to adjust the salaries of rural letter carriers;

H. R. 4293. An act to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes;

H. R. 4816. An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce;

H. R. 4921. An act for the relief of Antonio or Anthony Maurin; and

H. R. 5256. An act authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Wednesday, July 30, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Wednesday, July 30, 1941, in the caucus room, for consideration of H. Res. 264.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, July 30, 1941, to consider private bills.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will start hearings in room 346, old House Office Building, on Wednesday, August 6, 1941, at 10:30 a. m., on H. R. 5234, to amend the Judicial Code in respect to the jurisdiction of the Court of Claims in certain cases. (Mr. SUMNERS of Texas.)

EXECUTIVE COMMUNICATIONS, ETC.

798. Under clause 2 of rule XXIV, a letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize transfer of enlisted men of the Naval and Marine Corps Reserve to the Regular Navy and Marine Corps, was taken from the Speaker's table and referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNGDAHL: Committee on Interstate and Foreign Commerce. H. R. 4314. A bill authorizing the States of Minnesota and Wisconsin, jointly or separately, to acquire bridges now existing or to construct, maintain, and operate a free highway bridge across the St. Croix River, also known as Lake St. Croix, at or near Hudson, Wis.; without amendment (Rept. No. 1067). Referred to the House Calendar.

Mr. PATRICK: Committee on Interstate and Foreign Commerce. H. R. 4993. A bill to extend the time for commencing the construction of a bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida; with amendment (Rept. No. 1068). Referred to the House Calendar.

Mr. SIMPSON: Committee on Interstate and Foreign Commerce. H. R. 4994. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at Bridge Street in Plymouth Borough, between Plymouth and Hanover Townships, in the county of Luzerne, and in the Commonwealth of Pennsylvania; without amendment (Rept. No. 1069). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. S. 1642. An act to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes; with amendment (Rept. No. 1070). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLAUGHLIN: Committee on the Judiciary. H. R. 4581. A bill to create an Indeterminate Sentence and Parole Board, provide for uniformity of term of sentence, and for other purposes; without amendment (Rept. No. 1071). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOSSETT: Committee on the Territories. H. R. 4520. A bill to ratify and confirm certain right of purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian Organic Act and the laws of the Territory of Hawaii; without amendment (Rept. No. 1072). Referred to the Committee of the Whole House on the state of the Union.

Mr. SIMPSON: Committee on Interstate and Foreign Commerce. H. R. 5122. A bill to extend the times for commencing and completing the construction of a bridge across the Monongahela River, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; with amendment (Rept. No. 1073). Referred to the House Calendar.

Mr. PATRICK: Committee on Interstate and Foreign Commerce. H. R. 5128. A bill extending the dates for the beginning and completion of construction by Alabama Bridge Commission, an agency of the State of Alabama, of a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama; with amendment (Rept. No. 1074). Referred to the House Calendar.

Mr. YOUNGDAHL: Committee on Interstate and Foreign Commerce. H. R. 5247. A bill to revive and reenact the act entitled "An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.," approved June 8, 1940; with amendment (Rept. No. 1075). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JARMAN:

H. R. 5435. A bill to provide for the retirement of certain former officers of the Army who served during the World War; to the Committee on Military Affairs.

By Mr. HEIDINGER:

H. J. Res. 224. Joint resolution declaring February 12 a legal public holiday to be known as Abraham Lincoln's Birthday; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GOSSETT:

H. R. 5436. A bill for the relief of John William Goodman and wife, Winnie E. Hopper Goodman; to the Committee on Claims.

H. R. 5437. A bill for the relief of James R. Sims and wife, Jewel Sims; to the Committee on Claims.

By Mr. IZAC:

H. R. 5438. A bill for the relief of San Diego Gas & Electric Co.; to the Committee on Claims.

By Mr. McLAUGHLIN:

H. R. 5439. A bill for the relief of Joseph Soulek; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 5440. A bill for the relief of the estate of Jeter P. Owenby; to the Committee on War Claims.

H. R. 5441. A bill granting a pension to Thomas Peters; to the Committee on Pensions.

By Mr. SHANNON:

H. R. 5442. A bill for the relief of Henry William Sieker; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1700. By Mr. KRAMER: Petition of the Western Plant Board in conference assembled at Salt Lake City, Utah, June 23, 1941, requesting that the Congress of the United States continue undiminished the annual appropriation made to the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture for emergency control of incipient pest outbreaks; to the Committee on Appropriations.

1701. By Mr. LYNCH: Petition of the Bronx Women's Club, of Bronx, New York City, urging an investigation of conditions at all

camps with a view to eliminate prostitution; to the Committee on Military Affairs.

1702. By Mr. SMITH of West Virginia: Petition of the Charleston Ministerial Association, Charleston, W. Va., favoring the plan advanced by former President Herbert Hoover, honorary chairman of the National Committee on Food for the Small Democracies, by which an experiment is to be made in feeding 2,000,000 children and 1,000,000 of unemployed adults in Belgium should be put into effect in order to demonstrate the practicability of more extended operations; to the Committee on Foreign Affairs.

1703. Also, petition of the John Brawley Post, No. 20, American Legion, Charleston, W. Va., expressing opposition to a movement now on foot to permit the demobilization of partially trained soldiers; to the Committee on Military Affairs.

SENATE

WEDNESDAY, JULY 30, 1941

(Legislative day of Monday, July 28, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

God of all Power and Might, whose orderly governance of the universe inspireth the pattern of all righteous government among men: Look with the tender eyes of Thy mercy upon the nations; for they have erred and strayed from Thy ways like lost sheep. They have followed too much the devices and desires of their own hearts. They have offended against Thy holy laws. Lead them, O Heavenly Father, to a realization of their shortcomings and a desire to mend their ways. Purge the hearts of those who take counsel for the nations from pride, vainglory and hypocrisy, envy, hatred, and malice, and all uncharitableness, that beyond present wrong, and in spite of present compromise, by the guidance of Thy Holy Spirit, a just peace shall be established upon earth, wherein all Thy children may serve Thee as Thou deserveth. And this we ask in the name of Him who came preaching the Gospel of peace and good will towards men, Thy Son, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, July 29, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on July 29, 1941, the President had approved and signed the following act and joint resolution:

S. 1110. An act to amend section 1118 of the Revised Statutes, as amended, to eliminate the prohibition against enlistment in the military service of the United States of any person convicted of a felony; and

S. J. Res. 88. Joint resolution to strengthen the common defense by suspending section 24b of the National Defense Act and authorizing a more expeditious procedure to vitalize the active list of the Army.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gillette	Radcliffe
Aiken	Glass	Reynolds
Andrews	Green	Rosier
Austin	Guffey	Russell
Bailey	Gurney	Schwartz
Bankhead	Hatch	Shipstead
Barkley	Hayden	Smathers
Bone	Hill	Smith
Brewster	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Byrd	La Follette	Thomas, Okla.
Capper	Langer	Thomas, Utah
Caraway	Lee	Tobey
Chavez	Lodge	Truman
Clark, Idaho	Lumpkin	Tunnell
Clark, Mo.	McCarran	Tydings
Connally	McFarland	Vandenberg
Danaher	McKellar	Van Nuys
Davis	Maloney	Walsh
Downey	Nye	Wheeler
Eastland	O'Mahoney	White
George	Overton	Wiley
Gerry	Pepper	Willis

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from Louisiana [Mr. ELLENDER], the Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from New York [Mr. MEAD], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Arkansas [Mr. SPENCER], and the Senator from Washington [Mr. WALLGREN] are necessarily detained from the Senate.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from New Jersey [Mr. BARBOUR], the Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. HOLMAN], and the Senator from Kansas [Mr. REED] are necessarily absent.

The VICE PRESIDENT. Seventy-two Senators have answered to their names. A quorum is present.

PRICE CONTROL—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 332)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Banking and Currency:

To the Congress of the United States:

Inflationary price rises and increases in the cost of living are today threatening to undermine our defense effort. I am therefore recommending to the Congress the adoption of measures to deal with this threat.

We are now spending more than $30,000,000 a day on defense. This rate must and will increase. In June of this year we spent about $808,000,000—more than five times the $153,000,000 we spent in June 1940. Every dollar spent for defense presses against an already limited supply of materials.

This pressure is sharply accentuated by an ever-increasing civilian demand. For the first time in years many of our workers are in the market for the goods they have always wanted. This means more buyers for more products which contain steel and aluminum and other materials needed for defense. Thus a rapidly expanding civilian demand has been added to a vast and insistent demand by the Government.

Those who have money to spend are willing to bid for the goods. The Government must and will satisfy its defense needs. In such a situation, price advances merely determine who gets the scarce materials, without increasing the available supply. We face inflation unless we act decisively and without delay.

The consequences of inflation are well known. We have seen them before.

Producers, unable to determine what their costs will be, hesitate to enter into defense contracts or otherwise to commit themselves to ventures whose outcome they cannot foresee. The whole production machinery falters.

Speculators anticipating successive price advances, withhold commodities from essential military production.

Costs to the Government increase, and with it the public debt.

Increases in the workers' cost of living, on the one hand, and excessive profits for the manufacturer, on the other, lead to spiraling demands for higher wages. This means friction between employer and employed.

Great profits are reaped by some, while others, with fixed and low incomes, find their living standards drastically reduced and their lifelong savings shrunken. The unskilled worker, the white-collar worker, the farmer, the small businessman, and the small investor all find that their dollar buys ever less and less.

The burden of defense is thrown haphazardly and inequitably on those with fixed income or whose bargaining power is too weak to secure increases in income commensurate with the rise in the cost of living.

And over all hovers the specter of future deflation and depression, to confuse and retard the defense effort and inevitably to aggravate the dangers and difficulties of a return to a normal peacetime basis.

Economic sacrifices there will be and we shall bear them cheerfully. But we are determined that the sacrifice of one shall not be the profit of another. Nothing will sap the morale of this Nation more quickly or ruinously than penalizing its sweat and skill and thrift by the individually undeserved and uncontrollable poverty of inflation.

Our objective, therefore, must be to see that inflation, arising from the abuse of power to increase prices because the supply is limited and the demand inflexible, does not occur during the present emergency.

Today we stand, as we did in the closing months of 1915, at the beginning of an upward sweep of the whole price structure. Then, too, we enjoyed relative stability in prices for almost a year and a half after the outbreak of war abroad. In October 1915, however, prices turned sharply upward. By April 1917 the wholesale price index had jumped 63 percent; by June 1917, 74 percent; and by June 1920 it was nearly 140 percent over the October 1915 mark.

The facts today are frighteningly similar.

The Bureau of Labor Statistics Index of 28 basic commodities, by the end of June, had advanced 50 percent beyond its August 1939 level. It has increased 24 percent since January of this year.

Since August 1939 the Bureau of Labor Statistics Index of 900 wholesale prices has advanced 17½ percent. It has increased 10 percent since January of this year. In the past 60 days, wholesale prices have risen more than five times as fast as during the preceding period since the outbreak of the war abroad.

Since August 1939 the Bureau of Labor Statistics Index of the cost of living has advanced 5½ percent. It has increased 3½ percent since the beginning of this year, and the upward pressure is now intense. In a single month, from the middle of May to the middle of June, the cost of living jumped 2 percent. During the last quarter the increase in the cost of living was greater than during any similar period since the World War. But even yet the index does not fully reflect past increases, and only in a few months will it respond to current increases.

In 1915 the upward price movement proceeded unchecked so that when regulation was finally begun it was already too late. Now we have an opportunity to act before disastrous inflation is upon us. The choice is ours to make; but we must act speedily.

For 12 months we have tried to maintain a stable level of prices by enlisting the voluntary cooperation of business and through informal persuasive control. The effort has been widely supported because far-sighted business leaders realize that their own true interests would be jeopardized by runaway inflation. But the existing authority over prices is indirect and circumscribed and operates through measures which are not appropriate or applicable in all circumstances. It has further been weakened by those who purport to recognize need for price stabilization yet challenge the existence of any effective power. In some cases, moreover, there has been evasion and bootlegging; in other cases the Office of Price Administration and Civilian Supply has been openly defied.

Faced now with the prospect of inflationary price advances, legislative action can no longer prudently be postponed. Our national safety demands that we take steps at once to extend, clarify, and strengthen the authority of the Government to act in the interest of the general welfare.

Legislation should include authority to establish ceilings for prices and rents, to purchase materials and commodities when necessary, to assure price stability, and to deal more extensively with excesses in the field of installment credit. To be effective, such authority must be flexible and subject to exercise through license or regulations under expeditious and workable administrative procedures. Like other defense legislation, it should expire with the passing of the need, within a limited time after the end of the emergency.

The concept of a price ceiling is already familiar to us as a result of our own World War experience. Prices are not fixed or frozen; an upper limit alone is set. Prices may fluctuate below this limit, but they cannot go above it.

To make ceiling prices effective it will often be necessary, among other things, for the Government to increase the available supply of a commodity by purchases in this country or abroad. In other cases it will be essential to stabilize the market by buying and selling as the exigencies of price may require.

Housing is a commodity of universal use, the supply of which cannot speedily be increased. Despite the steps taken to assure adequate housing for defense, we are already confronted with rent increases ominously reminiscent of those which prevailed during the World War. This is a development that must be arrested before rent profiteering can develop to increase the cost of living and to damage the civilian morale.

Of course, there cannot be price stability if labor costs rise abnormally. Labor has far more to gain from price stability than from abnormal wage increases. For these are likely to be illusory and quickly overtaken by sharp rises in living costs which fall with particular hardship on the least fortunate of our workers and our old people.

There will always be need for wage adjustments from time to time to rectify inequitable situations. But labor as a whole will fare best from a labor policy which recognizes that wages in the defense industries should not substantially exceed the prevailing wage rates in comparable nondefense industries where fair labor policies have been maintained. Already through the efforts of the National Defense Mediation Board and wage-stabilization committees, wage standards are being established and a measure of wage stability is being brought to particular industries. It is expected that such activities will be continued, extended, and made increasingly effective.

I recognize that the obligation not to seek an excessive profit from the defense emergency rests with equal force on labor and on industry, and that both must assume their responsibilities if we are to avoid inflation.

I also recognize that we may expect the wholehearted and voluntary cooperation of labor only when it has been assured a reasonable and stable income in terms of the things money will buy and equal restraint or sacrifice on the part of all others who participate in the defense program. This means not only a reasonable stabilization of prices and the cost of living, but the effective taxation of excess profits and purchasing power. In this way alone can the Nation be protected from the evil consequences of a chaotic struggle for gains which must prove either illusory or unjust and which must lead to the disaster of unchecked inflation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 30, 1941.*

JUDGMENT UPON CLAIM OF ST. NICHOLAS PARK CO.—VETO MESSAGE (S. DOC. NO. 98)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on Claims and ordered to be printed:

To the Senate:

I return, without my approval, a bill (S. 281) conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claim of the St. Nicholas Park Co.

The claim arises out of attempts to salvage the wreck of the schooner *William B. Fancher,* which was originally located in the St. Johns River near property owned by the St. Nicholas Park Co. The person desiring to salvage the vessel requested permission of the United States district engineer at Jacksonville, Fla., to move the hull downstream and beach it on the claimant's property, stating that he had procured permission of the owner. In view of the fact that the proposed removal did not present any possible hazard to navigation, representatives of the War Department stated that they interposed no objection to the plan. It is asserted that thereafter the claimant expended the sum of $1,550 in removing the wreck from its property. It is now proposed to permit the claimant to sue the Government for the expenses so incurred.

No ground is discernible, however, for inferring any legal or moral obligation on the part of the Government to recompense the claimant for this expense. The Government was not instrumental in causing the wreck to be beached on the claimant's property. As the wreck did not constitute a menace to navigation, the Government, under the law, was not charged with any duty and did not have any function to perform in the matter. The mere fact that the War Department engineers did not object to the moving of the wreck downstream and its beaching on the claimant's property does not create any moral obligation on the part of the Government. It is doubtful as a matter of law whether the War Department engineers would have had the legal right to object, in the light of the fact that in their opinion no menace to navigation would be created by moving the wreck to the point at which it was beached.

In view of the foregoing considerations, I feel constrained to withhold my approval of the bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 30, 1941.*

HARRIET B. RICKARDS—VETO MESSAGE (S. DOC. NO. 99)

The VICE PRESIDENT laid before the Senate the following message from the

President of the United States, which was read, and, with the accompanying bill, referred to the Committee on Claims and ordered to be printed:

To the Senate:

I return herewith, without my approval, S. 1027, entitled "An act for the relief of Harriet B. Rickards."

The bill would authorize payment of World War adjusted-service credit, in the amount of $385.80, to Harriet B. Rickards, the sister of Guy P. Butler, a World War veteran, who was killed in action on November 5, 1918.

The World War Adjusted Compensation Act, as amended, in title VI, provides for payment of adjusted-service credit solely to the dependents of the veteran within a restricted group and in the order of preference as follows:

(1) To the widow;

(2) If no widow entitled to payment, then to the children, share and share alike;

(3) If no widow or children entitled to payment, then to the mother;

(4) If no widow, children, or mother entitled to payment, then to the father.

From the above it will be noted that sisters are not included as dependents. No payments under the provisions of the title can be made to the heirs or legal representatives of any dependent entitled to adjusted-service credit who dies before receiving all the installment payments, but the remainder of such payments are made to the dependent or dependents in the next order of preference. Should there be no additional dependent within such permitted class, no further payment is authorized.

I am informed by the Administrator of Veterans' Affairs that there are numerous cases where checks representing installments of adjusted-service credit have been issued and where for various reasons the checks have not been negotiated before the death of the payee. The amount of such checks in any individual case is not considered as paid and upon return and cancelation of such checks such amount is available for payment to the dependent next in order of preference. In those instances where there remains no dependent within the permitted class no further payment is made.

Approval of this measure would single out this case for payment of adjusted-service credit to a person not within the permitted class, whereas such benefit must be denied in other cases where similar circumstances exist.

In view of the foregoing, I do not feel justified in giving this bill my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 30, 1941.*

THE LATE SENATOR HARRISON, OF MISSISSIPPI

The VICE PRESIDENT laid before the Senate a letter from the Acting Chief of the Division of Protocol, Department of State, transmitting copies of notes received from the Ambassador of the Union of Soviet Socialist Republics and the Minister of Latvia at Washington, extending condolences on the death of the late President pro tempore of the Senate and Senator from Mississippi, Hon. Pat Harrison, together with copies of the Department's replies thereto, which, with the accompanying papers, was ordered to lie on the table.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, disagreed to by the Senate, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAY, Mr. THOMASON, Mr. HARTER, Mr. ANDREWS, and Mr. SHORT were appointed managers on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WHITTINGTON, Mr. SECREST, and Mr. ENGLEBRIGHT were appointed managers on the part of the House.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3121) for the relief of the Automatic Temperature Control Co., Inc., asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. KEOGH, and Mr. WINTER were appointed managers on the part of the House.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3774) for the relief of Fred Spencer; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. CAPOZZOLI, and Mr. PITTENGER were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 1855. An act for the relief of Laura McStay; and

H. R. 3802. An act for the relief of Louis A. Schwan.

The message also announced that the House, having had under consideration the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, recommitted the report to the committee of conference.

The message further announced that the House had passed a bill (H. R. 5395) to amend the National Housing Act, as amended, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 1855. An act for the relief of Laura McStay; and

H. R. 3802. An act for the relief of Louis A. Schwan.

EXECUTIVE COMMUNICATION, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letter, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, WAR DEPARTMENT (S. Doc. No. 97)

A communication from the President of the United States, transmitting an emergency supplemental estimate of appropriation for the War Department, fiscal year 1942, for the construction of buildings, utilities, and appurtenances at military posts, amounting to $90,809,400 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT ON AGRICULTURAL EXPERIMENT STATIONS

A letter from the Under Secretary of Agriculture, transmitting, pursuant to law, a report for the fiscal year ended June 30, 1940, covering the receipts, expenditures, and work of the agricultural experiment stations under various acts (with an accompanying report); to the Committee on Agriculture and Forestry.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

The petition of Rose Tyrrell, of Lafayette, Ind., praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A petition of sundry citizens of Ashtabula County, Ohio, praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

By Mr. TYDINGS:

Memorials of sundry citizens of the State of Maryland, remonstrating against the enactment of legislation to retain draft selectees in the military service for more than 1 year; to the table.

By Mr. CAPPER:

A petition of sundry citizens of Wichita, Kans., praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

REPORT OF A COMMITTEE

The following report of the Committee on the Judiciary was submitted:

By Mr. LANGER:

S. J. Res. 78. Joint resolution requesting the President to proclaim October 9 as Leif Erikson Day; with amendments.

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on July 29, 1941, that committee presented to the President of the United States the enrolled bill (S. 505) making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

S. 1798. A bill for the relief of the Boston Safe Deposit & Trust Co. as executor of the estate of Alfred J Sweet; to the Committee on Claims.

By Mr. VAN NUYS:

S. 1799. A bill to provide for the punishment of persons conspiring to violate the laws relating to counterfeiting, and certain other laws; to the Committee on the Judiciary.

By Mr. BYRD (for Mr. BULOW):

S. 1800 (by request). A bill to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended; to the Committee on Civil Service.

HOUSE BILL REFERRED

The bill (H. R. 5395) to amend the National Housing Act, as amended, was read twice by its title and referred to the Committee on Banking and Currency.

STUDY OF ACOUSTICS OF SENATE CHAMBER, REDECORATION AND LIGHTING SYSTEM FOR THE CHAMBER AND OFFICE BUILDING

Mr. ANDREWS submitted the following resolution (S. Res. 150), which was referred to the Committee on Public Buildings and Grounds:

Resolved, That the Senate Committee on Public Buildings and Grounds be, and it is hereby, authorized and instructed to make a study of (a) better lighting system for the Senate Chamber and the Senate Office Building; (b) plans for redecorating; and (c) better acoustics in the Senate Chamber; and report to the Senate, within 3 months after the date of approval of this resolution, the results of its study, together with its recommendations and suggested improvements and their approximate costs. The committee is authorized to utilize the services and facilities of the Architect of the Capitol and any other source of information deemed necessary in carrying out its duties under this resolution.

SERVICE MANUAL OF DISABLED AMERICAN VETERANS OF THE WORLD WAR (S. DOC. NO. 96)

Mr. BONE. Mr. President, on July 17 I made a statement here concerning the Nation-wide service activities on behalf of America's disabled defenders—past, present, and future—rendered by the Disabled American Veterans of the World War, an organization composed exclusively of American citizens who were wounded, gassed, or injured as the result of their World War service.

I then stated that the national commander of the D. A. V. had announced that henceforth it would be the policy of the D. A. V., as its contribution to America's internal preparedness, to render needed advice and assistance to selectees and volunteers who may become disabled by reason of service in the armed forces of the United States.

Let me say parenthetically that this will be interesting later on, when we have 10,000,000 new veterans who will be interested in this sort of an operation.

Recently, the national service department of the D. A. V. has completed the compilation of a comprehensive service manual as to the privileges, rights, and benefits of disabled American veterans of the World War and their dependents, setting forth résumés of all the pertinent statutory provisions applicable to World War veterans and their dependents as administered by the Veterans' Administration, prepared in collaboration with the Legislative Council of the Veterans' Administration. It also includes résumés of other statutory provisions as administered by other Federal agencies, such as civil-service preferences, preferences under the Work Projects Administration, the Veterans' Employment Service, the C. C. C., and the Social Security Board under the Federal Security Agency, and other miscellaneous benefits under other Federal agencies, including a brief index of existing State laws directly of interest to veterans and their dependents.

This service manual, of which I now have the only copy, also contains valuable information and advice as to what steps properly to take in the technical prosecution of equitable claims for various types of benefits. The proof and procedure is specifically outlined. Pointed advice is included as to how factual affidavit evidence to prove service connections, and legal entitlement to other benefits, should properly be prepared, and from whom they should be secured.

Publication of this service manual as a Senate document would make it possible for World War veterans to read one brief pamphlet instead of several, as at present, to learn about all types of benefits available to them under certain conditions. It would be a great convenience to all veteran organization service officers, as well as to World War veterans generally.

Because this proposed service manual covers so many different types of benefits provided for by various Federal agencies and various State governments, it is exceedingly doubtful that any one congressional committee would feel justified in publishing it as a committee print. I therefore request unanimous consent that this service manual may be printed as a Senate document.

Let me repeat that this manual is the most complete compilation of facts regarding the war and all the procedures under different departments and all veterans' preferences and veterans' benefits that will be in existence, if the Senate permits it to be printed. It will be much fuller than a great many of our reports, I may say to my brethren of the Senate; so I ask unanimous consent that it be printed as a Senate document.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington? The Chair hears none, and it is so ordered.

NO A. E. F.—ADDRESS BY SENATOR NYE

[Mr. TAFT asked and obtained leave to have printed in the RECORD a radio address delivered by Senator NYE on Saturday, July 19, 1941, on the subject No A. E. F., which appears in the Appendix.]

REMEDY VERSUS SUBSIDY FOR THE FARMER—ADDRESS BY SENATOR GILLETTE

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an address delivered by him on the subject Remedy Versus Subsidy for the Farmer, which appears in the Appendix.]

PRESERVATION OF PEACE—ADDRESS BY THE ARCHBISHOP OF DUBUQUE

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD a radio address delivered by the Most Reverend Francis J. L. Beckman, archbishop of Dubuque, on Sunday, July 27, 1941, which appears in the Appendix.]

"RED" TENTACLES IN AMERICA—ADDRESS BY ALEXANDER I. RORKE

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD an address by Alexander I. Rorke, of New York City, at the annual communion breakfast of the Holy Name Society of the Sanitation Department of the city of New York, on Sunday, May 11, 1941, which appears in the Appendix.]

ICKES ON LINDBERGH—ARTICLE BY WESTBROOK PEGLER

[Mr. TAFT asked and obtained leave to have printed in the RECORD an article by Westbrook Pegler entitled "Ickes on Lindbergh," published in the Washington Post of July 18, 1941, which appears in the Appendix.]

HENRY FORD AT 78

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a portion of an editorial from the Washington Evening Star of July 30, 1941, entitled "Mr. Ford at 78" and a poem by Mr. Horace C. Carlisle entitled "Henry Ford," which appear in the Appendix.]

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. THOMAS of Utah. Mr. President, I am going to make two requests before I begin speaking on this very important joint resolution. The first is that I may not be disturbed with questions until I shall have been able to make the introductory statement in regard to the committee amendment. The second, Mr. President, is a request that the Senate allow me to modify the committee amendment, as reported, in two particulars, by two simple amendments, both of them clarifying, both corrective, neither one changing in any way the spirit of the committee amendment or the theory of what we hope will be the act.

Mr. President, I therefore move that on page 3, line 2, after the word "of", there be inserted the words "any or."

The VICE PRESIDENT. Without objection, the amendment to the committee amendment is agreed to.

Mr. THOMAS of Utah. And, Mr. President, I move that on page 5, section 9 be renumbered section 10 and that a new section be inserted in its proper place. I will state what the new section provides.

Section 8 brings about an amendment to the Selective Training and Service Act of 1940, and since we are amending not only the Selective Training and Service Act but also the National Guard Act, Public Resolution Numbered 96, it has been suggested by all that we should make the same provision in the amendment with respect to Public Resolution Numbered 96 that we do with respect to the Selective Training and Service Act. Therefore I move the insertion of a new section, section 9, which I ask to have read.

The VICE PRESIDENT. The clerk will read.

The CHIEF CLERK. On page 5, after line 9, it is proposed to insert the following:

SEC. 9. Section 1 of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940, is hereby amended by inserting after "June 30, 1942," the following: "or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later": *Provided*, That nothing in said Public Resolution No. 96 shall hereafter be construed as limiting the power of the President to order the same units and individuals into the active military service of the United States for two or more periods of service.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Utah [Mr. THOMAS].

Mr. JOHNSON of California. Mr. President, will the Senator please amplify or explain that section?

Mr. THOMAS of Utah. The amplification and the explanation, Mr. President, will come in their regular order. I may say that by inserting this amendment, section 9, we merely modify the National Guard Act, Public Resolution No. 96, in exactly the same way as we modify the Selective Service Act by section 8. Since the joint resolution as a whole refers to those serving under both acts, it is deemed appropriate that there should be no question at all but that both acts should be treated in the same way.

If the theory of the whole joint resolution, as it is proposed, is accepted, there can be no objection to the corrective amendments.

What is proposed by the corrective amendments is to make clear that those men in the service who are called into it under the National Guard Act shall be treated in the same way and have the same privileges and rights as those called into service under the Selective Service Act.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I shall be glad to yield.

Mr. VANDENBERG. Inasmuch as there will probably not be final action on the joint resolution today, may I not suggest that the Senator's amendment be printed and lie over until tomorrow so that we can see it in detail.

Mr. THOMAS of Utah. Mr. President, I have no objection to that. I thought that since this was a corrective amendment, since it did not extend any authority, it might be accepted now so I could make my explanation to cover the whole measure. But if the Senator from Michigan wants to make that request I have no objection to it.

Mr. VANDENBERG. I think that is the best way to proceed, Mr. President.

Mr. THOMAS of Utah. That is perfectly agreeable to me. The other amendment to the committee amendment has been agreed to, though. I am sure no one would object to that.

The VICE PRESIDENT. The amendment to the committee amendment will be printed and will lie on the table.

Mr. THOMAS of Utah. Mr. President, I repeat my request that I be allowed to make the explanation of the committee amendment without being questioned. I am loath to ask that privilege, and do so only that my statement may be made in order.

Mr. CONNALLY. Mr. President, will the Senator yield for a question? Did the Senator ask not to be interrupted?

Mr. THOMAS of Utah. I will yield, Mr. President.

Mr. CONNALLY. In connection with the committee amendment I simply wish to suggest a thought to the Senator. On page 3, it is provided that the Secretary of War may discharge certain men in the service because of conditions which would result in extreme hardship to those in service. It seems to me the Secretary of War already has such authority. There ought to be something more than simply permission given. There ought to be some directive provision there, that when men, whether they are in the Reserves, or are selectees, or are in the National Guard, who have dependents, make out a clear case of dependence, or when their retention for longer than a year would work a very heavy hardship, the Secretary of War must discharge them.

A great many National Guard men, both officers and men, are married, they have dependents, but they were in the military service; and they did not go before the draft board, of course, because we drafted them en masse. Those men ought to have a day in court. After they have served their year they should have a chance to submit applications for discharge or resignation. There should be something more in the measure than simply the provision, "Mr. Secretary, you may do it." There should be something directory, at least, if not compulsory, to require the Secretary of War to discharge men above the age of 28 years who have dependents, and who would suffer undue hardship by retention in the service.

I wish to suggest that to the Senator from Utah so he will be thinking about it during the discussion of the matter.

Mr. THOMAS of Utah. Mr. President, I thank the Senator from Texas, but do not all Senators agree with me that probably it would be better for us to proceed and consider all the recommendations before we begin amending a section on page 3?

Mr. CONNALLY. Mr. President, I am not asking the Senator to do it now. I simply wanted him in his own good time to consider the suggestion.

Mr. THOMAS of Utah. I understand. It is for that reason I made the request which I did, and not for any reason of wanting to cut off debate.

Mr. President, the committee worked long and it worked late. It found itself at all times with split emotions, just as everyone here today finds his emotions divided. In times such as these, when the President of the United States has just recommended to the Senate price-fixing legislation which would affect the bread and butter of every person in the United States, there should be brought home to us the fact that conditions are serious. The seriousness of these conditions may cause us to think primarily of only certain aspects of the conditions and not of a proposed law to improve the conduct and the regulation of our armed forces.

Mr. President, our emotions are divided for another reason. The United States is at peace with the world, but practically all the world outside the Western Hemisphere is at war. We have already invoked the powers which in the past have been invoked only during time of war. One cannot help but feel in his heart that with the situation as it is probably the best thing we could do would be to admit all the conditions, declare a general emergency, and invoke all the wartime powers which are given to a President, that we might be put on the basis of our utmost and best efficiency from the standpoint of national defense. Therefore, in an endeavor to make things simple, it was thought that a general emergency should be declared by Congress, because these are times when we should respect the wish of those who want to take the situation just as seriously as it could be taken.

In this connection let me bring home one simple little fact. It is a fact which everybody knows and understands, and which I am sure we all appreciate. Since the German Army entered Poland not a single victory has been won by any nation or army which represents a constitutional government, with one exception, and that is Japan. While the Japanese constitutional Government functions efficiently, it is so different from ours that from our standpoint Japan does not have a constitutional government, because the powers given to the people and to the Government by the constitution did not come from the people. They were merely loaned by the Emperor.

Under those circumstances, Mr. President, when we realize that our country now finds itself challenged from the standpoint of governmental theory by all the rest of the world except the Western Hemisphere, I think it is time for us to realize, and I earnestly remind the Senate of the fact, that one of our most grave and sacred duties as Senators is to be willing to die for that constitutional scheme. Every boy in uniform has taken exactly the same oath, not only to preserve the integrity of his country, but to fight and die, if need be, in order that the constitutional system of government may be maintained.

That is the problem in its simplest analysis. We may talk about the United States not being challenged. Mr. President, the whole theory of the American Revolution, the theory on which we have been operating for the past 150 years, is challenged by the greatest forces and the most successful armies the world has ever known.

I do not want to describe that condition as a mere perilous condition. I do not want to use that argument in defense of the joint resolution even to point out the fact that the national interests of the United States are imperiled. I merely point it out to show to the Senate the overpowering spirit which dominated the feelings and hearts—and the minds, I am sure—of the Committee on Military Affairs when it undertook this task.

Today a report has come to us which we hope is not true. The report is to the effect that the American Embassy in one of the capitals of the world has apparently been used as a target by an air

squadron. Mr. President, American ships have been sunk and apologies have been received, but this very day or tomorrow an incident may occur which I am sure would change the aspect of the thoughts and feelings of our people, and especially the feelings of those who are responsible for the Government. Under those circumstances I repeat that we approach the task which is before us today in the most serious way imaginable.

I respect the feelings of many persons in the United States who feel that the farther away we are from any kind of war activity the safer we are, and that the more we assume that we are not going to war the safer we shall be. I respect those thoughts. In order that there may be no misunderstanding about how I feel in presenting the joint resolution, I believe that today, even with the type of thing which is reported to have happened, America's mission is still a mission of peace and of adjustment.

But, Mr. President, if the United States is to speak with a united voice it must be understood that when the President of the United States speaks to the nations of the world he is speaking for 130,000,000 people. It is well that our house be kept in such order that there can be no question in the minds of the representatives of any country on earth that when the President speaks he speaks with the authority of 130,000,000 people, and that they are united. Any man who calls himself an American wants the words of his President to be understood as coming from America, so that when he speaks to the wrongdoers of the world, as we conceive them, and to those who are carrying on unjustifiable warfare, they may know that, so far as America is concerned, she wants to be understood as saying, "We say 'halt' to such activities."

Mr. President, the first resolution, the one which the committee amended—Senate Joint Resolution 95—provided for a declaration of a national emergency. The reason why those words were selected—and I happen to be the author of the resolution, so I can say what the reason was—was because the National Defense Act becomes operative, in large measure, upon such a declaration by Congress. The committee advisedly and after much discussion decided, after reading especially Senate Document No. 133, Seventy-sixth Congress, dealing with the Executive powers under a national emergency—that for us to declare a national emergency would invoke powers which I am sure and the committee was sure the Congress of the United States did not want to invoke at this time, no matter how serious they thought the situation was.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. TAFT. Can the Senator tell us what are the powers that would be invoked by congressional declaration of a national emergency? I know of very few statutes that confer any additional powers under such circumstances.

Mr. THOMAS of Utah. I am speaking now—and this answer will be satisfactory, I am sure, to the Senator from Ohio—of Senate Document No. 133, which deals with Executive powers under a national emergency, and which was prepared at the request of the Senate by Attorney General Frank Murphy. In the recital of the powers that might be invoked after such a declaration the Attorney General lists various acts, and the list occupies 13 pages.

Mr. TAFT. Mr. President, will the Senator further yield?

Mr. THOMAS of Utah. I yield.

Mr. TAFT. I may say that I have examined those statutes, and I question whether in any single case the declaration of a national emergency in so many words by Congress would confer one additional power on the President of the United States. Each of those statutes uses different language. In many cases there must be a declaration by the President of an emergency, or of a threatened war, or of various other things; but with reference to the matter of whether any of those statutes refers to a declaration of national emergency by Congress, I question very much whether such words can be found.

Mr. THOMAS of Utah. The Senator from Ohio had many persons in agreement with his statement in the committee; but, nevertheless, it was the decision of the committee, and that is why I am explaining the matter here, not to bring up an argument on this point, that in the face of the opinion of so many persons—whether or not the opinion is right is not the question—it would be inexpedient at the present time to offer such an amendment.

Another Senate document to which I desire to call attention, because there is no doubt that many Senators would like to read the document which the committee had before it and which the committee used, is a document lately gotten out by our Printing Office at the request of the Senator from Arizona [Mr. HAYDEN], dealing primarily with General Upton's rather classic military book on the evil effects of the short-term Army enlistment. I am sure the committee found itself in harmony with the conclusions which General Upton made; and, being in harmony with those conclusions, the Senate amendment we have before us was the result.

Now for a description of the Senate amendment. So that Members of the Senate who wish to follow and to understand what has been done may do so, I will read this description rather formally.

The Senate substitute measure, recommended without declaring a national emergency, nevertheless authorizes the President to extend the periods of service, training and service, enlistment, appointment or commission, of all persons now or who hereafter may be either in or subject to active military service. In addition, it suspends the present limitation upon the number of men who may be in active training and service at any one time under the Selective Training and Service Act; yet at the same time it requires that Congress be informed monthly of the numbers. Broad authority is conferred by the measure, but that authority is expressly subject to revocation at any time by concurrent resolution of the Congress

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. WHEELER. For obvious reasons I have not had a chance to study the report or the testimony taken before the committee; but, as I understand the measure, it places no limit on the time the boys may be kept in the service.

Mr. THOMAS of Utah. I think that is true.

Mr. WHEELER. In other words, they may be kept in the service for an indefinite period of time, whether it be 5 years or 10 years or anything else. That is correct; is it not?

Mr. THOMAS of Utah. If the exigencies demand, of course, that could be done. The Senator says "10 years." Of course, the Selective Service Act does not go past 1945, as the Senator knows.

Mr. WHEELER. Yes.

Mr. THOMAS of Utah. So far as the act is concerned, that is correct; but we must take into consideration all the other factors that go into calling men into service, when and how they are to come, when and how they will be released, and so forth.

Mr. WHEELER. Let me see if I understand the Senator. He said something about the act being inoperative after 1945. Did I correctly understand the Senator to say that?

Mr. THOMAS of Utah. That is a provision contained in the Selective Service Act; so, of course, there must be some limit.

Mr. WHEELER. The measure which is under consideration at the present time in effect repeals that limitation; does it not?

Mr. THOMAS of Utah. I think not.

Mr. WHEELER. But the joint resolution provides that they may be kept in the service for an indefinite period of time; and, of course, that would be true.

Mr. THOMAS of Utah. If we were in war, or something of that kind, probably that would be true; but Congress would take care of that situation.

Mr. WHEELER. No, no.

Mr. THOMAS of Utah. Mr. President, I do not want to get into an argument, because I want to carry through an explanation, and there are some Senators who are interested in hearing an explanation of the substitute.

Mr. WHEELER. That is what I am trying to get.

Mr. THOMAS of Utah. I do not want to be discourteous in any way, and the Senator knows I would not know how to be if I wanted to be.

Mr. WHEELER. That is true.

Mr. THOMAS of Utah. But I think for us to argue as to whether this service may go on forever, regardless of anything, would not be germane to the discussion.

Mr. WHEELER. No; but what I am trying to do is to find out what the Senator's view is with reference to the matter, and whether or not he has given any consideration to that point of view.

Mr. THOMAS of Utah. We have given consideration to it, and we feel that all the safeguards that are necessary are in the measure.

Mr. WHEELER. What safeguards has the committee given?

Mr. THOMAS of Utah. If the Senator will listen to the end, I think he will receive the explanation he desires. The Senator says he has not had a chance to read the report. I do not want to suggest that he read the report; I do not mean that——

Mr. WHEELER. I intend to read it.

Mr. THOMAS of Utah. But I am sure the Senator will have no misgivings so far as that question is concerned.

Mr. WHEELER. I have not been able to read the report, and I am exactly in the same position with a great many other Senators. The committee has studied the measure for 2 weeks' time. The hearings have just recently been printed. I have not had a chance to read the printed hearings on the matter, and I am sure a great many other Senators are in exactly the same position. We are faced with the situation that the joint resolution is brought up today, a measure which is extremely important not only to the boys who are in the Army at the present time, the draftees, but likewise to millions of other boys who may be drawn into it, and also to the mothers and fathers of a great many of them, and to the public generally.

Mr. THOMAS of Utah. I am sorry the Senator did not hear my opening statement or did not listen to it. No one, I think, Mr. President, could have been more serious and more earnest than I have been in laying down the foundations of this proposed act. To indicate just how serious conditions are, I repeat, we have a message from the President of the United States suggesting price fixing. Your President and my President thinks the conditions are so serious that we ought to do something about the bread and butter of every man, woman, and child in the United States. I cannot stand here and suggest an amendment to an Army act without being almost overcome with the seriousness of the question involved, without being almost overcome with the thought that misunderstanding might occur, and we would bring about the worst kind of misunderstanding if, before an explanation, at least, had been made of the amendment, we started arguing as to whether this proposed act would last forever, and try to argue that point.

Mr. WHEELER. Mr. President, will the Senator yield

Mr. THOMAS of Utah. I have made the request, Mr. President, that I be permitted to explain the bill. I should like to yield.

Mr. WHEELER. I merely wish to make one statement.

Mr. THOMAS of Utah. I think the Senate of the United States ought to know, and the people of the United States ought to know, that the Senator in charge of the bill made the request that at least he have opportunity to explain the provisions of the bill.

Mr. WHEELER. I am sorry I was not present at the time the Senator made the request, or I should not have interrupted him; but, in view of the fact that he has just made a statement about the President's message on price fixing, I wish to say that I thoroughly agree that something has to be done with reference to fixing prices, much as I am ordinarily opposed to price fixing. I think that, under conditions that exist, and because of the tremendous amount of money we are expending and the inflation that is bound to follow as a result, whether it works or whether it does not work, something has got to be tried along that line. So I am not in disagreement with the Senator with reference to that.

Mr. THOMAS of Utah. I thank the Senator from Montana.

The legislation is proposed by the committee in response to the statements of the President in his message of July 21, 1941, to the Congress of the United States that a grave national risk would be involved unless the Congress should make it possible to maintain the present full effective strength of the Army, and during the coming year, as a precautionary measure, to give training to as many additional Americans as we can. In that message the President set forth the urgent need for the immediate enactment of legislation, in such form as the Congress deems appropriate, authorizing the continuance in service of selectees, the members and units of the reserve components of the Army of the United States, including the National Guard of the United States, and retired personnel of the Regular Army, with the understanding that, should the situation permit, early return to civil pursuits would follow in due course. The President also emphasized, in view of the swiftness of modern events, the need for the removal of the restrictions in regard to the number of selectees inducted each year for training and service under the Selective Training and Service Act of 1940, and in this connection, in order to reduce individual hardships to a minimum, further to include in such legislation provision for reemployment benefits on behalf of all those retained or ordered into active military service during the present national peril.

The Chief of Staff of the Army stated to the committee that it is the purpose of the War Department to release selectees from service as soon as practicable after the completion of their 12-month period of training and service; but to accomplish this without complete disruption of the entire defense force requires that it be done at such time and in such numbers as will best preserve the readiness for use of each unit. This cannot be accomplished on a fixed and inflexible schedule.

Your committee believes that, since the passage of the Selective Training and Service Act of 1940 and Public Resolution 96, Seventy-sixth Congress, international developments have been such as to imperil our national safety and security and to make essential the maintenance of an adequate and efficient armed force. To do otherwise would, under existing circumstances, be to invite possible disaster.

From the evidence presented to the committee it appears that the national interests are now imperiled and the safety of our country requires that the periods of service of all selectees and members and units of the reserve components of the Army of the United States, as well as all retired personnel and enlisted men of the Regular Army, be extended for such periods of time as are necessary in the national interest.

Because of the immediate necessity of authorizing the extensions indicated above, the committee has recommended a substitute measure designed to accomplish these objectives and, at the same time, avoid the delay which might be consequent upon a determination by the Congress as to whether it will declare affirmatively the existence of a national emergency.

I shall be glad to make an analysis of the joint resolution.

Under the provisions of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940, members of the reserve components of the Army of the United States, including the National Guard of the United States, may be ordered into active military service for one period of 12 consecutive months, no more, no less. The authority so to order such components expires June 30, 1942. Moreover, any members and units of the reserve components who complete such period may not be retained on or reordered into active military service under the authority of that resolution.

Section 2 will, therefore, authorize the President to retain any or all of the members and units of the reserve components now in active military service, whether performing such service under the authority of the National Defense Act, as amended, or Public Resolution No. 96, Seventy-sixth Congress, for such period as may be necessary in the interests of national defense. It also authorizes the President to retain in active military service for such period as may be necessary any or all of the members and units of the reserve components who are not now in service, but who, under the authority of existing law, may be ordered into active military service for any period, whether with or without their consent.

Officers of the Officers' Reserve Corps and enlisted men of the Enlisted Reserve Corps and of the National Guard of the United States are appointed and enlisted, respectively, for limited periods—sections 37, 55b, 69, National Defense Act. No specified time limit is placed upon the appointments of National Guard officers, but, except in time of war, they may not be required to remain in office. It is therefore necessary, with respect to the members of reserve components who are in as well as those who are not now in active service to authorize the President to extend the periods of such appointments and enlistments in order to insure that the latter will remain available as members of the Army of the United States.

Similarly, enlistments in the Regular Army are for a limited period—section 27, National Defense Act, as amended. Section 2 authorizes the President to extend the period of such enlistment to such time as may be necessary.

Under present law retired personnel of the Regular Army may be employed on active duty in time of peace without their consent for but one period in each case

of 12 consecutive months—Public Resolution No. 96, Seventy-sixth Congress. Section 2 authorizes the President to extend such period for such time as may be necessary.

The authority conferred by section 2 is subject to revocation "at any time by concurrent resolution of the Congress."

Section 3 of the substitute measure recognizes the humane policy of sanctioning the release from active military service of persons whose further retention would impose undue hardship, when, in the opinion of the Secretary of War, their release would not be contrary to the interests of national defense. I am sorry the Senator from Texas [Mr. CONNALLY] is not here to hear this explanation of the part of the joint resolution as to which he had some question. This policy is intended to be applicable to all persons now in service and who may hereafter be ordered to active service, whether as selectees or as members of the Reserve components. The section further provides for the release from training and service under the Selective Training and Service Act of 1940 of men now in such training and service who had attained the age of 28 years prior to the date of induction and prior to July 1, 1941. There we are following the action of the conferees in accepting the House amendment to that act, which may be before Congress at any time now. The provision contemplates that such men will be released as rapidly as is compatible with the interests of national defense. Any persons released under section 3 whose service has been satisfactory will be entitled to a certificate of satisfactory service.

Let me state here that the necessity for that certificate comes about as a result of ordinary justice due the men, who, had they completed their term of induction, would have received these certificates in the ordinary course. The committee felt, and I know the Congress will agree with the committee, that when men are called into the service not of their own will, and are released from the service not of their own will, they should have all the rights and all the privileges of those who are held longer not of their own will.

The section is in accordance with the policy of the War Department as stated by the Chief of Staff of the Army in his testimony before the Senate Committee on Military Affairs, and is responsive to the President's message of July 21, 1941. Moreover, the provisions relative to selectees who at the time of their induction and on or prior to July 1, 1941, had attained the age of 28 years will insure uniformity of treatment in accordance with pending legislation—S. 1524, Seventy-seventh Congress. The mentioned legislation, S. 1524, relates to deferment from induction for training and service under the Selective Training and Service Act of 1940 of all persons who, on or prior to July 1 of this year and any subsequent year, shall have attained the twenty-eighth anniversary of the date of their birth.

Section 4 of the substitute measure authorizes the President to order retired personnel of the Regular Army to active duty, with or without their consent, and to assign them to such duties as he deems necessary in the interests of national defense. While this authority may be exercised until June 30, 1942, under the provisions of Public Resolution No. 96, Seventy-sixth Congress, the authority conferred by that resolution limits the period of service to 12 consecutive months. No retired personnel who have been ordered to active duty under that resolution may be retained beyond 12 months or reordered for a successive or further period. Under the National Defense Act and other related statutes, the character of service which may be performed by retired officers is limited, except in time of war. The committee believe that in the current situation the President's authority to employ retired personnel of the Regular Army on active duty should not be limited. The committee's proposal will make possible the replacement of active officers in certain administrative duties, and permit their assignment to field duties.

Section 5 of the substitute measure insures to all persons who shall have entered active military service subsequent to May 1, 1940, the same reemployment benefits that are now provided by the Selective Training and Service Act of 1940 in the case of persons inducted under that act. It also includes the extension of the employment replacement facilities provided by section 8 (g) of the Selective Training and Service Act of 1940 to all persons on a like basis. These facilities under present law are available only for selectees. The date May 1, 1940, was inserted by the committee, because the War Department records show that members of the Reserve components began to enter active military service with their own consent at that time in substantial numbers. Although their entry into active military service was on a consent basis, your committee believe such consent was induced by a desire to be of service under the emergent circumstances.

The reemployment benefits of section 8 of the Selective Training and Service Act of 1940 are substantially the same although somewhat broader than those which are now included in section 3 of Public Resolution No. 96, Seventy-sixth Congress, the National Guard law. The proviso in the section operates to guarantee to former Federal employees who left permanent positions to enter active military service, in all cases where the performance of active military service has been satisfactory, reinstatement to their former Federal positions, even though during their absence such positions shall have been covered into the classified civil service of the United States. This section therefore does not diminish or extinguish any reemployment benefit now provided by law. On the contrary, it expands and makes uniform such benefits.

Section 6 of the committee's amendment suspends the limitation on the number of men inducted for training and service under the provisions of the Selective Training and Service Act of 1940 who may be in active training and service in the land forces at any one time. The suspension is made effective during the existence of the authority conferred by section 2 of the substitute measure, and for 6 months thereafter. The reason for the provision that the suspension shall remain in effect for 6 months following the revocation of that authority is to permit the orderly return to civil life of persons inducted for training and service. The limitation on the number of men who may be in such active training and service in the land forces at any one time is now fixed at 900,000. The last proviso of the second sentence of section 3 (a) of the Selective Training and Service Act of 1940 provides for that limitation. While the section suspends the limitation, a proviso in the section has been appended by the committee in order to insure that Congress will receive current monthly reports from the War Department of the total number of men in such active training and service.

Section 7 of the substitute measure authorizes enlistments in the Army of the United States without regard to any particular component. Such enlistments are now authorized only in time of war or other emergency, declared by Congress—section 127a of the National Defense Act as amended by Public, No. 513, Seventy-sixth Congress, approved May 14, 1940. The committee believes that authorization for such enlistments is desirable at this time, as it will provide essential flexibility in the assignment of personnel. The authorization is limited by section 7 to the existence of the authority conferred by section 2. Such enlistments may be for the duration of the current situation, and for 6 months following the revocation of such authority, subject to earlier termination by the President.

Section 8 of the committee substitute amends section 16 (b) of the Selective Training and Service Act of 1940. At present, section 16 (b) of that act provides that the authority for the induction of men for training and service shall expire on May 15, 1945. Under section 8 the expiration date will be May 15, 1945, "or 6 months after the termination of the authority conferred by section 2" of the committee substitute bill, "whichever is the later." The purpose of that, again, is to insure that there may be an orderly return to private civil life.

Section 9 of the committee's substitute provides for a short title, namely, "That the proposed joint resolution may be cited as the Service Extension Act of 1941."

Mr. President, while the committee substitute omits any provision for a declaration by Congress that a national emergency exists, nevertheless it does contain a recognition of the gravity of the national peril and gives notice to the world that the Nation is continuing without cessation to do everything necessary to provide a strong, effective, and adequate national defense.

The committee substitute also amends the title of the pending measure to read "Joint resolution to extend the periods of service of persons in the military service, and for other purposes."

CONCLUSIONS

While the committee's substitute bill omits any provision for a declaration by the Congress that a national emergency exists, nevertheless it does contain a recognition of the gravity of the national peril and gives notice to the world that this Nation is continuing without cessation to do everything necessary to provide a strong, effective, and adequate national defense. The determination by the Congress whether it will declare the existence of a national emergency may require extended debate. In the meantime, immediate measures are necessary to prevent disintegration of the Army that has been building for the past year. Your committee has therefore proposed a substitute measure designed to meet the immediate necessities and leave for future consideration by the Congress of the question whether it will declare the existence of a national emergency.

Mr. BONE. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I should like to finish the statement, if the Senator will permit.

Mr. BONE. Very well.

Mr. THOMAS of Utah. Never before in the history of this Nation has a major mobilization been undertaken in time of peace. Our present laws do not adequately meet the requirements of such a task. In view of the swiftness of modern events, an efficient Army, prepared to meet whatever may be required of it, is absolutely essential to the safety of our country at this time. In order that such an Army can be properly organized and maintained, certain restrictions appropriate in normal times must be removed in order to accomplish this objective.

This country has in the past repeatedly employed wasteful and unsatisfactory expedients in raising any army in time of emergency. Now, however, the Congress has recognized and provided that unless specifically exempted by law every male citizen and every male alien residing in the United States who has declared his intention to become a citizen shall be liable for training and service in the land or naval forces of the United States. Unless the existing limitations as to the manner in which these citizens shall be required to discharge their responsibilities for military service in defense of the common safety are removed as now proposed, the lessons of the past will have been in vain.

I now yield to the Senator from Washington.

Mr. BONE. I hope the Senator will absolve me of any desire to interrupt him in the midst of remarks which perhaps require continuity, but what he said about the national emergency induces me to ask what would be the fundamental difference between a national emergency and a statement that the national interest is imperiled? Is the distinction a broad one? It seems too subtle for me to quite grasp. I do not know just what the difference is. Is not that accomplishing by indirection what would be accomplished bluntly and directly by using the other language? Do the two expressions mean the same thing? I do not say that in an argumentative way; I am merely wondering whether they do not imply the same thing.

Mr. THOMAS of Utah. A lawyer is asking me, a mere sentimentalist, a question about law. I have to answer in the way lawyers have taught me to answer such a question.

As I pointed out in the beginning, we cited a Senate document which provided for a determination by the Attorney General of the United States as to what laws would be invoked in case the Congress of the United States declared a national emergency. The Senator from Ohio [Mr. TAFT] says that is wrong; that Congress can declare it without invoking those laws. But the Committee on Military Affairs decided to stay with the law which they were trying to amend, and not get away out on the fringe, where lawyers are able to go but sentimentalists are not able to tread.

Mr. BONE. I know we have used a great many varied terms in defining emergencies. We have "limited" emergencies, and various other kinds, and I confess I do not know what the terms mean. I have never heard a satisfactory explanation of them. I should think that a statement that "the national interest is imperiled" would carry about the same implication as that "a national emergency exists." I do not know that a court would set those phrases aside and say they had come to have some very definite meaning as legal phrases, because they are words of common meaning. I am frank to say I cannot see the distinction between the two.

Mr. THOMAS of Utah. I think that conditions in the world bear out all the Senator from Washington has said. I imagine that the distinction between national emergency and the peril we are in is very much like the distinction drawn by the various definitions of "status quo," which I do not know anything about.

Mr. McFARLAND. While the Senator is defining, I wonder if he will define "sentimentalist."

Mr. THOMAS of Utah. A sentimentalist is simply the Senator from Utah in the fix in which he is right now; that is all.

Mr. OVERTON. I assume this language is contained in the joint resolution as reported by the committee because it tracks the exact language used in the Selective Service Act.

Mr. THOMAS of Utah. That is true.

Mr. TUNNELL. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. TUNNELL. I should like to ask the Senator what the purpose is in saying that "the Secretary of War may, when not in conflict with the interests of national defense, (1) release from active military service those persons who in his judgment would suffer undue hardship if retained on active duty, and (2) release from active training and service under the Selective Training and Service Act of 1940 men now in such training and service who had attained the twenty-eighth anniversary of the day of their birth on or prior to July 1, 1941, and prior to their induction for such training and service," saying nothing about those who attain that age subsequent to July 1. Why are these men preferred?

Mr. THOMAS of Utah. The wording contained in the amendment, I may say to the Senator from Delaware, follows the wording in what will be the law of the land in regard to those who attained the age of 28 on or prior to July 1, 1941. Those words were brought over into this measure from the other measure. I think the committee believed that Congress should give notice to all who will be operating under this measure that the expressions of the Congress in regard to release from the service of various selectees should be lived up to in the spirit of the promises made by the Secretary of War, the President of the United States, and the Chief of Staff, and that the spirit of selective service shall dominate the theory of release quite as much as the theory of induction.

Mr. TUNNELL. But as I understand the language, the Secretary of War is empowered to release, if he so desires, and thinks it should be done, those who before they were inducted into service, and prior to July 1, 1941, were 28 years of age, but no matter if the length of service runs 5 years or 10 years, he is not authorized to release those who become 28 years old at any subsequent period.

Mr. THOMAS of Utah. The Senator, I am sure, understands that there will not be any men over 28 years of age inducted after the amendment passed by Congress covering that point becomes effective.

Mr. TUNNELL. But some of those who are inducted will become 28 years old, will they not?

Mr. THOMAS of Utah. Yes; but the date the legislation refers to is the date of induction. The date in question is July 1 of the year in which men become 28.

Mr. TUNNELL. Yes; but those who are inducted into service before they are 28 years of age can be kept in service for a period of 10 years, can they not?

Mr. THOMAS of Utah. I think not.

Mr. TUNNELL. Why not?

Mr. THOMAS of Utah. As I answered the Senator from Montana [Mr. WHEELER], the legislation itself becomes null and void in 1945.

Mr. TUNNELL. But that is only as to the matter of inducting men into the service, is it not?

Mr. THOMAS of Utah. No; the whole act, as I understand, becomes null and void in that year.

Mr. TUNNELL. I know; but does the Senator say it is his understanding that if a person becomes 28 while in the service, notwithstanding this exception, he may still be excused or released by the Secretary of War?

Mr. THOMAS of Utah. Not ordinarily. If the case is a hardship case, the man would be released. But if a man is inducted when he is 27 years of age and becomes 28 years old during the period of his service, and makes the request to be released because he has now reached the age of 28, the Secretary of War would

consider that question; and, if the Secretary felt justified in taking such action, and if it did not come in conflict with national-defense interests, the Secretary of War would have authority to drop that man.

Mr. TUNNELL. But the legislation does make an exception as to those who are 28 years old before entering the service, and before July 1, 1941, which it does not make as to any others entering the service.

Mr. THOMAS of Utah. But the point is that if they are 28 years old they will not enter the service. If they are 27 years old they will enter it, but after they are 28 years old they will not be inducted.

Mr. TUNNELL. Why should the boy who is 27 years old be made an exception? He may stay until he is 37, so far as the provisions of this measure go.

Mr. THOMAS of Utah. I can only repeat what I previously said—that probably the legislation then would not be in existence. I think the Senator, upon reading the language, will find that the law is very carefully framed, and that no injustice will be done to any boys.

Mr. TUNNELL. I cannot see that, and I have not yet heard from the Senator an explanation of why the law will be just. I wish to ask another question. In reading the testimony of General Marshall I find that his contention is that we need only about 300,000 more men in the service, according to his theory. If that be true, why is it necessary to let down the bars and put no limit on the number?

Mr. THOMAS of Utah. There are two propositions involved. The Chief of Staff told us that, things being as they are, he could take care of all he anticipated he would have to take care of with an Army in round numbers of 1,700,000 men, which is—and the Senator's figure is just as good as mine—an increase of 300,000.

The basic reason for this amendment comes from the fact that we are modifying a training act so that units of the Army will not be disturbed. One of the factors which would make it impossible for the Government to induct more men than it can take care of is the law itself, which says that no men shall be called to training until there is equipment for them, until there are housing facilities for them, until trainers are properly trained to take care of them. In other words, we want no waste either in training or in men. In still other words, and very serious words, we do not want it said that men lose their lives simply by being inducted into the service because proper places are not ready for them, and we do not want it to be said that they will lose time because trainers are not ready for them, or that they will lose their well-being because housing facilities are not ready for them.

Under the present circumstances an Army, in numbers of say 1,700,000, would be adequate to meet the situation, but what kind of an Army do we want? We must have an Army which can take care of all the ordinary duties, take care of the extraordinary duties, take care of the training, take care of the housing facilities, take care of the mechanized units, take care of one thing after another, all of which things are being expanded. Simply to increase the number of men does not take care of the problem which the Chief of Staff has before him. He has to man a motorized unit, for example. The men to man that unit have to be trained along that special line. There may come a time when he can release from a motorized unit hundreds of men because he has other men ready to take their places. There may come a time when he cannot release from a motorized unit any officers or men because he does not have men ready to take their places.

Mr. TUNNELL. Can the Senator tell us for how many additional men there is proper equipment?

Mr. THOMAS of Utah. Equipment will be ready before the men are brought in, for all the men it is contemplated to bring in, and that number will be about 135,000 in excess of the number we have. That is the last figure I have heard.

Mr. TUNNELL. I understood from the testimony of General Marshall that he wanted 300,000 more men.

Mr. THOMAS of Utah. I believe we are thinking of two different things. As I remember, General Marshall used the figure 300,000 in answering the question as to how many more he thought he would need. He used the figure 135,000 in answering the question as to the number necessary in order to expand the various units now contemplated. They are a rather select group.

Mr. TUNNELL. There is one other thought on which I am not clear. I am asking these questions only for information.

Mr. THOMAS of Utah. I realize that; and I thank the Senator for bringing out the information.

Mr. TUNNELL. I cannot understand how we can continue to train new men if we are not to induct into service more than 300,000, and are to retain those now in service. How can we train those who have not yet been inducted?

Mr. THOMAS of Utah. Those now in service will not be retained. The theory of the training is still to be maintained. The whole scheme is to carry out, in their essence, the training provisions of the Selective Service Act. As soon as men have been properly trained in all the various branches which are deemed necessary in the new Army, they will be released. When the Army had no opportunity for divisional training a soldier could go through training in the school of the company, the school of the battalion, and the school of the regiment. There were no major maneuvers. There were not enough men to carry on major maneuvers. With the Army expanded to more than 1,000,000, and organized in such a way that there can be brought together at one place a whole Army corps, the training of the soldier is that much greater. The Chief of Staff believes—and I think everyone else believes—that no one can be considered to be thoroughly trained in the fundamentals until he has gone through training in the company, the battalion, the regiment, the brigade, the division, and the Army corps, if that type of maneuver is deemed necessary and possible.

At the time the original act was under consideration the testimony of the Chief of Staff was that in order properly to train a man he must be given some of the maneuver training for the handling of Army corps, or whole armies. At that time he thought that such training would require 18 months. It will be remembered that the original bill called for 8 months' training, and we made it 12 months.

Mr. TUNNELL. The exception on page 3, in section 3, subdivision (2), beginning in line 16, refers only to a limited class of selectees who were 28 years of age before July 1, 1941. That provision would not apply to the general turn-over to which the Senator refers. There would have to be a much larger opportunity than that.

Subdivision (1) of section 3 reads:

> * * * release from active military service those persons who in his judgment would suffer undue hardships if retained on active duty * * *.

Is it the thought of the committee that that is the door through which the releases are to be made and the turn-over had?

Mr. THOMAS of Utah. I think that is one door. I think that would probably be the only door after the first year. It is contemplated, of course, that when the men finish their training they will be released.

Mr. TUNNELL. That procedure would require a good deal in the way of administration, would it not?

Mr. THOMAS of Utah. I think not. I do not think the mechanics of keeping track of the men would have to be extended in the least, because each organization has all the book work which it is necessary for the commander of the organization to have in order to have all the facts about his unit at any time. Every month a report is made to the Chief of Staff about the personnel condition of the entire Army.

Mr. TUNNELL. But the language of the joint resolution would leave it entirely to the judgment of the Secretary of War as to whether or not he would release a man for any reason.

Mr. THOMAS of Utah. I think that is where the authority vests; but it seems to me that Congress has hinted pretty broadly to the Secretary of War about how he should interpret the law, how he should use his judgment, and the limitations under which he should operate. I do not think the proposed grant of authority is extraordinary, or in any way out of line with the authority which Congress grants to practically all administrative officers in provisions of this kind.

Mr. TUNNELL. A young man inducted into service would have to remain in service until Congress should see fit to release him, or until the Secretary of War should determine that it would be to the interest of the public that he be released.

Mr. THOMAS of Utah. The Senator is referring to the individual man?

Mr. TUNNELL. Yes.

Mr. THOMAS of Utah. I hope it will never be necessary for Congress to enact a separate law for each individual soldier. Under the terms of the joint reso-

lution the matter would be left with the administrative officers of the Army.

Mr. TUNNELL. I did not mean that there would have to be a separate act of Congress for each individual.

Mr. THOMAS of Utah. We are seeking to provide an orderly method of release. Under the present law the number of cases of hardship among soldiers at the end of their enlistment is exceedingly great, and we are trying to correct that situation. When a man's term has expired, he is released. We allow his release to be made at the best opportunity for him and the best opportunity for his country. The matter of release should be flexible, so that if he is in the Philippines, or some similar place, proper adjustments can be made to take care of him.

Mr. TUNNELL. Let me say to the Senator that I obtain from him a different viewpoint from that which I obtain from the joint resolution. I am wondering whether the things which the Senator says should be written into the joint resolution.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. TAFT. The thing which bothers me about the proposal is that apparently under this plan we are to accumulate in the Army approximately 1,730,000 men. There seems to be no disposition ever to release any of those men unless they fall in the special-hardship class. What I do not understand is that there seems to be no provision for training new men. It seems to me that the policy proposed by the Army is in effect to abandon the turn-over plan which was advanced when the selective service bill was first presented by Senator Sheppard and explained at great length. Four hundred thousand new men were to come in every 6 months. Now the general says, "No. I want to keep indefinitely, and throughout the period of the emergency, 1,500,000 men, plus 200,000 replacements."

This war may continue for 5 to 10 years. European wars have gone on that long. I do not understand where the reserve is to come from. We are providing equipment for a reserve. Surely if we are to have such a reserve, if we are to continue the rotating plan, we should say how long those in service should remain in service in order to carry out the rotation.

That is the thing which troubles me. It seems to me that the Army is asking us to abandon the rotating plan. The Army is saying to us, "Give us an Army which we can keep throughout the period of the emergency, whether it be 5 or 10 years, including the 900,000 men whom we have taken from their homes by force." That is what I should like to have explained.

Mr. THOMAS of Utah. I am sure that if the Senator from Ohio had heard the explanation of the provisions of the joint resolution he would not, and probably could not, assume such a notion.

Mr. TAFT. I not only listened to the Senator's explanation, but I have read all of General Marshall's testimony. I have read his statement in reply to the plan I submitted for a rotating force, and I still do not understand why the statement I made is not a statement of the Army's policy.

Mr. THOMAS of Utah. No one I have ever heard, Mr. President, has ever gone back upon the notion of holding basically and everlastingly to the theory that the Selective Service and Training Act is primarily a training act and that the turn-over should come at the time and in the place when it is best for the individual trainee and best for the Army. Stopping the turn-over would interfere with the very fundamentals of building up the great reserve which the Selective Service and Training Act contemplates.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. TAFT. Let me call attention to the statement of General Marshall which appears on page 207 of the hearings. I proposed that we have, in addition to the Army, a trained Reserve being trained all the time. In his answer to the plan I submitted he said that my plan would provide too many men, that he did not want those men, that it would cost too much to train them, and that they would have to provide more camps if they were to train men to replace those who are in camps.

His statement to that effect will be found on page 207, and it seems to me to be a distinct abandonment of the whole theory of a rotating trained force.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. AUSTIN. I think General Marshall's views are very clearly set forth on page 5 of the pamphlet entitled "Strengthening the National Defense," the testimony which he gave to the Military Affairs Committee on July 9, as follows:

> The basic problem that confronts the War Department is that of continuing our present Army on a most efficient basis. Actually, we do not want to hold in service all of the selectees that we now have. We would prefer to release a certain number of the selectees and replace them with the 3 months' product of our training centers, but we must not be compelled to release a particular group at a certain time. We must be able to handle the matter to meet existing conditions as to time and place, and with regard to the particular unit.

Mr. President, I wish to comment that in his testimony he repeated that doctrine with respect to training and service many times.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. TAFT. If the Senator will read further in that particular section, he will see that the men General Marshall has in mind to dismiss are the older men, those over 28, the men with dependents, the men who have not made satisfactory soldiers. In effect, what he says is that he wants to keep indefinitely, as long as he sees fit, the men who have been conscientious soldiers, who have gone to work and have done their best and have made a success of soldiering. He says he wants to keep those men, and he says he wants to dismiss the men who have been distracted by home ties or by other influences, and who are not good soldiers.

In other words, he wants to put a premium, it seems to me, on inefficient soldiering; and I see no indication anywhere, and certainly his report in answer to the plan I suggested negatives the idea, that he is going to have any training force, any replacement force, to take the place of these men we are now asked to give him indefinite power to continue in service.

Mr. THOMAS of Utah. Mr. President, the Senator from Ohio is forgetting the greatest group of men who will be released, those who have finished their adequate training. The general does not want to hold, and the scheme of the law is not to retain, any man who has completed his adequate training so that he has had the experience essential to a soldier in such a large Army.

As soon as the ordinary selectee has completed the training essential to give him the knowledge and the ability a soldier should have in order to be able to engage in maneuvers of, let us say, an Army corps standard, then that man has received all the training the Army wants to give him, and it wants to start to train someone else.

Mr. TAFT. Will the Senator yield for a moment?

Mr. THOMAS of Utah. I yield.

Mr. TAFT. Does the Senator recall that a year ago General Marshall testified that in order to give men proper training he needed to have them for 18 months?

Mr. THOMAS of Utah. That is true.

Mr. TAFT. He said he would compromise on 15 months, and finally he took 12 months. So I assume that an 18-month period of training would be adequate to complete the training to which the Senator refers.

Mr. THOMAS of Utah. Training for 18 months is what General Marshall meant—a period of training during which a man is taken through the school of the soldier and up through the maneuvers in which a whole Army corps takes part. That is true.

Mr. TAFT. Is the Senator sure that is what General Marshall meant? Because at the end of page 5, to which the Senator from Vermont referred, General Marshall testified as follows, in answer to the Senator from Massachusetts [Mr. LODGE]:

> We wanted 18 months, and 1 year was a compromise. However, 12 months or 18 months does not affect the present situation. If the period of service were 18 months, we would merely have 6 additional months in which to get out of our dilemma. However, we now have arrived at a condition of affairs that is quite different from the situation that existed at the time of the debate on the Selective Training and Service Act.

It seems to me to be perfectly clear that the general has abandoned the theory of a rotating force and that under present conditions he is not prepared at the end of proper training to release any soldier.

Mr. THOMAS of Utah. I do not think he has abandoned the theory. I think

he adheres to the theory. But in the statement the Senator has cited he is talking of the emergency and the necessity under present conditions and present circumstances. General Marshall has always expressed his notions about perilous times and has always started his statements by referring to the conditions that affect us.

I think we should remember that we are always talking of two things. If the conditions are to be wartime conditions, that is one thing. If the conditions are to be peacetime conditions, that is another thing. The amendment provides merely that in peacetime we can extend the training to the point at which the soldier will have had training consistent with the size of the Army as we have it today. If wartime comes, then, of course, his term of service will be extended, under the powers the President has in wartime and the powers Congress would give him for the duration.

Mr. TAFT. Will the Senator yield again?

Mr. THOMAS of Utah. I yield.

Mr. TAFT. I want to read again, on page 207, something which General Marshall said, which also indicates, I think, that he has abandoned his training theory. He says, in effect, that we need a force of 1,700,000 men:

> This force totals approximately 1,700,000 men. The immediate problem of the War Department is to perfect this force. Any large increase would disrupt that force because we would again have to spread our trained men to form a nucleus for the training of the increase, and would thereby lower the efficiency of the whole.

So apparently he does not propose to train any more men after he has acquired this force. He simply wants to perfect that force and keep the men in it indefinitely.

I can see why such a force might be more efficient; but it does not seem to me that such a procedure would be fair to the 600,000 or 800,000 or 900,000 men who have been inducted into the service; and it seems to me that the Army and the country have an obligation to work out a rotating plan under which a definite limitation can be placed on the service of any particular man.

Mr. THOMAS of Utah. Mr. President, will not the Senator concede at least that probably what the general was talking about was that if he were to release the men who had served just 1 year he would be releasing both the trainers and the trainees; and that if all the Reserve officers who have not had sufficient training in the year were to attempt to conduct their men through maneuvers of an Army corps size such officers would have to commence to supplement and complete their own training? I think the Senator from Ohio will grant at least that the teachers should at least be a couple of steps ahead of the students; that the trainers must be given the experience we have mentioned; and that if an Army of the United States is ever to be adequately trained it is more essential to keep hold of the men who will do the training, so that such men will have learned all the other steps, and then train the others gradually.

Mr. TAFT. If the Senator will yield to me again for a moment, I desire to say that the statements of General Marshall to which I have referred were made in criticism of a plan which would extend the service of Reserve officers to 2 years, all National Guard men to 2 years, and all draftees to 16 months. So there can be no question of taking away the trainers; they would still be available for another 18 months in most cases.

Mr. THOMAS of Utah. That is very true, because the whole scheme of General Marshall's suggestion is that this matter should be flexible; that it should not be bound by a definite period, but that it should be bound by circumstances. Therefore, 16 months' training would just be 4 months longer than 12 months' training, and would not solve the problem of flexibility; it would not make it possible to release men when it is to their advantage to be released and it is to the Army's advantage to release them.

Mr. TAFT. I quite realize that it is not convenient for the Army to release men definitely at 16 months, 18 months, 2 years, or 3 years, but it seems to me that if we are still proceeding under the theory of inducting new men into the Army without increasing the Army to three or four million it necessarily involves the dismissal of those men at some time. I think Congress ought to determine that time and say when it shall be, even if it is a little more inconvenient; but if we give sufficient notice in advance, it seems to me the inconvenience testified to by General Marshall in the beginning of the hearing can be eliminated.

Mr. WALSH. Mr. President, will the Senator from Utah yield to me? I do not desire to interrupt the colloquy which is taking place between the Senator from Ohio and the Senator from Utah, but I must leave the Chamber shortly.

Mr. THOMAS of Utah. I yield to the Senator from Massachusetts.

Mr. WALSH. I should like to inquire if there is in this measure any time fixed when any member of the Army of the United States, be he a Regular, selectee, draftee, Reserve, or a National Guard man, can know or can learn when he may be released from service.

Mr. THOMAS of Utah. Within a limitation of 6 months after the Congress determines the emergency to be at an end.

Mr. WALSH. So, this bill provides that certain members of the Army will know that they will be out in 6 months?

Mr. THOMAS of Utah. Such men now will know that they will have a 6-month leeway after Congress declares the emergency at an end.

Mr. WALSH. So the enlisted Army privates under this joint resolution will be given the right within 6 months after the time of the termination of their enlistment contract to get out if they wish to?

Mr. THOMAS of Utah. That is true as to those whose enlistments are extended under the bill.

Mr. WALSH. But is there any terminal fixed in this resolution for a selectee or a draftee to get out?

Mr. THOMAS of Utah. There is the same 6-month period given to them.

Mr. WALSH. So that any draftee or selectee who is in the service now, if this joint resolution is passed, can within 6 months get out?

Mr. THOMAS of Utah. I do not think I can answer that question in that way. At the present time there is a 12-month limitation upon the selectee.

Mr. WALSH. I understand so.

Mr. THOMAS of Utah. At the present time there is a 12-month limitation upon the National Guard men; at the present time there is a 3-year limitation upon the Regular Army man. All persons, regardless of the status they have so far as the extension of their enlistments or their induction is concerned, both for their advantage and for the Army's advantage, will be released on a selective basis, with a limitation of 6 months, following the termination of the emergency.

Mr. WALSH. I can well understand that it would be to the Army's advantage to keep them indefinitely, but what I want to know is how to answer an inquiry from a draftee in my State who asks, "When can I get out of the Army?" What is there in the language of the bill that tells me what day or what month he can get out? Is there any such provision in the joint resolution?

Mr. THOMAS of Utah. I think that the answer may properly be made that, provided the emergency becomes no more serious at any time, he can get out as soon as he has completed his training and his services can be spared. Then the Army will be glad to release him.

Mr. WALSH. Suppose he writes back to me and says, "What is the time fixed for completing my training?"

Mr. THOMAS of Utah. The only answer that can be given is when he has finished the maneuvers which take him through training with the largest unit in the Army and a replacement is available.

Mr. WALSH. The fact of the matter is that the time when any draftee or selectee can get out of the Army is dependent upon when the head authorities of the Army say he can get out. Is not that a fair statement?

Mr. THOMAS of Utah. With a modification. I cannot go so far as to say that, but when once the flexibility theory is accepted, that could be said in theory, but it could never be said in practice.

Mr. WALSH. As a matter of fact, we are all going to have put to us the question, When am I going to be able to get out and go back to my private business? What answer would the Senator make to such an inquiry?

Mr. THOMAS of Utah. It depends upon the circumstances incident to the whole scheme. That is the only answer. I do not think anyone can give any other answer.

Mr. AUSTIN. Mr. President, there is another answer.

Mr. THOMAS of Utah. Perhaps the Senator from Vermont can help me out.

Mr. AUSTIN. Section 2 of the joint resolution provides—

> The President is hereby authorized to extend, for such periods—

Note the word "periods" is in the plural—

such periods of time as may be necessary in the interests of national defense, the periods of service, training—

And so forth. The soldier will know as soon as the President acts under this measure, but he cannot know prior to that.

Mr. WALSH. Exactly; but that means that he is dependent upon the judgment and decision of the President as to when he will be able to get out of the Army.

Mr. AUSTIN. No; not quite, because the President, I assume, in order to execute this law, will fix an extension of period which is an anniversary, perhaps the first anniversary of the enlistment, or something of that kind.

Mr. WALSH. Then the President, at the end of that anniversary, can extend it to another anniversary.

Mr. AUSTIN. Yes.

Mr. WALSH. And to another anniversary.

Mr. AUSTIN. Yes.

Mr. WALSH. So really we have got to be frank and honest and say it is uncertain.

Mr. AUSTIN. Oh, yes.

Mr. WALSH. And say, "It is impossible to fix a day and time when you can go back to your private business."

Mr. AUSTIN. It is impossible at the present time.

Mr. ADAMS. Mr. President——

Mr. THOMAS of Utah. I yield to the Senator from Colorado.

Mr. ADAMS. I wish to inquire of the Senator from Utah concerning a point which has been discussed by the Senator from Massachusetts. My understanding as I read the joint resolution is that if it is passed in its present form every young man in the country within the age limits of 21 to 35 may be brought into the Army under the orders of the President, and every young man in the Army or brought into the Army, whether he comes in under the selective-service law or whether he is in as a member of the Regular Army or as a member of the National Guard or of the Reserve, can be kept there so long as the President sees fit, in view of the national interests, to keep him?

Mr. THOMAS of Utah. I think that the statement, if I may answer the Senator, is too broad.

Mr. ADAMS. But the limit is removed; that is, there was put in the original law a limit of 900,000 to be trained at one time. This bill would allow the President to draft every individual who has registered—and, of course, they all register—but there is no limit upon the number the President could induct into the service. The answer which is made in the committee, as I read the hearing, is that there is a limitation which might be imposed by appropriations; but, so far as the power of the President is concerned, it is unlimited within those age periods, and the same thing is true of the Regular Army enlistee who comes in for a 3-year period; he is subject to an indefinite extension of his term. That is the reason why I am asking the Senator the question, because, as I was reading the joint resolution, it provides that—

The President is hereby authorized to extend, for such periods of time as may be necessary in the interests of national defense, the periods of service * * * of all persons inducted for training and service under said act—

That is, the Selective Service Act—

members and units of the reserve components of the Army of the United States (including the National Guard of the United States), retired personnel and enlisted men of the Regular Army, and any other members of the Army, who are now, or who may hereafter be, in or subject to active military service.

I am hoping that there is some limit which I do not see in that provision. That is the reason why I am asking the Senator the question.

Mr. THOMAS of Utah. I think we are justified in saying that the appropriation is one limitation. The limitation in regard to training is another limitation. The limitation with regard to facilities, housing, clothing, equipment, is another limitation. The limitation of circumstances is another. I do not see how the President of the United States, by proclamation or by act or by a grant of this kind, can ever turn the number of persons who are registered into an Army of the United States without being limited by all the curbs essential to the induction of the individual.

Mr. ADAMS. There is no curb in the joint resolution, is there? The curbs to which the Senator refers are collateral curbs which grow out of other circumstances.

Mr. THOMAS of Utah. Of course, the joint resolution includes an amendment to, but at the same time carries forward, an existing act.

Mr. ADAMS. Yes; but it removes the limitations of the existing act.

Mr. THOMAS of Utah. No; it is very definite wherein we are modifying that act. We are modifying the act in accordance with the terms of the act itself, and we are not relieving from the administration of the act a single right or single privilege therein contained.

Mr. ADAMS. Is there any limit in the act or in the amendment which would put a termination as of right upon the man who is drafted, as to his term of service?

Mr. THOMAS of Utah. Of course, if the Senator wants to use the extreme case, as he knows, the act itself goes out of existence at a definite time. That would be one limitation, would it not?

Mr. ADAMS. When does the act expire?

Mr. THOMAS of Utah. In 1945.

Mr. ADAMS. That furnishes the answer, then. Is there any limit in the act as to the number of men the President may cause to be inducted into the service?

Mr. THOMAS of Utah. The limitation there would be the same sort of limitation which holds for the individual who may be inducted. For instance, a person may not be taken into the Army until he meets all the qualifications.

Mr. ADAMS. I mean, within the age limits.

Mr. THOMAS of Utah. So far as the technical, theoretical answer to the Senator's question is concerned, of course, when we remove the limitation and forget all about all the other limitations, the answer would have to be, in theory, "yes."

Mr. HILL. Mr. President——

Mr. THOMAS of Utah. But I am sure the Senator from Alabama will satisfy the Senator from Colorado on that point, since my words cannot.

Mr. ADAMS. No; it is very rarely that I am not satisfied by either the Senator from Utah or the Senator from Alabama, though the Senator from Alabama sometimes votes wrong. [Laughter.]

Mr. HILL. Mr. President, if the Senator from Utah will yield, I simply wish to call to the attention of the Senator from Colorado section 6 of the Selective Service Act, which, of course, continues in effect. The pending joint resolution in no way affects section 6. That section says:

The President shall have authority to induct into the land and naval forces of the United States under this act no greater number of men than the Congress shall hereafter make specific appropriation for from time to time.

Mr. ADAMS. That provision is not repealed?

Mr. HILL. No; it is not repealed. It is still the law of the land; and there is nothing in the pending joint resolution which would in any way repeal or affect section 6. So the President, under section 6, could not induct into the service a single man until and unless the Congress of the United States specifically appropriated money for the induction of that man.

Mr. TAFT. Mr. President——

Mr. ADAMS. Having fixed that limitation, will the Senator tell me where the limit is, other than the expiration of the act, as to the term of service of the man who is inducted, after appropriations have been provided?

Mr. HILL. Either the expiration of the act or the termination of the power given in section 2 of the pending measure, which is, frankly, an indefinite period, the idea being and the purpose of the joint resolution being not to make this thing fixed, but to make it flexible, so that men may be released as rapidly as possible, so long as their release is consistent with the interests of the national defense.

In that connection, if the Senator from Utah will yield, I desire to read one or two brief excerpts from General Marshall's testimony before the Senate Committee on Military Affairs, given on the 17th day of this month, which is just about 10 days ago.

General Marshall had been speaking about the fact that in some divisions men could be released more rapidly than in other divisions. For instance, as the Senator from Utah will recall, the General spoke about the men and officers in our armored divisions, and told how those divisions had just reached such a stage that they were ready to go forward and function, and he commented that men in those divisions could not be released as rapidly as men in some other divisions; but the general said this, showing what our present policy is with reference to Reserve officers:

At the present time, under orders issued some months ago, commanders are required

to release 50 percent of their Reserve officers in order to bring in a new 50 percent and build up a trained reserve of officers. If we are allowed to continue to do that we will do it in such a way that it will not disrupt our organizations nor reduce efficiency.

That is, with 50 percent going out, and 50 percent more coming in; and yet he went on to tell how General Scott, who commanded one of the armored divisions, came to him to protest against being forced to let 50 percent of his officers go just at this time, when his division has just about reached the point of being ready to go into real training; so what did General Marshall do? In that case, instead of requiring General Scott to let 50 percent of his officers go, he required General Scott to let only 40 percent of them go, having in mind that in some other division 60 percent could be allowed to go.

Then General Marshall goes on to say this:

Actually we are now engaged in releasing men every day, but we must be allowed to do it in our way, in accordance with conditions here and there throughout the Army. If we have a division in a high priority of readiness at a certain time, we must not wreck it by a wholesale turn-over of personnel. If we have a division in a low priority of readiness, we can do a great many things with respect to personnel that we cannot with the former division.

Then he went on to say:

What I object to is being forced to release men at the specific termination of 12 months. I want to be able to release them depending on where they happen to be located, depending on what the situation of their unit is, and, of course, depending on the development of the national situation.

Mr. ADAMS. Mr. President, may I ask the Senator from Alabama a question at that point, with the permission of the Senator from Utah?

Mr. THOMAS of Utah. I shall be glad to have the Senator do so.

Mr. ADAMS. As I understand the text which the Senator has been reading, an order was issued releasing 50 percent of the Reserve officers. It seemed to be proper to release 50 percent of the Reserve officers, but when they seek to release the selectees, as the Senator is familiar with the rate of induction, the first month's release under the existing situation would be only 19,000 out of 600,000. In January it will be 73,000.

Mr. HILL. Let me answer the Senator's question. Of course, only 19,000 would be eligible for release after the completion of a year's service. In other words, the Army is not going to release anybody—Reserve officer, selectee, or anybody else—until he has had a minimum of a year's training; and there would be only 19,000 who would be even eligible for release who would have had a year's service.

Mr. ADAMS. I have been disturbed because of statements which were made which left the impression that unless this joint resolution is passed, in substance, two-thirds of the Army will be released right away and the Army will be demoralized. In the hearings, on page 37, there is a tabulation which shows that 19,000 selectees came into the Army in November and December, 73,000 in January, 90,000 in February, 153,000 in March, and so on. In other words, those are the maximum numbers that will have to go at any particular time. There is a gradation.

Mr. HILL. No; those are not the only ones who would have to go, for this reason. As the Senator knows, a short time ago the Congress passed a bill, which is now in conference, and which I take it will be law shortly, exempting from the operation of the Selective Service Act all men 28 years of age and over.

Mr. ADAMS. I do not think the Senator states the measure correctly. It provided that the President might release them.

Mr. HILL. No. As the bill passed the Senate it was in the discretionary form, but when it went to the House, the House saw fit to amend it by putting it in the mandatory form, that is, providing that these men shall be exempted by operation of law. When the conferees met to consider the bill, they accepted the House version, which means that these men will be exempted, not in the discretion of the President, but that they will be exempted by operation of law.

Mr. ADAMS. Did the Senate conferees accede to that?

Mr. HILL. The Senate conferees give and take, and in this particular instance the Senate conferees had to yield something. I wish to say that it is not so simple as just taking 19,000. There are 150,000 of these men 28 years of age and older, and there are the hardship cases; there are other men who, on account of physical disability, sickness, or other causes, are being let out each day. So we cannot just picture this thing from the standpoint of 19,000 men.

Mr. ADAMS. The Senator says there was authority to draft 900,000. The Department has drafted only 600,000. In other words, they have authority to add 300,000 now.

Mr. HILL. The fact that they have drafted only 600,000 out of 900,000 shows how systematically, how intelligently, and how efficiently the Selective Service Administration of the War Department has gone about their task, trying to do the job in the right way, not trying to exercise some authority because Congress has given it to them, but trying to do the job, which job has been to build up an army as well as to train these men. Now we have this army built up, the Army is becoming seasoned, and we cannot afford at this time to dismember this seasoned army.

Mr. TAFT. Mr. President, will the Senator from Utah yield for another question?

Mr. THOMAS of Utah. I was just about to remark—then I will yield—that if Senators will be patient with me a little longer, I will be through, and then they may have the floor in their own right. But I should like to yield to the Senator from Ohio.

Mr. TAFT. I wish to question the Senator, first, about the interpretation given by the Senator from Alabama. It seems to me that section 6 of the joint resolution removes not only the 900,000 limitation but also the appropriation limitation to which he referred, in section 6 of the Selective Service Act. It says that:

During the existence of the authority conferred * * * the limitation on the number of men who may be in active training and service at any one time under section 3 (b) of the Selective Training and Service Act of 1940 is hereby suspended.

It seems to me that opens up the field and repeals the limitation of section 6 of the Selective Service Act as much as the provision of section 3 (a) as to the 900,000.

Mr. HILL. I think the Senator from Utah will certainly agree that the committee had no intention whatever of affecting in any way, repealing or touching, section 6 of the original act. The only purpose in mind in including the language in section 6 was to remove the limitation that there should not be over 900,000 selectees in the service, the idea being that if the Congress, under section 6, saw fit to appropriate specifically for more than 900,000, the Congress would not be limited; that we would not have to have another authorization act in order to make the appropriation.

Mr. TAFT. It seems to me the word "limitation" in section 6 of the pending measure, in line 17, page 4, refers to that limitation just as much as to the 900,000.

Mr. HILL. I think not.

Mr. TAFT. Of course, if the committee did not so intend, no doubt it would be willing to take an amendment to make that clear.

Mr. HILL. Certainly there was no intention of doing it, and I do not construe the language in that way.

Mr. THOMAS of Utah. I am sure that on a second reading the Senator from Ohio would not interpret this in that way. Section 3 (a) merely defines the number as being limited.

Mr. TAFT. It could be easily cleared up by inserting language after the word "limitation" so as to make it read "The limitation of section 3 (a) on the number of men is hereby suspended." I shall offer such an amendment later.

Mr. HILL. The Senator from Utah and the Senator from Vermont, I am sure will confirm the statement that there is no question about what the intent was, and all that would be necessary, if there is any question about the language, would be to insert, after the word "limitation," in line 17, page 4, the words "contained in section 3 (a) of the Selective Training and Service Act of 1940."

Mr. TAFT. That is correct.

Mr. HILL. That section being the one which fixes the limit of 900,000 on the number of selectees.

Mr. TAFT. Then I should like to ask one other question. I understood the Senator to say, in response to the Senator from Massachusetts, that a man's term in the Regular Army could be extended only 6 months beyond the term of his enlistment.

Mr. THOMAS of Utah. I am talking about the amendment, and I tried to answer the Senator in regard to the definite knowledge about his term. We have extended the terms for a flexible period, within 6 months after the end of the emergency.

Mr. TAFT. That applies to the Regular Army, does it not, as much as to the draftees?

Mr. THOMAS of Utah. To the Regular Army and enlistments in the National Guard—to all persons in the Army of the United States.

Mr. TAFT. Let me call attention to the situation of about 18,000 men in the Regular Army, who have enlisted for 1 year. They entered into a special contract with the Government, and we insisted that they be permitted to enlist for 1 year. Now we are saying, "Although you enlisted for a year voluntarily, with the understanding that it was only for a year, we are going to give the President power to keep you in the service indefinitely." That is the necessary effect of this proposed act, is it not?

Mr. THOMAS of Utah. Of course, every person who enlists in the Army of the United States for a definite term realizes that if we go on a war status his service can be continued.

Mr. TAFT. Yes; if the Congress declares war.

Mr. THOMAS of Utah. There is no such thing as an absolute, certain, definite enlistment for a given time in the Army of the United States, and there has not been since we corrected the evils incident to the War of 1812, and incident to the Revolutionary War, and incident to the Civil War, and to a certain extent incident to the Spanish-American War.

Mr. TAFT. But in every past case it applied to war.

Mr. THOMAS of Utah. That is true.

Mr. TAFT. The present status may well go on for 5 years, the war in Europe might continue, and while we may not be in war, or may be in an undeclared naval war, or in some status different from the standard of today, now we are saying, "Although we are not in war, although we may not be in war, we are going to break our contract with you for a 1-year enlistment and continue you indefinitely in the service of the United States."

I happen to know of a young man who enlisted for 1 year with a special program, because he had a job available at the end of the year. Now his contract is broken, and he has to stay in indefinitely. If there were a war, he would not object, but there not being a war, I think he has a legitimate objection, and he has a right to have his 1-year contract complied with.

Mr. THOMAS of Utah. If he goes to his company commander and says he has an objection because of this fact, his case can be treated as a hardship case, treated on its merits, and taken care of on its merits.

Mr. TAFT. This hardship-case business is going to result in thousands of applications to me to try to get the Government to let men off. It seems to me this wide discretion, indicating that in hardship cases a man may be released, is going to be availed of by probably a majority of the selective-service draftees, and we will be flooded with applications in cases in which there is no basis of hardship. All we can do is to pass them on and ask for consideration.

Mr. THOMAS of Utah. I am sure the Senator from Ohio has given us the key to the fact that no injustice is going to be done to individual boys or to groups of boys. The key is that, so far as the limitation is concerned, the minute the Secretary of War reports to the Congress of the United States that he has more than 900,000 men—and the Senator from Ohio says that he should not have more than 900,000 men—I know the Senator from Ohio well enough to know that he will tell the Secretary of War that he should not have more than 900,000 men, and there will be an explanation.

Mr. TAFT. I do not understand the Senator's statement. We are taking off the 900,000 limitation.

Mr. THOMAS of Utah. I am merely answering the Senator when he says that hardship cases will be sent to him. The Secretary of War must report to the Congress of the United States every month the number of men he has in training and service under the Selective Service Act. If that number ever grows to startling proportions, if it ever becomes larger than the Senator from Ohio thinks it should be, I know the Senator from Ohio well enough to know that the people of this country will be told about that situation, and it will be corrected.

Mr. TAFT. That is entirely apart from the question I asked the Senator. I was talking about an injustice to an enlisted man in the Regular Army whose term has expired, and who finds himself continued by force in the Regular Army. So far as I can see, he can be continued in the Army for years to come on the flat of Army chiefs. I do not agree with the Senator that every hardship case is going to be treated fairly. It is impossible that every hardship case can be treated fairly when we are dealing with 2,000,000 men. What is a hardship case? The Senator's idea of what is a hardship case and that of the General Staff may be completely different. That is a weak reed on which to lean. It seems to me that the effect of the joint resolution is unquestionably to give to the Army the power to continue in service indefinitely, or so long as the European war lasts at any rate, and perhaps beyond that time, any enlisted man or any draftee or anyone else, and there is no assurance here that he can ever leave the Army, or know any definite date when he can leave the Army.

Mr. THOMAS of Utah. Mr. President, the amendment is written around the theory of taking care of the Government of the United States. The interests of the United States are considered rather important in this joint resolution just as they were considered important when we provided for the training of armies, just as they were considered important when we passed the Selective Service Act, just as they were considered important when we created the National Guard and other elements, and probably we will all have to admit that the measure is written from the standpoint of taking care of the interests of the people of the United States. No men that I know of in the service object to having their jobs taken rather seriously; and when in the wisdom of those over them it is decided that it is in the interest of the national defense to continue the men in service, and that the Nation's interests are imperiled, those making that decision will not act as the Senator from Ohio imagines.

Mr. President, I am going to repeat——

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. Mr. President, I should like to conclude my remarks.

Mr. TOBEY. I do not wish to interrupt the Senator. I thought the Senator had concluded his prepared statement. If he has not, I will wait until he shall conclude it. Otherwise, I have four or five questions to ask him.

Mr. THOMAS of Utah. I should like to conclude, if I may, because I think the Senate is becoming a little impatient with me.

Mr. BARKLEY. Oh, no; not at all.

Mr. THOMAS of Utah. I have not had a chance to conclude my statement.

Mr. BARKLEY. I am sure the Senator is mistaking the temper of the Senate, if he feels that way, because his discussion is very illuminating and interesting, and I am sure all Senators are glad to have him proceed as long as he wishes to.

Mr. THOMAS of Utah. I thank the Senator from Kentucky.

Mr. President, I shall try to conclude my statement. I must, though, answer the Senator from Colorado [Mr. ADAMS] in this way. We will never understand the Selective Service Act, we will never understand the theory of military training, we will never understand the psychology of a commander of a great army, unless we take into consideration basically and all the time two factors: first, the factor of the unit to which the individual soldier belongs and the necessity of properly training that unit quite as well as the individual soldier; and then the second factor, that the commander's first duty is to take care of the lives of his men.

His first duty is to see that those men serve their Government to the utmost of their capacity and in the best way possible. That is the theory of the Selective Training and Service Act. Whenever the Chief of Staff makes a recommendation to the Congress of the United States, in that recommendation he has taken into consideration not only the interests of his country, not only the interests of the Army as a unit, not only the interests of the individual units within that Army, but he has taken into consideration the interests of the individual within the Army.

Mr. President, we must never lose sight of the basic understanding which every well-trained Army officer has in regard to taking care of his men, and the basic understanding which the Congress of the United States has always had in regard to taking care of these men. In the Selective Service Act we provided that the Government of the United States must be ready to live up to its own obligations to the men it inducts by seeing that they will be properly trained, by furnishing them with the proper trainers, by seeing to it that they shall be properly housed before they are inducted, and by seeing to it that the equipment is such

that it can never again be said in the United States that men lost their lives by reason of being inducted into the service of the United States.

I may digress at this point to say that I, of course, have not had the great experiences had by the Senator from Ohio, who has been very close to a Commander in Chief of the Army and the Navy of the United States, but I have seen training as it is done in many countries, and I think I know the theories of militarism as those theories are in force and in vogue in other countries of the world.

I have seen something of the training theory in practice in our own country. There have been incompetent officers. There have been improper inductions. There have been wrong places chosen for training to take place. There have been draft boards which have not acted in accordance with the fundamental theories. There have been advantage-takers, as probably there always will be. Some men have taken more than they should take. Some men have gotten out of their service more than they should have gotten out of it. The Army, the country, and the people have been very generous to anyone who has ever worn the uniform of the United States, generous because they recognize that the man who wears the uniform is in reality making a potential sacrifice, if not an actual sacrifice, for his country's good.

Mr. President, in General Marshall we have a man who has been trained in the civilian notion with regard to the Army of the United States, a man who accepts the theory of the Selective Service Act, a man who is in every way a gentleman as well as a soldier, and a man, too, who would not take his country into war if it could possibly be avoided, a man who knows that the first duty of the Chief of Staff of the Army of the United States is to be so prepared that that Army can carry out the orders of the civilian head, the Commander in Chief of the Army of the United States. He knows also that the Army should not be the policy-making branch of this Government; that it should act within the laws of Congress and within the actions of Congress.

General Marshall knows, as does every Senator, that if he is able to perfect an efficient army to support the actions of those who conduct our international affairs, we shall probably never have occasion to use it. With an army well prepared, well disciplined, understanding world conditions as they are, and able to meet any situation that may arise, he can leave to the Commander in Chief and to the State Department the function of stating the policies of the United States with authority, supported by the force of the united will of 130,000,000 people.

At the time the original Selective Service Act was under consideration it appeared altogether possible that the war in Europe would be concluded, or that there would be a stalemate within the year prescribed, and that our soldiers, poorly equipped as they were, either would have to fight to defend our shores or would know for all time that they never would have to do so. I am sure that was the picture which was in the minds of most of us about a year ago. I think it appeared conclusively to everyone then that by this time we should either be actually in war or feel the security of the easing of tension everywhere.

We did desperate things in a desperate hour. I am glad we did them, because we have been more sure of our footing. In reality, in spite of the tenseness of the situation we are no closer to war, except as to time, than we were a year ago. Fortunately the battle against the United Kingdom has slowed down, and for the moment at least the lightning war in Russia has completely bogged down. It thus has been evident for many months—and this has lately been reaffirmed—that even this war may settle into a long-drawn-out affair. That, of course, was the thesis of the Senator from Ohio [Mr. TAFT] when he last spoke.

Our Commander in Chief and the Chief of Staff have stated the necessity for keeping in service for longer than a year the men originally drafted and those originally called into the National Guard and Organized Reserves. They have done so from the recognition of a number of changed elements. World War No. 2 had promised to explode itself out of existence, but it has only gathered additional violence in the past few weeks. The flame of war was never brighter than it is at this hour, in spite of the fact that 1 year ago we could not see how it could burn with any greater intensity than that with which it was then burning. Deeds which should have been consummated are yet to be exploited. Chapters which by now should have become part of the past are still a part of the future. Things which all of us expected to happen within a year under Hitler's timetable have not happened, and Hitler's timetable is now only an obsolete piece of paper which need not be reckoned with among military strategists or any other students of modern times.

There is no question that had we entered the war those who were selected would have remained under arms. There is no question that had the war been terminated, or had it taken shape as a certain prospect of victory for the Nazis or for the Allies, by now we should have increased or decreased our land forces according to the dictates of those victories. The one thing which none of us anticipated, namely, that a sort of status quo would be preserved over a long period of time, has materialized. We have only the tragic fate of Greece and Yugoslavia to which to look in a vain effort to discover any turning point in the war. Indeed, in order to see any remarkable change we must turn to the Far East, where the Japanese aggressions alone justify our building as large an Army as we may and hanging on to every asset we have, for at least we ourselves are face-to-face with a nation on the march.

What we did a year ago we did with the desperation of a nation caught short, a nation without men or arms, and without ready facilities for the training of one or the development of the other. We made a contract with our young men. I shall not try to dodge that issue. There was an understanding on the part of everybody that the training period would be a year. We made a contract to accept their sacrifice, whatever it might have to be. The prospect then, as evidenced by the screams of a woman sitting in a very large room in which the lottery was drawn, was that the sober and solemn judgment of a draft number would become a hazardous possession.

Many parents were torn between patriotism and anguish when their boys were called in the first draft. Many believed, with good reason, that they would never have their sons at home again until the end of the most certain conflict in which we should be a part.

Far from breaking faith with the boys, the Government has received them and trained them to defend their loved ones. In all these many months it has not asked them to brave one danger or face a single firing line on any front. Under all the circumstances which might have led to war before now, this was the most magnificent execution of an agreement ever made or implied.

It will be my solemn purpose to continue, to the very end of all patience and reason, every effort to see that the boys are kept from doing anything except gaining health, perhaps receiving some incidental education, prolonging their lives, and forming an even deeper affection for their country.

I do not want to retain them in service. When they have served their year, I want to send them to their homes. I want to give them back to their parents or sweethearts, and to industry and commerce. If necessary, I want to take half a million or more men in their places and train them. Such would be the uniform peacetime procedure—probably between wars. Undoubtedly group life, with the give and take between one and his fellows, and the improved physical condition, would be priceless gifts which would be passed around from year to year. Also, in contemplation of sudden conflicts in the offing, but not imminent, service should be rotated.

Those are the things we should like to do. Necessity provides us with the only alternative. We should prefer, perhaps, to have 50-year-old men in action against the invader if he should come, knowing that they have partly spent their lives, and preferring to sacrifice part of an old life for almost the whole of a younger one. But here again we have something which we should like to do, while the grim necessities of warfare require a clear eye, almost superhuman endurance, speed, and a young and fighting heart. Other peoples' wars point to our youth and fairly scream, "It is you we want."

Such are the horrors of war. No one claims that there is anything godlike or moral about the things we have to do with sorrowing hearts because the aggressions made against others may be made against us. We are at peace, but must be prepared for war if it should come. Otherwise, we should be unequal to the task of defending ourselves. We must meet the same competition given us. Young men of long training and high morale supported by a united nation is our competition.

A great many selectees, guardsmen, and Reserve officers do not want to be walking in the wrong direction at this time.

Let me bring to the mind of the Senate a picture of those men. They have been called to serve their time during a great emergency. They have been told their country needs them. They see others being called for the sake of the country which still needs them; and they are told to go home with an unfinished task. I think there are two sides to that contract, and I think the Government owes it to the boy we accept, and to the seriousness of his effort, to live up to its side of the contract.

A great many selectees, guardsmen, and Reserve officers do not want to be walking in the wrong direction at this time. That is their own personal feeling in the matter. They do not want to be walking out of the Army when so many people are walking into the Army. They do not want to be coming out of uniform when the popular thing is to get into uniform. They are quite anxious to stick around a little longer and see what is going to happen. They cannot reenlist or ask for extension, because if they were to do so their employers would be freed of obligation to receive them after their extended tours of duty were completed. That statement holds true especially for the men in the National Guard, as to whom the limitation on the employers' obligation was placed in the act itself, and is restricted to 1 year of absence. They do not want to be the prime movers, but at the same time they want to be kept in service awhile longer. To the minds of many of them the emergency now looms as serious as it would have done had the enemy actually struck at our gates. Many of the men in the Army feel that this country is not safe or anywhere near safe. They are doubtful about going home. They are afraid to go home, and some few are even ashamed to go home, while the going remains potentially so tough.

I do not speak for them. They have no right of petition under the regulations, which may or may not be constitutional. I say only that some such soldiers do exist.

I am sure that the national danger, the actual danger to our security, is greater at this moment than it was, say, in December 1917, or 8 months after the last war with Germany had been declared. It would have been fairly insulting to a soldier in December 1917 to invite him to go home if he wanted to go. I realize we are not at war, and yet one's nation may be in peril without there being any war.

Naturally a flood of patriotism rises through the camps and causes the boys to think twice before walking out of uniform simply because they might do so; and yet if we do not pass this measure, how can they remain in service and expect any consideration or generosity from employers? Such a decision would entail a mixture of loyalty and folly, and require of the patriot an additional sacrifice which none of us would think of requiring of him, even in our most ungrateful contemplation. Let us not require our young men to choose between loyalty coupled with defunct civil rights, and a selfish desire to get back in the money while the getting is good.

Mr. President, I end with exactly the same feeling with which I began. This country of ours, I repeat, is the bulwark of constitutional government in the world; and since the Germans crossed into Poland not a single nation with a constitutional government, save Japan, has had a single military victory. I have pointed out that the determined, settled, basic policy of the United States revolves around such things as the idea of liberty, the notion of constitutional government, and that declaration which we call the Monroe Doctrine; and that all those things and many more are challenges to the leaders of peoples who accept the single will of the state.

This country came into existence to fight tyranny. Thomas Paine said:

> Tyranny, like hell, is not easily conquered.

And Thomas Jefferson said:

> I have sworn on the altar of Almighty God eternal hostility to every tyranny over the minds of men.

Those were the challenges laid down by the Fathers when our country came into existence and when democracy in America had its birth and beginning. Those challenges are greater challenges today—very much greater, for instance, than when we faced the Holy Alliance, very much greater than when we started as an infant Nation and erected our Constitution which now has become the oldest in the world and must be preserved if free men are still to have their way on the earth.

Realizing the troubles which Washington had, realizing the difficulties with the voluntary system of enlistment for prescribed periods, realizing that the British were able to deprive our men of successes because the end of their periods of service came during actual war, the founding fathers, when they brought forth the Constitution, put into it the statement that a well-regulated militia is necessary for the security of a free people; and they made that statement in the light of the experience they had undergone in the Revolutionary War.

> There is a rank—

Said Washington—

> due the United States among nations which will be lost by the reputation of weakness.

I think the folly of all follies for America, with her traditions, with her background, with her constitutional form of Government, standing, as she stands today, the last bulwark of liberty in the world, would be to present even a show of weakness to a world which not only is in peril but which has suffered from war as the world has never before suffered from it. I say it would be folly beyond words for us to say to the world that the Army which we have gathered together, which we have partially trained, which now is partly ready for actual service if need be, shall be hurt, shall be interfered with so that it shall not receive its full training to enable it to act and speak for the United States in action.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. TOBEY. I will not be long, I say to the Senator from Utah. I want to express my appreciation of the remarks of the Senator from Utah. He is always sincere; he could not be otherwise; and I want to say that I share with him a deep appreciation of the responsibility we have in passing today or tomorrow or the next day on legislation of such far-reaching and deep import.

From my constituents at home there have come to me a few questions which I want to pass on to the learned Senator from Utah for his comment and reply, if he will be kind enough to reply to them.

Mr. THOMAS of Utah. I shall be glad to do so.

Mr. TOBEY. They are not captious in any sense of the word, they are not political, they are not partisan. They are questions dealing with the legislation before us.

Very briefly, the first question is, What is the record of voluntary enlistments in this country during the past year?

Can the Senator give me that information?

Mr. THOMAS of Utah. The record of such enlistments is very good, Mr. President. It is so good that even one like myself, who wants to see the voluntary system preserved and who has always maintained that, all things being equal, of course, a voluntary army is better than a conscript army, was surprised beyond words to discover that even in the face of the National Selective Service Act men still offered themselves in great numbers.

I do not remember the exact number, though it has been given to us. It is significant that in a democracy—and I use a word which I apologize for using—by passing the Selective Service Act we overcame in the United States the "ballyhoo" incident to the preservation of the volunteer system in England; we overcame that method which had been sometimes employed in the United States. We all remember that at one time if a boy appeared in civilian clothes someone would indulge in a joke and ask if he was exempt because of dandruff or something of that kind. There is no question today in the United States that the man in civilian clothes can go about his business without having the least concern about not being recognized by his fellow men as carrying out to the fullest his duties as a civilian.

Mr. TOBEY. In reference to the Senator's comment on the voluntary plan, in my mind it is a wonder, which I think is shared by others in this body, why the administration, the War Department, has rather frowned upon and discouraged a larger reliance upon a voluntary plan of enlistment. Will the Senator kindly give me his views as to that?

Mr. THOMAS of Utah. I will have to say to the Senator that the Senator has given me an opportunity to repeat some rather harsh words which I used last year when the Selective Service Act went into force. I think there was no reason at all for the rejection of some 700 men on the

first day when induction began. I think the War Department has repented its action, if I may use that word, without meaning to criticize unduly.

But we must remember the psychology of the men who have been trained in our Army and who have been schooled in the experience of the Army. They want an army that is far separated from any political notion as they can get it; they want an army which takes orders and does not give them. Everybody wants that kind of an army; so we can forgive the Department that in their zeal to see that the selective-service idea should become fundamental they acted as they did. I was surprised at the voluntary enlistments because in both the National Guard Act and the Selective Service Act we gave to the men inducted under those acts certain rights and certain privileges to which the others were not entitled, but, in the face of that fact, volunteers came forth.

The idea of the Army, based upon the fundamentals of selective service, is that the man shall serve in the place in which he is best qualified to serve, all things being considered, and men are asked to let the Government be the judge.

Mr. TOBEY. There is quite a disparity, is there not, between our philosophy here as to enlistments with reference to the voluntary plan and conscription and that of Canada?

Mr. THOMAS of Utah. Now the Senator has me on another spot.

Mr. TOBEY. Knowing the Senator's sense of fairness and justice and the philosophy he has practiced, I am delighted to have him "on the spot."

Mr. THOMAS of Utah. The Senator knows I introduced Joint Resolution 95, and I seriously thought that the limitation in regard to the Western Hemisphere, which was put it it by an amendment on the floor of the Senate both in the Selective Service Act and in the National Guard Act would interfere with the best interests of the Army under certain circumstances. To be exact, we have a National Guard regiment in Hawaii. Assume that we have trouble in China, where we have a right to send troops, where we have a duty to send troops to protect the United States Court for China, and the regiment could be used, but there is a limitation upon certain men in the regiment; they cannot be taken out of the territory of the United States. I wrote in a provision that the men, of their own volition, could waive that limitation imposed upon them by Congress. That made the matter wholly voluntary. The Army does not like that. I can understand the Army's frame of mind, because I have read Upton; I have studied Upton; I have gone through all his theories, not so well as the Army has but quite as laboriously, for Upton is the hardest book I ever read.

The Army does not want the situation to be such that every man, after he has gotten into the Army of the United States, shall have a right to say anything about his orders. They are logical in that attitude, because they are caught in that situation in regard to enlistments and in a dozen other ways. An army in America can never be conducted on any other basis than an individual contract of the man in the service of his Government; and so long as men are men and so long as the theory of the individual lasts in our country, we will never have any other kind of an Army. I may say further that one general objected to my suggestion on the ground that I was going to introduce into the Army of the United States the theory of the commissar representing the party, as in the Russian Army. In the United States we do not need any commissars in our Army, because the Congress of the United States takes care of the interests of the individual; the Army of the United States is not a party Army, and the Government of the United States is not a class government. The need for commissars in the Russian Army is just as logical and just as consistent with the theory of the Russian Government as it can be, because that Government is based upon the notion of class; it is based upon the notion of privilege; the army there set up was a revolutionary army, and it was the theory of the revolution that it was to be sustained. I am defending it, and I do not like to be charged with assuming that I would introduce into our Army any such system as that.

Mr. TOBEY. I notice that Harry Hopkins arrived in Moscow this morning. The Senator does not suppose for a moment it is for the purpose of learning the first principles of commissars, does he?

I now pass this question on: What portion of the mobile armed force at the present time are Regulars?

Mr. THOMAS of Utah. Let us take the outside figure; I remember that better; I could not give the figure exactly, but in an army of 1,700,000 which General Marshall is hoping to have, there will be 650,000 Regulars.

Mr. TOBEY. Six hundred and fifty thousand?

Mr. THOMAS of Utah. Six hundred and fifty thousand; so about a third will be Regulars if the objective is attained.

Mr. TOBEY. Why is it that the War Department is now discouraging the reenlistment of Regulars whose terms of service are expiring?

Mr. THOMAS of Utah. When I heard the Senator from Michigan [Mr. VANDENBERG] read that order, I, of course, was startled. I have been so busy with this matter that I have not had a chance to ask why the order was issued. I cannot answer the Senator's question.

Mr. TOBEY. I thought it might have come out around the committee table.

Mr. THOMAS of Utah. The policy seemed to me so thoroughly inconsistent, as the order was read by the Senator from Michigan, that it seemed like a mistake. There must be some explanation. I cannot answer.

Mr. TOBEY. That is just the point. Here we sit, as 96 representatives of the people of our respective States; and out in the hinterlands of America today the plain, ordinary men and women are asking these questions. The purpose of these questions and the fine answers the Senator is giving is to elucidate this matter before the American people.

Mr. THOMAS of Utah. I can say one thing, if the Senator will permit this statement:

In the selectee we have a superior selected individual. There is no doubt in my mind that after the year of training the future noncommissioned officers will come almost entirely from the trainees. That is due to the fact that men in the United States ordinarily have not sought enlistment or life service in the Army.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. Yes.

Mr. BARKLEY. On the day on which the Senator from Michigan [Mr. VANDENBERG] inserted in the RECORD the order of the Department, later on he received a reply from the Secretary of War with respect to it and in response to a letter he had previously written; and the reply was printed, I think, following the order, or at least in that day's RECORD. Whether the reply was satisfactory to the Senator from Michigan or any other Senator, I am not in position to judge; but the reply is in the RECORD of that day.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. Yes.

Mr. VANDENBERG. The Senator from Kentucky is correct. The answer was received and printed in the RECORD. I confess I did not think it was responsive. The chief excuse given for the order was that it was intended as a formula to rid the Army of incompetent soldiers who had demonstrated through their 3 years of service that they were not particularly available.

If the Senator will permit me, however, I respectfully suggest that that does not answer the reason given in the order itself for the issuance of the order, because the order said that as soon as a soldier is wholly trained and wholly competent, his retention "offers little benefit to the Army."

Mr. TOBEY. It seems like an anomaly.

Mr. VANDENBERG. And the thing which still completely puzzles me is, how we can face an emergency in our armed forces which, according to General Marshall and the War Department and the President, requires the retention of 1-year conscripts so as to form the nucleus of a dependable force, and yet at the same time justifies the discouragement of the voluntary reenlistment of 3-year Regulars. That situation remains inscrutable to me.

Mr. TOBEY. Let me ask the Senator from Utah whether there are facilities for training more than the 900,000 men a year who can now legally be inducted by draft.

Mr. THOMAS of Utah. There are not, and probably there never will be, actual facilities for properly training more than 900,000. I think it will be found in practice that the number running over 900,000 will not be great, because when once we adjust the time element so that persons are properly trained in the larger units, as I have said, it will be found that the theories of the selective service of the turn-over will be in operation.

Mr. TOBEY. Let me ask a question which is collateral to that. I have received letters—and doubtless the Senator has, too—from draftees in camp, citing the conditions in different parts of the country, in which, for example, one man says:

> For 4 months or 4½ months now we have had nothing new to do. We have not the equipment to drill with and use.

And so forth. Now, the question comes up, in the Senator's judgment, after listening to the testimony before the Committee on Military Affairs, will that situation be completely remedied in the near future?

Mr. THOMAS of Utah. I think it will be remedied, and I think it is a situation which never should have been allowed to occur; and we wrote into law, by an amendment, which I myself prepared out of the experiences of the last war, that men would not be inducted until there were camp facilities, until there were training instrumentalities, until there were trainers ready to take care of them.

Mr. TOBEY. One might interject there that the only lesson we learn from experience is that we learn nothing from experience.

Mr. THOMAS of Utah. I think we have learned a great deal from experience. No one should take my statement to be that conditions today are like they were in 1917, because that would not be true. In 1917 we had a Regular Army of 200,000 men, even after the passage of the National Defense Act of 1916, and after we had had a year to prepare under a new National Defense Act which proved itself to be rather effective in carrying on the World War; but still we had only 200,000 Regulars, and 67,000 members of the National Guard who were brought into the Federal service. When we get into those comparisons we shall see, taking the Army as a whole and the training that has been done, that there is just no comparison. There has been no loss of life that I know of and no real hardship in inducting any of these persons. There may be some slip-ups in training, and that may be because the officer who should be in command of the camp has not yet been discovered. A teacher can never teach above the potentiality of his ability.

Mr. TOBEY. And his content.

Mr. THOMAS of Utah. And his content. There is no doubt that there are some camps in which those who are not quite as fit as they should be are still directing affairs, and the school for training cannot be worked out as it should be.

Mr. TOBEY. That will always be true so long as we use the human equation.

Mr. THOMAS of Utah. I hope it will be less true all the time, but it will be true.

Mr. BARKLEY. Mr. President, will the Senator permit me to interject a remark at that point with reference to the training-camp facilities?

Mr. THOMAS of Utah. I yield.

Mr. BARKLEY. As the Senator knows, the War Department have been making a systematic survey all over the country with a view to having certain tentative sites already selected in their own minds in the event additional training camps are necessary. Only 2 weeks ago the War Department officially announced the selection of some 24 additional sites for training camps if and when they are needed and if and when Congress authorizes the required funds for their construction.

I think it is a commendable thing that the War Department have made these surveys in advance, so that they will have been able to pick the most available sites throughout the country in the event it becomes necessary to have additional training camps, so that if they are necessary there will be no delay at least in beginning their construction such as has always occurred when we authorized an increase in the Army before they had even made any tentative selections of sites for training.

Mr. TOBEY. But, of course, that is only half of it. Securing camp sites with foresight is helpful and worthy; but I had in mind more particularly the other part of the picture. My question was as to the tools, the machinery, the equipment, and the mechanical devices with which the men are to be trained in that time of service. Will those things catch up with the 900,000?

Mr. BARKLEY. That is a very important matter. I am not, of course, as prepared as are the members of the Military Affairs Committee to state to what extent the facilities and tools—the implements, in other words—for training have caught up with the number of men. I think they have made some gain on the number of men, but whether they have actually caught up I am not in position to say.

Mr. THOMAS of Utah. I should like to say at this point that there is no comparison in that regard between the present condition and that in the last war. There are certain things that a soldier can do with very, very little equipment to start with; but in the last war there were some units that I know about that had not even received their broomstick guns by the time the war came on, the fundamental training at places where we knew they had no guns.

We also know that it was long after the war ended—and this, more than any other thing, is responsible for the salvation of England today—that our production of Springfield and Enfield rifles began coming to the full. It was because of that fact that we were able to store those surplus arms, so that England had something with which to shoot, after all her equipment, after all her arms, had been lost.

Mr. TOBEY. The President, in his message to Congress seeking support for legislation now before us, made a very dramatic statement, an emphatic statement, on page 3 of the address, which I quote:

> I do believe—I know—that the danger today is infinitely greater.
>
> I do believe—I know—that in all truth we are in the midst of a national emergency.

This is not my question, but it is passed on to me in good faith by a number of people in New Hampshire who have written me. They write something like this: They quote the President's statement to me, which is why I quoted it, and they say, "As we have read the press, and heard the comments on the radio, and learned about these things, we go back and find that England was in great danger of invasion overnight, and fear and apprehension were felt there. She was being bombed nearly to death every night on a scale transcending the present bombings. We find that Italy had a good army working shoulder to shoulder with Germany, which had not been tried out at that time. We find that the German military machine had had no set-backs and had lost no appreciable number of men, in contrast with what the President says about what he knows today, and his dramatic statement about the seriousness of the situation a year ago."

They cite the fact that bombings of England have, until the last 2 or 3 days, been almost entirely nil. They point out the fact, with which we are well acquainted that the possibility of invasion across the channel by Germany is almost out the window, at least in the opinion of experts, that it cannot occur for another year, at least. We find that the Italian Army has been almost shot to pieces in Egypt and Greece. They point out that Russia, which was then fighting against England, is now crawling in bed with her and fighting for her. They point out other anomalies, in contrast with the situation a year ago. Then they say, "Tell us, Mr. Senator, the facts about this, and how do you construe the statement of the President?"

This is my question to the Senator, in all good faith. If the situation is so acute, and the President has this intimate knowledge by which the Military Affairs Committee was so impressed, as it was impressed by General Marshall's testimony, there must be something the President knows and General Marshall knew and passed on to the committee that is "brass tacks" and arouses apprehension. If that be true, it must stem from Mr. Hitler and his war machine, and if that be true, certainly, Mr. Hitler is fully cognizant of what Mr. Hitler's and his war machine's plans are. If that be true, and if my premise is correct, why should not the Congress of the United States and the plain people of this country have a showdown in definite terms, epigrammatic language, of what the facts are, what the dangers are, which justify the statement of the President—"I believe, I know, it is much more serious"?

Will not the Senator enlighten us, will not someone tell the American people, through the Senate, today, what the situation is, justifying him in declaring that the situation is much more serious than it was a year ago, in view of the statement I have made as to the inquiries from the people back home? I await a reply.

Mr. THOMAS of Utah. It would not be difficult for me to say what I know. I do not know what the President knew, but I do know what has taken place in the world. I know that, so far as our interests in the Far East are concerned, they are very much more hazardous today than they were even day before yesterday. I know that if Hitler was a threat in 1939, he is more of a threat today, in spite of the fact that England

has been able to stand up, in spite of the fact that Italy has been defeated in spots.

Mr. TOBEY. In spite of the fact that he has lost countless men in his Russian campaign, and large quantities of mechanical equipment?

Mr. THOMAS of Utah. The losses in no way equal the gains. Listen to this. Germany's peacetime strength on September 1, 1939, when she went into Poland, was as follows:

Thirty-five line infantry divisions, 4 motorized divisions, 3 fortress divisions, 3 mountain divisions, 1 cavalry brigade, 9 armored divisions; a total of 54½ divisions.

The status on July 16, 1941, just the other day, was as follows: 192 line infantry divisions, fully and completely equipped. Germany picked up all of the factories and equipment of Czechoslovakia. She picked up all the factories and equipment of France. She picked up all the factories and equipment of Belgium. She got control of the matériel and ammunition in Denmark. And let me say that Denmark was no small producer of munitions. Most of the rapid-fire guns used by the Chinese Army are of Danish manufacture.

All of those are gains and are in addition to the gains I am showing here. In manpower and army power, whereas Germany had, when the war opened, 4 motorized infantry divisions, she now has 40 motorized infantry divisions, 10 times as many. Whereas she had 3 fortress divisions, she has not any now. What happened? The Senator from New Hampshire knows what happened. The fortress division is unnecessary, and the Germans changed very quickly.

Germany had three mountain divisions. She now has seven mountain divisions, and she will need them in the next 2 weeks because she has gotten into the Russian mountains. If those seven mountain divisions are as strong as the original three were, she may get to Moscow by the strength and the improvement of her army in that regard.

She still has one cavalry division. She has not increased that.

She has 20 armored divisions in comparison with 9.

Today she is better equipped and better trained, with leaders who have seen actual combat, with men who know what war is. She has 260 divisions, compared with 54½ divisions, almost 5 times as many.

The Senator mentioned Italy, and it might be interesting to show what has happened as a result of Italy's defeat. Italy has been bolstered up in her homeland, and Italy's reserves are great. From the standpoint of military maneuvers, the Italian Army is well trained. The fault with the Italian Army is that it does not like to fight certain other people. It does very well in fighting certain kinds of people—and that is not a reflection. Let me comment here that during the Chinese revolution, when nearly every soldier carried sidearms, and was armed to the teeth, it was great to see our American boys living up to the treaty, not carrying a sidearm, but realizing that that which was represented by their uniforms was enough to take care of any situation. The only people in China who equaled them at that time—and we must give them credit for it—were the turbaned Sikhs. They knew how to handle and take care of the lives and interests of their government in China.

The strength of the Italian Army in September 1939 was approximately 1,500,000 as compared with its present strength of about 2,000,000 men. That is the strength of the Army of Italy—Italy which has been driven out of a part of Africa. The present strength is far below the potential strength which is estimated at some 6,500,000 men, with equipment.

On April 14, 1941, the Italians practically completed the conquest of their part of northern Africa, and the British are left in but one place, as the Senator knows.

On April 17, 1941, the Italians assisted in the conquest of Yugoslavia, giving them, after their defeats in Greece, a new lease on life, rejuvenating their morale, and teaching the Italian youth that under the proper direction, with the right allies, with the right officers, they were still able to fight.

Mr. TOBEY. Yugoslavia—that is the nation we were going to send so much aid to, is it not?

Mr. THOMAS of Utah. That is the nation to which we promised to send aid, but we did not have time to get anything over there. Does that not argue a bit in favor of what we may say about the peril and uncertainty being still greater?

On April 22, 1941, the conquest of Greece was effected. On May 31 the Italians assisted in the conquest of Crete which, together with the conquest of Greece, has resulted in the Italian occupation of most of the Aegean and the Adriatic Islands. Italy today is rejuvenated. She is very much more of a war risk than she was 6 months ago.

Mr. TOBEY. Does the Senator from Utah confirm that Hanson Baldwin is correct in his article published in the New York Times of a week ago in which he stated that our Army today, in contrast with Hitler's Army, which the Senator cited here so fully, has not a single combat division ready to be put in the field? He also made the statement that the Army does not possess a single dive bomber. Are those statements correct, according to the Senator's understanding?

Mr. THOMAS of Utah. I do not know. I cannot——

Mr. TOBEY. The statement was so extreme, so unusual, and so dramatic, I wondered whether the Senator had read the article which Mr. Hanson Baldwin wrote.

Mr. THOMAS of Utah. I have not read it.

Mr. TOBEY. I have one more question to propound to the Senator.

Mr. THOMAS of Utah. Incidentally, I may say, though probably I should not say it, that when a Senator of the United States comes here defending a very serious contemplated action on the part of the United States, which might not only affect the lives of men but might actually take them, which might make the international situation more serious, I believe he should not take his facts from even the best of observers in the literary field, when he has the Intelligence Service of the Army of the United States to give him the correct facts.

We cannot run to the Army Intelligence Service and say, "Here, tell me this." They will not tell us. But they will not keep from any Senator of the United States that which is in the national interest. The facts which are given, the facts which I have insisted upon having—and I apologize for having put even my own experience in the Chinese situation before the Senate—were supplied me by the best source of information the Government of the United States has to give information to those who direct the policies of the United States.

Mr. TOBEY. Mr. President, may I trouble the Senator with one more question? The Senator from Utah, who is now speaking, is an eminent constitutional lawyer.

Mr. THOMAS of Utah. Oh, no, Mr. President. I was accused of being a lawyer. I am simply a sentimentalist.

Mr. TOBEY. The Senator is an eminent constitutionalist; let me put it that way.

Mr. THOMAS of Utah. Well, I have spoken before lawyers' organizations, if that is what the Senator means.

Mr. TOBEY. The question I have to ask is this, sir: In the Constitution there is a section, or a clause, or a proviso, which says that the Congress shall have the right and power to make rules and regulations governing the Army and naval forces of the United States. First, I should like to have the Senator's interpretation of what that means translated into the power of the Congress to legislate. Second, how does that power vouchsafed under the Constitution conflict, or does it not conflict with the powers of the President as Commander in Chief of the Army and Navy, and also, collaterally, the sole power of the Congress to declare war?

I should appreciate very much in all sincerity a little dissertation from the Senator from Utah on the subject which I have brought up.

Mr. THOMAS of Utah. Does the Senator mean that seriously?

Mr. TOBEY. I do, sincerely; never more so, sir. There is no facetiousness in the question at all. The question is asked with a sincere desire for the Senator's understanding and interpretation of that provision.

Mr. CONNALLY. Would the Senator from Utah indulge me to say a word?

Mr. TOBEY. Now, Mr. President, I am a little wary about the Senator from Texas when he asks the Senator from Utah to yield. [Laughter.] I have a very high regard for the wonderful pulchritude possessed by the Senator from Texas, and have so high a regard for his phraseology and terminology that I hesitate about him getting into the discussion right now. [Laughter.]

Mr. THOMAS of Utah. It is only because I know I have some friends here that I dare undertake to answer the Senator.

Mr. TOBEY. The Senator has friends on this side of the aisle. One of them is speaking now.

Mr. THOMAS of Utah. It is only for that reason that I dare attempt to do what no one should do here. There is no conflict between the power granted the President, as Commander in Chief of the Army and the Navy, and the power granted the Congress to prescribe rules and regulations for the conduct of the Army and the Navy. The power of Congress, of course, is superior to the power of the Commander in Chief, especially in the matter of declaring war. But even the power of Congress is limited when it comes to appropriations for the Army. It can appropriate only for 2 years, as the Senator knows.

The President of the United States would have no Army or no Navy to command if the authority of Congress were not used to set up such an Army and Navy. The President of the United States would have no ability to use an Army and a Navy if the authority of Congress were not expressed every once in a while in appropriate manner. So there is no conflict. Under our Federal scheme the right to declare war was taken away from the President. That, of course, is written into the Constitution. Ours is a Federal system. We speak for the States and we speak for the people, and we were very suspicious of the Executive power or we would not have set up the kind of government we did.

Mr. President, I see no conflict in the powers referred to. I know of no President who has in any way interfered with the fundamental right of Congress to prescribe rules or make regulations and to bring into existence the Army of the United States. I know that the power of the President as Commander in Chief is exceedingly great, and that an unwise President can actually take the country into war even when no state of war exists legally. It is true that campaigns were carried on in Mexico without a declaration of war, but, so far as I know, no President of the United States by his own initiated acts ever got our country into war.

Mr. TOBEY. Just one hypothetical case and I will be through. Assuming that the Congress, acting under that power, in its wisdom passed a law, or provided a rule or regulation governing the Army and the Navy, that the Navy could not go into certain waters and that the Army could not go into certain foreign lands to fight, could the President of the United States, as Commander in Chief and acting under his powers, contravene the action of Congress?

Mr. THOMAS of Utah. Government would come to an end under our Federal system if we were to have a separation of powers whenever a conflict of that kind arose.

The Supreme Court of the United States can hand down a decision; but the Supreme Court has no way of enforcing its decision. One coordinate branch of the Government of the United States is not the Government of the United States. It may act for the Government of the United States, but it is not the Government of the United States. It is only when we have harmony in action among the three coordinate branches that the Government of the United States functions properly. I cannot conceive of a conflict between the Congress of the United States and the President of the United States in regard to a given situation of the kind referred to which would not bring about so much uncertainty that that which was to be done by execution would be imperiled by nonexecution.

There is no doubt in the mind of anyone that when the fathers set up the Government they wanted our Government to be Presidential. There is no doubt in the mind of anybody that we are all happy that the President has tremendously great powers. To a certain extent the success of our Government has turned upon the fact that we have been willing to have powerful executives, and that we respect the power of the Executive. We know what happened when the German people set up democratic institutions. A Presidential theory of Government was established; but what did the Germans do? They made the president merely an executor or administrator in all phases. They allowed him no discretion, which is inherent in the office of President of the United States, and which makes our form of government quite different from that of other constitutional governments.

Mr. TOBEY. Mr. President, I will close with a brief statement. I thank the Senator for the fine series of answers he has given me, and for his unfailing courtesy. In view of the Senator's last remarks about the Constitution, the diversity of powers, and the three separate and coordinate branches of government, I shall take the liberty of quoting the closing remarks in a great address made by former Chief Justice Hughes at a joint session of the Senate and House on March 4, 1939, on the occasion of the one-hundred and fiftieth anniversary of the First Congress of the United States under the Constitution.

Chief Justice Hughes closed with these words, which I hope will be true 100 years from now:

> But in the great enterprise of making democracy workable we are all partners. One Member of our body politic cannot say to another, "I have no need of thee." We work in successful cooperation by being true, each department to its own function, and all to the spirit which pervades our institutions—exalting the processes of reason, seeking through the very limitations of power the promotion of the wise use of power, and finding the ultimate security of life, liberty, and the pursuit of happiness, and the promise of continued stability and a rational progress, in the good sense of the American people.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. MALONEY. Am I correct in assuming that the measure now before us is the result of the opinion of Army officials that the men already inducted into service have not had sufficient training?

Mr. THOMAS of Utah. There is no doubt about it.

Mr. MALONEY. Is it the paramount purpose of the joint resolution to correct that situation?

Mr. THOMAS of Utah. I should not say that that is the paramount purpose. The necessity for the measure grew out of an actual situation which demonstrated to the Army the disadvantage under which it operates by reason of the present restrictions.

Mr. MALONEY. I have been under the impression that the measure is before us solely because the men have not been given a sufficient training period. I am also of the impression that when the Selective Service Act was under consideration the Army authorities said that they needed 18 months properly to train the men.

Mr. THOMAS of Utah. General Marshall made that statement.

Mr. MALONEY. That is what I thought. If it be true—and I have not heard it contradicted—that at that time the Army required only 18 months for the complete training of the men, and if the reason for the pending measure is that the men are not sufficiently trained, I am wondering if the distinguished Senator from Utah can tell us why that particular factor was not taken into account, because of its importance to the millions of boys who are affected and to many other persons who are also affected. Why was not provision made for a training period of 18 months?

Mr. THOMAS of Utah. The primary reason was that we got away from the theory of any limitation. That was cited by the Senator from Massachusetts a few moments ago as a weakness. We want a flexible arrangement, under which we can take into consideration the units in which the men are serving, the trainers in those units, the officers, and the training itself, quite as much as the time element.

Mr. MALONEY. I should like to say, for whatever value it may have in the debate, that it seems to me that that is a very feeble argument. The Army authorities, with 18 months in which to prepare, and with a limited field in which to operate during peacetimes, want to retain the men for an unlimited period of time because they are fearful that 18 months hence the men may be in some position which would be difficult to change. I can quite understand how the military authorities, for the sake of their own convenience, for the sake of having a well-trained and well-equipped army at all times, would like to keep in service the cream of the 1,700,000 men they hope soon to have; but I think it is of tremendous importance to the country, for ever so many reasons, that we give the military authorities no more time than they actually need while we are at peace. If they tell us that 18 months is a sufficient time in which properly and completely to train the young men, I do not think we should penalize the men first called by neglecting the millions of others already registered and yet uncalled, on the basis of the argument or opinion that 18 months from now they may be in Hawaii, Alaska, or Iceland, and that it may inconvenience the Army to transfer them.

If the time involved were a week, 2 weeks, 3 months, or 6 months, I should say that the argument would have some weight. But with the time 18 months hence, it seems to me that the argument

of the military authorities is destroyed. I am in sympathy with every effort properly to train and equip the Army, and keep it well equipped and at full strength. Nevertheless, while we are at peace, I think we ought to take into account the convenience of the millions of men who are called, and the convenience of their families, rather than only the convenience of the military authorities.

Mr. THOMAS of Utah. I think the Senator will realize that any answer to a question like that must be a feeble answer, and not satisfying.

Mr. MALONEY. I did not mean to be critical. I was only trying to make the point for the sake of the debate.

Mr. THOMAS of Utah. I understand; and I reiterate that the answer which I am about to give will be a feeble one.

Mr. MALONEY. I have great respect for the ability of the Senator.

Mr. THOMAS of Utah. If we establish a limitation and allow for no flexibility we must keep the men 18 months.

Mr. MALONEY. I beg to differ with the Senator. The provision need not be compulsory. While we are at peace I am concerned with the maximum length of time the men may be kept in the service.

Mr. THOMAS of Utah. To state the matter in another way, so that the Senator may see what flexibility will do in the Army, and how it will add to the efficiency of the Army, I have stated time and again—and I rather dislike to repeat it in the RECORD—that if we are to have good training, the selective service and training must at all times take into consideration not only the individual who is to be trained, but also the trainer who is to do the training, and the particular unit which is to be a part of the training.

That is how the reference to 18 months got into the hearings. General Marshall was trying to explain that, with the Army expanded to the size of a million men, it would take 18 months to cover the basic training essential to giving a man preliminary training in the duties he might be called upon to perform. Such a man must become trained not only in the school of the soldier, the school of the platoon, the school of the company, the school of the battalion, and perhaps the school of the regiment—which was about as high as any National Guard regiment ever had a chance to train years ago—but when an army is expanded to a million men and when maneuvers are held involving, let us say, several divisions or an army corps or a complete army, the training in such maneuvers, of course, takes more time than the training for a regimental maneuver. The staffs, the unit commanders, and all their subordinates must be trained; and the duty of a colonel in a regimental unit in a large maneuver may be quite different from the duty of such an officer in a small unit.

The Plattsburg gentlemen who wrote the Selective Service Act thought in terms of 8 months' training as being sufficient, because they thought of the old army, and they thought of small unit training. But General Marshall, being the soldier he is, said that if we are to expand the Army into a force of a million men, we shall have to provide training through the maneuvers of, let us say, an Army corps. Eight months is not sufficient for that, but 18 months is.

Mr. MALONEY. How much time would be required?

Mr. THOMAS of Utah. Such training would require 18 months.

Mr. MALONEY. Based upon information from Army officials and others, is it the Senator's judgment that 18 months is sufficient time properly to train the young men?

Mr. THOMAS of Utah. It is sufficient to give them the basic training necessary to an understanding of their duty in a large maneuver as well as in a small maneuver.

Mr. MALONEY. The World War was over 18 months after the men were called in 1917.

Mr. THOMAS of Utah. If the school were started in that way, 18 months would give the men all those experiences in peacetime.

Mr. MALONEY. Let me ask the Senator from Utah another question, if he will yield to me again.

Mr. THOMAS of Utah. I yield.

Mr. MALONEY. As a result of the hearings and the study the Senator has given this particular matter, has he arrived at a conclusion as to what would be a proper length of time for training under existing conditions?

Mr. THOMAS of Utah. I think it would be very bad to have a fundamental scheme based upon anything but flexibility.

Mr. MALONEY. I realize that we can always make it flexible by way of future action of the Congress. We are now proposing to make it flexible.

Mr. THOMAS of Utah. We must make it flexible in relation to the particular training. I think the Senator must agree with me that a little longer time would be required to train a man to take care of the duties of even a private in a bombing plane than to take care of the duties of a private in an infantry squad, for example.

Mr. MALONEY. Yes; I quite agree.

Mr. THOMAS of Utah. What the Army of the United States is trying to do, and what we are trying to do by this measure, is to bring the training system into line with the true scheme of the selective service, so that we can give the individual the kind of training he requires, which may be greater than the training given to another individual. "Flexibility" is the word.

Mr. MALONEY. Of course, "flexibility" is a good word, and it is a broad one. But I do not think the Senator is correct when he says he is keeping within the true spirit of selective service by keeping men in service indefinitely. As I understand the true spirit of selective service, it is to keep the men in service for a period of a year and then call in other trainees until we shall have trained millions of men who are available. It seems to me that we are getting away from that theory.

Mr. THOMAS of Utah. No.

Mr. MALONEY. Will the Senator answer this question——

Mr. THOMAS of Utah. I should like to answer in another way.

Mr. MALONEY. As a member of the Military Affairs Committee and as one familiar with the views of the other members of the Military Affairs Committee, can the Senator tell us whether the Military Affairs Committee decided what should be the proper length of time? Or did it determine that there should be a limit?

Mr. THOMAS of Utah. The committee cannot decide that question and at the same time be fair with respect to the training requirement. It simply cannot be done. The Senator may say that 4 years is long enough for a man to be in college, that 8 years is long enough for him to be in grade school. True; but when we train for particular things we do not impose such limitations; and if we bear in mind the spirit of the Selective Service Act, as I have tried to explain it, we find it will operate very much better under a flexible system than under the sort of system described.

Let me show the Senator what would happen if the 12-month training period were retained. We now have trained for about one-half a year approximately 50 percent of the available physically fit Reserve officers of the United States. At the end of the year those men must go out. They are not trained to do the greater maneuver work. New men must come in to take their places. The idea is to bring in the new ones when it is advantageous to the individual, to the Army, and to the Nation to bring them in.

It will be found that under this system the turn-over will be just as rapid as it is now, and probably even more rapid, that men will find their capabilities, or their capabilities will be found, and that they will be trained to the utmost of those capabilities. The genius of the training scheme as it now works out under this theory is based upon the notion of seeking the men individually and taking care of them individually. That is the foundation stone of the success from a military standpoint of the German Army today. The Germans overthrew all the old theories about military training when the treaty army came into existence.

Mr. MALONEY. Mr. President, will the Senator again yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. MALONEY. My purpose in rising and asking the questions I have asked was to try to be helpful in connection with the pending measure.

Mr. THOMAS of Utah. I appreciate that fact.

Mr. MALONEY. And also for the purpose of seeking enlightenment. It is my understanding that the Military Affairs Committee concludes that as of today there should be no maximum period of service beyond the expiration of the law in 1945.

Mr. THOMAS of Utah. I think that is correct, if before that date Congress has terminated the emergency.

Mr. MALONEY. I thank the Senator from Utah.

Mr. THOMAS of Utah. And it was also the committee's conclusion.

It must be remembered that the amendment is merely an amendment to one section of the law. It is not a substitute for the law; it must be remembered that all the other sections will be there.

Mr. VANDENBERG and Mr. HILL addressed the Chair.

Mr. THOMAS of Utah. I yield, first, to the Senator from Michigan.

Mr. VANDENBERG. The Senator from Utah has been on his feet 4 hours, and is entitled to a rest, but I should like to clear up one fundamental and important fact if I may do so. Did I correctly understand the Senator from Utah to tell the Senator from Connecticut, in response to his question, that the authority under this act terminates in 1945?

Mr. THOMAS of Utah. I think the Selective Service Act itself terminates in 1945.

Mr. VANDENBERG. I call the Senator's attention to the language of section 8 of the joint resolution, which is as follows:

SEC. 8. Section 16 (b) of the Selective Training and Service Act of 1940 is hereby amended by inserting after "May 15, 1945," the following: "or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later."

The Service Extension Act of 1941 is the one we now have under consideration. Section 2 is an unlimited authority, bounded only by the President's conclusion that the interests of the national defense are involved. Therefore that would be a later termination date and then the specific date in the Selective Service Act. Consequently it seems to me that what section 8 does is to remove from both the Selective Service Act and this joint resolution all limitation except the President's judgment as to what the national defense requires. Is not that so?

Mr. THOMAS of Utah. I think not.

Mr. VANDENBERG. I do not understand how the Senator can get away from that conclusion.

Mr. THOMAS of Utah. I think the Senator from Michigan would be justified in saying that section 8, for example, would extend, so far as the individual soldier is concerned, the right of the Army to keep him 6 months after the expiration of the act, but when the Senator understands that the purpose of this amendment is to take care of and release men when it is to their advantage to be released and not be discharged on a given day and without being taken care of, and when he understands the way in which this 6 months' provision works in the Navy, he will not have very much misgiving about it.

Mr. VANDENBERG. If the Senator will permit me, I do not see how we can escape the direct import of the language. Section 16 of the Selective Service Training Act is the section which states that the act expires on May 15, 1945. Now a provision is brought in which extends that limitation to the limit of authority conferred by section 2 on the pending measure, and section 2 is without limit except the President's judgment regarding the needs of the national defense. So I am unable to see how the Senator can escape the direct challenge of the language of section 8, which finally comes to the conclusion that there is now to be no limitation upon the Selective Service Act or upon the pending joint resolution, except the President's estimate of the interests of national defense.

I am not trying to argue the point; I am merely trying to fix a fact upon which we can argue; I want to see if we cannot agree upon the fact.

Mr. THOMAS of Utah. There is no doubt about our ability to show that the meaning which the Senator has read into this proposed amendment is rather an extravagant meaning. Flexibility is added so as not to release a man under circumstances which are not entirely to advantage, as is done now under the provision of law which makes his release mandatory.

Mr. VANDENBERG. Section 16 (b) of the Selective Training and Service Act has nothing to do with the service of the man; it has to do with the life of the legislation.

Mr. THOMAS of Utah. And this is an addition to section 16 (b) of the National Selective Service Act——

Mr. VANDENBERG. Exactly.

Mr. THOMAS of Utah. Which operates in accordance with the fundamental National Defense Act. It is an addition and does not have any purpose except to make flexible the day when the man is released from the Army, so that he may be released when it is to advantage to be released and not when it is to disadvantage. That is what it means.

Mr. VANDENBERG. I may be very thickheaded about this, but I do not see how I can escape the direct meaning of the language. Subsection (b) of section 16 of the Selective Service Act provides:

All the provisions of this act, except the provisions of sections 3 (c), 3 (d), 8 (g), and 12, shall become inoperative and cease to apply on and after May 15, 1945.

Now it is proposed to amend that by adding the words:

Or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later.

So if the authority conferred in section 2 of this resolution runs beyond May 15, 1945, and 6 months thereafter, then the termination fixed in section 2 of this act is the one that governs the Selective Service Act and this resolution.

Mr. THOMAS of Utah. As I said before, the Senator from Michigan is justified in saying that it extends the life of the act if Congress has not then terminated the authority granted in section 2 of the bill.

Mr. VANDENBERG. Will the Senator look at the language of the joint resolution? It does not extend it 6 months; it extends it to the date fixed in section 2 of this resolution.

Mr. THOMAS of Utah. But what date is that?

Mr. VANDENBERG. The date in section 2 of this resolution is without limit.

Mr. THOMAS of Utah. No; it is limited to the will of Congress. Congress alone retains authority to end it by concurrent resolution.

Mr. VANDENBERG. It is without limit except in the judgment of the President as to what the national defense requires.

Mr. THOMAS of Utah. No. All this amendment does is to declare that if the national interests are imperiled the President shall have power to do certain things; that does not amend the rest of the law at all.

Mr. VANDENBERG. But section 8 of the joint resolution does specifically amend the rest of the law.

Mr. THOMAS of Utah. For a period; as to time.

Mr. VANDENBERG. Apparently I cannot make myself understood or else the Senator cannot.

Mr. THOMAS of Utah. The Senator does not want to make himself understood.

Mr. VANDENBERG. I do; I am very much in earnest in trying to find out what the draftees' rights are going to be after the joint resolution shall have been passed.

Mr. THOMAS of Utah. It is all done for the benefit of the national interest.

Mr. VANDENBERG. I think it makes a great deal of difference to a draftee whether he can be held in the service for 2 years or 5 years or 20 years, and that is involved in the determination of a fact which I am trying to settle. I repeat to the Senator I am not trying to argue with him now; I am trying to discover if we cannot agree upon a fact.

Mr. O'MAHONEY rose.

Mr. VANDENBERG. The Senator from Wyoming is one of my favorite arbiters, and I should like to ask him if he understands what it is I am trying to find out?

Mr. O'MAHONEY. Mr. President, I was about to say, if the Senator from Utah will yield for that purpose, that, as I understand, the point of the Senator from Michigan seems to be well taken.

Mr. VANDENBERG. I thank the Senator for that consolation. [Laughter.]

Mr. O'MAHONEY. In order that I may get the matter straight in my own mind, I desire to ask the Senator from Utah if the effect of section 8 of the pending joint resolution to which the Senator from Michigan has referred would not be to change section 16 (b) of the Selective Training and Service Act so that it would read as follows:

All the provisions of this act, except the provisions of sections 3 (c), 3 (d), 8 (g), and 12, shall become inoperative and cease to apply on and after May 15, 1945, or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later, except as to offenses committed prior to such date, unless this act is continued in effect by the Congress.

Does not section 8 of the pending joint resolution amend section 16 (b) of the Selective Training and Service Act so that it would read just as I have now read it?

I will state to the Senator that all I did was to take section 16 (b) as it stands

in the present law and insert after the words "May 14, 1945," the phrase which section 8 of the pending joint resolution directs shall be inserted.

It is impossible for me to reach any other conclusion than that the Senator from Michigan is right. If it is the intention of the committee to place a limitation upon the authority which is conferred in this section, there is, in my judgment, no limitation in the language which the committee now recommends.

Mr. THOMAS of Utah. Mr. President, the only place where the 6 months' period can be inserted is where the amendment directs that it shall be inserted.

Mr. O'MAHONEY. That is correct, and that is where it has been inserted in what I have read.

Mr. THOMAS of Utah. So the way in which the Senator from Wyoming read the proposed amendment would, of course, be correct. The whole of section 16 (b) would then read as follows:

> All the provisions of this act, except the provisions of sections 3 (c), 3 (d) 8 (g), and 12, shall become inoperative and cease to apply on and after May 15, 1945, or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later, except as to offenses committed prior to such date, unless this act is continued in effect by the Congress.

That provision is very plain to me, because I know what it is desired to do. It is desired to give the selectee the advantage of a proper time to be released, and not turn him loose at a given date. He may be released in exactly 12 months; he may be released before that time; but the theory of the provision is to give the Army opportunity to treat these men as individuals, and not, by an inflexible law, to hurt them under the individual situation in which they are in regard to geographical place and circumstance.

Mr. VANDENBERG. I thank the Senator for his patience.

Mr. O'MAHONEY. Mr. President, if I may intrude once more——

Mr. VANDENBERG. The Senator is more than welcome so far as I am concerned.

Mr. O'MAHONEY. Let me say this:

Glancing over the Selective Training and Service Act as it now stands, I find that sections 3 (c), 3 (d), and 8 (g) appear to deal with the subject matter which the Senator from Utah has just described; namely, the term of service of particular selectees; but the amendment which the committee brings in does not deal with that matter at all. The section which is to be amended by section 8 now provides that all the provisions of the act except the provisions dealing with the points which the Senator mentions shall terminate on the 15th of May 1945. The committee amendment alters that, and says, in effect, "That will not necessarily be the termination. There may be another termination; namely, 6 months after the termination of the authority which is conferred by section 2 of the joint resolution;" and that authority is an authority which is conferred upon the President to grant extension of service.

Mr. VANDENBERG. Without limit.

Mr. O'MAHONEY. Without limit.

Mr. PEPPER. Mr. President, will the Senator yield at that point?

Mr. WHITE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. The Senator from Utah has the floor. I have interrupted merely in an attempt to explain the situation as it appears to me.

Mr. THOMAS of Utah. Mr. President, never having been a barber, I never know who is next. [Laughter.]

Mr. VANDENBERG. I thank the Senator for his patience. He has convinced me that I am correct, if I may say so with great respect.

Mr. THOMAS of Utah. The Senator from Michigan may get all the satisfaction out of his statement that he desires.

Mr. VANDENBERG. The Senator will not blame me for taking comfort out of finding the distinguished Senator from Wyoming in my corner.

Mr. THOMAS of Utah. Oh, no.

Mr. HILL. Mr. President——

Mr. THOMAS of Utah. I now yield to the Senator from Florida [Mr. PEPPER].

Mr. PEPPER. I will defer to the Senator from Alabama.

Mr. HILL. Mr. President, I was very much interested in the thoughtful questions submitted by the Senator from Connecticut [Mr. MALONEY] about how long it will take to train a man—whether 12 months, 15 or 18 months, or what the training period should be. His questions were certainly very apropos and very germane; but I do not think we should lose sight of the fact that the measure now before us does not involve only the question of the training of the individual soldier. A very extraordinary situation confronts our country today, which certainly, in the opinion of many of us, imports very grave danger. There is a plague sweeping through the world, and the history of plagues is that they sweep from the east to the west. That plague is Hitlerism. The question is now whether we are to have an army strong and efficient to see if we cannot prevent that plague sweeping to our shores. It is just as if we were living in an area infested with a plague. We would endeavor to keep our physical bodies in the best possible condition to see if we could not avoid being victims of the plague.

In his testimony before the Senate Committee on Military Affairs General Marshall made this statement:

> The basic problem that confronts the War Department is that of continuing our present Army on a most efficient basis.

In other words, the general does not say our basic problem now is one of training the individual. As important and necessary as that may be, the basic problem, according to our Chief of Staff, our military adviser, is that of continuing our present Army on the most efficient basis.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HAYDEN. As to the training of the individual, the theory always has been that, when possible, if a man has received adequate training, it is to the advantage of the Government to send him home, placing him in the Reserve, and train another man.

Mr. HILL. Exactly.

Mr. HAYDEN. So that the policy of the War Department, under any normal conditions, would be to send a soldier home as soon as he was trained.

Mr. HILL. The Senator is eminently correct, and General Marshall suggests that very thought in the following lines I am about to read from the same statement. He says:

> Actually we do not want to hold in service all of the selectees that we now have. We would prefer to release a certain number of the selectees and replace them with the 3 months' product of our training centers.

In other words, the very thought the Senator from Arizona has expressed. What the Army wants to do is to keep these men moving through this training procedure just as rapidly as possible. General Marshall proceeds:

> But we must not be compelled to release a particular group at a certain time. We must be able to handle the matter to meet existing conditions as to time and place and with regard to the particular unit.

There may be a particular unit in some particular place where at a particular time it would not be possible to release the men in the unit or very many men of the unit. General Marshall then proceeds to say:

> I repeat, we do not want to hold the present selectees any longer beyond 12 months than we can avoid.

But he says this:

> In connection with this matter of selectees, please keep this in mind. The ranks of the Regular Army in this country contain, with the exception of two divisions, from 40 to 85 percent selectees. Further, the nation which threatens our security has had its men in strict training as boys, later in labor battalions, then in its armies, and then in a succession of campaigns. They are all veterans. We have been doing our best to develop an army only since last fall.

We built up this Army, Senators, we have tried to train these men, and to make this Army as seasoned as possible. We cannot disband this Army overnight. We cannot let it melt away. We cannot dismember it. So the joint resolution which is before us today is more concerned with the matter of having an army such as we must have to meet the situation confronting us, than with the matter of the training of the individual soldier.

Mr. DOWNEY obtained the floor.

Mr. PEPPER. Mr. President, will the Senator from California yield to me for a brief statement?

Mr. DOWNEY. I yield.

Mr. PEPPER. I meant to propound an interrogatory to the able Senator from Utah, who has so excellently presented the joint resolution this afternoon. I did not want the point commented upon and the subject of the inquiry of the Senator from Michigan to pass without making one observation.

In the inquiry, as I humbly observed it, there were involved two questions: First, When does the duty of the National Guard men to serve terminate? The second is, When does the authority of the legislation terminate?

Let me respectfully suggest, with respect to the first question, that on page 3 of the bill, in section 2, two methods are prescribed by which the duty of the

soldier to serve may be terminated. The first is by the time fixed by the President for his extended service running out or terminating. The second is by the Congress passing a concurrent resolution by a majority vote of the Congress. That is provided in the language, "*Provided*, That the authority hereby conferred," referring to the authority of the President to extend the service of the selectees and the guardsmen and the Reserve officers, "may be revoked at any time by concurrent resolution of the Congress." Those are two ways by which the duty of the selectees or the National Guard men or the Reserve officers may be terminated.

The third is by the termination of the act itself. The act itself may terminate in two ways. First, by the arrival of the time which is the outside limit of the operative effect of the act, which is fixed as of a certain date in 1945; or, in the alternative, a period of 6 months after the happening of an event, and the event referred to, in my humble opinion, is the concurrent resolution of the Congress. That is referred to on page 3 in the language I read just a moment ago.

The original inquiry of the Senator from Michigan was, Is there any limitation on the power of the President to keep a selectee in the service? The answer is, yes; there are two limitations upon that power. The first, in the language of the act itself, is that the power of the President to extend the service of a selectee terminates with the passage of a concurrent resolution by the Congress. So the power rests ultimately in the Congress to determine how long the extended service may exist. The second is for the act to terminate, either by its own language, or to terminate 6 months after the passage of the concurrent resolution to which I have referred.

I did not mean to presume that I could add anything to the extremely lucid statement by the Senator from Utah, but I did have this feeling about the matter, and I appreciate the privilege of stating it.

Mr. THOMAS of Utah. I thank the Senator from Florida.

Mr. TAFT. Mr. President, will the Senator from California yield to me?

Mr. DOWNEY. I yield.

Mr. TAFT. I desire to send to the desk and to have printed and lie on the table two amendments and I should like to state very briefly what my proposal is.

I presented to the committee a plan of rotating service, which is printed on pages 158, 159, and 160 of the record of the hearings. General Marshall criticized the plan in a statement which appears at page 206 of the record of the committee.

I have somewhat modified the plan, and my amendment provides, first, that each man inducted under the provisions of the Selective Service Act shall serve for 18 consecutive months unless sooner discharged. The amendment continues:

It is the intent of Congress that except in case of a declaration of war, or unless Congress shall otherwise certify by law, men inducted under this act shall be discharged beginning in April 1942, at the rate of at least 50,000 each month, to be replaced at the same rate by new selectees.

Section 2 extends the period of service of the Reserve officers and of the National Guard to a period of 2 years instead of 1 year.

Section 3 provides that the authorized number of enlisted men in the Regular Army is increased to 800,000 so that there may be no reduction in the number of men under arms because of the termination of the service of the National Guard, and it then provides that opportunity to enlist in the Regular Army shall be given to men completing the period of service in the National Guard, or as selectees, and a bonus of $200 for such enlistment is provided, which is the amount provided for reenlistment in the Navy in the recently passed bill. I hope to speak on the amendments tomorrow.

The other amendment provides that in the absence of a declaration of war, or further action by Congress, the total number of men in the armed forces of the United States shall not exceed 2,000,000 at any time. It may be that with the amendment suggested earlier today Congress will have a hold on appropriations through the Appropriations Committee, but it seems to me there should be an outside authority, so that the authorization question may be passed on by Congress.

General Marshall's testimony shows that all he wants today is an army of 1,720,000. He objected to my proposal that it be larger for training purposes. So that apparently 2,000,000 men, except in case of war, will be more than sufficient.

I offer those two amendments and ask that they be printed and lie on the table.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table.

Mr. DOWNEY. Mr. President, I have upon the desk a printed amendment, and I ask that it now be read.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. On page 5, after line 9, it is proposed to insert the following:

SEC. 9. (1) Any person inducted into the land or naval forces of the United States for the training and service provided for by the Selective Training and Service Act of 1940, and (2) any person (other than retired personnel of the Regular Army) ordered to active duty or into the active military service of the United States under the authority of the act of August 27, 1940, or section 37a of the National Defense Act of 1916, as amended, shall, in addition to the amounts otherwise payable to such persons with respect to such service, be entitled to receive the sum of $30 for each month of service, in excess of 12 months, rendered as a member of the land or naval forces of the United States during the period beginning with August 27, 1940, and ending at the end of 6 months after the termination of the unlimited emergency declared by the President on May 27, 1941. The sum payable to any such person under this section shall be paid in monthly installments of $30 each, the first installment to be paid during the first month following the month within which such service terminates. Such installments shall be paid by the Veterans' Administration, under such rules and regulations as shall be prescribed by the Administrator of Veterans' Affairs, with the approval of the President.

SEC. 10. (a) There is hereby created a special joint congressional committee (hereinafter referred to as the "committee") to be composed of the Vice President, three Senators, to be appointed by the Vice President, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The Vice President shall be the chairman of the committee. The committee shall make a full and complete investigation with a view to determining ways, means, and methods of securing employment for members of the military and naval forces of the United States after their service in such forces has been terminated. The committee shall report to the Senate and to the House of Representatives, at the earliest practicable time, the results of its study and investigation, together with its recommendations, if any, for necessary legislation.

(b) For the purposes of this section, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers approved by the chairman.

Mr. BARKLEY. Mr. President, may I inquire of the Senator from California whether he desires to discuss his amendment this afternoon?

Mr. DOWNEY. Mr. President, I would prefer to have my discussion go over until tomorrow noon, if that is agreeable to our leader.

Mr. BARKLEY. Of course, the Senator understands that we are anxious to make all the speed we can in the discussion and disposition of this measure, but I presume the Senator could not finish his statement this afternoon.

Mr. DOWNEY. I could not do so in justice to myself.

Mr. BARKLEY. Under those circumstances, it is entirely agreeable to me that the Senate take a recess until tomorrow.

Mr. REYNOLDS. Mr. President, I should like to speak for just a few minutes before a recess is taken.

Mr. BARKLEY. Very well; with the understanding that it does not take the Senator from California from the floor or deprive him of recognition to speak tomorrow.

Mr. REYNOLDS. Yes; of course. I want only 5 minutes.

Mr. DOWNEY. I shall be very happy to yield to the Senator from North Carolina upon the understanding that I am to have the floor when Congress convenes tomorrow.

The PRESIDING OFFICER. That is the understanding.

RESERVE OFFICERS' TRAINING CORPS

Mr. REYNOLDS. Mr. President, having made explanation of my opposition to the pending joint resolution, I do not propose to intrude upon the time of this body to make additional observations relative thereto in explanation of my po-

sition; but I desire to take advantage of the opportunity offered me this afternoon to submit some brief remarks in reference to the Reserve Officers' Training Corps of the Army and Navy for national security. At the outset, in connection therewith, I desire to quote from the hearings held by the Committee on Military Affairs of the Senate one paragraph of the testimony of Gen. Lewis B. Hershey, Deputy Director of the Selective Service, in which General Hershey said:

I have had 4 years with the R. O. T. C. and I am very much in favor of it. It is, of course, now the main source of our officer personnel and necessarily selective service has no part in procuring officers, except as we procure men who become officers later by another process.

Mr. President, for many years I have realized very keenly that one of our greatest national responsibilities has been and is concerned with the security of our Nation from a standpoint of national defense.

When in 1932 I was elected to the United States Senate and I began service in the last "lame duck" Congress in President Hoover's administration, even then there was from time to time mention of our national security from a standpoint of national defense.

Then shortly after I assumed my duties under the present administration in March 1933, regardless of our internal troubles, to which we gave much attention, there was from time to time mention of and consideration given to matters pertaining to questions of national defense.

When I first became a member of the Senate Military Affairs Committee I naturally gave more thought to the then little discussed subject pertaining to the defense of our country, but with the passing of the years all Members of both Houses of Congress have evidenced much more interest, until today the question of national defense is not only one of extreme vital importance but a real responsibility.

The Constitution of the United States has imposed this responsibility on Congress. Of the 18 constitutional duties of Congress, 9 are directly concerned with providing adequate defense. Furthermore, the first duty assigned to the President was that of Commander in Chief of the Army and Navy. He is required to keep Congress informed as to the state of the Union and to commission all officers of the armed forces.

In order that I might know the needs I have visited practically every Military Establishment, including most of the far-flung outposts of this Nation, to gain first-hand knowledge concerning what is and what is not of paramount importance to our national security.

COMPETENT OFFICERS A NECESSITY

Long ago I realized that one of our basic defense problems has always been to maintain enough competent officers on whom we could depend to quickly train and lead our citizen soldiers, sailors, and air force in such a manner that they could take care of themselves against powerful and warlike enemies. Modern warfare requires highly trained officers to meet its technological difficulties.

Men cannot "spring to arms" overnight and fight tanks. It takes highly trained officers and men, equipped with ultra-modern machines, to win wars today. The American people know this. The mind of the Nation is now focused on national security as it has not been for two decades.

We are stronger than we were in 1917, for then we were military bankrupts and had to prepare after we entered the war. We tipped the balance of military power in favor of the Allies. We won that war, but at what needless cost of life. Whenever a company of American boys sank before withering enemy fire, due to the ignorance and inexperience of "90-day wonder officers," it pitifully confirmed the great necessity for a long-range training program to develop officers and noncommissioned officers worthy to lead a citizen army.

I deny today, as I have always denied, that preparation for adequate national defense breeds war. Gen. George Washington prophetically said to Congress:

To be prepared for war is one of the most effective ways of preserving peace.

WASHINGTON'S PLAN FOR A CITIZEN ARMY

When Washington became President almost a century and a half ago he had two main planks in his administrative platform. His first plank called for a sound financial system. We were a bankrupt Nation and this sound-money plank was of paramount importance. Washington entrusted the finances to Alexander Hamilton who established such a financial system during his first administration.

The second plank called for a sound military policy, and this was of equal importance for we were then a weak Nation liable to fall prey to designing European nations who coveted our potential wealth. Washington gave personal attention to the military plank of his platform. The country, however, was afraid of military power. It did not see the necessity for trained officers and men as we know we have need for them today. A totally useless compromise was adopted. The principles laid down in Washington's plan for military preparedness were not enacted by Congress until 131 years had passed.

From the close of the revolution to the end of his living days, Washington gave more attention to the plan for strengthening the national defense than to any other single administrative problem. In fact, at the close of hostilities with Great Britain he began to study such suggestions which he had asked his generals to submit.

He had received many excellent ideas. The most outstanding advice was from his friend, Baron von Steuben, a professional military expert who had previously served on the general staff of Frederick the Great. Among others, Governor George Clinton, of New York, proposed that military instructions be given in colleges.

The whole plan which Washington had in mind may be simplified to this: He wanted a limited standing Army to guard against Indian uprisings but the security of the country against foreign powers was to depend on a sufficient reservoir of "well organized, well regulated," and trained young men on whom the country could draw for officers and men in times of national emergency.

The plan had been worked out in detail by General von Steuben, the most accomplished professional soldier of his day, and had the approval of Washington who was the greatest citizen soldier who ever lived. But it was shelved. The makeshift adopted in its stead almost brought this country to ruin in the War of 1812. In that war we learned a disastrous lesson. President Madison then urged Congress to return to Washington's plan, but his plea was likewise disregarded.

1820–1920, THE CALHOUN PLAN

In 1820, the then Secretary of War, John C. Calhoun, inaugurated another plan based on the assumption that national defense was merely a question of increasing the size of the standing Army.

Again, we learned a tragic lesson. The terrific slaughter of the War Between the States brought sorrow to thousands of American homes in both the North and the South. Too often untrained and incompetent officers bravely led their men to certain death as they stormed into impossible positions.

Because this tragedy was brought home to so many fathers and mothers, and wives and sweethearts, it became possible for Congress to pass the Morrill bill which offered land-grants for the purpose of establishing colleges where military training was made an essential part of education. This was in 1862 when the country was just awakening to the awful price in human life which incompetent and untrained military leadership was costing. This was a forward step toward establishing Washington's plan for a citizen army to be led by well-trained officers, and was the forerunner of the present R. O. T. C. training program of the Army and Navy in our schools, colleges, and universities.

After both the War between the States and the Spanish-American War, various commissions were appointed by Congress to bring in recommendations for providing adequate national defense. It was not until 1911, during President Taft's administration, that a report was submitted by the General Staff which said:

It is the traditional policy of the United States that the Military Establishment in time of peace is to be a small regular army and that the ultimate force of the Nation is to be a great army of citizen soldiers. It is therefore our most important problem to devise means for providing great armies of citizen soldiers to meet the emergency of modern war.

This was another definite step in the direction of adopting Washington's military plan, but when war clouds were gathering in 1917 we returned to the old Calhoun theory of expanding the standing Army, without benefit of long-term provision for the adequate training of officers and noncommissioned officers.

WASHINGTON'S PLAN ADOPTED AFTER 131 YEARS

As an aftermath of the last World War, because of the terrific price paid in human life due to neglect in training an adequate officer personnel, there came a spontaneous demand for a new system of

defense. This resulted in the passage of the National Defense Act of 1920 under which we now operate. At long last we had gotten back to Washington's recommendation made 131 years earlier. Under the definition of the military policy of the Nation, instruction in military science in colleges and schools first came to have a definite objective—the preparation of young college trained men as Reserve officers.

Under this plan even a single year's training would prepare a man for the duties of a noncommissioned officer and by a process of elimination to become a commissioned officer at the conclusion of the 4-year course. Military education in each institution was organized in units of the Reserve Officers' Training Corps under appropriate regulations of the War Department. The military departments in the land-grant colleges became integral parts of the plans for national defense.

With such definite objective and organization the educational value of the military instruction was largely increased. Military drill gave way to military education.

The plan has worked. In 1917, 3 years before passage of the National Defense Act, we had only 2,900 Reserve officers. Today, 24 years later, thanks largely to the R. O. T. C., we have more than 100,000 competent Reserve officers. Together with the Regular Army, and the National Guard, we have a commissioned personnel sufficient to train and lead an emergency citizens' army of between three and four million men.

It must be remembered, however, that there is a constant annual loss in the number of our Reserve officers due to age, physical disability, and other causes. This attrition is approximately equal to the annual class of R. O. T. C. graduates. The country is fortunate that the R. O. T. C. is making up this depletion in the Reserves.

STUDENTS FAVOR R. O. T. C.

There are now almost 7 times as many universities and high schools giving military and naval instructions under commissioned officers as there were in 1915. The training is heartily approved by the vast majority of students, campus communists to the contrary notwithstanding. In a recent poll which sampled the opinions of students at New York, Minnesota, Washington, and Oregon Universities almost 8 out of every 10 male and female students favored military instructions. Slightly less than half of the students favored it as a required subject, and only 30 percent thought it ought to be on a voluntary basis.

In units now existing there is a marked increase in enrollment in the R. O. T. C. All over the country, young men realizing that they will be called for training under the Selective Service Act have made a demand that their school or college be included in the R. O. T. C. program. More than 179 colleges and universities have applications on file with the War Department. Because the Army has not had available officers to assign as instructors and the further fact that, with the exception of medical officers, the R. O. T. C., as established prior to the present emergency has met past requirements, additional units have not been established of recent years. Facing as we are the program for national defense, it is apparent that the expansion of R. O. T. C. is a matter which Congress must now face.

It is true that the demand for great numbers of officers occasioned by the present emergency will be met in part by the Officers' Candidate Schools, which will provide an opportunity for the men to secure commissions after they have shown special fitness in active military service. Nevertheless, a soldier who has had one or more years of previous R. O. T. C. training is better able to qualify for the Officers' Candidate School. The R. O. T. C., in both the Army and Navy, is a mighty auxiliary of our national defense.

ARMY R. O. T. C.

In the Army's far-flung system of R. O. T. C. training the Agricultural and Mechanical College of Texas is the largest of the essentially military colleges, with 6,239 men receiving military training.

Of the essentially civilian schools, Ohio State University has the largest enrollment in R. O. T. C. training classes, with 4,590 male students taking this instruction.

The University of Illinois ranks second among civilian schools. With a military department organized in 1860, previous records at Illinois were broken this year by an R. O. T. C. enrollment of 4,338 students.

The University of California at Los Angeles and Berkeley totals 4,596 students in R. O. T. C.

The largest R. O. T. C. enrollments among the eastern universities are at Cornell, where 2,654 men now receive military instruction, and at Penn State, where the R. O. T. C. numbered 2,516 students.

In the South, Louisiana State led with 2,272 students enrolled in the R. O. T. C. last year.

On the Pacific coast, University of Washington is second to University of California, with an officers' training unit numbering 2,596.

Chicago has the largest high-school R. O. T. C. unit, with 7,889 enrolled for military training last year, in 27 public high schools.

Of the 138 colleges and universities offering military training, 90 require attendance at military courses for 2 years by able-bodied male students, and offer an additional 2 years of training as an elective course: 48 schools offer either 2 or 4 years of military training purely on a voluntary basis.

In order to qualify for a commission in the Officers' Reserve a student must complete 4 years of training, involving from 3 to 5 school-hours per week. Only 1 out of every 6 students in military courses takes the advanced or final course; this means that less than 20,000 per year are now attending the advanced courses out of a total of about 140,000 taking the R. O. T. C. training in colleges and universities. However, students taking the basic 2-year course will make potential noncommissioned officers, and could become commissioned-officer material with comparatively brief but concentrated additional training.

In this connection, the R. O. T. C. Association, a volunteer organization of civilians, has been advocating increasing the number of advance students. As a matter of fact, substantial annual increases to the extent of about 2,000 advance students have been brought about through the efforts of this patriotic organization. There is much other work for it to do.

The record of the Naval Reserve Officers' Training Corps is just as impressive even though of recent duration. The Naval Reserves Act of 1925 provided for the establishment of the Naval R. O. T. C. to give systematic training and instruction in essentially naval subjects for national defense.

27 NAVAL R. O. T. C. UNITS

The first complement of students was enrolled at Harvard, Yale, Northwestern, Georgia Tech., University of California, and University of Washington. This number has been steadily increased until a total of 27 universities now give Naval Reserve officers' training courses. Already over 2,000 cadets have received commissions after graduation. All commissioned N. R. O. T. C. graduates who are physically fit have been called to active duty.

By 1947 we will need a total of 35,500 officers to man our two-ocean Navy now building. To meet this increased demand the tempo of the Navy's officers' training program at Annapolis and in the N. R. O. T. C. is being stepped up.

Annapolis graduated 400 men this year. In 4 years this will be increased to 750 graduates each year. This is top capacity for the United States Naval Academy at Annapolis.

This year, 219 commissioned officers graduated from Naval R. O. T. C. to take their stations. Within 4 years the N. R. O. T. C. will provide 1,500 ensigns each year.

It costs about $14,500 to educate a man at Annapolis and the United States Navy needs every graduate. It costs the Government about $980 for each N. R. O. T. C. cadet who graduates and receives his commission in the United States Navy. The economic advantages of N. R. O. T. C. can thus be readily seen.

All over America thoughtful students of our military affairs are considering the best method for achieving the greatest national security. No one can even approach this problem unless he considers the part which our schools, colleges, and universities must play in the future in training reserve officers for our Army and Navy.

R. O. T. C. DEVELOPS RESPONSIBILITY TO OUR COUNTRY

I am of opinion that the military and naval training which thousands of young men have received in our colleges and schools has done as much—if it actually has not done more—toward developing a real sense of responsibility for our country's welfare as have any of their other educational activities.

The mental and physical fitness, the poise and self-confidence of these men trained by the Army and Navy's

R. O. T. C. attest its worth to the cadets as well as to our country. These men practice self-discipline. They learn to act in an emergency. It is an asset to any country to have thousands of such boys trained to take their chins off their chests, raise their eyes to the front, and face the problems of life as men, whether in war or peace.

During the past few years we have seen evidences of decay of many of the traditions and institutions we thought to be cornerstones of American civilization. These boys who are upholding the tradition of the Army and the Navy against campus Communists, radicals, and pinks, give fresh hope for the continuation of the American way of life.

"REDS" AND NAZIS DO NOT LIKE R. O. T. C.

The R. O. T. C. has had its share of attacks by subversive elements on some campuses. The cadets have been jeered because of their uniforms. The flag has been insulted. Most of the criticism has come from misguided youths aflame with foreign ideologies.

There is not a scintilla of evidence that the cadets on the campus have become military minded, but there is ample evidence that this system of training has contributed much to their character and usefulness.

As a United States Senator, and as a member and chairman of the Military Affairs Committee of the United States Senate, I wish to go on record here and now: I consider the maintenance of the R. O. T. C. for the Army and the Navy as one of prime importance to this Nation and as a right arm in providing for the common defense which we are sworn to uphold. I hope that the R. O. T. C. may continue to grow in usefulness and that we may extend this system of training and leadership for a citizens' Army and Navy to the full extent of our national needs.

To this end, I pledge my full cooperation to those men who are responsible for the training of the R. O. T. C. of the Army and Navy and to those other men who, as R. O. T. C. cadets, are learning to be useful—learning largely at their own expense of time and money—to be useful to their God, their country, and to themselves through this valuable Reserve Officers' Training Corps system of education.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MCFARLAND in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of James J. Connors to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska (reappointment).

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk read the nomination of Kenneth A. Haines to be assistant dental surgeon to rank as such from date of oath of office.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Clovis E. Martin to be assistant dental surgeon to rank as such from date of oath of office.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the calendar.

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of the nominations acted on today.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 42 minutes p. m.) the Senate took a recess until tomorrow, Thursday, July 31, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, July 30 (legislative day of July 28) 1941:

GOVERNOR OF PUERTO RICO

Rexford Guy Tugwell of New York to be Governor of Puerto Rico, vice Guy J. Swope.

POSTMASTERS

ARKANSAS

Clyde P. Harman to be postmaster at Crawfordsville, Ark., in place of L. H. Green. Incumbent's commission expired April 21, 1940.

James W. Byrd to be postmaster at Smackover, Ark., in place of J. W. Byrd. Incumbent's commission expired March 21, 1940.

CALIFORNIA

Harvey H. Washburn to be postmaster at Hanford, Calif., in place of H. H. Washburn. Incumbent's commission expired May 28, 1941.

Berniece W. Harris to be postmaster at North Hollywood, Calif., in place of A. H. Spengel, deceased.

Minetta Vickers to be postmaster at Rialto, Calif., in place of W. A. Needham, deceased.

FLORIDA

Robert C. Fleming to be postmaster at Chipley, Fla., in place of T. C. Cain, deceased.

Vivian M. Sanborn to be postmaster at Fellsmere, Fla., in place of F. W. Dole, deceased.

Myrthel I. Blackwell to be postmaster at Millville, Fla., in place of Myrtle Wiggin, removed.

GEORGIA

James Emory Houston to be postmaster at Blakely, Ga., in place of J. G. Butler, deceased.

HAWAII

Stephen S. W. Tom to be postmaster at Lanai City, T. H., in place of A. W. Carlson, resigned.

INDIANA

Lucille E. Hoffman to be postmaster at Dyer, Ind., in place of L. E. Hoffman. Incumbent's commission expired February 18, 1941.

James M. Totten to be postmaster at Southport, Ind. Office became Presidential July 1, 1940.

KANSAS

Evelyn M. Gucker to be postmaster at Little River, Kans., in place of E. A. Stephenson, transferred.

Thomas Lee Gibson to be postmaster at Oskaloosa, Kans., in place of W. B. Ford, deceased.

LOUISIANA

Jessie M. Murphy to be postmaster at Simsboro, La., in place of J. M. Murphy. Incumbent's commission expired April 27, 1941.

MASSACHUSETTS

Ann Elizabeth Cox to be postmaster at Lynnfield Center, Mass., in place of I. C. Alward, resigned.

Florence S. Roddan to be postmaster at Randolph, Mass., in place of F. S. Roddan, resigned.

George A. Morin to be postmaster at Spencer, Mass., in place of J. J. Nolan, removed.

MICHIGAN

Agnes McKerring to be postmaster at Flushing, Mich., in place of H. T. McKerring, deceased.

Carl C. Brown to be postmaster at Harrison, Mich., in place of S. I. Briggs. Incumbent's commission expired February 9, 1941.

Margaret A. Lake to be postmaster at Novi, Mich. Office became Presidential July 1, 1940.

Helen V. Byard to be postmaster at Richland, Mich., in place of G. I. Henson, resigned.

MINNESOTA

Theresa Pallansch to be postmaster at Richmond, Minn., in place of A. M. Utecht, deceased.

Martin S. Stubstad to be postmaster at Zumbrota, Minn., in place of J. B. Anderson, deceased.

MISSISSIPPI

Atlas M. Avery to be postmaster at Purvis, Miss., in place of G. D. Pylant, resigned.

NEBRASKA

Edward C. Kavanaugh to be postmaster at Columbus, Nebr., in place of C. J. Carrig, deceased.

NEW HAMPSHIRE

Harold D. Foss to be postmaster at Rochester, N. H., in place of H. D. Foss. Incumbent's commission expired March 18, 1941.

NEW JERSEY

Clarence J. Hartman to be postmaster at Groveville, N. J., in place of I. E. Bowers, retired.

NEW YORK

Alfred C. Hall to be postmaster at Argyle, N. Y., in place of A. M. West. Incumbent's commission expired January 22, 1939.

John Joseph Shortell to be postmaster at Olean, N. Y., in place of M. E. Keating. Incumbent's commission expired June 25, 1940.

Donald A. Dailey to be postmaster at Rochester, N. Y., in place of W. J. Hunt, deceased.

NORTH DAKOTA

H. C. Erhart Petersen to be postmaster at Makoti, N. Dak. Office became Presidential July 1, 1941.

OHIO

Lester H. Gordon to be postmaster at Waynesville, Ohio, in place of F. M. Fox, resigned.

OKLAHOMA

Robert J. Morrow to be postmaster at Pawhuska, Okla., in place of R. J. Morrow. Incumbent's commission expired July 30, 1941.

PENNSYLVANIA

William H. Eckensberger to be postmaster at Cementon, Pa. Office became Presidential July 1, 1940.

Vincent J. Koomar to be postmaster at Nesquehoning, Pa., in place of M. P. Koomar, deceased.

Clair L. Beesecker to be postmaster at Newfoundland, Pa., in place of C. A. Sieg, deceased.

Robert Montgomery to be postmaster at Turtle Creek, Pa., in place of J. A. McCoy. Incumbent's commission expired May 1, 1940.

SOUTH CAROLINA

Henry S. Covington to be postmaster at Bennettsville, S. C., in place of D. T. Crosland, removed.

Alsie W. Golding to be postmaster at Drayton, S. C. Office became Presidential July 1, 1940.

SOUTH DAKOTA

Bernard F. Moran to be postmaster at Woonsocket, S. Dak., in place of B. F. Moran. Incumbent's commission expired April 6, 1941.

TENNESSEE

Luther M. York to be postmaster at Jamestown, Tenn., in place of C. V. Wallace, resigned.

UTAH

Mary S. Steed to be postmaster at Centerville, Utah. Office became Presidential July 1, 1941.

VIRGINIA

John L. Whitworth to be postmaster at Pocahontas, Va., in place of Solon Baach, resigned.

WASHINGTON

Barbara J. DeCamp to be postmaster at Nespelem, Wash., in place of Earl DeCamp, resigned.

WEST VIRGINIA

Joseph P. Hatfield to be postmaster at Williamson, W. Va., in place of J. P. Hatfield. Incumbent's commission expired February 3, 1941.

WISCONSIN

Donald E. Worrall to be postmaster at Bruce, Wis., in place of S. M. Alvey, removed.

Norman M. Johnson to be postmaster at Readstown, Wis., in place of T. M. Crawford, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 30 (legislative day of July 28), 1941:

COLLECTOR OF CUSTOMS

James J. Connors to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE ASSISTANT DENTAL SURGEONS

Kenneth A. Haines
Clovis E. Martin

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 30, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Providence that never forsakes us! Oh wonderful promise: "I am with Thee always, even unto the end." We thank Thee, our Father in heaven, that with our unfinished tasks and unsolved problems that Thy gifts to the children of earth is a pledge of that day coming when all shall know that Thy love is commensurate with Thy boundless power. Then we shall learn once again that right and not might, that character and not efficiency, that Christ and not Caesar, speak the final words by which nations live. O Master, Thou who art moved with compassion for the multitudes, keep our poor world fresh, clean, and strong in the midst of its stress, storm, and pain. Oh come good news of peace, the peace eternal, the peace that Christ alone can give by reconciling us to God. Bless our country, defending evermore the defenseless, standing always for justice when it is cast down in the streets, pleading for liberty and for the advancement of mankind. The Lord God encompass our President, our Speaker, and the Congress with rich blessings of mercy and directive wisdom and to Thy name shall be the praise, Father, Son, and Holy Spirit. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On July 21, 1941:

H. R. 93. An act to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes;

H. R. 439. An act granting a pension to Martha Pace; and

H. R. 1577. An act for the relief of Severiana Maria Rodrigues de Caceres; her sister, Irene Hernandez de Texada; and the latter's daughter, Irene Hernandez de Texada.

On July 22, 1941:

H. R. 4158. An act to amend sections 3341, 3351, and 3361 of the Internal Revenue Code and section 309 (a) of the Tariff Act of 1930, and to repeal section 2907 of the Internal Revenue Code.

On July 23, 1941:

H. R. 814. An act for the relief of Dr. Gustav Weil, Irma Weil, and Marion Weil.

On July 24, 1941:

H. R. 4473. An act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes.

On July 29, 1941:

H. J. Res. 139. Joint resolution to provide suitable vessels for the use of certain State nautical schools, and for other purposes; and

H. R. 5256. An act authorizing appropriations for the United States Navy, additional shipbuilding, ship repair, and ordnance manufacturing facilities, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5300. An act to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SMITH, Mr. THOMAS of Oklahoma, Mr. BANKHEAD, Mr. CAPPER, and Mr. AIKEN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1770. An act authorizing the President of the United States to appoint Sgt. Alvin C. York as a colonel in the United States Army and then place him on the retired list.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I have two requests to make. I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein two items separately, one on water transportation and the other on the Great Lakes seaway.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RETURN OF CONFEDERATE BATTLE FLAGS BY THE STATE OF MICHIGAN

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, on July 10 the legislature of my State, Michigan, passed a resolution which will arouse deep sentiment and be received with the unanimous approval of the American people, both North and South. The Legislature of Michigan has ordered that 13 Confederate battle flags and a Confederate sword, preserved in the State Capitol at Lansing, Mich., for more than half a century, be returned to the 7 Southern States from whose brave and courageous sons they were taken in the fortunes of war more than three-quarters of a century ago.

The tragic era of the War between the States has faded into the past; its issues are dead. We are a united people. We know no North nor South today. America is our common home. The world has never seen and may never see again the same devotion and sacrifice of brave men to a cause which they believed to be right. The tragedy and romance of our Civil War has no equal in the recorded annals of history. With pride and patriotism we recall the heroic deeds of both the Blue and the Gray.

Governor Van Wagoner, of Michigan, intends, with appropriate ceremony, to effect this most praiseworthy and final chapter of reconciliation between the North and South. The Governors of the seven Southern States, from whose devoted sons these battle flags were taken,

have been invited by the Governor of Michigan and have accepted the invitation to meet on historic Mackinac Island, Mich., to receive those honored and sacred treasures. They were hand-made gifts of the wives, sweethearts, and mothers who sent their men to war.

May this further token of good will forge forever our bond of sympathy and understanding between North and South.

We are a union of hearts and a union of hands,
And the flag of our Union forever.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, our people in the South will hear and read with gratitude the words just spoken by the distinguished gentleman from Michigan [Mr. DONDERO].

We are today a reunited country. Someone has said that "None but a coward would revile an honest soldier's dust." No red-blooded American would today revile the dust of either a Federal or a Confederate soldier.

The Federal soldiers were fighting to preserve the Union and to prevent the spread of slavery into the northern States. Our people in the South were fighting to preserve their right to self-determination, their economic independence, and to guarantee that the white man's civilization would not perish from American soil.

Today, when we are faced with issues of supreme importance, dangers on every hand, America is looking to you whose relatives wore the blue and to us whose relatives wore the gray to sustain this Nation in times of crisis, to save our form of government, to preserve our way of life, and to perpetuate our American civilization.

We will not fail in the performance of those duties.

PRICE FIXING

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, this morning I received a letter on the subject of price fixing from Dr. Ernest H. Hahne, professor of economics at Northwestern University, which is such a remarkable letter in its analysis of the subject that I am going to ask permission to put the letter in the RECORD and I am taking this minute to call your attention to it. Dr. Hahne says that he assumes it is necessary to maintain capitalistic democracy with both sound military and economic measures and that military measures alone are inadequate. He then proceeds to test the soundness or unsoundness of price fixing as an economic measure. He does it in a devastating way.

I recommend this letter to you and hope you will read it. I now ask unanimous consent, Mr. Speaker, to extend my remarks in the Appendix of the RECORD and to include the letter referred to under the title "Branding Price Fixing for What It Is."

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

EXTENSION OF REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therewith a letter of my own.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to place in the Appendix of the RECORD an editorial from the Milwaukee Journal, dated June 22, 1941, entitled "Sugar From Latin America."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my remarks in connection with the effort to establish a Latin-American air line at New Orleans, and include editorials from the New Orleans papers, and a letter from the Governor of Louisiana.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter addressed to me under date of July 28 by the American Federation of Labor.

The SPEAKER. Is there objection?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on two topics; and in one to include a letter from a gentleman named C. A. Brook Cunningham, and on the other topic to include a number of editorials. The second extension of remarks exceeds the quota under the rules. I have an estimate from the Public Printer and the estimate is attached.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. SWEENEY addressed the House. His remarks appear in the Appendix of the RECORD.]

PRESIDENT QUEZON AND THE FILIPINO LOYALTY

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks by the inclusion of an address by President Quezon, of the Philippine Commonwealth.

The SPEAKER. Is there objection?

There was no objection.

[Mr. CRAWFORD addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article on General MacArthur.

The SPEAKER. Is there objection?

There was no objection.

Mr. VAN ZANDT. Also, Mr. Speaker, I ask unanimous consent to extend my remarks by the inclusion of an article by Frank Kent on the St. Lawrence waterway.

The SPEAKER. Is there objection?

There was no objection.

PRICE FIXING

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, the President is now demanding that Congress formally vest him with the despotic power to fix all prices—allegedly to prevent runaway price inflation.

Irredeemable paper currency makes this inevitable, there being no alternative. Such has ever been the end result of this civilization-destroying device. Through it the runaway spending and Federal debt was produced.

Had we kept our gold money in free circulation this could never have happened to us.

The fears of the farmers are to be quieted by the promise of so-called parity prices.

Then we are to believe the supremely ridiculous, namely, that wages are to be excluded from political fixing.

As though the fixing of the prices of commodities were anything else but the fixing of the prices of the labor that go into the costs of commodities.

The heel of despotism doth now descend upon the necks of all of us, and, as has always been the case with irredeemable paper currency and political price fixing, most severely upon the necks of the poor, the laborers, and the farmers.

THE WHEAT PROGRAM IN MAJOR EXPORTING COUNTRIES

Mr. PACE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

[Mr. PACE addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein several telegrams with regard to the tax bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FLAHERTY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech in the interest of the World War veterans of the United States.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein a radio address made by me.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an article by S. Eugene Allen, of Portland, Oreg., on defense.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks by including an editorial from the Sioux Falls Daily Argus Leader.

The SPEAKER. Is there objection?

There was no objection.

A SALUTE TO GOVERNMENT

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, as Congress this week begins the legislative consideration of a tax bill which will impose a vast and inescapable burden of income and sales taxes upon our people to pay for huge Government expenditures, many of which are in no way connected with our program of national defense, I think that both Congress and the country can take heart and find new cause for optimism by reading the Senate section of the CONGRESSIONAL RECORD for Monday, July 28.

One important reason why we are about to vote an additional three and one-half billion dollar tax bill on the people, soon to be followed by another emergency tax bill increasing the levies still further, is the fact that for the past 8 or 9 years Congress has ceased to exercise its traditional function of cutting down demands for money by the executive department and has engaged in the new dementia of trying to compete with the President in seeing which branch of Government could spend the people's substance the more lavishly. In the process, Congress has almost ceased to function as an independent and coordinate branch of the Government.

However, if you will read the CONGRESSIONAL RECORD for July 28, starting with page 6331 and continuing to page 6344, you will find a remarkable succession of statements by 14 Members of the United States Senate, all but 2 of them indicating that at least that branch of the Congress is ready to reassert its independence from Executive domination. I seriously commend to all who have access to the RECORD that you read the pages indicated, starting with the speech of Senator WHEELER and continuing through the remarkable speech of Senator SMITH, of South Carolina. I think you will find this reading to be a good tonic in the nature of a salute to self-government, and it should serve to strengthen your faith in our American way of life.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection?

Mr. PATRICK. Mr. Speaker and fellow Members of Congress, I realize that I am on rather precarious ground, but I would like to ask permission to speak to this House on next Monday after all other business of the day is ended.

Mr. HOFFMAN. Why put it off?

Mr. PATRICK. Who is the gentleman who addressed me?

Mr. HOFFMAN. I come from Michigan.

Mr. PATRICK. I have often wanted to hear the voice of the gentleman from Michigan. I would like to add that, although I have been referred to as one of the interventionists in my ideas of defense legislation, I want to join with the gentleman from Ohio [Mr. SWEENEY] and others who deplore those who place those as "fifth columnists," and so on, who oppose the views that we sustain. I realize that there are Members of each of the bodies of Congress and other folks in this Nation who do not agree with us as to the best method of procedure in defending the security of this Nation, but they are just as patriotic and quite as capable of being patriotic as we are.

The SPEAKER. The time of the gentleman has expired. Did the gentleman prefer a unanimous-consent request?

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes on next Monday.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks on the work that the Farm Security Administration has been doing in my district.

The SPEAKER. Is there objection?

There was no objection.

COMMUNISTS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

Mr. HOFFMAN. Mr. Speaker, something like a year ago Communists were entertained at the White House by Eleanor Roosevelt. Then the First Lady took some of them over to the Dies committee, seeking by her presence to impress the committee and give aid and publicity to the Communists. Now the morning radio tells us that Harry Hopkins has finally reached Moscow on what is said to be a secret and special mission. That makes the circle complete. I hope you are all satisfied and join me in wishing that Harry will not do anything to offend Brother Joe Stalin, whose hands are still red with the blood of murdered Finns, the only people who have expressed a willingness to pay their first war debt to us. Joe Stalin is the man, if you have forgotten, who joined Hitler in the rape and partition of Poland, and now our President asks us to get into bed with "bloody" Joe and help him lick the Finns. How long since we were singing the praises of the gallant, courageous, Finns who were fighting for the preservation of their country? Now we give guns to Joe, the Communist, so that he may kill them. Truly, Eleanor and Franklin give us strange bedfellows under the canopy of democracy. To send our men at this time to aid Stalin and his red butchers to exterminate the Finnish people and take over their country to further the cause of the Communists I will not vote. Let us put our house in order. Let us think of and act for America first.

Don't forget. Times change. Just a few short months ago, British soldiers and sailors were fighting and dying in defense of Finland. Today, British bombers are attempting to destroy the cities of Finland, to bomb its people into oblivion.

It is not beyond the realms of possibility that Britain, if she found it to her advantage, might turn on us. We fought her in 1775; again in 1812, and, in 1861 to 1864, she sought to disrupt this country.

Let me repeat. Think of America first.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks and include some extracts from testimony given by Mayor LaGuardia before the Committee on Rivers and Harbors.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement on the Great Lakes-St. Lawrence seaway.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include two extracts from the proceedings of the Jewish World War Veterans' Convention.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the New York Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRICE CONTROL LEGISLATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 332)

The Speaker laid before the House the following message from the President of the United States which was read by the Clerk, and, together with the accompanying papers, referred to the Committee on Banking and Currency, and ordered printed:

To the Congress of the United States:

Inflationary price rises and increases in the cost of living are today threatening to undermine our defense effort. I am, therefore, recommending to the Congress the adoption of measures to deal with this threat.

We are now spending more than $30,000,000 a day on defense. This rate must and will increase. In June of this year we spent about $808,000,000—more than five times the $153,000,000 we spent in June 1940. Every dollar spent for defense presses against an already limited supply of materials.

This pressure is sharply accentuated by an ever-increasing civilian demand.

For the first time in years many of our workers are in the market for the goods they have always wanted. This means more buyers for more products which contain steel and aluminum and other materials needed for defense. Thus a rapidly expanding civilian demand has been added to a vast and insistent demand by the Government.

Those who have money to spend are willing to bid for the goods. The Government must and will satisfy its defense needs. In such a situation, price advances merely determine who gets the scarce materials, without increasing the available supply. We face inflation, unless we act decisively and without delay.

The consequences of inflation are well known. We have seen them before.

Producers, unable to determine what their costs will be, hesitate to enter into defense contracts or otherwise to commit themselves to ventures whose outcome they cannot foresee. The whole production machinery falters.

Speculators anticipating successive price advances withhold commodities from essential military production.

Costs to the Government increase, and with it the public debt.

Increases in the workers' cost of living, on the one hand, and excessive profits for the manufacturer, on the other, lead to spiraling demands for higher wages. This means friction between employer and employed.

Great profits are reaped by some, while others, with fixed and low incomes, find their living standards drastically reduced and their life-long savings shrunken. The unskilled worker, the white-collar worker, the farmer, the small businessman, and the small investor all find that their dollar buys ever less and less.

The burden of defense is thrown haphazardly and inequitably on those with fixed income or whose bargaining power is too weak to secure increases in income commensurate with the rise in the cost of living.

And over all hovers the specter of future deflation and depression, to confuse and retard the defense effort, and inevitably to aggravate the dangers and difficulties of a return to a normal peacetime basis.

Economic sacrifices there will be, and we shall bear them cheerfully. But we are determined that the sacrifice of one shall not be the profit of another. Nothing will sap the morale of this Nation more quickly or ruinously than penalizing its sweat and skill and thrift by the individually undeserved and uncontrollable poverty of inflation.

Our objective, therefore, must be to see that inflation, arising from the abuse of power to increase prices because the supply is limited and the demand inflexible, does not occur during the present emergency.

Today we stand, as we did in the closing months of 1915, at the beginning of an upward sweep of the whole price structure. Then, too, we enjoyed relative stability in prices for almost a year and a half after the outbreak of war abroad. In October 1915, however, prices turned sharply upward. By April 1917 the wholesale price index had jumped 63 percent; by June 1917, 74 percent; and by June 1920 it was nearly 140 percent over the October 1915 mark.

The facts today are frighteningly similar.

The Bureau of Labor Statistics index of 28 basic commodities, by the end of June, had advanced 50 percent beyond its August 1939 level. It has increased 24 percent since January of this year.

Since August 1939 the Bureau of Labor Statistics index of 900 wholesale prices has advanced 17½ percent. It has increased 10 percent since January of this year. In the past 60 days wholesale prices have risen more than 5 times as fast as during the preceding period since the outbreak of the war abroad.

Since August 1939 the Bureau of Labor Statistics index of the cost of living has advanced 5½ percent. It has increased 3½ percent since the beginning of this year, and the upward pressure is now intense. In a single month, from the middle of May to the middle of June, the cost of living jumped 2 percent. During the last quarter the increase in the cost of living was greater than during any similar period since the World War. But even yet the index does not fully reflect past increases, and only in a few months will it respond to current increases.

In 1915 the upward price movement proceeded unchecked so that when regulation was finally begun it was already too late. Now we have an opportunity to act before disastrous inflation is upon us. The choice is ours to make, but we must act speedily.

For 12 months we have tried to maintain a stable level of prices by enlisting the voluntary cooperation of business, and through informal persuasive control. The effort has been widely supported because far-sighted business leaders realize that their own true interests would be jeopardized by runaway inflation. But the existing authority over prices is indirect and circumscribed and operates through measures which are not appropriate or applicable in all circumstances. It has further been weakened by those who purport to recognize need for price stabilization yet challenge the existence of any effective power. In some cases, moreover, there has been evasion and bootlegging; in other cases the Office of Price Administration and Civilian Supply has been openly defied.

Faced now with the prospect of inflationary price advances, legislative action can no longer prudently be postponed. Our national safety demands that we take steps at once to extend, clarify, and strengthen the authority of the Government to act in the interest of the general welfare.

Legislation should include authority to establish ceilings for prices and rents, to purchase materials and commodities when necessary, to assure price stability, and to deal more extensively with excesses in the field of installment credit. To be effective, such authority must be flexible and subject to exercise through license or regulations under expeditious and workable administrative procedures. Like other defense legislation, it should expire with the passing of the need, within a limited time after the end of the emergency.

The concept of a price ceiling is already familiar to us as a result of our own World War experience. Prices are not fixed or frozen; an upper limit alone is set. Prices may fluctuate below this limit, but they cannot go above it.

To make ceiling prices effective, it will often be necessary, among other things, for the Government to increase the available supply of a commodity by purchases in this country or abroad. In other cases it will be essential to stabilize the market by buying and selling as the exigencies of price may require.

Housing is a commodity of universal use, the supply of which cannot speedily be increased. Despite the steps taken to assure adequate housing for defense, we are already confronted with rent increases ominously reminiscent of those which prevailed during the World War. This is a development that must be arrested before rent profiteering can develop to increase the cost of living and to damage the civilian morale.

Of course, there cannot be price stability if labor costs rise abnormally. Labor has far more to gain from price stability than from abnormal wage increases. For these are likely to be illusory and quickly overtaken by sharp rises in living costs which fall with particular hardship on the least fortunate of our workers and our old people.

There will always be need for wage adjustments from time to time to rectify inequitable situations. But labor as a whole will fare best from a labor policy which recognizes that wages in the defense industries should not substantially exceed the prevailing wage rates in comparable nondefense industries where fair labor policies have been maintained. Already through the efforts of the National Defense Mediation Board and wage stabilization committees, wage standards are being established and a measure of wage stability is being brought to particular industries. It is expected that such activities will be continued, extended, and made increasingly effective.

I recognize that the obligation not to seek an excessive profit from the defense emergency rests with equal force on labor and on industry, and that both must assume their responsibilities if we are to avoid inflation.

I also recognize that we may expect the wholehearted and voluntary cooperation of labor only when it has been assured a reasonable and stable income in terms of the things money will buy and equal restraint or sacrifice on the part of all others who participate in the defense program. This means not only a reasonable stabilization of prices and the cost of living but the effective taxation of excess profits and purchasing power. In this way alone can the Nation be protected from the evil consequences of a chaotic struggle for gains which must prove either illusory or unjust, and which must lead to the disaster of unchecked inflation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 30, 1941.*

REVENUE ACT, 1941

Mr. SABATH, from the Committee on Rules, submitted the following report (Rept. No. 1076) on House Resolution 280, providing for the consideration of H. R. 5417, to provide revenue, and for other purposes, which was referred to the House Calendar and ordered printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5417, a bill to provide revenue, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 days, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except one amendment proposing to strike out section 111 and except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding, but such amendments shall not be subject to amendment. Amendments authorized by this resolution may be offered to any section of the bill at the conclusion of the general debate. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I move the immediate consideration of the resolution.

The SPEAKER. The question is, Will the House now consider the resolution?

The question was taken; and, two-thirds having voted in favor thereof, the motion was agreed to.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows (H. Res. 280):

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5417, a bill to provide revenue, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 days, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except one amendment proposing to strike out section 111 and except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding, but such amendments shall not be subject to amendment. Amendments authorized by this resolution may be offered to any section of the bill at the conclusion of the general debate. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. FISH].

I now yield myself 10 minutes at this time, and I ask unanimous consent that I may revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, this rule is to take the place of the rule which was reported by the committee day before yesterday. I am obliged to concede that it is a closed rule. There is, however, one provision in the rule which will permit a separate vote on the matter of joint returns. The Rules Committee was requested to expedite the business of the House by providing a separate vote on that section.

I do not believe in closed rules and have never been for them, but in view of existing conditions there was nothing left for the committee to do but to grant the request of the Ways and Means Committee, and I will say to the House that the Ways and Means Committee, which considered this bill for 3 months, unanimously asked for the rule.

Although some members of the committee filed minority views, I am of the opinion that even these members realize and recognize the need for this legislation. The membership is aware that the Ways and Means Committee is elected by direct vote of the House. This committee is composed of 25 of the most experienced, able, and sincere Members of the House. After 3 long months of effort they came to a conclusion and recommended a bill to the House. There are, of course, some Members who would have preferred some changes in the bill. This applies even to the chairman of the Ways and Means Committee, but after due and careful consideration they reported this bill as the best possible bill they could submit to the House.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield for just one question?

Mr. SABATH. I yield.

Mr. JENKINS of Ohio. The gentleman from Illinois stated that the recommendation to the Rules Committee was a unanimous recommendation of the Ways and Means Committee.

Mr. SABATH. Yes.

Mr. JENKINS of Ohio. I want to correct the gentleman. It was not unanimous.

Mr. SABATH. No one opposed it, so we took it for granted that it was a unanimous request from the Ways and Means Committee. We thought that if there was any opposition to the rule those opposing it would make their opposition known to the committee, but there was no opposition before the committee.

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. BLAND). The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Speaker, I yield myself additional time.

Mr. Speaker, although I have agreed to this rule for a separate vote on the section dealing with joint returns, when the vote is taken I shall support the committee's recommendation for joint returns. The only people who advocate separate returns are those who can best afford to be taxed, the wealthiest in our Nation, and I think it comes with poor grace from them to try to evade their responsibility and duty to their country and to try to shift the burden to those least able to bear it. However, permit me to call attention to the following facts: If the provision for joint returns is struck out, to offset the amount of $320,000,000 that the joint returns are believed to net, the Ways and Means Committee will be obliged to increase the surtaxes, the excess-profits taxes, to broaden the base, and also perhaps to bring in a sales tax. I shall oppose any sales tax with all the vigor I possess. I hope those who desire a separate vote on this joint-return section will realize that neither the House nor the country is in favor of a sales tax.

I hold in my hand newspaper clippings giving reports of dividends and profits on the part of some corporations showing the great additional dividends and tremendous increases in their earnings. It seems to me that the opposition to the joint-returns tax seems to come from these very people.

In today's Washington paper I read that the General Motors Corporation made in this quarter, after deducting taxes and all expenditures, an all-time record of $53,579,568. At the same time I was informed that only a week ago the offices of this same corporation declared a dividend of 25,000 shares had been given in the form of bonuses totaling share value of $1,750,000, which was distributed among 12 different offices of the corporation throughout the country. The United States Steel Corporation, in 6 months of operation, reported a net income of approximately $60,000,000. Only class I railroads show income of 6 months of $433,000,000. The B. F. Goodrich Co. reported a 6 months' net of over $6,000,000. The Consolidated Edison Co., for the 12 months ending June 30, reported a net income of $34,000,000. I could go on and cite more than 100 companies which have doubled or trebled their profits during the last 6 months of this year. Therefore it comes with poor grace on the part of these people to complain that their taxes are being increased.

Although it will be charged that this is a gag rule, I believe it is the only kind of rule that will make possible consideration of this legislation in an orderly way so we can obtain the legislation without delay.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the minority leader.

Mr. MARTIN of Massachusetts. Referring to the rule, the gentleman from Illinois will admit to me that if any Member votes for the adoption of this gag rule he says in effect that he does not care to amend this bill with the one exception that the Rules Committee permitted. In other words, he may be sacrificing the interests of his own district. Is not this a fact?

Mr. SABATH. I am not taking into consideration my own district. I have the welfare of the entire Nation at heart.

Mr. MARTIN of Massachusetts. Let me put it in another way: The Member who votes for the rule says, then, that he believes that the Ways and Means Committee should make the tax bill, that the other Members of the House should have nothing to do with it at all.

Mr. SABATH. Oh, no; not at all, because the rule provides that if there is any dissatisfaction with the bill a motion to recommit may be offered. So a Member who is not in favor of the bill can vote to recommit the bill.

Mr. MARTIN of Massachusetts. But he may not have anything to do with the framing of the bill.

Mr. SABATH. It is my belief that the 25 men who have worked 3 months on this legislation are in far better position to know what kind of bill the country wants and have more information to guide them to conclusions necessary in writing this bill. I think they have done a wonderful job. There are provisions in the bill with which I do not agree. I also think that many other provisions should have been embodied in the bill. However, I still believe that they have done as well as they could, and even if my able, lovable friend, the minority leader, had been a member of that committee, he would not have acted in any other way than to join with the majority in bringing in this bill. I have been told that there was no politics in this bill, that it was considered openly and freely, and that the only thing in the minds of the Republicans and the Democrats was to give the country the best possible tax bill that they could pass through the House.

Mr. MARTIN of Massachusetts. Will the gentleman yield further?

Mr. SABATH. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I want to confirm all the gentleman said about the Ways and Means Committee. I think the members of that committee have tackled their job in a proper, patriotic way. I am not finding fault with them at all. What I am bringing up is this: I do not think the membership of the House should sacrifice its right to offer amendments and to perfect the bill that has been brought in here.

Mr. SABATH. The gentleman from Massachusetts, whom I hold in the highest esteem, will, I know, admit privately, if not publicly, that we cannot draft a tax bill on the floor of the House. He knows that the Ways and Means Committee is the creature of the House, the Members of which body have been empowered to design and work out, and not to hurry through, the tax bill, and I feel that they know more about it than any Member of this House who is not a member of that committee.

Furthermore, he is a former member of the Rules Committee who voted several times for a closed rule—the rule which the gentleman from New York [Mr. FISH] and the gentleman from Michigan [Mr. MICHENER] have designated as a gag rule.

I concede that it is to some extent a gag rule—it gags a few of the Members from offering a lot of foolish amendments—amendments that they know would not be adopted but are offered only for home consumption or for political reasons.

Mr. Speaker, voting for a tax bill is always an unpleasant task but it is one that it is unfortunately our duty to perform and one that we cannot escape. I have known several Members who have never voted for a tax bill but voted for all appropriation bills until finally the people of their districts became aware of their actions and did not approve them. Please remember that you have joined us in appropriating billions of dollars for defense and it becomes necessary for us to make good for those appropriations. During the last war, we provided for the cash payment of only 33 percent of our expenditures while in this bill we are endeavoring to make a cash payment of 60 percent, which makes this bill necessary. But in view of the fact that our income for the following year will be close to 110 billions of dollars, I feel that our taxes under this bill will not be even one-half as high as the taxes in all other countries. Mr. Speaker, I deplore more than I can express the fact that these expenditures and this tax are necessary but all of this is not of our making. It has been forced upon us by bloodthirsty and power-seeking combinations of Hitler, Mussolini, and Japanese war lords who repeatedly have stated that after they have conquered Europe, America will be their next prey. And I feel that the people value their freedom and liberty, that they will approve our action in providing for all possible measures of defense so as to avoid the necessity of defending that freedom and liberty which is ours. [Applause.]

Mr. Speaker, reverting to section 111 of the bill. This rule provides for a motion to strike out that section, and although agreeing to the provision in the resolution to permit same, I hope such motion will not prevail. As I have stated, I shall do all within my power to have the provision retained in the bill. I am satisfied that if the membership were aware of the fact that over 4 billions and 792 millions of properties have been transferred from husbands to wives and, in some instances, from rich wives to less rich husbands for the purpose of coming within the lower tax brackets or, plainly speaking, to avoid paying their fair share of taxes, there would be only a handful of votes cast to eliminate this provision. Notwithstanding that we have 9 States in the Union where a community-property law is in effect only 11 percent of the taxpayers take advantage of filing a separate tax return. That approximately 11 percent of taxpayers are of the wealthiest class that owe most to the Government. Therefore, I hope, when the time comes, the motion to strike out the provision will be defeated. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, the chairman of the Rules Committee is in error. The entire membership of the Ways and Means Committee were not united for this rule. In fact, I understand that most of the minority members are opposed to the rule we are now considering.

Mr. SABATH. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. SABATH. The gentleman was present when the request was made for a rule yesterday. Did anyone appear in opposition to the rule?

Mr. FISH. May I say to the gentleman that there is no desire on the part of the minority to delay consideration of this tax bill, and that is why no one appeared there in opposition to the rule; but a number of the Republican members of the Ways and Means Committee want it known that they are opposed to this rule, and I make this statement in view of the fact the gentleman said the members were unanimous in asking for the rule. They were not unanimous. They are far from unanimous for the rule that is now before the House.

Of course, I sympathize with the chairman of the Rules Committee in his effort to defend a gag rule. I know it goes against his grain. He did the very best he knew how, and probably under the circumstances it is about as good as he could do; nevertheless, the House knows that this is a drastic gag rule and that Members who want to introduce amendments to the bill, outside of the single exception of joint tax returns, will not have this opportunity. All they can do is to make speeches for 3 days.

How utterly inconsistent it is for any Member, Republican or Democrat, to get up here and advocate an amendment he cannot vote for, particularly if he votes for the passage of this rule that cuts off his right to offer amendments. What could be more hypocritical, what could be more inconsistent, than for a Member to go back home to his people and say: "I could not offer an amendment. I made a speech for my proposed amendment, but I could not offer it." Why? Because he had voted for a gag rule to cut off his right to do more than speak.

Mr. TREADWAY. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Massachusetts.

Mr. TREADWAY. May I ask the gentleman whether or not there is any more reason for having a separate vote on section 111 than any other place where Members may want to offer amendments to the bill?

Mr. FISH. The gentleman is quite right, and he is absolutely consistent. I believe the gentleman yesterday proposed to vote for the rule, but I understand now he is going to vote against the rule, because he is consistent in his actions. If you are going to make one exception, why not make them all?

I think every Member of the House, Republicans and Democrats alike, will agree with the statement that the Ways and Means Committee is one of the ablest committees of the House. That committee is headed by that lovable character, the gentleman from North Carolina, Chairman DOUGHTON. The members of that committee have labored well and faithfully for the last 3 months. They have sweated and toiled to formulate a tax bill. But, after all, Mr. Speaker, the

members of the Ways and Means Committee are nothing but servants of the House; they are agents of the House, and they should merely report back their work to us so that we can perfect it and amend it and work our will on it.

I remember in other days when Members wanted to get away in July and August, when they wanted to hasten consideration of a bill and pass the buck to the Senate, that they passed gag rules; but everybody in this House knows that we will probably be here until Thanksgiving Day; therefore, we will have plenty of opportunity to debate, discuss, amend, and perfect this tax bill ourselves.

The totalitarian nations have been saying for the last 3 or 4 years that free institutions have broken down; that representative government has failed. Now, are we to confess by our own vote that we are incompetent to pass upon legislation, to offer amendments, that all we are qualified to do is speak and approve the tax bill as presented to us by our own agents? Such action would substantiate what those totalitarian nations have been saying about democracies, free institutions, and representative government. I am not willing to admit that our republican form of government has failed and that we Members of the House are unable to legislate, which is the main duty we are required to perform under the Constitution.

Mr. COLMER. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Mississippi.

Mr. COLMER. The gentleman, of course, is aware of the fact that if it took the Ways and Means Committee 3½ months to consider this bill it might take the House, consisting of 435 Members, 3½ years to consider it.

Mr. FISH. I may say to the gentleman that a great principle is involved. Is the House competent to legislate? If it is competent to legislate, it might take 1, 2, or 3 months. What of it? There is no rush about putting this legislation through. It can be put through in 3 or 4 months just as well as in 3 or 4 days, as it is proposed to do under this rule.

Mr. SABATH. The gentleman is an experienced and able legislator. He was here when we passed other revenue bills. Will he not admit that in the case of such measures the Rules Committe was obliged to bring in a closed rule?

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 5 additional minutes.

Mr. Speaker, I cannot admit what the gentleman says is true, but I do admit that under certain circumstances when we wanted to rush through legislation because the Members wanted to go home in July and August that probably was the case, but that situation does not exist today. Our free institutions were not then under attack throughout the world. Representative government was not then condemned in Europe as it is today, as a failure.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. Why is it that we in the House feel incompetent as compared to the Senate? The Senators have the right to amend, and I do not believe it is going to take them 3½ years.

Mr. FISH. Why do we always take a back seat as compared to the Senate? That is what the gentleman asks. I do not know why we do. I believe the Members of the House are just as competent as the Senate, if not better, to legislate, and probably we would get better results.

Mr. Speaker, one of the important amendments that will come up in the House under this rule deals with the question of joint tax returns. I do not believe the House will permit this bill to pass in its present form, which practically deprives the women of this country of the economic and financial freedom and independence which they have secured in America in the last 50 years, and say that from now on the husband is the complete financial master of the house and deprive the wife of her individual rights and control of her own funds. I also do not believe in placing a tax or penalty on marriage.

I want to raise my voice, if nobody else does, in behalf of the 5 percent of the American people who pay practically all the income taxes. The majority report does not claim that this is a perfect bill, and the minority report said it might be worse. But what does it actually do? It doubles and triples the taxes of those who are paying income taxes already—the same 5 percent of the people who are carrying the burden for the other 95 percent. Under this bill between six and seven million people hold the financial bag and do all the paying.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 2 additional minutes.

Those having incomes from $3,000 to $30,000 and upward will pay the bill. Those in the upper brackets cannot be taxed any more. So this bill jumps on these selectees—that is what they are—these forgotten men and women taxpayers, and imposes two to three times the amount of taxes upon those with incomes between $3,000 and $30,000.

In addition, as I pointed out, it provides for joint tax returns for married people, to tax the institution of marriage. Not only do we squeeze the people who have money, men and women both, and who pay taxes on the medium incomes, between $3,000 and $30,000, but we say now, "You must compile your taxes as one in order that you can be further taxed by being in a higher bracket." In doing that you are just picking the gold right out of their teeth. You are squeezing them dry. This is a tax bill for national defense, and every loyal American believes in that. Strange as it may seem, those who are clamoring for war are mostly among the larger taxpayers. This gigantic additional tax bill is just a token or a flea bite to what it would be if we become involved in war.

These married men and women and the taxpayers with incomes between $3,000 and $30,000 are nothing but a lot of milk cows that we propose to milk dry. Up to now we have been milking them twice a day. It is proposed under this bill to milk them four times a day, and they will naturally run dry. All this bill does is pick out and swat the same 5 percent of the taxpayers. This is a 5-percent selectee bill, to have the 5 percent carry the burden of taxes for the other 95 percent by doubling and tripling their taxes.

Mr. Speaker, the best way to keep taxes down is to reduce unnecessary and nondefense appropriations during the emergency. I hope that this rule will be voted down. Let us give the House a chance to legislate on this important tax bill and try to reach a more equitable solution.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, I am under no necessity of making a political record on this bill. In view of the fact that politics had nothing to do with the writing of the measure, I regret extremely that it should have anything to do with enacting it into law.

There really ought to be no serious controversy over the rule. There ought to be no disposition on the part of anyone to quarrel with the Committee on Rules for having reported the rule that is now before you, which is intended to make in order the tax bill recently reported by the Committee on Ways and Means.

The chairman of the Committee on Rules stated to you this morning that at the request of the Committee on Ways and Means the Committee on Rules granted a rule similar to rules that have heretofore been reported out by that committee for the consideration of tax bills. However, as a matter of concession to Members coming from community-property States, in order to relieve those coming from such States from embarrassment, the Committee on Ways and Means came back before the Committee on Rules and asked for a modification of the rule reported 2 days ago, so the rule that is before you now is a concession granted to the Members who feel obliged to oppose section 111 of the bill.

You ought to remember and you ought to know that a tax bill such as you are being called on to consider could not be written on the floor of the House. It is not a new proposal. You never have considered such a bill except under a closed rule. It was tried on one occasion, and after having wrestled over the matter here for a couple of days the Committee on Ways and Means had to return to the Committee on Rules and ask for a closed rule. While the rule you have before you now is closed in a sense, it is more liberal than such rules heretofore granted because it does make provision for a separate vote on a very controversial feature of the bill—that is, the joint-tax-return provision.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I regret that the gentleman from Georgia

stated that politics was injected into the discussion of this bill.

Mr. COX. I do not mean that to apply any more to the Republicans than to the Democrats. There will probably be found a disposition on the part of some on the majority side to yield to local pressure, group pressure, the same as it may be found on the minority side. No disrespect is intended and no reflection is intended. We are all human and we are all here doing the best we can. Of course, we yield here and there to pressures which probably others would not see fit to yield to.

Mr. MARTIN of Massachusetts. I want to assure the gentleman there is no politics so far as I am concerned and I do not believe there is any politics so far as any of those who are opposed to the rule are concerned. I expect to vote for the bill.

Mr. COX. But the gentleman will concede that what the Rules Committee is now doing is simply following the Republicans when they were in power and all this controversy over a closed rule is more or less political.

Mr. MARTIN of Massachusetts. No; I want the gentleman to understand that the Members, in casting their votes, are expressing their personal views and how the bill should be considered, and in doing so I do not think they should be subject to the criticism that has been made.

Mr. COX. I intend no criticism of any individual; but the gentleman will remember that when the Republicans were in power and the Democrats were then in the minority they were always complaining about closed rules, and we all committed ourselves in opposition to closed rules, and yet we are met with situations now and then where we know the only way we can proceed sensibly and effectively is under a closed rule; and what we are doing is just what my friend from Massachusetts, the minority leader, has been doing since he has been in Congress, and it is what all other old-timers on the Republican side have been doing. We are following the example which you set and when we were complaining of you we were not putting our complaints upon solid ground. I think what we are doing here is rational, sensible, and that it is the only manner in which we can consider the bill that is to be presented.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, I have been much interested in the remarks of my distinguished colleague on the committee the gentleman from Georgia [Mr. Cox]. He has appraised the situation as it generally concerns closed or gag rules. I had not made up my mind how I was going to vote on this rule, as all those familiar with my attitude know, until this new rule was suggested. If it is essential to get a tax bill that we vote for a closed rule, then that is one thing, but the minute we commence to yield to political expediency and prefer one protestant to another, then we have destroyed our argument that a closed rule is necessary and I challenge anyone to deny that statement.

Now, what happened was this. The Rules Committee reported the rule asked by the Ways and Means Committee and then by a political check-up by the majority, it was found they did not have votes enough on their own side—with their 100 majority—to pass the rule which their committee wanted. Then they commenced to yield, they commenced to temporize and they yielded just so far as was necessary to get the votes to do what they, as an organization, wanted to do. That is the situation now.

So far as these joint returns are concerned, why in the world should this democratic Congress—I am not using a capital "D"—yield to those people who want to take advantage of joint returns because they have such large incomes that the higher brackets of tax rates will affect them materially?

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I have not the time to yield, as I have only 3 minutes.

Why should this be done? If anyone is entitled to a vote on any specific provision in this bill, then all interests affected are entitled to specific votes. All are entitled to have their propositions passed upon by the Congress. Why should this one preferred group be singled out for special treatment by Congress? Why gag the representatives of all of the people for the benefit of the few who will be affected by joint returns? This should either be a closed rule or an open rule. Our constituents should have equal opportunity in the consideration of this enormous tax bill. I shall vote against any rule—closed or open—that is intended to give any class of prospective taxpayers preferential consideration. This rule does just that thing, and I shall oppose the rule.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Speaker, it is not my purpose at this time to undertake a discussion of the bill. I am hoping to have an opportunity to do that under general debate. I want to take advantage of this opportunity to speak very briefly on the rule and the reasons prompting your Committee on Ways and Means in applying to the Rules Committee for this type of rule. It is not my purpose to enter into any political discussion. I sat here as a minority Member of the House and saw our distinguished friends on the left who were then in the majority, with the distinguished minority leader, then a member of the Rules Committee, the distinguished gentleman from Michigan [Mr. MICHENER], then a member of the Rules Committee, the distinguished former minority leader, Mr. Snell, of New York, chairman of the Rules Committee, bring in rules exactly similar to this for the consideration of legislation that was deemed by the party charged with responsibility to be necessary for passage.

I shall give you briefly a few of the reasons that prompted your committee in requesting this type of rule. Although the bill is privileged it is necessary to have a rule for the consideration of this bill, in order not to have to comply with the Ramseyer rule. It would be necessary for the Ways and Means Committee to include the entire Internal Revenue Code in the committee report involving thousands of dollars of unnecessary expense, to comply with the Ramseyer rule. Certainly nobody would want to require that. So it was necessary to ask for a rule, to obviate the necessity of complying with the Ramseyer rule in printing the entire Internal Revenue Code in the committee report on this tax bill.

Next, as is well known, the bill includes many technical provisions, as is true of all tax bills. If one of those provisions should be stricken out, it might affect a dozen other provisions of the bill. Another practical consideration was, if you struck out one provision and thereby sustained a considerable loss of revenue and offered nothing to take its place, you might wind up with a bill short of the required revenue. So that it might well be that, instead of raising three and a half billion dollars, as it does now, it might finally pass the House raising half that much of revenue.

Another important thing was the long time that would doubtless be required for the consideration of this bill in the House. If the bill were here under an open rule, thereby making it in order to offer amendments to every item in the bill, we would be here probably for a month or 6 weeks in considering this measure. To illustrate, I invite your attention to page 71 of the bill, providing for the excise tax on sporting goods. There are 93 different items in the list of sporting goods, taxed under this bill. An amendment could be offered to strike out each one of those 93 items. There would be 5 minutes in support of the amendment, and then 5 minutes in opposition to the amendment, and you can readily see how much time would be consumed in considering just one section of the bill. Therefore, your committee, feeling that it is to the best interests to have this measure passed as promptly as possible, because we are losing now $3,000,000 every day in excise taxes, and because it is well known that excise taxes cannot be made retroactive, and because the increases provided in the bill can take effect only from the passage of the bill, your committee felt in addition to the other reasons previously assigned, it would be best to secure the passage of the bill as promptly as possible and send it on to the Senate where hearings will be held. No doubt the Finance Committee will consider the bill at considerable length, and then the Senate will consider it. Therefore, the committee felt that, in the interest of orderly procedure, this is the best method to adopt for the consideration of this highly technical and highly important bill.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, on Monday of this week I, with others, voted $7,000,000,000 of the people's money for national defense. There was no gag rule on that bill. I do not propose to foreclose my opportunity to vote on every part of a bill whereby that money will be sweated out of the people of the United States. Early this year I voted $7,000,-

000,000 for our cousins in the democratic countries under the lease-lend bill, and there was no gag rule on that bill. I do not propose to vote for a rule to foreclose my opportunity to speak on every topic of a bill, if I am so inclined, that will sweat that money out of the people of the United States. I think I still preserve a representative character, and I do not propose to make it unrepresentative today. Just a mere calculation of most any district will disclose what I find in mine. There are about 40,000 automobile owners in the Sixteenth District of Illinois, and each one of them will pay a use tax. The father and mother of every child who plays in a school band will pay a tax under this bill. Every baby in a cradle that is wearing a tiny bracelet from a jewelry store and wearing snappy pants will pay a tax under this bill. The distilleries in my district will pay over $70,000,000 per annum in excise taxes under this bill. The high-school boy and girl who sits on a stool at a corner drug store drinking Coca-Cola will pay testimony to the taxes under this bill. Every family in my district that buys a shotgun, a camera, a refrigerator, or a piece of jewelry will pay testimony to the tax in this bill.

On the basis of 1940–41 returns, there will be about 35,000 individual income-tax payers in the Sixteenth District of Illinois. The ratio in your districts will be about the same. Shall I today muzzle myself, divest myself of a representative character, confess my incompetency publicly to vote upon every aspect of a measure, irrespective of everything that has been said, and sever the only liaison that the 300,000 people in the Sixteenth District of Illinois have with their Federal Government in passing upon a bill that presumes to sweat three and one-half billion dollars out of them and their income, out of their livelihood, to pay in part some of the expenditure that is being made at the present time?

As a member of the Appropriations Committee I can remember no gag rule on an appropriation bill whereby we expended the money. I do not propose now to vote for a gag rule that is designed to muzzle me once and for all in an effort to pass equitably upon the provisions of the bill which is designed to raise that money.

Three weeks from the time the Collector of Internal Revenue, on the 15th of March, 1942, will call for returns under this tax bill, the people of Illinois will go to the polls and vote in the first primary of 1942. I shall be able, I think, to defend whatever is written into the tax bill as finally adopted, but I will never be able to defend myself against the question of any heckler in any audience when he says, "What are you talking about? Why should you be sent back to the Congress of the United States? Did you not vote to muzzle yourself and cut off every connection that we had with the Federal Government when you voted for a gag rule that affects every man, woman, and child in this congressional district of the State of Illinois?"

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. JENKINS of Ohio. Is it not a fact that the framers of our Government provided absolutely what the gentleman says, that we in this House have the exclusive right to raise revenue? Now, we are surrendering it to about 25 people, one of whom is myself.

Mr. DIRKSEN. Let me conclude with one thought. For the last 8 years it has been affirmed and reaffirmed that we are following a philosophy in the country that shows democracy in action. I propose to follow that philosophy today of preserving democracy in action and preserving for myself, as a representative of a constituency, the fundamental and basic right, irrespective of the practicalities and the practical considerations involved, of passing upon every item in this tax bill, and shall therefore vote against the rule.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. EATON] 3 minutes.

Mr. EATON. Mr. Speaker, I join with my colleagues in gratitude and in appreciation of the members of this great committee in the long and difficult test that they have gone through and the work they have done. I regret exceedingly that this bill does not widen the base for the income-tax imposition and make it possible for more than five or six million of our people to bear at least a part of this burden. Fifty million of our citizens are gainfully employed. Why tax a mere handful to support all the rest?

I am sorry that there is no suggestion as to the possibilities of cutting down the tremendous and in many respects nonessential peacetime expenses of our Government. We are trying to save at the spigot while we continue to waste at the bung.

I am glad that pressure of politics on the Democratic side of the aisle made it necessary to open the rule to the extent of amending the illogical and unjust provision to tax husbands and wives by enforcing a joint return on their individual incomes. That is the most illogical thing I ever heard of. For 100 years the women of this country have been fighting to be recognized as persons and as citizens under the law. They hold a large proportion of the wealth of this country in their own hands. They spend most of the wealth of this country. Yet this bill provides that they are simply one-half of one. Both the husband and wife are to be penalized for the new crime of having each an independent income. Of course, I recognize there is talk of a moral issue involved. But that is not much but talk. All our people are theoretically opposed to sin, but occasionally the best of them lapse into it for their own amusement, regardless of the income taxes.

Mr. Speaker, I am opposed to gags of any kind under our system of life and government. As the representative of my people, who have to pay this tax, I want to be able and free to raise my voice on any portion of it and vote on any portion of it, as they would have me do.

Now, this gag rule places you and me, representing 130,000,000 of citizens, in the category of mere automatons. We are like the old deacon who made long prayers and the fellow who swore a good deal. The deacon rebuked him, and the old fellow said, "Deacon, you pray and I swear, but neither one of us means anything by it." The rule provides that we are to sit here for 3 days and discuss this tremendous tax problem. But our discussion is to have absolutely no effect upon the make-up of the bill. What is the use of talking for 3 days when our talk means nothing? We might as well spend the time hollering down a rain barrel. Why not walk right up and cast your vote now, as the boss tells you to do, and get it over with?

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Speaker, I am against this rule on principle. I have consistently voted against other similar rules. In reply to gentlemen who have said that all revenue laws have been considered under gag rule, I want to say that I can remember since I have been here we have considered revenue acts under open rules, because I distinctly recall offering amendments to them and considering amendments. I believe now is a time when all our work should be considered in the most democratic way possible. Why should we say that the House of Representatives shall not consider the bill when the Senate, we know perfectly well, will take all the time they want, and will, to use the words of the gentlemen who uphold this rule, write a bill on the floor?

I am convinced that the consideration of this bill should be not on the basis of group pressure but on the basis of consideration of national interest. From my own standpoint I will say that the committee has done a very good job on the whole, but those provisions with which I disagree, I disagree with for precisely the opposite reasons from that given by the gentleman from New York in his statement that 5 percent of the American people pay all the taxes. This simply is not so. The gentleman is in error. The facts are that the lowest income groups in America pay a very high percentage of the taxes. For remember it is not just a matter of income taxes. There are excises and sales taxes, and many other kinds as well. Indeed, it is true that up to the very present a family receiving less than $500 a year income has been paying the same percentage of its income in taxes as a family with an income of $9,000.

One of two things would happen if the rule on this bill were an open one. Either the Ways and Means Committee would defend their bill successfully and no amendments of consequence would be adopted, or else amendments would be adopted. If the first should happen, there is nothing to be lost from the committee's standpoint. If the second should happen, it would be only an expression of the will of the American people under existing circumstances, and I think it should be done that way.

I believe this particular bill is primarily the work of a committee of this House.

But everybody knows that from time to time legislation of this character and other legislation, too, comes in which is not the work primarily of Members of Congress, and if the practice of adopting rules like this is indulged in, after a while the time may well come when we shall have to vote up or down legislation that is not even primarily the work of Members of this body.

I consider this a matter that goes to the very heart of democratic government. I shall vote against this gag rule for that reason.

Mr. FISH. Mr. Speaker, may I inquire how the time stands on both sides?

The SPEAKER. The gentleman from New York has 7 minutes remaining. The gentleman from Illinois has 6 minutes remaining.

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. MCGREGOR].

Mr. MCGREGOR. Mr. Speaker, I present no opinion but my own—but that opinion is against any form of gag rule as set forth by House Resolution 280. This rule means that one committee, composed of 25 men, says to this House, composed of 435, H. R. 5417—the tax bill—is "the bill"; it has "no errors"; it treats "all people alike"; "it must be passed."

I want to pay respect to the membership of the Ways and Means Committee—one of the finest groups in Congress, hardworking and sincere, whose integrity cannot be questioned—a group to whom we younger Members look for guidance. But these Members are not supreme—they are not without error. After talking to them individually I find they are very receptive to suggestions. So I say to the Members of the House—each of us is entitled to submit to the entire membership such suggestions and changes as he thinks would make the bill more equitable, more workable, more feasible.

Can we do this under the gag rule? No; we must yield to the yoke of 25 members of the committee and forget our own ideas and the suggestions given us by our own constituents—and our people are the ones who are going to be taxed.

If this is a good bill it should stand on its merits, and if we have amendments and suggestions we should be allowed to present them and let them be adopted or defeated upon their own merits.

The statement has been made—vote a gag rule to protect ourselves and keep the Members from "going out on a limb." We are all 21 years old—have faced many issues. Let us face the real issue of taxation and remove some of the irregularities of this bill. Vote down the gag rule. Give us a chance to amend the bill. Let our people know we will do our best to represent them and say to the world we will not be a rubber stamp.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Indiana [Mr. WILSON] such time as he may desire.

Mr. WILSON. Mr. Speaker, I am opposed to this gag rule on the grounds that it is not in keeping with representative government. For the past several years my constituents have had their rights waived to protest measures incorporated in the annual tax bill. I will not waive their rights by becoming a rubber stamp for any administration. I will not vote for a rule which forbids my taxpayers to protest against excessive and unfair taxes; taxes earned by sweat and blood. Taxes now are excessive. In many cases they are unfair and discriminatory. Money by the millions is being wasted. And now you ask me to vote for a rule which will prevent my people being heard on important items to be taxed. Not on your life, Mr. Speaker, could I defend myself on such a vote. I believe the men and women who sweat out these tax dollars in the fields of my district—and I mean in the fields—have a right to be heard and to know how I vote. I will vote against this gag rule that they may know how I stand on these important tax items. Mr. Speaker, I urge the defeat of this rule.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Speaker, I shall support this rule because I believe it to be in the interest of orderly procedure. At the same time its adoption will insure that the bill will not become a patchwork quilt of odds and ends. In voting for this rule I am not violating any precedents. I voted for gag rules when the Republicans were in the majority. We never brought a tax bill to the floor of the House that was not protected by an ironclad rule, just as is being done in this instance. By this rule it is proposed to protect the bill against ill-considered amendments that might throw the whole structure out of balance. I believe the condition of the country is such that we ought not to indulge in partisanship in its consideration.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 3 minutes to another outstanding Republican, the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Speaker, let us not get unduly excited over this matter. I, like the gentleman from Minnesota who preceded me, have served under Republican rule for many years. When the late Philip Campbell was chairman of the Rules Committee he carried them around in his hip pocket, as Blanton used to say, and when there appeared to be Republicans enough to carry a rule he sent it up to the desk to be acted on.

Now the boot is on the other foot. We made the Democrats take gag rules and like them when we were in the majority. Now we are in the minority. I do not think it is serious at all, and I am not disturbed about my good friend from Illinois [Mr. DIRKSEN] being interrupted by a heckler in his audience. With his facile tongue and extensive vocabulary he could squelch the heckler in a moment. I feel the greatest sympathy for the everyday folks in his district who will have to scrape together their pennies and nickels due to this tax bill, but I shall not worry about the big industrialists in his district because I am quite certain they will respond loyally to the fiscal demands of the emergency.

My distinguished colleague the gentleman from New York [Mr. FISH] seemed very much disturbed but I am not going to argue with him as to the merits of the bill. As a Member of the House he has a perfect right to criticize such portions of the bill as do not meet with his approval.

Mr. Speaker, there is nothing unusual about this procedure. We voted for rules of this character when we brought in the Smoot-Hawley bill. We did not have a closed rule at that time. It was a closed rule in a way, but it was open in the sense that we agreed in the rule to vote on four or five vital commodities. If you will remember, we voted on sugar, lumber, shingles, and several other commodities.

So we have had these experiences with closed rules before. What the country wants is action. Delay in the passage of this bill is costing us $90,000,000 a month in excise taxes. This would build a good many overseas bombers. There are really many other reasons why we should adopt this rule and pass this tax bill.

Let us not delay this important legislation. It is in the interest of orderly procedure that we adopt a rule of this character. I think it is a very sensible way out of the difficulty that faces us at this time.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the balance of the time on this side to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, I represent the younger generation of Republicans. I think the procedure outlined by my good friend and esteemed colleague the gentleman from New York [Mr. CROWTHER] was as reprehensible when it was practiced by the Republicans as it is reprehensible today when it is about to be practiced by the Democrats.

I may call attention to the fact, if I am allowed to get political for a moment, that the party which practiced those reprehensible things is no longer in power. The younger generation of Republicans look forward to the day when, through Republican processes, the great Republican Party will again take its place as the leading party in this Nation. For this reason we are opposed to shutting the mouths of the people whom we represent, because we know that only by perpetuation of those principles which has made this country good and great can we survive in a world of turmoil which is pitted against democratic principles.

Through a series of incidents which have occurred the House of Representatives now stands almost alone as the bulwark of the American form of government. We have seen time and time again the other body of this Congress striving courageously and intelligently for days and days on bills which would tend to destroy the American form of government. It has passed such bills, and when they came to this floor we would discuss them for an hour and kick them out the window. On at least three occasions have we

seen that. As a consequence there is some semblance of the American form of government left, and that is why I say that this great House of Representatives is as yet the bulwark of American democracy and republican principles.

Now, what about an amendment to define the head of a family? Are we going to shut our mouths to that? I do not like the definition that the Ways and Means Committee has given to the head of a family. I think that if a brother or sister has taken under his or her wing that little brood of younger brothers and sisters to bring up and if she or he is the sole support of them, they deserve the same credit on their income tax as the father and mother or the surviving parent. We should have the right to say in this House, which we will not have if this rule is adopted, whether that definition shall be altered.

How about expenses incident to the administration of fiduciary trusts? Our Ways and Means Committee gave no consideration to that. I would like this great deliberative body to determine if it is not equitable to allow the administrators of trust estates and fiduciary trusts to deduct the expenses of administration from their income tax as an operating expense.

How about bonuses paid by thousands of concerns in the form of defense bonds? Can they be deducted as an operating expense? Not under existing law. But this House is charged with the duty of giving encouragement to the sale of defense bonds and the payment of these bonuses in the form of defense bonds, and we at this time should be given the opportunity to discuss this very important question.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, the need for this rule is apparent. If it is not adopted, we would be here for months and still would not finish. I yield the balance of the time on this side to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, we have listened to the utterances of some of our friends on the other side. The gentleman from Michigan [Mr. WOLCOTT] talks about the last semblance of representative government, and so forth. When the Republicans were in control they voted for a closed rule on a tax bill. They voted for a closed rule on the Tariff Act. They did that then because the responsibility rested upon them as the majority party to enact into law legislation that was deemed necessary and which carried out the policies of the leadership of that party. If the gentleman from Michigan [Mr. WOLCOTT] was here in those days, and I think he was, the chances are that he voted for those closed rules.

In any event, the gentleman from New York [Mr. CROWTHER] and the gentleman from Minnesota [Mr. KNUTSON] are sufficiently intellectually honest to remember that 10 years ago the Republican Party in this body proposed and voted for closed rules. The opposition of most of the Republicans today is just for political purposes. They may try to fool some of the public, but I hope they do not think they are fooling themselves. Certainly they are not fooling the members of the Democratic Party.

Mr. Speaker, this is a practical matter. Representative government is just as strong today and stronger than it was in 1932 and 1931, stronger than it was in 1928, 1929, and 1930, when the Republicans were voting closed rules on the same type of legislation. So let the debate go on. Let us not fool ourselves on the question of a closed rule, even if they try to befog the minds of the American people. Bearing in mind the tremendous number of items included in this far-reaching tax bill, this proposition is a necessary one.

Mr. Speaker, I hope the rule will be adopted.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the Speaker announced that the "ayes" appeared to have it.

Mr. FISH. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 204, nays 167, answered "present" 1, not voting 60, as follows:

[Roll No. 97]

YEAS—204

Allen, La.	Fitzpatrick	Lewis
Arnold	Flannagan	Ludlow
Barden	Fogarty	Lynch
Barry	Folger	McCormack
Beam	Forand	McGehee
Beckworth	Ford, Leland M.	McGranery
Beiter	Ford, Miss.	McIntyre
Bland	Fulmer	McKeough
Bloom	Gathings	McLaughlin
Boehne	Gavagan	McLean
Boggs	Gearhart	McMillan
Bonner	Geyer, Calif.	Mahon
Boykin	Gibson	Manasco
Bradley, Pa.	Gore	Mansfield
Brooks	Gossett	May
Brown, Ga.	Granger	Merritt
Bryson	Green	Mills, Ark.
Buck	Haines	Mills, La.
Buckley, N. Y.	Hare	Mitchell
Bulwinkle	Harrington	Monroney
Burgin	Harris, Ark.	Moser
Byrne	Harris, Va.	Murdock
Byron	Hart	Myers, Pa.
Camp	Harter	Nelson
Cannon, Fla.	Healey	Nichols
Capozzoli	Hébert	Norrell
Chapman	Hendricks	Norton
Clark	Houston	O'Leary
Claypool	Hunter	O'Neal
Cochran	Imhoff	O'Toole
Coffee, Nebr.	Jarman	Pace
Cole, Md.	Johnson, Calif.	Patton
Cole, N. Y.	Johnson, Luther A.	Peterson, Fla.
Colmer		Peterson, Ga.
Connery	Johnson, Lyndon B.	Pfeifer, Joseph L.
Cooley		
Cooper	Johnson, Okla.	Pierce
Costello	Johnson, W. Va.	Plauché
Courtney	Kee	Poage
Cox	Kefauver	Priest
Cravens	Kennedy, Martin J.	Rabaut
Creal		Randolph
Crowther	Kennedy, Michael J.	Rankin, Miss.
Cullen		Rich
D'Alesandro	Keogh	Richards
Davis, Ohio	Kerr	Rivers
Davis, Tenn.	Kilburn	Robertson, Va.
Dewey	Kilday	Robinson, Utah
Dickstein	Kirwan	Rogers, Okla.
Dies	Kleberg	Sabath
Dingell	Knutson	Sacks
Disney	Kocialkowski	Sanders
Domengeaux	Kopplemann	Sasscer
Doughton	Kramer	Schuetz
Drewry	Lanham	Schulte
Duncan	Larrabee	Shanley
Durham	Lea	Sheppard
Eberharter	Leavy	Sikes
Ellis	Lesinski	Smith, Conn.
Smith, Pa.	Sweeney	West
Smith, W. Va.	Tarver	Whelchel
Snyder	Taylor	Whittington
Somers, N. Y.	Terry	Wickersham
South	Thomas, Tex.	Williams
Spence	Thomason	Woodrum, Va.
Starnes, Ala.	Traynor	Worley
Steagall	Vincent, Ky.	Wright
Sullivan	Ward	Young
Sumners, Tex.	Wasielewski	Zimmerman
Sutphin	Weaver	

NAYS—167

Allen, Ill.	Graham	Ploeser
Anderson, Calif.	Grant, Ind.	Ramsay
Andresen, August H.	Guyer, Kans.	Reece, Tenn.
	Gwynne	Reed, Ill.
Angell	Hall, Edwin Arthur	Reed, N. Y.
Arends		Rees, Kans.
Baldwin	Hall, Leonard W.	Rizley
Bates, Ky.		Robertson, N. Dak.
Bates, Mass.	Halleck	
Baumhart	Hancock	Robsion, Ky.
Bell	Harness	Rockefeller
Bender	Heidinger	Rodgers, Pa.
Bennett	Hess	Rogers, Mass.
Bishop	Hill, Colo.	Rolph
Blackney	Hill, Wash.	Sauthoff
Bolton	Hinshaw	Scanlon
Bradley, Mich.	Hoffman	Secrest
Brown, Ohio.	Holmes	Shafer, Mich.
Burdick	Hook	Shannon
Butler	Hope	Short
Canfield	Howell	Simpson
Carlson	Hull	Smith, Maine
Carter	Izac	Smith, Ohio
Case, S. Dak.	Jackson	Smith, Wash.
Chenoweth	Jacobsen	Springer
Chiperfield	Jenkins, Ohio	Stearns, N. H.
Clason	Jennings	Stefan
Clevenger	Jensen	Stratton
Cluett	Johnson, Ill.	Sumner, Ill.
Copeland	Johnson, Ind.	Taber
Crawford	Jones	Talle
Crosser	Jonkman	Tenerowicz
Culkin	Kean	Thom
Cunningham	Kelley, Pa.	Tibbott
Curtis	Kelly, Ill.	Tinkham
Day	Kinzer	Tolan
Dirksen	Kunkel	Treadway
Dondero	Lambertson	Van Zandt
Downs	Landis	Voorhis, Calif.
Dworshak	LeCompte	Vorys, Ohio
Eaton	McGregor	Vreeland
Eliot, Mass.	Maciora	Wadsworth
Elliott, Calif.	Magnuson	Walter
Elston	Marcantonio	Weiss
Engel	Martin, Iowa	Welch
Englebright	Martin, Mass.	Wheat
Fellows	Mason	Wigglesworth
Fenton	Meyer, Md.	Wilson
Fish	Michener	Winter
Fitzgerald	Mott	Wolcott
Flaherty	Mundt	Wolfenden, Pa.
Flannery	O'Brien, Mich.	Wolverton, N. J.
Ford, Thomas F.	Oliver	Woodruff, Mich.
Gale	Osmers	Youngdahl
Gamble	Paddock	
Gehrmann	Pearson	
Gerlach	Pheiffer, William T.	
Gifford		
Gilchrist	Pittenger	

ANSWERED "PRESENT"—1

Casey, Mass.

NOT VOTING—60

Andersen, H. Carl	Gillie	Plumley
	Grant, Ala.	Powers
Anderson, N. Mex.	Gregory	Ramspeck
	Hartley	Rankin, Mont.
Andrews	Heffernan	Romjue
Barnes	Hobbs	Russell
Boland	Holbrock	Rutherford
Boren	Jarrett	Satterfield
Buckler, Minn.	Jenks, N. H.	Schaefer, Ill.
Burch	Johns	Scott
Cannon, Mo.	Keefe	Scrugham
Cartwright	McArdle	Sheridan
Celler	Maas	Smith, Va.
Coffee, Wash.	Maciejewski	Sparkman
Collins	Murray	Stevenson
Delaney	O'Brien, N. Y.	Thill
Ditter	O'Connor	Thomas, N. J.
Douglas	O'Day	Vinson, Ga.
Doxey	O'Hara	Wene
Edmiston	Patman	White
Faddis	Patrick	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Casey of Massachusetts for, with Mr. Ditter against.

Mr. Hobbs for, with Mr. Thill against.
Mr. Burch for, with Mr. H. Carl Andersen against.
Mr. Gregory for, with Mr. Keefe against.
Mr. White for, with Mr. Hartley against.
Mr. Anderson of New Mexico for, with Mr. Jarrett against.
Mr. Delaney for, with Mr. Powers against.
Mr. Grant of Alabama for, with Mr. Gillie against.
Mr. Heffernan for, with Mr. Scott against.
Mr. Satterfield for, with Mr. Stevenson against.

General pairs:

Mr. Doxey with Mr. Murray.
Mr. Smith of Virginia with Mr. Douglas.
Mr. Cannon of Missouri with Mr. Johns.
Mr. Boland with Mr. Rutherford.
Mr. Ramspeck with Mr. O'Hara.
Mr. Sparkman with Mr. Jenks of New Hampshire.
Mr. Vinson of Georgia with Miss Rankin of Montana.
Mr. Cartwright with Mr. O'Brien of New York.
Mr. Patman with Mr. Thomas of New Jersey.
Mr. Celler with Mr. Maas.
Mr. Barnes with Mr. Plumley.
Mr. Collins with Mr. Buckler of Minnesota.
Mr. Boren with Mr. Andrews.
Mr. McArdle with Mr. Edmiston.
Mr. Holbrook with Mr. Coffee of Washington.
Mr. O'Connor with Mr. Wene.
Mrs. O'Day with Mr. Maciejewski.
Mr. Patrick with Mr. Scrugham.
Mr. Sheridan with Mr. Romjue.
Mr. Schaefer of Illinois with Mr. Faddis.

The result of the vote was announced as above recorded.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, there is uncertainty as to the program for the next few days, owing to the fact that the rule provides for 3 days of general debate. May I ask the majority leader if he can tell us when we may expect to vote on this bill?

Mr. McCORMACK. I am very glad to answer the gentleman from Massachusetts.

It is hoped that the debate on the bill will close Friday, and that includes debate on the joint tax returns provision; but assuming the debate is closed on Friday, there will be no vote on the joint income-tax returns amendment in the Committee of the Whole until Monday, and, of course, no vote on the bill in the House until Monday.

Mr. MARTIN of Massachusetts. Do I correctly understand from that statement that the discussion as to the joint tax returns will be on Friday?

Mr. McCORMACK. It is my understanding that that is the intention and the desire.

Mr. MARTIN of Massachusetts. I wonder if we could not arrange to have that debate fall on Monday.

Mr. McCORMACK. I would rather yield to the gentleman from North Carolina on that.

Mr. DOUGHTON. Of course, we had hoped to conclude debate and vote on the bill this week, but obviously that arrangement will not be entirely satisfactory. Any agreement reached by the leadership of the House—and in that I include the Speaker and the majority and minority leaders—with regard to procedure will be satisfactory to the chairman. I am very hopeful that we can at least conclude the debate this week, but the chairman of the committee will concur in any agreement or understanding that may be reached on procedure by the leadership of the House.

Mr. McCORMACK. As far as I am concerned, expressing my own opinion, and I express it as a hope, I am perfectly willing that there be some debate on Monday. In addition to the joint tax returns amendment, if there are committee amendments it is understood that none of them will be voted on until Monday and, of course, that means not offered. I hope that arrangements may be made to have some of the debate on the joint tax returns amendment on Monday, because Members who are interested in that will be away the latter part of this week.

Mr. MARTIN of Massachusetts. I thought we might conclude general debate and then devote Monday entirely to the joint tax returns amendment.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Tennessee.

Mr. COOPER. The practical situation is this: The rule provides for 3 days of general debate; that would be today, Wednesday, and Thursday, and Friday. If the House is not in session on Saturday, that would mean that the bill would be taken up on Monday for the consideration of amendments. The joint returns provision amendment is one that is provided for under the rule. The committee will have three amendments to be considered. Therefore, I assume that if general debate is concluded on Friday the bill will have to be taken up for admendment on Monday, if the House is not in session on Saturday.

Mr. MARTIN of Massachusetts. That would be perfectly satisfactory.

Mr. McCORMACK. It is my intention to ask unanimous consent that the House adjourn over Saturday.

Mr. MARTIN of Massachusetts. I do not believe the gentleman will have any difficulty in getting that consent.

May I ask the gentleman from Tennessee if we may know how much time will probably be allocated to the various amendments? Has any thought been given to that question?

Mr. COOPER. I cannot imagine that there would be debate of any length on the three committee amendments, because, as I recall, they were unanimously agreed to by the committee.

Mr. MARTIN of Massachusetts. There will be a disposition to be liberal as to time for debate on the other amendment?

Mr. COOPER As far as the amendment with respect to the joint returns is concerned, under the rules of the House there would be 5 minutes for and 5 minutes against. Any addition to that would be in the control of the committee of the whole.

Mr. McCORMACK. It is my understanding, then, that general debate will proceed for the remainder of the week and that debate on the joint income-tax returns amendment and on the committee amendments will go over until Monday. Of course, the votes will automatically follow and go over until Monday.

Mr. MARTIN of Massachusetts. The committee will have control of the time on the amendments on Monday?

Mr. McCORMACK. I believe we can adjust that question at that time. That can be taken care of very easily.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Is there anything that will come up Monday morning under the rules of the House that will take precedence over the consideration of this bill? In other words, when we meet on Monday morning, immediately after the reading of the Journal will someone move that the House resolve itself into the Committee of the Whole?

The SPEAKER. The Consent Calendar is in order on Monday, and its consideration will probably take 30 or 40 minutes.

Mr. McCORMACK. There will be no interference with that, I assume.

THE REVENUE BILL

Mr. DOUGHTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5417) to provide revenue, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5417) to provide revenue, and for other purposes, with Mr. COLE of Maryland in the chair.

The Clerk read the title of the bill.

Mr. COOPER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DOUGHTON. Mr. Chairman, I yield myself 30 minutes and ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOUGHTON. Mr. Chairman, in presenting this bill to you this afternoon I naturally assume that every member of the committee realizes not only the importance but the necessity of this or similar legislation to carry forward our national-defense program and effect our economic security. While I shall not decline to yield to any member of the committee who may desire to propound any question while I am making my remarks, I would prefer to proceed without interruption until I have concluded my main statement. In fact, I may say that if any Member of the House has not familiar-

ized himself or herself with the provisions of this bill by reading the report which is full and quite comprehensive, he can get more complete information by a study of the report than any information any member of the committee could give in the brief time he would have to answer questions. The chairman of the committee endeavored last week to have a copy of the report sent to the office of each Member of the House. As this is such an important measure not only to the membership of the House but to the entire country, I was very anxious that before the bill came up for consideration the Members of the House should have every opportunity to ascertain so far as they desired, the purposes and provisions of the measure.

I have reduced my main statement to manuscript for the reason that every utterance of one in official life, and especially one holding the responsible position that I and other members of the Ways and Means Committee hold with respect to this proposed legislation, is scrutinized and analyzed and put under the microscope and I am very anxious that what I say may not be misunderstood. A few days ago when I appeared before the Committee on Rules to request a rule making this bill in order, quite unexpectedly some discussion arose with respect to a future tax bill and I was quoted by the newspapers, possibly correctly, but the statement I made was made on the spur of the moment and I was quoted as announcing myself in favor of a general sales tax. What I intended to say was that there would doubtless be necessity, not only need but necessity, in the next year, but I hoped there would not be this year, for another tax bill and that increased taxes would be necessary and, probably, additional taxes. I reiterate that statement and in that connection I intended to say that I would not reject nor prescribe any type of tax that might be necessary to the preservation of our liberties and the perpetuity of our Government.

So far as a sales tax is concerned, a manufacturer's sales tax or a retail sales tax, as a general proposition, I am inherently opposed to such a method of taxation. However, if our emergency continues, as now seems probable, then I would not say that any reasonable tax, any tax that ever has been resorted to or that in the minds of reasonable people should be considered, is beyond the realm of probability. I would not say I would proscribe or reject such a tax, because taxes unheard of and sacrifices not hitherto made by all taxpayers and by all the American people will doubtless be necessary in the financing of our preparedness program and providing for the economic safety and security of our Government.

Mr. Chairman, in presenting the tax bill now before you for consideration, the largest in the history of our Government, I assume that the membership of this body understands full well the necessity of this or some similar measure to the national defense and the financial security of our Nation.

The national-defense program is of paramount interest to the American people and our national safety should be to everyone a matter of highest consideration. In fact, all people everywhere who cherish liberty, freedom of speech, and freedom of action are tremendously concerned in the success of our preparedness effort. Therefore I do not deem it necessary to dwell upon the urgent need of the enactment of this bill.

The Congress has already appropriated vast sums for the normal and extraordinary expenses of the Government, estimated at present at $22,000,000,000 for the fiscal year 1942.

There is no method of meeting these costs except by taxation. Borrowing is but the anticipation of future taxes—a device by which we spend in the present and pay in the future. Certainly no well-informed person believes we can meet the entire cost of our present preparedness program, together with other necessary expenses for the support of the Government, by taxes sufficient to pay as we go. We certainly should, however, pay as much as our economy will allow. As to just where this limit is, there is, of course, honest difference of opinion.

At the outset of my remarks I wish to pay special tribute to my fellow members of the Committee on Ways and Means for their unselfish devotion to duty in the preparation of this bill.

I have never known the membership of our committee to labor more conscientiously and quite so zealously in the preparation of a tax bill.

Party affiliations were forgotten and personal preferences made secondary to the all-important need of the Nation.

While there were many differences of opinion to be reconciled by deliberation, I take great pride in the fact that never once was there shown the slightest degree of partisanship in the discussion of the bill or in the votes taken by the committee. No observer of our deliberations could have ascertained from the actions of the members any indications of their party affiliations.

The minority members of our committee who have cooperated wholeheartedly and unselfishly in the preparation of the bill are entitled to as much credit and have the same responsibility for what the bill contains as the majority members. Also the Treasury staff, headed by Hon. John Sullivan, Assistant Secretary of the Treasury, and our staff on internal-revenue taxation, under the leadership of Hon. Colin F. Stam, chief of staff, have worked day and night in the preparation of the bill. Great assistance has been rendered also by the legislative counsel, Mr. Beaman, and his very able lieutenants.

The bill is without parallel in the amount of revenue it, in conjunction with the taxes under existing law, will provide. It lays a substantial increased burden upon the American people and will entail considerable sacrifice. However, I feel certain that the American people place no dollar sign on their liberty and freedom, and will uncomplainingly bear any burden that is considered necessary to assure to them and their posterity the blessings of liberty and freedom wrought out by our forefathers.

The figure of three and a half billions of dollars, which is the amount proposed to be raised by the present bill, was arrived at in a conference where representatives of the Committee on Ways and Means, the Committee on Finance, and the Treasury officials participated, and will be the total added burden to our present taxes that we felt could be safely laid upon our economy at the present time.

Your committee deliberated over the measure for more than 3 months. It held public hearings covering a period of about 5 weeks, during which more than 200 witnesses appeared. Everyone was heard who so requested. The hearings contain more than 1,800 pages. More than 300 briefs, letters, and telegrams were received and incorporated in the record.

Of course, the bill does not represent the precise views of any member of the committee, but it does represent the composite judgment of our committee. It is impossible to raise three and one-half billion dollars in additional taxes and please everybody. Frequently those who know least about the subject or those who have given it little or no study are the most vocal in their criticism.

In general, the bill adopts a middle course. Extremes have been avoided, and no fanciful or fantastic plans are incorporated in its provisions. We sought earnestly to lay the increased and added burdens where they could be borne with the least hardship, and every effort was made to distribute the load fairly and equitably among the various types and classes of taxpayers.

Rates in the top brackets of our tax schedules are already very high, and, because of the comparatively small number of taxpayers in the highest income brackets, increased rates there would produce very little additional revenue.

The bill increases personal income taxes, corporation taxes, including the excess-profits taxes, gift and estate taxes, and excise taxes imposing some new excise levies.

It is estimated that of the $3,500,000,000, that $2,475,000,000 will be derived from corporate and individual income taxes, $152,000,000 additional from estate and gift taxes, and about $900,000,000 from excise taxes. The table on pages 3 and 4 of the report sets out in detail the items contained in the bill and the expected revenue therefrom. The figures contemplate a full year of operation.

Due consideration has been given by our committee to the economic and social effects of the increased levies. There was continually kept in mind the need of preventing any disruption of our economy and also the supplying of needed restraint upon inflationary tendencies.

The bill, like every tax bill, has its measure of complexity but, on the whole, it is less technical than most of the prior bills reported by our committee. Certain provisions of the bill can be readily and easily understood by a simple reading of the text, but for an understanding of other parts it will be necessary to refer to the committee report for explanation and examples.

Except for the technical changes necessary to carry out the increased rates and changed bases, the bill is confined to

rate structures and other direct provisions calculated to yield additional revenue. Because of the necessity for letting the American people know as soon as possible what to expect in the way of new and added taxes, it was felt that this bill should be restricted to the rate structures necessary to produce the desired revenue. It is hoped that this bill can be followed by a technical bill, designed to take care of many needed changes in the Internal Revenue Code.

For a year of full operation the bill will produce additional revenue as follows: Individual income taxes, $1,152,000,000; corporation income taxes, $124,600,000; corporation excess-profits taxes, $1,198,300,000.

In that connection, the excess-profits tax as contained in existing law would yield on 1941 incomes about $1,026,000,000, without the increases contained in the bill. So those of you who may think we have dealt too gently or too tenderly with the matter of excess-profits taxes will see that we have endeavored as far as we could to see that no millionaires are made as a result of this great national emergency.

Estate taxes, $135,900,000; gift taxes, $16,000,000.

The capital-stock tax we have increased from $1.10 to $1.25 per thousand, or a capital-stock tax increase of $22,300,000.

Manufacturers' and retailers' excise taxes, $514,900,000; miscellaneous taxes, $365,200,000; or a total increase of $3,529,200,000.

The yield for the fiscal year 1942, under the present tax law, is estimated to be $9,400,000,000.

Now, it is estimated that our appropriations for the fiscal year 1942, as far as we can see now, for normal and national-defense purposes, will amount to about $22,000,000,000. This approximately $13,000,000,00 is 60 percent of that amount.

During the World War we only attempted to raise about 33⅓ percent, but under this bill the total amount raised, when this bill is in full effect, by taxation, will be as I have said, about $13,000,000,000.

Mr. KNUTSON rose.

Mr. DOUGHTON. You can thus see that we endeavored as far as we reasonably and safely could, within an amount which we felt the American taxpayers could reasonably bear, to take care of this larger percentage of both our normal and emergency expenditures.

Mr. Chairman, I yield to my distinguished friend from Minnesota.

Mr. KNUTSON. The gentleman has covered the point I was going to mention, which was that this bill raises more money than we raised in taxes during the first World War.

Mr. DOUGHTON. Undoubtedly, and with a much higher percentage of expenditures.

This bill deals with individual income taxes, corporation taxes, gift and estate taxes, and excise taxes. With respect to the individual income tax, the increases are accomplished through the surtax rates rather than through the normal tax rates. The surtax, provided by the bill, applies to the first dollar of net income in excess of the personal exemption and credit for dependents, while, under existing law, the first $4,000 of surtax net income is not taxed. The surtax rates begin at 5 percent instead of 4 percent, and are graduated steeply so as to effect a substantial increase in the lower and middle brackets.

For example, a single man with no dependents and a net income of $1,000 pays $4.40, or about one-half of 1 percent of his net income, under existing law. Under the bill he would pay $15.40, or about 1½ percent. If he makes $5,000, he would pay $171.60, or about 3½ percent under present law, while under the bill he would pay $473, or about 9½ percent of his net income. Should he make $10,000, his present tax would be $686.40, or almost 7 percent. Under the bill, he would be charged $1,469.60, or almost 15 percent.

A married man with no dependents, whose income is $2,500, would pay under existing law $11, or less than one-half of 1 percent. Under the bill he would pay $38.50, or 1½ percent of his net income. If he made $5,000, he would pay $110, or a little more than 2 percent under existing law, while under the bill he would pay $308, or about 6 percent. With an income of $10,000 he would pay $528, or a little more than 5 percent under present law. Under the bill, he would pay $1,166, or almost 12 percent.

These examples will give a general idea of the proportion of the income-tax increases in the lower brackets.

Your committee did not deem it desirable to reduce the personal exemption and credit for dependents. No action was taken in this respect despite a considerable sentiment for broadening the income-tax base by decreasing exemptions and credits. Very careful attention was given to this proposition, but it has been clearly demonstrated that the bulk of the additional revenue to be derived from such action would not be secured from new taxpayers but would be paid by persons already liable to tax.

Last year we lowered the personal exemption of married persons from $2,500 to $2,000, and of single persons from $1,000 to $800. This exemption for married persons is as low as it has ever been in our income-tax history, even during the World War period. For single persons, the personal exemption is $200 lower than it has ever been.

Our action in this respect last year produced 8,000,000 new tax returns but less than 2,000,000 new taxpayers. From these new taxpayers about $12,000,000 was derived, but it cost $8,000,000 to handle their returns. Thus, as regards new taxpayers, the Government derived a net benefit of about $4,000,000 from approximately 2,000,000 taxpayers. At the same time, this broadening of the base served to get a substantially increased amount from persons who were already liable for income taxes. In the present bill we have reached this latter class by increased rates and the former by increased and added new excise taxes.

The bill as reported by your committee contains a provision requiring husband and wife living together to report their income in a single joint return and to compute their tax on their combined income, instead of allowing each to file a separate return as now allowed by existing law. It should be noted, however, that the tax liability at the request of either spouse, may be allocated proportionately between them.

This provision has aroused more opposition, it seems, than any other item in the bill, whereas, in my opinion, it should have received the unanimous approval of the country.

Much of this opposition is no doubt inspired by those who, when this provision is enacted into law, will no longer enjoy a special tax privilege at the expense of the vast majority of individual income taxpayers of the Nation.

Under the present law if the entire income of the family is earned by the husband the family is required to pay a greater tax than a family with a like amount of income divided between the husband and wife. For example, a family having a net income of $10,000, all earned by the husband, would be required to pay, under the rates proposed by this bill, $286 more than another family having the same amount of net income, one-half of which was earned by the wife. Under the mandatory joint-return provision of this bill both families would pay the same amount of tax. How can anyone object to this fair and impartial treatment?

Likewise, families living in different sections of the country under present law pay a different tax on the same amount of net income merely because they happen to be residents of a particular State. For example, with respect to families living in North Carolina or any of 38 other States in the Union, the husband earning a salary of $10,000 pays income tax on the entire $10,000. Whereas in California, Texas, Louisiana, Washington, Nevada, Idaho, Oklahoma, New Mexico, or Arizona, he pays tax on $5,000 and his wife pays tax on the remaining $5,000, thus bringing their net income into lower surtax-rate brackets.

The present law also discriminates against a family living in a non-community-property State receiving all or a greater part of the income from earnings, as contrasted with a family receiving all or the greater part of its income from investments.

The committee feels that the division of income between husband and wife as a tax-saving device has no equitable basis, as it results in an unequal distribution of the tax burden as between families. The enactment of the mandatory joint-return provision contained in the pending bill will result in a more equitable distribution of the tax burden. It will also remove the existing discrimination against earned income in favor of investment income, and make the Federal income-tax law applicable to all taxpayers alike regardless of State lines.

Some commentators and others have sought to leave the impression that the mandatory joint-return provision will result in placing this additional tax burden principally upon the small-income taxpayers of the country. As a matter of fact, it will not affect a family,

having no dependents, unless its income is in excess of $4,000; and for each dependent, the net income would have to be increased by $400 before the joint-return provision would result in an increase in tax.

I want to emphasize as strongly as I can that this is not a community-property issue, that it applies to all 48 States alike, and that it merely seeks to place the taxpayers of all of our 48 States on the same tax basis. It will only affect those most able to pay.

However, since our friends from the community-property States have taken the leadership in opposition to the joint-return provision, I want to call their attention to the fact that when we give special tax privilege to some families, other families and taxpayers not enjoying such privilege must necessarily pay more than they would otherwise have to pay. I want to call their attention to the table on page 16 of the committee report which shows that in the State of California, the 213,009 families already voluntarily filing joint returns must necessarily pay more in taxes if we continue to allow a special tax privilege to the 28,580 families now filing separate returns. In Texas, 99,248 families must pay more in order that 17,267 families might enjoy special tax privilege. In the eight community-property States for which statistics are available, 307,173 families must pay more in order that 60,434 families can continue to enjoy a special tax privilege. You will also note from this table that the 2,866,026 families now voluntarily filing joint returns in the United States are necessarily paying more in order that 175,026 families filing split income-tax returns might enjoy this tax advantage.

I have had a table prepared, which I will insert in my remarks at this point, showing the total number of income-tax returns filed in 1938, by States, those filed by single persons and nonheads of families, as well as by families. This table will show the number of returns that will be affected by the mandatory joint-return provision, or in other words, those who are receiving special tax privileges as compared with those who are now being penalized in favor of those affected by the joint-return group to the total.

Total number of individual income-tax returns filed in 1938 by single persons, married couples filing joint and separate returns, nonheads of families, and community property returns, by States

State	Total number of returns filed	Number returns receiving tax advantage [1]	Number returns receiving no tax advantage [2]	Percent of total	
				Receiving tax advantage	Receiving no tax advantage
Ala	39,010	1,536	37,474	3.9	96.1
Ariz	20,447	2,522	17,925	12.3	87.7
Ark	19,627	767	18,860	3.9	96.1
Calif	523,696	57,161	466,535	10.9	89.1
Colo	41,701	1,878	39,823	4.5	95.5
Conn	130,880	7,065	123,815	5.4	94.6
Del	16,557	1,369	15,188	8.3	91.7

[1] Group consists of community property returns and separate returns of husbands and wives living together.
[2] Group consists of joint returns of husbands and wives living together, and single men and women, and married men and women, not living together, who are heads of families, or nonheads of families.

Total number of individual income-tax returns filed in 1938 by single persons, married couples filing joint and separate returns, nonheads of families, and community property returns, by States—Continued

State	Total number of returns filed	Number returns receiving tax advantage	Number returns receiving no tax advantage	Percent of total	
				Receiving tax advantage	Receiving no tax advantage
Dist. Col	113,425	5,004	108,421	4.4	95.6
Fla	55,940	4,267	51,673	7.6	92.4
Ga	58,003	2,749	55,254	4.7	95.3
Hawaii	18,893	1,017	17,876	5.4	94.6
Idaho	13,223	1,713	11,510	13.0	87.0
Ill	493,482	20,546	472,936	4.2	95.8
Ind	121,539	3,964	117,575	3.3	96.7
Iowa	74,600	2,446	72,454	3.3	96.7
Kans	51,720	2,007	49,723	3.9	96.1
Ky	53,453	2,695	50,758	5.0	95.0
La	59,019	10,399	48,620	17.6	82.4
Maine	26,676	1,331	25,345	5.0	95.0
Md	134,637	6,351	128,286	4.7	95.3
Mass	297,680	17,183	280,497	5.8	94.2
Mich	273,678	9,243	264,433	3.4	96.6
Minn	107,238	4,066	103,172	3.8	96.2
Miss	19,823	925	18,898	4.7	95.3
Mo	143,662	6,007	137,595	4.2	95.8
Mont	27,976	551	27,425	2.0	98.0
Nebr	39,209	1,331	37,878	3.4	96.6
Nev	8,969	918	8,051	10.2	89.8
N. H	20,936	1,093	19,843	5.2	94.8
N. J	301,186	13,481	287,705	4.5	95.5
N. Mex	13,690	1,900	11,790	13.9	86.1
N. Y	1,052,402	53,955	998,447	5.1	94.9
N. C	50,224	2,993	47,231	6.0	94.0
N. Dak	11,418	312	11,106	2.7	97.3
Ohio	343,532	12,565	330,967	3.7	96.3
Okla	55,762	3,360	52,402	6.0	94.0
Oreg	53,584	1,609	51,975	3.0	97.0
Pa	499,885	19,036	480,849	3.8	96.2
R. I	40,758	1,744	39,014	4.3	95.7
S. C	24,000	1,078	22,922	4.5	95.5
S. Dak	11,757	299	11,458	2.5	97.5
Tenn	57,861	2,194	55,667	3.8	96.2
Tex	205,254	34,534	170,720	16.8	83.2
Utah	19,177	722	18,455	3.8	96.2
Vt	13,563	462	13,101	3.4	96.6
Va	72,217	2,755	69,462	3.8	96.2
Wash. [1]	106,472	11,884	94,588	11.2	88.8
W. Va	53,744	1,760	51,984	3.3	96.7
Wis	146,565	6,051	140,514	4.1	95.9
Wyo	11,716	356	11,360	3.0	97.0
Total	6,150,776	351,214	5,790,562	5.7	94.3

[1] Includes Alaska.

For example, I find that in my home State of North Carolina, 47,231 persons filing income-tax returns in 1938 are being required to contribute more in order that 2,993 might file separate returns and thereby reduce their tax liability. In the State of Ohio, 330,967 are being asked to contribute more in order that 12,565 might continue to enjoy a special tax advantage; here in the District of Columbia, 108,421 taxpayers, many of whom are $1,200 and $1,400 Government typists and clerks, are being asked to contribute more in order that 5,004 husbands and wives, many no doubt also on the Government pay roll, might be allowed to continue to file separate returns and enjoy a special tax privilege.

There has also been considerable criticism of this provision on the ground that it does away with the rights of married women and reduces them to their former state as the chattel of the husband. Nothing could be further from the truth, and those using that argument have obviously given no study to the provisions of the bill relating to joint returns. If a married woman's property rights are in any way affected by this provision, they are strengthened, not weakened, because she and her husband are placed on exactly the same footing and are treated as equals for tax purposes.

Simply stated, your committee has done nothing except to determine upon a new base for the computation of the tax liability of each partner to the marital community, and in so doing has put them on a par with other taxpayers and has closed a glaring loophole in our existing law. Before leaving this subject, I should like to insert at this point the following letter, which eloquently sums up the arguments for this proposition:

LORD, DAY & LORD,
New York, N. Y., July 17, 1941.

HON. ROBERT DOUGHTON,
Chairman, Ways and Means Committee,
House of Representatives,
Washington, D. C.

SIR: Upon my return from vacation it was brought to my attention that there appeared in the New York Times on July 5, 1941, a statement to the effect that the Committee on Taxation of the New York State Bar Association, of which I am a member, had made a report opposing compulsory joint income-tax returns for husbands and wives. I was away at the time this report was made and hence did not have an opportunity to register my dissent. I write to go on record to the effect that I am in favor of requiring joint returns from husbands and wives. I have already said so in an article which I wrote for the spring 1940 issue of Law and Contemporary Problems entitled "The Problem of Personal Income-Tax Avoidance" (pp. 252–253 and 264). In fact, I went further and suggested that husbands and wives and minor children living together be required to file composite returns.

Stated briefly, my reasons for favoring compulsory joint returns are as follows:

1. I see no other politically practicable method of eliminating the unfair advantage enjoyed by residents of community property States. Obviously, there is no sound foundation for a rule which makes the Federal income tax depend upon where the taxpayer lives and which requires a married couple living in New York, for example, to pay a much higher tax than if they lived in California. (This assumes, of course, that one spouse earned all or nearly all of the income.)

2. I see no reason why there should be an income tax disparity between a family where the husband is the sole source of income and a family where the wife contributes. The family, generally speaking, will spend approximately the same amount for rent, food, support of children, etc., whether its income stems entirely from the husband or derives in part from the wife. Why should not its income-tax bill likewise be the same?

3. I do not know of any persuasive arguments against compulsory joint returns. All the emotional claptrap that has appeared in the newspapers about the sanctity of marriage, religion, and morals is drivel. None of the commentators has bothered to point out that compulsory joint returns have been required under British income-tax law for a long, long time, and no one has argued that this requirement has seriously increased the British divorce rate or impaired British morals.

In the aggregate, taxes are not avoided. The Government must have money to exist, and it must obtain at least a part of this money by taxation. If one taxpayer contributes less than his share, it simply means that all other taxpayers must pay more. If the people in the non-community-property States were made to realize that they are required to pay higher income taxes because the people in the community-property States enjoy tax privileges, they would be less likely to oppose compulsory returns. Moreover, in the vast majority of families in this country, practically all of the family income is earned

by the husband. If joint returns are not required, the families of this vast majority will have to pay a higher tax than the families in the minority group. Thus, if John and Mary have an income of $10,000 per annum, all of which is earned by John, they would under the proposed 1941 rates pay a tax of $1,100. But if Henry earns $5,000 a year and his wife, Elizabeth, received $5,000 of income from property which she has inherited or which Henry has perhaps given her, the aggregate tax would be only $840. Thus John and Mary would pay a tax 30 percent greater than that of Henry and Elizabeth, even though each family had the same aggregate income and enjoyed the same standard of living.

The argument that compulsory joint returns would penalize marriage and discourage home building is, to my mind, sheer nonsense. Any prospective marriage which is broken up because of the possibility of higher income taxes is probably not worth very much. Moreover, compulsory joint returns might encourage marriage between a rich spouse and a poor one, and I have never heard anyone complain that this is an undesirable result.

I hope that your committee will stick to its guns and that it will not be influenced by the hue and cry of those who are not disinterested and those who are uninformed.

In view of the fact that I am chairman of the taxation committee of the association of the bar of the city of New York, I add that the views expressed above are my personal views and not those of the committee.

Respectfully,

HARRY J. RUDICK.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield myself 10 additional minutes.

Bear in mind that if this mandatory joint return provision is stricken out it means we must find some other means of raising this $304,000,000. I wish someone would tell me where, with as little burden, we can raise this amount of additional revenue which we would have to raise if this provision is not retained in the bill. It will have to be raised by increasing other taxes or by the imposition of new taxes or we shall fall short of reaching the goal we set out to reach. If anyone can tell me where we can raise this $304,000,000 I will yield to him for that purpose.

Mr. GIFFORD. Would the gentleman like for me to tell him?

Mr. DOUGHTON. I certainly would; but bear in mind I said with as little burden—and I must ask the gentleman to do it briefly.

Mr. GIFFORD. Oh, yes; very briefly; yes.

What about these bonds and stocks that pay no dividends and no taxes? My real estate pays no dividends but is taxed at $30 a thousand. I have advocated this bond tax, but the gentleman's party pays no attention to me. Why do you not do it?

Mr. DOUGHTON. I did not write the tax bill myself, I may say to the gentleman from Massachusetts; and if I had, it would not have been as good a bill as it is; it would have been much more imperfect. In our deliberations in the committee we did not feel that at this time we had sufficient information to deal with the subject. I may say to my distinguished friend from Massachusetts that before we impose any tax we endeavor to get as full information as we can as to the equity of the tax and its effect upon those who will have to pay it. We did not have sufficient information before us to deal with such a tax in this revenue act. How much revenue does the gentleman estimate such a tax would yield?

Mr. GIFFORD. I submit to the gentleman that if it were taxed at $3 per thousand, as it ought to be, income from the tax-exempt stocks and bonds would be sufficient so that the committee could probably get the whole $3,500,000,000 from that source alone. We have argued that here before. I have taken it up time and time again.

Mr. DOUGHTON. I appreciate the gentleman's suggestion. I do not take any exception to the gentleman's statement. I always appreciate any suggestion, especially when it comes from so able a Representative as my good friend from Massachusetts. Mr. Stam, here, chief counsel of our committe, and chief of the staff of the Committee on Internal Revenue Taxation, has given the subject much study. He states it would be a direct tax and would be unconstitutional; that the only way we could do it, the only way we could provide legal authority for it, would be by way of constitutional amendment; and the gentleman knows we could not adopt a constitutional amendment in time to meet this emergency.

I hope that is a satisfactory answer.

Mr. GIFFORD. I thank the gentleman. I have debated this time and again. I cannot accept the gentleman's explanation that it would be unconstitutional, because under the present Supreme Court we do not know what is unconstitutional. We never did consider that.

Mr. DOUGHTON. We had no opinion from the Supreme Court of the United States, but we have an opinion from our own supreme court, our own counsel. This is no reflection on the Supreme Court, but I doubt if many men on the Supreme Court of the United States or any other body are better qualified on tax matters to render a safe, wise, sound decision than is our counsel.

Mr. GIFFORD. I grant all that.

Mr. DOUGHTON. He has been with it day and night.

Mr. GIFFORD. While the gentleman is on his feet, may I suggest something else?

Mr. DOUGHTON. Certainly.

Mr. GIFFORD. I think the gentleman has the time. I wish he would discuss the argument that has been presented to his committee on consolidated joint returns being compulsory, the moral argument that has been presented to his committee. Was it a good argument?

Mr. DOUGHTON. I do not think it was a good argument at all. Those who are objecting to consolidated joint returns are doing two things: In the first place, they have a most widespread propaganda organization.

Mr. GIFFORD. Would it bring about immorality?

Mr. DOUGHTON. No. It has not done so in Great Britain although it has been a part of their income-tax law since 1914.

Mr. GIFFORD. That is the point. I hear this argument: Are the morals of the English people quite up to ours relating to women?

Mr. DOUGHTON. I am sorry; I am not an authority on that. May I say to the gentleman that this subject of joint returns will be discussed in detail later, and I hope the gentleman will be here.

Mr. GIFFORD. I want to discuss that also.

Mr. DOUGHTON. That will be discussed by the gentleman from Indiana [Mr. BOEHNE] and by the gentleman from Oklahoma [Mr. DISNEY]. They specialized on that subject and they will be able to answer any legal questions and will be able to make a legal argument or any other argument that is pertinent.

Mr. GIFFORD. I am very much interested in that immorality phase.

Mr. KNUTSON. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Minnesota.

Mr. KNUTSON. May I say to the gentleman from Massachusetts that unfortunately we have no preachers on the committee so we are not prepared to discuss the moral aspects of this bill.

Mr. DOUGHTON. That will be covered by other gentlemen of the committee. We are endeavoring to bring bout equality in matters of taxation. What justification or excuse can be assigned for a man in California situated, as I am, with a salary of $10,000 a year, with no dependents, or the same number of dependents I have, and supporting the Government in which he is as vitally interested as I am, I repeat, what justification can there be for his paying less than I am paying? What excuse can we offer for not postponing the correction of this evil, wherein I pay $280 more on the same salary for the support of the same Government and situated exactly the same as he is?

I do not know of any reason or justification for it, but that is the situation today. In the State of California and these other community-property States, that is their business, so far as the States are concerned, but it is our business also, so far as raising taxes for the support of the Federal Government is concerned. That is our concern, and when the people of the United States understand that only 5 percent of the people avail themselves of the present law whereby they can make separate returns, they will also realize the situation. Five percent of the married couples filing income-tax returns get an advantage and a preference, thereby lightening their tax burden, and to the extent their tax burden is lightened, it must be imposed on the other 95 percent of married couples filing such returns, because when one class of people pays less than their share, another class of people must make that up and pay more than their share. How can we justify continuing that system? How can the Federal Government permit a system to continue whereby 5 percent, everyone of them able to pay Federal taxes, have an advantage and preference, and a heavier burden must be placed on the other 95 percent?

No change was made in the rate of the normal tax for corporations. However, in lieu of an increased normal tax, there was imposed a surtax of 5 percent on the first $25,000 of surtax net income

and 6 percent on the balance. This surtax is resorted to as the only effective method of reaching the interest from the large volume of partially tax-exempt securities held by corporations. It is felt that during this emergency corporations receiving liberty-bond interest should be required to pay at least this small amount for the support of the Government.

In the Second Revenue Act of 1940, an excess-profits tax was laid upon corporations. As a measure of excess profits a credit was allowed which was equal to the average-earnings experience of the corporation during the base period or, at its option, 8 percent of the invested capital. This alternative method was designed for purposes of equity, and experience has proved that it is essential to the prevention of hardships. No change has been made in the allowance of this optional method. The present excess-profits tax rates of from 25 to 50 percent have been increased by 10 percentage points in each bracket. Thus, those under the bill are graduated from 35 to 60 percent. In addition, the credit of 8 percent on invested capital is reduced by allowing only 7 percent of invested capital in excess of $5,000,000.

Under the present law, the amount of the income tax paid by corporations is allowed to be deducted in arriving at the excess-profits tax net income. The bill reverses this allowance and permits the excess-profits tax to be deducted in arriving at the normal and surtax net income. By this change, every dollar of excess profits is subjected to excess-profits tax. On pages 24 and 25 of the committee report, a thorough explanation of this provision and examples of its application will be found.

Under the present law those corporations, electing to use the invested-capital method, will pay no excess-profits tax unless their earnings exceed the percentage of invested capital allowed as a credit. In some instances, this has resulted in permitting corporations, whose earnings have been many times increased due to defense spending, to escape the payment of an excess-profits tax. Believing that every corporation, whose earnings have been increased by reason of the vast sums spent by our Government for national defense, should pay an added tax on such increased earnings your committee has incorporated in the bill a special 10-percent excess-profits tax. This special tax applies only to those corporations using the invested-capital base and is levied upon that portion of a corporation's increased earnings, which are not in excess of the invested-capital credit. Thus, the increased earnings, which would otherwise escape the excess-profits tax, are required to pay an excess-profits tax of 10 percent.

It is felt that there should be some inducement to the investment of new capital in corporate enterprise. The reluctance of investors to risk their money in corporations engaged in defense industries must be met with governmental funds. In order to encourage venture capital, your committee has granted an additional allowance of credit with respect to new capital paid in. For every $100 of money or property paid in for stock, the corporation's invested capital will be increased by $125. It is hoped that this provision will have a salutary effect upon companies engaged in producing defense materials.

An increase has been made in the estate- and gift-tax rates. On page 27 of the report will be found a table setting out the estate-tax rates under existing law and those under the bill. On page 28 the increase in the estate-tax burden is shown.

The majority of our excise-tax rates have been increased. In addition a number of new levies are imposed. In selecting the list of articles to be taxed, due regard has been given to the economic effect upon the businesses involved. Levies of this nature, we feel, are justified only by the urgent need for revenue and should be abandoned as soon as this need will permit. During times of emergency, however, excise taxes furnish the most satisfactory method of reaching the lower-income groups and of providing a device by which they, too, may contribute their share toward our defense effort.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield myself 12 additional minutes.

Mr. CRAWFORD. Will the gentleman yield to the gentleman from Michigan?

Mr. DOUGHTON. I yield.

Mr. CRAWFORD. May I ask the chairman this question: Based upon the most recent estimates of expenditures during the current fiscal year, how near will all the revenue from all the tax laws, including this one, come to balancing those expenditures? In other words, what percentage of the forthcoming fiscal year's expenditures will we raise by present laws, including the one now under consideration?

Mr. DOUGHTON. I am sure the gentleman did not hear me, or I did not make myself clear, because I said that according to the best estimates, we expect to spend in the fiscal year, 1942, about $22,000,000,000. Existing taxes will raise about $9,400,000,000 and the bill will produce additional revenue annually of about $3,500,000,000. Of course it will not produce that much this year because the excise taxes contained in the bill will not be in effect for the full year. In a full year, however, the bill, plus taxes contained in the present law, should produce more than $13,000,000,000, or about 60 percent of our expenditures.

Mr. CRAWFORD. I missed hearing that. I thank the gentleman.

Mr. DOUGHTON. Let me go a little further on this matter of the joint returns. It will be discussed ably by others.

As I stated, only about 5 percent of the married couples filing income-tax returns avail themselves of the permission in the present law whereby they can make separate returns, and 95 percent do not. In the State of North Carolina, 50,221 persons make income-tax returns. Those who make separate returns are 2,990, and those who make joint returns are 47,231.

In Ohio, the State of my good and able and distinguished friend, Mr. JENKINS, there are 343,522 persons who make income-tax returns. In that State, those who make separate returns, and who are evidently benefited and have a preference and an advantage by doing so, are 12,565, while those who have no benefit and who evidently pay more taxes on account of making joint returns are 330,967. In other words, only 3.7 percent of the people who make income-tax returns in the State of Ohio avail themselves of the provision allowing them to make separate returns.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Ohio, my very able friend, for whom I have very great respect, because I referred to him.

May I say that I am going to place this entire table in the RECORD.

Mr. JENKINS of Ohio. I can reciprocate the gentleman's sentiments.

May I ask the chairman what he thinks about this situation. I appreciate what the chairman says about these statistics. They indicate that the great majority of the people in the States, when they have a chance to file separate returns, do not do so. A lot of them file joint returns. I believe that if the gentleman would investigate he would find that that is because so many husbands and wives have very small estates, and they do not always know whether or not the wife is included, and they just file a joint return to be safe.

Mr. DOUGHTON. I always give great weight to what my good friend says, because he studies these questions and always speaks very conscientiously, and very often convincingly, but not on this subject, I regret to say. I have reference to another purpose, and that is the patriotism and willingness of the great majority of the people of Ohio to bear their just share of the burdens of Federal taxation. They are not trying to avoid or evade taxes and get advantages that other States do not have. They just walk up patriotically and unselfishly and do what they think is right among taxpayers. That is the reason I think that is so.

Mr. JENKINS of Ohio. I think that is absolutely true.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I want to pay a compliment to my good friend the gentleman from Pennsylvania [Mr. RICH]. While he may be overzealous on the subject, a man had better be overzealous than underzealous on a good subject. I admire the great fight he has made in this House for more economy. If more of us would follow the course he has pursued I am sure that some of the heavy burdens of taxation could be eliminated. I take off my hat to him for his fight for economy and for his patriotism.

Mr. RICH. I thank the gentleman very kindly for his remarks.

May I say that I do not like to tax people and I do not want to vote for the bill, but because of my patriotism I am compelled to vote for it. I know that we have to get taxes if we are going to save this Nation.

In regard to the joint returns, may I say that I understand that the right and privilege under the law belongs to an individual to make a separate return,

but I also understand that there are eight States where husbands are permitted to give credit to their wives for half of their earnings.

Mr. DOUGHTON. The law gives that to them; yes.

Mr. RICH. The State law gives that to them.

Mr. DOUGHTON. Yes. They can split their salaries. Under the law in the community-property States a man's wife gets half of every dollar that comes to him. They can split that income, and that puts them in lower tax brackets, and they get off with less taxes.

Mr. RICH. My wife and I make a joint return.

Mr. DOUGHTON. So do we.

Mr. RICH. But I am going to vote for this because I want to tax everybody in this country alike.

Mr. DOUGHTON. Of course.

Mr. RICH. I believe the only way to do it is to put this provision into the bill. As much as I dislike it, we have to take it and vote for it and let the people have it.

Mr. DOUGHTON. I am sure that if the American people understand this they will have redress from present inequalities in some way. If it should not be adopted in this bill when it finally becomes the law, the issue will be so acute and the people so well educated that they will understand the inequity and the injustice that obtains under present conditions, and the agitation and the effort to remedy the situation will not be stopped until the evil is corrected. I have no doubt about that.

Mr. RICH. Whenever we treat everybody in the United States alike, then nobody can criticize.

Mr. DOUGHTON. Until you do that, somebody has a grievance against you. You have no right to tax me higher than you tax somebody else under similar circumstances.

I take the position that the increased taxes some people will have to pay over what they are paying now will apply to those who are able to pay the increase, because this provision of our bill will not affect any family unless its income is $4,000 or above.

It is not going to affect the little fellow with an income of $1,500 or $2,000 or $2,500 or $3,000. It will not affect anyone unless he has an income of $4,000 or more.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I want to make a suggestion to the gentleman from Pennsylvania [Mr. RICH]. The gentleman from Pennsylvania wants to tax everybody alike, but the purpose of this particular provision of this bill is to try to make husband and wife love each other alike, and you cannot do that.

Mr. DOUGHTON. If they do not love each other, they have no business living together. If their matrimonial relations are based on no higher plane than the nerve of their pocketbooks, then I do not believe any harm would be done by changing the law in this respect, and the sooner we know that the better it will be. If that is as high a plane as they place their patriotism and support of their Government, and if they are denying themselves the great benefits that come from a truly Christian married life, then that part of the argument falls to the ground with me, although I have respect for anyone who may entertain that view if it is an honest opinion.

Now, Mr. Chairman, in conclusion may I say that we all understand the great emergency. We may differ in our opinions as to how to finance it or how far we should go, but as American people we realize that our only hope and our only salvation as far as this great emergency is concerned, the darkest hour that there has ever been in the history of our country, is the unity of our people which is absolutely necessary. I am glad our committee has set a fine example in putting aside partisanship and partisan advantage, and I hope the same thing will be done in this Committee and I hope by our actions here we will give the country convincing evidence that we, the Representatives of the American people, subordinate our own political considerations and our own personal interests and are willing to make sacrifices wherever and whenever we can and in every way necessary for the preservation of our liberties and the perpetuity of our Government.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I yield to my friend.

Mr. RICH. I quite agree with the gentleman that we have got to make sacrifices and we have got to pay taxes and I do not believe this tax bill is going to be near enough unless——

Mr. DOUGHTON. I agree with the gentleman.

Mr. RICH. Unless we stop our extravagant spending, and if the Congress does not want to vote more taxes then they ought to do something to cut down the extravagant expenditures we are making for the things we are doing today.

Mr. DOUGHTON. I am not a member of the Committee on Appropriations, but I believe my distinguished friend from Pennsylvania is, and I am sure he will continue to exert every reasonable effort to the end that in this great emergency we take heed of our ways and not appropriate for anything that is not absolutely necessary. We need not blame the White House or the New Deal, because, as my friend, the gentleman from Tennessee [Mr. COOPER], so often emphasizes, not a dollar can go out of the Treasury of the United States unless authorized by the Congress. We hold the purse strings and the primary blame is with us.

Mr. RICH. But I would say that if the White House would show a little disposition to cut down and to tell the Members of the Congress that they do not want to spend, we would not spend so much.

Mr. DOUGHTON. That would be helpful.

Mr. RICH. But when the administration is trying to spend all the time, you cannot stop them.

Mr. DOUGHTON. That would be helpful but many of us are not in position to cast stones because we are not without fault ourselves.

Mr. RICH. I am, and I can tell the White House to stop spending and I am not afraid of them, and you gentlemen have got to the point where you should not be afraid of them either.

THE REVENUE BILL

Mr. TREADWAY. Mr. Chairman, I yield myself 20 minutes and ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, I shall start my remarks in the same manner that the chairman of the committee did. I have a rather long prepared statement I prefer to be allowed to read it quite completely without interruption, but I shall do as the chairman did and say that if any member of the Committee desires to ask me questions during the course of my reading, I shall yield for that purpose, although my preference would be to be permitted to go on without interruption.

Mr. Chairman, the Ways and Means Committee is today presenting to the House the largest single tax measure in our country's history.

It will increase the present tax burden by $3,529,000,000 to a total of approximately thirteen billions annually.

This is equivalent to $100 per capita, or $500 for every family of five, and is more than twice the highest annual collections under the World War revenue acts.

The necessity for a tax measure of such proportions as the present one is so apparent as to hardly require explanation. It is briefly stated in our minority report on the bill as follows:

> The Nation's finances are in a critical state, due to the extravagant spending and reckless borrowing under the New Deal administration during the past 8 years. This condition is now aggravated by the fact that unprecedented outlays for national defense are being required.
>
> It is obvious that a substantial increase in the tax burden is imperative if the credit of the Nation is to be preserved and the defense program is to go forward.
>
> We therefore have no alternative but to support the general objective of the bill in seeking to bring revenues and expenditures closer together.

The whole unpleasant picture is summarized in those few sentences.

Ever since the present administration has been in power, the New Deal spenders have been steadily undermining the fiscal security of the Nation by their prodigality.

They have squandered the public money and piled up a national debt which is now of such magnitude as to make further borrowing extremely hazardous from the standpoint of preserving the credit of the Government.

They have virtually exhausted the available sources of Federal taxation without at any time having balanced revenues and expenditures.

At the present time the Nation, after having been brought to a state of financial insecurity by the New Deal wastrels, now finds itself faced with the necessity of making stupendous and unprecedented outlays for national defense.

Already, the defense program involves total appropriations, authorizations, and new supplemental requests aggregating $50,000,000,000.

This is twice the direct cost of our country's participation in the World War, as reported by former Secretary of the Treasury Houston.

This great obligation will be superimposed on the swollen cost of the ordinary operations of Government under the New Deal. It is one which must, nevertheless, be met.

The New Deal spenders must assume the blame for the fact that it can only be met by imposing a crushing additional burden of taxation upon an already heavily taxed people, and by further straining an already strained public credit.

Fortunately for the Treasury Department and for the taxpayers of the country, the whole of the present defense program will not have to be financed in a single year. It is estimated by the Budget Bureau that actual defense expenditures in the current fiscal year will be in the neighborhood of $15,500,000,000. The cost of the civil functions of Government will bring the total expenditures this year to $22,169,000,000.

Estimated revenues from existing tax laws are placed at $9,400,000,000.

Thus, without any increase in taxes, and without any economy in nondefense expenditures, a deficit of nearly $13,000,000,000 for this year would be indicated.

Even under the most favorable conditions, a deficit of this size would be alarming. It is all the more so when it has to be added to a national debt which already stands at the colossal sum of $50,000,000,000, exclusive of some $6,000,000,000 more of guaranteed obligations.

In order not to place any additional strain on the public credit that can be avoided, it becomes necessary to increase Federal revenues and economize in Federal expenditures.

The Ways and Means Committee, under the rules of the House of Representatives, is only permitted to deal with the tax phase of this problem. It should be understood, however, that were it not for the fact that the committee's hands were tied insofar as the inclusion of an economy provision in the bill is concerned, such an item would undoubtedly have been written into the bill with unanimous Republican support.

Our Republican minority group on the Ways and Means Committee has many times asserted that we were opposed to continued increases in taxes upon the people unless some effort was made to eliminate waste and extravagance.

There was a time when the Ways and Means Committee handled both tax and appropriation matters. If this were the case today, I am confident that nondefense expenditures would not be at their present high level.

We who are charged with the responsibility of initiating tax legislation have a more unpleasant task than the Appropriations Committee. It is easy to spend money, but it is hard to raise it.

Billions upon billions are appropriated annually without any thought of where the money is coming from. If every appropriation bill had to provide its own means of financing, there is no doubt that much less would be appropriated.

I have for a long time thought that it would be a good thing if the Ways and Means Committee and the Appropriations Committee could get together at the beginning of each session to try to bring about some coordination between revenues and expenditures. I have a resolution pending in the Rules Committee at the present time—House Concurrent Resolution 6—which would set up a joint committee for this purpose, to be composed of members of the revenue-raising and appropriation committees of each body. However, I have not been able to secure consideration of the bill. There are several other measures of this character pending.

If such a group were set up, we might be able to make some headway in cutting down expenditures. Under the present haphazard system, the Ways and Means Committee, which must draft the legislation necessary to finance Government expenditures, is able to exercise no restraining influence, as a body, on the total amount of appropriations.

I do not wish to be understood as laying the entire responsibility for extravagant appropriations on any committee. A large part of that responsibility is on the House itself, not only for approving the appropriations as recommended but for the method by which it selects the members of the various committees.

It is well known that the work of the House is largely done through its committees and that the House itself must necessarily rely upon their recommendations.

Now, who are the Members who compose the committees in which these large expenditures are authorized? Members from agricultural sections naturally want to serve on the Agriculture Committee. Members from the Western States seek membership on the Committee on Irrigation and Reclamation. Those interested in securing funds for river and harbor improvements in their districts seek membership on the Committee on Rivers and Harbors. And so it goes, right on down the list.

With the committees, including the Appropriations Committee subcommittees, largely made up of men and women interested in seeking as much as possible for their respective districts and sections, how can we expect anything else than to have free spending of the Government's money, whether it has to be raised by taxation or borrowing?

While the House itself has some responsibility for extravagant spending, the primary responsibility is on the executive branch. That is where the Budget is made up. That is where the recommendations for appropriations originate. Each year the estimates of appropriations have been higher and higher. No effort has been made to eliminate waste and extravagance, even during the present emergency.

In 1933, the President of the United States, in a message to Congress, pointed to the urgent necessity for economy, and undertook, as a constitutional duty, to advise Congress as to the specific means for bringing it about. That message has long since been forgotten, but the sound principles of Government finance enunciated therein are even more true today than when uttered 8 years ago.

This message of the President is incorporated in the minority report on the bill. I hope it will inspire the President to assume the necessary leadership in the matter of economy so that some action along this line may be accomplished.

The same considerations which make an increase in taxes imperative also require that nonmilitary expenditures be cut to the bone.

The President's own Secretary of the Treasury advised the Ways and Means Committee that it should be possible to reduce such expenditures by a billion dollars annually. Other responsible persons have made even larger estimates of possible savings.

I am sure that the American people will gladly shoulder any necessary burden of taxation to maintain the credit of the Nation and finance the defense program, but certainly they are entitled to expect a similar sacrifice on the part of their Government through the reduction on nondefense spending and the elimination of unnecessary and wasteful expenditures of all kinds.

As we of the Republican minority have stated in our report on the bill:

> If the Government is going all out for national defense and all out for taxes upon the people, it is compelled both by necessity and by a regard for its obligations to the taxpayers of the country to also go all out for economy.

To supplement this statement of our position, I should say that the same system of priorities which now applies to national-defense production should likewise be applied to Government spending. In other words, national defense and the necessary civil functions of government should have first call on the taxpayers' dollars.

I have spent considerable time in the discussion of the general financial picture, because I believe it is more important than the details of the tax measure which is now before us.

The committee has presented a bill which is intended to bring the Federal revenues up to a point where they will cover 60 percent of the total expenditures of government, leaving 40 percent to be financed by additional borrowing.

In the last war, approximately one-third was raised by taxation and two-thirds by borrowing, but we must remember that our financial structure was on a much sounder basis at that time. Before we entered the World War, we had a national debt of only a little over $1,000,000,000. Now our debt is 50 times that amount, and our financial structure, which in reality is our first line of defense, has been seriously undermined by extravagant spending and borrowing.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield at that point?

Mr. TREADWAY. Certainly.

Mr. SMITH of Ohio. If I recollect, the formula was 66⅔ taxes and 33⅓ borrowing, as stated by the Secretary of the Treasury. The gentleman now states that it is 60–40.

Mr. TREADWAY. Since the estimate was made by the Secretary of the Treasury, to which informally the members of the Committee on Ways and Means and of the Finance Committee of the Senate agreed, the expenditures have been so much more extravagant, and the commitments of the Government have been to such a greater amount, that all ratio has gone out of the window. There is no such thing today as a fixed ratio between taxation and borrowing. The theory might have been practical at the time Mr. Morgenthau made his statement to us, but that has been all forgotten in the shuffle, exactly the same as the President's recommendation 8 years ago of strict economy has been forgotten. I suggest to the gentleman, if he has not already done so, that he read the President's 1933 economy message, which is included in the supplemental part of the minority report in connection with this bill. It is one of the forgotten friends of long ago. The same is true of this particular question that the gentleman is asking about.

Mr. SMITH of Ohio. In that case, that means that there is no real control over this Budget—no real control over expenditures.

Mr. TREADWAY. Yes. For instance, the gentleman probably listened to the President's message today. In that message the President said that expenditures have risen so tremendously that now he wants to set up a ceiling on prices. It is the same idea to a certain extent. The situation is out of all control, and it is being followed up by Members of Congress, friends of the administration, exactly as one signing on the dotted line, as the administration has had them do, on the basis of national defense and emergency. Those words are being abused more than any other words in the English language today. There is nothing like it in the way of exaggeration, in the way those words "emergency" and "defense" have been abused.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. With pleasure.

Mr. JENKINS of Ohio. When the Secretary of the Treasury made that statement that he thought this tax bill would produce a situation whereby the taxes raised would be 66⅔ of the expenses, he could not possibly have justified it at that time, for this reason: That in not one year in the history of the New Deal have they come that near to raising that amount of what they have expended, and it could not be expected. Just as the President said today, about additional expenditures, they will never match that 60–40, or anything like that, and when we come to getting exact information in these 1942 expenditures we will find that we will be spending about $100,000,000 a day, and taking in about $30,000,000.

Mr. TREADWAY. I would not want to accuse the Secretary of the Treasury of bad faith at the time he made that recommendation to the members of the committee. I think he was sincere in thinking that would be the amount that this bill ought to call for; but, as I have already said, it seems to me that we have no basis today for any proportion as between taxes and borrowing, because the extravagance of the Government has been so tremendous.

Mr. JENKINS of Ohio. That is what I had in mind. I did not mean to impart an improper motive to the Secretary, but I was merely trying to say that he had no justification in historical fact to say that they could do that, and we know that he had no justification in prophecy.

Mr. TREADWAY. I think the gentleman is correct.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. GIFFORD. I think it was sincerely expressed today by the gentleman from Tennessee [Mr. COOPER] when he said that two-thirds should be met by taxation and one-third by borrowing. Now I have the figures here, $53,000,000,000 already recommended and appropriated.

Mr. TREADWAY. That is right along the line of the question just asked, which I answered.

Mr. GIFFORD. But I urge you, as a member of the minority, to see to it that that statement is not made again to the public.

Mr. TREADWAY. Well, it will be made again, because that is the theory on which this three and one-half billion dollars is raised; but it is not correct any more.

Mr. GIFFORD. I want you to see to it that the public is not fed that any more. There is no such thing as one-third and two-thirds. It will be more like 80 and 20.

Mr. TREADWAY. You will be lucky if you get out of it at 80 and 20. We do not know where we are going to bring up in this matter of expenditure, either through taxation or borrowing. The gentleman's grandchildren will never see this indebtedness liquidated.

Mr. GIFFORD. Oh, I think something will happen before they reach their majority.

Mr. TREADWAY. If the Government lives up to its agreement and pays off its bonds on which we are borrowing money, you will never see the Budget balanced for a long time.

Mr. GIFFORD. The gentleman does not think we can ever live up to such agreements, does he?

Mr. TREADWAY. I know the administration will not live up to them.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. CRAWFORD. Would it be unfair to make the observation at this point that there is no commitment whatsoever on the part of the administration, either the Treasury Department or the executive branch of the Government, that far above $22,000,000,000 will be called for in the forthcoming fiscal year and that the amount over and above the $22,000,000,000 must be added to the disequilibrium between the tax and the debt, which has been discussed here today?

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield myself 10 additional minutes.

I doubt if I could answer the gentleman's complicated inquiry. Will you make it a little shorter, please?

Mr. CRAWFORD. Let me state it this way: The Government has indicated to us that an additional appropriation will be asked for during the coming fiscal year.

Mr. TREADWAY. I agree. A very large one.

Mr. CRAWFORD. That is one side of the proposition. So, then, whatever that is, insofar as it is expended, must be added to the $22,000,000,000 that has been considered?

Mr. TREADWAY. Yes. I have in mind the last $8,000,000,000 that was passed in the last few days.

Mr. CRAWFORD. That is correct.

Mr. TREADWAY. When the Congress, made up of representatives from the various walks of life of this country, a cross section of the American people, will vote $8,000,000,000 of the taxpayers' money in the short time we did here and not even go on record for it, it shows the prodigality of the present generation. Am I correct in that statement?

Mr. CRAWFORD. The gentleman certainly is correct.

Mr. TREADWAY. It is ridiculous that we should authorize the expenditure of $8,000,000,000 and not a man have the courage to say how he stood on that bill or whether we all agreed to it. It just takes your breath away. It makes a man almost afraid to go before the taxpayers of the country for fear he would be mobbed or blackjacked. If they were not real good citizens they would hit us over the head for doing such foolish things.

Now, Mr. Chairman, it is not my purpose to go into any extended explanation of the bill, for the details are set forth in the report. I commend that report to the Members of the House. It has been carefully prepared by the experts of the committee and as far as I am able to see, is accurate and correct and very explanatory of this very complicated bill that is before us.

I also want to take time at this part of my remarks to return the kind words that the chairman said about the minority. I think we are entitled to pat ourselves on the back just a little bit, because we have endeavored, as the chairman said, to go along with the committee in a perfectly nonpartisan manner, in order to accomplish a patriotic duty and aid them in their great responsibility in presenting to the American people what seems to us to be an equitable and fair tax bill, or as near that as we can get under the conditions under which we are doing business now.

Therefore I want to thank the chairman of the committee in behalf of myself and my colleagues for his kind words about the manner in which we have cooperated with him in the preparation of the bill over these 3 tedious months we have labored.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. EBERHARTER. On page 60 of the report, section 557, it says:

The special tax is based on the number of billboards maintained or controlled by the taxpayer during the tax year—

And then this is the part I want to call particular attention to:

and the rate is graduated according to the number of such billboards in each size classification.

I think perhaps that is an error, because, as I understand it, there is no graduation according to the number of billboards.

Mr. TREADWAY. I will say to the gentleman that that subject was inserted in the bill quite late in its preparation and perhaps was not given the attention that it should have been given at the time. I think I am not breaking any committee confidences in saying—with the approval of the chairman—that we have since revised the language as it appears in this bill, and it is one of three committee amendments that will be submitted to the House at the proper time.

Mr. EBERHARTER. But it was not the intention of the committee to graduate the tax according to the number of billboards?

Mr. KNUTSON. No; according to the size.

Mr. TREADWAY. Size was the controlling factor; but we did find we were taxing the small boards more than they received, and we found we were taxing boards that were patriotically donated by the owners to the use of the Government in advertising the sale of defense bonds, and that sort of thing. It seems to me very strongly that this would be an unfair tax, and I hope a further amendment will be offered at the proper time. The difficulty is that the boards are taxed by the year, whereas the time the use of the billboard is donated by the owners may be by the month or by the week. I will say, as far as I personally am concerned, that I do feel it is a fair form of tax, and I believe the owners of the boards will willingly and patriotically assume their share of taxation in the present emergency of the Government. There is no reason why, if this is a profitable business, it should not bear its fair burden of taxation.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. REED of New York. As a matter of fact, the amendment that will be offered seems to be fairly satisfactory to the billboard people of the country.

Mr. TREADWAY. I so infer.

Mr. REED of New York. It may not be entirely so, but it has been changed so they are very much less disturbed.

Mr. TREADWAY. I may say to the gentleman from New York that I am sure some plan will be worked out which will take cognizance of the free contribution of billboard-poster space for publicity purposes of the Government. I believe something will be worked out. In fact, I have asked Mr. Stam if he would undertake the matter of writing such an amendment.

Mr. REED of New York. But the proposed language is very much preferable to the language in the bill.

Mr. TREADWAY. Yes.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. ROBSION of Kentucky. I received any number of letters, and their complaint is one of discrimination. The billboard people complain that other people who sell advertising are not taxed in the same way. They say it is a gross discrimination. They ask why they should pay a tax when no tax is required of other forms of advertising.

Mr. TREADWAY. I may say to the gentleman that we included electric signs as well as billboards. If the gentleman can find anything we have left out, I would appreciate his calling it to our attention, because it might possibly mean more money.

Mr. ROBSION of Kentucky. But the proposed amendment eliminates the discrimination these billboard people complain of.

Mr. TREADWAY. I believe the language the gentleman complains of was in the original bill. As yet no amendment has been offered, but one has been agreed to in the Ways and Means Committee and will be offered as a committee amendment.

Mr. ROBSION of Kentucky. For instance, some complain that large newspapers carry many pages of advertising but are not affected by this bill.

Mr. TREADWAY. That is a different proposition entirely. I do not think it would be regarded as a discrimination because there is no distinct comparison.

I see the gentleman from New York [Mr. REED] on his feet. Does he want me to yield?

Mr. REED of New York. I thought that was what was going to be brought out. The only discrimination they are complaining about at the present time is that it does not take care of newspaper advertising.

Mr. GIFFORD. Mr. Chairman, will the gentleman permit me to make a suggestion there?

Mr. TREADWAY. Yes; I yield to my colleague from Massachusetts.

Mr. GIFFORD. We regard the billboards as a terrible nuisance in our State. They are prohibited in some. You have to see a billboard, you need not read a newspaper. You cannot escape a billboard up in front of you, or these electric signs which are notoriously bad. I suppose the committee thought they were in a class by themselves.

Mr. TREADWAY. The task of drafting a bill of the size of the pending measure has naturally been a difficult one. The committee has spent some 3 months in its preparation. About one-third of that time was required for the public hearings and the remainder for the actual drafting of the bill.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. TREADWAY. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman has consumed 30 minutes.

Mr. TREADWAY. Mr. Chairman, I yield myself 10 additional minutes.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. WILLIAM T. PHEIFFER. I hesitate to break the gentleman's train of thought in his prepared statement, and this may be unrelated to the present portion of the gentleman's statement, but I should like to have the gentleman explain to the House what consideration, if any, was given to the matter of photographic apparatus as carried on page 73 of the bill as related to the reproductive processes in the printing arts; that is, I have no quarrel at all with the tax which has been placed on photographic apparatus and materials in connection with photography as a hobby or an avocation, for that comes within a classification that I think can very well stand a tax.

Mr. TREADWAY. I think I have the gentleman's point if he will let me proceed. As I understand the gentleman, he refers to paragraph 4, on page 73.

Mr. WILLIAM T. PHEIFFER. That is correct.

Mr. TREADWAY. Considerable consideration was given to that paragraph based largely on the idea of distinguishing between amateur photography and professional photography. I think that is what the gentleman has in mind.

Mr. WILLIAM T. PHEIFFER. That is what I have in mind.

Mr. TREADWAY. We felt that photographers, such as those we have following us around the Capitol getting pictures for the papers, and that sort of thing, were entitled to some consideration contrary to the language in that paragraph, but we found further that the handling of the subject matter would bring such tremendous clerical difficulty in the Department of Internal Revenue that for the time being it was not put in the bill. I think that answers the gentleman's question. We had sympathy for the objective of the gentleman's ideas, but the difficulty was in getting language to cover it at this time. Also, it should be stated that this was one of the taxes proposed by Mr. Leon Henderson on the ground that photographic equipment was needed for defense, and hence recognition should be given to the use to which the products to be taxed was put.

Mr. WILLIAM T. PHEIFFER. I would like to explain to the gentleman that that subject is of great interest to my district because of the fact a great many of the printing arts, such as rotogravure, and so forth, are situated within my congressional district in New York City—in fact, that is the center of the printing trade.

Mr. TREADWAY. I realize the gentleman is interested in that. I have heard it described in other language than "photographic center."

Mr. HANCOCK. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from New York.

Mr. HANCOCK. In connection with the question raised by the gentleman from New York, may I inquire what motivated the committee in including the items enumerated on page 74, "business and store machines," including typewriters, comptometers, and so forth. They are just as much tools of the business as the hammer and saw are to the carpenter.

Mr. TREADWAY. Yes; I agree. I may say to the gentleman that I realize many of those machines are made in his district and bear the label "Syracuse," and other places.

Mr. HANCOCK. They are very excellent products.

Mr. TREADWAY. They are the very best. Business could not be transacted without those machines today. Even hotel keepers have to have them.

Mr. HANCOCK. They cannot be called luxuries or hobbies.

Mr. TREADWAY. That is not what we are endeavoring to tax by this bill. This is another one of the taxes which were suggested by Mr. Leon Henderson. The only thing that may be wrong about that item, I may say to the gentleman, is the fact we may have omitted some kind of machines or some kind of business methods. If we have, and if the gentleman will tell the majority side, they will include it. I think the gentleman will have difficulty in getting any taken out.

Mr. HANCOCK. Is it the policy of the committee to tax machines that are necessary to do business?

Mr. TREADWAY. It is the policy of Mr. Henderson, which a majority of the committee has agreed with. Mr. Henderson contends that they contain articles in their manufacture and require skilled labor which the Government is anxious to secure for defense production at the present time.

Mr. CRAWFORD. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Referring to page 83 of the bill, the last three lines, I wish to inquire about this language:

> Every person who maintains for use or permits the use of, on any place or premises occupied by him, a coin-operated amusement or gaming device—

Now, referring to the language "coin-operated amusement or gaming device," does that particular language include coin-operated moving-picture machines?

Mr. TREADWAY. Well, the person who would have to pass on that inquiry, I assume, if this language is adopted, would be the Bureau of Internal Revenue and its administrative branch. I doubt if it is a question that we as legislators ought to answer.

Mr. COOPER. Will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Tennessee.

Mr. COOPER. I think the specific answer to the question asked by the gentleman from Michigan is "no." If you will examine the definition appearing on page 84, I think it will clarify the situation.

Mr. TREADWAY. Let me call the gentleman's attention to page 60 of the report:

> SEC. 555. Coin-operated amusement and gaming devices: This section imposes an occupational tax of $25 per annum per machine on each person who maintains for use, or permits the use of, on premises occupied by him, a coin-operated amusement or gaming device.

Then, quoting again:

> Coin-operated amusement or gaming devices are, briefly, machines which fall within the general classification colloquially referred to as pinball machines and slot machines. A separate liability is incurred with respect to each machine, but if one such machine is replaced by another, such other machine will not be considered an additional machine.

There is also a definition on page 84 of the bill:

> So-called slot machines which operate by means of insertion of a coin, token, or similar object and which, by application of the element of chance, may deliver, or entitle the person playing or operating the machine to receive cash, premiums, merchandise, or tokens.

In other words, it is the gambling outfit we are trying to hit. If we have not covered it completely, tell the committee and we will endeavor to provide language for it. I may say to the gentleman further that the language of these various items that are called to my attention at the moment have been very carefully gone over by the Drafting Service, Mr. Beaman and Mr. O'Brien. Of course, those gentlemen are only human like the rest of us. They may have made mistakes or there may be omissions. It is the omissions that we are particularly anxious to find at the present time in order to add anything that may bring in revenue to the Government. Am I stating the case correctly for the Committee?

Mr. CRAWFORD. I agree with the gentleman. I am very much disappointed that this language does not embrace these moving-picture machines, because if you go around these watering places, bathing beaches, and such as that, there is most always present a room which is more or less filled with these dirty moving-picture coin slot machines.

Mr. TREADWAY. This particular paragraph would only apply where the person putting the money in the slot gets something in return, either money, a prize, or something else, as a gambling proposition. I am sorry to find that my colleague evidently knows from personal investigation where that sort of moving picture may be found. I myself am ignorant of it.

Mr. CRAWFORD. We go to these places and see hundreds of thousands of American youths participating in the operation of those machines. I believe it is very well that we take note and look at the thing ourselves.

Mr. TREADWAY. I would suggest that the gentleman prepare some language in the way of an amendment and submit it to the majority in the next day or two.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Tennessee.

Mr. COOPER. I invite the attention of the gentleman from Michigan to this situation. In order to cover the type of machines that he evidently has in mind, you would also get into the question of including a great many others such as machines playing phonograph records, a field the committee thought probably should not be invaded at this time, at least.

Mr. CRAWFORD. I think the committee acted very wisely in exempting vending machines, for instance, where candy, chewing gum, peanuts, and so on, are sold, but my question is as to the others.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield myself 5 additional minutes.

Although I have been on the Ways and Means Committee for nearly 25 years, I have never participated in the drafting of any tax bill where there was a finer spirit of cooperation among all the Members or less partisanship displayed. Not a single vote, so far as I recall, was cast along party lines. This, I believe, is worth noting.

Also, it should be stated that the committee drafted its own bill without being unduly influenced from any source. Our colleagues on the majority side displayed rare indifference to administration pressure, even though it came from no less a source than the White House. They are to be commended for adhering to their honest convictions and for placing the good of the country above party loyalty.

The committee in its deliberations was guided by a desire to see to it that the increased burden was fairly distributed among the different classes of Federal taxation. Approximately 38 percent of the increase will come from corporations, 33 percent from the individual income tax, 25 percent from excise taxes, and 4 percent from estate and gift taxes.

Finding few new sources of taxation available or practicable, the committee necessarily had to rely upon the increase of existing taxes to obtain most of the required revenue.

It first made an effort to obtain as much of the total as possible from corporation income and excess-profits taxes. The committee adopted the Treasury's suggestion for imposing a surtax of 5 percent on the first $25,000 of net income and 6 percent on the balance.

By imposing a surtax instead of increasing the existing normal corporation taxes by equivalent amounts, the Government is able to tax in the hands of corporations interest from Government bonds which is exempt from normal income tax but is subject to surtax.

The practical effect of the change is to increase the income-tax rate on larger corporations from 24 to 30 percent. The smaller corporations, which are now subject to rates of from 14.85 to 18.7 percent, will have their tax increased by 5 percent in each bracket.

The committee overwhelmingly rejected the Treasury's excess-profits-tax proposal, which would have done away with the present alternative methods of computing the excess-profits credit, based on either average earnings or invested capital, and have required all corporations to pay excess-profits tax on the basis of invested capital alone.

By adopting the proposal of the Joint Committee on Taxation to retain the present alternative methods of computing the credit, but to require the excess-profits tax to be computed before computing and deducting the corporate income tax, the committee realized considerably more revenue from this source than was proposed by the Treasury. However, the burden will be more equitably distributed.

In its recommendations in connection with the individual income tax, the Treasury opposed any broadening of the base through lowered exemptions. Its opposition to such a change was based on the

small amount of revenue to be derived from taxpayers thus made subject to income tax and because of the fact that the present exemptions already reach single persons earning more than $15.77 per week and married men without dependents earning more than $38.46 per week. It was also pointed out that those in the low-income brackets are subject to a heavy burden of indirect and hidden taxes.

There is much to be said on both sides of the question of lowering the income-tax exemptions. Unquestionably, if the people were made more tax conscious through the levying of a direct tax upon their incomes, they would exert more influence in restraining Government spending. Also, they would acquire a sense of responsibility for the support of Government.

I am a thorough believer in the desirability of tax consciousness, but we must keep in mind that when we lower the exemptions we get very little additional revenue from the new taxpayers who are brought in. It becomes necessary to greatly increase the already swollen staff of the Bureau of Internal Revenue in order to audit the returns, and this cost is practically as much as the amount of revenue received. Most of the increased revenue as a result of lowering the exemptions comes from the existing taxpayers, who have their taxable income increased in the highest bracket by the amount of the reduction in the exemption.

Many feel that despite these facts it would be worth while to lower the exemptions because of the general good which would result. Every man and woman ought to contribute to the support of Government. They are now doing so through hidden taxes, but it would be better if it were done in the open through a direct tax.

Studies made by the National Resources Committee indicate that 82 percent of the families and single individuals in the country have incomes of less than $2,000 annually, and that this group receives 51 percent of the total consumer income. The same study shows that nearly 98 percent of the people have incomes of less than $5,000, embracing 80 percent of the total consumer income. These facts will doubtless be borne in mind by the drafters of the next tax bill.

The chairman of the Ways and Means Committee, in his statement before the Rules Committee, indicated that another tax bill might be expected next year which would add to the already heavy burden of the people. When that bill is written, we will be "scraping the bottom of the barrel," so to speak, and as he pointed out, it may become necessary to resort to a general sales levy such as was reported by the Ways and Means Committee in 1932 and rejected by the House. In other words, we will have to get the revenue wherever we can find it, which means that we may also have to levy high enough taxes on small incomes to make a lowering of the exemptions worth while.

The Treasury Department, while opposing the lowering of the income-tax base, recommended that the first dollar of income in excess of the present exemptions ($800 for single persons, $2,000 for married persons) be taxed at the initial rate of 16½ percent. The present initial rate, including the defense tax, is 4.4 percent. The committee felt that the Treasury proposal was too drastic and too sharp an increase. The bill therefore provides for a more moderate rate. In addition to the 4-percent normal tax, it imposes a 5-percent surtax on the first dollar of income in excess of the personal exemptions, which with the defense tax, makes a total initial rate of 9.9 percent.

The following table shows the tax on various-sized incomes under the present law, the Treasury proposal, and the pending bill:

Single person

Net income	Tax		
	Existing law	Treasury proposal	Bill
$900	$0.44	$12.54	$5.94
$1,000	4.40	28.60	15.40
$2,000	44.00	189.20	110.00
$3,000	83.60	356.40	211.20
$4,000	123.20	550.00	338.80
$5,000	171.60	748.00	473.00
$10,000	686.40	1,958.00	1,469.60

Married person, no dependents

Net income	Tax		
	Existing law	Treasury proposal	Bill
$2,500	$11.00	$71.50	$38.50
$3,000	30.80	151.80	85.80
$4,000	70.40	312.40	180.40
$5,000	110.00	506.00	308.00
$10,000	528.00	1,628.00	1,166.00

Perhaps the most controversial feature of the bill is that which requires husbands and wives living together to file a joint income-tax return. It has been bitterly criticized, both on constitutional grounds and as being an encouragement to divorce and immoral relationships. Since this item will come up for separate discussion on Monday, I shall not take the time today to go into the various aspects of the problem.

In considering the estate and gift taxes, the committee felt that in view of the fact that the existing rates were quite substantial, running up to 70 percent in the case of the estate tax and three-fourths of that amount in the case of the gift tax, it would not be proper to impose as great an additional burden on estates and gifts as recommended by the Treasury. Consequently, we retained the existing exemptions, but increased the rates somewhat in the lower and middle brackets.

The committee deferred the consideration of excise taxes until it had exhausted the possibilities of additional revenue from income and profits taxes, based on ability to pay. The excise levies fall upon the great masses of the people, and rest most heavily on those with the least taxpaying ability. The committee, of course, had in mind that the people were already heavily taxed through indirect and hidden levies of this character. The Treasury had originally recommended an increase of nearly $1,200,000,000 in excise taxes, but under the committee bill the amount to be obtained from this source has been reduced to $880,000,000.

Among the proposed increases in excise taxes as recommended by the Treasury which the committee refused to adopt were those on tobacco, beer, and gasoline. It was felt that these articles were already heavily taxed. The committee also refused to adopt the Treasury's suggestion for the reenactment of a tax on bank checks. A similar tax was tried a few years ago but was repealed after a brief period.

Among the existing excise taxes increased by the bill is that on automobiles, on which the rate is now 3½ percent. Mr. Leon Henderson, who is in charge of the price-control program, recommended that the tax on automobiles be increased to 20 or 25 percent in order to prevent the probable inflation of prices due to the demand for new cars exceeding the reduced supply. The committee did not feel justified in imposing so great a tax and simply adopted the Treasury proposal for doubling the present rate to a total of 7 percent.

Mr. Henderson also suggested the imposition of taxes on a number of other items, the production of which competed for raw materials and labor needed in defense. Some such taxes were imposed and others rejected. Among those included were taxes on air-conditioning equipment, rubber goods, commercial washing machines, optical goods, electric signs, electrical appliances, and business and store machines. The committee refused to adopt proposed taxes on oil burners, metal furniture, paints and varnishes, and electrical and mechanical measuring devices.

I personally opposed the Henderson proposals, feeling that so far as competition with defense is concerned the matter can be adequately handled through the system of priorities which has been set up.

While the committee tentatively adopted a tax on cutlery, it was eliminated before the bill was reported. In my opinion the proposed tax was utterly without justification.

In the case of soft drinks the Treasury recommended a rate of 1 cent per bottle. The committee, however, took into consideration the fact that such a tax might cripple the industry since its sales depend upon a 5-cent price. Instead of adopting the Treasury proposal, the committee fixed a rate of one-sixth of a cent per bottle, which of course is equivalent to 4 cents per case. So far as I am informed the bottling industry will not be able to absorb this tax due to its small margin of profit. I feel that the tax should be eliminated, or at least further reduced.

The committee also tentatively adopted a proposed tax on candy and chewing gum. This was subsequently eliminated from the bill, and I was glad to have been instrumental in this action. Candy is a food, and is recognized as such by the Army. It competes with such things as iced cookies, cakes, pastry, and so forth, which would not be taxed. Also it is to a large extent bought by children, as is chewing gum.

One of the taxes I was pleased to see included in the bill is that on billboards. They clutter up the landscape all over the country and constitute a traffic hazard in many instances. The committee found that the provision as drafted would work a hardship in many cases, and a committee amendment has been agreed to which will remedy this situation to some extent by proposing a lower tax on smaller billboards. I hope that provision will also be made so that no tax will be imposed where the owner of the billboard gives the Government free use of his facilities, as many have done in connection with the Treasury's defense-bond campaign and other Government programs.

There are one or two things done by the bill which may be overlooked unless special mention is made of them. I refer, first, to the fact that the bill makes permanent the so-called defense-tax increases made by the first Revenue Act of 1940, which were originally imposed for a 5-year period. Also, I wish to call attention to the fact that the bill makes permanent the so-called nuisance taxes which were originally imposed in 1932 for a 2-year period, and which have been extended five different times, the last extension being to 1945. Apparently we are going to need this additional revenue for some time to come, and the committee felt there was no use troubling Congress to pass periodic extension legislation.

In closing let me say to those who find fault with the bill that no perfect tax bill was ever enacted. Nor could any tax bill be drafted which would please everyone. There are many features of the bill which I do not like, but the paramount need of additional revenue compels me to vote for it whether I like it or not.

Let me say, too, that this bill may be only the beginning of our ultimate tax burden. The President has already said that we may expect annual tax bills during the emergency, which of course is nothing new since we have been having them right along these past few years. Not only must we meet the staggering costs of defense, but some day we must begin to pay off the huge debt which has accumulated, and which will continue to mount for some time.

Let no one expect anything but high taxes for an indefinite period. Our experience in the past teaches us that once we have built up our expenditures to an extraordinarily high level as a result of an emergency, we never get back to the level that existed before. This has been demonstrated all through our history as a Nation.

The President once said that "We have a rendezvous with destiny." Let me say that we also have a rendezvous with the tax collector.

Mr. DOUGHTON. Mr. Chairman, I yield 30 minutes to the gentleman from Indiana [Mr. BOEHNE].

Mr. BOEHNE. Mr. Chairman, it shall be my purpose to discuss what is probably the most controversial section of the pending tax bill. I refer to section 111, which is found on pages 13 to 22 of H. R. 5417. Before doing that, however, I cannot refrain from making a general statement regarding the fiscal policy of our Government, and the seemingly lackadaisical attitude of the Congress to do anything about it.

As you so well know, it is not my habit to appear very often on the floor of the House and make speeches in support of or in opposition to pending legislation. However, in almost every instance I have given warnings, and I find now that they were very feeble, that unless we in the legislative branch of the Government acted very decisively in the curtailment of unnecessary expenditures of Government, we would find ourselves in a very disagreeable position and the country in a very dangerous position. I believe that we have passed the point of safety, and unless barricades are erected, we will go headlong into a catastrophe from which there will be no emerging, and we will eventually arrive at the abyss where the credit structure will tumble of its own weight. To be brutally frank, and looking at matters rather cold-bloodedly, I am more greatly disturbed about the credit structure of this Government than I am of the possibility of the United States getting into a shooting war.

The responsibility for this condition rests solely with the Congress of the United States. We have passed appropriation bills calling for greater and greater expenditures of money, which we did not have, and we saw no prospect of securing. We were asked to write new tax bills, and every time we did that, new requests for additional appropriations were made to us, and we very blindly followed the course of least resistance.

I know it is a comparatively simple matter for men to rise in their seats to rail and rant against the administration, including the President of the United States, and it is axiomatic that the party in power is responsible for the prosecution of Government. At the same time, however, we must not lose sight of the fact that we, sitting here as representatives of the people, have the right to control the purse strings of the Nation. But on innumerable occasions we have neglected to do that which our better judgment told us to do.

The answer to the impasse in which we now find ourselves cannot be found in the Ways and Means Committee. It cannot necessarily be found in the Committee on Appropriations, but it can be found in the attitude, which we as individuals can and must take if we want to leave to our children a government as sound as it was given to us.

There is no objection on the part of the people of the United States to sacrifice to the limit when money is spent for the defense of this country, but in making those sacrifices we must so conduct ourselves that when the battle is won we will still have not an empty shell but a solid foundation upon which to build for the future. This means that in times of emergency nondefense expenditures must be curtailed to the bone. In doing this inequities will of necessity arise, but Members of Congress must take the bit in their mouths, and lead the way. Many there will be who will not be returned to the halls of Congress because a militant minority, which believes in meting out undeserved punishment, refuses to see the handwriting on the wall. That is the chance that all of us are going to have to take, but it is eminently a chance worth while. It is a lot more important that this country remain a republic, which all of the financial earthquakes cannot destroy, than it is for any single one of us to be reelected and for the country to be ruined for our children's children.

I am convinced that a very necessary surgical operation is needed now to save the patient, and I believe that we have brains enough and nerve enough to go ahead and not force the next generation to make an autopsy over the remains. This may mean a tremendous slash in W. P. A. funds. It may mean a tremendous curtailment of funds to the Department of Agriculture, which today is using considerably over $1,000,000,000 annually. It may mean either the militarization or removal of all Civilian Conservation camps. It may mean a cut in the Department of the Interior. It may mean a slash of expenditures for reclamation and irrigation. It may mean a cessation of additional power development for the time being. It may mean getting along in the best way that we can in every department of government. It may mean the abolition of pet commissions and bureaus.

This committee has been working assiduously for over 3 months, giving all of its time to working out difficult problems of taxation. It has tried to present to the Congress a tax bill that is as equitable as 25 men could prepare. This bill, as has been told you previously, contemplates an additional burden of over three and one-half billion dollars annually on the taxpayers of this country. Do we not owe it to the taxpayers, yes, to all of the people whom we represent, to make all of the savings that we possibly can, so that when the next generation comes along it will not be necessary for them to hold up their hands in utter despair, repudiate every bond of the United States Government with the cry: "We did not make this debt; let's start from scratch"? Therefore, my plea to you, gentlemen, is that some decisive action be taken in the near future so as to prevent the shame and disgrace that will come to us in later years.

Now, I come to the matter that I want to discuss in some detail. Section 111 of H. R. 5417 requires husbands and wives living together to file a joint return if their aggregate gross income is $2,000 or over, and to compute the tax on the aggregate income. The liability for the tax may be joint and several, or at the election of either spouse may be apportioned between them. The apportionment is to be made according to the ratio of the taxes which each spouse would have been required to pay had they filed separate returns. That, in substance, is section 111, although it takes about eight pages to put it all in legal phraseology.

I recognize that there are honest differences of opinion on this subject. There are some who will go so far as to say that it is unfair, and there are others who will attempt to dissect that section on

purely legal and constitutional grounds. I have no thought of presenting a legal brief on the constitutional aspects of this particular legislation. I feel certain that one more versed in the law would be able to make a case from every possible viewpoint. I merely want to point out some of the reasons why the committee felt that a mandatory joint return was eminently fair and just.

The present law provides that a husband and wife may file a joint return, listing all income of both husband and wife on one return, and take the allowable exemption as provided by law. However, the present law also provides that a husband and wife may file single returns, and each spouse take any portion of the $2,000 exemption on his or her return, provided the total exemption for both spouses does not exceed $2,000. From this it can be seen that if the husband has a greater income than the wife, he would naturally take the greater share of the exemption or vice versa. Under section 111, this is changed and we provide that husband and wife, both having separate incomes, must file a joint return and, of course, are given the single $2,000 exemption.

I am sure that the example cited in the report will bear repetition at this point. Under the present law, if the entire income is earned by the husband, the family is required to pay a greater tax than if the wife had contributed to the family income. If the husband and wife had an income of $10,000, but it was all earned by the husband, the tax under the present law with the proposed rates in this bill will amount to $1,166. On the other hand, if $5,000 of the income was contributed by the wife, the total tax to be paid by the family under the present law by filing separate returns with the proposed rates will be $880—or $440 by each spouse. These two families in this example have the same income, yet one will pay $286 more than the other. Since in most cases the family income is contributed by the husband, the present law operates unjustly against the greater majority of families in the country. Certainly, one does not have to stretch the imagination to realize that the man whose wife has a separate income is in a better position than the man whose wife has no separate income.

Probably on no individual item in any tax bill, at least not since I have been a member of this committee beginning in 1933, have Members of Congress, and more particularly members of the Ways and Means Committee, been flooded with letters and telegrams in an attempt to set aside what seemed to the committee to be eminently just. From the viewpoint of the mail received it would almost appear as though the country was unanimous in its opposition to this feature of the pending bill. Upon investigation it was quite interesting to find out from the record just whose ox was being gored. The Joint Committee on Internal Revenue Taxation prepared for those of us who were interested in this phase of taxation some very interesting information and took as a basis the complete returns for the calendar year of 1938. I would direct your attention to page 16 of the printed report of the committee, under the heading "Table 2," where you will find some enlightening information in regard to income-tax returns filed by married couples, living together, in 1938. Of course, every Member of Congress will immediately glance at his own State to see what the record shows for that State. Naturally I turned to the State of Indiana, and there I found that there were filed in 1938 a total of 61,317 returns, of which 59,335 represented joint returns of husband and wife. That means that had this mandatory provision been a part of the law, only 1,982 families would have been affected, or roughly 3.2 percent of the total number of returns. The figures for the country as a whole show that with returns totaling slightly in excess of 3,000,000, already 2,866,000 represent joint returns, while those filing separate returns because of separate income represent only 5.77 percent of the total.

I am sure that many of you have received in letter form every conceivable argument against this proposal. Some of those that I have received may certainly be classed as senseless and ridiculous. May I call your attention to a few of these arguments taken from correspondence? One man writes:

> I have been married nearly 29 years and have no children. My wife and I have enjoyed nearly equal incomes. If the above law goes into effect, it will pay us to get a divorce and live in open defiance of the accepted customs of our country. We do not wish to take this step, but have no family on which it would react. Help us to avoid such a breaking down of social standards.

A woman writes:

> At present I am able to use that money to provide necessities to a good many unfortunates and to help members of my family who need help. This I would not be able to do under a joint-income-tax system. I should also be forced to cut down my domestic staff, inside and outside, and thus add to the already admittedly great number of still unemployed. Some of these people will, no doubt, easily find work; some may not. My contributions to charity, the Red Cross, and funds to fight disease will be cut. In ———, Fla., where I live, the children whose parents cannot buy it will no longer have fresh milk daily.

Another man writes a very short letter and says:

> I object most strenuously to your plan to force husband and wife to make joint tax returns. This can only encourage wealthy people to practice immorality and get divorces.

Then here is a letter from a very prominent trade association:

> We are most emphatically of the opinion, however, that the situation does not in any way justify an attack upon one of the most fundamental of our institutions, the family, by a discriminatory tax calculated to discourage matrimony, under the guise of raising revenue to defend our way of life. It would be bad enough to single out any particular group of citizens and subject them to an extra heavy tax, but when the group selected is one which hitherto has been protected and encouraged by the teachings of religion and the dictates of sound statesmanship, then, indeed, it becomes a sacrifice to mammon and Moloch.

Parenthetically, may I interpose at this point how wonderful it is that religion has at last pulled up some men by their own bootstraps, that even trade associations have called in outside help. Would that all business activities would be motivated by actions emanating from the same high plane of morality.

Here is another interesting argument in which the natural state of man is so forcefully portrayed in good English. This man writes:

> With respect to the persons not yet married and who are expecting to become married, I know of many instances where young girls and young men work in offices and have been engaged to be married for several years, who finally are married and continue with their employment. If this bill should become a law it will make them pay a higher income tax than they would have to pay if they remain single. This additional burden, added to the necessity of making an ordinary living, might be a factor in causing them to decide to remain unmarried. Naturally, this would decrease the birth rate of the Nation. In other cases where the incomes are larger and where the increased taxes would mean a considerable inroad in the joint incomes, couples who would be contemplating marriage might decide that the financial cost is too great and this might lead to a state of association which would not be wholesome.

And then, the climax of propaganda was reached when men, whose principal position in life, by their own choice, is to save souls and for the building up of the church in general, came forth with their arguments why mandatory joint returns should not be imposed upon the American people. They attempted to impress upon us, as others have done, that this would encourage divorce, celibacy, a mercenary attitude toward marriage, and in general a lowering of the birth rate. Certainly, I would be the last to speak disrespectfully of any gentleman of the cloth. Every one of them has a right to express himself on public questions, but when he does, he must likewise expect a reply in kind. I believe that I have a right to make such reply because I also received a letter from an organization within my own church protesting against this provision. To all of them, I say simply this, if a husband and wife seek sanctuary in the divorce courts of our country because of the imposition of any tax, then marriage vows meant nothing to them in the first instance. All of the emotional clap-trap that has appeared in the newspapers about the sanctity of marriage, religion, and morals is just so much drivel. Unfortunately, not one of the commentators, at least those whom I have read, has bothered to point out that compulsory joint returns have been required under British income-tax law for a long, long time, and no one has argued that this requirement has seriously increased the British divorce rate or impaired British morals. To repeat the argument that compulsory joint returns would penalize marriage and discourage home building is to my mind sheer nonsense. Any prospective marriage which is broken up because of the possibility of higher income taxes is probably not worth very much. As I wrote to a good friend of mine the other day, who voiced a vigorous protest against this provision, fearing that it was an attack on the family, I believe just the reverse to be true. For many years, we

considered the family as a unit of society. Many churches have been built on that principle, and among which is my own church. Then, at the turn of the century, it seemed as though family ties were beginning to loosen. Now, the Congress is declaring once more that the family shall be a unit in our social structure. I believe that that is a very salutary thing, even though it reverts somewhat to the horse-and-buggy days.

The real reason why churchmen seem to be opposed to this provision is that it might have the result of cutting down the flow of gifts to charitable and benevolent institutions, which include churches. If this is the only real reason for the objection, then I must admit it is not a very strong one, because in times of emergency our Government needs the help of every one of its citizens even when financial sacrifices are necessary. I believe that to be good gospel.

To conclude, it was the opinion of your committee that a division of income between husband and wife, as a tax saving device, has no equitable basis. It results in an unequal distribution of the tax burden as between families similarly situated. This proposal has real merit.

First. It prevents the income tax law from operating unfairly with respect to a family where all the income is received by one spouse as compared with a family where the income is received by both.

Second. It removes the discrimination under the present law against earned income in favor of investment income.

Third. It treats a family living in one part of the United States in the same manner as a family living in another part of the United States, thus removing the discrimination at present existing in favor of those residing in community-property States.

Fourth. It does not invade the rights of a married woman. It treats her exactly in the same manner as her husband for Federal tax purposes. It merely regards the family as the taxable unit instead of the individuals, who make it up.

Fifth. The inherent property rights of the separate members of the taxable unit are in no way invaded.

Sixth. It prevents the income tax from being avoided through interspouse transfers. Property acquired by one spouse may be transferred to the other spouse mainly for the purpose of reducing the tax liability of the one, who would otherwise have the greater income.

Seventh. It will not result in any increase in the divorce rate in the United States. That seems almost impossible to do. A compulsory joint return in Great Britain has been required for more than 20 years, and their divorce rate is not as high as that of the United States.

Eighth. The mandatory joint return will not result in an increase in the tax of any family whose net income does not exceed $4,000.

Finally, this proposal levies the tax according to ability to pay. The taxable capacity is made to depend upon the income that accrued to the family and not upon the way that income happens to be owned by individual members of the family.

It must be remembered by those who cannot and will not be convinced of the legitimacy and the fairness of this proposal that it would mean striking from the estimated revenues of this bill a total of $320,000,000. That in itself is a sizable sum of money, and when that money can be secured through the equitable means proposed it seems to me that it would be the height of folly to strike it and not offer anything in its place. I am sure that the country can depend upon the sound judgment of this Congress in that this branch of our National Assembly will show a determination to do what the committee in its judgment thought was the proper thing to do.

Mr. TREADWAY. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. REED].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield to me just a moment so that I may ask the gentleman from Indiana a question that is in my mind that I should like to clarify now?

Mr. REED of New York. I yield to the gentleman from New York.

Mr. WILLIAM T. PHEIFFER. While I am not in accord with the gentleman's argument in favor of this provision, yet my question is directed to the mechanics of filing these returns. I see that subsection (b) of paragraph 4 of section 3 provides that a single return shall be filed. I am wondering if the committee took into consideration the practicability or the feasibility of allowing individual returns to be filed by husbands and wives as previously and considering them as a unit, so that there would not be a disclosure of the income of each spouse to the other in cases where such disclosure might play havoc with the financial affairs of the spouse who had a trust income, let us say, and the other spouse was a wastrel or a spendthrift and was irresponsible.

Mr. BOEHNE. I am sure the gentleman will pardon my statement, but I shall make the same reply to the gentleman and to the House that I made in the Committee on Ways and Means to that particular question. To me it seems impossible that any spouse would dare to refuse to divulge to the wife or husband what his particular income might be. To my way of thinking, that would be a mighty peculiar union. That is the only answer I can give.

Mr. WILLIAM T. PHEIFFER. I may say to the gentleman that I have an exact case that I would be glad to explain to him later.

Mr. REED of New York. Mr. Chairman, first of all I wish to pay my respects to the distinguished chairman of the Committee on Ways and Means. I have marveled for weeks at his patience and his good nature. I commend him for being eminently fair to every Member of the minority. I know of no occasion where I have sat with a committee where there was such harmony and such close cooperation over difficult problems as has existed during the session which has been devoted to the formulation of this tax bill.

Mr. Chairman, it may be pertinent to the introduction of an unpleasant subject to make an inquiry as to why the Ways and Means Committee is here today asking the House of Representatives to approve a tax bill which is estimated to yield the largest amount of revenue ever demanded at any one time by any government in the history of the world. I might say, at this time, that the majority report refers to the amount carried in this bill as "unprecedented," and I agree with them that it is unprecedented.

I recall that many of us who have voted against the large appropriations of the New Deal were much embarrassed in recent political campaigns because we could not "point with pride" to the "bacon" brought home in the way of Federal expenditures in our districts. That super-propaganda agency, the Office of Government Reports, very obligingly tabulated the Federal expenditures in each State and county, and tons of franked mail were sent out to convince the voters of the generosity of those who voted for large appropriations. The New Deal campaign orators made the welkin ring with promises to vote for larger appropriations and more gifts from the New Deal gods.

Now, that every day is pay day for the taxpayers, the "bacon" emits an unpleasant stench, and it is far from appetizing at this time as political bait for votes.

We are here today because the 13 tax bills enacted so far by the New Deal have failed to keep up with the spending spree.

We are here today to consider the fourteenth New Deal tax bill and make way for the fifteenth New Deal tax bill next winter.

We will be here again and again because you have consistently refused to stop wasting the taxpayers' money and are increasing rather than decreasing nondefense expenditures.

We are here today to present a so-called defense tax bill to provide for nondefense spending. This bill should be called by its real name—the boondoggle tax bill. It is, in truth, a bill under which the American people are to begin to pay for all those so-called New Deal gifts which poured so bountifully into the States, cities, and counties before the defense program started. We all remember when the New Deal was counting telegraph poles, raking leaves, building rustic furniture in the woods, and conducting the great grasshopper census. In those lush days, a Cabinet officer stated publicly that the American people were "too damn dumb" to understand President Roosevelt's financial policies. The money was flowing out of the Treasury in the form of gifts to the people, so why worry—such was the official defense of boondoggling.

But with this tax bill comes the awakening. The $25,000,000,000 squandered so shamefully in boondoggles during the years 1933–40 would have more than paid for all the national-defense contracts signed to date.

This bill will need to be in operation for 2 full years to pay for the lend-lease gifts to foreign nations. Ever since the emergency defense program was launched in June 1940, every penny of our defense expenditures simply has been added to the national debt. Our current Federal

income, before these new taxes, barely covers the regular civil expenditures.

Here are some of the typical boondoggles for 1936, with the amount spent for each:

Translating old Spanish records	$2,535
Census of historic buildings	448,000
Rehabilitation of old Indian villages	1,283,000
Excavating prehistoric mounds	153,407
Landscaping river banks	3,343,403
Alaska salmon census	35,000
Census of tax delinquency	1,607,529
Rainfall studies	11,915
Rural sanitation stations	5,000,000
Gypsy-moth control	670,850
Sealing abandoned mines	1,519,750

These, however, are only a few representative items. They recall how frantically the new dealers combed the country in search of new ways to spend public funds. At each election, the table of gifts and grants for every county was sent by the millions of copies to the newspapers, radio stations, and New Deal political rangers. "Tell the people how much we are giving them," was the command from Washington. "Show them what these rich gifts mean to the community and how they come free from a social-minded Government."

But now, when additional taxes are necessary to preserve the credit of the Nation, an unblushing attempt is made to tell the people that the sacrifices are for national defense. The administration dares not tell the people the truth—that these taxes are really to pay for the "free ride" on the political merry-go-round which President Roosevelt's new-order magicians gave us in the years 1933–40.

We would all do well to sit down and read again the grave admonition uttered by President Roosevelt in his historic economy message of March 10, 1933, in which he warned that a deficit of $5,000,000,000 in 1931–33 was a threat to America's solvency. Said President Roosevelt on that occasion:

> Too often in recent history liberal governments have been wrecked on the rocks of loose fiscal policy.

Since that time Mr. Roosevelt has added $28,000,000,000 to our national debt, and his own estimates show that another $11,000,000,000 will be added to that debt during the current fiscal year ending June 30, 1942. By that time the national debt, even after taking into account the new taxes from this bill, will total $59,861,000,000.

Mr. Chairman, I have endeavored to explain the reason we are here with the fourteenth New Deal tax bill.

I shall now present, in the form of questions and answers, a few facts pertaining to the same subject and also questions and answers relating to the provisions of the pending bill.

PUBLIC DEBT—FEDERAL

Question. What was the Federal debt on March 4, 1933, when the New Deal took office?

Answer. $20,937,000,000.

Question. What is the debt today?

Answer. As of July 15, 1941, it was $49,221,000,000, not counting the $6,373,000,000 of contingent liabilities because of the borrowings of Government corporations.

Question. When will the authorized borrowing limit of $65,000,000,000 be reached?

Answer. Indications are that it may be reached by July 1, 1942.

Question. Before the United States defense requirements are fully met, what is the debt likely to be?

Answer. At least $100,000,000,000, and possibly much more.

Question. What is the annual interest charge on the present national debt?

Answer. $1,295,000,000 in the present fiscal year.

Question. To what extent had New Deal expenditures been increased before the present emergency period began?

Answer. Increased from a level of $3,800,000,000 in 1933 to nearly $9,000,000,000 in 1939.

Question. What is the result of these pre-emergency expenditures of the New Deal?

Answer. The emergency defense expenditures have to be superimposed upon tremendous basic cost; furthermore, the New Deal's extravagant spending and borrowing have undermined the Nation's fiscal security.

Question. Has the New Deal made any effort to curtail nonmilitary expenditures?

Answer. None whatever; they have been increased.

Question. What do these nonmilitary expenditures amount to annually at the present time?

Answer. Approximately $7,000,000,000.

Question. What did the total civil and military expenditures amount to in 1938?

Answer. Together they were $7,239,000,000, or only $200,000,000 greater than the New Deal is now spending for civil purposes alone.

Question. Are citizens and business concerns now being urged and required to make sacrifices for defense?

Answer. Yes.

Question. Are the New Deal spending agencies required to curtail their wasteful extravagances?

Answer. No; they are permitted to continue their extravagances and waste unabated without the slightest regard to the plight of the taxpayers.

Question. How much did Secretary Morgenthau estimate that nondefense expenditures could be reduced without impairing the essential services of government?

Answer. To the extent of $1,000,000,000.

Question. Has the President taken any action to reduce expenditures pursuant to the recommendation of his Secretary of the Treasury?

Answer. No. He has not; instead he has recommended increases.

Question. How many tax bills have been enacted by the New Deal during the last 8 years?

Answer. Thirteen different tax bills.

Question. How much money has been raised under these tax bills since 1933?

Answer. $40,000,000,000. By the end of this fiscal year ending June 30, 1942, the total will have been raised to $50,300,000,000.

Question. How much money has been borrowed by the New Deal since July 1, 1933?

Answer. $27,443,000,000, but by the end of the present fiscal year the amount will be over $38,000,000,000, making allowances for revenue under the pending bill.

Question. What have been the total expenditures of the New Deal since July 1, 1933?

Answer. $67,518,000,000 through June 30, 1941, but again by the end of the present fiscal year the total expenditures will have grown to $93,551,000,000.

Question. Has there at any time during the past 8 years been an approach to a balanced Budget?

Answer. No; and none has been attempted despite promises of the administration to do so.

Question. What is the estimated deficit for 1942?

Answer. $12,767,000,000, except that this amount will be reduced by the revenue collected under the pending bill.

Question. How much of the $3,529,000,000, to be raised by the present bill, will be collected during the current fiscal year?

Answer. Only $1,900,000,000.

Question. Why is this?

Answer. Because only 60 percent of the collections from 1941 incomes, covering the first two installments, will be received before the close of the current fiscal year ending June 30, 1942. Furthermore, since excise taxes cannot be made retroactive, months of this revenue will be lost. None of the increased revenue from the estate tax will be collected during the current year, since estates have 18 months in which to pay the tax.

Question. What are the estimated expenditures for the fiscal year commencing July 1, 1941?

Answer. $22,169,000,000, of which $15,500,000,000 will go for defense purposes and aid to Britain, and the balance, or $6,600,000,000 for civil purposes.

Question. Will the enactment of the $3,500,000,000 tax bill, increasing present taxes by nearly 40 percent, meet the fiscal problem?

Answer. No. The Nation will still be faced with a deficit of staggering proportions, as shown by the majority report, which estimates the deficit in the current fiscal year at $10,900,000,000.

Question. What grave situation now confronts the people?

Answer. Either an everincreasing tax load or the calamity of a devastating inflation resulting from debt.

Question. Why is it so difficult to finance the defense program?

Answer. The New Deal has each year for 8 years piled debt upon debt until the Nation's credit has been weakened; it also has virtually exhausted the Government's taxing power in the futile attempt to keep pace with ever mounting expenditures.

Question. From what source is it now planned to raise the $3,529,000,000?

Answer:

Individual income tax	$1,152,000,000
Corporation income and excess-profit taxes	1,322,900,000
Capital stock tax	22,300,000
Estate and gift taxes	151,900,000
Manufacturers' and retailers' excise taxes and miscellaneous excise taxes	880,100,000
Total	3,529,200,000

Question. What is to be the rate of spending under the New Deal program for the fiscal year 1942?

Answer. The plan is to spend at least $60,700,000 every day.

INDIVIDUAL INCOME TAX

Question. What are the proposed exemptions?

Answer. Same as under present law:

(a) Single persons, $800.

(b) Married persons, $2,000.

(c) Dependents, $400.

(d) Where single person gets $2,000 exemption as head of a family by reason of having dependents, the $400 allowance for the first dependent shall be disallowed.

Question. Has normal rate been changed?

Answer. No; present normal rate of 4 percent continued.

Question. Is deduction for earned income (as distinguished from unearned income, such as interest, dividends, etc.) continued?

Answer. Yes; in computing normal tax only, 10 percent of the earned income up to $14,000 is allowed.

First $3,000 is presumed to be earned in all cases, without necessity of proof.

Question. What change is made in the surtax on individual income?

Answer. The surtax begins at a rate of 5 percent on the first dollar of income in excess

of the personal exemption and credit for dependents.

(Under present law there is an additional exemption of $4,000 in computing surtax, but this does not obtain in proposed law.)

Question. How do the proposed surtax rates and cumulative surtax compare with those under existing law?

Answer. They are as follows:

Surtax net income classes	Surtax rates		Cumulative surtax on higher amount shown in bracket	
	Present law	Proposed law	Present law	Proposed law
	Pct.	*Pct.*		
$0,000 to $2,000	------	5	----------	$100
$2,000 to $4,000	------	8	----------	260
$4,000 to $6,000	4	11	$80	480
$6,000 to $8,000	6	15	200	780
$8,000 to $10,000	8	19	360	1,160
$10,000 to $12,000	10	22	560	1,600
$12,000 to $14,000	12	25	800	2,100
$14,000 to $16,000	15	28	1,100	2,660
$16,000 to $18,000	18	31	1,460	3,280
$18,000 to $20,000	21	33	1,880	3,940
$20,000 to $22,000	24	36	2,360	4,660
$22,000 to $26,000	27	39	3,440	6,220
$26,000 to $32,000	30	42	5,240	8,740
$32,000 to $38,000	33	45	7,220	11,440
$38,000 to $44,000	36	48	9,380	14,320
$44,000 to $50,000	40	50	11,780	17,320
$50,000 to $60,000	44	53	16,180	22,620
$60,000 to $70,000	47	55	20,880	28,120
$70,000 to $80,000	50	57	25,880	33,820
$80,000 to $90,000	53	59	31,180	39,720
$90,000 to $100,000	56	61	36,780	45,820
$100,000 to $150,000	58	62	65,780	76,820
$150,000 to $200,000	60	63	95,780	108,320
$200,000 to $250,000	62	64	126,780	140,320
$250,000 to $300,000	64	66	158,780	173,320
$300,000 to $400,000	66	68	224,780	241,320
$400,000 to $500,000	68	70	292,780	311,320
$500,000 to $750,000	70	71	467,780	488,820
$750,000 to $1,000,000	72	72	647,780	668,820
$1,000,000 to $2,000,000	73	73	1,377,780	1,398,820
$2,000,000 to $5,000,000	74	74	3,597,780	3,618,820
Over $5,000,000	75	75	----------	---------

Question. Does the new bill propose joint return by husband and wife?

Answer. Yes; each to pay their proportionate share of the tax.

Question. How will this change the tax liability of husband and wife?

Answer. Joint returns by husband and wife will increase their tax liability.

Illustration as follows:

	Combined tax at proposed rates	
	If husband and wife are taxed separately	If total income is included in single joint return
(a) Where husband earns $3,000 and wife $1,800	$256.08	$282.48
(b) Where husband earns $10,000 and wife $2,000	1,509.20	1,663.20
(c) Where husband earns $10,000 and wife has investment income of $10,000	2,682.00	4,356.00

Question. Does the tax bill retain the additional defense tax of 10 percent of tax liability under the first Revenue Act of 1940?

Answer. Yes. After computing tax on new basis, taxpayer will add 10 percent to amount due. Moreover, this defense tax is made permanent. Under existing law it was to obtain only until 1945.

CORPORATION INCOME TAX

Question. Does the proposed $3,529,000,000 tax bill retain the present corporation normal tax and defense tax?

Answer. Yes, but it also imposes a new surtax. The existing normal tax rates are as follows:

Income $25,000 or less: First $5,000, 13.5 percent plus 1.35 percent defense tax, total 14.85 percent. Next $15,000, 15 percent plus 1.5 percent defense tax, total 16.5 percent. Next $5,000, 17 percent plus 1.7 percent defense tax, total 18.7 percent. Income more than $25,000, 22.1 percent plus 1.9 percent defense tax, total 24 percent.

Question. How is the tax imposed in case of larger corporations (those with net income above $25,000)?

Answer. At a flat rate on the entire amount of net income.

Question. How is tax adjusted to avoid injustice where corporation has an income slightly in excess of $25,000?

Answer. The law contains a so-called "notch" to smooth out the difference in rates.

SURTAX ON CORPORATION INCOMES

Question. What surtax rates are imposed on corporation incomes?

Answer. Income up to $25,000, 5 percent. Income over $25,000, 6 percent.

Question. Why is a surtax imposed on corporation incomes instead of merely increasing the normal corporation tax?

Answer. To reach income from partially tax-exempt securities, which income is subject to surtax but not to normal tax.

CAPITAL STOCK TAX

Question. Has the capital stock tax on corporations been increased?

Answer. Yes. Tax increased from $1.10 per $1,000 of declared value to $1.25.

Question. How is value on capital stock fixed?

Answer. Corporations fix own declared value on capital stock, at rate specified, and must pay so-called declared value excess-profits tax on earnings in excess of 10 percent of such declared value.

Question. Does the capital stock tax have to be paid whether there are any earnings or not?

Answer. Yes.

Question. Why is a capital-stock tax imposed?

Answer. The capital-stock tax and the declared-value excess-profits tax are linked together because neither would work satisfactorily independently.

WITHHOLDING TAX ON NONRESIDENT ALIENS

Question. Are taxes paid by nonresident aliens on interest, rents, dividends, royalties, and so forth, paid to them?

Answer. Yes. This tax is collected at the source.

Question. Has the rate been increased under the proposed bill?

Answer. Yes. The withholding tax on nonresident alien corporations and individuals from 16⅔ to 27½ percent.

Question. Will not the increase cause retaliation, say between United States and Canada, to the disadvantage of the United States?

Answer. It will not, because prior to this proposed increase Canada had notified the State Department of its intention to disregard the existing treaty arrangement with the United States.

ALTERNATIVE PLAN OF COMPUTING EXCESS-PROFITS TAX

Question. Under proposed tax bill, do corporations have the choice of computing their excess-profits credit either on the basis of average earnings or percentage of return on invested capital?

Answer. Yes. The Treasury and the President insisted that only the invested-capital formula be used. The committee, however, voted to retain the alternative method of computing the excess-profits credit.

Question. What is the formula under average-earnings plan?

Answer. Continue to allow credit on basis of 95 percent of average earnings in base period 1936–39, inclusive, but without deducting corporate taxes paid during base period. One year of losses may be counted as zero in computing the average earnings.

Question. What is the proposed invested-capital formula?

Answer. Continue present 8-percent allowance on invested capital where total invested capital does not exceed $5,000,000 but reduce it to 7 percent on that portion of the invested capital in excess of $5,000,000.

Question. What is the proposed rate schedule?

Answer. Increases rates of excess-profits tax by 10 percentage points in each bracket, as follows:

Excess profits	Present	Proposed
	Percent	*Percent*
Up to $20,000	25	35
Next $30,000	30	40
Next $50,000	35	45
Next $150,000	40	50
Next $250,000	45	55
All over $500,000	50	60

Question. Is there a further tax imposed on those corporations that use the invested-capital method of computing their excess-profits credit?

Answer. Yes. A special 10-percent excess-profits tax on corporations using the invested-capital method of computing their excess-profits credit.

Question. What is the method of computing corporation-income and excess-profits taxes under existing law?

Answer. Under existing law, a corporation first computes its corporation income tax, and then its excess-profits tax, taking as a deduction in computing the excess-profits tax the amount of corporation income tax found to be due.

Question. What is the method under the proposed bill for computing corporate income and excess-profits taxes?

Answer. Under the proposed bill, the corporation will be required to compute its excess-profits tax before computing its corporation income tax; then it will deduct the amount of the excess-profits tax in computing its income tax.

Question. Why this change in method?

Answer. In this way, the excess-profits tax applies to the full amount of the excess profits, without diminution on account of the amount of income tax otherwise due.

Question. How can this be explained hypothetically?

Answer. Let us assume the following case:

(1) Invested capital, $1,000,000.

(2) Borrowed capital, $400,000.

(3) Base-period income:

1936	$20,000
1937	40,000
1938 (loss)	10,000
1939	80,000

(4) Current income (1941), $120,000.

In computing the excess-profits tax, we start with the corporation's current income, which we have assumed to be $120,000. We now want to find what portion of this earning is to be regarded as excess profits. The bill reenacts the two alternative yardsticks now provided in existing law for determining excess profits. The corporation is allowed to choose whichever one gives it the greatest exemption from excess-profits tax.

The first is the so-called invested capital method, under which the corporation is allowed to make a return of 8 percent on the first $5,000,000 of invested capital, and 7 percent on the balance, before being subject to excess-profits tax. Invested capital includes money and property paid in for stock, including earnings "plowed back" into the

business. However, only 50 percent of borrowed capital may be included.

We have assumed that the corporation has $1,000,000 of so-called equity capital, and $400,000 of borrowed capital. Counting only 50 percent of the latter, we have a total invested capital for excess-profits-tax purposes of $1,200,000. To get the excess-profits credit, we simply take 8 percent of this amount, which gives us $96,000. This is the amount of the exemption under the invested-capital method.

The other alternative method of computing the excess-profits credit is the so-called average-earnings method, under which a corporation is allowed to make an amount equal to 95 percent of its average earnings in the base period 1936-39, inclusive, before being subject to excess-profits tax. In computing the average base-period earnings, the corporation is allowed to count not more than 1 loss year as zero. We have assumed that the corporation had base-period earnings for 1936 to 1939 as follows: 1936, $20,000; 1937, $40,000; 1938, —$10,000 (loss); and 1939, $80,000. Counting the year 1938 as zero, we have a total income for the 4 years of $140,000, which we divide by 4 to get the average. This gives us a figure of $35,000. We then take 95 percent of this amount, which gives us $33,250, which is the excess-profits credit based on average earnings.

Since the credit computed under the invested-capital method is larger ($96,000), the corporation will naturally adopt this method of computing it.

Now, we are ready to compute the excess-profits tax. We start with the current income of $120,000. From this we deduct the excess-profits credit of $96,000, plus the specific credit of $5,000 which is given to all corporations, or a total of $101,000, leaving $19,000 as excess profits.

On the first $20,000 of excess profits, the tax rate is 35 percent. Thus the tax would be $6,650, computed as follows:

Excess profits	$19,000
Tax rate 35 percent	35
Tax	$6,650

A special excess-profits tax is imposed on corporations using the invested-capital method of computing their excess-profits credit. It is aimed at taxing at a lower rate that portion of the increased income over the base period which escapes the regular excess-profits tax by reason of being less than the excess-profits credit. The tax is 10 percent of the amount by which the excess-profits net income, if it had been computed by use of the average-earnings credit, exceeds the amount of excess-profits net income computed by use of the invested capital credit. If the corporation had used the average-earnings credit ($33,250), to which would be added the specific credit of $5,000, its excess-profits net income would have been $120,000 minus $38,250, or $81,750. We have already seen that its excess-profits net income under the invested-capital credit is $19,000. The difference between these two figures is $62,750, which is the amount subject to the special 10-percent tax. The amount of tax would be $6,275.

Adding this to the regular excess-profits tax, we have a total excess-profits levy of $12,925, as follows:

Regular excess-profits tax	$6,650
Special excess-profits tax	6,275
Total excess-profits tax	12,925

There is a qualification that the total tax, thus computed, shall not exceed the tax if the average earnings credit had been used. Hence it is necessary to compute the tax under that method. We have seen that the excess-profits net income, with the use of the average earnings credit, would have been $81,750. Since the tax on this amount would be $14,287.50, which is more than the tax as above computed, the limitation would not apply in this case.

Now we are ready to compute the corporation income tax. Again we start with the current income of $120,000. From this we subtract the amount of the excess-profits taxes ($12,925), which leaves a balance subject to income tax of $107,075.

The regular corporation income tax is at the rate of 24 percent, and is computed as follows:

$$\$107,075 \times 0.24 = \$25,698$$

Thus the normal corporation tax is $25,698.

The surtax is 5 percent of the first $25,000 and 6 percent of the balance.

The total surtax on $107,075 would thus be $6,174.50.

Total corporation income tax would therefore be:

Normal tax	$25,698.00
Surtax	6,174.50
Total	31,872.50

Add the total excess-profits taxes ($12,925), and we have a total tax (income and excess profits) amounting to $44,797.50, as follows:

Income tax	$31,872.50
Excess-profits taxes	12,525.00
Total	44,797.50

The corporation would have a balance after taxes as follows:

Net income	$120,000.00
Total taxes	44,797.50
Balance	75,202.50

ESTATE TAX AND GIFT TAX

Question. Have the exemptions been changed?

Answer. No. Estate-tax exemption continued, viz: $40,000 plus $40,000 of insurance to any named beneficiaries. Gift tax: $40,000 during donor's lifetime; first $4,000 of gifts made to each different person in each different year not counted against exemption.

Question. Does proposed tax bill change the estate-tax rates?

Answer. Increases rates of estate tax in lower and middle brackets, retaining present 70 percent maximum. Makes gift-tax rates equal to three-fourths of estate-tax rates, as at present.

Question. How do the proposed estate-tax rates compare with those rates in existing law?

Answer. The schedules of rates under existing law and the bill are as follows:

Net estate after specific exemption	Existing law		Proposed law	
	Bracket rate (percent)	Cumulative tax on higher amount	Bracket rate (percent)	Cumulative tax on higher amount
$0 to $5,000	2	$100	3	$150
$5,000 to $10,000	2	200	7	500
$10,000 to $20,000	4	600	10	1,500
$20,000 to $30,000	6	1,200	13	2,800
$30,000 to $40,000	8	2,000	16	4,400
$40,000 to $50,000	10	3,000	20	6,400
$50,000 to $60,000	12	4,200	23	8,700
$60,000 to $100,000	12-14	9,600	25	18,700
$100,000 to $250,000	17-20	36,600	27	59,200
$250,000 to $500,000	20-23	89,600	29	131,700
$500,000 to $750,000	23-26	151,600	32	211,700
$750,000 to $1,000,000	26-29	222,600	34	296,700
$1,000,000 to $1,250,000	32	302,600	36	386,700
$1,250,000 to $1,500,000	32	382,600	38	481,700
$1,500,000 to $2,000,000	35	557,600	41	686,700
$2,000,000 to $2,500,000	38	747,600	45	911,700
$2,500,000 to $3,000,000	41	952,600	48	1,151,700
$3,000,000 to $3,500,000	44	1,172,600	51	1,406,700
$3,500,000 to $4,000,000	47	1,407,600	54	1,676,700
$4,000,000 to $5,000,000	50-53	1,922,600	58	2,256,700
$5,000,000 to $6,000,000	56	2,482,600	61	2,866,700
$6,000,000 to $7,000,000	59	3,072,600	64	3,506,700
$7,000,000 to $8,000,000	61	3,682,600	66	4,166,700
$8,000,000 to $9,000,000	63	4,312,600	69	4,856,700
$9,000,000 to $10,000,000	65	4,962,600	69	5,546,700
$10,000,000 to $20,000,000	67	11,662,600	70	12,546,700
$20,000,000 to $50,000,000	69	32,362,600	70	33,546,700
Over $50,000,000	70		70	

Question. How does the estate-tax burden under the bill compare with that under existing law?

Answer. The answer to this is shown by the following table:

Net estate before exemption	Amount of tax [1]		Effective rates		Increase in tax	
	Existing law	Proposed law	Existing law	Proposed law	Amount	Percent
$50,000	$220	$550	0.4	1.1	$330	150.0
$60,000	660	1,650	1.1	2.8	990	150.0
$80,000	2,200	4,840	2.8	6.1	2,640	120.0
$100,000	4,620	9,570	4.6	9.6	4,950	107.1
$200,000	21,660	38,270	10.8	19.1	16,610	76.7
$400,000	63,780	99,530	15.9	24.9	35,750	56.1
$600,000	112,340	164,590	18.7	27.4	52,250	46.5
$800,000	167,340	234,330	20.9	29.3	66,990	40.0
$1,000,000	228,780	308,090	22.9	30.8	79,310	34.7
$2,000,000	588,000	727,370	29.4	36.3	139,370	23.7
$4,000,000	1,499,640	1,792,570	37.5	44.8	292,930	19.5
$6,000,000	2,655,140	3,075,450	44.3	51.3	420,310	15.8
$10,000,000	5,323,500	5,964,250	53.2	59.6	640,750	12.0
$20,000,000	12,532,700	13,503,890	62.7	67.5	971,190	7.7
$40,000,000	27,391,820	28,883,890	68.5	71.4	1,192,070	4.4
$60,000,000	42,361,380	43,663,890	70.6	72.8	1,302,510	3.1
$100,000,000	72,521,380	73,823,890	72.5	73.8	1,302,510	1.8

[1] Includes 10-percent defense tax.

COMPUTATION OF PERSONAL-INCOME TAX

Question. What is the procedure for arriving at the personal-income tax of a man and wife with one dependent, net income of $3,000, all earned?

Answer. Following is an example of the computation:

Computation of normal tax

Net income	$3,000
Less earned-income credit (10 percent of earned income)	300
Total	2,700
Less personal exemption ($2,000) plus credit for dependent ($400)	2,400
Normal tax income	300
Normal tax (4 percent)	.04
Total normal tax	$12

Computation of surtax

Net income	$3,000
Less personal exemption ($2,000) and credit for dependent ($400)	2,400
Surtax income	600
Surtax (5 percent of first $2,000)	.05
Total surtax	$30

Total tax

Normal tax	$12.00
Surtax	30.00
Total	42.00
Plus 10 percent (defense tax)	4.20
Total tax	46.20

Question. Does this bill require more of those in the lower-income group to pay an income tax?

Answer. Yes. More than a million such persons will be added to the list of income taxpayers.

Question. What provision of the bill requires this new group to pay income tax?

Answer. The provision that the 10 percent earned income credit may not be deducted for surtax purposes. Thus a married person, with no dependents, having a net income of $2,222.22 would not pay a normal tax but he would pay a 5 percent surtax on $222.22.

Question. How does this change affect the single person earning, say, $1,600 a year?

Answer. It bears heavily because his exemption is only $800. A single person with a net income of $1,600 a year will pay a surtax of 5 percent on $800, or a surtax of $40, and to this must be added his normal tax of $25.60 and the defense tax of $6.56, making his total tax $72.16.

Question. What other tax is imposed on the low-income group?

Answer. The $5 use tax on automobiles.

Question. How many of those with an income of only $1,000 will this automobile-use tax reach?

Answer. More than 5,760,000 persons with incomes of only $1,000.

Question. What deterred the committee from lowering the personal exemptions below $2,000 for married persons and $800 for single persons?

Answer. The previous lowering of exemptions failed to raise sufficient revenue to warrant the added expense of collection and the administrative difficulties involved. Moreover, it increased the tax load of those already heavily taxed.

Question. What other taxes does the low-income group have to pay under this and previous acts?

Answer. A long list of excise taxes.

EXCISE TAXES

Question. What existing excise taxes are increased by this bill?

Answer. The following items, already taxed, are each subjected to an increased excise tax as follows:

Distilled spirits, from $3 per proof gallon to $4.

Wines:

Still wines: Up to 14 percent alcohol, from 6 cents per gallon to 8 cents. From 14 to 21 percent alcohol, from 18 cents per gallon to 24 cents. From 21 to 24 percent alcohol, from 30 cents per gallon to 50 cents. (Wines over 24 percent alcohol are taxed as distilled spirits).

Sparkling wines, including champagne, from 3 cents per half pint to 4 cents.

Artificially carbonated wines, from 1½ cents per half pint to 2¼ cents.

Beer, no increase. Existing rate of $6 per barrel of 31 gallons continued without change.

Passenger automobiles, from 3½ percent of the manufacturer's sales price to 7 percent. Passenger trailers, which are now exempt, are to be taxed at the same rate.

Motorcycles, from 3½ percent of the manufacturer's sales price to 7 percent.

Trucks, from 2½ percent of manufacturer's sales price to 5 percent.

Truck trailers, which are now exempt, are to be taxed at the same rate. Busses, which are now taxable as passenger automobiles, are to be taxed as trucks.

Tractors, of the kind chiefly used for highway transportation, from 2½ percent to 5 percent. Farm tractors are not subject to the tax.

Automotive parts and accessories, from 2½ percent of the manufacturer's sales price to 5 percent.

Tires, from 2½ cents per pound, on sales by the manufacturer, to 5 cents.

Tubes, from 4½ cents per pound, on sales by the manufacturer, to 9 cents.

Mechanical refrigerators, from 5½ percent of the manufacturer's sales price to 10 percent.

Radio sets and parts, from 5½ percent of the manufacturer's sales price to 10 percent.

Playing cards, from 11 cents per pack, on sales by the manufacturer, to 13 cents.

Toilet preparations (perfumes, toilet waters, cosmetics, hair dressings, toilet powders, and similar articles, but not including toilet soaps, toothpaste, mouth washes, and so forth), present tax of 10 percent on sales by manufacturer is changed to a 10 percent retail sales tax.

Admissions, exemption reduced from 20 to 9 cents. Rate of tax continues to be 1 cent for each 10 cents or fraction of the admission charge, to be paid by the customer. Present exemptions in favor of religious, charitable, and educational entertainments, agricultural fairs, and so forth, repealed. Aside from admission charges of 9 cents or less, only exemption will be in favor of service men in uniform.

Telephone, telegraph, radio, and cable messages, revise present tax basis, so that tax will be as follows (payable by the person paying for the service): On messages for which the charge is 25 cents or more but not more than 50 cents, 5 cents; for each additional 50 cents or fraction thereof, 5 cents additional.

Leased wires, present tax of 5 percent of amount paid is continued, but basis is revised to include certain services not now subject to tax, such as news or stock quotation tickers, teletypewriters, burglar-alarm systems, and similar services.

Club dues, exemption reduced from $25 to $10; present 11-percent tax rate continued. In addition to initiation and membership fees, tax is extended to cover certain privilege fees, including any charges for privileges or facilities for any period not less than 7 days. This change is made in order to prevent avoidance of the tax by making separate assessments for many facilities and privileges which would otherwise be included in the annual dues.

Lease of safety-deposit boxes, rate increased from 11 percent of amount paid to 20 percent, payable by the lessee.

Question. What items, not now taxed, are to be taxed under the excise provisions of this bill?

Answer. These new items are taxed as follows:

Jewelry, clocks, and watches, including articles made of or ornamented, mounted, or fitted with precious metals, 10 percent of the retail-sales price, payable by the purchaser. The only articles exempted are surgical instruments, frames or mountings for eyeglasses, and religious articles. It is impossible to give a detailed list of articles covered by this tax, as it will be up to the Bureau of Internal Revenue to issue regulations on this subject. However, in addition to including the general class of articles commonly known as jewelry, clocks, and watches, it will undoubtedly extend to silver-plated wear, sterling-silver pieces, articles ornamented with gold or silver such as fountain pens, and so forth.

Photographic apparatus, 10 percent of manufacturer's sales price.

Sporting goods, 10 percent of manufacturer's sales price. The tax will be imposed on a specific list of items, as set forth in the bill rather than on sporting goods as a class. This is done to avoid confusion. The tax will not extend to articles of wearing apparel, shoes, or toys, which in some cases were taxed under the sporting-goods tax imposed by the Revenue Act of 1932 and subsequently repealed.

Matches, 2 cents per 1,000 matches, whether of paper or wood, on sales by the manufacturer.

Trunks, suitcases, and other luggage, 10 percent on manufacturer's sales price.

Phonographs and records, 10 percent on manufacturer's sales price.

Musical instruments, 10 percent on manufacturer's sales price.

Electrical appliances, such as fans, electric stoves, toasters, etc., but not including washing machines, 10 percent on manufacturer's sales price.

Business machines, such as typewriters, adding machines, cash registers, etc., 10 percent on manufacturer's sales price. The rental of such business machines not manufactured for sale is also taxed at the 10 percent rate.

Optical equipment, other than eyeglasses, 10 percent on manufacturer's sales price.

Rubber products, other than rubber footwear, surgical supplies, and articles otherwise taxed by the bill, 10 percent on manufacturer's sales price.

Electric signs, 10 percent on manufacturer's sales price.

Commercial washing machines, 10 percent on manufacturer's sales price.

Furs, including articles of which fur is the component material of chief value, 10 percent on retailer's sales price. Just what articles will be covered by this tax will be a matter for Treasury regulation. Where fur is used for trimming purposes, it will have to be decided whether the fur is the component material of chief value. There is no certainty as to whether the tax will be applicable to repairs in which fur is used. This also will be a matter for Treasury regulation.

Soft drinks (not including pure fruit juices):

Bottled soft drinks:

(1) If bottle contains not more than 33 ounces: If bottled to retail at not more than 10 cents per bottle, one-sixth of 1 cent per bottle, on sale by bottler. If bottled to retail at more than 10 cents but not more than 20 cents per bottle, one-third of 1 cent per bottle. If bottled to retail at more than 20 cents per bottle, one-half of 1 cent per bottle.

(2) If bottle contains more than 33 ounces, a tax of 6 percent of the price for which sold by the bottler.

Finished or fountain sirups of the kind used in mixing soft drinks, 6 cents per gallon on

sales or use by manufacturer. (Not applicable if used in bottled soft drinks.)

Carbonic acid gas suitable for use in soft drinks, sold to any person who sells soft drinks otherwise than in bottles, 4 cents per pound.

Telephone bills, 5 percent of total bill (excluding messages taxed as toll calls), to be paid by customer.

Passenger transportation (by railroad, airplane, bus, or boat), 5 percent of amount charged, to be paid by customer. No tax on charges of 35 cents or less. Commutation tickets exempted.

Bowling alleys and billiard and pool tables, $15 annually per alley or table, to be paid by operator. Tax does not apply to alleys and tables in private homes.

Cabarets, 5 percent of total bill, to be paid by customer. (The reason a higher tax is not imposed is because a large part of the charge on which the tax is imposed represents the purchase of food rather than entertainment.)

Use of automobiles, $5 each per year, to be paid by the owner.

Use of boats and yachts, $5 to $200 annually, depending on size.

Coin-operated amusement and gaming devices, $25 each per year, to be paid by the proprietor.

Billboards: 1 to 100 square feet, $1; 100 to 200 square feet, $2; 200 to 300 square feet, $3; 300 to 400 square feet, $4; 400 to 600 square feet, $8; above 600 square feet, $11.

Radio broadcasting: 5 to 15 percent tax on net time sales, with $100,000 exemption; exceeding $100,000 but not exceeding $500,000, 5 percent; exceeding $500,000 but not exceeding $1,000,000, 10 percent; in excess of $1,000,000, 15 percent.

Mr. Chairman, may I conclude my part in this tax symposium with a quotation from the pen of Tom Paine, taken from Prospects on the Rubicon:

War involves in its progress such a train of unforeseen and unsupposed circumstances that no human wisdom can calculate the end. It has but one thing certain, and that is to increase taxes.

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. CRAWFORD].

MORE GUNS AND MORE BUTTER—A VERY DANGEROUS PHILOSOPHY

Mr. CRAWFORD. Mr. Chairman, some of my colleagues have pointed out most ably some glaring illustrations of waste in our national-defense program. This waste has been primarily in the form of excessive costs in the construction of certain public works. But much more wasteful and much more dangerous for the national-defense program as a whole has been the philosophy that the new dealers have glibly accepted in carrying on the defense program. This has been the philosophy summed up in the phrase "more guns and more butter."

The new dealers have presented to the American public an allegedly painless national-defense program. They have asserted that we could have adequate national defense in this country without making any sacrifices at all. Consumers would not have to restrict their consumption of goods and services; labor would not have to give up any of its social gains; business would not have to be dislocated by the defense program. Such talk was exceedingly pleasant to hear, but it will prove to be exceedingly disastrous to the good of the country in the long run, for by the failure of the New Deal to realize the need for sacrifices in almost every form at the earliest possible date, production in our national-defense program will be retarded immeasurably for a long time to come.

What is this guns-and-butter philosophy? It is based essentially upon the premise that the capacity of American industry to produce is almost limitless; that production of goods and services for national defense can be increased many, many fold while at the same time the production of goods and services for the consuming public can be expanded in the same manner. Thus the new dealers pointed out it would not be necessary to restrict any of the normal industrial and business programs of this country—these could continue the same as ever and that the defense program could be superimposed upon them. In fact, as a consequence of the defense program, the new dealers contended the productivity of this country for ordinary consumers' goods would be greatly increased and that the expenditures of the Federal Government for national defense would increase the purchasing power of the consuming public and industry would be able to dispose of goods and services at the same rate that purchasing power increased. The claim was made it would be unnecessary to apply higher taxes to the American public in order to finance the defense program, and that the present taxes, applied to the increased national income, would yield sufficient return to pay for the cost of defense. This is essentially the same pump-priming theory that John Maynard Keynes proposed for the United States to lift itself by its own bootstraps from the depression. It will prove to be no more effective now than when first proposed, but for different reasons. I wish to trace for you the development of this idea in the thought of our outstanding new dealers. One of the first new dealers to give expression to this view was Mr. Jerome Frank, then a member of the Securities and Exchange Commission and now a judge of the circuit court of appeals. In a speech made before the Army Industrial College in April 1940 Mr. Frank declared:

Until the stage of full employment of resources is reached, we should give preference to those methods of war finance which induce a net increase in production, not merely a shift in production. In that period, as I see it, we should not, therefore, seek to cover the cost of armament by new taxes or forced loans but mainly by borrowing, primarily from the banks and from the idle reserves of individuals. Under such conditions, it is even conceivable that we might finance part of the cost of armaments by issuing additional currency without producing more than a moderate rise in the level of prices—a most important consideration, as I shall presently indicate.

The situation is quite different, however, once the level of practically full productive capacity is reached. Then armament expenditure should be financial largely through taxes or through loans placed outside of the banking system, if we are to avoid a rise in the price level. A rise in prices in such a situation obviously would not lead to a further increase in production. (In Time of War Prepare for Peace, Jerome N. Frank. Address before Army Industrial College, April 8, 1940.)

President Roosevelt himself has long adhered to this school of thought. At his press conference on May 28, 1940, which was held just 2 days after his famous fireside chat in which he attempted to mislead the American public by pointing out the quantity of guns, airplanes, and other defense equipment that was "on hand and on order." In his press conference the President pointed out that it was unnecessary for the American publice to surrender any of its luxuries for defense. He declared it was unnecessary for the American public to give up chocolate sodas and lipsticks in order to have national defense. He stated the people should not become "discomboomerated" by the defense program. What is more, he asserted that the program we had then underway should not be confused with our activities during the last war. This was only a defense program, not mobilization. It did not involve a major effort such as was the case in 1917. This press conference as reported by the New York Times of May 29, 1940, is well worth quoting at length:

The President said that there was no reason for the country to become "discomboomerated" in apprehension of what may come to pass. The women of the country would not have to give up their cosmetics, lipsticks, and chocolate sodas in consequence of the preparedness program. It was the intention not to upset the normal trends of American life any more than necessary.

Mr. Roosevelt underscored his observation that the present defense program was not to be compared with that of 1917, when the Nation was attempting to raise an army of 4,000,000 men. There was no thought in government today to revive the draft system, whether of men or money.

The whole idea was that the present troubled state of international affairs called for an outlay of about a billion and a quarter dollars over and above the $2,000,000,000 that was being spent on the Military and Naval Establishments, and it was necessary to set up an organization to supervise the expenditure and make it effective.

What the administration was undertaking now was nothing like a complete national mobilization, the President explained—New York Times, May 29, 1940.

Of course, the President, in his fireside chat of May 26, 1940, expressed the same view. Here he said:

There is nothing in our present emergency to justify a lowering of the standards of employment. Minimum wages should not be reduced. It is my hope, indeed, that the new speed-up of production will cause many businesses which now pay below the minimum standards to bring their wages up.

There is nothing in our present emergency to justify a breaking down of old-age pensions or unemployment insurance. I would rather see the systems extended to other groups who do not now enjoy them.

There is nothing in our present emergency to justify retreat from any of our social objectives—conservation of resources, assistance to agriculture, housing, and help to the underprivileged—New York Times, May 27, 1940.

President Roosevelt, in his Budget message submitted to Congress on January 6, 1941, still adhered to the same view. He believed that national income would be increased by the defense program and that the present taxes, applied to this increased income, would yield increased revenue. He asserted positively that it

was undesirable to impose any new taxes that would restrict consumption.

There is no agreement on how much of such an extraordinary defense program should be financed on a pay-as-you-go basis and how much by borrowing. Only very drastic and restrictive taxation which curtails consumption would finance defense wholly on a pay-as-you-go basis. I fear that such taxation would interfere with the full use of our productive capacities. We have a choice between restrictive tax measures applied to the present national income and a higher tax yield from increased national income under less restrictive tax measures. I suggest, therefore, a financial policy aimed at collecting progressive taxes out of a higher level of national income. I am opposed to a tax policy which restricts general consumption as long as unused capacity is available and as long as idle labor can be employed.

We cannot yet conceive the complete measure of extraordinary taxes which are necessary to pay off the cost of emergency defense and to aid in avoiding inflationary price rises which may occur when full capacity is approached.

However, a start should be made this year to meet a larger percentage of defense payments from current tax receipts. The additional tax measures should be based on the principle of ability to pay. Because it is the fixed policy of the Government that no citizen should make any abnormal net profit out of national defense, I am not satisfied that existing laws are in this respect adequate. (Message transmitting the Budget, 1942.)

Apparently he believed that the productive capacity of the country could increase without limit.

Probably the most extreme statement of the more-guns-and-more-butter school of thought was that stressed by Gearhard Colm at the American Academy of Political and Social Science in March 1941. Mr. Colm, who is a fiscal analyst of the Bureau of the Budget, asserted that the national-defense program would not cost the national economy a penny. In fact, it would be quite the contrary. He asserted that the national economy as a whole would make a profit of $5,000,000,000 off the national-defense program. The national income would be tremendously increased by Government spending. The increased national income could be taxed at the present level of taxation and the returns from these taxes would pay for the national-defense program. The national income would be increased by $5,000,000,000 more than the total cost of defense, which would all be paid from taxes. His words were:

These expenditures have stimulated the use of idle resources to such an extent that production for civilian consumption has increased in addition to the increase in defense production. * * *

It seems reasonable to assume that within 1 or 2 years national production can be stepped up to at least $90,000,000,000 (in terms of 1940 prices). That would be an increase of almost $20,000,000,000 over and above the annual rate of the national income in the first 6 months of the calendar year 1940. If such an increase in national income should be achieved, and if the total defense program should absorb as much as $15,000,000,000 in that year, it would still leave an increase of $5,000,000,000 for consumption and investment over and above the level of the first 6 months of the calendar year 1940. (The Cost of Arming America, the Annals, March 1941, p. 11.)

It is quite apparent that he believed the capacity of the national income to increase the production of both consumers' goods and defense materials was unlimited.

Mr. William Knudsen, Director General of the Office of Production Management, was one of the greatest supporters of this idea in the early days of the defense program. He ridiculed any person who believed that the defense program should come first and normal consumers' needs should be superimposed upon defense needs so far as they could be met. In a speech that he made on October 9, 1940, in New York, he said:

This is a large amount of work to throw into the productive labor picture of the United States and will have its effect on the general business picture after it gets under way. We decided at the start to superimpose the program on the regular business of the country in order to absorb as much idle plant and men as was possible at the beginning and then adjust later when the defense load was spread. One of our many constructive critics took me to task last week in the papers for doing this, saying that it was all well and good to superimpose the program on the regular business but that he felt it should be the other way around in order that the defense program could really get a clean track. This of course is all right after the program is ready—what he did not realize was that shop drawings, tooling, and materials have to be provided before we could adjust the load. In this respect we are reminded of Mr. Kettering's famous remark that "two hens sitting on the eggs do not produce the chicks in half the time." (Press release, National Defense Advisory Commission, October 8, 1940.)

The high priest of New Deal economics, Mr. Leon Henderson, was long addicted to the more-guns-and-more-butter school of thought. On October 23, 1940, he asserted that the productivity of the national economy would be increased by 15 percent during the next year or two and that this increase in productivity would give us defense, reemployment, and a higher standard of living. In this speech he said:

Today we are at a new high. And this means that our industrial output per person also has been reaching new high levels.

Even so, our industrial plant is not staggering, wheezing, or giving any signs of imminent collapse. There is a lot of power in reserve to climb the hills ahead. Unless the "guesstimators'" signs of the zodiac fail, industrial production will climb 15 percent above current levels within the next year or so. Out of this additional 15 percent, which represents about $11,000,000,000 in national income, this country will get defense, reemployment and a higher standard of living. (Press release, National Defense Advisory Commission, October 23, 1940.)

This was a pretty strong stand, but it was the usual New Deal stand. The emphasis was always placed upon the fact that it was not necessary to make any sacrifices on the part of the consuming public. It certainly was consoling to the public to be told this. They wanted to hear it, and the new dealers wanted them to believe it because they could get more popular support for the defense program if the people believed it would not disturb their ordinary mode of living but that it would really enrich and widen their consuming habits.

But as it now turns out, and as it could have been observed by any person who did not want to be lulled into a false sense of security by soft words, this whole philosophy has proved anything but feasible. The new dealers apparently did not envisage the full scope of the national-defense program. They did not realize, or else refused to admit, that there would be any shortages in the productive capacity of industry or in the supply of skilled labor that we would have to draw upon. All during the winter of 1940–41 we have heard about increasing plant capacity for many goods in order to have both more guns and more butter. New dealers confidently asserted that we could increase steel capacity by 10,000,000 tons. They did not talk about restricting the consumption of steel. They did not seem to realize that it would take 2,000,000 tons of steel to increase plant capacity for the production of 10,000,000 more tons of steel; the fact that it would require a diversion of 2,000,000 tons of steel from national defense for such plant expansion, for at that time the steel industry was already producing at the peak of capacity.

In order to support the more-guns-and-more-butter argument certain falsifications were presented in New Deal press releases. For example, on November 28, 1940, the National Defense Advisory Commission issued a press release that there was no shortage of aluminum but that there was sufficient aluminum for all needs, both in national defense and for increasing consumer purchases. In this press release it was stated:

Edward R. Stettinius, Jr Commissioner in charge of the Industrial Materials Division of the National Defense Advisory Commission, made the following points today (November 28) during his press conference on the subject of aluminum supply:

1. The production of ingot aluminum during the next 2 years, from the present plants and those additional units already planned, together with the secondary supply, appears adequate to take care of military requirements as now estimated, and present civilian requirements over the present level, or in military requirements if needed.

Ingot production has already been increased from the 1939 level of 325,000,000 pounds to the present capacity of 465,000,000 pounds per year.

Expansions already under way and planned will increase the level to 690,000,000 pounds per year by July 1941 and 825,000,000 pounds by July 1942. This July 1942 production will be two and one-half times the 1939 level. (Press release, National Defense Advisory Commission, November 28, 1940.)

As was demonstrated clearly in the hearing of the Senate Select Committee Investigating National Defense in May 1941 at that very time—November 1940—the Aluminum Co. of America, which was then the sole producer of aluminum in America, was administering an unofficial priority system for the allocation of aluminum for defense and nondefense needs because there was not sufficient aluminum being produced to meet the needs even at that time. Apparently the New Deal didn't want to break the sad news to the American public and inform the American housewife that it would not be possible for her to have a new washing machine, a new and shiny coffee pot,

or other such useful household gadgets, and defense all at the same time. Finally, in an article published in the Harvard Business Review in June 1941, Mr. Henderson admitted the falsity of the more guns and more butter school of thought that he had so vigorously championed. In this article he said:

By all odds, the best type of control of inflation is to increase production. If output could be increased to keep pace with effective demand there never would be any inflation. So far as it is possible, it should be our aim to use the remedy of increased output. Whenever a shortage appears, we should try to make good the shortage. But unfortunately, this method is limited in its usefulness under the present emergency conditions. To get enough armament, we must divert labor and productive facilities from the production of consumer goods to the production of defense goods. The slogan of "business as usual," the argument that we can have more guns and more butter both, has had to give way before the stern necessity of speedily increasing the defense effort. In all probability it is necessary to devote as much as 40 percent of our total productive capacity to military expenditures; and, therefore, the increase of production of civilian goods to curb price inflation is rapidly becoming a weapon of limited effectiveness (press release of the O. E. M.).

In fact, Mr. Henderson has gone even further. He has said not only that we cannot have more butter, but he has stated that we will have to produce less consumer goods in the future than we have been. In an article in the July 1941 issue of Fortune he stated that we would have to restrict production of consumers' goods by at least $6,000,000,000 or $7,000,000,000 during the next year. And on July 14, 1941, he said:

It is becoming evident now that the amount of materials required for armaments is going to be so great that we won't have enough left over for consumers' durable goods.

Certainly, if you restrict the supply of consumers' goods it is impossible for the American people to have more butter. Thus these new dealers, in order to make the defense program more palatable to the American public, have committed a great wrong on the public, retarded national-defense production, and injured the national economy.

It would have been much better for the American public to realize at the earliest possible date that it would have to make sacrifices for national defense. The earlier they realized it the earlier they could reshape their normal habits in order to fit the new situation. The earlier the consumption of consumers' goods was restricted, the more materials would be available for the production of national defense. The earlier the scarcity of important materials was realized the more likely was the possibility of plant expansion.

The failure to utilize as much of our natural resources as possible in the early stages of the program will slow up production for months to come. It will make it harder to restrict the consumption of consumers' goods after this false philosophy has had a whole year to take hold. The potentialities of inflation would by then have been increased as a consequence and the ultimate realization on the part of the American public that it has been misled by false theory will not increase public morale. Thus this overly simplified and erroneous New Deal theory has, I am certain, already proved exceedingly dangerous to our defense effort.

Mr. DOUGHTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COLE of Maryland reported that the Committee, having had under consideration the bill (H. R. 5417) to provide revenue, and for other purposes, had come to no resolution thereon.

TRIALS OF AND JUDGMENTS UPON THE ISSUE OF GOOD BEHAVIOR IN THE CASE OF CERTAIN FEDERAL JUDGES

Mr. SABATH, from the Committee on Rules, submitted the following resolution (H. Res. 282), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R 146) to provide for trials of and judgments upon the issue of good behavior in the case of certain Federal judges. That after general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. JARMAN asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HOFFMAN] may extend his own remarks in the RECORD and include two short newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief statement by Roscoe Pound, dean emeritus of the Harvard Law School.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

(Mr. PATRICK asked and was given permission to revise and extend his own remarks in the RECORD.)

THE REVENUE BILL

The SPEAKER. Without objection, House Resolution 279 with reference to the bill now under consideration in Committee of the Whole will be laid on the table.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. CASE of South Dakota, indefinitely, on account of official business.

To Mr. GREGORY, for 5 days, on account of official business.

EXTENSION OF REMARKS

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a dispatch published yesterday in the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1770. An act authorizing the President of the United States to appoint Sgt. Alvin C. York as a colonel in the United States Army, and then place him on the retired list; to the Committee on Military Affairs.

ENROLLED BILLS SIGNED

Mr. KIRWAN from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1855. An act for the relief of Laura McStay; and

H. R. 3802. An act for the relief of Louis A. Schwan.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 1855. An act for the relief of Laura McStay; and

H. R. 3802. An act for the relief of Louis A. Schwan.

ADJOURNMENT

Mr. DOUGHTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned until tomorrow, Thursday, July 31, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Thursday, July 31, 1941, in the caucus room for consideration of House Resolution 209.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will start hearings in room 346, old House Office Building, on Wednesday, August 6, 1941, at 10:30 a. m., on H. R. 5234, to amend the Judicial Code

in respect to the jurisdiction of the Court of Claims in certain cases. (Mr. SUMNERS of Texas.)

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, Executive communications were taken from the Speaker's table and referred as follows:

799. A letter from the Under Secretary of Agriculture, transmitting a report on the agricultural experiment stations for the fiscal year ended June 30, 1940; to the Committee on Agriculture.

800. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of the activities and expenditures of the Reconstruction Finance Corporation for the month of May 1941 (H. Doc. No. 333); to the Committee on Banking and Currency and ordered to be printed.

801. A letter from the Secretary of War, transmitting letters from the Chief of Engineers, United States Army, dated June 19, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of Mermentau River and tributaries, Louisiana, and Louisiana and Texas Intracoastal Waterway from Mississippi River at or near New Orleans, La., to Corpus Christi, Tex., requested by resolutions of the Committee on Flood Control, House of Representatives, adopted January 26, 1939, the Committee on Rivers and Harbors, House of Representatives, adopted January 24, 1939, June 6, 1939, June 23, 1939, and October 28, 1940, and the Committee on Commerce, United States Senate, adopted February 8, 1939; to the Committee on Rivers and Harbors.

802. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 23, 1941, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of, and review of reports on, Bayou Teche, Teche-Vermilion waterway and Vermilion River, La., authorized by the River and Harbor Acts approved August 26, 1937, and June 20, 1938, and requested by resolutions of the Committee on Flood Control, House of Representatives, adopted January 26, 1939, the Committee on Rivers and Harbors, House of Representatives, adopted January 24, 1939, and the Committee on Commerce, United States Senate, adopted February 8, 1939, and July 19, 1940; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 280. Resolution providing for the consideration of H. R. 5417, a bill to provide revenue, and for other purposes; without amendment (Rept. No. 1076). Referred to the House Calendar.

Mr. FULMER: Committee on Agriculture. H. R. 5171. A bill to amend section 392 of the Agricultural Adjustment Act of 1938, as amended, so as to provide for separate appropriation accounts for administrative expenses of the Agricultural Adjustment Administration, so as to modify the 1- and 2-percent limitations on administrative expenses and to provide over-all limitations in lieu thereof, and for other purposes; with amendment (Rept. No. 1077). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 5397. A bill to provide for the protection of the fish-cultural station at Spearfish, S. Dak.; without amendment (Rept. No. 1078). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. House Joint Resolution 221. Resolution to declare abandoned the title of the city of Marquette, Mich., to certain land in the county of Marquette, and to vest control of such land in the Secretary of the Treasury for Coast Guard purposes; without amendment (Rept. No. 1079). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 282. Resolution for consideration of H. R. 146, to provide for trials of and judgment upon the issue of good behavior in the case of certain Federal judges; without amendment (Rept. No. 1081). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KING: Committee on Immigration and Naturalization. H. R. 5300. A bill for the relief of Louise Hsien Djen Lee Lum; without amendment (Rept. No. 1080). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CULLEN:

H. R. 5443. A bill authorizing the Secretary of the Treasury to convey an easement in certain lands to the city of New York, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. SCHULTE:

H. R. 5444. A bill to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ANGELL:

H. R. 5445. A bill for the relief of veterans of the Spanish-American War, including the Philippine Insurrection and Chinese Boxer Rebellion; to the Committee on Pensions.

By Mr. BLAND:

H. R. 5446. A bill to establish a system of unemployment insurance for the maritime industry, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. RANDOLPH:

H. R. 5447. A bill to amend section 907 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to second conviction of criminal offenses; to the Committee on the District of Columbia

H. R. 5448. A bill to define and punish vagrancy in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. DICKSTEIN:

H. J. Res. 225. Joint resolution to declare October 28, 1941, Statue of Liberty Day; to the Committee on the Judiciary.

By Mr. BLAND:

H. Res. 281. Resolution authorizing the Committee on the Merchant Marine and Fisheries to investigate the progress of the national-defense program insofar as it relates to said committee; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 5449. A bill for the relief of Mrs. Cecile Herzog and Lucille Herzog (an infant); to the Committee on Claims.

By Mr. DAVIS of Ohio:

H. R. 5450. A bill granting an increase of pension to Rachel L. Rector; to the Committee on Invalid Pensions.

By Mr. EDWIN ARTHUR HALL:

H. R. 5451. A bill awarding the Distinguished Service Cross to Pvt. Charles B. Terrell; to the Committee on Military Affairs.

By Mr. KILBURN:

H.R. 5452. A bill for the relief of Emmett Armstrong; to the Committee on Claims.

By Mr. RODGERS of Pennsylvania:

H. R. 5453. A bill granting an increase of pension to Sophronia Bronson; to the Committee on Invalid Pensions.

By Mr. SMITH of Washington:

H. R. 5454. A bill for the relief of David Caron; to the Committee on Claims.

By Mr. SHERIDAN:

H. R. 5455. A bill for the relief of Rebecca Goldbaugh; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1704. By Mr. HART: Petition of the Hoboken (N. J.) Chamber of Commerce, Ogden H. Hammond, president, recommending a rigid economy in nondefense expenditures through the elimination of all deferrable public improvements; to the Committee on Appropriations.

1705. By Mr. MARTIN J. KENNEDY: Petition of the New York Zoological Society, opposing House bill 2675, known as the Murdock bill; to the Committee on the Public Lands.

1706. By Mr. KEOGH: Petition of the Kings County Council, Jewish War Veterans of the United States, Brooklyn, N. Y., concerning the retaining in the service of the United States Army, the Federalized National Guard, selectees, Reserve officers, and others in the service; to the Committee on Military Affairs.

1707. By Mr. JOSEPH L. PFEIFER: Petition of the Kings County Council, Jewish War Veterans of the United States, Brooklyn, N. Y., concerning the retention of the armed forces now in training for the period of the emergency; to the Committee on Military Affairs.

1708. By Mr. ROLPH: Resolution of the Western Plant Board, State of California department of agriculture, requesting Congress to continue undiminished the annual appropriation made to the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture for emergency control of incipient pest outbreaks; to the Committee on Appropriations.

1709. By Mr. SHAFER of Michigan: Resolution of the Michigan State Union Meeting Association of the Brotherhood of Locomotive Engineers, opposing the St. Lawrence-Great Lakes seaway; to the Committee on Rivers and Harbors.

1710. Also, resolution of the Council of the City of Dearborn, Mich., requesting that curtailment in production of automobiles be made on a basis that would prevent widespread unemployment in the automotive industry; to the Committee on Ways and Means.

1711. By Mr. TALLE: Petition of Mrs. I. H. Benson and 46 other women of Rockford, Iowa, urging the enactment of Senate bill 860; to the Committee on Military Affairs.

1712. By Mr. VORYS of Ohio: Petition of H. F. Stafford and 35 others, urging the passing of Senate bill 860; to the Committee on Military Affairs.

1713. By the SPEAKER: Petition of the county of San Diego, Calif., petitioning consideration of their resolution with reference to the enactment of legislation for the establishment of an old-age pension program; to the Committee on Ways and Means.

SENATE

THURSDAY, JULY 31, 1941

(Legislative day of Monday, July 28, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, as we humbly bow our heads in prayer before Thee in these most trying hours of our beloved Nation, when our right to worship Thee is threatened, when the liberty and freedom we enjoy in a land of democracy are endangered, we pray that Thou wilt let Thy richest blessings rest upon us, and wilt guide our leaders, our President, Vice President, and all Members of the Congress. Let Thy hand be upon them as they steer our Ship of State to safety through the gathering clouds of war now hovering over us. Make us a united people; help us to work and pray, with only one purpose in mind, that we may serve in partnership with Thee. Hear our prayer, O Lord, and grant our petitions as may be most expedient for us; and to Thee shall be given all honor and praise forever. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, July 30, 1941, was dispensed with, and the Journal was approved.

SENATOR FROM TEXAS—CREDENTIALS

Mr. CONNALLY. Mr. President, I present the certificate of election or credentials of Hon. W. LEE O'DANIEL as a Senator from the State of Texas.

The PRESIDENT pro tempore. The credentials will be read.

The legislative clerk read as follows:

PROCLAMATION BY THE GOVERNOR OF THE STATE OF TEXAS

To All To Whom These Presents Shall Come: To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 28th day of June 1941, W. LEE O'DANIEL was duly chosen by the qualified electors of the State of Texas a Senator from said State to represent said State in the Senate of the United States for the unexpired term of the late Morris Sheppard, beginning immediately.

Witness: His Excellency our Governor, W. Lee O'Daniel, and our seal hereto affixed at Austin, Tex., this 14th day of July, A. D. 1941.

By the Governor:

[SEAL] W. LEE O'DANIEL, *Governor.*

Attest:

[SEAL] WM. J. LAWSON, *Secretary of State.*

The PRESIDENT pro tempore. The credentials will be placed on file.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on July 30, 1941, the President had approved and signed the following acts and joint resolution:

S. 849. An act for the relief of Even Vaughn Cleaves;

S. 1120. An act for the acquisition of Indian lands for the Central Valley project, and for other purposes; and

S. J. Res. 1. Joint resolution directing the Comptroller General to readjust the claim between the United States and the State of Vermont.

COMMITTEE SERVICE

Mr. BARKLEY. Mr. President, I send to the desk an order for assignments to various committee vacancies, and ask that it be read, considered, and approved by the Senate. I wish to state that the assignments are presented by direction of the majority steering committee which has passed upon them.

The PRESIDENT pro tempore. The clerk will read the proposed order.

The Chief Clerk read as follows:

Ordered, That the Senator from Georgia [Mr. GEORGE] be excused from further service as chairman of the Committee on Foreign Relations and that he be assigned to the chairmanship of the Committee on Finance; that the Senator from Texas [Mr. CONNALLY] be excused from further service as chairman of the Committee on Privileges and Elections and that he be assigned to the chairmanship of the Committee on Foreign Relations; that the Senator from New Mexico [Mr. HATCH] be assigned to the chairmanship of the Committee on Privileges and Elections; that the Senator from Illinois [Mr. LUCAS] be assigned to the chairmanship of the Committee to Audit and Control the Contingent Expenses of the Senate; that the Senator from Oklahoma [Mr. LEE] be excused from further service on the Committee on Education and Labor and that he be assigned to service on the Committee on Foreign Relations; that the Senator from Delaware [Mr. TUNNELL] be assigned to service on the Committee on Foreign Relations; that the Senator from New Jersey [Mr. SMATHERS] be assigned to service on the Committee on Finance; that the Senator from Wyoming [Mr. SCHWARTZ] be excused from further service on the Committee on Claims; that the Senator from Arkansas [Mr. SPENCER] be assigned to service on the Committee on Banking and Currency; that the Senator from South Carolina [Mr. LUMPKIN] be assigned to service on the Committees on Appropriations, Immigration, and the Judiciary; and that the Senator from Mississippi [Mr. EASTLAND] be assigned to service on the Committees on Education and Labor, Post Offices and Post Roads, Manufactures, Printing, and Public Buildings and Grounds.

The PRESIDENT pro tempore. Is there objection to present consideration of the order making the committee assignments as indicated?

There being no objection, the order was considered and agreed to.

DEVELOPMENT OF COOPERATIVE AGRICULTURAL EXTENSION WORK—VETO MESSAGE (S. DOC. NO. 100)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and, with the accompanying bill, referred to the Committee on Agriculture and Forestry and ordered to be printed:

To the Senate:

I return herewith, without my approval, S. 1200, a bill to authorize additional appropriations to provide for the further development of cooperative agricultural extension work.

The basic acts authorizing grants to States and Territories for agricultural extension work set up a formula under which the funds appropriated are largely apportioned among the States and Territories in the proportion which the rural or farm population of the State or Territory bears to our total rural or farm population as determined by the last preceding decennial census.

The 1940 census reveals that important shifts have occurred in farm population since 1930, and, as one consequence, redistribution of Federal funds contributed to the agricultural extension program in accordance with the basic acts would entitle 24 States and Puerto Rico to increased shares aggregating approximately $346,000, while the shares in 24 States and Hawaii would be decreased in a total amount of approximately $555,000.

S. 1200 would authorize annual appropriations of $555,000 with which to continue at the present level the annual grants to these latter 24 States and Hawaii. In effect, the bill renders meaningless the apportionment formula of the basic acts, which was thoughtfully written by Congress, and which must have contemplated the possible necessity of adjustments in apportionments thereunder as shifts in population occur.

If that formula is now considered unsound, it would seem to me that the proper corrective is to replace it with a new and better one, rather than simply make offsetting special appropriations whenever the operation of the formula decreases the shares of one or a group of States and Territories.

The enactment of the Bankhead-Jones Act in 1935 greatly strengthened the participation by the Federal Government in the general agricultural extension program. I do not feel that there is sufficient warrant for further increasing at this time the continuing annual appropriations provided by that act and earlier related legislation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 31, 1941.*

EXECUTIVE COMMUNICATION

The PRESIDENT pro tempore laid before the Senate the following letter, which was referred as indicated:

MAY 1941 REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, submitting, pursuant to law, a report of the activities and expenditures of the Corporation for the month of May 1941, including statement of loan and other authorizations made during that month, etc. (with accompanying papers); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the Board of Supervisors of the County of San Diego, Calif., favoring the prompt enactment of legislation granting old-age assistance, and also favoring the financing of such old-age benefit system and the

national-defense program on a pay-as-you-go basis; to the Committee on Finance.

A resolution of the Council of the City of Cleveland, Ohio, favoring the consideration of such steps as may be necessary to prevent further loans and expenditure of Federal funds permitting industries already established in a city to build branch factories outside of city limits when suitable land is available within a city, etc., and also that consideration be given to the problem of decentralization of large industrial cities, particularly Cleveland, Ohio; to the Committee on Banking and Currency.

A resolution of the Lions Club, of Minden, La., favoring Federal assistance to regional housing authority No. 6 in obtaining necessary housing facilities for defense workers in the locality of Haughton, Bossier Parish, and Minden, Webster Parish, La., due to the location of a shell-loading plant in that locality, and that such assistance, if accorded, be handled by regional housing authority No. 6 in accordance with a plan being formulated by that housing authority and the Webster-Bossier Emergency Planning Commission; to the Committee on Public Buildings and Grounds.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Salina, Kans., praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy with an amendment including the text of Senate bill 860, the so-called Sheppard bill; to the table.

RESOLUTION OF BOARD OF DIRECTORS OF CHICAGO ASSOCIATION OF COMMERCE—EXPORT PRIORITIES

Mr. BROOKS. Mr. President, I present a resolution adopted by the board of directors of the Chicago Association of Commerce recommending export priorities for the maintenance of cordial relations with foreign nations. This resolution was transmitted to me by Mr. A. H. Mellinger, president of the association. I ask that it be included in the CONGRESSIONAL RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolution adopted by the board of directors of the Chicago Association of Commerce on July 18, 1941, regarding export priorities

Whereas the national interest requires the maintenance of continuous trade relationships between the United States and friendly nations:

First. To support the economic systems of all friendly nations, especially of Latin American republics deemed vital to hemispheric defense and solidarity.

Second. To establish in friendly nations a reliance upon the United States as a dependable source of supply for goods, especially for those which cannot be imported from other countries.

Third. To help provide those countries with implements and equipment to enable them to produce strategic materials which both we and they require.

Fourth. To create good will and solidarity by thus enabling those countries to export; and

Whereas actual and prospective difficulties in securing needed materials threaten our ability to maintain the desirable volume of export trade: Now, therefore, be it

Resolved, That this association deems it vital, in the interest both of national defense and of our relations with friendly nations, to allocate for export, under a suitable priority system, a fair and equitable portion of the available production of United States industry, said export arrangements to be recognized as an essential part of the political, military, and economic solidarity of the areas involved.

RESOLUTION OF THE GENERAL ASSEMBLY OF ILLINOIS—HARBORS OF REFUGE ON THE GREAT LAKES

Mr. BROOKS. Mr. President, I also present for appropriate reference Senate Joint Resolution No. 32, adopted by the Sixty-second General Assembly of the State of Illinois, and ask that it be included in the CONGRESSIONAL RECORD.

The resolution urges cooperation with agencies of the United States Government in the selection and designing of harbors of refuge upon the Great Lakes and calls particular attention to the need for construction of such harbors of refuge on the Illinois shores of Lake Michigan.

There being no objection, the joint resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, under the rule, as follows:

Senate Joint Resolution 32

Whereas sudden squalls and storms of great magnitude, which endanger and destroy life and property, occur frequently on Lake Michigan; and

Whereas deplorable losses therefrom have occurred in the past largely because of lack of harbors of refuge to provide protective havens from storms for distressed mariners; and

Whereas the United States Corps of Engineers has held public hearings on the question of establishing harbors of refuge for small boats at a number of locations along the shore of Lake Michigan and is now conducting surveys and making plans for the construction of such harbors; and

Whereas there is under consideration by the United States Corps of Engineers the establishment of several such harbors on the shore of Lake Michigan in Illinois, Indiana, Michigan, and Wisconsin; and

Whereas in the construction of such harbors of refuge it has been the policy of the United States Government to require local financial cooperation in the matter of land acquisition, facilities for mooring, and anchorage of small craft, and in the financing of portions of the harbor works: Therefore be it

Resolved by the senate of the sixty-second general assembly (the house of representatives concurring herein), That the State of Illinois realizes the gravity of existing conditions on Lake Michigan; and that its department of public works and buildings be, and is hereby, authorized to cooperate with agencies of the United States Government in the selection and design of such harbors of refuge; and, furthermore, that the General Assembly of the State of Illinois recommends to ensuing sessions the authorization of such cooperation as may be appropriate to the end that Illinois sites may be developed in the event that authority for the construction of such harbors of refuge on the Illinois shores of Lake Michigan is given by the Congress of the United States Government; and be it further

Resolved, That copies of this preamble and resolution be forwarded by the secretary of state to the Secretary of War of the United States and to each Senator and Representative in Congress from the State.

Adopted by the senate May 28, 1941.

HUGH W. CROSS,
President of the Senate.
EDWARD H. ALEXANDER,
Secretary of the Senate.

Concurred in by the house of representatives June 25, 1941.

E. J. SCHNACKENBERG,
Speaker of the House of Representatives.
R. R. RANDOLPH,
Clerk of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TUNNELL, from the Committee on Claims:

S. 1363. A bill for the relief of Sioux Skyways, Inc.; with amendments (Rept. No. 618);

S. 1708. A bill for the relief of Susannah Sanchez; without amendment (Rept. No. 620); and

H. R. 4100. A bill for the relief of the legal guardian of Louise Holcombe, a minor, George Holcombe, and Cliff Evans; with amendments (Rept. No. 619).

By Mr. CAPPER, from the Committee on Claims:

S. 1581. A bill for the relief of George Wells and Mamie H. Wells; without amendment (Rept. No. 621);

S. 1655. A bill for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor; without amendment (Rept. No. 622);

H. R. 1354. A bill for the relief of Herman R. Allen; without amendment (Rept. No. 623); and

H. R. 4529. A bill for the relief of John Henry Hester; with an amendment (Rept. No. 624).

By Mr. BREWSTER, from the Committee on Claims:

H. R. 191. A bill for the relief of Franklin Stencil and Domonic Stencil; without amendment (Rept. No. 625);

H. R. 1576. A bill for the relief of Emily Barlow; without amendment (Rept. No. 626); and

H. R. 2010. A bill for the relief of Wade H. Erwin and Vonnie Erwin; without amendment (Rept. No. 627).

By Mr. HUGHES, from the Committee on Claims:

S. 1428. A bill for the relief of Walter M. Anderson; with an amendment (Rept. No. 628);

S. 1430. A bill for the relief of Ivan Richard Witcher and Nellie Witcher; without amendment (Rept. No. 629);

S. 1479. A bill for the relief of Mary S. Gay; without amendment (Rept. No. 630);

S. 1650. A bill for the relief of Joseph V. Broderick; without amendment (Rept. No. 631);

H. R. 647. A bill for the relief of Gilbert E. Jackson and Helen Jackson, individually and as the natural guardians of Edwin Jackson, a minor; with amendments (Rept. No. 633); and

H. R. 2753. A bill for the relief of Lewis Jones; without amendment (Rept. No. 632).

By Mr. WILEY, from the Committee on Claims:

H. R. 2182. A bill for the relief of John S. Small; without amendment (Rept. No. 634);

H. R. 2212. A bill for the relief of Raymond W. Reed and Rose Reed; without amendment (Rept. No. 635);

H. R. 2434. A bill for the relief of Margaret S. Holten; without amendment (Rept. No. 636); and

H. R. 4045. A bill for the relief of Tony Cirone; without amendment (Rept. No. 637).

By Mr. ROSIER, from the Committee on Claims:

S. 807. A bill for the relief of Eva Mueller; with an amendment (Rept. No. 638);

S. 904. A bill for the relief of C. D. Henderson; with an amendment (Rept. No. 639);

S. 1649. A bill to authorize the payment of certain claims of employees of the Bureau of Reclamation arising out of loss of tools destroyed by fire at Parker Dam, Arizona; without amendment (Rept. No. 643);

S. 1695. A bill for the relief of Reginald H. Carter, Jr.; with amendments (Rept. No. 640);

H. R. 1352. A bill for the relief of Norman Carlin Brown, a minor; without amendment (Rept. No. 641); and

H. R. 2431. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon, the claim of the Carr China Co.; without amendment (Rept. No. 642).

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

H. R. 1057. A bill to establish a system of longevity pay for postal employees; with amendments (Rept. No. 644).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

S. 1801. A bill for the relief of Eugene Jackson (with accompanying papers); to the Committee on Claims.

By Mr. VAN NUYS:

S. 1802 (by request). A bill granting a pension to Hattie B. Dare; to the Committee on Pensions.

By Mr. KILGORE:

S. 1803. A bill granting a pension to Mrs. Mary F. Cremeans; to the Committee on Pensions.

S. 1804. A bill for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico; to the Committee on Foreign Relations.

By Mr. GEORGE:

S. 1805. A bill authorizing the Administrator of Veterans' Affairs to grant easements in certain lands to the town of Bedford, Mass., for road-widening purposes; to the Committee on Finance.

AMENDMENT OF THE COMMUNICATIONS ACT

Mr. WHITE. Mr. President, I ask consent to introduce for appropriate reference a bill proposing sundry amendments to the Communications Act of 1934, and request leave to insert in the RECORD as part of my remarks an explanation of the bill.

The PRESIDENT pro tempore. Is there objection? The Chair hears none. The bill of the Senator from Maine will be received and appropriately referred, and the statement will be printed in the RECORD.

The bill (S. 1806) to amend the Communications Act of 1934, and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce.

The explanatory statement presented by Mr. WHITE is as follows:

The bill (S. 1806) introduced today by Senator WHITE has its source in S. 1268, a bill introduced by Senator WHEELER in the last Congress; in S. 1520 introduced in the last Congress by Senator WHITE; in recommendations recently made to the Federal Communications Bar Association by a committee thereof; in court decisions; and in recommendations found in the report of the Attorney General's Committee on Administrative Procedure. This measure should not be regarded as a general revision of our Communications Act of 1934, but the changes in the organization of the Federal Communications Commission, in procedure, in the sections of present law with respect to appeals to the courts, in the efforts made to assure equality of right and opportunity among those who utilize radio for public discussion, and finally the attempt to further provide against censorship, make this bill of supreme importance and justify, indeed demand, its study and approval in substantially its present form by the present Congress.

There follows an explanation of the sections of the bill.

SECTION 1

This section defines the terms "license," "station license," or "radio station license," appearing throughout the act, as that instrument of authorization required by the act or the Commission's Rules and Regulations for the use or operation of radio apparatus. This definition is made necessary because of a recent tendency upon the part of the Commission to treat what are in fact licenses as instruments of a different character, thereby making possible avoidance of compliance with procedural and appellate provisions of the act intended as safeguards against arbitrary administrative action, provisions necessary to be respected if orderly procedure is to be had. This broad definition of the term "license" tends to insure that result.

SECTIONS 2 AND 3

Sections 2 and 3 basically change the administrative set-up and functions of the Commission. They can be summarized as the separatio. of the Commission of seven members into two statutory divisions of three members each and a clarification of the status and functions of the chairman or seventh man of the Commission.

Under this plan, the whole Commission would have power and authority to adopt and promulgate any rule or regulation of general application required or authorized by the act, including procedural rules and regulations for the Commission and each division. The whole Commission would have plenary authority over amateur services, emergency services, the qualification and licensing of operators, the selection and control of personnel, the assignment of bands of frequencies to the various radio services and many other subjects and services as at present. But the present judicial and quasi-judicial functions of the Commission would be vested in the proposed divisions insofar as those functions relate to the most important and controversial subjects within the jurisdiction of the Commission.

Jurisdiction to hear and determine all cases arising under the act or regulations, relating to broadcast, television, facsimile, and kindred communications intended for public reception, is vested in the Division of Public Communications. Similar jurisdiction with respect to common carriers and communications intended for a designated addressee is vested in the Division of Private Communications. This plan not only recognizes the basic and fundamental differences between the two types of communications involved and the nature of the questions presented by each but it also provides a method for obtaining proper consideration of those cases by persons who will be able to devote their time and attention to the questions committed to them without undue interruption or interference occasioned by the demands of basically different problems.

Under the plan proposed, the status of the chairman would be that of an executive officer and coordinator participating fully in all matters within the jurisdiction of the Commission except the determination and decision of contested matters which are made the exclusive business of the divisions. Experience has amply demonstrated that the chairman cannot be expected to devote the time and attention necessary to the proper handling and disposition of these matters and also efficiently to discharge the many other duties which are unavoidably his under the act. As to these other duties, an attempt has also been made to clarify the status of the chairman and to make him and him only the official spokesman and representative of the Commission in certain important respects.

When the present act was before the Congress in 1934 the bill passed by the Senate provided for a mandatory separation of the Commission into divisions as is now proposed, but this plan was later abandoned and the present Commission has been operating under a law which permitted but did not require it to organize itself into divisions. For the last 2 or 3 years the division plan has been entirely abandoned, and it seems certain that such abandonment has operated to the detriment of orderly procedure. We believe students of our legislation are thoroughly convinced of the wisdom of the mandatory division plan for at least two important reasons. They recognize that there are fundamental differences in the two classes of communications above referred to; that rate-making and public-utility concepts are the very essence of private communications but have little, if any, application to communication with the public directly; that there has been a tendency upon the part of the Commission to confuse the two and to apply the same concepts and philosophies in the regulation of the two. This must be avoided. In the second place, it is apparent that the subject of public or mass communications and the problem incident to the regulation thereof are so interesting and attractive that they draw public attention; that on the other hand there is very little of news value or opportunity for publicity in the regulation of common carriers, and that this has had the result of centering the attention of the Commission and its personnel almost exclusively on broadcasting and related problems and of preventing the giving of sufficient attention to equally important problems relating to private communications.

The changes proposed in these two sections would bring about a much needed and desired separation of the judicial and legislative functions of the Commission; would contribute to a sounder knowledge on the part of the Commissioners of the communication problems committed to them; would make for orderly procedure and harmony of decision; and would speed up the disposition of cases before the Commission and the divisions thereof.

SECTIONS 4 AND 5

These sections propose certain amendments to the procedural sections of the present act (secs. 308 and 309). These amendments are made necessary by the restrictive character of the language now employed and by the disposition of the Commission to give that language an extremely literal rather than a broad interpretation. The result has been to deprive applicants for certain types of licenses of the right to be heard before their application is denied and to deprive persons who are adversely affected by the action of the Commission in granting the application of others, of an opportunity to be heard before the Commission.

The amendment to section 308 will make it clear that all instruments of authorization

granted by the Commission entitling the holders to construct or operate radio apparatus should be the subject of a written application. The amendments to section 309 make it clear that any person filing an application described in section 309 is entitled as a matter of right to have his application handled in a definite procedural way.

The procedure to be followed in the handling of applications is that which was successfully followed by the Commission for a considerable period of time pursuant to rules and regulations enacted by it but which method was recently abandoned apparently upon the theory that the Commission was according to applicants and others in interest greater rights than those which the act guaranteed to them. Since the right to notice and hearing is of the very essence of orderly procedure amendments to the act which leave no doubt that such right is secured are absolutely imperative. The amendments proposed would assure this result.

SECTION 6

This section proposes a redraft of the transfer section of the present act (sec. 310 (b)). As now drafted, this section in terms relates only to station licenses and does not apply to construction permits or other instruments of authorization which the Commission may issue under its rules and regulations. The redraft would remedy this deficiency. The present transfer section is also silent concerning the procedure to be employed by the Commission in passing upon such applications and the proposed amendment would remedy this defect by providing that transfer applications be handled in the same manner and in accordance with the same procedure employed in the handling of applications for original instruments of authorization.

Aside from these questions of procedure the decisions of the Commission relating to transfer applications have given rise to the theory that the proposed transferee of a station license may be subjected to conditions not required of an applicant for an original license. This is believed to be unsound and has been due, at least, in part, to the fact that the statutory standard employed in the present transfer section differs slightly in phraseology from that use elsewhere in the act. By providing for the use of the same statutory standard in the proposed amendment and by the use of other clarifying language, it is believed that this cause for controversy will be eliminated.

SECTION 7

This section proposes amendments to section 315 of the present act relating to the use of broadcast facilities by candidates for public office. The amendments proposed are the deletion of the proviso clause now appearing in that section which provides that the licensee shall have no power of censorship over the material broadcast under the provisions of this section and the substitution therefor of clearer language to the same purpose found in a proposed new section 332. This present proviso has been the source of much uncertainty and controversy. I believe the change urged clarifies and enforces the congressional intent.

SECTION 8

This section of the bill proposes the addition of an entirely new section to the act (sec. 330), which will require the identification of the speaker in the case of broadcasts dealing with public or political questions either local, State, or National in their scope and application. Ever since the enactment of the Radio Act of 1927, the law has carried a provision requiring that in the case of the commercial use of a station the person or organization sponsoring such broadcast be identified in connection with the broadcast. Such a provision is found in section 317 of the present act. The proposed new section would merely carry the principle of identification further and make it obligatory in the discussion of political or public questions to make clear not only who the speaker is but whose views he expresses. It is unfortunately a fact that most propaganda by radio is found in sustaining programs or programs which have no commercial sponsor. The adoption of this new section would carry the salutary principle of identification into a field where it is much needed.

SECTION 9

Section 9 of the bill proposes the inclusion of a new section (sec. 331), the effect of which would be to require the licensee of any station to afford a right of reply where public officers, other than the President of the United States, use his station for the discussion of public or political questions. This right of reply is to be exercised by the accredited representatives of the opposition political party or parties, and is to be afforded upon the same terms and conditions as the initial discussion. This substantially enlarges the scope of section 315 of the 1934 act. The subject matter of this proposed section merits immediate consideration.

SECTION 10

Section 10 of the bill proposes the addition of another new section (sec. 332), the effect of which would be to clarify the duties and responsibilities of a licensee where his station was used by a candidate for public office or by public officers or others for the discussion of public or political questions. The "no censorship" clause of section 315 of the present act does not adequately define the duties of a licensee under such circumstances. The proposed new section (sec. 332) affords the licensee an opportunity to examine the material to be broadcast before its intended use and to delete therefrom any material which is slanderous or libelous or which the licensee may have reason to believe would subject him or his station to any action for damages or to a penalty or forfeiture under any local, State, or Federal law or regulation. This section specifically provides that no licensee of any broadcast station shall have the power to censor, alter, or in any way affect or control the political or partisan trend of any material submitted by a candidate for public office or by public officers or others discussing public and political questions. With the exception of material which might subject the licensee to damages or penalties or material which is submitted for broadcast by or upon behalf of any person or organization which advocates the overthrow of Government by force or violence, the licensee has no discretion.

SECTION 11

Section 11 of the bill proposes a new sentence as an amendment to section 326 of the present act which codifies an interpretation placed upon the act by the Supreme Court of the United States in the case of the *Federal Communications Commission* v. *Sanders Brothers Radio Station*, decided March 25, 1940. In this case the Supreme Court said:

"But the act does not essay to regulate the business of the licensee. The Commission is given no supervisory control of the programs, of business management or of policy. In short, the broadcasting field is open to anyone, provided there be an available frequency over which he can broadcast without interference to others, if he shows his competency, the adequacy of his equipment, and financial ability to make good use of the assigned channel."

Notwithstanding this pronouncement of the Supreme Court, notwithstanding the fact that no language can be found in the act which confers any right upon the Commission to concern itself with the business phases of the operation of radio broadcast stations and notwithstanding the further fact that section 3 (h) of the act provides that a person engaged in radio broadcasting should not be regarded as a common carrier, the Commission has nevertheless concerned itself more and more with such matters. The charge is made that the Commission is attempting to control both the character and source of program material and the contractual or other arrangements made by the licensee for the acquisition of such material.

The amendment proposed spells out in black and white what it is believed was not only the original intention of Congress but is its present intention, with respect to this subject, in the hope that confusion and controversy can be eliminated. The amendment preserves the prohibition now contained in the act against interference with the right of free speech and that against the utterance of obscene, indecent, or profane language by means of radio communication.

SECTION 12

Section 12 is designed to clarify provisions of existing law relative to proceedings to enforce or set aside orders of the Commission and in appeals from decisions of the Commission. The present law upon this subject is now found in section 402 of the act.

Paragraph (a) of section 402 deals with actions to enforce or set aside orders of the Commission except those appealable under paragraph (b) of that section. More specifically, paragraph (a) of this section relates to those orders of the Commission entered in matters involving common carriers and certain other orders relating to radio broadcast stations not now appealable to the United States Court of Appeals for the District of Columbia under paragraph (b) of section 402. Under the proposed amendment, all orders entered by the Commission in the performance of its licensing functions would be appealable under paragraph (b) and would not be brought before a statutory three-judge district court. Moreover, suits brought before a statutory three-judge court to enjoin the enforcement of an order of the Commission could be brought in the District of Columbia as well as in other judicial districts.

The principal changes proposed in paragraph (b) of section 402 can be summarized as follows: (1) Persons desiring to appeal from orders of the Commission entered in cases where the Commission exercises its licensing functions would be permitted to appeal either to the United States Court of Appeals for the District of Columbia, as at present, or to the United States Circuit Court of Appeals for the district in which they reside or have their principal place of business; (2) language is adopted which will remove doubt as to which cases are appealable and which will extend the right of appeal to persons which should have such right but which have been excluded due to imperfections in the present act; (3) the time in which an appeal must be taken is made 30 rather than 20 days, as at present, and the contents of the notice of appeal are specified with certain particularity along the lines now provided by the rules of the United States Court of Appeals for the District of Columbia; (4) jurisdiction is expressly conferred upon the court to which an appeal is taken to grant temporary relief either affirmative or negative in character; (5) the court is given authority to specify by rule what the record upon appeal shall contain; (6) the questions which can be raised upon appeal and which the court must consider in determining an appeal are specifically enumerated; and (7) the Commission will be required to comply with the mandate or decision of the court upon the basis of the record upon which an appeal is taken unless the court upon petition shall otherwise determine. Other provisions of the present act relating to the right of persons to intervene in an appeal and the right to review by writ of certiorari the judgment rendered by the courts upon such appeal are retained.

All of these changes are, in my opinion, not only desirable but necessary if adequate judicial review of the Commission's exercise of its licensing function is to be made effective.

Present language of section 402 and particularly paragraph (b) thereof is so vague as to result in great doubt concerning the proper court in which to seek judicial review in many cases. Moreover, recent decisions of the United States Court of Appeals for the District of Columbia and of the Supreme Court of the United States are such as to cast further doubt upon the meaning and application of these provisions. An illustration of this is afforded by a recent decision of the United States Court of Appeals for the District of Columbia, which finds that court to be without jurisdiction to grant interim or temporary relief to any licensee where an order of the Commission is appealed from, notwithstanding the fact that it has been the uniform practice of that court to grant such relief in meritorious cases since the first appeal taken to that court under the Radio Act of 1927.

Generally speaking, the same considerations which controlled the Attorney General's Committee on Administrative Procedure in the making of its recommendations concerning judicial review of the decisions and orders of other administrative tribunals have prompted the amendments to section 402 here proposed. But I have gone further in certain respects than the Attorney General's Committee and have attempted to adapt the theory of that report to the peculiar problems incident to the licensing of radio stations and the review of decisions and orders of the Commission in licensing such stations.

SECTION 13

Section 13 of the bill provides for such changes in section 405 of the present law relating to the subject of rehearings as are necessary to conform to the changes in the administrative organization of the Commission proposed in sections 2 and 3 of the bill. Further provision is made for delaying the effective date of any decision, order, or requirement made in any case which is the subject of petition for rehearing until after final decision upon such petition. An attempt has also been made to eliminate doubt now prevalent concerning when his petition for rehearing must be filed before judicial review of the Commission's order can be had. Under the provisions of the amendment proposed, the petition for rehearing will not be a condition precedent to judicial review except where the party seeking such review was not a party to the proceeding before the Commission resulting in such order or where the party seeking such review relies upon questions of law or fact upon which the Commission has been afforded no opportunity to pass.

SECTION 14

Section 14 of the bill proposes an amendment to paragraph (a) of section 409 of the present act which deals with the cases heard by less than a quorum of the Commission or either division thereof. The procedure employed by the Commission in cases of this character has lead to a great deal of controversy and there has been a decided lack of uniformity both in the handling of such matters and the character of reports submitted by the hearing officer. The proposed amendment requires not only the submission of a uniform type of report setting out in detail and with particularity all basic or evidentiary facts developed as a result of the evidence taken but also conclusions of fact and law upon each issue submitted for hearing. It further makes mandatory the hearing of oral argument by the Commission or the division having jurisdiction of any case upon request of any party before the entry of a final order. The Commission or division is also required to accompany any final order with a full statement in writing of all the relevant facts as well as conclusions of law upon those facts.

Here again an attempt has been made to conform to the recommendations of the report of the Attorney General's Committee on Administrative Procedure, and these provisions, if enacted, would be wholly consistent with those recommendations or any legislation which may result therefrom.

SECTION 15

Section 15 of the bill proposes the addition of an entirely new section. This section is designed to curb an alleged tendency upon the part of the Commission to discriminate in a manner not authorized by the statute between applicants for broadcast and other radio facilities and to require as a condition to grants made the doing of certain acts which the Commission has no authority under the statute to require.

When the Congress enacts a law creating an administrative tribunal and defines its powers, duties, and functions, we consider it as fundamental that the delegation of authority thus made must be limited by the enabling act. Such a tribunal has and must exercise those powers which are specifically enumerated. In addition, it must exercise those powers which are necessarily incident to the exercise by it of those powers expressly enumerated. It is not, however, authorized or permitted to set itself up as a general legislative body making its own rules of conduct and decision wholly apart from and beyond the language of the statute. The tendency to do this, prevalent among virtually all administrative tribunals, has recently become very aggravated at the Commission. This, in my opinion, must be arrested by the enactment of specific legislation along the lines here suggested.

Mr. WHITE. I should like to say, in addition to what is said in the prepared statement, that the bill does not attempt to deal in any respect with the question of chain broadcasting, or the regulations of the Federal Communications Commission recently issued on that subject, which have been a matter of a hearing before the Committee on Interstate Commerce of the Senate. I thought, that subject matter already being under consideration by the committee, I might with appropriateness await the conclusions of the committee before attempting to deal with it in the proposed legislation.

EXTENSION OF SELECTIVE SERVICE—AMENDMENTS

Mr. ADAMS and Mr. DOWNEY each submitted an amendment intended to be proposed by them, respectively, to the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes, which were ordered to lie on the table and to be printed.

ROY DE MONTFREDY

Mr. JOHNSON of California submitted the following resolution (S. Res. 151), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Roy deMontfredy, son of Albert L. deMontfredy, late a special employee of the Senate under supervision of the Sergeant at Arms, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

ADDITIONAL COPIES OF REVENUE BILL OF 1941 AND WAYS AND MEANS COMMITTEE REPORT ON BILL

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 49, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 11,500 additional copies of the bill (H. R. 5417) Revenue Act of 1941, together with the report (H. Rept. No. 1040), thereon, of which 5,000 copies shall be for the use of the House Document Room, 2,000 copies for the use of the Senate Document Room, 3,500 copies for the use of the Committee on Ways and Means of the House of Representatives, and 1,000 copies for the use of the Committee on Finance of the Senate.

Mr. HAYDEN. I move that the Senate concur in the concurrent resolution of the House.

The motion was agreed to.

RIGHT OF DRAFTEES TO PETITION

Mr. TOBEY. Mr. President, I desire to read at this time a telegram received by me this morning from New Ipswich, N. H.:

JULY 30, 1941.

Senator CHARLES W. TOBEY:
Senate Office Building, Washington, D. C:

A young friend of mine from this section of New Hampshire, stationed at Camp Hulen with several hundred other New Hampshire boys, advises that nearly all New Hampshire men in his unit have strong views regarding proposed draft extension and would like to communicate their views direct to you as their representative in Congress. He has asked my advice regarding propriety of such action. It has been suggested that War Department has issued regulation prohibiting this, even though War Department spokesmen have assumed to speak the views of the selectees in radio broadcasts stating that the draftees favor extension bill almost to a man. Do you subscribe to proposition that draftees are deprived of their constitutional right to petition their representatives in the Congress on a matter of vital concern to them and their families? Will you receive their petition? Please wire collect, Western Union.

LESTER E. SMITH,
New Ipswich, N. H.

To that telegram I made the following reply:

JULY 31, 1941.

LESTER E. SMITH,
New Ipswich, N. H., via Fitchburg, Mass.:

Re your telegram advising that group of New Hampshire men now at Camp Hulen would like to communicate their views on proposed draft extension to me as their representative in Congress, I should be glad to receive any communications from them. It is my opinion that when a man enters the military service of the country he does not become a subcitizen and that the rights under the Constitution to petition are not superceded by any military edict. That is my opinion, and the foregoing is in consonance therewith.

CHARLES W. TOBEY,
United States Senator.

Mr. VANDENBERG. Mr. President, I desire to comment on the telegram just presented by the Senator from New Hampshire [Mr. TOBEY].

If the War Deparement is to decline to allow draftees or guardsmen to say that they are opposed to the extension of the Draft Act, it seems to me the War Department ought to withdraw from the record the statements of its commanding officers who assume to speak for the men and say that the men favor the extension of the Draft Act. The hearings of the Committee on Military Affairs are full of testimony by commanding officers undertaking to say that as many as 80 or 90 percent of the men favor the extension,

yet the men themselves are prohibited from speaking for themselves.

If there is a justification for the disciplinary rule which refuses the men the right to speak for themselves, it seems to me their superiors ought not to undertake to speak for them.

DEFENSE OF AMERICA AND AMERICANISM—ADDRESS BY SENATOR PEPPER AT HELENA, MONT., JUNE 4, 1941

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address on the subject Defense of America and Americanism, delivered by him at Helena, Mont., on June 4, 1941, which appears in the Appendix.]

ADDRESS BY L. J. TABER ON THE PART OF THE FARMER IN NATIONAL DEFENSE

[Mr. BURTON asked and obtained leave to have printed in the RECORD a radio address on the subject The Part of the Farmer in National Defense, delivered by L. J. Taber, master of the National Grange, on July 19, 1941, which appears in the Appendix.]

STARVATION IN SMALL DEMOCRACIES—ADDRESS BY MRS. EVE GARRETTE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address on the subject Shall the Small Democracies Starve?, delivered on July 19, 1941, by Mrs. Eve Garrette, of New York City, which appears in the Appendix.]

OPEN LETTER TO WENDELL WILLKIE FROM AMERICA FIRST COMMITTEE OF SOUTHERN CALIFORNIA

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an open letter addressed to Wendell Willkie by the America First Committee of Southern California, which appears in the Appendix.]

ADVICE BY AN EX-SERVICE MAN TO A DRAFTEE

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD a letter published in the Atlantic City Press, Atlantic City, N. J., written by an ex-service man to a draftee, which appears in the Appendix.]

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. DOWNEY. Mr. President——

The PRESIDENT pro tempore. Under the agreement of yesterday, the junior Senator from California is recognized.

Mr. HILL. Mr. President——

Mr. DOWNEY. I yield to the Senator from Alabama.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Mo.	Hughes
Aiken	Connally	Johnson, Calif.
Andrews	Danaher	Johnson, Colo.
Austin	Davis	La Follette
Bailey	Downey	Langer
Bankhead	Eastland	Lee
Barkley	Ellender	Lodge
Bone	George	McCarran
Brewster	Gerry	McFarland
Brooks	Gillette	McKellar
Bunker	Glass	Maloney
Burton	Green	Mead
Byrd	Guffey	Nye
Capper	Gurney	O'Mahoney
Caraway	Hatch	Overton
Chavez	Hayden	Pepper
Clark, Idaho	Hill	Radcliffe
Reynolds	Taft	Vandenberg
Rosier	Thomas, Idaho	Van Nuys
Russell	Thomas, Okla.	Walsh
Schwartz	Thomas, Utah	Wheeler
Shipstead	Tobey	White
Smathers	Truman	Wiley
Smith	Tunnell	Willis
Stewart	Tydings	

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from Iowa [Mr. HERRING], the Senator from Illinois [Mr. LUCAS], the Senator from South Carolina [Mr. LUMPKIN], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from Arkansas [Mr. SPENCER], and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from New Jersey [Mr. BARBOUR], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. HOLMAN], and the Senator from Kansas [Mr. REED] are necessarily absent.

The PRESIDENT pro tempore. Seventy-four Senators having answered to their names, a quorum is present.

Mr. DOWNEY. Mr. President, I rise to speak in support of the amendment which I have proposed to the pending joint resolution. It was read from the desk yesterday, but I should like briefly to explain to the Senate what is comprehended in the amendment.

The first section of the amendment increases the compensation of those in the armed forces of the United States after they have served 1 year, who have come into the service as selectees, National Guard men, or Reserve officers, to the extent of $30 a month for each additional month served beyond 1 year, the $30 a month to be payable in monthly installments commencing after the discharge of the soldier. I realize that the amendment does not cover all of our armed forces, that if this amendment should be accepted, additional legislation would be necessary for the men who have come into the armed forces through the Regular Army or our naval forces.

Section 2 of the amendment provides for the appointment of a congressional committee, of which the Vice President, by virtue of his office, is to be chairman, three Senators to be appointed by him, and three Members of the House to be appointed by the Speaker of the House of Representatives. It shall be the duty of that congressional committee to determine the best ways, means, and methods of restoring to employment members of our armed forces after their discharge.

Mr. President, yesterday the President of the United States sent to the Congress a special message asking Congress to take appropriate measures to curb inflationary prices. I should like to say to those of my colleagues who are interested in what I have to say that that message of the President of the United States is the very strongest argument that could be made for this amendment, because as the message of the President points out, our economy is facing a serious disruption, our citizens serious difficulties because of a rapidly accelerating price structure.

I do not desire to enlarge this argument. I think it unnecessary because every economist, every editorial writer, and every Member of Congress, knows the complicated difficulties which lie ahead of our economy through disbursement of excessive purchasing power in the coming months and possibly years. We are now releasing into the channels of commerce hundreds of millions of dollars every month in the manufacture of military supplies. We are not producing consumable goods to balance the incomes that will be available for consumption. I say that the inflationary problem stated by the President is one which should receive our most serious attention.

Mr. President, let us assume that at a given price level we have been producing forty billions of consumable goods, and we distribute into the market fifty billions of purchasing power. Under a free economy we would almost certainly expect that that fifty billions of purchasing power would have to equalize itself with the forty billions of consumable goods, and that an inflation of prices would be inevitable. If we should then proceed to limit our consumable goods by another ten billion, we would then have in the Nation thirty billions of consumable goods at current prices with fifty billions of purchasing power to be allocated against it.

Just what can be done under the method proposed by the President in his message I do not know, but it is apparent indeed that one of the ways to curb inflation is to draw out of the purchasing power of the Nation the excess purchasing power, or some of it, by taxes, or to equalize incomes and consumption by the imposition of consumptive taxes.

In my amendment I am proposing that the men who become a part of our armed service shall receive an additional sum of $30 a month for the excess time served in the Army beyond 1 year. For a man who had served 1 year that would amount to $360, for a million men it would amount to $360,000,000, for 2,000,000 men double that amount, and if those 2,000,000 men should be entitled to that compensation for 2 years, something over a billion dollars additional would be required to meet the demands of the amendment.

Mr. President, my amendment cannot successfully be challenged by a single Senator present. We may not have sufficient interest in the subject to know what the amendment is about. We may not care particularly what happens to the members of our armed service, but, Mr. President, I proclaim that not one legitimate argument may be offered against my amendment. I have discussed the principle of the proposed legislation with several economists, industrialists, and Members of Congress. I have yet to hear a single objection or challenge to its merits.

The President of the United States is asking us as rapidly as possible to proceed to correct the inflationary wave which today sweeps the Nation. The proposed legislation is perfectly designed in

a small way to help accomplish that result, because the money should be raised by a tax levied which would draw away from our excessive incomes at least a portion of our excessive purchasing power.

Mr. President, I shall not consume further time upon this point. I have already said that, so far as I know, every economist in Washington, every editorial writer, every Member of Congress, admits the necessity of subtracting from the purchasing power of the Nation by means of taxes whatever amount of money we can successfully obtain. Mr. Ernest Lindley, in a recent column in the Washington Post, very simply and powerfully, and, in my opinion, accurately analyzed this problem under the title of "Curbing Inflation." I will not read the article, but will ask that it be inserted in the RECORD at the conclusion of my remarks, and I assure my colleagues the article is well worth reading, indeed.

The PRESIDENT pro tempore. Without objection, the article will be printed in the RECORD.

(See exhibit A.)

Mr. DOWNEY. Mr. President, my amendment if it should be agreed to, in addition to being a valuable help in limiting inflation, can be wholly justified by a higher reason. I say that the quality of pure justice requires the adoption of the amendment, and that it should be adopted now as a part of the law we are intending to pass. I say that justice requires additional compensation for the young men called into the armed services of our country, and I wonder if there is a single Senator who will rise to deny that proposition.

Let us think how appallingly unfair we are to the members of the armed forces of the United States. I heard General Marshall testify before the Military Affairs Committee. Handsome and distinguished, with an optimistic smile, he described the type of young man the Army desires to winnow out of the manpower of this Nation. He described a type of man of superlative ability and energy who in private life would be a most valuable and highly paid individual. Said General Marshall:

> We want young men in the prime of life. We want picked and trained athletes. We want men who can go 48 hours at a stretch without losing their morale and their energy. Yes—

Said General Marshall—

> We want young men not afraid of danger, young men of high intelligence, young men with initiative, we want the very finest type of young men we can find in the whole United States.

Mr. President, I do not suppose any of us will differ with that statement. If we once assume that we want an army at all, of course, we want the very finest type of young men to make up that army.

Let us consider this situation. Under the rule now being enunciated, selectees, while they are entitled to fight, are no longer entitled to talk. Talking about the war is a right reserved for those who do not fight. Those who do fight are taken from their homes, their careers, their communities, their families, out of their accustomed occupations, and are subject to strict, though necessary, discipline, placed in a position where they may later face the terrible hazards of a modern destructive technological war, made to work, if necessary, 10, 12, and even 18 hours a day. What do we pay them? We give them what is equivalent to $80 or $85 a month, while we are paying a basic minimum wage of $125 or $150 a month to the workers in the defense industries.

Mr. President, I ask, What possible argument can there be for singling out two million or two and a half million young men of exceptional ability, make them perform dangerous, harsh, and unpleasant duties, and then pay them less than the average paid to the workers of the Nation?

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WHEELER. In many instances young men who are called to the military service are college men who have had as much as 4 years of college training, and some even as much as 6 years of college training.

I agree with what the Senator has said. One thing that breaks down the morale of these young men in the military service is the inequality in pay which they note all around them. They find themselves receiving $25 a month, or whatever the pay may be. Then they see a man who perhaps worked next to them on the bench in the factory, and who remains at work there, drawing down $150 or $180 a month. They feel they are going to be kept in the military service indefinitely for $21 or $30 a month whatever it may be, with very little chance for promotion. The men called into service are working for the defense of their country The man who is working in the factory turning out bullets or making machines, is engaged in work for defense of his country as much as is the man who is in the Army. A man who loads defense material on a truck—and ordinarily it does not take a great deal of ability to load bullets and other defense materials on a truck—is drawing down $125 a month. But the boy who has to go out and work and drill is getting $21 a month and his board. It simply does not seem fair to anyone who gives the matter a single thought.

I am glad the Senator from California is bringing up this question. I am told that in Canada men called into military service receive $41 a month. I am not sure about that, but that is the information which comes to me. Does the Senator know anything about that matter?

Mr. DOWNEY. I know that they receive more than the men in our own Army.

Mr. WHEELER. I am told that they receive $40 a month.

Mr. DOWNEY. The per capita wealth is much less in Canada than it is in our own country.

Mr. WHEELER. It is much less than it is in our own country.

Mr. DOWNEY. I thank the distinguished Senator from Montana very much for his contribution.

I take it that every Senator is in agreement with what the Senator from Montana has said. I do not think there is a Senator who does not consider it unfair, and unjust to draft the young men of the Nation, compel them to submit to arduous duty, and give them less than the basic pay of workers in defense industries.

Mr. President, the only argument I have heard made in opposition to the position so ably stated by the Senator from Montana is this, "You cannot reward a soldier. He may be a potential lawyer, physician, or chemist. He may be leaving a position which pays him thousands of dollars a year, or he may be capable of earning thousands of dollars a year. He may destroy his career or injure his health. He may pay the supreme sacrifice by giving up his life upon the altar of his country." Those who argue thus, with very lame logic, say that since we cannot fairly and entirely compensate our draftees because it is not within our power, therefore we should not do what we can do easily and within reasonable limits.

I admit that we cannot fairly pay our men. Of course, we cannot. We never shall be able adequately to pay tens of thousands, or hundreds of thousands of them, if they are ever actually called to the bloody fields of war. But we can pay the amount which I have suggested. We are now spending more than $1,000,000,000 a month for military equipment. If present plans are carried out, within a year we shall be spending $2,000,000,000, and within 2 years $3,000,000,000 a month.

Military men say that half the importance of an army lies in its equipment and half in the morale, intelligence, and energy of the men who operate that equipment. Yet military men are unwilling to pay to the men who operate the equipment even a small fraction of what they are willing to pay for the production of the equipment, in which great sums are disbursed in profits and capitalistic charges.

Mr. WHEELER and Mr. TOBEY addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from California yield, and if so, to whom?

Mr. DOWNEY. I yield first to the Senator from Montana. Later I shall be glad to yield to the Senator from New Hampshire.

Mr. WHEELER. The other night I was talking with a friend of mine, and arguing along somewhat the same lines the Senator is now arguing. He said, to me, "Senator, we cannot afford it."

We have appropriated $7,000,000,000 to give to foreign nations. I have no objection, and when the lend-lease bill was under consideration I stated that I did not have any objection to appropriating money out of the Treasury for the purpose of aiding England so long as England would come over here and get the material. We are now giving $7,000,000,000 to England, China, and other countries. Before very long I expect to see another bill before Congress, asking for probably $10,000,000,000 or $12,000,000,000, or possibly $15,000,000,000—to be given to whom? To Russia, China, and other countries.

I have no objection to giving money or material to Russia if it is necessary; but I say that if this country can afford to give billions of dollars of the taxpayers' money to Russia, China, and other countries, and it is being given in the name of defending the United States, then certainly we can afford to pay the American boy a decent compensation so that he may get married if he so desires, and so that when he comes out of the Army he will have something.

The Senator knows, as I know, that when this war is over we shall have a dislocation of employment. We shall have not only a dislocation of employment on the greatest scale this country has ever seen, but we shall have inflation, in spite of anything the administration can do. Then we shall have another deflation, which will make the last deflation seem like a Sunday-school picnic.

I am worried, not about the present situation, but about what is to happen to democracy in the United States, regardless of what the outcome of the war in Europe may be. Instead of hiding ourselves under a bushel, instead of being afraid that somebody is coming over here to capture this country, instead of being afraid that Hitler or a Communist is hiding behind every sagebrush, what we ought to be worried about is whether we shall be able to preserve democracy in the United States after we have spent billions upon billions upon billions of dollars, giving it away to every country in the world that comes here and asks for it. What is to happen to us after this war is over? That is the question to which we ought to be giving thought.

Mr. DOWNEY. I thank the distinguished Senator for his comment. I now yield to the Senator from New Hampshire.

Mr. TOBEY. Mr. President, I concur in the remarks of the Senator from California, and also in the remarks and presentation of the distinguished Senator from Montana.

With respect to the amendment, and the legislation it would bring into effect, it is said, "We cannot afford to do it." I go further and say that we cannot afford not to do it. I know from my own correspondence and acquaintance with men in the service that after receiving their monthly pay checks they have about $5.50 left after paying for their laundry and other expenses. One of the necessities for the men in camp, in which they find comfort and solace, is a package of cigarettes. Today when they buy those cigarettes they must pay a Federal tax of 7½ cents, in addition to the full retail price of the cigarettes. That is an injustice. It is our duty to correct such situations so far as it lies within our power to do so.

Mr. DOWNEY. I thank the Senator.

In order that we may have some idea of what this amendment may ultimately cost the American people, let me say I doubt whether the cost would go beyond one billion unless we should be precipitated into a dismal and tragic decade of European struggle. We certainly shall be spending not less than $20,000,000,000 a year on military equipment and $1,000,000,000 is only 5 percent of $20,000,000,000. I say that we can well afford to give that additional amount to the members of our armed forces as a matter of justice.

Yesterday the distinguished Senator from Utah [Mr. THOMAS], in a rather facetious way, I take it, said that all Senators, or all men, fall within one of two classes. They are either lawyers or sentimentalists. I do not know exactly what the distinguished Senator meant, but he said that he was a sentimentalist. He is a member of the committee presenting the joint resolution. I am sure it is not necessary for a man to be a sentimentalist to do justice to the men with whose lives we are now concerned, whose careers and destinies we are helping to make or unmake.

No, Mr. President, I do not appeal for a vote from any sentimentalist. I appeal to every Senator who is a believer in justice to fix a pay schedule which will make the compensation of our armed forces at least approach that paid as a basic wage in defense industries.

But, Mr. President, in one way I sympathize with the military leaders. I think I understand their psychology. I admire our generals and admirals. I think, generally, they are men of high ability and high character. But their business is the business of war and death and destruction. Necessarily they come to deal with men in great masses, as numbers or units, and I take it that they would take very little interest, either upon the ground of economics or upon the ground of justice, in my appeal in reference to this measure. But I should like to offer this advice to the military leaders of this Nation:

These selectees are not different from other American citizens; and I take it, from a long lifetime of experience, that generous and fair treatment richly rewards itself. If we, the Congress of the United States, and the leaders of our Army and our Chief Executive, want the finest type of army that can be builded, then let us deal with that army justly, fairly, and liberally. A gesture of this kind from the Congress of the United States as a part of this measure would be a wise and provident act from the standpoint of the military leaders themselves, whose chief concern is how to mobilize an army that may be the most destructive, regardless of what may happen to the members who compose it.

Mr. President, not only would this amendment conserve economic ends, not only would it be pure justice, not only would it result in stimulating the morale, the energy, and the patriotism of our Army, but this measure would perform another function. It would provide a fund—scanty, it is true, but nevertheless a subsistence—that the discharged soldier would have coming into his possession every month over a period of months while he was seeking to reestablish himself in civilian pursuits. Mr. President, it does not take any imagination to know that 1 year or 2 years or 3 years or 4 years or 5 years or 10 years from now we are going to be turning out onto the highways and byways of America hundreds or thousands or millions of young men from our military camps into a world of breadlines and increasing unemployment. Perhaps we are too busy struggling in this war to prepare for that year which is inevitably going to come.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes; I yield.

Mr. WALSH. Has the Senator from California any figures indicating the amount of money an enlisted man in the Army receives after the deductions are made in order to pay for his laundry and for other services rendered him?

Mr. DOWNEY. I have not the specific figures, I may say to the distinguished Senator. I have taken the statement of the Army leaders themselves that they consider that a first-class private after the first 4 months receives the equivalent of between $80 and $85 a month—counting his room and board, I imagine, at a rather generous sum. In my argument I take it that that is about the value of what our soldiers are receiving under the present law.

Mr. WALSH. I recently saw some figures bearing on that point. I regret that I do not have them in mind. Perhaps the distinguished Senator from Alabama [Mr. HILL] can give them to us. What is the average net amount, after the deductions are made, that a private receives?

Mr. HILL. Mr. President, if the Senator from California will yield, let me say that I have seen what purported to be figures on that point; but I do not recall them at this time, I am sorry to say.

Mr. WALSH. Was the Senator impressed, as I was, by what appeared to be the smallness of the amount?

Mr. HILL. I was; yes.

Mr. WALSH. I think it would be helpful to the Senator from California to get those figures, so as to determine the exact amount received.

Let me say, while I am on my feet, that what has troubled me very much about this situation is the disparity between the amount of money paid to the worker who makes munitions and the amount of money paid to the soldier who handles them and who offers his life, and sacrifices it if necessary, for the protection of his country, and also the fact that no one today can be a good soldier, under the conditions of modern warfare, unless he becomes an experienced mechanic. He must be a mechanic, using that term in a broad sense. He must be able, if his task is such, to drive a tank, to operate it as a chauffeur would operate it or as a truck driver would operate it. He must have all the degree and extent of knowledge possessed by men highly paid in civilian life. I confess that I have been distressed to think we are asking young men to serve our country for the meager amount of money we pay them. I do not know whether that is the Senator's reaction.

Let us take the case of four young men in one family, all of draft age. One is deferred because he is a divinity student; another is deferred because he has a physical defect; another is deferred because he is working in a munitions factory; the fourth goes into the military service. He is being asked to assume, it seems to me, a very unequal and inde-

fensible burden in a time of emergency such as this, without being properly compensated.

Mr. DOWNEY. I appreciate very much the Senator's remarks.

Mr. HILL. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes; I yield to the Senator from Alabama.

Mr. HILL. As the Senator from Massachusetts, the distinguished chairman of the Committee on Naval Affairs, well knows, during normal times—that is, when we are not confronted with any threat, when we are not thinking in terms of any danger or any possible danger that might be forced upon us—it is very difficult to get anyone very much interested in the welfare of our soldiers or our sailors. We are thinking other thoughts. We do not stop to try to work out a fair and equitable pay system for our soldiers and our sailors. Then we find ourselves catapulted overnight, so to speak, into a situation such as confronts us today, and we are in such a mad rush on more pressing matters that there is little time to sit down and try to work out a fair system of pay. Is not that true?

Mr. WALSH. There is a good deal in what the Senator says. I expect later to develop an idea which I have entertained for a long time, which I expressed when the selective-service bill was before the Senate, namely, that, although I recognize the emergency, as the Senator says, I am convinced that we are making a great mistake in building up a draft army. I am convinced that the only way to have a sound, up-to-date, modern, thoughtful, powerful defense army in this country is through the voluntary system; and I am convinced the voluntary system can never be realized unless we offer largely increased pay over that which we are paying today. I am convinced that we could get all the men we would need to make a career of the Army if we offered the same pay, as we ought to do, which is provided for workers in navy yards and arsenals, for these men must become highly trained experts and engage in a life work. I think the sooner we turn our attention to that phase of the fundamental and lasting problem which confronts us the better.

That is all in part answer to what the Senator has said. There is an emergency; and such a plan as I have suggested would take time to work out, but we ought to be considering it, working on it, and developing it. I am convinced that nothing would be more ruinous to our defense in the long run than to rely upon a shifting, changing draft Army, and a shifting, changing personnel of the Navy. It is a profession that requires continuous training, continuous service, a service which must go on from year to year, as a toolmaker or a mechanic must go on with his work from year to year. Men, in my opinion, if paid accordingly would be content to make the Army or the Navy a life career.

I submit those views for the attention of the Senator and the Senate.

Mr. HILL. Mr. President, the Senator knows that the War Department has been striving and is striving now to build up the personnel of the Regular Army and the volunteer force that enlists for a period of 3 years.

Mr. WALSH. But I do not think it will be possible to do that on the present standard of pay. I recognize the difficulty. We are to blame as much as the Army, and I am not blaming the Army.

Mr. HILL. I think we are far more to blame than the Army, because I believe if we go back and examine the annual reports of the Chiefs of Staff and the Chiefs of Naval Operations, we will find that in any number of their reports they have stated and urged upon Congress the necessity of a study of this question, looking to many improvements in the pay of both soldiers and sailors.

Mr. WALSH. I thank the Senator from California for permitting us to exchange these observations.

Mr. DOWNEY. I thank the Senator for his very splendid contribution to the discussion, and I wish to say that I am wholly in agreement with what the distinguished Senator has said. I think we made almost a fatal mistake when, almost a year ago, we started out upon this program. I think everybody here and everybody in the Army knew we could not train men in 12 months; I think we all knew that we were starting out upon a ground of quicksand and that we would, in this modern age, have ultimately to come to a sort of professional Army. As a matter of fact, I voted against the Selective Service Act, because I knew this day of confusion and chaos would come, and not only would it probably find us right in an emergency such as this but that we could not begin to train the young men for the Army service in a 12 months' period.

Mr. President, apparently it is difficult when a nation is engaged in war to realize that days of peace will ever come again, or when a nation is at peace that almost inevitably war will come. We should know that over the course of all history wars and peace have inevitably and regularly succeeded each other, and we should be able today to know that the day is coming, and is not very far distant, when the young men we are now marching into Army camps will be discharged.

When I submitted this amendment before the Military Affairs Committee I think, Mr. President, that almost every individual there, as an individual, expressed himself as being heartily in favor of the amendment, but the spirit that is destroying this Nation, the spirit of mañana—put off, put off, put off—was again prevalent. We have been prepared, I will say, for not a single crisis that has come upon us, although the crises have been plainly evident to everybody.

Now we are considering in the Senate this measure by which we are going to disrupt the lives and upset the plans of hundreds of thousands of young men. I say to the members of the Military Affairs Committee that this is the proper time to write into the bill what we are going to do for these young men who, having been brought into the Army under the expectation that they would serve for 1 year, may, Mr. President, be there for an indefinite period.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. DOWNEY. Let me finish this thought and then I will yield. So I say, Mr. President, now is the time to deal with this problem.

One very distinguished member of the Military Affairs Committee says, "Yes; we realize that these young soldiers will have to be paid a bonus, but let us wait until the war is over and they are discharged, and then raise the bonus." Yes; let us await that date. When we have torrential sums of excess purchasing power, let us not throw that excess purchasing power into this fund. That would be rational and sensible, but we will not do it. Let us wait until collapsing industry discharges, I say, tens of millions of workers; let us wait, if we agree with some members of the Military Affairs Committee, until an ominous debt of perhaps a hundred billion dollars throws its shadows over us and there is no excess purchasing power but a great dearth, and then let us raise the money. Mr. President, this sort of a measure is so clearly indicated by every kind of argument that the Military Affairs Committee itself should be presenting something of the kind to the Senate.

Mr. WHEELER. Mr. President——

Mr. DOWNEY. I yield to the Senator from Montana.

Mr. WHEELER. Along the very line the Senator is arguing, let me say that when the bonus bill was under consideration by the Senate I read into the RECORD an editorial from the Baltimore Sun—probably one of the most conservative newspapers in this country, and a great newspaper—in which the editor said that the time to have thought about the bonus was at the time we were creating the Army to send across the water.

When I finished reading that editorial I shall never forget that Mr. Dwight Morrow, then Senator of the United States and former ambassador to Mexico, and a partner in the House of Morgan, called me into the cloakroom and said to me, "Senator, you are exactly right. The time to have thought about it was when we were about to send the boys into war."

So I say that I entirely agree with the Senator from California. The time to think about these things, the time to think about the cost, is now, instead of being carried away with hysteria and saying to the boys, "You must serve", and then not want to pay them.

May I further interrupt the Senator to ask that an open letter be placed in the Appendix of the RECORD? I do not want to put it in as part of the Senator's remarks, but I desire to have printed in the Appendix an open letter which was addressed to Mr. Willkie when he spoke in the city of Los Angeles by the America First Committee, and which was written by my son as acting chairman of that committee. I would not ask to interrupt the Senator, but I have to leave the Chamber. My son quotes Mr. Willkie when he spoke at Rushville, Ind., when he said:

I shall never lead this country into any European war, and when I say that I mean it.

I ask unanimous consent that that open letter be inserted in the Appendix of the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WHEELER. At the same time, I ask to have inserted in the CONGESSIONAL RECORD a postal card of which 7,000,000 copies were sent out during the last campaign by friends of Mr. Willkie. They were turned over to Mr. Willkie's friends, and were sent out under the frank of Mr. Ralph E. Church, 7,000,000 of them. The Democratic administration in 1936 sent out 13,000,000. This card is entitled:

Roosevelt + third term = war.
Willkie + defense = peace.

Then on the front part of the card is the following:

Every r asonable person in America knows that the New Deal has failed to solve our big problems. Business is still bad, unemployment is still bad, the outlook for the future is still bad. What does this really mean? It means that if Roosevelt is reelected in November, the New Deal will have to do something quickly to take the public's mind off our unsolved national problems. And what will this something be? The answer is—war.

That card was sent out by Mr. Willkie's friends to help elect him President of the United States. Seven million of those cards were sent out at that time.

On the reverse side of the card there is also this statement:

A third term means war.
Roosevelt + third term = war.
Willkie + defense = peace.

I shall not read all of the card, but I ask that it be inserted in its entirety in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

A THIRD TERM MEANS WAR

ROOSEVELT + THIRD TERM = WAR
WILLKIE + DEFENSE = PEACE

This is what I would like to say to every voter in the United States:

Let us get down to facts about the third term. We have all heard a lot of talk about Franklin D. Roosevelt wanting to stay in office because the country needs him in these crucial times. That is plain nonsense. He and his party want to stay in office because they are ambitious politicians. And ambitious politicians never go out of office unless the voters turn them out.

If Roosevelt wins a third term, what is to stop him from getting a fourth term or a fifth term? Nothing. Another term for the New Deal will entrench it so strongly in America that the voters will never be able to drive it out. Already the New Deal politicians are telling the country about their indispensable leader. Another 4 years of threats and promises and spending and fake emergencies, and their whole party will be indispensable.

But that is not the complete story about the third term. Every reasonable person in America knows that the New Deal has failed to solve our big problems. Business is still bad, unemployment is still bad, the outlook for the future is still bad. What does this really mean? It means that if Roosevelt is reelected in November, the New Deal will have to do something quickly to take the public's mind off our unsolved national problems. And what will this something be? The answer is war.

War in Europe, war in the Far East, war in our own Western Hemisphere. Figure it out for yourself. What other course is open to Roosevelt? He has tried everything that the New Deal "brain trust" could conjure up—and the only result is a national debt of $45,000,000,000 and a bankrupt future. But war would solve all of Roosevelt's immediate political troubles by creating a blanket emergency. It is the same scheme that Hitler and Mussolini worked. And with Roosevelt's war over—unpremeditated though that war might now be—and this country prostrate and exhausted, the New Deal would be like the Nazis in Germany in 1933. There would not be any other party.

The main issue before the American voters today has been purposely muddled. But do not be fooled by long words or fancy phrases. Roosevelt and his followers want to stay in office because they are ambitious politicians. If they win in November, this country will go to war. And what happens after that war starts will be disastrous to every man, woman, and child in the United States. The America that you and I have known in our lifetime will be gone forever.

To Roosevelt, war may be inevitable to perpetuate the New Deal in office.

To Willkie, war can be avoided by making our Nation so strong as to be feared by dictators.

So forget about the side issues that the New Deal is now using as a campaign smoke screen. Stick to the simple, fundamental, vital facts. Let every voter on election day remember that a vote for third-term Roosevelt assures war and disaster; a vote for Wendell Willkie insures a nation at work and at peace. (Extension of remarks of Ralph E. Church, Member of Congress, in CONGRESSIONAL RECORD, October 21, 1940.)

Mr. TOBEY. Who sent out that card?

Mr. DOWNEY. May I inquire of the Senator whether, by his insertion of that card in the RECORD, he will vouch for its authenticity as to facts?

Mr. WHEELER. No; I am not seeking to do that, but there are a great many people who subscribe to that idea. I am simply saying that this is what Mr. Willkie was saying and what his friends were saying during the campaign, and it was the thing that finally brought Mr. Roosevelt to the platform to resent it when he was speaking before the Teamsters' Union. He was bitter in his denunciation of the persons who charged that he was going to take the country into war. He said, "Again and again and again I promise the American people that your boys will not be sent into this war." I call attention to the card because of the fact that Mr. Willkie is out today campaigning up and down the country, urging that we take action now, urging that we go into war, saying that his campaign promises were merely "campaign oratory."

While I am on this subject, if the Senator from California will pardon me just a moment further, Mr. Willkie held a meeting in the Senator's great city of Los Angeles. I have here a letter from my son, who happens to live in the Senator's city, in which he gives a very clear picture of what took place at the Willkie meeting. He says:

Mr. Willkie was also in town, and his meeting was a great failure. For about a week preceding the meeting there was tremendous radio, billboard, and handbill advertising. The mayor, the Governor, and all the names available lent themselves to the effort to make this a gigantic demonstration. There was a large committee with many names among the motion-picture industry. The committee was headed by Dr. Millikan of California Tech, and Willkie toured the aircraft plants. Everyone was urged to attend the meeting. The motion-picture studios formed parades to go to the Bowl—

The motion-picture industry has been carrying on the most gigantic campaign of propaganda for war that was ever known in the history of the United States.

The motion-picture studios formed parades to go to the bowl. Orders went out to the employees to participate. They had a tremendous luncheon the day before, at which the applause for Willkie was rather perfunctory. Then came the meeting, at which a popular film star was master of ceremonies. There were 30 other prominent film stars on the platform and participating in the program.

I wonder how many of them were refugees, and how many of them were American citizens.

In fact, they had everything but a crowd. There were not more than 15,000 people at the meeting compared with forty to fifty thousand at the Lindbergh rally, where we had little advertising, and no outside names other than my own and Joe Scott. The contrast has brought forth widespread comment. An interesting side light was that a prize fight between a "Turkey" Thomson—

I do not know "Turkey" Thomson—

and Bob Pastor drew 14,000, who paid from $1 to $5 to attend, while the Willkie meeting was free, and no collection was taken.

If there could be more convincing evidence of the trend of popular feeling, I don't know what it is. There is no doubt in my mind that after this meeting and the one in San Francisco, which undoubtedly will be similar in its failure, Mr. Willkie is through.

Then he goes on to say that a very close friend of Mr. Willkie's, and a man whom I know, was in his office, and he said:

They would not have any crowd in San Francisco were it not for the fact that the administration had sent out orders to all of the labor unions in San Francisco to attend the Willkie meeting.

Mr. President, if I may interrupt the Senator further, my attention was also called last night to the fact that when one of these men was speaking over the radio the other night for the so-called Friends of Democracy—whatever that means—the Navy Band played. The Navy Band is being used to carry on propaganda for one side of this controversy; and the other night, when a meeting was held in the city of New York, again the Navy participated in the rally for the so-called Friends of Democracy, or the White committee, or something else. While they are denouncing those who differ with them, while they are using the Navy Band and the Navy to stir up enthusiasm and to attract crowds, while they are using the motion-picture industry, while they are using all the well-known actresses and actors, many of whom are made to go because their masters in the industry say, "You must go and take part in the meeting," even then they cannot get crowds to attend the Willkie rallies or these other rallies.

I have here a letter from the Twentieth Century-Fox Film Corporation, from which I read:

Mr. Wendell Willkie speaks at the Hollywood Bowl this Wednesday night at 7 o'clock.

He comes to Hollywood, giving freely of his time and his energy and paying his own expenses, to speak to us of the industry on national unity. It is imperative that the Hollywood Bowl be crowded to overflowing. Mr. Willkie must leave Hollywood realizing that the motion-picture industry is behind him in his fight for national unity. He must know that the good Americans of Hollywood can turn out as strongly as the bums and the other subversive elements turned out for Mr. Lindbergh.

By whom is that signed? It is signed "D. F. Z." Darryl F. Zanuck, or something of the kind. I do not know who he is. [Laughter.]

I read now from another letter from the Twentieth Century-Fox Film Corporation:

All department heads, unit managers, assistant directors, scrip clerks—

It is from William Koenig.

All personnel of each department will be dismissed today at 4:30 p. m., in order that they will have time to go to the Hollywood Bowl to hear Wendell Willkie make an important speech.

Also, with the exceptions of the Ford, Renoir, and Walter Lang companies, all shooting companies—

I do not know what they mean by that. [Laughter.]

are to be dismissed at 5:30 p. m.

Everyone should be instructed to go direct to the parking lot behind the American Legion post on North Highland Avenue, where they will be given a badge admitting them to the section reserved for the motion-picture industry. They will then form a parade and, at 6:15 p. m., will march from the American Legion post to the Hollywood Bowl. It is important that everyone leave the studio immediately upon dismissal so that they can be at the American Legion post by 6 o'clock.

You will not be able to park your cars at the American Legion post, and that is why we are dismissing everyone early, so they will have time to find a parking space.

Please post this letter on your bulletin boards immediately, and be sure that everyone in your department or in your company is notified.

WILLIAM KOENIG.

Mr. TOBEY. Is there an asterisk after that, and a footnote at the bottom of the page, "Hereof fail not at your peril"?

Mr. WHEELER. No.

Mr. TOBEY. It is implied, anyway, is it not? [Laughter.]

Mr. WHEELER. It certainly is. Let me read another paragraph from the other letter:

I want you personally to let Col. Jason Joy know that you have canvassed all the members of your department, so that you may report to him on what attendance may be counted upon from your department.

Talk about coercion. They are told to canvass every man in the motion-picture industry so that they will go out to hear this great war maker, Mr. Willkie, the man who said, "Roosevelt and third term mean war. Willkie means defense and peace."

What a tragedy. Then, as I have said, 15,000 people were all the motion-picture industry in Los Angeles could gather. Talk about subversive propaganda. Who is back of it? Some are saying that they are told to get out these pictures by the administration. In my judgment, that is merely their alibi. I cannot believe that either the State Department or the White House is telling the motion-picture industry that they want them to get out war pictures to drum up war sentiment in the United States, but that is the alibi they are using, and I think probably the Senator from California knows it, because it has been told to me.

Mr. DOWNEY. Let me suggest to the distinguished Senator——

Mr. WHEELER. I beg the Senator's pardon; I am about to conclude.

Mr. DOWNEY. No; I merely want to make a comment on what the Senator is saying. Perhaps the reason why our good California citizens did not go out to listen to Mr. Willkie was that the Democrats considered him a Republican, and perhaps the Republicans considered him a Democrat. [Laughter.] Perhaps that is the explanation.

Mr. WHEELER. It may be; but the real explanation is that they had to drive them like sheep to hear a war speech by Willkie. Go where you will over the United States today, I do not care where it is, whether New York City, or Chicago, or Boston, or even Miami, Fla., the war makers in this country cannot get the people to go to hear them.

I hear talk about sentiment. I read an article this morning in Mr. Knox's paper saying that those who wanted peace and were trying to keep us out of this war were a small minority. A small minority? Mr. Willkie certainly spoke in Chicago and in New York, but the same evidence comes to me about the attendance everywhere he has spoken; they have to drive the people, they have to follow the tactics of the manufacturers who used to drive their men to the polls to vote for the opposition candidate, frightening them by the threat that they would lose their jobs unless they voted against the Democratic Party.

We hear that we are fighting for democracy. Fighting for democracy? While we are talking about fighting for democracy in Europe, we are destroying democracy in the United States. I say, shame on the motion-picture industry, shame on the ladies who are exciting the people of the United States to war. Shame on them; they should be in better business. I want to give credit where credit is due. Will Hays said yesterday, or the day before, that when people pay their money to go to a motion-picture show they do not go there to hear propaganda, but that they go there to see a picture. He said, in substance, that the motion-picture industry should not be carrying on propaganda. Yet we find that being done in the March of Time. I received an anonymous letter a few days ago from someone working on the March of Time. The writer of the letter said he had seen a preview of the new picture about to come out, and that he was disgusted with it. But he said he depended for his livelihood on that industry, that he felt like quitting, but he could not quit because he had dependents to support.

There is an attempt being made to drive the American people, like sheep, into war but, thank God, in spite of the motion-picture industry, in spite of the propaganda over the radio by commentators and others, in spite of all the newspapers which are carrying on such propaganda, the American people are standing firm. They are opposed to war. The opposition is not a minority. I challenge any Member of the Senate, I care not whether he is from the North or the South, to take an honest poll of the people in Alabama, or the people in Georgia, or the people in any other section of the country. Such a poll will disclose that the overwhelming majority of the people are opposed to steps leading us into war.

Certainly the people have been for some of the measures which have been proposed, because they were told upon the floor of the Senate that they were peace measures, designed to keep us out of war. But finally the American people are awakening to the fact that they are not peace measures, but are measures leading step by step, step by step, down the road into the bloody conflicts of Europe's age-old wars.

The people are protesting against that. They come to us by the hundreds and the thousands and say, "What can we do? My Senators will not listen to me. My Senators will not see me. My Senators will not answer their mail. What can we poor people do to get the people of this country to stop this movement that means catastrophe and disaster, not only to my boy but to the American Republic?"

Mr. President, this thing means catastrophe to the richest and most powerful of the nations of the world, blessed as no other nation in God's creation has been blessed with natural sources, blessed with multitudes of streams, inexhaustible minerals and fertility of soil, blessed as no other nation has been blessed by the Creator, and yet here we sit supinely while we see the Nation being led to catastrophe and destruction because some say, "We want to go over across the water, we want to fight over there."

The other night someone told me that in New York a prominent official went to see the president of a university and asked him, "Are there any caves up here?" The president of the university said, "No, I do not know of any caves." The other man said, "Well, we want to find some caves where we can put away the books of the city of New York."

Mr. President, that reminded me of something that happened during the last war. I think perhaps I have mentioned it before, but it bears repeating in view of the silly hysteria we see even in the United States Senate. Persons come to us and say, "We are in an emergency. This Nation is threatened." Who is saying that? And do those who say it give the Senate any facts or do they give only conclusions? Are the Members of the Senate so simple-minded that they are not entitled to facts? Are the American people so stupid that they cannot be given the facts? Oh, no; we must turn over the powers of the Government of the United States to one man; we must turn over the lives of American boys to the Army chiefs, we must break our promises to the youth of the land and say

that what we do is done in the name of flexibility. The Army chiefs may say to my son, "You may leave the Army," but they may say to your son, "We have got to keep you because you are more able and more brilliant."

Mr. President, we do not have the courage, we do not have the intestinal stamina, we do not have the "guts" to stand up and assert ourselves and say that we will enact legislation providing when the boys may go home.

Shame on us! What a plight we are getting into in the name of "flexibility." Do Senators think for one moment that the American people are going to stand for it? I say here and now that if my Democratic colleagues and if the Democrats of this country do not have the courage to take a positive stand, if they are going out to deceive the American people, and if the Republicans are going out to deceive the American people, if the leadership of the Republican and of the Democratic Parties have failed, then watch out for what will take place when another campaign occurs. Make no mistake about it, the Republicans are not going to be duped as they were the last time by Mr. Willkie. They are not going to be duped by men who say that their preelection statements were simply campaign promises.

In closing, I wish to say that I had many queer experiences during the last World War hysteria. I will relate one of them. I received a telegram from the Department of Justice saying that German airplanes were flying over the Bitterroot Mountains. I sent an F. B. I. man there to investigate. He came back and reported he could not find any evidences of any such thing having happened. I telegraphed Washington, and received a telegram in reply stating that good citizens of the locality, high-class citizens, said they had seen German airplanes flying over the Bitterroot Mountains.

So I sent a United States marshal there to investigate. He came back and reported he could not find any evidences of such occurrences. Then I myself went there and talked to some of the people in question. They were honest, they were sincere, they actually believed they had seen planes flying over the Bitterroot Mountains. They did not know whether they were German planes, but they believed they had seen planes flying over the Bitterroot Mountains. So I went to the captain of the fort and said, "What is there about this rumor?" He replied, "Mr. WHEELER, have you ever been in a little town called Hamilton, and have you come down through that beautiful valley at night?" I said "No." He said, "You ought to take the trip. Go through that arroyo and look over your left shoulder while riding in the automobile and you will see the evening star, and as your automobile is moving it looks as if that star is moving also." He said, "That is all there is to this rumor. Those good people have actually got into such a condition that they think they can hear the buzz of the airplanes."

We see similar evidences of hysteria around us today. One example, to which I referred, is the quest for a cave, where the books of the city of New York could be hidden. Either such persons are crazy or some of the rest of us are crazy.

During the last war I walked into the office of the Federal judge in Montana, Judge Bourquin, one of the most able judges in this country, a man who was so pro-English and so pro-Ally that he said to me one time, "I hope to see the allied flag flying over the Krupp factories, and I hope to see Berlin nothing but cow paths." But after we got into the war and hysteria struck the country he tried to reason with people and by means of argument and persuasion to stop the hysteria. He was threatened with impeachment and being thrown out of office simply because he was trying to enforce the law as he saw it. I walked into his office one day and said to him, "Judge, am I crazy or is everybody else crazy?" He said, "I have been asking myself the same question."

Now today we see the same kind of crowd trying to stir up war hysteria, trying to frighten the American people, trying to frighten the Senate and the House of Representatives. They are trying to frighten the American people, not with facts, but with conclusions. They want us to give to the Army the absolute power over the lives of the men in service and the right to say, "You serve" to one, and to another "You go home"—all in the name of flexibility.

"In the name of flexibility." That is a new term used for the purpose of setting up a dictatorship and a new term for the purpose of saying that Congress should abdicate the powers which it was intended to exercise under the Constitution of the United States.

Mr. President, I imagine that, under the lash, the Senate is going to do that. But, notwithstanding anything anyone may say—whether the "friends of democracy," the motion-picture industry, or all of them combined—my consent will never be given to such action. I do not wish to see the Army destroyed, but I say that we have the ability, we have the intelligence in this body, to work out some plan which will not be looked upon as a betrayal of faith with the soldiers who enlisted in the faith and trust that they were to remain in the service for a year. They had that faith and trust when they were dragged in by the scruff of the neck and told, "You are going to be here only for so long a period of time." We can work out something that will not be a betrayal of faith; we can work out something to keep the faith with the American boys called into service.

Oh, yes; but someone may say to me, "General Marshall said so and so." At one time General Marshall said that we needed only 375,000 men. Then he said we needed from 450,000 to 500,000 trained men. For what? For the defense of the United States and the Western Hemisphere. We have a Navy which can defend the Western Hemisphere. What do the military men want—a mechanically trained professional Army of 450,000 or a vast Army to be used as an expeditionary force?

I do not know of any Senator who is not in favor of having a well-trained professional Army. Every Senator and every military expert knows that we should have such an Army. I do not know of anyone who is opposed to it. But if we break faith with the millions of boys who are now in the Army, and with their wives, sweethearts, mothers, and fathers, I fear for the welfare of the United States. That is far more important than that General Marshall or some of the other military men should have their way.

I respect General Marshall as a great general. He is probably a great fighter. But he carries out the policies of somebody else. When he is told, "This is our policy," he must change his opinion with the changing policy.

When the Military Affairs Committee and the Naval Affairs Committee met, I wish they had met in executive session, and had called in the admirals and generals down the line and let them testify, because I think many of them would have given both committees a picture quite different from that given by our Secretary of the Navy, Colonel Knox, and our Secretary of War, Mr. Stimson.

The philosophy of government of military and naval men is quite different from ours. They are trained in a different philosophy than are Members of Congress. They are not trained in the same school. They are trained to be dictators and war makers, and to have an army that will do their bidding. If a Member of Congress dare not write a letter to a soldier, it will not be long before the soldiers will be told "You may not read a newspaper." It will not be long before they will be told, as Hitler tells his people, "You may not have a radio, or listen to the radio." That is what will come next. Are the civil rights of the boys in the Army to be taken away, so that they may not think or read?

One boy wrote to me the other day and stated that he had orders from his commander to the effect that any letter the boy might receive from me should be sent immediately to the commander. I have not written any such letters. I have not even answered the thousands of letters which boys have written to me, because of the fact that I did not want to see them punished by some sergeant, or captain, or some other officer. I did not want to see them discriminated against.

Things are coming to a pretty pass when we talk about democracy and yet a Member of Congress dare not write to a boy in camp, who is willing to give up his life, willing to sacrifice what none of the rest of us is sacrificing. If he may not read a letter from a Senator or a Representative, if he dare not express his opinion, if he does not dare to write to the President of the United States or to his Senator or Representative without fear of punishment, what are we coming to? What will these boys think about democracy in the future? It is the most amazing situation that has ever been presented to the American people or to the Congress.

We did not find anything of that kind when Newton D. Baker was Secretary of War. He would not have stood for it for one moment. He was a great Democrat

and a great liberal. But, of course, we now have in the Cabinet, at the head of the Navy and at the head of the War Department, two men who have been among the most reactionary Republicans known to the Republican Party. I say that in all kindness. They are the ones who are guiding the destinies of the War Department and the Navy Department and making the policy for the boys. Men who call themselves Democrats follow them blindly. Men who call themselves Democrats follow Wendell Willkie, whom they were denouncing a few months ago. He is making their policies. He is telling them what to do. He is pushing the President. He and his little clique of Wall Street bankers, together with the motion-picture industry, are trying to stir up sentiment to take us into war. Men who call themselves Democrats are blind enough to follow them and let them lead. But wait until Members of Congress go back to the people in their States and learn what they think of the leadership in the Democratic Party at the present time. Where is the Democratic Party? Who are the Democratic leaders in the administration? Let us see who they are.

"Wild Bill" Donovan, who is in the Department of Justice, is the man who conducted my prosecution. He is the man who brought to Montana a witness who had been working for the bankers in New York. When that witness testified he was guilty of perjury the other day, the witness wrote a letter to me stating that he had made a mistake. Mr. Donovan refused to prosecute him for perjury when the late Senator Walsh asked for the prosecution. I suppose Mr. Donovan was taken into the administration because of the fact that it is known that he does not like me. However, President Hoover did not send his nomination to the Senate to be Attorney General because Senator Borah and other Republicans, as well as Democrats, notified Mr. Hoover that if Bill Donovan's name were sent to the Senate they would oppose his nomination and it could not be confirmed.

Mr. Donovan is now the head of the Gestapo in the United States. That is the proper place for him, because he knows how such things should be done. He worked with Burns, and with all the sluethe in the Department of Justice when they were raiding the offices of the late Senator Caraway, the late Senator Walsh, and old "Battling Bob" La Follette. So he is a fitting man to head the Gestapo in the United States. He ought to be made Secretary of War, and anybody who is not in favor of war should be thrown out. Anyone who is opposed to war ought not to be taken into the Army or the Navy. If American boys who are willing to fight and die for their country, but who are opposed to fighting a war in Europe, Asia, or Africa, are to be excluded from the Army, the Army will not be very large.

I am glad to hear the Senator from California advocate what he is advocating, because I think it is only justice. He is not asking for sentimentalism. He is not asking for legal opinions.

I am reminded of what a Republican in my State said when he was speaking before an audience at a colored church, pleading for the vote of the colored people. He said, "If I am elected prosecuting attorney in this community, I will see that the colored people get justice."

An old colored lady turned to Brother Jones and said to him, "I will never vote for that man."

He said, "Why not? Didn't you hear what he said?"

She said, "Yes; and that's the trouble. It isn't justice us poor people want; it is mercy."

What these boys want, what they are entitled to, is justice. What the American people want is not sentimentality and sympathy. What they want is justice from the Congress of the United States. What the boys in the American Army want is for us to keep our promises, not to adopt some "highfalutin" scheme and break our promises on the ground that this great country is imperiled.

By whom is it imperiled? By the motion-picture industry? By Wendell Willkie? Yes; they are the ones who are imperiling it. They are the ones who are breeding dissension; they are the ones who are creating disunity. They are the ones who are going to destroy unity. They are the ones, my friends, who are not only going to destroy unity, but they are the ones who are going to breed racial and religious bigotry in this country such as we never knew before. I am opposed to it, and I shall fight it. But they ought to wake up. They ought to know what is going on. They ought to stop trying to excite the country to war.

I beg the Senator's pardon, and I thank him for permitting me to interrupt him.

Mr. DOWNEY. The Senator from Montana has announced that he must leave the floor shortly. Before he goes I must be drawn away from the theme I was discussing for a very few comments on the Senator's remarks. First, I desire to congratulate the Senator from Montana on the leadership he is giving the cause to which he is devoted and upon the able and eloquent address he has made stating his own views regarding the international situation. While I cannot wholly agree with the policies enunciated by the Senator from Montana, I freely admit the possibility that coming generations may erect monuments to Mr. Lindbergh and to the Senator from Montana and their colleagues and associates who have borne the burden of this bitter fight in opposition to what they believe is a war movement.

But I desire to say to the distinguished Senator that if I comprehend the attitude of the Members of the Senate, from 80 percent to 90 percent of our membership is just as firmly opposed to any war declaration or to a war as he is. I must admit that in my own State, and in the Nation, too, I do not find myself in as happy a position with my constituents and with the American people as that in which I should like to be. I cannot see this picture in quite the black-and-white outlines described by the distinguished Senator from Montana. I sense underneath his politeness and his courtesy and his kindness to me a certain challenge in relation to my own attitude in international affairs; and, even though the distinguished Senator may not have that sense of challenge, it certainly is apparent in the mail I am receiving, in the tens of thousands of letters every week coming to me from my constituents. Therefore, in just a very few brief moments, I desire to outline the unhappy cleavage which has arisen in America upon our international program, as I see it.

On the one side, we have a body of gifted intelligentsia, business leaders and public leaders, who believe in what we may briefly describe as the "pax Americana," who do believe that America should mobilize its mighty resources over the years, should gather the flower of its youth into armies of millions, and, working with Great Britain, if Great Britain can bear the burden that will be cast upon us, that we shall conquer and then police the world.

Distinguished and great men are in that movement. They are honestly convinced that we owe to the world that leadership. They are honestly convinced that there can be no decent United States until Great Britain and the United States by force of arms destroy Germany and Japan and any other nations which may stand in the way of our world leadership and control.

I am totally out of harmony with that viewpoint. I do not believe, Mr. President, that we have the military power to make a conquest of the world. So far as I am concerned, there will be just as great danger in a Europe dominated by a revolutionary, communistic Russia as there would be in a Europe dominated by Hitler, and I cannot see there is any magic carried on American bayonets which can give to the poor, unhappy continent of Europe peace and federation. Bombed and burned and sickened, her people for decades will be revengeful, revolutionary, chaotic, at war with themselves and with other lands.

So, Mr. President, I say we have not the military power or the Olympian wisdom to conquer and control this world. But I do recognize that the men who foresee a league of nations, who foresee a union between Great Britain and the United States, who believe we should send a great expeditionary force to Europe—I do believe many of these men are intelligent, sincere, and honest.

On the other side of this controversy we have the group headed by the Senator from Montana [Mr. WHEELER] in the United States Senate, and by the distinguished Senator from North Dakota [Mr. NYE], and other Senators who believe that we have gone too far in our aid to Britain, and that the Chief Executive is heading us for war. Upon that issue I must take my place with what I believe is the will and wish of 75 percent of the American people, that in this world crisis the interests of the United States will be best conserved by giving all aid to Britain short of war, by a temporary alliance with the powers warring against Hitler and Japan in order to check their military might.

The Members of the Senate of the United States who hold that viewpoint—and I think they are in the large majority—are just as honest and just as

devoted to their beliefs as are any other Senators who have different views.

Some of us may approve the present occupation of Iceland upon the belief that it is for defensive purposes, though we would oppose the offensive use of that base by American troops, to be catapulted into Europe. Mr. President, there is in the intermediate group I believe the largest number of Senators who are just as devoted and sincere in their belief in their case as are the two extreme groups on either side of the picture, one battling fiercely and vitriolically against the other.

I pray, Mr. President, that in the days to come changing circumstances may bring all the American people into harmonious unity upon their foreign problems, because dark and calamitous days lie ahead of this Nation, when we are again faced with the primary economic crisis that we seem to lack the ability or intelligence to master. When the unhappy day arrives when tens of millions of American workers leave the military factories and the consumable goods factories which are producing for them, then indeed we will see the Hoover panic of 1929 repeated over again, with three or four times its magnitude. For my part, I pray that we in the Senate of the United States may unify ourselves so we are at least able to meet as a body, tolerantly and kindly, the problems which will soon be pressing on us.

Mr. BONE. Mr. President——

Mr. DOWNEY. I yield to the Senator from Washington.

Mr. BONE. I presume we all are preparing ourselves for drastic changes when the war effort passes, but let us assume that the country has gone into war, that we have a million dead, an Army of 10,000,000 new veterans, who will be entitled to pensions under our long-established rule, and a national debt of two hundred or three hundred billion dollars, what does the Senator from California think would happen to our economic and political system in the face of that kind of a situation?

Mr. DOWNEY. I may say to the distinguished Senator from Washington that I suppose all of us look with fearsome apprehension upon what is going to happen when the armament boom ceases to give to the people of the Nation billions of dollars of purchasing power. I do not want to intrude upon the Senate for more than a few minutes longer, and I do not desire to be drawn into the economic argument, in which I am vitally interested, because it would take too long properly to develop it; but I do wish to say that while the amendment which I am proposing, providing $30 additional pay for each member of the armed forces for every month of service after 1 year, cannot be voted on at this time because there is a pending committee amendment, I trust and hope that when the amendment I am now discussing is properly under consideration other Senators who favor it—and many of them have told me they do—will be moved to speak upon it and urge its adoption.

In conclusion, in support of the amendment, let me merely say this: Tens of thousands of young men out of high schools and colleges enlisted for 1 year, expecting to go back to school when their year's training was over; tens of thousands of young men left their fiances and their loved homes to enter upon a year of service; tens of thousands of them left careers. Let me say I care not what any general or leader may say, hundreds of thousands of our boys in the camps tonight are anxious and worried over their future. They contemplate the possibility that there will be passed by the Congress a law which may for years keep them from their homes, their schools, their friends, and their sweethearts. I say to you, Mr. President, that we should deal as tenderly as possible with these men, that we should regard them as wards of the Congress, that we should make every possible gesture to them so that they may firmly rely upon our sympathy and our consideration.

The amendment does not do very much for these young boys and young men. It would only give them, at the best, $30 a month for a few months while they sought to reestablish themselves in industry. It would also provide a congressional committee, under the chairmanship of the Vice President, to help work out methods best designed to return these boys from military to civilian service. This amendment does not go very far, but, Mr. President, it would be a gesture of fairness and decency in America in this day of brutality and dictatorships and war abroad.

Mr. President, in conclusion, let me merely say this:

Men may honestly differ as to how greatly imperiled we are by a military dictator 4,000 miles away, now struggling against and between two military powers. Men may honestly differ on that subject, but I know of not one economist, I know of not one industrialist, I know of hardly a single congressional representative who does not foresee the dire peril of this Nation when this military boom has passed, when millions of defense-industry workers are discharged, and their failure of purchasing power precipitates a violent downward spiral of unemployment by cutting into the consumable-goods industry. I know of no leader who does not agree that dark and calamitous events must follow this war era, when the very solvency and credit of the Federal Government may wither and die away under the ominous clouds of a huge public debt.

We were blind to what was happening in Europe. We had invented the airplane. We had marshalled in the thirties the scientific data by which Germany built her great air armada. We were blind to the possibility that war might ever come. I appeal to the Senate of the United States that we shall not sit supine, that we shall not apparently sit appalled at the oncoming of an economic crash that everybody knows is coming. Shall we be like some fearful bird or rabbit hypnotized by a snake, or shall we begin to make preparations for the day of recokning that we shall be talking about on the floor of the Senate 2 or 3 or 4 or 5 years from now?

Mr. President, I realize that this amendment in no way will provide a potent instrument to meet a collapsing economy when the billions of war purchases are cut off. I know that; but at least it is a gesture toward helping one small group of men to have purchasing power to sustain themselves in that dark day. It is at least a gesture to start now to build up a vastly augmented flow of purchasing power that may be available when, by the millions, we begin to turn the workers out of the armament factories, let their machinery rust, and board up their windows.

I know, Mr. President, that we are in a war hysteria. Many men right here actually fear that German tanks and German airplanes may be sweeping over America in 6 months or next spring. Well, even those gentlemen should know that it will do us no good to build up a great military defense against Hitler if here in America we allow an economic crisis to develop that will produce right here, among our own people, all the evil causes of a brutal and tyrannical dictatorship.

Mr. President, at this time I am unable to call for a vote on this amendment. But I hope when I can, Senators will give me a record vote on it. I hope they will be willing to say to the American people and the American selectees that they are willing to go on record. I appeal to the distinguished Senator from Utah [Mr. THOMAS], when this amendment comes on for a vote, to assist me in securing a record vote, so that the American people may know how we stand on all phases of this great question.

Mr. President, in closing, I want to add this one word: If throughout my discussion I have in any way spoken impatiently or intolerantly, I ask the pardon of those against whom my language has developed. I believe that above all other qualities at this time we need tolerance and kindness and fairness among each other. I hope the Senate of the United States will give proper consideration to this amendment and that those Senators who believe in it will cast their votes for it.

EXHIBIT A

[From the Washington Post]

CURBING INFLATION

(By Ernest Lindley)

CONFUSION ABOUT THE TAX BILL

The tax bill is still surrounded by confusion. Most lamentable, in the view of economists, who are watching the over-all economic picture, is the relative indifference of the tax makers to the need for curbing inflation.

Severe taxation applied at the proper points is almost a necessity in avoiding the general inflation which many analysts believe is sure in the absence of strenuous countermeasures. It is an inherent part of the anti-inflation program long advocated by Bernard M. Baruch, chairman of the War Industries Board of World War I, even though Baruch also urged far stricter and more comprehensive price-fixing than the Roosevelt administration will request of Congress. The two working together are needed, in Baruch's ripe opinion, to avert the perils of excessive price rises during the war and a painful deflation after it.

Many economists believe that the more flexible price-fixing plan being devised by

Leon Henderson, O. P. A. C.'s Administrator, will be more workable than Baruch's—but only if it bolstered by other inflation checks. These must include taxes which will prevent buying power from running too far ahead of production. As matters now stand, neither the House Ways and Means Committee nor the Treasury, who are in disagreement on several points, seems to be paying much attention to the peril of inflation.

Heavy excise taxes on automobiles, refrigerators and other metal-consuming civilian articles would, it is generally admitted, be extremely useful in handling the inflation problem. Actually the production of these articles will be curtailed at the source by the rationing of raw materials. But heavy excise taxes would reduce civilian demand and so make easier the allocation of the automobiles, refrigerators, and washing machines which are produced. At the same time these taxes would draw large revenues into the Treasury and reduce the number of consumer dollars available for buying other articles.

Civilian output can be increased in many lines because the materials and manufacturing plants are not needed for defense. But many of the Government economists are confident that within the next 9 months the aggregate of dollars put in the hands of the consumers by the huge defense expenditures will exceed the aggregate of goods available.

This situation would be the reverse of that which prevailed throughout the 1930's, when the supply or immediately potential supply of goods always exceeded buying power. The problem with which the New Deal struggled, with only partial success, was to increase purchasing power and to decrease savings. Despite large appropriations for relief and public works, they were never able to generate the volume of purchasing power needed to make our economic machine work at near capacity. And they were never able to get taxes which cut into savings as far as they desired.

Now has come a defense program calling for Government spending on a far greater scale than they had ever contemplated. It will create too much purchasing power, in their opinion. Part of it will be absorbed in higher prices, but if a serious inflation is to be prevented, more of it will have to be siphoned off in taxes.

Excess-profits taxes may not curtail buying power much. They rest on the different theory that nobody should be unduly enriched by expenditures for national defense. Higher income taxes in the middle brackets probably will reduce both savings and buying, but most of the people affected can bear the burden—provided they are protected against inflation.

But the greatest expansion in purchasing power is coming in the lower income groups. If the economists are correct in foreseeing a total sum of purchasing power in excess of goods available, the lower-income groups must be prevented from spending part of their money. It could be taxed out of them in several ways; by lowering income tax exemptions, by a pay-roll tax, and by applying either a sales tax or a multitude of excise taxes.

A partial alternative favored by some Government economists is forced saving. By this scheme a part of every wage and salary would be deducted by the employer and turned over to the Government. The worker in return would receive a certificate or bond which he could cash after the war.

Forced savings would serve a double purpose; reduce buying now, and provide a cushion of buying power and individual security to workers when the defense boom has ended. In a small way this scheme is already in effect in Great Britain.

For practical purposes a combination of lower income-tax exemptions, more and larger excise taxes, and forced savings might be best. While both Congress and the administration shrink from taxing the lower incomes, the alternative is only to be increased living costs which will hurt them more. But at present the economists who see the picture this way are receiving scant attention.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Swanson, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5300) to amend Public Law Numbered 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FULMER, Mr. FLANNAGAN, Mr. KLEBERG, Mr. HOPE, and Mr. KINZER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1359) for the relief of Robert Edward Lee.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4671) to authorize a plant-protection force for naval shore establishments, and for other purposes.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Utah [Mr. THOMAS] to the committee amendment, inserting on page 5, after line 9, a new section.

Mr. THOMAS of Utah. Mr. President, if the Chair is ready to put the question on the pending amendment I think it is all right to do so, because it is merely a corrective amendment, and makes a unit of the committee amendment. If any one is against the whole committee amendment, of course, he is against the pending amendment, but I cannot see why anyone who is in favor of the whole committee amendment would have any objection at all to the pending amendment. So I think it is perfectly proper to put the question, and at least keep the record straight so far as the parliamentary situation is concerned.

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Idaho	Hayden
Aiken	Clark, Mo.	Hill
Andrews	Connally	Hughes
Austin	Danaher	Johnson, Calif.
Bailey	Davis	Johnson, Colo.
Bankhead	Downey	Kilgore
Barkley	Eastland	La Follette
Bone	Ellender	Langer
Brewster	George	Lee
Brooks	Gerry	Lodge
Bunker	Gillette	McCarran
Burton	Glass	McFarland
Byrd	Green	McKellar
Capper	Guffey	Maloney
Caraway	Gurney	Mead
Chavez	Hatch	Nye
O'Mahoney	Smathers	Tunnell
Overton	Smith	Tydings
Pepper	Stewart	Vandenberg
Radcliffe	Taft	Van Nuys
Reynolds	Thomas, Idaho	Walsh
Rosier	Thomas, Okla.	Wheeler
Russell	Thomas, Utah	White
Schwartz	Tobey	Wiley
Shipstead	Truman	Willis

The PRESIDENT pro tempore. Seventy-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Utah [Mr. THOMAS] to the committee amendment.

Mr. VANDENBERG. Mr. President, it seems to me that this amendment raises the same general question which was the subject of my colloquy with the distinguished Senator from Utah last evening. I agree with him that if there is any justification for section 8 in the joint resolution as presented, it is logical that this amendment should be added, because it proceeds upon the same general formula, but by the same token, since I think section 8 is vicious in its net results, I am forced to oppose the inclusion of section 9, and I wish to state why.

At the present time, in the congressional act which authorizes the President to mobilize the National Guard and Reserve components, there is a specific limitation upon the time when he can exercise that authority, namely, June 30, 1942. If the pending amendment shall be adopted, the original act, which is Public Resolution No. 96, of the Seventy-sixth Congress, will read:

> That during the period ending June 30, 1942—

And this is the new language—

> or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later—

That being the end of the new language,

> the President be and is hereby authorized from time to time to order into the active military service of the United States—

And so on.

Mr. President, when the new language, which says that the termination date of the President's authority shall be either June 30, 1942, or 6 months after the termination of the authority conferred by section 2 of the pending joint resolution, adds this alternative option, what is the net result, in other words, what is the alternative option? What is meant by saying 6 months after the termination of the authority conferred by section 2 of the pending joint resolution?

Section 2 of the pending measure provides:

> The President is hereby authorized to extend, for such periods of time as may be necessary in the interest of national defense—

And so forth. That is the definition of the alternative termination of authority in the pending measure, and since that can be a later date than June 30, 1942, as fixed in the original act, it may become the determinative factor. If it is the determinative factor, what does it mean? It means that we are delegating this authority to the Executive, not for

any fixed period, not up to June 30, 1942, as stated in the existing statute, but that we are delegating this authority so long as in the judgment of the President of the United States it may be wise to use that authority in the name of national defense. That is not only an indefinite period, we are not only being asked to substitute a totally indefinite period for a presently definite one, but we are being asked to say that the President of the United States alone and exclusively, and upon his own authority, shall determine the life of his power to call the National Guard and Reservists into service.

When the same theory of things is applied in section 8 to the draftees, it simply means that we not only break a contract for a year's service, under which the draftee thought he was called, we not only extend the service, but we extend it indefinitely, and we make it possible for the draftee to be held 2 years, 5 years, 10 years, at the option of the President of the United States, if he deems it necessary in the national defense. Theoretically, the draftee might be held for life, so far as any fixed statutory definition of his rights are concerned.

Mr. President, I submit that the issue raised by this amendment is the fundamental question whether Congress shall retain within itself at least the authority of terminating the exercise of a delegated executive power dealing with the lives and livelihoods of the young men of this country.

If this amendment which the able Senator from Utah has submitted in behalf of his committee shall be adopted we shall have repealed the termination date which now exists upon the Presidential power in respect to calling out the National Guard, namely, June 30, 1942, and we shall have substituted an unlimited Presidential right. We shall have gone totalitarian.

Mr. President, there is not anything in the present emergency, there is not anything that "imperils the national interest," quoting from the joint resolution, which is involved in this immediate decision because, even though the existing law stands, the Presidential power over the National Guard does not expire until June 30, 1942, and certainly the national interest is not so completely imperiled that we have got to anticipate additional perils to the extent of legislating beyond June 30, 1942, at the present moment. There is no emergent reason for that portion of the amendment which eliminates the fixed termination of the Presidential power and substitutes that new favorite word, a "flexible" termination.

So far as the provision dealing with an additional 6 months is concerned, I fully understand the reason which impels the able Senator from Utah to insist that that may be advantageous to the enlisted man. I have no quarrel with the theory behind the additional 6 months' extension, but my challenge is that, in the name of a very simple proposition, to wit, a 6 months' latitude in the termination of service, in the name of that very simple little expedient, we are actually eliminating the termination of the total use of the Executive's authority over the National Guard; we are substituting an all-out, free-for-all Executive right which will never terminate except as an affirmative concurrent resolution of Congress subsequently does it.

I submit that there is not any necessity for such a thing, even in the name of the emergency as it is presented to us. I submit that there can be no justification for it on any theory of a retention of even a semblance of representative government and the democracy which we are supposed to be seeking to sustain elsewhere, and which we ought to be willing occasionally to preserve at home.

I submit that Congress should retain fixed terminals upon the use and exercise of this Executive authority. If and when those terminals are reached, it is necessary to renew the power, well and good; let the issue be raised and decided upon its merits.

I submit that the amendment should not be adopted because of the obvious reasons which I have submitted.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). The question is on the amendment offered by the Senator from Utah [Mr. THOMAS] to the committee amendment.

Mr. WHITE. Mr. President, the Senator from Michigan [Mr. VANDENBERG] has discussed the amendment offered by the Senator from Utah [Mr. THOMAS]. I wish to say a word about section 8 of the joint resolution as it now appears before us. Although what I say may be stated affirmatively, I really am asking questions as to matters which give me concern. I like no more than does the Senator from Michigan an unlimited authority to extend this period of service of these selectees for an unlimited period of time, and I am afraid that as the legislation now stands before us that is a possible result of the language.

Section 16 (b) of the Selective Training and Service Act provides that all provisions of the act, except three or four subparagraphs which are not of concern at the moment, shall become inoperative as of May 15, 1945. It is now proposed by section 8 of the joint resolution pending before us to amend this section 16 (b) by providing that the provisions of the Selective Service Act shall become inoperative on May 15, 1945, or 6 months after the termination of the authority conferred by section 2 of the pending joint resolution, "whichever is the later," and I emphasize that language "whichever is the later."

I now ask, What is the authority conferred by section 2 of the pending joint resolution, and how may that authority be terminated? I think it perfectly clear that the authority referred to is the power given to the President to extend the periods of service of our drafted men for such periods of time as the President may think necessary in the emergency or in the interest of our national defense.

Now, how may that authority be terminated? I think it clear from the language of the joint resolution before us that it may be terminated by the time limit, that is, May 15, 1945, or by the adoption of a concurrent resolution of the Congress, whichever is later.

Mr. TAFT. Will the Senator yield to me for a moment?

Mr. WHITE. I yield.

Mr. TAFT. How does the Senator think it could be terminated on May 15, 1945? There is no such date mentioned in section 2. I can see how that would apply to the Selective Service Act, but why is not section 2 indefinitely continued until the adoption of a concurrent resolution.

Mr. WHITE. I really think it is in its effect.

If these words, "whichever is later," mean anything at all, they mean that the termination of the authority given to the President by section 2 may not come until after the statutory date of May 15, 1945. This statutory date then becomes of little significance. It is not an outside date which in any and every event terminates the President's power.

If that were the purpose of this legislation, that is to fix an outside date of May 15, 1945, it could be more surely attained by patterning section 8 of the joint resolution before us after the provision adopted by the Congress for the termination of the powers conferred upon the President by the lend-lease bill. In that measure it was provided that—

> After June 30, 1943, or after the passage by the two Houses of Congress before June 30, 1943—

the powers conferred should terminate. So here in the instant case, if it is intended that the powers should terminate before 1945, upon the adoption of the concurrent resolution, it would be easy to declare that the powers end on May 15, 1945, or upon the adoption of a concurrent resolution to that purpose, before May 15, 1945, and that is not what has been done by this language.

It is interesting to me—I do not know whether it is significant or not, but I believe it is—that the proposal before us suggests giving to the President authority to extend the periods of service for such periods of time as he may see fit. In the measure now before the Senate there is no language limiting the maximum time of service. It is then a question—and I think a serious one—as to whether the President, while his authority exists, may not extend the period of service absolutely indefinitely, as the Senator from Michigan suggests is his belief.

I think it is not sufficient in the circumstances to fix the limit of authority. It should be limited, but there should also be a limit to the required time of service. I think the joint resolution as it now stands is defective in these respects. I very much hope that an amendment may be worked out by the members of the committee or by other Senators which will not only definitely limit the authority of the President, but will also fix the maximum time during which the men may be called to service, or during which they may be held in the service. It would be very much easier for me to vote for the measure with such limitations in it.

Mr. ADAMS. Mr. President, I should like to make an inquiry of the Senator

from Utah [Mr. THOMAS] as to the legal situation.

Doubtless the committee has considered that in section 2 of the amendment it is provided that the authority of the President to extend the period of service may be revoked at any time by a concurrent resolution of the Congress. We have had that matter under discussion from time to time, and my own notion has been that while we may by a provision of legislation fix a condition precedent or a condition subsequent to the effectiveness of legislation, based upon the passage of a concurrent resolution, this language provides, not for such action, but for the revocation of granted authority. I wonder if the Senator, who was yesterday granted a degree as a constitutional expert [laughter] can tell me whether that matter has been thought out, and whether a conclusion has been reached.

Mr. THOMAS of Utah. Mr. President, I doubt whether anyone can think out in advance the conclusion which may be reached by those who interpret the law of the land; but I am sure the committee thought that it was writing the projected amendment in such a way that there could be no doubt on the part of anyone that the power to end the authority given to the President should vest in the Congress, and that by the simple act of passing a concurrent resolution the authority delegated to the President under the act would cease to exist, and that of necessity he would be bound to respect such action.

Mr. ADAMS. The Senator bases his conclusion on the obligation of the President to respect the opinion of Congress as expressed by a concurrent resolution, rather than upon the constitutional effectiveness of the concurrent resolution.

Mr. THOMAS of Utah. I think not. I think the Senator from Colorado will find himself facing a practical situation which hinges upon just how much discretion the President has. We can judge of these things only by what has been done in the past. For example, when the Constitution was adopted, providing that the executive power shall be in a President, I wonder if that grant was not so broad and so all-embracing that we actually gave over all the administrative authority of the United States, by the Constitution itself, to a single person, elected not by the people, but indirectly, as it was provided, by electors.

But we all know that such a thing was not done. We all know that nobody has ever interpreted the Constitution in that way. We all know that our constitutional scheme has worked very well, and that there has been no great abuse on either side.

Section 1 of article I of the Constitution is an all-embracing grant.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

That is complete so far as the wording of the Constitution is concerned. It is absolutely without limit.

Mr. ADAMS. The Senator does not quite mean that.

Mr. THOMAS of Utah. So far as that sentence is concerned. But we know that there are executive powers that enter into legislation. Taking the wording of these amendments, if we assume that "indefinite" means eternity, of course the President of the United States can keep the men under those powers; and if we accept the assumption of the Senator from Maine [Mr. WHITE] that once granting these powers makes them limitless—if we follow that logic and put it into practice, of course, there is no answer.

Mr. ADAMS. The Constitution places the power to raise armies in the Congress and not in the President. We, as the Congress, delegate legislative powers to the President. The provision by which the President is authorized to call men out and by which he may extend their term of service is a delegation of the power conferred upon the Congress by the Constitution. Having delegated the power by a valid legislative act, and the Constitution having provided what is required for a valid legislative act, which is the passage by both Houses of Congress and the signature of the President or his approval—unless it is passed over his veto—how can we repeal a valid legislative act other than by another legislative act of equal dignity? I am unable to see how we can repeal a legislative delegation by a mere concurrent resolution, with respect to which the President is excluded from his constitutional function of vetoing, if he chooses, an act of the Congress. With all due deference to the more learned Senator and others on the committee, I am inclined to think that this provision, as a matter of legal effect, is ineffective.

Mr. THOMAS of Utah. In accepting that logic it is assumed that a concurrent resolution is not a legislative act. In actual practice the President is part of the legislative branch of the Government. But our committee assumed that if Congress should grant the authority a concurrent resolution would be of sufficient importance and dignity to be respected.

Mr. McKELLAR. Mr. President, will the Senator yield in order that I may ask the Senator from Colorado a question?

Mr. THOMAS of Utah. I yield.

Mr. McKELLAR. Mr. President, as I understand, the position taken by the Senator from Colorado is that an act of Congress cannot be repealed by a concurrent resolution because the President would not take part in the adoption of a concurrent resolution.

Mr. ADAMS. That is correct.

Mr. McKELLAR. Is not the answer to the Senator's argument that if the Executive were to sign such a measure as that now pending he thereby would agree to any conditions or limitations which might be contained in it?

Mr. ADAMS. The Senator from Tennessee does not think the President can sign away his constitutional power to sign or veto legislation, does he? That is what the Senator's statement implies.

Mr. McKELLAR. Yes; I think if the President were to sign such a measure he would unquestionably place in Congress the right to repeal by concurrent resolution the measure giving him extra authority. The question here is not the question of the repeal of an act, but the question of the termination of a conditional act.

Mr. ADAMS. When the Senator from Tennessee says that is unquestionably the situation, I am greatly embarrassed in attempting to question the correctness of his statement. Yet the state of darkness in my mind is such that I feel compelled to question its correctness.

Mr. McKELLAR. All of us frequently differ in our views, of course.

Mr. ADAMS. I simply cannot agree with the view of the Senator from Tennessee that the President, by approving a bill which provided it could be repealed without action by him, thereby could waive his constitutional power to veto. If he can waive it as to one bill he can waive it as to all; and I do not think either Congress or the President can waive or set aside or modify his constitutional powers.

Mr. McKELLAR. In such case the President would not do that at all; because the measure before us would give him additional power as an Executive, and it provides as a condition to the grant of power that such power may be terminated whenever Congress by concurrent resolution so provides.

Mr. ADAMS. No; that is not what it says.

Mr. McKELLAR. Oh, yes; it does say that.

Mr. ADAMS. No. It says that the power shall be revoked—in other words, shall be repealed—which is quite a different thing from attaching a condition subsequent to the legislation.

Mr. McKELLAR. I think that when the President signs this measure he unquestionably signs a measure providing a method by which it can be revoked.

Suppose we put it in another way, and provide that "the authority hereby granted shall be revoked on the 1st of January 1945." We could revoke it in that way, could we not?

Mr. ADAMS. Certainly—as a legislative termination of power. Let me give the Senator another illustration.

Mr. McKELLAR. If we could do that, we could provide for any contingency.

Mr. ADAMS. Suppose we were to put in a bill a provision to the effect that the President shall have power to fill vacancies on the Tariff Commission, but that his power to fill such vacancies may be revoked by concurrent resolution. Would the Senator think that would be effective?

Mr. McKELLAR. If he signed such a bill, I think it would be entirely effective. I believe it would be, under the Constitution.

Mr. ADAMS. Of course, I am embarrassed to the point of humiliation to think that I differ with the Senator from Tennessee.

Mr. McKELLAR. I thank the Senator from Colorado.

Mr. LEE. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. LEE. With respect to the point raised by the Senator from Colorado, it appears to me that Congress has the

right to grant power subject to certain conditions laid down by Congress at the time it grants the power.

In the case of the measure before us Congress could grant the power with the condition that such power should terminate under certain circumstances. One circumstance could be the termination at a certain date. Another circumstance could be the passage of a concurrent resolution by Congress. Such action would not limit a power granted to the President by the Constitution; the power would be granted by Congress to the President under certain limiting conditions, one of which, he would admit when he signed the bill, would be the right of Congress to revoke the power by the passage of a concurrent resolution.

The nearest case we have had to the one under discussion is the current tobacco legislation in which Congress granted the Executive power under certain conditions—that is, after a vote by the farmers on the tobacco quota—and provided that in such event certain powers would be invoked by reason of that vote; and the court upheld the application of that condition.

Here we are considering a condition to a grant of power by Congress which, as the Senator said a while ago—I forget the exact language he used—is granted not without qualification, but it is granted with the following qualifying phrase:

Provided, That the authority hereby conferred may be revoked at any time by concurrent resolution of the Congress.

Therefore, Congress would have the power to revoke the authority granted; and whenever it passed such a concurrent resolution it would fulfill the letter and spirit of this measure and would terminate the power granted under it.

Mr. ADAMS. Of course, I am largely in accord with the theory the Senator has expressed, but I am not entirely in accord with the Senator's views as to its application. I will give the Senator an illustration from my State, and doubtless a similar situation exists in Oklahoma. In Colorado we have local option. We passed a general statute providing that any county which desires to have local option may make it applicable by vote of the people of the county. That is to say, there is a condition precedent to the statute becoming effective. Then we provide in the same act that the same county, if it sees fit to terminate the effect of the local-option law, may vote to set it aside.

The Senator reads this language as a condition attached to the grant of power to the President. I read it as a full and complete grant of power, an unconditional grant; and the provision is sought to be put in the measure that Congress may repeal the grant it has made.

Mr. LEE. No; that is where the Senator differs with me.

Mr. ADAMS. We do not agree.

Mr. LEE. No.

Mr. ADAMS. If I am correct in my theory, the Senator will agree with my conclusion, I trust.

Mr. LEE. At least I should have to stop and think about it; but I do not concede that the Senator is correct in his view that this would be a total grant of power. This would be a grant conditional.

Mr. ADAMS. But the Senator from Oklahoma will agree that if I am correct in my view that this would be complete grant of power, then it would be impossible to accomplish that which is sought to be accomplished by including in the joint resolution a provision to the effect that the grant of power might be revoked by concurrent resolution. The Senator from Oklahoma, however, takes a different view; he contends that the grant of power would be conditional and not absolute.

Mr. LEE. That is correct.

Mr. ADAMS. So, he and I do not interpret the grant of power in the same way.

Mr. LEE. If the Senator will allow me to go a little further, I should like to point out that he said a while ago that under the Constitution Congress has the power to raise an army. However, that is only part of the phrase in the Constitution. The Constitution says:

The Congress shall have power * * * to raise and support armies.

Mr. ADAMS. That is correct.

Mr. LEE. And the power to "support" is just as important as the power to "raise", because whenever Congress ceases to support the Army, the Army will cease to exist.

What I have just said does not apply directly to the argument the Senator is making with respect to the construction of the provisions of the joint resolution, yet, certainly, the joint resolution does provide that Congress shall have the power to stop the exercise of the authority granted the President by cutting off the money.

Mr. ADAMS. But the Congress cannot raise or support armies by the passage of concurrent resolutions. To my mind it is a question of whether we are accomplishing what is intended to be accomplished. That is my own judgment, militated against now by three contrary authorities. However, my judgment is—and it is a very sincere judgment—that Congress cannot revoke a law by concurrent resolution. To me the term "revoke" is equivalent to the term "repeal," of which we lawyers have a very definite understanding. I think if the term "repeal" had been used, the Senator from Oklahoma would not have raised any question with me.

Mr. LEE. I do not believe that the Congress could repeal a law by a concurrent resolution alone.

Mr. ADAMS. The Senator and I are pretty nearly in accord.

Mr. LEE. But when the Congress writes into the law that it grants power under certain conditions, then, the only grant of power is when those conditions are met.

Mr. ADAMS. Suppose we should pass a general act and put into the act that Congress hereby reserves the right to repeal this act by concurrent resolution, does the Senator think that would be an effective provision?

Mr. LEE. I cannot see that that would be different language, but I think this language is better. I cannot see otherwise than that would be a grant of power under a certain condition, if there was any reason for it.

Mr. ADAMS. Let me go a step further.

Mr. LEE. Of course, if I followed the Senator far enough, he would lead me over a precipice, but here is a grant of power under the condition that Congress reserves the right to terminate it. It is granted up to a certain event. Whether that condition is the coming of a day or the adoption of a concurrent resolution by Congress, from the standpoint of interpreting the law, there is no difference.

Mr. ADAMS. Suppose Congress should pass an act in which it provided that hereafter the Congress may repeal any act of legislation by concurrent resolution——

Mr. LEE. That would not stand up.

Mr. ADAMS. And the President vetoed the act and Congress passed it over his veto, then, would we have the authority? Of course, the answer is "No."

Mr. LEE. Of course, the answer is "No," but the people of this country could, by their own act, change the form of our Government if they proceeded under the power of the Constitution by amendment, and so on. But I do not see the point of the Senator's last statement.

Mr. ADAMS. It had relation to the statement the Senator from Tennessee made to the effect that if the President signed the act, he was bound by whatever was contained in it.

Mr. LEE. I understood the Senator from Tennessee to refer to this particular measure.

Mr. McKELLAR. I had reference to the measure now pending. That is what I thought the Senator was talking about; we are not talking about acts of Congress generally. To state it in a way which I believe must be apparent, suppose the proviso read as follows:

That the authority hereby conferred may be revoked at any time by concurrent resolution of the Congress that the emergency has passed.

Would that be within the power of the Congress? We are extending this authority of the President because of the present emergency and the Congress passes a conditional act, adding a few words to it, that—

The authority hereby conferred may be revoked at any time by concurrent resolution of Congress that the emergency has passed.

Unquestionably, in my judgment, it would be such a conditional act of Congress that whenever such a resolution was passed it would put an end to the law.

Mr. ADAMS. The Senator adds another element. Congress can pass an act that terminates upon the happening of an event, either certain or uncertain.

Mr. McKELLAR. Of course.

Mr. ADAMS. If we had any way of determining the termination of the emergency, Congress could pass an act that this authority shall end upon that event. On the other hand, that is not what we are saying here; we are saying that the Congress, at its own discretion, may revoke an act, may repeal the powers we have granted, by concurrent resolution.

Mr. McKELLAR. No.

Mr. ADAMS. Not that they shall terminate upon the happening of certain events.

Mr. LEE. The Senator is confusing the meaning of two words and did so awhile ago in asking the question. I refer to the words "repeal" and "revoke." Repeal carries with it the idea that the power has been completely relinquished, and then, by another separate act, the power is repealed, whereas revoke carries with it the idea that the power has not been completely relinquished, and by a certain act of Congress the power then is terminated. That is why the Senator states that if we pass a law saying that any time Congress adopts a concurrent resolution it would repeal the act it would not stand up, because repeal carries with it a different meaning. Revoke, in this instance, carries the meaning that the power has not been relinquished.

Mr. ADAMS. Does the Senator agree with me, then, that if the word "repeal" had been used, we could not repeal by concurrent resolution?

Mr. LEE. It carries a different meaning. It implies that the power has been turned loose.

Mr. ADAMS. The Senator will agree, then, that if the word "repeal" was used the situation would be different?

Mr. LEE. No; I will not agree to that, and I will not agree that the word "repeal" is the word we mean here, but "revoke" is the word, because the power is still in the hands of Congress and as to this particular act of Congress the power will terminate.

Mr. ADAMS. The Senator has an advantage over me; he has spent much of his life in educational work and in educational institutions, and is able to see refinements in language which I cannot find.

Mr. LEE. I have not any advantage over the Senator from Colorado.

Mr. ADAMS. But I cannot understand the difference between revoking a law and repealing a law. I admit the fault is mine, and I merely raise this question in order to make clear what I thought, that this was a nugatory provision, and that we would deceive Congress by using that language.

Mr. TAFT. Mr. President, the Senator from Colorado insists that he is right. So that he may not be discouraged, I wish to say that I fully agree with him. It seems to me that this is clearly a repeal. Furthermore, this authority is not granted for the emergency, any way; it is granted for good. It is not as if we said this power shall begin on the declaration of some emergency by somebody and end on the adoption of a concurrent resolution by Congress. The power of the President is authorized to extend indefinitely. There is no reference to any emergency; it is a permanent policy of the Government; and it seems perfectly clear to me that the attempt to end the authority by concurrent resolution is a vain attempt to repeal the entire law, at least so far as section 2 is concerned.

Mr. President, I wish to speak with regard to the amendment of the Senator from Utah, and I should be very much obliged if I could have his attention. I do not understand the reason for section 8 and section 9. Apart entirely from the remainder of the joint resolution or any other features of it, why do we have to extend the Selective Training and Service Act? It does extend until May 15, 1945, and is not that long enough? Long before that time the entire act ought to be revised. I think everyone agrees that the system of the selective service should probably be changed in many respects. I have no doubt the law will be subjected to substantial amendment before May 15, 1945. At that time the date can be changed or it can be changed at any time, but that date is still 4 years away. I cannot understand the reason for this confusing amendment in section 8 which extends the power "for 6 months after the termination of the authority" granted by this act, which is a very indefinite authority; in fact if the Senator from Colorado is right, it may never be ended except by complete repeal of the entire law.

Now the Senator offers, in section 9, an attempt to do something to the same effect with regard to Public Resolution Numbered 96—the power to call out the National Guard and the Reserve officers.

In the first place, the National Guard have all been called out, so there is no need for extending the power so far as the National Guard is concerned. I can understand and I see that probably there is some need for extending the time within which Reserve officers may be called out, because no doubt the President will have to call out additional Reserve officers—of whom there are still 50,000 not called out—after June 30, 1942. But my suggestion to the Senator would be that instead of this rather complicated amendment, and this attempt to end the act 6 months after the termination of some other act which may never be ended, he agree to a substitute which will simply extend the June 30, 1942, date to May 15, 1945, so that everything may end on May 15, 1945, and then eliminate section 8 from the joint resolution.

Is not that a much simpler proposal, and one that everyone can understand?

Mr. THOMAS of Utah. I think not. The Senator has made the assumption that the National Guard is already called in, and therefore that there is no need of doing anything about it. The National Guard was called in for a period of 12 months of service and training, just as the selectees were called in.

Mr. TAFT. Yes; but under section 2, the President is given power to extend that service indefinitely, so if they are in they are covered by section 2. Section 9 is not necessary in addition.

Mr. THOMAS of Utah. They are covered under section 2 of this joint resolution; but we need section 9 and we need section 10 in order to modify and correct the practice in the Army, and, as we said over and over and over again yesterday, make the term indefinite. You do not want the term indefinite. You have said and you have argued that the term might be so indefinite that the President could bring a man in and keep him forever.

Mr. TAFT. I have not argued that.

Mr. THOMAS of Utah. I do not say that the Senator from Ohio argued it, but it has been argued on the floor. It was argued by the Senator from Maine [Mr. WHITE], for example, that if we should grant the President this authority, he might exercise it so that the term would extend forever.

Mr. TAFT. I feel, however, that if a concurrent resolution were about to pass Congress, the President, just before it passed, could immediately extend by 5 years the term of everybody in the Army, and his action would still be good even after the concurrent resolution was adopted, as I read section 2.

Mr. THOMAS of Utah. We are talking so much about unknowns that I am somewhat lost in regard to what the President could do and what he might do. Personally, I am even lost in the discussion over the concurrent resolution, because I do not think that question has ever been decided by any authority. I think Congress has a right to express its idea; and I shall find myself talking about a dozen subjects if I let my mind run along in the way we have been going here.

Mr. TAFT. I should like to understand, first, though, the necessity of extending the Selective Service Act, which already runs until May 15, 1945. Why can we not let it stay there?

Mr. THOMAS of Utah. As explained yesterday—and, of course, the explanation is not satisfactory—the extension of the extra 6 months is primarily and almost entirely for the benefit of the individual soldier, so that he may be released from his term at a time when it is to his best advantage. It is a benefit to the Army, too, especially in cases in which we are thinking of units, so that we may release some at some times and others at other times, according to the branch of the service they are in, according to the location where they are serving, and according to the need of keeping men in particular places at particular times.

The trouble with the exact term—and it has caused many difficulties in the past, as I am about to point out if I have an opportunity—is that it treats the whole Army as a unit all the time, and it is necessary to keep the men in service for 12 months. We can keep them in service for 11 months if we do not need them any longer. But if we make the term indefinite, if we make it possible for the President to release any or all of them, we make it so that we can be just to the individual soldier, who says, "I do not want to enlist for another 3 years, but I cannot afford to quit right now, because the circumstances are such, my health is such, the obligations of the Government to me are such that I cannot afford simply to be released."

Mr. TAFT. But the Senator is talking about the enlistees again. I am talking only about the draftees; and I cannot understand why the Selective Service Act cannot be revised 3 years from now or 4 years from now.

Mr. THOMAS of Utah. Mr. President, the Senator has failed to realize that men who are called in as selectees and members of the National Guard who are called into the Federal service in the Regular Army under the laws and rules

of the Army today are all members of the Army of the United States. The enlistments and terms will be the same for one component as for all of them.

Now if I may make an explanation which I have tried to put in writing——

Mr. TAFT. Mr. President, I have the floor, I think. If the Senator wishes to make a speech, I suggest that he make it after I have concluded.

Mr. THOMAS of Utah. I thought the Senator from Ohio asked the Senator from Utah for his attention.

Mr. TAFT. I did, and I asked a question which the Senator has answered.

Mr. THOMAS of Utah. I gave my attention, and I thought I was answering the question. Of course, I cannot answer the Senator from Ohio in the way he wants me to answer him. I have to answer the Senator from Ohio in the way an answer should be given.

Mr. TAFT. I have the floor, and I understood the Senator from Utah was about to make a speech. If the Senator only wants to answer a question, I am perfectly agreeable for him to continue. However, I can finish very briefly.

I can see no possible reason for the complete confusion created by the attempt to extend the Selective Service Act beyond the 15th day of May 1945. The act expires at that time. It can be revised and will be revised many times before May 15, 1945. If it is to be extended at all, why for 6 months? I cannot understand what the 6 months has to do with it. I see no reason for an indefinite continuation of that act at this time.

As to the amendment offered by the Senator from Utah, he proposes that Public Resolution Numbered 96 be amended by indefinitely extending the President's power to call out the Reserve officers or to call out the National Guard. I can see some reason for that, because of the fact that that resolution terminates on June 30, 1942, and undoubtedly the President will have to call out additional Reserve officers after that date.

I should like to move, Mr. President, to amend the amendment of the Senator from Utah by striking out the words "inserting after 'June 30, 1942,' the following: 'or six months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later': " and inserting the words "substituting the words 'May 15, 1945,' for the words 'June 30, 1942'."

That would extend the power to call out the National Guard and the power to call out the Reserve officers to the date of the expiration of the Selective Service Act. That date is nearly 4 years from this time, and it seems to me a sufficient extension of any power we are granting the President because of emergency conditions.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Maryland.

Mr. TYDINGS. Does that mean that the National Guard which is now in the service would be kept in the service until May 15, 1945?

Mr. TAFT. I do not think that question is raised by this particular section. That effect would be produced by section 2 of the measure which authorizes the President to extend for such period of time as may be necessary, or which he may think necessary, the periods of service, training, and so forth, of the reserve components of the Army. So that under section 2 he can indefinitely continue that service. Section 2 will not last forever. It can last only until it is terminated, and it can be terminated by concurrent resolution.

Mr. TYDINGS. Does that mean that a draftee who is now in the armed service of the United States could be kept in the service until May 15, 1945? Under the Selective Service Act, could a man who is now in the military forces be kept in the forces, without further legislation, until May 15, 1945, under the proposed amendment and explanation of the Senator from Ohio?

Mr. TAFT. The amendment I have offered has only to do with the National Guard. I should say that under section 2, the term of service of the draftees who are in the service could be indefinitely continued, even after May 15, 1945, although I have not closely studied that legal question. So far as I can see, they could be continued indefinitely, although they could not be inducted, if section 8 were eliminated, after May 15, 1945. If section 8 is not eliminated, they can be inducted at any time until Congress adopts a concurrent resolution.

Mr. TYDINGS. The Senator has said that he was referring to the National Guard in his amendment.

Mr. TAFT. Because the amendment of the Senator from Utah, which I am seeking to amend, refers only to Public, 96, which relates to the National Guard and the Reserve officers.

Mr. TYDINGS. I am trying to get a clear picture of the implications of the original amendment and the substitute amendment. Frankly, I must say that, in spite of the explanation of the Senator from Utah, and even of the Senator from Ohio, I am not altogether clear as to just what will happen.

Mr. TAFT. Then let me state again that if my substitute were adopted, the amendment would provide that the President's power to call the National Guard and Reserve officers into service, which now expires on the 30th of June 1942, may still be exercised until May 15, 1945. It has nothing whatever to do with the question of keeping anyone who is in.

Mr. TYDINGS. Will the Senator yield further?

Mr. TAFT. I yield.

Mr. TYDINGS. I am merely seeking information.

Mr. TAFT. I understand.

Mr. TYDINGS. What is the purpose of extending now the time the National Guard may be kept in the service beyond the middle of 1942, when that is a year away? It may be necessary then to extend the time for another year, but certainly it seems to me, a year is a pretty long margin right now for the National Guard.

Mr. TAFT. The Senator confuses two things. One is, How long can we keep the men in who are in, and this amendment has nothing to do with that. That is determined entirely by section 2, which provides that the President may keep them in indefinitely. This amendment relates only to the question of calling in new men, so that it has practically no relation to the National Guard. It does have relation to Reserve officers, because there are quite a number of them who have not been called.

I think we can put off the adoption of this amendment if we desire, but while we are dealing with the matter, it seems to me no great harm could be done by extending the time. But if the substitute shall not be adopted, and the amendment as offered by the Senator from Utah shall be adopted, then as I read it the President may call into the service the National Guard, let them go home and call them back, and let Reserve officers go home and call them back, not only until 1945, but as long as the act shall remain in effect, which may be indefinitely, certainly until a concurrent resolution of Congress shall be adopted.

Mr. TYDINGS. Then the Senator's substitute for the amendment offered by the Senator from Utah is by way of further restriction on the original amendment?

Mr. TAFT. It restricts the original amendment so that the power to call out the Reserve officers will terminate in 1945, instead of continuing indefinitely.

Mr. TYDINGS. At least now I know what is involved. I have not been able to follow it closely up to now.

Mr. TAFT. What I really object to is continuing indefinitely, for all time to come, the President's power to call out the National Guard and the Reserve officers. I am trying to be as reasonable as possible in proposing that we extend the time until 1945, which seems to me a pretty long time, because . do see that there may be some necessity for extending it next year.

Mr. SHIPSTEAD. Because of the statement of the Senator from Maryland, I got the impression that he was laboring under a misapprehension.

Mr. TAFT. This proposal has nothing to do with the length of time men who are already in may be kept.

Mr. THOMAS of Utah. Mr. President, I should like to say to the Senator from Ohio that, if I understand his proposal, it would merely add the same terminal year to the National Guard service which we already have in the selective-service amendment, and there would be no objection to that, of course.

Mr. TAFT. My amendment was to substitute the words "May 15, 1945," for the words "June 30, 1942," and to strike out the 6-month reference.

Mr. THOMAS of Utah. I could not accept that, because, as I have explained many times, the 6-month provision has to do with flexibility, and is necessary if we are to release some and not others.

Mr. President, since I have never yet had a chance to make an explanation of the two propositions, first, the amendment which is already in the joint resolution, and, second, the amendment which I suggested should be added, I should like to make a rather formal

statement, worked out as best I can, in an attempt to explain the way in which the provision would operate.

There was considerable discussion yesterday regarding the effect of section 8 of the joint resolution proposed by the Senate Military Affairs Committee. I desire to make a clarifying statement as to the effect of section 8 on the Selective Training and Service Act of 1940. It amends section 16 (b) of that act in this way: Section 16 (b) now provides that the training and service provisions of the Selective Service Act will expire on May 15, 1945; section 2 of the proposed joint resolution provides that the authority to extend periods of service, and so forth, will expire when revoked by concurrent resolution of the Congress, section 8 of the proposed joint resolution provides that the training and service features of the Selective Service Act will expire on May 15, 1945, or 6 months following the date when Congress adopts such a concurrent resolution, whichever is later.

If the date of the enactment of such a concurrent resolution, plus 6 months, occurs prior to May 15, 1945, then the training and service provisions of the Selective Service Act will expire on May 15, 1945, as now provided. On the other hand, if the date of the enactment of such a concurrent resolution, plus 6 months, occurs later than May 15, 1945, the service and training features of the Selective Service Act will expire on the later date instead of on May 15, 1945.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. VANDENBERG. I think the Senator's mind and mine completely meet now, although we seemed to have difficulty yesterday afternoon. The Senator's entire discussion is contingent now, however, upon the adoption of a concurrent resolution. Suppose no concurrent resolution shall be adopted when the act expires?

Mr. THOMAS of Utah. The act will expire 6 months after May 15, 1945.

Mr. VANDENBERG. I beg the Senator's pardon. I think that under those circumstances the act will not expire until 6 months after the President has decided that he does not want to use the power of the act, whenever that may be.

Mr. THOMAS of Utah. Mr. President, we are back again to that confusion and, of course, I cannot straighten it out. The only way in which I can attempt to straighten it out is to note what the President is authorized to do. There is nothing in this language forcing the President to do anything. His discretion remains complete. It is necessary to read the following language in order to bring out the force of the proviso at the end of section 2:

SEC. 2. The President is hereby authorized to extend, for such periods of time as may be necessary in the interests of national defense, the periods of service, training and service, enlistment, appointment, or commission, of all persons inducted for training and service—

And so forth. That is an authorization for the President to do something. It does not say that he shall do the something or that he shall not do the something. The Presidential discretion remains. His actions would be dependent upon circumstances and conditions.

In the first part of the joint resolution Congress deems—if the joint resolution shall be adopted—that the national interest is imperiled. What national interest is imperiled? From the standpoint of the joint resolution, the national interest which is imperiled is or can be limited entirely to the fact that we have started on a training program for the Army which cannot go forward unless the terms of some of those taken into the service are extended longer than permitted by the 12 months' limitation. The national interest then can be kept completely within the realm of the Army itself, without consideration of other factors.

Let us now recur to the amendment which is offered to run along with and to take care of the National Guard. If I may make a formal explanation of it I should like to do so now.

The proposed additional section was omitted from the committee bill by inadvertence. The committee's intentions, as expressed at the session of Saturday, July 26, 1941, will not be completely executed unless the proposed section is added. By its addition the reserve components of the Army of the United States will be treated in precisely the same manner as selectees. In other words, the present committee bill extends the period of training and service of selectees and also extends the life of the Selective Service Act to be coextensive with the authority conferred by the committee bill. The proposed section strictly adheres to the committee's objectives and represents no departure whatever therefrom. The proposed section amends section 1 of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940—the National Guard law—by extending its life in the same manner and for the same reasons as section 8 of the present committee bill extends the life of the Selective Training and Service Act of 1940.

At present, the authority conferred by Resolution 96 to order the members and units of the reserve components of the Army of the United States to active military service expires June 30, 1942. Moreover, the same individuals and units cannot now be ordered for more than one period of active duty under that resolution. Consequently, when any person ordered to active duty under that resolution is released from such duty, he cannot again be ordered to duty under that resolution. In such instances it might be desirable, for example, to release an enlisted man from the National Guard of the United States from active duty for a sufficient period to permit him to attend to certain pressing personal affairs. Such release can be effected under section 3 of the committee amendment, that is, when it would not be contrary to the interests of national defense. Under present law, even though both the military authorities and the individual concerned desired that he be returned to active military service, there is no authority in law to reorder him to such duty, either with or without his consent. This is so, because the only existing authority under which enlisted men of the National Guard of the United States may be ordered to active duty is either Public Resolution No. 96 or section 111 of the National Defense Act, as amended. As already noted, such an individual could not be reordered into service under Resolution No. 96. He could not be ordered to duty under section 111 of the National Defense Act, as amended, because that section becomes operative only when, (1) Congress shall have declared the existence of a national emergency and (2) shall have authorized the use in the national defense of the armed land forces of the United States in excess of those of the Regular Army. The proposed additional section amends Resolution No. 96 by permitting the President to order the same individuals and units to active duty more than once under the authority of that resolution. It further amends public Resolution No. 96 by making its life coextensive with the authority conferred by section 2 of the committee bill.

Mr. President, at that point I may say that, of course, we would have no objection to the date suggested by the Senator from Ohio, because the aim of this amendment is to make the National Guard Act coordinate with the Selective Service Act, as the proposed amendment provides.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. VANDENBERG. But the amendment suggested by the Senator from Ohio not only changes the date but eliminates some of the language.

Mr. THOMAS of Utah. That is true. It is simply the date provision which we would have no objection to accepting. I think that as they have been explained the proposals are in complete harmony with the theory of the revamped manner in which the Selective Service Act will function after this amendment shall have been adopted. We have tried to make it all a unit. Therefore, Mr. President, I do not wish to press for the consideration of this amendment. I would not press for it at this time, and do not press for its adoption now, except to say that if there were no objection to section 8 there could be no objection to section 9. That is why I made the proposal I did at the beginning. I do not want to press the consideration of the amendment if anyone at all objects to it at the present time.

Mr. TAFT. Mr. President, if the Senator's amendment is going to pend for awhile, I withdraw my substitute, and perhaps something can be worked out.

Mr. THOMAS of Utah. I will not bring it up, Mr. President, until what might be called the regular order for considering amendments. I will not ask for action now.

The PRESIDENT pro tempore. The amendment of the Senator from Utah is temporarily withdrawn.

Mr. THOMAS of Utah. That is perfectly agreeable to me.

The PRESIDENT pro tempore. The committee amendment is open to further amendment.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. TYDINGS. I do not wish to address myself particularly to the point the Senator has mentioned, but as I understand the joint resolution a certain philosophy runs through it, and if it is administered according to that philosophy it will permit those who were either enlisted in, say, the National Guard, or who were drafted in either the guard or the Regular Army, and who are over 28 years of age, to be discharged first. Am I correct in that assumption?

Mr. THOMAS of Utah. I assume that each individual would be released on the merits of his case. That is exactly the way in which the act would operate.

Mr. TYDINGS. It seems to me that it is a debatable question whether the philosophy should be definitely written into the law itself or whether we should leave it to administrative officials. The Senator knows that hereafter men above the age of 28 will be in a different category from those who were over 28 a year ago.

Mr. THOMAS of Utah. That is true.

Mr. TYDINGS. It seems to me that they have special consideration. The burden of defending the country has been made to bear unfairly upon a very small group. They have been taken out of civilian life. The policy is hereafter to be abandoned. Henceforth men above the age of 28 will not be drafted. But originally men over 28 and under 35 were drafted in the first operations of the Selective Service Act. We have abandoned the policy of drafting men over 28 years of age, and it is presumed that as fast as they can be released without injury to the service those over 28 will be released first, all other things being equal.

Mr. AUSTIN. Mr. President, will the Senator yield? I wish to correct the Senator from Maryland on that point.

Mr. TYDINGS. I shall be glad to be corrected if I am in error.

Mr. AUSTIN. I happen to be one of the conferees on Senate bill 1524, which involves that very question. The conferees representing both Houses agreed on a version of the bill which would make it compulsory to relieve those already in the service who have arrived at the age of 28.

Mr. TYDINGS. Or more.

Mr. AUSTIN. Or more. With respect to another part of the bill, there still remains a disagreement. We thought we might get together today, but it was impossible because of the pendency of this matter. However, that conference report will be submitted to the Senate very soon.

Mr. TYDINGS. I thank the Senator from Vermont. I should like to ask him a question. Would the conference report affect the pending measure in regard to those who are over 28 years of age?

Mr. AUSTIN. Not at all.

Mr. TYDINGS. Would those over 28 years of age be relieved from service almost instantaneously, so to speak, if the conference report as now envisaged were finally adopted?

Mr. AUSTIN. I believe they would.

Mr. TYDINGS. To take a specific case, suppose that a man 30 years old was in the draft, that his number was coming up, and that he knew he would soon be called, but rather than wait to be called, being anxious to begin his service, he enlisted, we will say, in the National Guard ahead of the time he would have been called. If the conference report to which the Senator refers is adopted, and finally the measure is signed by the President and becomes a law, what will happen to the man over 28 who enlisted and who would have been drafted if he had waited a month or two longer?

Mr. AUSTIN. I am speaking without refreshing my recollection. I want the Senator to take my answer with that fact in view.

Mr. TYDINGS. Certainly.

Mr. AUSTIN. It is my belief that he would be transferred into a reserve component and would be subject to call in the future under the same provisions under which other National Guard men are subject to call, that is, under section 111 of the National Defense Act of 1916, as amended.

Mr. TYDINGS. Would he henceforth be relieved of service in the National Guard?

Mr. AUSTIN. Yes; he would be retired.

Mr. TYDINGS That is what I mean.

Mr. AUSTIN. But he would be subject to call in the same manner as though there were no new legislation. As I understand, he would fall within the group governed by section 111 of the National Defense Act of 1916, as amended.

Mr. TYDINGS. Let me ask one further question, the answer to which seems to be obvious, in order that there may be no confusion in my mind about the situation.

The Senator from Utah [Mr. THOMAS], who has given the measure before the Senate a great deal of study, says that it is the philosophy of the pending measure to allow those who are over 28 years of age to be released first. The Senator from Vermont says that the bill to which he refers would automatically take out of the service those over 28 years of age and put them in reserve classes, where they might be called if the emergency should become more acute. There is a slight discrepancy between a discretionary philosophy, as expounded by the Senator from Utah, on the one hand, and a mandatory philosophy, as expounded by the Senator from Vermont, on the other hand. I should like to know which of the two philosophies would be paramount and the law of the land if we should pass both measures.

Mr. AUSTIN. I should like to ask the Senator from Maryland a question. Is the Senator referring to a different guardsman than one who was ordered out under Public, No. 96, of the Seventy-sixth Congress, which is the National Guard Act by which we authorized the President to order the National Guard into service in the Army of the United States? Is the Senator from Maryland asking about some other guardsman outside the scope of that act?

Mr. TYDINGS. I cannot answer that question categorically. I can give the Senator a description of the guardsman I have in mind. He is more than 30 years of age. Some time ago he was registered for the draft under the Selective Service Act. He knew that he would be drafted in 2 months. Rather than wait 2 months, being eager to begin his service, he enlisted for a year with the National Guard. He is 30 years of age, and he would have been drafted. I take it, that under the terms of the measure covered by the conference report to which the Senator refers he would be automatically released. The Senator from Utah says that the philosophy of the pending joint resolution is to release him; but the machinery and the time for doing so are susceptible to the needs of the Army, if and when the proper time comes. Both those statements cannot be exactly accurate, although in philosophy they approach the same end.

Mr. AUSTIN. I think the answer will be found in Senate Joint Resolution 95. Does Senate Joint Resolution 95 deal with men 28 years of age and over who were ordered into service under Public, No. 96, of the Seventy-sixth Congress?

Mr. THOMAS of Utah. Section 3 of the joint resolution is the pertinent section.

Mr. AUSTIN. The Senator from Utah refers to section 3 of the joint resolution, which reads as follows:

> SEC. 3. The Secretary of War may, when not in conflict with the interests of national defense, (1) release from active military service those persons who, in his judgment, would suffer undue hardship if retained on active duty, and (2) release from active training and service under the Selective Training and Service Act of 1940 men now in such training and service who had attained the twenty-eighth anniversary of the day of their birth on or prior to July 1, 1941, and prior to their induction for such training and service: *Provided*, That any person so released under this section who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect.

My recollection of the language of the conference report is not precise. I remember only the facts. We were undertaking to make absolute the exemption from further service of those already in the service who have attained the age of 28 years. In that respect it differs from the bill which was passed by the Senate.

Mr. TYDINGS. And from which the Senator has just read, I take it.

Mr. AUSTIN. No. I read from the measure which is pending. There is nothing in Public, No. 96, which was approved on August 27, 1940, which permits the release from service of men who have attained the age of 28.

Mr. TYDINGS. The bill the Senator read used the word "may."

Mr. AUSTIN. Yes.

Mr. TYDINGS. The conference report, I take it, in effect uses the word "shall" or its equivalent.

Mr. AUSTIN. Yes.

Mr. TYDINGS. So, if the conference report becomes the law of the land, as I understand the Senator from Vermont to explain it, men over 28 years of age who were drafted or who enlisted in the National Guard would be released on a mandatory rather than a permissive basis. That is what I desire to know.

Mr. MALONEY. Mr. President, will the Senator yield to me? I think I may be helpful in regard to this matter.

Mr. AUSTIN. I shall be glad to have the Senator's assistance.

Mr. TYDINGS. I yield.

Mr. MALONEY. I think there is a slight misunderstanding. If my memory serves me correctly, the Senate first passed a bill which gave the President power to exempt men 28 years of age and over who had not yet been called, and the House made the provision mandatory. As I understand—and I am quite confident I am correct in this—the conference report does nothing about the men in the service to whom the Senator from Maryland refers.

Mr. TYDINGS. I thank the Senator from Connecticut.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TYDINGS. I will yield in a moment. I wish to make a brief statement, hoping I can get complete and accurate light on this matter before I sit down. I think that the men 28 years of age who were called under the original Selective Service Act and who now are in the service are entitled to first consideration on the part of Congress. If the policy hereafter is not to draft men over 28 years of age, it is quite obvious to me that a large class of men have been called out under a general policy which is about to be abandoned, without being rescued from the policy which drew them out in the first place.

I now yield to the Senator from Alabama.

Mr. HILL. Mr. President, the Senator from Connecticut is absolutely correct. The bill which is now in conference, having passed the House and the Senate, does not deal with men 28 years of age and older who are now in the service.

Mr. TYDINGS. That is correct.

Mr. HILL. It deals only with men who are 28 years of age and over who are subject under existing law to being inducted into the service.

Mr. TYDINGS. And the pending measure does not make mandatory the release of the men over 28 years of age who were originally called. It simply sets up the machinery and establishes the philosophy that such men shall be released if, as, and when the Army thinks such action can properly be taken. I should much prefer to see a definite policy written into the act rather than to leave the men under the impression—perhaps erroneously—that they are to continue in service for a long period of time, although they are over 28, when no one else in the United States over 28 years of age will be called upon to serve in the armed forces.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HILL. It was the expressed intention of the Chief of Staff and others who spoke for the War Department to release men 28 years of age and over as rapidly as possible. I appreciate what the Senator says, that Congress might provide that they shall be immediately released. I realize that the Senator is himself a former soldier, and that he appreciates the fact that at the moment some of the men may be in important key positions, and that it might be quite contrary to the interests of defense to release them immediately. The idea of the committee and of the War Department is that the men will be released as rapidly as possible consistent with the interests of defense.

Mr. TYDINGS. I thank the Senator. I am sure that no one can quarrel with the philosophy of the joint resolution; but in these very emergent times it seems to me that Congress ought at least to go so far as to say definitely what the Senator from Alabama has said; namely, that they shall be released as rapidly as the circumstances permit and in any event without serving a longer period than their original year.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. TYDINGS. I will yield in a moment.

The men are over 28 years of age. A man in the service who is 32 years of age can look around and see that so far as is now known no one else in America over 28 years of age will be drafted under the policy of Congress. Yet he was taken out of his class, although 4 years over the maximum age in the new provision, and made to serve, and then left in the position that when his year is up he does not know whether even then he will get out. I do not believe that is "cricket," and I do not believe we ought to leave the law in what I think is a philosophical state rather than a definite one.

I now yield to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, it seems to me that what the Senator from Alabama says illustrates a very vicious practice in legislation, of which we now see so many examples in Congress. A bill is drawn so broadly that anything may happen under it. Then we are told what was the intention of the committee and what was the expressed intention of the War Department or some other department. It may be the idea of the committee that the men over 28 years of age are to be discharged as rapidly as possible, or it may be the present intention of the War Department to do so. But under the joint resolution as it is now drawn, any man who has been drafted into the Army of the United States can be kept in it for life. Ostensibly it is in the discretion of the President of the United States, but actually it is in the discretion of the man's superiors in the War Department. He could be retained in the service for life simply as the result of a declaration that he is a specialist or that he has some peculiar adaptability and has not had sufficient training.

It seems to me that if Congress is to enact legislation of this sort Congress should declare what it means, rather than to write the law in the form of a blank check and thereafter have some member of the committee say, "It was the idea of the committee that such-and-such would be done," or have the Chief of Staff or some other representative of the War Department say that a certain course was the intention of the War Department. In enacting legislation Congress should proceed on the theory that a law should specify in clear terms what is likely to be done under it.

As the pending measure is now drawn it would permit the retention in service for life of any man who has been drafted, which would be an absolute betrayal on the part of the Congress of the United States and the Government of the United States of the assurances given to the men at the time they were drafted.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Vermont.

Mr. AUSTIN. I have before me the conference report on Senate bill 1524. The part which deals with this subject reads as follows:

(2) Anything in this act to the contrary notwithstanding—

That means the Selective Training and Service Act of 1940—

there shall be deferred from training and service under this act in the land and naval forces of the United States until Congress shall declare otherwise, the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) have attained the twenty-eighth anniversary of the day of their birth: *Provided*, That any of such men may after volunteering for induction be inducted pursuant and subject to the provisions of section 3 (a) of this act.

Mr. TYDINGS. As I understand, that deals with the future?

Mr. AUSTIN. That is correct.

Mr. TYDINGS. What I want is something that deals with the past.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. TYDINGS. I will yield in a moment. I believe that in philosophy the committee agrees with the point I am trying to accentuate. However, it leaves the matter in a more or less nebulous state. It seems to me that it ought to be definitely stated that the men who are over 28 years of age who have either been drafted or, anicipating the draft, have volunteered, should be the first men to be released, all other things being equal, in the event that anyone is to be released, for certainly they are a class apart. No more men over 28 years of age are to be drafted. As the Senator from Vermont has pointed out, the policy of drafting men over 28 years of age has been abandoned. Yet this one group of men over 28, the only such group in the whole country, are still in the armed forces of the United States, and the tenure of their service is as yet indefinite. It seems to me that common justice dictates that the Congress ought affirmatively to state that these men shall be discharged first and as rapidly as the national interest, welfare, and the needs of defense will permit.

Mr. LODGE. Mr. President——

Mr. TYDINGS. I yield to the Senator from Massachusetts.

Mr. LODGE. I think the Senator from Maryland will be interested in the statement which was made by the Chief of

Staff before the committee, and which I quote, as follows:

Specifically, we wish to release the older men, those 28 years old and over, on the completion of their 12 months, and even earlier, if possible, and I think that in the majority of cases we can do it without too serious an effect on organizational efficiency.

Mr. TYDINGS. I thank the Senator, and I think General Marshall is endeavoring to do what Congress wants done and what I particularly want to have done. We have left the law pretty indefinite, and what I am contending is, if, as General Mashall feels, that policy is wise, as he has stated it to be, and he advocates it as fair and just and as being something we can do, in common justice to these men, we ought to do it; and there ought not to be any question about it.

Mr. AUSTIN. Mr. President——

Mr. TYDINGS. I yield to the Senator from Vermont.

Mr. AUSTIN. I call attention to this only to show to what degree I concur in the views the Senator from Maryland expresses. I read from section 5 of Senate Joint Resolution 97, which I drafted and submitted to the committee. It is designed to take care of hardship cases such as the 28-year-old men, and it reads as follows:

SEC. 5. Under such rules and regulations as may be prescribed by the President, any person ordered or inducted into the active military service under any of the foregoing acts prior to the enactment of this joint resolution—

That takes all time in the past—

upon the completion of the 12 months' period of active military service, or of training and service, provided for in said acts, upon his own request, shall be entitled to be relieved from active duty in the military service of the United States, and thereupon revert to his National Guard status, or he shall be entitled to be transferred to a reserve component under section 3 (c) of the Selective Training and Service Act of 1940, according to the applicable statute—

That covers both the National Guard Act and the Selective Service and Training Act.

if he shall have attained the age of 28 years—

That is an absolute requirement; it is up to him—

or if the extension of his time of service would cause excessive hardship to him or to any person or persons dependent solely upon him for support, and who have no other means of support except the wages, salary, or other compensation for personal services that he earns.

I merely read that as having reference to the pending matter; it has not received the approval of the Military Affairs Committee.

Mr. TYDINGS. I thank the Senator from Vermont.

Mr. LEE. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I will yield in a moment. I am very sure that General Marshall, the head of the Army, the committee of conference which is now considering the other bill, Congress generally, and the people of America are in accord on this question; but I repeat that there is no machinery, as I understand, in this proposed act to accomplish the desired result, except permissive machinery, and I feel that this particular group of men between 28 and 35 years of age in common justice can ask that we place them at the earliest possible opportunity on all fours with the other men of their age. To require them to remain in the service when are 31, 32, 33, or 34 years of age, when the best years of their lives, in many cases, have passed, when we have abandoned that policy as a national policy, is not being fair and just and impartial in the international emergency. My criticism is not that it will not be done, for it may be done but I say we ought to make it abundantly clear that it will be done as soon as it can possibly be done without injury to the welfare of the Nation.

Mr. LEE. Mr. President——

Mr. TYDINGS. I yield to the Senator from Oklahoma.

Mr. LEE. I do not believe that there is any disagreement in the purpose we want to accomplish.

Mr. TYDINGS. Certainly not.

Mr. LEE. But it becomes rather difficult to write legislation that does not leave it to the discretion of the War Department after all. We can say they shall be discharged as soon as it can be accomplished consistent with the national defense, which, after all, leaves it right back where it is now, in the discretion of the War Department to determine when that can be done, and they have given us every possible assurance that it will be done. I doubt if the Senator can write language that will make it more mandatory without doing the thing which he himself said he did not want to do; namely, to hobble and tie the War Department so that they cannot handle the outgo and income without crippling the defense program.

Mr. TYDINGS. I would achieve the result, which I do not believe is difficult, by simply saying, "but in any event later than so and so"; so that we could get to that point on a definite date and put pressure upon the Army, carrying out the philosophy of what the Senator from Oklahoma has said, and beyond a certain date the job would have to be done in justice to that class of men.

Mr. TUNNELL and Mr. HILL addressed the Chair.

Mr. TYDINGS. I yield first to the Senator from Delaware, and then I will yield to the Senator from Alabama.

Mr. TUNNELL. I will ask the Senator from Maryland if there is any way under the joint resolution by which anybody can be released except he comes within one of two very limited classes? First, his must be a hardship case; or, second, the soldier must have been 28 years old on July 1, 1941. Outside those two classes there is no authority in the joint resolution that I can find for the release even by the Secretary of War.

Mr. TYDINGS. I think that is a correct statement of fact, I will say to the Senator.

Mr. HILL. Mr. President——

Mr. TYDINGS. I yield to the Senator from Alabama.

Mr. HILL. I do not agree with that interpretation. I think the President can release these men when he sees fit.

Mr. TYDINGS. The Senator from Delaware meant short of a Presidential order.

Mr. HILL. Yes. The President can release these men as he deems wise and thinks fit. I think I know exactly what the Senator has in mind; he has made it clear as to men 28 years of age. Meeting the practical situation suggested by the Senator from Oklahoma, I may say that when the bill deferring all men 28 years of age and over who were eligible to service, and who had been inducted, was under consideration in the House, an amendment was offered requiring the discharge of all men in that category in the service, but that amendment was rejected.

Mr. TYDINGS. Because it was too drastic.

Mr. HILL. Because it was too drastic. I think our minds are very much together, as we lawyers sometimes say. There is such a meeting of our minds that it may be possible to work out some language that will be more satisfactory.

Mr. TYDINGS. Let me say to the Senator from Alabama that I think he and I stand on common ground as to what we wish to accomplish.

Mr. HILL. I think so, too.

Mr. TYDINGS. I do not want to offer this amendment, because I am not a member of the committee, and I have not all the various facts which Senators who serve on the committee have, but I am hoping that some member of the committee will suggest a definite date in connection with the matter we are now discussing, so that, while these men will be discharged only as the national safety will permit, the War Department will be put on notice that the job must be done on or before a certain date. Then we can, in good faith, say to them, "We have tried to rectify the unintended injustice inflicted on your class by requiring service that others of your age did not have to perform. We have ordered that you be released from the service as soon as the national interest will permit, but we have put pressure on the higher-up authorities to be sure to do it by such-and-such a date."

If the Senator from Alabama and the Senator from Utah, who have gone into this matter, and other members of the committee will tell me what the nearest date is when that can be done, I shall be glad to offer an amendment to accomplish it. I hesitate to put in the date, because it may be too soon; but I feel that some date ought to be put in to make this matter absolutely certain, so that this policy will be eliminated from the entire population, as it has already been eliminated or is about to be eliminated from the bill to which the Senator from Vermont [Mr. AUSTIN] referred.

Mr. THOMAS of Utah. Mr. President, before the Senator from Maryland leaves the Chamber, I should like to say that in writing section 3, the committee accepted in toto the theory of the provisions of the Senator from Vermont [Mr. AUSTIN]. Since the Senator from Maryland accepts the philosophy of this provision, I should like to say that it is impossible to handle this matter except in a philosophical way.

Mr. TYDINGS. That is true, with a time limit.

Mr. THOMAS of Utah. The time limit becomes very unimportant in the actual working of the matter.

Mr. TYDINGS. Let me interrupt the Senator and say this: To take an illustration, if I may take issue with him, suppose there were but 2 percent of these men remaining, and that for the major part they were not in key positions. I do not believe the elimination of the men over 28, when only a very small percentage of the Army has been training for a year, would greatly weaken the efficiency of the Army. If it is to be done at some time, I think the members of the Military Affairs Committee can ask General Marshall, "General, knowing the Army situation intimately as you do, what is the first date when you think it will be possible to say definitely that thereafter no man over 28 years of age who was in the draft shall serve in the armed forces of the United States?"

Mr. THOMAS of Utah. Mr. President, let me say that if we are to be logical and consistent with the act, that date would be 1 year after the person's induction, because that is what he expected, and for that very reason this provision was left permissive, and not made mandatory. It was because of that type of man who is over 28 years of age, who has put himself in the service, has expected to stay in the service for a year, and wants to remain in the service.

Mr. TYDINGS. If he wants to remain in the service, obviously he would not be eliminated in any event. He would simply stay.

Mr. THOMAS of Utah. No; but, if we make this provision mandatory, any person who is in the class the Senator has been speaking about must of necessity be released.

Mr. TYDINGS. Unless I am greatly mistaken, I think the Senator from Utah will find that it is the sentiment of the Senate that they will want to put some definite date in this act, and that they hesitate to suggest a date without knowing all the facts. If the committee would take up the matter with the War Department and learn the first definite date when it seems safe in the present emergency to do that, and then move toward that goal, I believe the Senator would be serving the purposes of his joint resolution and gathering some support for it.

Many Senators feel that a mistake was made when the age limit was raised up to 35 years. I will say to the Senator that I voted for the original act, and I myself felt that the age limit was too high. Now that these men over 28 years of age are already in, and that policy is to be forever discarded in the future, common justice demands that they ought to be returned to civilian life as soon as the national defense will permit it to be done.

Mr. THOMAS of Utah. Mr. President, would the Senator from Maryland accept the suggestion that 1 year after the person's induction—referring to the particular type of person he is trying to take care of—everything shall end?

Mr. TYDINGS. I do not want to be in the position of saying "Yes" or "No," but I appreciate the fact that the Senator is trying to reach the point made in my remarks. What I should like him to do is to confer with the military authorities and try to ascertain from them not the longest time they could keep such men in the service, but the shortest period of time in which they feel it would be safe to let all of them go, and in the meantime to let as many go as possibly can be spared.

Mr. THOMAS of Utah. I should like to say for the Senator's benefit that the men in the hardship category and the age category are being released right now at the rate of 2,000 a month.

Mr. TYDINGS. That is not the point. I appreciate that. That is commendatory.

Mr. THOMAS of Utah. I understand the point; but let us at least understand the problem which is facing us, and let us at least know that there are in the United States some men who are proud of their service, who were inducted in completely good faith with the notion that they were to serve for the year. Let us not deprive those men of that opportunity.

Mr. TYDINGS. Understand me: I am not attempting to get out of the service any man over 28 years of age who wants to stay in the service. I feel, however, as the Senator himself does, that as to those who are beyond the class of the general policy now established for the Nation we ought to leave no stone unturned, commensurate with the national-defense requirements, to let those men get out of the service at the earliest possible date, and we ought to know the ultimate date when they will all get out.

Mr. THOMAS of Utah. I am not in disagreement with the Senator; but I want to try, if I can, by questioning him, to find out the technique by which that can be done. Would the Senator approve of an arrangement—using his words—"at the earliest practicable date," providing that it is done in harmony with the individual soldier's wishes?

Mr. TYDINGS. The second part of the Senator's proposition is eminently satisfactory to me. I would appreciate it if he would get in touch with those who testified before the committee, who know how many men there are of the different ages, what categories are represented from 35 down to 28, how many of them have been in the service 2 months and 3 months and 6 months and 9 months, and ascertain from them some ultimate date—I do not know what it might be—that would be the earliest possible date when all must be out, in the meantime continuing the practice to which the Senator has just referred of releasing 2,000 of them a month, which means, after all, only 25,000 a year; but, after all, this class is very small.

Mr. THOMAS of Utah. Very small.

Mr. TYDINGS. If the Senator will ascertain those figures and give them to the Senate, so far as I am concerned I shall certainly try to conform; but I feel that to leave this matter with no end on it at all is not fair to the men who are over 28 years old, and it is going to cost votes for the joint resolution if the provision is kept in the measure in that form.

Mr. THOMAS of Utah. I understand the Senator's spirit. I desire to say that it is in complete harmony with what we think we have here, and that a terminal date of that kind can be arranged as soon as we have definite knowledge.

Mr. TYDINGS. I thank the Senator, and I hope it will be done.

Mr. VANDENBERG. Mr. President, may I ask the Senator from Utah one further question which relates to the so-called hardship clause?

I think I read in the newspapers that General Marshall made the public statement—perhaps before the Senate Military Affairs Committee—that if this extension were passed he would expect promptly to release not only all men over 28 years of age, but also all married men. Did the general make any statement of that character?

Mr. THOMAS of Utah. I do not know whether he did or not, but I would interpret the hardship case as covering that sort of a situation. As I remember, the 2,000 a month that the authorities have already started to release contain not only the men over 28 but also the hardship cases; and I think we all know of some hardship cases in which they have been released.

Mr. VANDENBERG. One of the most irritating difficulties in my section of the country in the administration of the draft law was the great divergence of judgment by various local draft boards on the question of exemption for married men. One draft board would be very generous, and would exempt all of them; the next one would be very rigid, and exempt comparatively few. I think probably more irritation and more resentment were caused by that diverse administration of the section of law dealing with married men, than by anything else. As a result, I can think of nothing that would more generally act as a sedative upon public opinion than a rather generous release of married men in the service. It is the Senator's view, speaking generally, that that is contemplated under the hardship clause?

Mr. THOMAS of Utah. As I have understood it, marriage, dependency, deaths in the family—any exigency of that kind which may occur—will be considered a hardship case.

Mr. VANDENBERG. I was under the impression that I had read a specific statement by General Marshall of his intention on this subject.

Mr. HILL. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. HILL. Speaking of the hardship cases, of course, as the Senator knows, the War Department has no control over the local boards.

Mr. VANDENBERG. That has been the trouble; there is no standard of action.

Mr. HILL. After a man comes into the service, if he makes a statement, based on any set of facts, showing undue hardship, the practice of the War Department is to refer the matter to the local Red Cross, to the Red Cross chapter in the man's city, and have them investigate the case. Then, it is my understanding, the War Department is guided

very largely by the report of the facts as found by the Red Cross.

Mr. VANDENBERG. I think the Senator is correct; but this is what he overlooks in the equation, as I see it. The investigation by the Red Cross is an individual investigation, chiefly of the economic situation of the family of the married man, to see whether he is needed as a breadwinner. There is no way by which the Red Cross or the War Department could measure the hardship which is caused by the mental resentment against a particular married man's draft into the Army, when in the next town a comparable married man has not been drafted, but has been exempted. That is the type of hardship which is the most vicious of all.

Mr. HILL. The Senator is perhaps right about that. I can realize the difficulties which a Red Cross representative might have in attempting to discover the true situation. Of course, if the Red Cross representative went into the neighborhood and talked with the neighbors, and went into the particular home, discovery might be made; but I understand exactly what the Senator has in mind and, of course, I realize the difficulty suggested by the Senator. One draft board sometimes applies a more stringent rule than another draft board; and, of course, we find this difficulty throughout the country, despite the efforts of the Selective Service Administrator himself, through his field representatives—and he has a number of men in the field—all the time visiting the different draft boards, trying, insofar as possible, to standardize the law, as it were, and to put all cases on an equality and on a parity.

Mr. LEE. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. LEE. One of the representatives of the War Department, I think it was General Marshall, in his testimony before the committee, referred to the hardship cases, and stated in the hearing, although I cannot at the moment put my finger on the testimony, that they were very desirous of discharging hardship cases as rapidly as they could, because a man in the state of mind described by the Senator from Michigan not only is no good himself, but he reduces the morale of others. It was very definitely stated in the hearings that just as rapidly as they could they desired to discharge hardship cases.

Mr. VANDENBERG. The Senator uses the phrase "hardship cases" in this connection as referring to married men?

Mr. LEE. I do not recall that they were referred to by that title. The witness merely said "hardship case," and I took it to mean that he meant one who, from one cause or another, was in such a frame of mind as that described by the Senator. Whether it was because he was married, or had undue economic pressure, I do not know.

Mr. DANAHER. Mr. President, I should like to ask the Senator from Utah if he will turn to the Senate committee hearing, and I invite his attention particularly to page 160. I should be glad to know whether the table appearing in the second column of figures, reading across the page, is correct, so far as the Senator knows.

Mr. THOMAS of Utah. I do not know the origin of that table. Is it from some authority, or is it a part of the testimony of the witness?

Mr. DANAHER. Let me specify the point I have particularly in mind. Colonel Watts was asked by the chairman to submit certain information in connection with a plan submitted to the committee by the Senator from Ohio [Mr. TAFT]. Turning to page 160 we find a table which states that there were inducted into the service in November 1940 the number of 13,806, and in December of 1940, 5,521 men, and so on. I therefore ask whether, so far as the Senator from Utah knows, the figures given in the table are substantially correct.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I think they are correct. They were furnished by the War Department, if I understand correctly.

Mr. TAFT. I think the Senator is in error. Those figures were supplied by me. They are part of the plan which appears on the previous page. I understand the figures are correct until we come to June. The June figure was estimated from the number inducted during the first 15 days, and, as a matter of fact, there were not over 71,000 men inducted in June, according to my recollection. Of course, the July and August figures are merely estimates to show how the plan would work out. I think the Senator can be certain that the figures are correct up to May, and that the June figures are actually 71,000. Of course, the figures for July and August are estimates.

Mr. THOMAS of Utah. I was assuming that Colonel Watts presented the figures.

Mr. TAFT. No; I presented them, and the only answer of the War Department is contained in the statement of General Marshall which appears on pages 206 and 207, which was the statement Colonel Watts was asked to make. He does not criticize the figures or call attention to the error in June. I assume that substantially the figures are correct.

Mr. DANAHER. The point I wish to establish from my own understanding of the problem—and the Senator from Utah can certainly help me on this point—is that, so far as he knows, these figures are substantially accurate, and that no men drafted earlier than November 1940 would be eligible for release earlier than some time in October or November of the present year. Is not that correct?

Mr. THOMAS of Utah. I assume that would be correct under the act. I do not think anyone was drafted into the service before November. As the Senator knows, men could not legally be called in until proper housing and proper equipment and proper training were available. Therefore they have been "staggered" in, as these figures seem to imply.

Mr. DANAHER. Yes; I have so understood, and I wished to have the Senator verify the point to me. Now inviting the Senator's attention further to the act approved August 27, 1940, under which the National Guard was covered into the active military service of the United States, we find in section 1 that the guard was covered in, and I quote—

> For a period of 12 consecutive months each,

Is it within the Senator's knowledge when the first of the National Guard components will be eligible for discharge within the meaning of section 1 of the act of August 27, 1940?

Mr. THOMAS of Utah. I will have to estimate it, but I think the guards started coming in last fall, either in October or November.

Mr. HILL. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. HILL. As I recall, and I think it is correct, the first contingent would be eligible for discharge on September 16.

Mr. DANAHER. And approximately how many men, so far as the Senator knows, are involved in that first contingent?

Mr. HILL. I should hesitate to say how many men are involved. September 16 would be the first date they would go out. How many contingents were called in or were brought into the service on that date last year I should hesitate to say without refreshing my recollection, but I am quite certain the first contingent of the guard would go out on September 16.

Mr. DANAHER. It is a reasonably small number, though, is it not, let me ask the Senator from Alabama?

Mr. HILL. Yes; compared with the number of 1,418,000 who are now in the service, it would be a small number.

Mr. DANAHER. I thank the Senator.

Mr. HILL. But let me say a word further to the Senator, so that we may understand the complete situation. The Senator speaks of a small number going out. It would be a comparatively small number, so far as the total number of the guardsmen is concerned, but remember that in with these guardsmen are doubtless many selectees. Such selectees are now in guard units, and if these men went out on the 16th of September we would not only be discharging the number of guardsmen that went out, but we would also be disrupting, or putting an end to a number of units in which there are also selectees.

Mr. DANAHER. Mr. President, would the Senator from Utah mind if I digress from him for a minute or two to interrogate the Senator from Alabama?

Mr. THOMAS of Utah. I should be very happy to have the Senator do that.

Mr. DANAHER. I thank the Senator. I ask the Senator from Alabama to give me his impression because, as I read the hearings, I see how interested he was and how wide and extensive is his knowledge of this subject, and we who are not on the committee, let me say to the Senator, are frequently at a disadvantage in trying to ascertain the extent of the impact of the legislation.

Having in mind the point we were talking about, namely, the end of service of the National Guard men who were called into the active military service under the act of August 27, 1940, is it the

Senator's understanding that they are part of the Army of the United States?

Mr. HILL. Yes; they are part of the Army of the United States.

Mr. DANAHER. Yes; that is my understanding. Now let me ask the Senator to have in mind that the Conscription Act became effective on September 16, 1940, and that we find this section in it:

The Congress further declares, in accordance with our traditional military policy—

And I omit the unimportant words—

that it is essential that the strength and organization of the National Guard * * * be at all times maintained and assured. To this end, it is the intent of the Congress that whenever the Congress shall determine that troops are needed for the national security in excess of those of the Regular Army and those in active training and service under section 3 (b)—

That is of the act, of course—

The National Guard of the United States, or such part thereof as may be necessary, shall be ordered to active Federal service and continued therein so long as such necessity exists.

Is it the Senator's understanding that the language of this latter law, superseding, as it does, the direct or definite limitation of the earlier law, already covers the National Guard into the Federal service, so long as the necessity therefor exists?

Mr. HILL. Is the question whether the joint resolution now pending does so?

Mr. DANAHER. No; the act from which I just quoted.

Mr. HILL. I will state the genesis of the provision to which the Senator has just called attention. In 1933 the National Guard, through the National Guard Association, which is composed of the officers and men of the National Guard, came to the Congress and asked for the enactment of a law declaring that the National Guard was a part of the first line of the defense of the country. The idea was that the National Guard should be used second to the Regular Army itself. When the Selective Service Act was under consideration the National Guard was fearful that it might be displaced; that, due to the creation of an Army under the Selective Service Act, the National Guard might be relegated to a secondary position, a position behind the selective-service men; so the representatives of the National Guard asked the Senate Committee on Military Affairs to put this provision into the law saying that the National Guard is an integral part of the first line of defense, and that whenever it is necessary to use troops in addition to the Regular Army and those under subsection (b) of section 3 of the Selective Service Act, the National Guard shall be used. That was the purpose of writing that provision into the Selective Service Act. The National Guard did not want to lose its place as a part of the first line of defense of our country and subject to call second only to the Regular Army itself.

Mr. DANAHER. Let me ask the Senator from Alabama, please, if, so far as he knows, there are units of the National Guard of the United States which have not already been ordered to active Federal service?

Mr. HILL. There may be very few units. I should say that the great rank and file of the Guard today is in the Federal service.

Mr. DANAHER. So the fact is then that the National Guard of the United States, pursuant to section 1, which the Senator from Alabama has just explained, already is in the Army of the United States, that is, in active Federal service, and may be continued therein so long as the necessity therefor exists? Is that not so?

Mr. HILL. If the pending joint resolution shall pass?

Mr. DANAHER. No; if we do not pass it at all; by virtue of the language in the conscription act which we just read?

Mr. HILL. No; not under that language. That was more of a declaration of policy than it was the enactment of a law. To keep the National Guard in service indefinitely Congress, under existing law, would either have to pass the pending joint resolution, or the Congress would have to pass a joint resolution declaring two things: First, that troops were needed in excess of the Regular Army, and, second, that a state of national emergency existed. The language which the Senator has read was more of a declaration of policy placed in the law, as I said, at the request of the National Guard, in order that they might not lose their place as part of the first line; that they might not be relegated to some secondary place; and it would not have the effect in itself of continuing in the service the National Guard after the 12-month period provided for, when Senate Joint Resolution No. 96 shall have expired.

Mr. DANAHER. I thank the Senator from Alabama. Will the Senator from Utah tell me, please, whether the men who have been inducted for training and service under the Selective Service Act are deemed to be members of the Army?

Mr. THOMAS of Utah. They all belong to the Army of the United States after they have taken their Federal oaths.

Mr. DANAHER. And if they are members of the Army of the United States they have been assigned by the superior officers to such units as needed men, whether they be selectees, or National Guard men, or volunteers, or anything else; is that not so?

Mr. THOMAS of Utah. That is true. They are found in all components at the present time. They have been used as replacement troops.

Mr. DANAHER. Does the Senator from Utah understand that if the pending joint resolution should not be passed today or tomorrow our Army would begin to melt away by August 1?

Mr. THOMAS of Utah. The Senator understands, of course, that since the selectees started at an early date some have longer to serve than others under the law as it is today. "Melt away" is a rather picturesque phrase.

Mr. DANAHER. Let me say to the Senator that I borrowed it.

Mr. THOMAS of Utah. It may mean many things. A National Guard regiment may be highly mechanized and may therefore have been one of the very first to come in. Its officers may be the very best trained in a particular branch of the service; and, subject to the law as it is today, may be the first to be released. If that is the case, I think that would be a very definite melting away.

On the other hand, a group of "rookies" may be trained in such a way and at such a place that the whole unit might go out without being greatly missed. That is no reflection upon the service of the individual. But I think that when we use expressions such as "melt away" and "lack of service," we must think not only of the individual selectee or enlisted man, but also of the military unit and of the Army as a whole. Everyone knows that the loss of the commander in chief in battle would be more disastrous than would be the loss of a private. Therefore there is no way of measuring values.

Mr. DANAHER. The explanation which the Senator from Utah has just given me so helpfully certainly does not detail any new facts, does it? It has been thoroughly understood from the beginning that that would be the situation.

Mr. THOMAS of Utah. I think so; and I think the Senator may find me in quite an embarrassing position by reading some more of the record which he cited, referring to questions asked the Chief of Staff by the Senator from Utah in regard to this situation. I asked him what he would do in case nothing should be done. The record is all there.

I think everyone realizes that the amendment which we are suggesting must be considered not only as an amendment which becomes necessary because our national interest is imperiled, to use the words of the amendment, but also as an amendment to improve the general morale of the whole Army in regard to the service of the men, the terms of service, terms of commission, and other things. This measure actually has a secondary consequence as well as a primary consequence.

Mr. DANAHER. Let me say to the Senator from Utah that, quite the contrary from seeking to embarrass him——

Mr. THOMAS of Utah. I did not mean that.

Mr. DANAHER. I did not have in mind even that I might do so, let me hasten to add. I was not referring to any question asked by the Senator from Utah. I was referring to the record of the hearings on Senate bill 4164, which commenced on July 3, 1940. At the top of page 330 I read a question put by the Senator from Alabama [Mr. HILL] to General Marshall. I read it to the Senator from Utah so that there may be no question in his mind that he was not the target or the objective of this interrogation.

Mr. THOMAS of Utah. I asked rather definite questions of the general and of the others who appeared before us. Those questions demanded rather definite answers. For example, with respect to that part of the law which the Senator has had us read, about the National Guard being the second line of defense, I pointedly asked one general if that did not give notice to every man in the National Guard that the term was to be longer than 1 year; and, of course, I got the answer which the Senator from

Alabama [Mr. HILL] has given, that it was a declaration of policy and not a change in the law. That is what I wanted him to say.

Mr. DANAHER. Let me read from the record of the hearings on Senate bill 4164, at the top of page 330:

Senator HILL. In other words, what you really contemplate at the present time, General, is to bring these men really into the Regular Army or into the National Guard, if the National Guard were called out for training and service at the present time. Or, in other words, you would build your basic army out of your Regular Army and out of your National Guard. Is not that true?

General MARSHALL. Exactly that.

Senator HILL. Then, after you build your basic army, then you take that basic army, if need be, and break it down and build this larger army?

General MARSHALL. That is the idea.

Calling to the attention of the Senator from Utah the testimony of General Marshall many weeks before even the National Guard was called out, much less before we had any inductees under the Selective Service Act, the situation which we are now told is the basis for our present action on the pending joint resolution was fully understood and fully explained to the Senate Military Affairs Committee by the Chief of Staff before we ever passed the act in the first place, was it not?

Mr. THOMAS of Utah. I think there can be no doubt about that, Mr. President, provided, of course, that, to use General Marshall's words, conditions remain perilous.

Mr. DANAHER. So, when we were writing legislation calling the National Guard into service for a year, and when we were calling inductees under the Selective Service Act for 1 year, the General Staff knew, and General Marshall certainly knew, that he was going to assign those men to the very type of units in which they are now found, and which it is said would disintegrate if the men should now be withdrawn from them. That is the fact, is it not?

Mr. THOMAS of Utah. I think no one would dispute that.

Mr. DANAHER. I thank the the Senator from Utah for his helpfulness.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. AUSTIN. I desire to call the attention of the Senator from Connecticut to General Marshall's testimony bearing upon the deadline about which he spoke, namely, August 1, in order to correct what I think is a misapprehension.

Mr. DANAHER. On whose part?

Mr. AUSTIN. On the part of the Senator from Connecticut, with respect to what causes the dead line.

Mr. DANAHER. Let me say to the Senator from Vermont that there has been no misapprehension on my part that needs any correction. I have made no reference to August 1 in any particular.

Mr. AUSTIN. I thought that in one of his questions the Senator asked about the dead line of August 1.

Mr. DANAHER. No. Let me assure the Senator from Vermont that I have made no reference to August 1, or any other dead line. I think my colleagues will bear me out. If the Senator from Vermont wishes to make a statement about the dead line of August 1, I am willing that he should do so; but do not attribute such a statement to me.

Mr. AUSTIN. I understood the Senator from Connecticut to speak about August 1 as the dead line when he was referring to the time of induction of units of the National Guard.

Mr. DANAHER. I am sure the misapprehension is on the part of the Senator from Vermont. Now that he has made the statement, let me say for the RECORD, and for his present consideration, that I asked a question to the following effect:

Would the Army be said to disintegrate or melt away—

That was my expression, and I told the Senator from Utah that I had borrowed it—

if we should not pass the joint resolution by tonight?

Mr. AUSTIN. I beg the Senator's pardon. I certainly did misapprehend his question. However, the testimony to which I refer is relevant, and if he will permit it, I should like to put it into the RECORD at this point.

Mr. DANAHER. That is quite all right.

Mr. AUSTIN. This refers to the date of August 1.

Mr. DANAHER. Nine hundred and forty-two?

Mr. AUSTIN. Nineteen hundred and forty-one. I believe tomorrow will be August 1. I read from page 4 of the hearings:

Consider, for example, the Sixth Division, one of our nine Regular Army infantry divisions in the continental United States. We virtually eliminated 50 percent of that division in order to provide garrisons for the bases from Newfoundland to Trinidad. We will have to rebuild that division all over again.

When it became necessary to increase the antiaircraft protection of Hawaii some time ago, we had nothing else available at the time but a National Guard regiment. We could not send a Regular regiment for the reason that the few we had had been expanded to the point where they contained in some cases 80 percent selectees, and they were not then in a state of training appropriate for that assignment. There was the additional reason that the small professional personnel then in the ranks was urgently needed for the training of the new units that were being organized in various parts of the United States.

So I had to authorize the sending of a National Guard antiaircraft regiment to Hawaii. This is a specific example. Incidentally, relief must be provided for that regiment, sailing from San Francisco by August 1, in order to start the other on its way home by August 15. That will allow it 10 days or 2 weeks for the complicated procedure of demobilization in accordance with the terms of the present law.

I will not take the time of the Senator from Connecticut to read further at this point; but I should like to have inserted in the RECORD the remainder of General Marshall's answer, which shows other illustrations of why August 1 was regarded by him in his testimony as an important date, as a sort of deadline.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

We have a further complication in that the National Guard regiment has in its ranks selectees who have a longer period of service. Just what is to be done with them if the guard unit is demobilized I cannot tell you at the moment. The problem is being worked on in the War Department. It is probable that the selectees will be left in Hawaii and assigned to other units, but they will have to be brought home 2 or 4 months later.

I spoke the other day of another regiment that I authorized to be sent out of the United States because there was no other unit available in an acceptable state of training.

I refer to the Coast Artillery regiment of the National Guard which we had to send to Alaska. We had to reinforce that garrison and do it quickly.

It was done in the way I have described. That regiment must be returned from Alaska, and the dead line for its relief to start north is about August 5. If there happens to be bad fogs at that time, I may find myself in technical violation of the law.

There is no other National Guard unit available for that particular relief. Therefore I will have to send a Regular unit with some 40 to 50 percent of selectees in its ranks, because there are no 3-year men available. The selectees will have to return 4 months later—another needless move and in the middle of the winter at that.

I have spoken of two very small units. If we had the purpose that has been mentioned, we would have sent a large number of National Guard men and selectees out of the United States and would have produced deliberately an impossible situation. On the contrary, we have acted in good faith throughout. We have tried our level best to comply with all of the provisions of the law. And I would like to add, at the expense of repetition, that we have been trying in every way to find a workable solution, but without success.

I came finally to the conclusion that I had to come out firmly, plainly, publicly with the request for immediate action on the part of Congress in the shortest possible period of time.

Mr. AUSTIN. I asked General Marshall afterward this question, using the very words "dead line":

Senator AUSTIN. The deadline is indicated in your answer to be around August 1; is that right?

General MARSHALL. Yes, sir.

Senator AUSTIN. That is to say, this legislation, if agreed to, ought to be all completed by August 1?

General MARSHALL. Yes, sir. There are a great many other involvements that complicate it still more. If the National Guard is to be demobilized, we will have to create a large number of new units.

He goes on with illustrations. That is all. I had understood the Senator to be referring to another cause for assigning August 1 more definitely.

Mr. DANAHER. Let me ask the Senator from Vermont a question, please. The joint resolution is not law today. It has not even passed the House as yet. We have not gone through the committee amendments here, and the joint resolution will not be law on August 1. What is General Marshall going to do with that outfit? Is he going to bring it back from Hawaii just the same?

Mr. AUSTIN. Of course, I cannot answer the question of the distinguished Senator from Connecticut. I doubt if General Marshall would do so; and I

regret that he is put in a position in which he must take some chances in the administration of his department of the Government, which is so important at this time.

Mr. DANAHER. Let me say further to the Senator from Vermont that I would be much more impressed by that testimony of General Marshall were it not for the fact that only a year ago, 2 days after the conscription bill came to this body, the same General Marshall went on the air with a radio broadcast to the Nation at large telling us in effect that if we did not pass the Selective Service Act by the next afternoon at quarter of 4 o'clock the Huns were going to be coming up the Potomac River, or something of the sort. The fact of the matter is that we did not induct anyone into the service—National Guard or selectees or anyone else—for months and months thereafter, because the Army was not ready for them; and, of course, there was a change of policy in between. We had a new Secretary of War.

It was only a few weeks earlier that General Marshall was telling the same Senate committee this—and I read:

> First, voluntary recruiting of the Regular Army should proceed as rapidly as we can secure the men, until the authorized limit of 280,000 is reached. If at that time the situation is as serious as it is at present, and certainly if it is more serious, recruitment of the Regular Army on a volunteer basis should continue, possibly up to 400,000 men as a temporary measure, not as a permanent increase.

Of course, Mr. President, when we talk about a dead line, and when General Marshall talks about haste, and talks about the Army's disintegrating, and all that sort of thing, he has known from the beginning that that sort of thing would happen. He knew when we were writing the 12 months' provision into all this legislation that he was going to assign those men just as they are assigned, to Honolulu or anywhere else; and now he comes back here and tells us at this time—let me state the exact words—

> that our national interest is imperiled if we do not pass this legislation.

I submit that somewhere along the line there has been a curious defection in thought. I do not know whose it is. I do not know whose policy has overruled whoever else's ideas. I do not know just what the plan is; but it is perfectly apparent that weeks before we ever enacted the bill calling out the National Guard, and weeks before we ever enacted the Selective Service Act, General Marshall knew that this alleged disintegration would follow if at the end of 12 months we did not continue the men in service; and yet they were allowed to go out, thinking they were going out for 1 year.

Mr. AUSTIN. Mr. President——

Mr. HILL. Mr. President, will the Senator yield?

Mr. DANAHER. Yes. I yield first to the Senator from Vermont.

Mr. HILL. Very well.

Mr. AUSTIN. Of course the general is not here, and I desire to call attention to what he said pertaining to this subject.

Mr. DANAHER. Please do so. I am glad to have all the evidence that is available.

Mr. AUSTIN. I read from page 4 of the hearings beginning July 17, 1941. I asked this question:

> I have heard criticisms which conveyed the charge that selectees had been infiltrated into ordinary units and sent away to outlying possessions of the United States in order to force the hand of Congress to the extent of obtaining either the resolution declaring that the national interest is imperiled or amendments such as these that we are considering today; what would you say about that?
>
> General MARSHALL. Senator Austin, exactly the opposite has been the case. I have been personally responsible for the assignments to foreign service. With the greatest reluctance I was forced to the conclusion that in certain specific cases we must send units upon foreign service which were National Guard units or which had in their ranks selective-service men. In order to hold these categories to the absolute minimum, we almost destroyed the divisions of the Regular Army in order to provide the troops required.

I think, in justice to the General, the Senator from Connecticut should consider that.

Mr. DANAHER. Let me say to the Senator from Vermont in that particular that I seek to do no injustice to the general. Quite the contrary, I am calling into question some kind of injustice to the people of the United States and to the men in the United States when, before we ever even passed those laws, General Marshall himself, weeks and weeks in advance, testified before the committees that the men would have to go out and form parts of these units. I have read all that into the RECORD. Quite the contrary from doing the general injustice, I am showing that he then knew that the men would have to go out into those units and that if later there was disintegration in the units to which he assigned inductees, he knew then that that would happen. But it is the Congress, it is the leadership, it is whatever group of persons has been in charge of a policy which would mislead someone else, who ought to rectify an injustice to the American people and to the men who were taken away certainly under the distinct understanding that they were being called into service for a year.

I yielded first to the Senator from Vermont, who was on his feet. I now yield to the Senator from Alabama.

Mr. HILL. Mr. President, I am glad to hear the Senator say that he had no intent of criticizing General Marshall, because certainly if any man has tried to be absolutely frank with the Congress and with the committees, it has been General Marshall; and he did exactly what he told us he would do. I think, in fairness to the Congress, it should be said that the Congress entertained the hope that a year from last year, when we acted on those matters, the situation would be more favorable, would not be what it is today, and that we would be in such a position that we could permit these men to go back to their homes, and could emasculate the units and permit this Army of seasoned men, so to speak, to melt away. But unfortunately, due to circumstances beyond the control of the Congress and the people of our country, the situation, instead of getting better, has become worse. So we must act in the light of the situation with which we are now confronted, and we cannot permit these units to be emasculated and this Army to melt away.

Mr. DANAHER. If we are to speculate, it is my private notion that the leadership thought they would have us in war by now, and that the question would be academic and never would arise; but that is speculation of a character equal to that of the Senator from Alabama.

Mr. HILL. Mr. President, if the Senator will yield, I will say that if the leaders had wanted to get the Nation into war, certainly any man who can see beyond his nose can see well enough to know that there would have been no difficulty about getting us into war. On the contrary, every effort has been made to keep us out of war; and, because these efforts have been made to keep us out of war, we are today not in war, but at peace.

Mr. DANAHER. Let me say that if that is the case, a great deal of effort is being wasted by the committee entitled "Fight for Freedom," of which the present incumbent of the chair [Mr. GLASS] is the honorary chairman in a national status, as I understand. They have been deluging my office with printed cards by the hundreds, demanding, let me say to the Senator from Alabama, that we act in this case to the end that our Army shall not melt away, and insisting that unless we act our Army will be hampered in its task of defending the country by having its activities restricted to this hemisphere.

While we are on that subject, let me ask the Senator from Utah if the men who are National Guardsmen and the men who are inductees are made part of the Army of the United States, what is to prevent their being sent to Iceland?

Mr. THOMAS of Utah. The restrictions in the National Guard Act, and also the restrictions in the Selective Service Act.

Mr. DANAHER. What are the restrictions, please, which say that they may not be sent to Iceland?

Mr. THOMAS of Utah. Evidently those who sent the troops to Iceland assumed two things when they did so. They assumed that probably there might be some question about whether Iceland was in the Western Hemisphere; and they assumed, too, that it would be inconvenient for persons who would have to be released in a given time to be sent so far away as that. Therefore, the troops that were sent to Iceland were marines, as to whom these various restrictions did not exist. I think it will be found, although I do not know for sure, that all the troops that have gone to Iceland are marines.

It should be pointed out right here that the Army of the United States was called upon to perform a duty which, due to the restrictions upon the Army of the United States, it was not able to perform at that time, and the Army was obliged to call upon the Navy to do an act which the Army was supposed to do. It is for reasons of that kind that the amendment which is pending before us has come to Congress.

Mr. DANAHER. Am I to understand from what the Senator has just said, when he says that that is the reason why this amendment has come to Congress, that if this amendment is adopted the Army may be sent to Iceland or anywhere else?

Mr. THOMAS of Utah. Oh, of course not.

Mr. DANAHER. What does the Senator mean?

Mr. THOMAS of Utah. The Senator surely realizes that so far as Iceland is concerned, if it is outside the Western Hemisphere, that provision will have to be respected, for the simple reason that the Senate Military Affairs Committee, by an affirmative act, actually decided not to take any action on the joint resolution as it was first drawn which had reference to the troops that might waive, in their individual cases, the prohibition which Congress imposed upon them.

Mr. DANAHER. The Senator does not mean that that is an answer to my question and that some committee amendment takes the place of law. The Senator does not mean that, does he?

Mr. THOMAS of Utah. Oh, my goodness, no.

Mr. President, this is what has happened: I am afraid the Senator from Connecticut has not very carefully followed exactly what the Senate Military Affairs Committee has done.

Mr. DANAHER. We shall see.

Mr. THOMAS of Utah. In the first place, I pointed out that the President of the United States called upon the Army to do certain things in regard to Iceland. The Army said it could not do those things in regard to Iceland, and, therefore, the Marines were sent. As the Senator knows, the Marines operate in connection with the Navy and under the jurisdiction of the Navy.

In explanation of that condition, along with other factors, the Chief of Staff of the Army explained why it was necessary to send Navy troops to Iceland instead of Army troops. Then, during the discussion, Senate Joint Resolution 75 was introduced in the Congress of the United States. Senate Joint Resolution 75 provided that the restriction in regard to the Western Hemisphere might be waived by the individual soldier himself. The Military Affairs Committee definitely struck out that provision, and in the joint resolution which it has reported there is no reference at all to the prohibition in regard to the Western Hemisphere that appears in both the Selective Service Act and the National Guard Act, Public Resolution Numbered 96.

Mr. DANAHER. And is it the Senator's understanding that by our having adopted those restrictions we have placed upon the Commander in Chief a limitation of such a nature that he cannot send outside the Western Hemisphere an Army or a division or a regiment, including troops from the National Guard or selectees?

Mr. THOMAS of Utah. Of course, I am sure the Senator realizes that the two acts—the Selective Service Act and the National Guard Act—are still the law of the land, and that the prohibition against sending outside the Western Hemisphere members who are drafted and members who are part of the National Guard still exists. Persons who are in the Regular Army, however, are not under that prohibition.

Mr. DANAHER. How about members of the Regular Army who were inductees, and who have been brought into the Regular Army to fill up vacancies there? May they be sent beyond the Western Hemisphere?

Mr. THOMAS of Utah. They may not be sent, and that was one of the reasons for my joint resolution as I saw the thing and as I thought it should be done. I assumed that a National Guard regiment that was in Hawaii, for example, would be the nearest regiment that might be called to guard, let us say, the United States Court in China. That has been done before. That may be done now. We are under obligations to protect the United States court. I assumed, therefore, that, instead of calling on a contingent that was in the United States proper, the authorities could save at least 2 weeks' time by calling upon a contingent that was in the Sandwich Islands or Hawaii, and that in order that such a contingent might be called, if it contained selectees or members of the National Guard who were held by these restrictions, the individual man might waive the right which is his under the law.

The Senate Military Affairs Committee had that joint resolution before them. They discussed it. They said that that which they wanted to report would have no reference at all to the modification of the law, even on a voluntary, individual basis; and my amendment was rejected.

Mr. DANAHER. Does the committee feel that the President, under the Constitution, exercising his powers as Commander in Chief, may not send the Army consisting of draftees and National Guardmen beyond the confines of the Western Hemisphere in the face of our legislative enactments forbidding it?

Mr. THOMAS of Utah. I think there is no doubt about that, because those very men are controlled by those two acts.

Mr. DANAHER. And so the committee feels that way, too?

Mr. THOMAS of Utah. I think the Army feels that way. I think the President feels that way. I have no right to think for them; but it seems to me that after the testimony of General Marshall, wherein he asked for a waiver of those two restrictions—one in the National Guard Act, and the other in the Selective Service Act—and when, subsequent to that time, the President's message came and asked not for any change there, it is not unreasonable to assume that the administration and the Army and the Navy all understand that those prohibitions are still the law of the land.

Mr. DANAHER. I certainly appreciate the succinct statement of the Senator from Utah, which is a most valuable contribution to this record. I thank him very much for it.

Mr. BONE. Mr. President——

Mr. DANAHER. I yield to the Senator from Washington.

Mr. BONE. I should like to make an inquiry of the Senator from Alabama [Mr. HILL]. As I read the pending proposal, and as a result of the discussions I have heard, it appears clearly that the inductees now serving could be retained in service for approximately 4 years and 3½ months after this date, or until May 15, 1945, plus 6 months, if a concurrent resolution were not passed by Congress at that time.

Mr. HILL. Congress can pass such a concurrent resolution at any time, so far as the power of the President is concerned.

Mr. BONE. I understand that; I am merely seeking to find what power would be granted by the legislation if it were fully employed. Am I accurate in my statement?

Mr. HILL. The Senator is correct. The President will retain that power, except that the Congress might pass a concurrent resolution.

Mr. BONE. One of my reasons for making the inquiry is that if we retain the present inductees, and there is no change in the legislative pattern, these men can be kept, then, if need be, even though there be no war, for 4 years and 3½ months. Obviously, since the limit upon the number of men who may be inducted would be removed by this proposal, or the Army of the inductees might number 10,000,000 men.

Mr. HILL. Only, however, if Congress should specifically appropriate for that many men.

Mr. BONE. I understand that.

Mr. HILL. Section 6 of the Selective Service Act provides specifically that the President shall have authority under the act to induct into the land or naval forces of the United States no greater number of men than the Congress shall hereafter make specific appropriation for from time to time.

Mr. BONE. I understand that.

Mr. DANAHER. Mr. President, I have the floor.

Mr. HILL. I beg the Senator's pardon.

Mr. BONE. I will be through in a moment.

Mr. DANAHER. The information sought is precisely the information I was about to elicit. The chairman of the Committee on Military Affairs told me that if I would cooperate with the committee we might resume tomorrow, but that he would like to have a recess now, since conferees are compelled to meet on another matter. I should like very much to indulge the Senator from North Carolina [Mr. REYNOLDS], my very good friend, but I certainly do not wish to interrupt the interesting colloquy now proceeding.

Mr. BONE. I was merely seeking information, not as to the probabilities but the possibilities. I merely wished to explore the language of the act, so as to know what could be done. That is my only purpose. I naturally will be quizzed by people who are interested, and I wanted this matter clear in my own mind.

We all know—I suppose even the legislative tyro knows—that the Congress has its finger on the purse strings, and if we pulled the puckering strings there would

be no army; indeed, there would be no Congress unless we paid our salaries. But if the emergency continues and the President decides we should not release any of these men, then the men presently in service could be required to serve a further term of 4 years and 3½ months. If Congress provided the money, we could have from 10,000,000 up to 20,000,000 men in the Army, whatever Congress provided for, if the men were available. I do not know what limits the War Department has in mind as to the size of this Army, but it could be a Gargantuan affair under the language of the proposed legislation.

I think it will be a rude shock to many of the draftees to learn that under the language of the proposed act, if the Department elected, it could keep them for the length of time I have stated.

Mr. DANAHER. Mr. President, I wish to thank the Senator from Utah for his very courteous cooperation with me. I have already suggested that there is some urgency about some pending business which will take several Senators elsewhere. If the Senator will bear with me tomorrow further, I have a few questions I should like to take up with him.

Mr. THOMAS of Utah. I shall be very happy to cooperate with the Senator.

Mr. DANAHER. I yield the floor.

Mr. THOMAS of Utah. Mr. President, I ask our leader what he intends for us to do now?

Mr. BARKLEY. I suppose we will suspend now until tomorrow.

Mr. THOMAS of Utah. The chairman of the Committee on Military Affairs has asked that, if we are able to do so, those of us on the conference committee proceed to a meeting of the conference.

Mr. BARKLEY. Very well. We are ready to conclude the session.

Mr. THOMAS of Utah. I thank the Senator.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

DIRECTOR OF SELECTIVE SERVICE

Mr. REYNOLDS. Mr. President, I report favorably from the Committee on Military Affairs the nomination of Brig. Gen. Lewis Blaine Hershey to be Director of Selective Service. I ask unanimous consent for the present consideration of the nomination.

The PRESIDENT pro tempore. Is there objection? The Chair hears none and, without objection, the nomination is confirmed.

Mr. REYNOLDS. I ask unanimous consent that the President be notified forthwith.

The PRESIDENT pro tempore. Without objection, the President will be immediately notified.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Friday, August 1, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 31 (legislative day of July 28), 1941:

DIPLOMATIC SERVICE

Lincoln MacVeagh, of Connecticut, now Envoy Extraordinary and Minister Plenipotentiary to Greece, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Iceland.

WORK PROJECTS ADMINISTRATION

Howard R. Staub, of Connecticut, to be Work Projects Administrator for Connecticut.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named doctors to be passed assistant surgeons in the United States Public Health Service, to take effect from date of oath:

Edward B. Gall.
Joseph S. Spoto.

The following-named engineers to be passed assistant sanitary engineers in the United States Public Health Service, to take effect from date of oath:

Allen D. Brandt.
Vernon G. MacKenzie.

The following-named engineer to be sanitary engineer in the United States Public Health Service, to take effect from date of oath:

Ellis S. Tisdale.

The following-named engineers to be assistant sanitary engineers in the United States Public Health Service, to take effect from date of oath:

Sterling M. Clark.
Ralph Porges.

SELECTIVE SERVICE

Brig. Gen. Lewis Blaine Hershey (lieutenant colonel, Field Artillery), United States Army, to be Director of Selective Service, with compensation at the rate of $10,000 per annum, as provided in the act, such compensation to be in lieu of pay and subsistence and rental allowances authorized by law for officers of the Army.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 31 (legislative day of July 28), 1941:

SELECTIVE SERVICE

Brig. Gen. Lewis Blaine Hershey, United States Army, to be Director of Selective Service.

POSTMASTERS

MAINE

Bethe M. MacDonald, Bridgewater.
Guy C. Bean, Freeport.
Charlene F. Tebbetts, Readfield.

OHIO

Wilmer Harvey Briggs, Cambridge.
William A. Markley, West Milton.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 31, 1941

The House met at 12 o'clock noon.

The Reverend Bernard Braskamp, D. D., pastor of the Gunston Temple Memorial Presbyterian Church, District of Columbia, offered the following prayer:

O thou eternal God who art ever seeking to make the soul of man the sanctuary of Thy presence, Thy peace, and Thy power, grant that during this day our spirits may be brought into harmony with Thy spirit.

We pray that in the midst of the world's turmoil and tumult we may be men of vision and of valor, endeavoring to make human life a sacred enterprise and believing that we have been created not for failure but for victory.

When our minds are baffled, and our hearts are burdened, and our eyes are blinded, may we appropriate by faith the eternal reality that God reigns and that some day truth and righteousness and peace shall be gloriously triumphant.

Hear our prayer in the name of Him through whom we are more than conquerors. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on July 30, 1941, the President approved and signed bills of the House of the following titles:

H. R. 1702. An act for the relief of Mary McCutcheon;

H. R. 1746. An act for the relief of Charles J. Schay;

H. R. 2382. An act for the relief of William Cromer;

H. R. 2855. An act to provide for payment of pension to certain dependent parents notwithstanding remarriage, and for other purposes;

H. R. 2888. An act for the relief of H. E. Buzby;

H. R. 3247. An act for the relief of Mrs. O. B. Olson;

H. R. 3523. An act for the relief of the Equitable Insurance Alliance, the Fidelity & Guaranty Fire Corporation, and the Hartford Fire Insurance Co.;

H. R. 3801. An act for the relief of Mr. and Mrs. W. A. Batchelor;

H. R. 3933. An act to grant the city of Vancouver, Wash., road rights-of-way and a retrocession of jurisdiction thereover;

H. R. 3943. An act for the relief of Mr. and Mrs. J. W. Johns;

H. R. 4210. An act to adjust the salaries of rural letter carriers;

H. R. 4293. An act to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C.,

title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes;

H. R. 4816. An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce; and

H. R. 4921. An act for the relief of Antonio or Anthony Maurin.

WHEAT MARKETING QUOTAS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Chair appointed the following conferees: Mr. FULMER, Mr. FLANNAGAN, Mr. KLEBERG, Mr. HOPE, Mr. KINZER.

PLANT PROTECTION FORCE

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4671) to authorize a plant-protection force for naval shore establishments, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read as follows:

Page 1, strike out lines 8 and 9, and insert: "The duty of this force shall be to investigate any existing or threatened espionage or sabotage or subversive or other activities contrary to the interests of the United States in and to the naval shore establishments. The force will be under the general supervision of the Director of the Office of Naval Intelligence under rules and regulations prescribed by the Secretary of the Navy."

Page 2, line 1, strike out "the sum of $3,000,000" and insert "a sum not to exceed $1,000,000 annually."

Page 2, lines 7 and 8, strike out "without regard to civil-service laws" and insert "in accordance with civil-service laws and the Classification Act of 1923, as amended, or otherwise as he may elect."

Page 2, line 9, strike out "the rate of" and insert "a rate not to exceed."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object and ask the gentleman to explain the amendments.

Mr. VINSON of Georgia. Mr. Speaker, this bill provides for the establishment of a plant-protection force. When the bill passed the House the force was placed under the Secretary of the Navy, direct. The Senate amendment No. 1 reads:

The duty of the force shall be to investigate any existing or threatened espionage or sabotage or subversive or other activities contrary to the interests of the United States in and to the naval shore establishments. The force will be under the general supervision of the Director of the Office of Naval Intelligence under rules and regulations prescribed by the Secretary of the Navy.

That is an advantageous and very constructive amendment, because it puts all of this character of work under the Naval Intelligence, and the other amendment was to reduce the amount of money which the House provided from $3,000,000 to $1,000,000. The Secretary of the Navy says that he can do the work for a million dollars, and he concurs in the suggestion of reducing it from $3,000,000.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. TABER. Would not this activity be practically a duplication to a large extent of the F. B. I.?

Mr. VINSON of Georgia. Oh, no. The F. B. I. work is directed by the President. He directs the F. B. I. to do certain things, and this is a protective force in the Naval Establishment—in the shore establishments of the Navy.

Mr. TABER. The gentleman means civilian police?

Mr. VINSON of Georgia. Civilian police; and the justification of this was based upon a confidential survey that Secretary Knox had made, showing that in all those navy yards throughout the country there was a great deal of communism and subversive influence. The confidential report was referred to in the RECORD by Senator WALSH in presenting the bill to the Senate, and it is clearly justified on that ground. There is only one thing in the bill that anyone might find some objection to, and that is the salary of $7,500 for the man to head it. The Senate amendment says not to exceed $7,500, and I am hoping that the Secretary may get someone to do the work for less than $7,500.

Mr. TABER. Does the gentleman think that a sleeping police force will be any better than sleeping marines?

Mr. VINSON of Georgia. Oh, the police and the marines have entirely different functions. We had long hearings before the Naval Affairs Committee, and the bill was unanimously reported by the committee, and it passed the Senate with only three or four objections. This is very important.

Mr. TABER. I doubt the desirability of that sort of duplication.

Mr. VINSON of Georgia. We cannot afford to permit the shore establishments, where billions of dollars are spent, to go unprotected by people who will be able to ferret out subversive elements in the plants. It is entirely separate and distinct from marines guarding the property.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. RICH. As I understand it, this organization you are setting up now is only to look after subversive activities in the Navy?

Mr. VINSON of Georgia. That is right, exactly, and not in the industrial plants building anything for the Navy. It is in the Philadelphia Navy Yard. I may say to the gentleman from Pennsylvania the record shows that in the Philadelphia Navy Yard, as well as in the Boston Navy Yard and other navy yards, there is a great deal of subversive elements being employed.

Mr. RICH. I understand and I want to clean them out, whether it is in Philadelphia or Boston or San Francisco, or wherever it may be.

Mr. VINSON of Georgia. That is right.

Mr. RICH. Nobody will vote to do that any quicker than I will. But what duplication will you have in this organization of the work that is done by the F. B. I.?

Mr. VINSON of Georgia. None whatsoever, because the F. B. I. is directed by the President to deal with entirely different matters. The F. B. I. would deal with the industrial plants and things of that character, which these men will not deal with at all. This is strictly in shore establishments belonging to the United States Government—the Navy Department.

Mr. RICH. The original bill called for $3,000,000.

Mr. VINSON of Georgia. That has been reduced.

Mr. RICH. It has been reduced to $1,000,000 a year.

Mr. VINSON of Georgia. It has been reduced to $1,000,000 a year. If you do not make any more appropriation it will go out.

Mr. RICH. Are you sure it will?

Mr. VINSON of Georgia. Certainly it will. Unless you vote to extend it, it goes out, because you cannot run it unless you have got the money.

Mr. RICH. The only thing is that each year when that comes up you will say that you have this establishment and you have these men and you are going to have them hanging on the Government pay roll.

Mr. VINSON of Georgia. The gentleman should know well enough that unless it is justified I am not going to ask for it.

Mr. RICH. Let us eliminate them after we clean out these Communists.

Mr. VINSON of Georgia. You are exactly right about it.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. HOFFMAN. I recall that the Senate passed and sent here a bill which makes it a felony for an employer to have in a plant any policemen who could report on these subversive activities. Does that still prevail?

Mr. VINSON of Georgia. I do not recall that.

Mr. HOFFMAN. Does it give the employer the right to have a man in there to tell him about these subversive activities?

Mr. VINSON of Georgia. I know I have been trying to get them out and I have been blocked in every effort I have made. I do not know of any law to which the gentleman refers.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mrs. ROGERS of Massachusetts. This does not refer in any way to the work of Capt. Alan Kirk of the Naval Intelligence?

Mr. VINSON of Georgia. Not at all. This has no connection with the Naval Intelligence except that it puts this under the Naval Intelligence and expands the Naval Intelligence.

Mr. RICH. Will the gentleman yield further to me?

Mr. VINSON of Georgia. Yes; I yield.

Mr. RICH. It was stated that Harry Bridges was a Communist. He has worked in this organization. He came here to the House of Representatives and tried to get votes for legislation that he was interested in. Will this organization turn him out and get him out of this country?

Mr. VINSON of Georgia. He did not call on the gentleman from Pennsylvania or the gentleman from Georgia.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address delivered by Harry B. Fleharty, Assistant to the Attorney General, over WWDC, under the auspices of the Veterans of Foreign Wars on July 27, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent Mr. MANSFIELD and Mr. LARRABEE were granted permission to extend their own remarks in the RECORD.)

Mr. PLAUCHÉ. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter received from the Most Reverend Jules B. Jeanmard, Bishop of Lafayette.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend the remarks I expect to make in Committee of the Whole today and to include comments on the mandatory joint return and community property laws by Hon. George Donworth and former Congressman Morgan G. Sanders, of Texas.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE WAR SITUATION

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. WOODRUFF of Michigan addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. BLACKNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include brief radio addresses delivered by my colleagues the gentleman from Michigan [Mr. DONDERO], the gentleman from Michigan [Mr. JONKMAN], and myself sponsoring the Michigan program.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. OSMERS addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. LELAND M. FORD addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on two subjects.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE PROPOSED WAR DEPARTMENT BUILDING IN ARLINGTON COUNTY

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DIRKSEN. Mr. Speaker, the House will recall that on Monday of this week I opposed the appropriation of $35,000,000 for a new War Department building in Arlington County, Va. You may be interested to know of an article carried in the press this morning to the effect that Mr. Delano of the Planning Commission, and Director Smith of the Budget Bureau appeared at the White House and expressed their disapproval. Evidently the War Department had not consulted with either of these agencies.

I believe this vindicates the position of the 17 who on last Monday stood up in the Committee of the Whole against the proposal.

AUTHORIZING THE PRINTING OF THE PROCEEDINGS OF THE NATIONAL ENCAMPMENTS OF VARIOUS VETERANS' ORGANIZATIONS

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably without amendment (Rept. No. 1083) a joint resolution (H. J. Res. 196) authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, etc., That Public Resolution No. 126 (46 Stat. 1481), approved March 2, 1931 (U. S. C., title 44, sec. 275B), authorizing the printing of the proceedings of the national encampments of certain veterans' organizations in the United States be, and is hereby, amended to read as follows:

"That hereafter the proceedings of the national encampments of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, the Military Order of the Purple Heart, and the Disabled American Veterans of the World War, respectively, shall be printed annually, with accompanying illustrations, as separate House documents of the session of the Congress to which they may be submitted."

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. Gladly.

Mr. RICH. Mr. Speaker, I might say to the House that I am not going to object to this resolution, but it seems to me the membership ought to know that the Military Order of the Purple Heart is now added to the other organizations whose proceedings are to be printed by the Government in future. I do not know how many more organizations may come before the Congress asking to be included in the list, but it seems to me the Members ought to express their approval or disapproval of things of this kind.

I realize that these men have an organization and these minutes are to be annually printed and distributed among their own members and the Members of Congress.

Can the gentleman inform the House whether he knows of any other organizations that are liable in the future to come and ask to be included in this list?

Mr. JARMAN. I answer the gentleman in the negative. And may I add this: I am sure the gentleman realizes that the law as it presently exists authorizes the publication of the proceedings of every veterans' organization with which I am familiar except the Military Order of the Purple Heart. This resolution simply amends the law to add the Purple Heart.

Mr. RICH. Will we have any other organizations asking for the same privilege we are now granting to the Purple Heart?

Mr. JARMAN. I am not aware of any.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield.

Mr. McCORMACK. I understand the membership of the Purple Heart is composed of men who have been wounded in actual warfare.

Mr. JARMAN. Either wounded in action or cited for bravery.

Mr. McCORMACK. That is what I understand.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. VAN ZANDT] may extend his remarks in the RECORD and include therein a statement by Maj. Gen. William C. Rivers, United States Army, retired.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FULMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. FULMER addressed the House. His remarks appear in the Appendix of the RECORD.]

ROBERT EDWARD LEE

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1359) for the relief of Robert Edward Lee, with a Senate amendment, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the title of the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 5, strike out "$6,266.75" and insert "$3,766.75."

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

THE PENALTY ON WHEAT

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

Mr. TABER. Mr. Speaker, a few minutes ago a bill was sent to conference that provides exemptions and certain relief for the wheat farmers. The Senate has adopted a very wholesome amendment, exempting wheat that is fed on the farm from the 49-cent penalty.

I hope the House conferees will agree to the Senate amendment upon this bill and that there may be some possibility of survival for the wheat farmer who is so much in distress and who has been so double-crossed by the Roosevelt administration.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WEISS asked and was given permission to revise and extend his own remarks in the RECORD.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, at the conclusion of the debate today and after any other special orders heretofore entered, I ask unanimous consent to speak for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BENDER]?

There was no objection.

PRICE FIXING TODAY, WAGE FIXING TOMORROW

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BENDER]?

There was no objection.

Mr. BENDER. Mr. Speaker, for the first time in our history the National Government is asking the right to designate how much shall be paid for manufactured goods, farm produce, and rental charges. All of this is taking place in the name of "emergency," but it is interesting to reflect how close we have come to the picture presented by the totalitarian states which we so consistently profess to abhor.

From the fixing of prices it seems only a short but inevitable step to the fixing of wage levels. How will manufacturers be able to sell their goods at fixed prices unless the wages paid for the manufacture of those goods are controlled? Material costs plus wage charges are the basic factors in determining prices. Once prices are fixed, wages, too, must be controlled.

And then, what becomes of our vaunted differences from the rigid controls of lands across the oceans?

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio speech made by a Mr. Green, chairman of the memorial committee for the late Michael Edelstein, over station WOV, and to include my own radio speech in connection with the memorial services over the same station on July 27, 1941.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

THE NATIONAL DEBT

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, to revise and extend my own remarks, and to include therein a very short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. CARLSON]?

There was no objection.

Mr. CARLSON. Mr. Speaker, a friend of mine has sent me an editorial written 100 years ago, April 9, 1842, by the Hartford (Conn.) Times. The national debt at that time was $17,000,000. The editorial is as follows:

SEVENTEEN MILLION DOLLARS

This is the amount of the national debt at the present time of the United States, and the various departments of government are pennyless—most of them unable to meet just demands by hundreds of thousands of dollars. This $17,000,000 is rapidly increasing, and it is difficult to estimate the amount at which it will arrive before the termination of the Whig reign, which, fortunately, cannot be far distant. At the expiration of Mr. Van Buren's administration, as shown by Mr. Woodbury's report, the resources of the Government were sufficient to meet all demands against it, and its expenses were decreasing—a reduction in the expenditures of the Government then in progress had already effected much. But the Whigs stepped into power and the expenses immediately rushed up to thirty-three million per annum. A national debt, that curse to nations, has been fastened upon us and will remain eating at the vitals of the body politic till a Democratic administration shall extinguish it.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper article from the Portland Oregonian.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a copy of a letter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. ELSTON]?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an item from the Christian Century.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—LILLIAN KORKEMAS AND ROSE GRAZIOLI (H. DOC. NO. 335)

The Chair laid before the House the following veto message from the President of the United States, which was read, and, with accompanying papers, referred to the Committee on Claims and ordered to be printed:

To the House of Representatives:

I return herewith, without my approval, H. R. 3551, for the relief of Lillian Korkemas and Rose Grazioli.

It is the purpose of the bill to pay the sum of $800 to Lillian Korkemas and the sum of $248 to Rose Grazioli, both of Troy, N. Y., in settlement of their claims against the United States for damages, and for pain and suffering resulting from personal injuries sustained on April 7, 1940, when the automobile in which they were riding was struck by a truck in the service of the Post Office Department.

I am advised by the Post Office Department that it, under authority of law, has paid Mrs. Korkemas the amount of $300 and Mrs. Grazioli the amount of $48 in settlement of their actual damages resulting from the accident, whereas the proposed payments of $800 and $248, respectively, indicate that said amounts are to cover damages and pain and suffering of these claimants; and, to the extent of the damages representing $300 and $48, respectively, approval of the bill would apparently involve a duplicate payment.

I therefore feel obliged to withhold my approval from the bill, but would be glad to give my approval to a measure which would provide payment in the amounts set forth in the bill H. R. 3551 less the amounts of actual damages previously paid by the Post Office Department.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *July 31, 1941.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

THE REVENUE BILL—1941

Mr. DOUGHTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5417, to provide revenue, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5417, with Mr. COLE of Maryland in the chair.

The Clerk read the title of the bill.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Chairman, I have asked for this time in order that I may discuss a feature of the pending tax bill reported last week by our great Committee on Ways and Means. This item was not discussed during the public hearings but became a part of the bill during the executive sessions.

In a search to find means of raising additional revenue, the administration proposed that a husband and wife be required to file a joint income-tax return. That recommendation has been incorporated in this bill.

It is contended that this radical innovation in our tax system will raise about $300,000,000 of additional revenue. It is also advocated as a way to prevent tax avoidance, as where one member of a family has all the income and transfers a portion of it to the other member, thereby causing the tax rate on the income of the original recipient to be lowered.

Despite these and other alleged benefits, I am constrained to protest. I believe the proposed compulsory joint return for husband and wife constitutes a radical departure from the American concept of equal rights and privileges. I believe it is an unjustified intrusion on the rights of women. I believe it will be a deterrent to the growth of the middle-class American family, which is the backbone of our economic life. And lastly, I believe the mandatory joint return is in effect, if not in fact, an indirect method of reducing the value of the $2,000 exemption from taxation allowed under existing law to a husband and wife.

In the past and under existing law a husband and wife have been considered separate entities. Each has been permitted to make an independent return and to apply the exemption allowed a married couple as suited them. Our laws recognize the right of a woman to own property in her own name and to dispose of it as she sees fit. And the Federal income-tax law has given this same recognition to the income derived from this property.

Ever since the passage of the nineteenth amendment, giving the right of suffrage to women, it has become an established American principle that women enjoy the same rights as men. While laws of the States differ, generally speaking the States have enacted various statutes abolishing the old common-law restrictions on the rights of women. It is now the American doctrine that a woman has freedom of contract and the right to hold and convey property in her own right. A married woman may sue in her own name and is liable to suit. The individual earnings of a married woman are her separate property and not subject to the control and disposition of her husband.

The mandatory joint return would mean a complete departure from this established American doctrine. It smacks of the old medieval conception that a husband and wife are one; namely, the husband, and that if a wife had any status at all, it was merely a chattel. I cannot bring myself to believe that the American womanhood today will accept any such medieval concept.

Today almost every young woman graduating from high school or college seeks a position in the business world. She desires to be financially independent. Women have distinguished themselves in the medical and legal professions. They occupy places of leadership in banking, insurance, and business generally. They have made a great contribution to the various social sciences. In the Congress itself we have as colleagues nine duly elected women representatives of the people. The mere fact that women are elected to the Congress is evidence enough that the American people adhere to the principle that American women are independent.

To require a married woman to report her income as being income of her husband as well as herself is to deny women their independent status. I believe the American women will not be willing to accept this encroachment on their independent status because of a Federal tax-law provision inserted to gain additional revenue otherwise obtainable by a frank and open increase of the tax rate upon the individual. If the American women are to be treated as chattels, I venture to predict that they will remember this return to the dark ages when they next go to the polls.

Not only does the mandatory joint return constitute an encroachment upon the independent status of American women; it is an attack on marriage, in that such a requirement imposes a penalty on the family.

I give as an example a successful young man with earned income before exemptions of $5,000 and a young woman with an earned income before exemptions of $3,000. Under the pending tax bill the young man pays a tax of $430 and the young woman $192, a total of $622. If they marry and are permitted to make separate returns, their tax will be reduced to a total of $568, due to the larger family exemption. However, if this newly married couple are forced to make a joint return, their tax will be increased to $688, or an increase of 21 percent in tax money required.

The group of people who will be most affected by the innovation of the mandatory joint return in our Federal tax system is the thousands of families of moderate means with two or three children of college age. Take, for instance, the example of a married man with an earned income of $10,000 before exemptions and his wife with an earned income of $3,000. Using the tax rates in the pending bill, if these two were permitted to file a separate return, their total tax would be $1,348. Under the mandatory joint return their combined tax would be $1,768, or an increase of 31 percent in tax money. This increase of 31 percent represents the cost of a year's education at college for one of their children.

It is imperative that the Treasury collect unprecedented sums in the form of taxes to finance the unprecedented expenditures for our national defense and aid to Great Britain, to both of which this country is committed. The people have as yet little conception of the tax burden they are about to be asked to bear and the sacrifices they will be obliged to make. This burden may be more readily accepted and the sacrifices made if the people have concrete examples of economy set by the Government itself in the elimination and reduction of all unnecessary and nondefense items in the Budget.

Moreover, in making these demands of the people I believe that great forthrightness should be maintained. The Treasury officials argue that the base of taxation is as broad as is possible and that there should be no reduction in exemptions. But, as a matter of fact, a study of the mandatory joint return by husband and wife proves that the tax value of the exemption of $2,000 allowed married couples is reduced or the relative tax value of $800 allowed single persons increased.

It is presumed that as the exemption for a single person is only $800 and that for a married couple $2,000, the Congress desires to encourage the marital status. The proposed mandatory joint return completely annuls this policy.

Take, as an example, a single man with a $4,000 income and a single woman with a $3,000 income. Each takes a deduction

of $800 and files a separate return. The man will pay a tax of $308 and the woman $192, a total for both of $500.

This couple marries, and their combined income remains the same, but as a married couple they are allowed an exemption of $2,000. They file separate returns, as heretofore permitted, each taking an exemption of $1,000. Their total tax will be $452, or 9.6 percent less than they both paid when single. Hence, as a married couple they have benefited by the larger exemption of $2,000.

Now, under the pending mandatory joint return it will be found that by combining their incomes they will have to pay $542 instead of $452 and that their tax is over 8 percent greater than when they were single and only had $800 exemption apiece instead of $2,000 between them. Under the joint return this young couple should be allowed an exemption of $2,200 if they are to enjoy the same privilege as when single and not be penalized by marrying. Conversely, to go back to my original statement, the mandatory joint return will, in effect, reduce the tax value of the exemption to about $1,800 for married couples with a combined earned income of $7,000.

Let us consider now the situation of persons of larger income—the man with an earned income of $10,000 and a woman with an earned income of $3,000. If each makes a separate return and takes the individual exemption of $800, the man will pay a tax of $1,336 and the woman $192, a total for the two of $1,528. Suppose this couple marries and are allowed the larger exemption of $2,000 for married couples but are forced to make a joint return of income. Their tax will be increased to $1,768, or by over 15 percent. In order that this couple will not be penalized by marrying, their family exemption should be increased to $2,900; or conversely, the mandatory joint return of husband and wife will reduce the tax value of the family exemption to about $1,100.

As I have said, in giving a family exemption of $2,000 for tax purposes, it was the intent of Congress to aid the American family form of life. That has always been the spirit of American law. The innovation of the joint return will, however, completely disturb the relationship between this exemption and the single person's exemption of $800. If the Congress does not wish to place a premium on remaining single, in direct opposition to its former policy, one of three steps must be taken:

First. Refuse to accept the mandatory joint return for husband and wife.

Second. Increase the exemptions for married couples.

Third. Decrease the exemption for single persons.

To return to the example of the young couple, the man with an income of $4,000 and the woman with an income of $3,000. Each filed a separate return, taking an individual exemption of $800. Their total tax would be $500. Should they marry and make a joint return, their tax, as I have stated, would be increased to $542. In order that their tax may remain the same before and after marriage and so as not to place a premium on remaining single, the individual exemption must be reduced for persons of this income class to $600 instead of $800, as now allowed. Further adjustment downward would have to be made as the income increases.

As you have doubtless noted, in all the illustrative cases I have presented as to how the mandatory joint return operates I have not included the defense tax of 10 percent. I have omitted this tax in my calculations, inasmuch as it is a flat rate applicable to all individual taxpayers regardless of status or classification.

To recapitulate, there is nothing new in the theory of the joint return. It has been urged by the Treasury Department ever since 1933, principally to invade the rights of the several States which have elected to have community property between husband and wife. The mandatory joint return also invades the rights of American women. Moreover, as I have endeavored to show, the mandatory joint return annuls the intent of Congress to stimulate the development of American family life by reducing the tax value of the family exemption.

I believe the joint return is just another case of bringing into being another unpopular project by dressing it up in the uniform of a national-defense necessity. The same revenue can undoubtedly be obtained by frankly reducing the exemptions, thereby bringing directly to the people's understanding what the present cost of government really means to them.

I cannot protest too strongly against the mandatory joint return item in this bill. It is arbitrary, discriminatory, and un-American.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, it is urged and rightly so that we must raise more taxes for national defense. Of course, that is true. The reason why, and the responsibility for the situation is not, however, found primarily in the fact that the war is on.

The reason why we have to raise more money by the imposition of heavier taxes is found in the fact that money heretofore voted for preparedness has gone into New Deal boondoggling social experimentation and 40 other foolish projects fathered by the administration, which have created, at the taxpayers expense, a prosperity as unreal as an opium eater's dream. That is where we stand as we take a dive into the unknown today.

Just how much money can we raise? We need all we can get today to make up for the foolishness of yesterday, and to really defend ourselves. We ought to have thought of this 7 years ago, and through the 7 years, as money has poured out and through the New Deal sieve like water into sand.

Of course we need it. I shall vote for it, though I have voted against the New Deal policy of spending and spending, because, as I have said repeatedly, this day of reckoning would arrive. It is here.

I realize the futility and fatuity involved in speech making with respect to the provisions of this bill, but I do not propose to let the opportunity pass without saying, that though I shall vote for it, because we must have the money, and as a temporary measure it is the best we can get, yet had it not been for the wasteful, wanton, reckless spending program of the last 7 years this bill would not have been necessary. And others are on the line.

We approach this fortieth emergency of the Roosevelt administration because of the road paved with taxpayers' money carelessly and wastefully expended, that could lead nowhere else, and for no other reason. That is the reason. Do not be fooled.

The taxpayers' money has been squandered without rhyme or reason and the sun of the day of reckoning has risen. God only knows when it will set. The people certainly will be tax conscious for many, many years before the taxes and taxes and more taxes are paid. That is the sequel to the story the first chapters of which only have been written. "My friends."

Franklin D. Roosevelt will be remembered longer than all of our other Presidents, singly or combined; but not for the same reasons. He has wastefully spent and unwisely allocated more money than all of them combined, and not wisely, but too much. As the people pay, and pay "through the nose" down the long years, they will remember him.

Now we are confronted by inflation, bankruptcy, and/or repudiation. Right now, when we should be confronted with no financial emergency, the responsibility is on the doorstep of the Roosevelt administration, which has been productive of a procession of emergencies and broken promises to reduce debt and taxes and spending, and today we are face to face with an emergency that is "bigger and better" for it will cost the taxpayers more and more, and last longer than any or all of its predecessors. God save the state and pity the people who must bear the burden of paying the bills.

I could say a lot more about the bill itself, as drawn, but it would be a waste of breath and of time. So long as we spend, we will have to pay, and taxes is the answer.

The amount of money that will have to be raised in taxes out of the pockets of the people in order to pay existing obligations is so stupendously staggering as to be almost impossible of understating or appreciation. The length of time it will take in order to raise the money even on the basis of confiscatory taxes is unbelievable.

The people will have to pay the bills, and they danced to the polls and voted to continue the New Deal spending policy. It was a lot of fun, so long as they were not personally responsible. Now they will have to pay the fiddler; when they really become tax conscious and learn how they have been fooled by hidden taxes, as they will as these are increased; when the income tax reaches down to the $700 class and under; when the head tax is imposed, and they pay or work it out; when the sales tax is put on top of all the others, then they will realize that the only more abundant life to be offered,

or realized by any American, is found in his own effort and ability to carve it out for himself, without the aid or interference of a paternalistic government which feeds him the froth of promises while he dreams but wakes to feed himself, worse off than before he fell asleep listening to a bedtime story.

No tax bill can be drawn that is 100 percent equitable or just. That is history. This bill is neither, in many particulars. What is one man's meat is poison for another. So it has been and always will be.

This bill raises money. That is what it undertakes to do, let the chips fall where they may. The people must pay whether they like it or not. We need the money; that is the answer. But why? You think that over, and weep.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. McGREGOR].

Mr. McGREGOR. Mr. Chairman, the Nation's finances are in a critical state—not due to defense expenditure, but largely due to the extravagant spending and reckless borrowing of the present administration of the last 8 years. This extravagant program is objected to by not only Republicans of my district, but also those old-line Jeffersonian Democrats who believe with us Republicans that our Nation's strength is not based only on the number of guns, airships, battleships, and tanks that we have, but who believe that the morale of our people and the financial condition of our Nation are to be considered as a safety to sound and permanent government.

I am not worried so much about the size of the national debt as I am about the rapidity with which it has risen since Mr. Roosevelt took office. In 8 years the present administration has spent as much as it cost to run the Government during the first 131 years of our country—from the administration of George Washington through the administration of Woodrow Wilson, including the World War period. It has accumulated a series of staggering deficits, for nondefense items, that forces Congress to put upon the people a heavy tax burden. Yet even this tax program that we have before us is but a small percent of the amount required to meet the Government's deficit. Of the $67,000,000,000 spent in the last 8 years only approximately $5,000,000,000 represents an outlay for the defense program, a program which we are all in favor. But what I want to impress upon your mind is that the Nation's present financial condition was not caused by our defense expenditure. The following table sets forth the picture of the financial record from July 1, 1933, to July 30, 1941:

The New Deal fiscal record [1]

	Expenditures	Receipts	Deficits	Public debt
Fiscal year—				
1934	$6,011,000,000	$3,116,000,000	$2,895,000,000	$27,053,000,000
1935	7,010,000,000	3,800,000,000	3,210,000,000	28,701,000,000
1936	8,666,000,000	4,116,000,000	4,550,000,000	33,778,000,000
1937	8,177,000,000	5,029,000,000	3,148,000,000	36,425,000,000
1938	7,239,000,000	5,855,000,000	1,384,000,000	37,165,000,000
1939	8,707,000,000	5,165,000,000	3,542,000,000	40,440,000,000
1940	8,998,000,000	5,387,000,000	3,611,000,000	42,968,000,000
1941	12,710,000,000	7,607,000,000	5,103,000,000	48,961,000,000
Total	67,518,000,000	40,075,000,000	27,443,000,000	

[1] Figures from 1934 through 1940 taken from the 1942 Budget. Figures for 1941 taken from Treasury press release of July 2, 1941.

An examination of this chart will show that when the initial request was made for defense expenditure last year the New Deal spenders had exhausted the then existing debt limit of $45,000,000,000, and all spent for nondefense items. And, my friends, this is not the end. I prophesy that within a year our debt limit will exceed $100,000,000,000, with only a small percent used as an expenditure for defense.

Our fiscal situation is bad because of the Chief Executive's unwillingness to take a firm stand against congressional spenders when the worst years of depression were behind us. Today his attitude remains unchanged in spite of the advent of the defense program. The President's refusal to reduce nondefense spending and his silence on this subject is one of the underlying causes of our financial insecurity.

If the President showed by deeds as well as by words that he fully realized the dangers of uncontrolled expenditure and intended to support all economy moves that did not hamper the defense program, the thinking people of the country would feel greatly relieved. They would be more willing to support new tax proposals. But they want to be sure that increased revenues will be used for defense and not for nonessential expenditures. They would be willing to save more and buy more Government bonds if they felt sure their sacrifices would make the Government financially stronger.

I certainly agree with the minority report on the tax bill when it says:

> If the Government is going "all-out" for national defense, and "all-out" for taxes upon the people, it is compelled both by necessity and by a regard for its obligation to the taxpayers of the country to also go "all-out" for economy.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, H. R. 5417 is the result of 8 years of spending money and the creation of a huge debt for the people of the United States to pay. For 8 years we have drifted along and used the credit of the United States to keep the people pacified and quiet, handing out public funds to every person who could think of some scheme whereby he could use money. This Congress has been warned a number of times by its Members that the day of reckoning would soon be at hand, and today it has arrived. From now on we may expect taxes—more taxes and higher taxes.

This bill is before us under a rule which does not permit of any amendment to the bill unless approved by the committee, although many Members of Congress feel that there are many changes that should be made in it in order to make it equitable to all taxpayers. I am happy to know that we are going to be able to vote on the provision which would require joint income returns of husbands and wives and I appreciate the committee consenting to this amendment to the rule so that we can do so.

The results of joint returns for husbands and wives cannot be foreseen at the present time, but from the letters I have received opposing the joint return, from both wives and husbands, I am satisfied that it would cause a great deal of trouble in many families throughout the United States. It should be amended so that both the husband and the wife may make a separate return if they care to do so. In fact, the Supreme Court of the United States has said that that is what they should do. I call the attention of the Members of the House to the case of Hoeper against Tax Commission of Wisconsin, reported in Two Hundred and Eighty-fourth United States Reports at page 206. Here the Court decided that the Wisconsin law, which attempted to tax the combined incomes of husbands and wives, was unconstitutional. If it was unconstitutional for the State to do it, it certainly ought to be unconstitutional for the United States Government to do it. Many young men and women who marry nowadays have separate incomes, and to penalize them because they get married, and subject them to a larger income tax than they would have been required to pay if they had not married is not promoting the welfare of the United States and certainly would be against good public policy. The plea that we need the money is no justification for such arbitrary action on our part, because in addition to the full statutory share of all increases in individual taxes under the new schedules, 39 percent more than the total of such increases is to be extorted exclusively from individuals who are married; and, secondly, because the $323,000,000—represented by this 39-percent supertax on married individuals—could and should be equitably obtained from higher normal taxes and lower exemptions, as suggested by the Treasury, with adjustment of surtaxes if and as necessary, and from other sources in harmony with a sound public policy. There is no logical reason why the Government should in one breath declare that husband and wife are one and indissoluble for purposes of surtax but divided and as far apart as the poles for gift tax and death duty.

The tax proposed in the bill on motor vehicles, semitrailers, motor-vehicle parts and accessories, tires and tubes seems to be extremely high and should be lowered, but there is no way that this important matter can come before the membership for a vote. This affects truck companies, especially, because it is a well-known fact that any tax increase on the sale of commodities, such as are enumerated under

this section, are transmitted to the ultimate consumer and experience has taught us that objections are few and far between because the ultimate consumer is, in 99 cases out of 100, unaware of the fact that he is paying the bill, and the manufacturer, not being affected because he can raise prices in conformity with these increases, does not say anything about it.

The gasoline tax is high enough at the present time. Gasoline taxes were originated to provide funds for highways and highway regulation. Surreptitiously, this rich source of revenue has been tapped for other purposes, notably in Wisconsin where diversion is the subterfuge. New construction has declined as a result. The original Federal tax on gasoline likewise had some justification because of Federal aid grants for construction of highways in the different States. Gasoline is, in short, a poor base for a general tax, because it is inequitable. It is an ideal source of revenue for highway construction, where the money goes into improvements to help the people from whom it is collected, but not for the general purpose of running the Government. I covered the objections to this tax in an extension of my remarks in the CONGRESSIONAL RECORD on May 19.

I have also received several hundred protests against increasing the tax on beer. It is evident to everyone who has studied the subject of taxation that if you get the tax too high on any particular article, you do not gain any additional revenue, but in many instances consumption falls off and as a result you do not collect as much revenue as if the tax were not so high.

There have also been many protests filed with me against the increase of tax on the sale of musical instruments. To me this is a matter that should have received very serious consideration by the Ways and Means Committee—and no doubt it did receive some consideration by the committee. In recent years high schools have been organizing high-school bands and it is one of the best ways that I know that young people's minds can be directed in the right channels because when they are practicing to play in the band, their minds are occupied in wholesome and elevating education. If you tax the instruments to a point where the parents or the youngsters themselves cannot buy these instruments, you are doing an injury and an injustice to the young people of this country and in my opinion this tax should not have been placed on musical instruments.

Another of the taxes provided in this bill is that on outdoor advertising. The principal objection to this, of course, is that outdoor advertising is one of the means we have to educate people to buy articles and thus increase the sale of the products of everybody in the country, and if you put a tax on it, and a penalty, naturally you are not going to get as good results. It will naturally slow up business activity and reduce production, and as a result the national income will be decreased. The tax is unjust, in my opinion, for the following reasons:

First. The proposed tax would be confiscatory because it would amount to from over 50 percent to more than 100 percent of the profits realized annually by the individuals, partnerships, and corporations engaged in the outdoor advertising business, after fair compensation for personal services rendered. Obviously, therefore, the tax would defeat its intended purpose by the process of "killing the goose that lays the golden egg."

Second. If the purpose of the proposed tax on outdoor advertising is a legitimate one in securing revenue, it is apparent that it is a mistaken principle to attempt to levy a tax upon any medium of advertising itself, because a tax on any medium of advertising is an economic fallacy in that it would add to the problems of marketing and distribution, thereby handicapping manufacturing, production, and sales service. A tax on any form of advertising is similar to a tax on the tools of a workman or the services of a salesman.

Third. The proposed levy, while it is ostensibly an occupational tax upon the business of "renting billboard space to others" is actually a tax upon outdoor advertising and while there is a provision in the measure for taxing the net time sales of radio stations on a graduated scale from 5 to 15 percent, there is no proposed tax on other major advertising media such as newspapers, magazines, direct-mail, window displays, and car cards. Furthermore, the proposed levy is not equitable because it discriminates between advertising and all other selling effort.

Fourth. Based on knowledge of the physical facilities available in outdoor advertising, the proposed tax will not produce a gross revenue of more than $2,000,000, instead of the $7,000,000 anticipated, according to the announcement in the public press. Furthermore, the administration and mechanics of applying the tax, determining the measurements of structures, etc., would be more costly than the gross revenue produced by the tax.

Fifth. Outdoor advertising (billboards) is an efficient and economical method for the dissemination to the public by Government and industry respecting subjects important to the welfare of the Nation and its citizens and certainly should not be handicapped by a tax not levied on other forms of such communication. In the present emergency it would be detrimental to the success of the national-defense program and the maintenance of the national morale if any one of the fundamental means of disseminating information to the general public were to be crippled or made ineffective by the process of taxation, especially in view of the fact that it would not, in the final analysis, produce important revenue to the Government or serve any sound economic or sociological objective or purpose.

The record of service to the country by the organized outdoor-advertising industry during the period of national emergency represented by the World War and its aftermath is one which should cause us, the elected Representatives of the people, responsible for the Nation's welfare, to give serious thought to the future needs of the country, as well as the present, before lending our support to such an un-American and unsound confiscatory and discriminatory proposal as is contemplated.

Recent contributions in space, labor, and materials in the national interest made by the men and women owning and operating outdoor-advertising facilities in behalf of the United States Army and the U. S. O. are evidence of the readiness and capacity of the organized outdoor-advertising industry to serve the public interest.

Sixth. In the World War of over 20 years ago a similar tax on outdoor advertising, but expressly excluding newspaper advertising, was proposed, and the Ways and Means Committee, realizing that it was unfair and patently discriminatory, after investigating the matter, deleted it. Moreover, the committee found that the possible returns would be so small in proportion to the levy contemplated and the disastrous effects upon business generally, and especially the businesses served by outdoor advertising, would be so great, that it would be uneconomical to impose any tax upon outdoor advertising.

The same arguments as were proposed at that time are still applicable. Outdoor advertising is a national sales facility and offers the manufacturer and merchant the lowest-cost advertising facility available to them for the movement of goods from the manufacturer through the retailer to the consumer. Certainly a trade facility of this nature should not be penalized by a special tax which does not apply to other national advertising media, such as the newspapers and magazines.

Seventh. A tax on any form of advertising is uneconomical because it would serve to slow up business activity and therefore decrease the national income. Consequently the proposed levy on outdoor-advertising structures is absolutely unsound. As a matter of fact, the levy, as proposed, loses sight of the fact that outdoor advertising is a national advertising medium. By its very terms it proposes a tax on those concerns "who rent billboards to others" and makes it an occupational tax for such service. It, purposely or otherwise, disregards the fact that outdoor advertising is not a business of renting space, but is a national and recognized trade facility which the leading manufacturers of this country use for the exploitation of their products because it is the most economical medium per thousand of circulation for that exploitation.

For these reasons, I regret exceedingly that the Members of this House are not permitted to take up and vote on amendments and at least get the sentiment of the Members on these all-important matters included in this tax bill. Under the present rule, we must take it all or nothing. If we were not in such a serious condition financially in this country and did not need the money so badly, I would feel like voting against the bill. However, a majority of the taxpayers of this country have voted for the condition that we find ourselves in today, so there is not much that can be done by anyone now

except to find some means by which we can get the money to take care of our public expenditures and our increasing public debt.

Mr. DOUGHTON. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I propose to discuss during this time title I of the bill, that is, the individual-income-tax provision. Under this title, it is proposed to raise $1,152,000,000 in excess of the schedules which are in effect under the present law. You who have read the report or the bill will have seen that it is not proposed to increase the normal rates. They remain as they are now, but the surtax rate is increased.

Under the present law the first $4,000 of income is exempt from the surtax but subject to the normal tax. The present bill proposes to reduce that amount to the first dollar of net income for surtax purposes; in other words, instead of the surtax beginning as it does now at $4,000, it will begin with the first dollar of income after the deductions and exemptions are taken.

The question may arise in your minds and in the minds of some who read the bill, "Why did you not increase the normal rate instead of imposing surtax rates and accomplish the same purpose?" The reason is this, and it applies to the individual income-tax returns just as it applies to the corporation income-tax returns: The normal tax rate on corporations has not been increased. There are many billions of tax-exempt securities in the United States which are exempt from the normal tax but not exempt from the surtax. It was the thought of the committee that in times like these the income from those billions of dollars' worth of Government bonds ought to be subjected to an income tax. During the past few years a great many people in this country who have money to invest have invested in this type of bond and have been satisfied with a comparatively small rate of return, but it seemed to us that they ought to bear a part of this burden. Therefore we imposed a surtax instead of increasing the normal tax to reach this income.

Another change in the proposed bill is that the earned-income credit of 10 percent will not be allowed for surtax purposes. Under the present law 10 percent of the income is deducted. That is a sort of wearing-out deduction. We allow depreciation on machinery and equipment, so why should not the human body or the human mind, which wears out just like a piece of machinery ultimately, have some consideration in that respect? Heretofore that was applicable for surtax purposes as well as normal tax purposes. It will be allowed under this bill for normal taxes but not for surtax purposes.

Mr. Chairman, it has been said a good many times on the floor of the House during this debate and during discussions on other tax bills that we ought to lower the base, that we ought to make everybody in the United States pay an income tax so that they would become tax conscious and refrain from making unnecessary demands upon the Government Treasury to meet the demands of certain groups in the country. I believe this is a beautiful thought, and it comes usually from those who are in the higher income tax brackets and want to avoid the payment, to a large degree, of their own income tax; but do not forget that whenever you lower the exemptions and reduce the brackets, whatever the amount of that deduction may be, it goes on top of the income tax payments imposed in the higher brackets. It is necessary to do that, or you would have to have a different ratio for those in the lower income brackets than for those in the upper brackets, and I do not believe that would be fair. In other words, every time you reduce the base $400, that $400 goes on top of the man who is already in the 75 percent bracket, and he pays a tax on that $400 at that rate.

There is another reason, it seems to me, that is stronger than that. Get this, if you please, and analyze it. There are more families in this country earning $500 or less than there ought to be or than we like to think there are. There are more people making $1,000 a year than we would like to have in the United States. The $500 group pays as great a percent of their income in taxes as those making between $5,000 and $10,000, and the $1,000 group pays as great a percentage of tax as those earning between $4,000 and $5,000. You will find in the hearings of the committee tables showing these facts.

Remember that in addition to this $1,152,000,000 which we are proposing to raise from personal income taxes, there is likewise an equal amount being raised from excise taxes which are being proposed upon almost every commodity that the people of this country use and they must meet that obligation. Every time they buy something they pay a part of that tax, and in addition to this they have their State taxes to meet.

So, Mr. Chairman, we must face the situation in a very practical way. You cannot take all that these people have. They are sufficiently tax conscious now when the remainder of their income, after the payment of these various obligations, is looked at. So it seems to me that they are paying now a greater percentage of their income than could really be expected of them, and this lower-income group meets 75 percent of the excise tax. Those in the higher-income groups, of course, pay, but in the lower-income groups every dollar of their income goes for living, whereas those in the higher-income groups spend it for many other types of things, as well as actual living expenses that must be met every day to meet the obligations of the ordinary family.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield for a question?

Mr. DUNCAN. Briefly.

Mr. AUGUST H. ANDRESEN. Does the gentleman refer to indirect taxes paid by those consumers who receive around $500 a year?

Mr. DUNCAN. I refer to that; yes. I refer to the tax they pay every day as excise taxes that are not hidden. The expression "hidden taxes" to me is the most fallacious thing in the world, because the excise taxes are just as open and above board and written into the law the same as the income taxes which you pay every year under your return.

Mr. AUGUST H. ANDRESEN. I agree with the gentleman on that, but there are a whole lot of hidden taxes that the people pay when they buy things. Does the gentleman have any idea of the percentage of the dollar that is contained in hidden taxes?

Mr. DUNCAN. No; I do not have that in mind, but I know a few years ago, even before the last tax bill, one of the great insurance companies of the country made a survey and the families of this country with incomes of $1,800 paying no income taxes were paying $228.50 out of that $1,800 as taxes, and that is a greater percentage than you and I and the rest of us were paying.

There is not any way to get away from hidden taxes. Hidden taxes are represented in the taxes on the property we rent. They are represented in the taxes that are paid on the personal property that we buy every day. There is not any way to get away from these so-called hidden taxes unless we wipe out all forms of taxes on property.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. DUNCAN. I yield to the gentleman.

Mr. REED of New York. One of our greatest problems was not so much the hidden taxes as the hidden taxpayers whom we are trying to reach.

Mr. DUNCAN. That is right, and we have pretty well reached them, I will say to the gentleman.

Now, Mr. Chairman, I have heard it said several times by some gentlemen that they wish this tax bill was bigger; that they wished the rates were higher, and that we were paying more. You know we are paying a pretty good sum now. I hear it held up to us every day that our taxes, compared with those of Great Britain and Canada, are very small. Well, frankly, I am awfully glad we are living in the United States and not in Great Britain or Canada or anywhere else, and I hope that our taxes never will reach the height that they have in those countries. I, for one, am satisfied with the amount in this bill. As a matter of fact, I would have been satisfied had the rates not been as high as they are now. Do not forget for one moment that this tax bill is going to be retroactive so far as these individual taxes are concerned for practically 9 months. We are going to say to the taxpayers of this country that they must go back to the 1st of January 1941 and pay the taxes which we are now imposing upon them in this bill. They have made their obligations, they have anticipated their incomes, they may have gone into debt for certain things which they had a right to expect they would be able to pay for, and we come along with this tax bill and take a very large portion away from them. This is going to interfere with the obligations which they have created. I say to you now, and I have said this publicly to the people I represent, this bill

is going to be bigger next year. Next year, I am convinced, the rates will be higher. I am convinced they are going to be higher the next year after that, but we will finally build up to it. Let us not jump from here way up to here at one jump or from the second or third step to about the tenth step at one jump. We have got to meet this condition gradually. Remember that only about 20 percent of our economy at this time is being devoted to war purposes.

We found in writing this tax bill and raising the money to meet the obligations that we have to look at the normal economy of 75 percent of the people who are not engaged in war work. They have to live. Unless we think of these problems in writing tax bills, we will be asked the question, How are the 75 percent of the people going to meet the obligation that the 25 percent are creating? That is the thought that I have personally with respect to this tax bill. I would be willing to raise the amount very much more next year than I would be willing to raise it this year. I believe that is good philosophy.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. DUNCAN. Yes.

Mr. LEAVY. This tax bill carried for the first time, I think, a tax on outdoor advertising.

Mr. DUNCAN. I did not intend to debate that. I was seeking to confine my remarks to the individual income tax. I think some other gentlemen will discuss that, and I do not like to be diverted, though probably I can answer the question that the gentleman has in mind.

Mr. DOUGHTON. Mr. Chairman, it is understood that the gentleman from Michigan [Mr. DINGELL] will specialize in his speech on excise taxes.

Mr. DUNCAN. And I may say to the gentleman from Washington that there will be an amendment suggested to this bill which changes the situation considerably.

Mr. LEAVY. And also as to radio taxes?

Mr. DUNCAN. Not as to radio taxes.

Mr. LEAVY. Is there anything in the bill which affects newspaper advertisement?

Mr. DUNCAN. No.

Mr. LEAVY. Is there any reason for that distinction?

Mr. DUNCAN. Mr. Chairman, with all due courtesy to the gentleman, I do not want to go into a discussion of that phase of the bill.

Mr. LEAVY. It does appear to me that there is a marked discrimination between the two types of advertising.

Mr. DUNCAN. I prefer that the gentleman discuss it who has prepared that phase of it, if the gentleman does not mind. Last year, or under existing law, a man making $900 a year paid 44 cents income tax. Under the present bill he will pay $5.94. That is a considerable increase. In the $10,000 income class, last year the taxpayer paid $686—a single person—and now he will pay $1,469. That is a considerable increase. A married man with two dependents, last year paid $440, and this year he will pay $998.80. Those are pretty fair jumps for a beginning. The amount of expenditures have been discussed here many times. Of course, we knew when this bill came up that practically everybody was going to vote for it, so far as the revenue is concerned. There may be some things that some do not like, just as I do not like. Everybody will have to make a sacrifice. We are going to have to pay a lot more taxes than we have heretofore paid, but the result of these sacrifices ought to be devoted exclusively to the defense of this country.

I agree with my colleagues on both sides of the aisle that everything that is unnecessary ought to be cut off, that we ought to prune and trim down our expenditures to the absolute minimum. We are going to have to borrow a lot of the money as it is, but, Mr. Chairman, if this country is right in the theories that it is now pursuing, if we are right in building a great Army for our defense, it is just as much a problem for my grandchildren as it is my problem, because if we lose the liberties and the rights which we today enjoy, there will be nothing left for them—the old homestead will have been destroyed. Therefore, a part of it must be passed on to them. We ought to pay every dollar that we can, but in doing that, let us not destroy ourselves. Sometimes in our anxiety over the present I wonder if we do not forget the future. In our anxiety to build an Army to prepare for our defense, for which I am as strong as anyone in this House, I repeat to you that we must not forget the normal economy of our country as we go along, and we must not ruin the people. We must build this thing up gradually, as high as it can possibly go.

If we have to pay 50 percent of all of the income of this country to meet this obligation, then we must do it, but let us not place the load upon the people all at one time. You can put a man in the Army, take him out of an office and put him in the Army and put a pack on his back and start him on a 30-mile march; he probably would not last 30 minutes, and when he became exhausted, he would be likely no more good for a long time and probably not at all; but if you give him sufficient training, and harden him up, and get him ready for the task, he could perform it without undue hardship. So, I say it is the same way with this tax burden. We must meet the situation as it is and build up to it and save our normal economy and get it into such situation that we can meet this obligation.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DUNCAN. I had not expected to talk about the joint returns. When the matter first came up in the committee I thought considerably about the legal phases of it. I used to be a lawyer, at least I was a member of the bar before I came to Congress 8 years ago, but since I came here I suppose I am not; but I was concerned about the legal phases of it. After studying it considerably and listening to the arguments made by the lawyers and specialists, I changed my mind about it. Gentlemen who have discussed the legal phases of community-property States, for example, it seems to me, are missing the point. We are not attempting in any way to interfere with the property rights in those States. We are simply saying that every dollar of income in this country, so far as the Federal Government is concerned, ought to pay the same obligation. They can dispose of their property just as they do now, without any restrictions whatsoever. But when it comes to a question of meeting the Federal obligation, every dollar ought to meet the same tax obligation that every other dollar meets.

A short time ago I talked with a very good friend of mine. He is a man of considerable means. He has made a great deal of money. He was bitterly attacking this joint return. He spoke about how many securities he had transferred to his wife. I asked: "Why did you transfer them to her?" He said, "For the purpose of keeping from paying income tax on them." I said, "Do you think that is right?" He said, "Yes; I think it is right. If I can transfer my property to my wife and avoid part of the tax obligation I think it is fair." He said, "I paid the gift tax on that money." "Yes," I said, "you pay the gift tax. You had $40,000 of exemptions on which you did not have to pay the gift tax, and on all above that which you gave her you paid the gift tax, but you only paid it once. The income tax recurs every year. You are still a young man. Your wealth is increasing and that money which you transferred to your wife for the purpose of avoiding the payment of the income tax in the higher bracket will bring returns to you many, many times over the gift tax.

If that title is stricken out of this bill the figures which I have read you, the income tax which you are going to pay and which are about three times this year what you paid last year on your salary, will go at least one-third higher than that, and that will be true of every person in the country who is paying an income tax. While that happens those folks who have not been bearing their just portion of the Federal obligation will be getting away with it just as they are now. In the States of those gentlemen who divide their congressional salaries with their wives and pay on that proportion, they will not be bearing the same obligation that you and I are bearing in the States in which we live. Gentlemen who are giving away their property, and they have been doing it by millions of dollars in the past few years, will be getting away with the same thing, while in my State, 95.79 percent of the people will be paying the burden for the 4.21 percent of those who are getting away now with less income tax than they ought to be paying.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. DUNCAN. I yield.

Mr. WHITTINGTON. In that connection, with respect to the tax burden, is it not also fair to say that the Federal income tax in many cases does not amount to nearly as much as the ad

valorem and other local tax bills, paid by taxpayers of the United States? I suggest that that matter ought to be kept in mind when we compare the income tax in the United States with the income tax of Great Britain and other countries.

Mr. DUNCAN. That is definitely true. A $10,000 income pays $4,600 in England and in Canada it pays $3,600. Those are comparable figures in Canada and Great Britain. They have had these same joint returns in Great Britain for 20 years.

Mr. WHITTINGTON. In that connection does the gentleman have a statement as to the comparative ad valorem taxes paid?

Mr. DUNCAN. I do not have that.

Mr. WHITTINGTON. That is what I called attention to, that in this country we pay an ad valorem tax and they do not pay it in those countries. That should be kept in mind.

Mr. DUNCAN. I do not have those figures.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 20 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, I shall not take the full 20 minutes allotted to me because the bill has been very thoroughly covered in all of its aspects by preceding speakers. Were I to do so it would be merely repetition.

This is the fourteenth tax bill that has been sent to us since the New Deal took over and we are told that from now on we may look for a general tax bill each year. Nearly all of these tax measures were made necessary by New Deal prodigality and waste. I do not suppose that in all the history of the world there has been such an orgy of spending and collecting as we have witnessed in the last 8½ years. What I am saying now is not being said in a partisan spirit. These are facts that I feel the American people either do not know or are indifferent to. We cannot continue the present rate of spending indefinitely without bankrupting the country. I call attention to the minority report, page 76, which contains among other things an appendix in which contains the economy message sent to the Congress by Mr. Roosevelt on March 10, 1933. I can find no place in the New Deal program where they ever attempted to follow out the very sound principle laid down in that message by the President in 1933.

This administration has collected $40,000,000,000 in revenues in the last 8½ years and has spent $67,000,000,000 in the same period, leaving a deficit of $27,000,000,000. A studied effort is being made to create the impression that much of this deficit is due to our defense program. Bear in mind that to date we have spent only $5,000,000,000 of actual money under the emergency defense program, and it was this emergency which I think is the forty-second that we have had in 8½ years—or is it the forty-third? I have sort of lost track. This emergency was only declared late in 1939 after the war broke out, and the deficit up to that time was something like eighteen thousand million dollars, as I recall. Mr. Chairman, you can readily see we cannot continue along that course if we are to remain solvent. Mr. Roosevelt has spent or committed us to spend more money than all Presidents from Washington to Hoover.

In this connection I want to compliment the majority members of the Ways and Means Committee. Our distinguished chairman and many of his colleagues on the Democratic side repeatedly called the attention of the Treasury officials to the necessity for reducing expenditures to the lowest possible point consistent with national defense and efficient governmental operations. I merely mention this to show that the demand for economy comes not from the Republicans alone, but from old-fashioned Democrats as well. In fact, the demand is universal, but we do not seem to be able to get the ear of the White House.

I was told this morning we may soon look for another lease-lend bill which will again carry $7,000,000,000. I realize, of course, that Comrade Stalin must be financed. It is my information that Comrade Hopkins is now over in Moscow negotiating with the Russian Government, or should I say the proletarian government of Russia, arranging the details of the loans we are to make to that country.

Mr. JOHNSON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. JOHNSON of Indiana. Does the gentleman know whether in this next lease-lend bill additional money will be included to buy more rum and more champagne glasses to assist in fighting this war for the other side?

Mr. KNUTSON. There are, of course, a lot of bubbles in this whole program. Whether they come from champagne or gas I do not know.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. AUGUST H. ANDRESEN. The gentleman referred to loans to Russia. Would not the gentleman construe these loans more or less as gifts to these so-called allies?

Mr. KNUTSON. Anything that gets out of Uncle Sam's hands seems to sink out of sight. I do not recall any loans that have been paid back since this emergency was declared, save the payments by Finland. This is a rambling talk, but I have a number of things on my mind that I wish to discuss with you.

Mr. McLEAN. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. McLEAN. The gentleman has been referring to the matter of emergencies. The gentleman said there had been 42 emergencies in the last 8½ years.

Mr. KNUTSON. I would not be too certain of the exact number, it may be 43 or 44.

Mr. AUGUST H. ANDRESEN. Fifty-seven.

Mr. McLEAN. Would the gentleman mind giving us a break-down of the emergency showing the various times of emergencies, classifying them by kinds?

Mr. KNUTSON. Let me suggest to the gentleman that he wait until we get 57, then we will classify them.

Mr. McLEAN. Classify them according to varieties?

Mr. KNUTSON. Fifty-seven varieties; yes.

Nearly all metals have been put on the so-called strategic or restricted list, but it is my information that as our manufacturers and exporters are being compelled to take themselves out of the foreign markets the vacancies we create are being taken over by the British. Only the other day I saw a letter from a Canadian firm to an American businessman calling his attention to the fact that it was going to be impossible for American rubber manufacturers to supply his needs in the future but that they would be glad to do so. I do not know how it comes that the British can supply the market that we are forbidden to take care of, but it looks as though they have got a pool not only on rubber but on aluminum. I am told one can buy aluminum ware over in Britain now. I understand that a while ago the administration took one of the big Clippers off the Pan-American Airways and gave it to England, and England put it into service on one of her commercial air lines.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. AUGUST H. ANDRESEN. I have just received a list of goods that the British are offering for sale in the United States. It contains everything from hardware to textiles which they are ready to sell here in this country.

Mr. KNUTSON. The whole thing is "nutty."

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. TREADWAY. Has the gentleman received any information to the effect that steel which is on the priority list is being shipped abroad and then sold to South America by Britain? Has the gentleman any information along that line?

Mr. KNUTSON. Would the gentleman mind repeating his question?

Mr. TREADWAY. Has the gentleman any information relative to the idea that has been spread abroad that steel which is on the defense list for priority use, practically unobtainable by our manufacturing industries, is being shipped to England and from there reshipped to South America and sold to our customers in South America?

Mr. KNUTSON. My attention was called to a very interesting little article in the New York Times yesterday morning which stated that a British firm that manufactures, exports, and imports steel window casings had taken a lease on a piece of property over in New York, which would indicate to me that this concern is in position to make deliveries right along or it would not have leased this property. It was not a very big piece of property, as I recall, but it would indicate to me that Britain is shipping steel products to this country as well as to our former customers abroad.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. KNUTSON. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. One of my clients is an industry which has a subsidiary in England. They use steel both here and abroad. My client here cannot get enough steel to fill their current orders. They have orders up until past Christmas and they cannot fill them on account of the lack of steel, but their subsidiary in England is getting all the steel they want. They are informed that 2,000,000 tons of sheet steel were shipped there under the lease-lend bill, and they are filling all the orders, not only in England but in South America and other foreign countries, from their English subsidiary.

Mr. KNUTSON. We are doing more for Britain than we are doing for our own people. I am not surprised to learn what the gentlewoman from Illinois has just stated.

As a result of this indefensible, wasteful spending program, Congress has had to raise the limit of the national debt twice—once a year ago from $45,000,000,000 to $49,000,000,000 and during last winter we had to raise the limit of the national debt from $49,000,000,000 to $65,000,000,000. There are many authorities who say that the national debt will reach the staggering sum of $100,000,000,000 before the defense program has been completed. That it should cost us more to get ready to fight than it actually cost us to conduct the war back in 1917 is a most anomalous situation. But we should not be surprised at that.

Those of you who have been following the proceedings of the House closely, and I know all of you have, will recall that our colleague the gentleman from Michigan [Mr. ENGEL] conducted an investigation into the building of our Army cantonments. Now, the word of the gentleman from Michigan is absolutely good and I will take anything he says at 100-percent par. He stated that his investigation showed that we have spent $800,000,000 on camps, and submitted to the House indisputable evidence that of that huge sum $250,000,000 had been squandered. No wonder it is costing us so much to get ready to fight this next war that we were promised we would be kept out of. Of course, we have not been promised that lately. I do not recall that we have been promised we would be kept out of the war since election day. Of course, we are going to get into the war because several days ago Churchill said we are, and they know more about our foreign policy over at No. 10 Downing Street than we do up here on Capitol Hill. That is probably due to the fact that Downing Street has so much to say in formulating the American foreign policy. The following day Anthony Eden announced that we would help finance the restoration of Europe when the war is over.

I do not know as I care to take more of your time except to say that as tax bills go this is a pretty good bill. In fact, I am so well satisfied with it that I voted for the special rule yesterday so that the House could not emasculate it. We gave consideration to broadening the base by lowering all exemptions, but the Treasury Department recommended against it because it would bring in about 10,000,000 new returns but little additional revenue. It costs 50 cents to handle a return and if we were to add 10,000,000 returns to what is now coming in it would mean an additional expenditure of $5,000,000 and the employment of 3,500 or 4,000 deserving new dealers.

I stated a few minutes ago that this is not a bad bill. It is much less severe than it would have been had the Treasury Department had their way about it. I want to give you some comparisons. Let us take a married couple with no dependents, a family with a net income of $3,000. That family pays $30.80 under the present law. The Treasury proposal would have taxed them $151.80, but this bill only imposes a tax of $85.80. On $5,000 net incomes the present tax is $110; the Treasury would have increased that to $500; the committee fixed it at $308, nearly $200 less than the Treasury recommendation. On a $10,000 net income, and this is the item that seems to arouse more interest than any other, the present tax is $528. I am speaking now of a married man with no dependents; the Treasury Department proposed that we levy a tax of $1,628; the committee set the amount at $1,166, or a saving of nearly $500. On a $25,000 income the present law levies $3,843.40; the Treasury recommended that that amount be increased to $6,824.40; the committee set it at $6,505.40.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Chairman, I ask unanimous consent to read a letter from the Treasury Department.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. CROWTHER]?

There was no objection.

Mr. CROWTHER. Mr. Chairman, I do not intend in this limited time to discuss the tax bill, because it has been very thoroughly explained up to this moment, and, undoubtedly, there will be many more brilliant and illuminating speeches on the subject of taxation before this general debate is ended. Some of the moot questions here will be subjected to a very considerable discussion and dissection. They will probably be put on the dissecting table and operated on, if I guess correctly the temper of the House at this time.

The gentleman from Minnesota, who preceded me, said that it is not a bad tax bill. Of course, there never was a good tax bill. There never was a tax bill that even when the committee got through with it, either the committee or the public were either happy or satisfied regarding its final requirements.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from Minnesota.

Mr. KNUTSON. I think my good friend will admit that this bill could have been much worse.

Mr. CROWTHER. Perhaps the gentleman is thinking of the man before the Kentucky judge on a whisky charge, for handling bad whisky. The judge said he would not consider that case at all, because, in his opinion, there was no bad whisky, some whisky was better than others.

Mr. KNUTSON. It is a much better bill as far as the general taxpayer is concerned than it would have been had we followed the recommendations of either the Treasury Department or Mr. Eccles.

Mr. CROWTHER. It does not produce quite as much money as under the Treasury recommendations, but it reached the goal set by the committee. I did not think it was enough. I thought and advocated constantly, as the gentleman recalls, that we ought to raise $5,000,000,000 in order to make something more than a gesture toward the amortization of the tremendous debt we were accumulating.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. The gentleman said there was no good tax bill. I recall three good tax bills that were passed in the twenties, bills that were all tax reductions.

Mr. CROWTHER. When you give people money instead of taking it away from them, that alters their attitude entirely. The installation of the Santa Claus motif has made this administration very popular.

I want to call attention, however, to the debt that is now facing us and that will be constantly increasing with the continuation of this defense program. I hark back for just a moment to the days of World War No. 1. At that time our national debt was $1,230,000,000. When we finished the World War we owed $26,000,000,000.

I was interested and wondered how much that debt had cost us during the intervening period, in trying to envision what might happen to us as a result of the probable $100,000,000,000 debt that is in the offing, so I tried to figure it out myself. I tried to average that debt over a period of 23 years, from 1918 to 1941, and figure an average rate of interest. When I got through figuring, having covered a dozen or more sheets of paper, the sum was so large that it staggered me. I communicated with the Treasury to see how nearly correct I was, and I have received this letter in reply:

MY DEAR MR. CROWTHER: Further reference is made to your letter of April 14, 1941, in regard to the amount of interest paid on the national debt which was incurred during the first World War.

The latest Treasury estimate of the money cost of the World War to the United States Government is that contained in the Secretary's annual report for the fiscal year ended June 30, 1934. At that time the interest on the national debt incurred as a result of the World War was estimated at $12,303,640,992.

I could have saved myself a great deal of figuring and work if I had known that that figure was in the 1934 report.

Continuing the letter:

For the reasons stated in my letter of April 19, it would be difficult at this time to make an estimate of the interest cost attributable to the World War debt. The obligations originally issued by the Treasury in financing the World War have lost their identity in subsequent refunding of the outstanding public debt, and, therefore, it would be necessary to adopt certain arbitrary as-

sumptions in compiling the information you desire. On the theory that no war debt has been retired since December 1930—

That is true—

when the post-war debt reached its low point and commenced to increase, the amount of the public debt at the present time which may be attributed to the World War—

That is, out of our present $50,000,000,000 debt—

would be in the neighborhood of $15,000,000,000. The annual interest on this amount at 2.6 percent, the approximate average rate of interest on the public debt since 1935, would be about $390,000,000 a year, and for the 6½ fiscal years to December 31, 1940, would be approximately $2,535,000,000, which, when added to the $12,303,640,992 mentioned above, would equal $14,838,640,992.

There is the picture. We started the last war with a national debt of $1,230,000,000. We finished it with a debt of $26,000,000,000. The Republican Party reduced that debt under our administration $11,000,000,000 in 11 years, an average of $1,000,000,000 a year. That left $15,000,000,000. So we started with a $1,000,000,000 debt and finished with a $26,000,000,000 debt, paid off $11,000,000,000 in 11 years; $15,000,000,000 of it is still attributable to the war debt and is part of our present national debt, and we paid nearly $15,000,000,000 in interest during that period.

You can just imagine that starting with a $45,000,000,000 debt, as we did in this war, and with expenditures in front of us that will bring the national debt to $100,000,000,000 or more, what the picture of the interest debt will be 23 years from today, in view of what it is 23 years after the signing of the armistice in 1918. I just call this to your attention because the figures to me are alarming.

I think perhaps people have lost sight of the fact, when we talk about the $3,500,000,000 tax bill we are considering at this time, that that is in addition to the $9,500,000,000 that we expect to get under the present law, so that we are collecting this coming year $13,000,000,000 in taxes from the American people through various types and kinds of taxes, distributed as equitably and as fairly as could be done in the judgment of the committee.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I see that the gentleman is worried about this debt. I entertained such worries as that until our President said there was no cause to worry; that we owed it to ourselves.

Mr. CROWTHER. Yes; I remember that statement. Perhaps it might be classified as a bit of campaign oratory. The President, when asked about means of providing the money for the first defense expenditures, just flicked the ashes from his cigarette and told the press that was a mere detail, and that he was going to erase the "silly old dollar sign." Let me tell you, gentlemen, that on the 15th of next March Mr. Morgenthau, who does not believe that, will not erase the silly old dollar sign, and he will not take any old tires or any old brass or any old aluminum kettles for your taxes. You will lay the money right on the line for Mr. Morgenthau—and how—when you pay your income taxes.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman.

Mr. CRAWFORD. I would like to ask the gentleman from New York this question, if he will give us the information: Why did the Ways and Means Committee in this bill assess such low taxes—and I mean low—against excess profits of corporations?

Mr. CROWTHER. We raised all the rates 10 points and we adopted a new method of determining the excess-profits tax which considerably raises that total figure. We must look ahead. In England they gave them a 2-year average business experience and above that they take every dollar. It may get to the point where we may have to take every dollar, but right now taxation can only be carried to that point, as regards an individual or a corporation, where you are going to save them for future activity. Excessive rates discourage the use of private capital; they destroy corporate activity, which may result in unemployment. You can only go so far; and I think with $13,000,000,000 to be collected for 1942, the committee has increased the general tax burden as much as is warranted at this time. We have been advised by the President of the probable necessity of a tax bill every year. With the gradual drying up of our sources of revenue it probably means a continuous raising of rates.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 25 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Chairman, it is recognized that a very essential element connected with the national-defense program is the necessity that the required revenue be provided to pay for it. Large sums of money have been appropriated for national defense and the money must be provided to pay the bill. The people must be called upon to pay more taxes to their Government to provide this required revenue.

When the Secretary of the Treasury appeared before your committee on April 24, 1941, he stated that as of that date the appropriations, authorizations, and recommendations for the national-defense program totaled $39,000,000,000, including the lease-lend appropriation. According to the estimates of the Bureau of the Budget as of June 1, 1941, this figure had increased to $43,000,000,000. It is now set at approximately $50,000,000,000. It will be seen that since last April the scope of our defense program has increased by about $11,000,000,000.

The Secretary also stated that actual expenditures for all Federal purposes for the fiscal year 1942 were then expected to be $19,000,000,000. It is now expected that the expenditures for this fiscal year will be about $22,000,000,000.

Revenue from the present law is estimated to yield about $9,400,000,000 in the fiscal year 1942. The estimate of the revenue to be provided by the pending bill is $3,529,200,000 for a full year of operations of the bill's provisions, or a total tax revenue of $12,929,200,000, or substantially $13,000,000,000 when this bill is fully operative.

Such a sum is equivalent to about 60 percent of the cost of Government, including national defense, estimated for fiscal year 1942.

As was pointed out so effectively by the chairman of the committee on yesterday, during the World War period we provided one-third of the required revenue by taxes and borrowed the other two-thirds. Now the policy has been reversed, and at the time the Secretary appeared before your committee it was then recommended that we provide sufficient money to pay for two-thirds of the expenses and borrow one-third. Additional requirements that have been made since then now make the ratio stand at 60 percent of tax revenue and 40 percent of borrowed money to pay for our national expenditures.

In recent years your committee has recommended and Congress has enacted several revenue laws designed and intended to bring our expenditures and our revenue into a closer degree of balance. If it had not been for the enormous amounts required for the national-defense program, this objective would have been accomplished, and I invite your attention to these figures.

For the fiscal year 1941 we had total expenditures of $12,710,000,000. During the fiscal year 1941 we had $6,048,000,000 for national defense, which would leave a difference of $6,662,000,000 for all other purposes for the Federal Government, and we received total receipts of $7,607,000,000. Thus it will be seen that for the fiscal year 1942, except for the enormous expenditure required for national defense, we would have had our Budget substantially in balance, or, perhaps, a little surplus.

Much has been said yesterday and today with respect to tax relief and the reduction of expenditures. I have had occasion to remark here on several occasions in the past, as well as elsewhere, that the most effective way to accomplish real tax relief is to more closely watch the appropriations made by Congress. It is very well for us to have our attention very definitely drawn to the necessity of reducing expenses when we are called upon to consider the largest tax bill in the history of our Nation. I favor economy as much as anybody could, but the important thing to bear in mind is that this is not the time to be talking about economy or saving money. The time to do that is when these authorization bills and appropriation bills come before the House for consideration.

We cannot go along as we have in the past authorizing vast expenditures, and then appropriating money, spending large sums, without providing the revenue that is necessary to pay the debt. So the important thing to remember is that as these authorizations and appropriations come along, then is the time to think about tax relief and reducing Federal expenditures. As I have said repeatedly, we should always remember that there is no way by which one dollar

can get into the Federal Treasury or one dollar can get out of the Federal Treasury except by the action of Congress. We hear some criticism of the executive branch of the Government, but after all, under our system of government, the responsibility rests right here with the Congress. So we may well pay closer attention in the future to authorizations and appropriations, realizing that that is where the money is to be saved, if it is to be saved.

The responsibility of initiating tax legislation rests with your Committee on Ways and Means. After 3 months of very strenuous effort, last Friday the Ways and Means Committee reported the pending bill, which is the revenue bill of 1941. Estimates of the revenue involved, as we have frequently heard it stated, are that this bill will produce three and a half billion dollars of additional revenue for the Federal Government. Of that amount $2,475,000,000 will come from corporations and individual income-tax payers; $152,000,000 from estate and gift taxes; and about $900,000,000 from additional excise taxes.

It is my purpose to very briefly discuss some of the provisions of the pending bill. The new corporation and individual income taxes are effective under this measure from January 1 of this year. The 10-percent defense tax is made permanent. Personal exemptions of $800 for a single person and $2,000 for married people are continued. We have had considerable discussion of the question of lowering exemptions and broadening the base. It is interesting to look into that subject, as your committee has endeavored to do. We see many suggestions in the press and hear of them elsewhere about broadening the base and lowering the exemptions. I would not especially object to some lowering of exemptions, but your committee in its wisdom felt that the exemptions should not be lowered further at this time. Let us remember that last year we reduced the exemption for a single person from $1,000 to $800 and for a married person from $2,500 to $2,000, so that now we have the lowest exemptions that we have ever had since our income-tax system began in 1913. The $2,000 for married people is as low now as it has ever been, and the $800 exemption for single people is lower than it has ever been before.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. COOPER. Yes.

Mr. VORYS of Ohio. I received today suggestions that the exemptions be taken out of the lowest brackets rather than out of the highest brackets as being the fairest way to make the exemptions amount to the same for each taxpayer. I wondered whether the committee had considered that method of equalizing the exemptions and of course raising more revenue.

Mr. COOPER. I think I may accurately state to the gentleman that your committee considered every phase of this question. Let us bear in mind in the beginning that the exemptions have always been considered what it is thought to be necessary for people to secure at least the bare necessities of life. People should have some amount that is exempt from Federal taxation. Exemptions have varied from time to time under different measures and have been fixed at different amounts. The present exemptions mean about $15 per week for a single person and $38 per week for a married person. I call attention to this very significant fact with respect to exemptions, and it is something that does not seem to be generally taken into consideration. The real effect of lowering the exemptions is simply to take that much money off of the bottom and put it on the top. Last year we lowered the exemptions for married people from $2,500 to $2,000. What was the effect of that? It simply meant that the $500 by which the exemption was reduced was added on the top of your other sources of income on your income-tax return, and was, therefore, taxed at the highest rate of tax which you pay on any source of income. That is the effect of it, and there is no way to avoid that that we have been able to figure out. Of course, some people seem to think that we should be getting more money from these people in the lower brackets, but whenever you reduce exemptions, as has been suggested, the effect is to simply take that much off of the bottom and put it on the top. You do get more revenue, but you get it from the people who are already paying the taxes, and from whom we are already receiving the bulk of revenue that the Government gets and from whom we can, by raising the tax rates, get the same revenue effect as would be accomplished by lowering exemptions. This is the procedure followed in this bill for getting the extra revenue from the individual income tax. Furthermore, by making the first dollar of surtax net income subject to surtax we have accomplished the same purpose as lowering the exemptions in adding large numbers of new taxpayers to the rolls.

Mr. KRAMER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. Yes.

Mr. KRAMER. What explanation can the gentleman give with reference to the tax proposed on billboards as against magazine and other advertising?

Mr. COOPER. I hope the gentleman will withhold that question. I am talking about individual income taxes.

Mr. KRAMER. I thought the gentleman was trying to recover revenue.

Mr. COOPER. I appreciate the gentleman's question, but I hope that he will withhold it until I get to that subject.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. COOPER. I yield.

Mr. VORYS of Ohio. We have heard some discussion of the possibility of leaving exemptions as they are, but of having an arbitrary tax on those who are below that exemption.

Mr. COOPER. I get your point. Your committee considered that very carefully. What does that mean? That means that you will have two schedules of income-tax rates. You will have a schedule of rates from your present exemptions on up. Then you will have another schedule of rates from the bottom up to the limit of your present schedule. Now, suppose some person in the highest bracket of the new schedule has $1 of additional revenue, then you bring him into the other schedule of income-tax rates. There just has not been any way devised so far to work it out so that you can accomplish that purpose.

Some suggestion was made that a levy of $5 or $10 be made on everybody. That simply amounts to a Federal poll tax. That is what that is. Certainly that is not embraced within the authority of the sixteenth amendment, which authorizes the Congress to lay and collect taxes on income from whatever source derived.

That will give some indication of the extreme difficulties involved. So that your committee thought the only way it could be considered would be to lower the exemptions and broaden the base, which as I say simply amounts to that much being taken off of the bottom and placed on the top of people already paying substantial income taxes.

Another thing in that connection, last year when we lowered the exemptions, as I have previously indicated, and changed the requirement for filing returns, it resulted in nearly 8,000,000 more tax returns being filed than were received in the previous year, but of that number about 6,000,000 did not pay any tax. About 2,000,000 of the newly filed returns paid small amounts, varying from a few cents to a few dollars. It has been estimated that we received about $16,500,000 additional revenue from newly filed returns and that it cost us about $8,000,000 to collect it. We wound up with about $8,500,000 net revenue from these newly filed returns.

Some have suggested that it would be desirable to have those people included in the lower brackets, to make them tax conscious, so that they would have to file an income-tax return, and it might have some effect on demands for expenditures. But, after all, what we are considering here is a revenue bill to provide revenue for the Government. If you adopt a method whereby a great many additional income-tax returns will have to be filed and yet wind up getting only a small additional amount of revenue from newly filed returns, certainly you cannot say that that is for the purpose of raising revenue when substantially the same revenue effect can be accomplished by adjusting the tax rates.

Mr. CASEY of Massachusetts. Mr Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. CASEY of Massachusetts. I think when the committee lowered the base to $800 they went about as far as they possibly could, but I am interested in knowing how you arrived at the figure of $800. Did you take into consideration that figure as being the lowest amount upon which an individual could subsist, that is, pay rent, clothing, and the necessities of life?

Mr. COOPER. Not necessarily. Of course the House bill last year had one figure and the Senate bill had another figure, and in conference this was the amount agreed upon. As frequently happens, it was a matter of compromise.

With the increasing cost of living that is apparent on every hand, your committee felt that for the present at least these exemptions should be left as they are.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I have had complaints from taxpayers who have been paying income taxes, that the enforcement has not been well done. They say that the enforcers go out to a man making from $7,000 up, and they go around to their offices every year and go into their books thoroughly, but below that bracket, around $5,000, there are any number of people who are not paying the amount of tax they should pay. They are cheating on their income tax. It is well known that if one or two cases were brought to court and a penalty put on, many of those people would be paying taxes who are not paying today.

Mr. COOPER. That is a very fine contribution the gentlewoman from Illinois has made. Your committee looked into that feature of it. As I recall now, they told us it required 3,800 additional revenue agents to police or take care of the situation created by reason of the lowering of the exemption last year.

Miss SUMNER of Illinois. Will the gentleman yield further on that?

Mr. COOPER. Yes; I yield.

Miss SUMNER of Illinois. If I may comment, from my personal experience as a lawyer handling tax work, I have known one agent sit around my office hour after hour, and he has even asked me off the bench, when with a little head work he could have handled the matter and got on to other work.

Mr. COOPER. I have no doubt some instances of that kind may occur, but certainly your Committee on Ways and Means cannot watch every one of these internal-revenue agents throughout the country.

Miss SUMNER of Illinois. I knew you were very close to the Treasury and that is why I mentioned the matter.

Mr. COOPER. I yield to the gentleman from Kansas.

Mr. CARLSON. The gentleman from Tennessee mentioned 8,000,000 new returns that were received and I believe he said we received 2,000,000 new taxes. If I might quote from a statement by Secretary Sullivan in a report to the committee. He said:

> As a result of the act approximately 8,200,000 new returns will be filed in 1941 and there will be nearly 4,000,000 new taxpayers.

Mr. COOPER. My recollection was that the item of nearly 4,000,000 new taxpayers referred to by Mr. Sullivan included not only the newly filed returns but also returns which would have been filed but which would have been nontaxable if the exemptions had not been lowered, but I do recall that the estimate was given us that they received about $16,500,000 additional revenue from newly filed returns, and it took about $8,000,000 to collect it.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. WILLIAM T. PHEIFFER. I realize that the problems attendant on trying to tap new tax resources in the country are enormous. No doubt it was a Gargantuan task. I am wondering if we are not going to have to come eventually to meet the problem as suggested by the Treasury by starting in on the plan which has been estimated to yield $31,000,000 on a hypothetical national income of $80,000,000,000? By so doing we would be making at least a start on trying to do something we are going to have to adopt eventually into our tax system.

Mr. COOPER. I may say to the gentleman from New York I have no doubt that eventually we are going to have to lower the exemptions still further. I think we shall probably come to that. We shall probably have to come to many other things that we do not think it necessary to come to just at this time. We are raising $3,500,000,000 of revenue in this bill which was estimated by the responsible officials of the Government as being necessary. As to what we may have to do in the future I cannot foresee, and prefer to wait until we reach that point before speculating too much about it.

The committee felt that the exemptions fixed in the act of last year should be continued. With respect to indiivdual income taxes under the provisions of this bill the normal tax rate of 4 percent is continued. The 10-percent defense tax is continued. The surtax rates are increased substantially, beginning at 5 percent on the first $2,000 and graduated up, and applying to the first dollar of net income.

The present normal corporation tax rates are continued—that is, corporations, with $25,000 or less net income, pay on the schedule of rates now in existing law. On the first $5,000 the rate is 14.85 percent; on the next $15,000 the rate is 16.5; on the next $5,000 the rate is 18.7. Over $25,000 the rate is 24 percent; and these percentages I have given you include the defense tax.

The new bill imposes upon corporations a surtax of 5 percent on the first $25,000 of surtax net income, and 6 percent on the balance.

The surtax is employed as the only means of reaching income from a large volume of partially tax-exempt Federal securities now held by corporations.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 10 additional minutes to the gentleman from Tennessee.

Mr. COOPER. I thank the gentleman from North Carolina.

The surtax method is also used with respect to individual income taxpayers for the same reason, because that is the only way you can reach the income from this large volume of partially tax-exempt Federal securities now outstanding.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. COCHRAN. In arriving at the amount this bill will raise, does the gentleman base it upon the amount that was paid last year, or is the gentleman anticipating the income of individuals for the present calendar year?

Mr. COOPER. The estimates on the yield of the bill were provided by the Treasury Department and are based upon the tax bases used in preparing the latest official Budget estimates for the revenues of the Federal Government in the current year. As is stated in the table of estimates on page 3 of your committee report on the bill:

> The estimates for corporation and individual income taxes and the gift tax are based on income levels estimated for calendar year 1941; all other estimates are based on income levels estimated for fiscal year 1942.

Mr. COCHRAN. If the gentleman will yield further, the Committee on Ways and Means has automatically increased the net income of millions of our citizens by providing that for surtax purposes only, as I understand it, the committee is requiring the individual to include in his income, as income, interest upon tax-exempt Government bonds, although the committee cannot apply the normal tax rates against the income from such securities. Am I correct?

Mr. COOPER. For surtax purposes. The gentleman is correct.

Mr. COCHRAN. And in that way we are getting at these people who have had their money invested solely in Government securities—some, of course, for the purpose of escaping taxes.

Mr. COOPER. The committee has gone just as far as it could go in this bill in reaching that situation.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. ALLEN of Illinois. Referring to the retail excise taxes on jewelry and cosmetics——

Mr. COOPER. I hope the gentleman will withhold that for the moment until I finish with the income-tax phase of the discussion.

Mr. ALLEN of Illinois. But the gentleman's time is about to expire.

Mr. COOPER. I hope the gentleman will let me proceed for a moment.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. WHITTINGTON. If I understand the report of the committee, if the provision requiring joint returns by husband and wife is eliminated from this bill it is the view of the committee that it would be necessary to levy taxes of approximately an additional 100 percent on those whose income lies between $2,500 and $4,000, and by about 33⅓ percent on those from $5,000 to $12,000.

Mr. COOPER. Something like that might be necessary. In other words, it is estimated that the provision requiring mandatory joint returns for husband and wife living together will produce about $300,000,000 additional revenue. If this is eliminated obviously the rate must be increased in the brackets all the way up to supply the loss of revenue.

Mr. WHITTINGTON. But the fact remains, as stated on page 17 of the report, that the principal increase will be in the lower brackets.

Mr. COOPER. Undoubtedly that would probably result on a percentage of increase basis. Now I should like to proceed with my discussion.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I am sorry, I cannot yield right now.

The new tax bill imposes upon corporations a surtax, as I said, of 5 percent on the first $25,000 of surtax net income and 6 percent on the balance. For the excess-profits tax which applies only to corporations the present optional method of average earnings or invested capital is continued. I say very frankly that personally I favored a much more effective excess profits than is provided. I felt very strongly that with this enormous amount of money now being spent by the Federal Government and the evidence on every hand being apparent that everybody is going to be making more money during this period, and corporations are going to have greatly increased income by reason of the Federal Government spending this forty or fifty billion dollars, now is the proper time to get more revenue into the Treasury through the application of an excess-profits tax law. I favored this, but the majority of the committee in their wisdom felt that the present optional method should be continued. Of course, I only had 1 vote out of 25. In that connection I would like to say that the President and the Treasury Department made such a suggestion.

We had other suggestions presented to us, and I would especially like to invite attention to the recommendation of the American Farm Bureau Federation on this particular point, which appears in the statement of Mr. Ed. O'Neal, president of that organization, at the hearing. This is the resolution adopted at the Baltimore convention of the American Farm Bureau Federation in December 1940, with respect to Federal taxation:

> The national-defense program is placing new and greatly increased burdens upon the Federal Budget In affirmation of the policies set forward by the board of directors, we support higher taxes to meet a proper share of this added expenditure. We will oppose efforts to raise this revenue from excise or consumption taxes. The corporate- and personal-income tax must be the main sources of revenue and the excess-profits tax should be tightened and maximum rates of profit established above which all revenue will be considered an excess profit and be taxable as such. Only by such tax policies can profiteering be forestalled and the defense program financed on the basis of ability to pay.

Mr. CRAWFORD. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Would it be in order to go so far as to indicate to industry at this time that there is a likelihood of additional excess-profits taxes being assessed at some subsequent date prior to December 31, 1941, and retroactive to January 1, 1941? Would the gentleman go that far at this time?

Mr. COOPER. I am not prepared to state definitely just now what we should do in the future. I stated very frankly that I favored it now.

Mr. CRAWFORD. I agree with the gentleman 100 percent on that. I think we should have made it retroactive.

Mr. COOPER. When we have this large number of corporations in this country that go along making 30, 40, 50, some of them as high as 100 percent, I think that is the fairest place for us to approach for additional revenue during this great period of national emergency.

Mr. CRAWFORD. The gentleman would say it would not only be fair but if the units of industry find themselves in that position from a managerial standpoint, it will keep those particular industries out of bogholes later on?

Mr. COOPER. It comes back to the old question of trying to pay our debts while we are making money and while we have the income, or postponing the day until our income falls off and we find ourselves in more difficult times. It is like the old saying, some people think they ought to make debts in good times and pay them in hard times.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from California.

Mr. VOORHIS of California. I think the gentleman knows that I thoroughly agree with what he says about the excess-profits tax proposition. There is another argument that is possible, namely, the disparity between certain small business and some of those getting the defense work.

Mr. COOPER. That is true.

Mr. VOORHIS of California. May I ask the question, Why would it not be possible, even though we could not reach beyond the average earning method of computing excess-profits taxes, to impose a ceiling on the percentage or capital plan?

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. COOPER. Of course, that could be done. Under the average-earnings plan you are allowed 95 percent of what was made during the base period from 1936 to 1939. Under the invested-capital method you are allowed 8 percent on the first $5,000,000 of invested capital and 7 percent on the remainder. Any variation of those figures could be made that Congress would think proper.

Mr. VOORHIS of California. Is not the great loophole the fact there are certain corporations fortunately situated for some reason whose earnings in the base period were very substantial and by using the average-earnings plan does not become effective until their earnings become very substantial indeed?

Mr. COOPER. That is very true. The present excess-profits tax rates are increased by 10 percentage points in each bracket, so that instead of ranging from 25 to 50 percent, as is true of the present law, they will range from 35 to 60 percent.

There is also an important change in the computation of excess-profits taxes. Under the present law you deduct the normal corporation tax before you determine the amount of income subject to the excess-profits tax. This is changed so that you compute the excess-profits tax before the deduction for the normal tax. So that you apply the higher tax to the higher or greater amount. For example, a corporation determines the amount of its net income; then from that you subtract the excess-profits tax credit, either arrived at by the average-earning plan or the invested-capital plan. Of course, for the average-earning plan, it is 95 percent of the amount during the base period from 1936 to 1939, inclusive.

Under the invested-capital plan it is 8 percent of the first $5,000,000 of invested capital and 7 percent on the remainder. Whichever method a corporation desires to use to figure its excess-profits credit, the amount arrived at is taken off the corporation net income. Then you apply the $5,000 specific exemption that is given to all corporations. Then on the balance you figure the excess-profits tax according to these rates I have given you. Then on the balance you figure the corporation's normal tax and surtax. Of course, the sum of those items determines the amount that the corporation is to pay.

On the estate and gift taxes, the present exemptions of $40,000 are continued. The rates are increased so as to provide $152,000,000 of additional revenue.

With respect to excise taxes, the rates on certain existing excise taxes are increased and certain new excise taxes are imposed, so as to provide $900,000,000 additional revenue.

May I point out this, which I believe to be important, that with the new excise taxes that are provided in this bill the ratio of revenue provided from excise taxes will not be as great in the future as it is at the present; in other words, you are now receiving a greater ratio of revenue from excise taxes with relation to other taxes than you will be receiving after the enactment of this bill.

Although this bill provides $900,000,000 additional revenue from excise taxes, it will be remembered that we are providing $2,475,000,000 additional revenue from corporation and individual income taxes and $152,000,000 additional revenue from estate and gift taxes.

With respect to individual income taxpayers, the new taxes mean that people with a net income up to about $15,000 a year will have to pay double or more the amount of taxes they are paying now.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 5 additional minutes to the gentleman from Tennessee.

Mr. COOPER. People with net income up to $50,000 a year will pay about 40 percent more. People with a net income up to $100,000 a year will pay about 23 percent more.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. The gentleman a few moments ago said that when we lowered the base, although we received but $12,000,000 extra it cost $8,000,000 to collect the tax.

Mr. COOPER. That is my recollection of the figures given by the Treasury Department.

Mr. ALLEN of Illinois. The gentleman also stated that it took about 3,900 investigators to collect the tax.

Referring to the retailers' excise taxes on jewelry and cosmetics, where a retail tax of 10 percent has been imposed, that naturally would require many more investigators than if you imposed a manufacturers' and importers' tax.

For the gentleman's information, I have received many calls from Chicago from reliable jewelry manufacturers and retailers. They believe that of the 250,000 fly-by-night jewelry and cosmetic concerns which will have to pay a retailer's tax, there will be many unreliable concerns that will be ducking the tax. The same principle would be true as is true in regard to the manufacturers' tax on whisky or beer. You pay a manufacturers' tax there. You would not for a moment put a retailers' tax on the various taverns in Chicago or New York City, because they also have fly-by-night operators.

Mr. COOPER. I believe I get the gentleman's point. What would the gentleman propose, that the jewelry tax be changed to a manufacturers' excise tax?

Mr. ALLEN of Illinois. Correct.

Mr. COOPER. Your committee considered that. I believe if the gentleman will look at the testimony given before your committee by Mr. Niemeyer, representing the jewelry industry, you will find that they very strongly favored a retail tax rather than a manufacturers' excise tax.

Mr. ALLEN of Illinois. Does not the gentleman admit that it will cost much more to have 250,000 concerns send in returns every month, which would amount to millions of returns? Would not the tax revenue be much less under this plan, in view of the additional expenditure? And after all, did not the gentleman say that this bill is a revenue bill; that its purpose is to raise money?

Mr. COOPER. That is correct; there is no doubt about that.

Mr. KRAMER. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from California.

Mr. KRAMER. I should like to have the expert of our Committee on Ways and Means give me an explanation as to why advertising agencies are not taxed in the same manner that billboards and radios are taxed.

Mr. COOPER. I do not know that I could satisfactorily answer the gentleman. Your committee looked into all the sources of revenue that it could look to. A majority of them decided that the tax on billboards included in the bill was fair and equitable and would produce, as I recall, about $7,000,000 of revenue. A majority of them voted to impose the tax. There is a committee amendment to be offered on this item.

Mr. KRAMER. I am not objecting to the tax on billboards; I am inquiring why the other advertising agencies are left out of the picture.

Mr. COOPER. That would get into the field of newspapers, magazines, and various other avenues of advertising. The committee just did not reach into those fields at this time.

Mr. KRAMER. If they are looking for revenue, that is the place to get it. There is a great deal more revenue in newspapers and magazines than there is in billboard advertising.

Mr. COOPER. If the gentleman wants to advocate a tax on newspapers, that is his privilege, of course.

Mr. KRAMER. And magazines, why were they exempted?

Mr. COOPER. There is no exemption at all.

Mr. KRAMER. They were eliminated.

Mr. COOPER. That tax was just not levied like thousands of other items were not included.

Mr. KRAMER. Now as to another tax, I spoke to the gentleman on several occasions about a tax on liquor license.

Mr. COOPER. Yes, I recall the gentleman's interest in that. We are raising the liquor tax under this bill $1 a gallon, and it was thought that for the present that was as high as it should go and as much additional tax as should be placed on the liquor industry at this time. That was the view of the majority of the committee. Certainly we may be called upon for additional revenue in the future and I have no doubt that source will be considered again.

[Here the gavel fell.]

Mr. CARLSON. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I shall expect to use a few charts in my discussion and with those charts I hope to make my remarks as interesting as possible and also instructive. It may be that I am assuming more than I will be able to accomplish. Before I begin the discussion from that standpoint I want, if I may, to stress just one thought. In the consideration of this tax bill so far you have heard some very learned discussions. They have been very interesting and very exhaustive, but here is one thought I would like to leave with you. In this tax bill there are three new kinds of taxes, and let me tell you what they are.

The first one is that this tax which proposes to compel joint returns by husband and wife. You have heard that discussed a great deal and I shall not attempt to discuss it at this time. That is a new kind of tax. We have never had that kind of tax before.

There is another kind of tax that is new. That is the use tax on automobiles. We are levying a tax of $5 on every automobile in the United States. There are about 30,000,000 of them. That is going to apply just the same to the fine limousine as to the little Ford. It is just a universal $5 tax. They call it a use tax. This is the first time that kind of tax has ever been levied in the country, with probably one or two exceptions and they were not clear-cut to the issue as this one is. We are going to charge everybody $5 that has and operates an instrumentality that we call an automobile. In passing this use tax we invade the field of the State, for it is simply a license-plate tax. Automobiles will then carry a State tag and a Federal tag.

Here is another new kind of tax that I have never seen before and I do not like it. And here is where it comes from. It came before our committee from Mr. Leon Henderson. Mr. Henderson came before the committee, and I am not saying this in criticism of him at all, but he came before the committee and said that we must curtail the consumption or the use of iron and steel. To do that he proposed to increase the tax on every new automobile in the country until it would be 20 percent of the cost price. This would be a tremendous increase in the tax on automobiles. And with what purpose in mind? With the purpose of keeping many of the automobiles off the roads through taxation. Never was that tried before. I am glad to say the committee did not accept that theory as far as automobiles are concerned, but they did accept it with respect to some other commodities.

For instance, here is an illustration and a striking illustration. This bill levies a tax on business and store machines. The bill then enumerates about 50 articles, all of which are made from steel. Included are adding machines, check-writing machines, typewriters, and even down to pencil sharpeners. I say that is a fallacious philosophy of taxation and is a matter that should be controlled by priorities absolutely, and not by taxation. Those of you who are tax experts want to be on the lookout for this new theory. It is insidious and it is something that if extended might work disaster. This is a fantastic idea, primarily, of one man who wants to control distribution of steel through taxation.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I gladly yield to my friend the gentleman from Minnesota.

Mr. KNUTSON. The gentleman states it was proposed to make the automobile tax so high that it would drive the cars off the road. At the rate we are spending money it will not be long before the cars are driven off the road without any tax.

Mr. JENKINS of Ohio. Well, there is something in that, too.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Tennessee.

Mr. COOPER. I am sure the gentleman, upon reflection, will recall that the bill includes a tax on office machines alone. There was a suggestion offered to also tax metal furniture, but the committee did not adopt that.

Mr. JENKINS of Ohio. That is right, but the theory is the same. The only reason the tax was laid on metal equipment in offices was to curtail the production of it in order to encourage the consumption of steel for national defense, which is absolutely too far-fetched to be reasonable. It is a dangerous step in taxation to seek to control the distribution of a great product such as steel by levying a tax large enough on certain articles to virtually drive them from the market.

I shall now be glad to take up this chart with you. In this connection I will say that these charts are all of my own make, and I will at the proper time ask leave to insert them in the RECORD. This first

chart I shall insert at this point. The first chart, of course, explains itself.

Where are we going to get the money? (Mr. Rich)

Corporations	$1,345,200,000
Individual income tax	1,152,000,000
Estate and gift taxes	151,900,000
Manufacturers and retailers excise taxes and miscellaneous excise taxes	880,100,000
Total	3,529,200,000

You will see that I give credit to the gentleman from Pennsylvania [Mr. RICH] for that laconic inquiry at the top. That inquiry has gone all over the country. People all over the country know of the efforts of the gentleman from Pennsylvania [Mr. RICH] toward national economy. Almost every day he reminds this body of the terrible extravagances of government, and ends his remarks with the inquiry: "Where are you going to get the money?" The first line shows corporations will pay a tax of $1,345,200,000 under this bill. The income tax paid by the individuals will amount to $1,152,000,000. The estate tax will amount to $151,900,000. The manufacturer and miscellaneous taxes will pay $880,100,000. These all add up to $3,529,200,000.

Let us now get to something that is a little more interesting, more important.

I shall insert this second chart in the RECORD at this point:

Computation of income tax on married man with 2 children

Salary $10,000, other income $3,000, total		$13,000.00
Deductions (interest, taxes, etc.)		700.00
Net income		12,300.00
Normal tax:		
Net income		12,300.00
Personal exemptions	$2,800.00	
Earned income, credit on $10,000	1,000.00	
		3,800.00
Balance subject to normal tax		8,500.00
Normal tax, at 4 percent		340.00
Surtax:		
Net income		12,300.00
Personal exemption		2,800.00
Balance subject to surtax		9,500.00
Surtax (5 to 19 percent):		
$2,000 at 5 percent		100.00
$2,000 at 8 percent		160.00
$2,000 at 11 percent		220.00
$2,000 at 15 percent		300.00
$1,500 at 19 percent		285.00
		1,065.00
Normal tax		340.00
Surtax		1,065.00
		1,405.00
Defense tax (10 percent)		140.50
Total tax		1,545.50
New tax		1,545.50
Present tax		726.00
Increase		819.50

I want in this chart, if I may, to impress one thought, and that is this: I do not want you to worry about the correctness of these figures, while I think they are all accurate. What I want to do is to show you that in the computation of personal income tax there are two bases that one should always keep in mind. You have to figure on your base down here, the base of the normal tax, and also the base of the surtax, and if you have those freely in your mind, you have the personal income tax pretty well mastered, because you can turn to the law to get the extension of amounts necessary. Let us discuss this chart for a minute. Here is a figure at the top that is pretty familiar to Congressmen—$10,000 a year. Let us suppose the Congressman has an income outside of that of $3,000. That makes $13,000. In these figures I have assumed certain deductions of $700, which leaves a net income of $12,300. Let us go over here to this left-hand side to find the normal tax base. This is where you are going to start your 4-percent tax. Here it is, $12,300. If this man is married and has two children, he has an exemption of $2,800 and is entitled to this $1,000 as an income credit. That is 10 percent of his salary. That applies on the salary but not to the other income. That makes a total exemption of $3,800, and leaves him $8,500, for what? That is the normal tax base. That 4 percent runs on clear through his whole income, whether his income is $8,500, or $85,000, or $850,000. This where I point is the normal tax—in this case $340. Now let us look on the other side of this chart at the surtaxes. We take the same net income—$12,300. For surtax purposes he will have the same personal exemption, except that the only difference is that he is not allowed this $1,000 that is allowed in computing the normal tax. I hope the time will come when these tax experts will change this so that the normal and surtax shall start on the same base at least. If they want the surtax to start at a higher bracket, that can be done.

This $9,500 is the base for the surtax purposes. Under the present law the surtax starts at $4,000. You had a $4,000 exemption from this base. Under this new bill the surtax starts right there with the $9,500. It starts with 5 percent on the first $2,000, and that is $100. The next $2,000, at 8 percent, $160, and so on up until it totals $1,065; that is your surtax. To this you add the $340 normal tax and you have the total of $1,405. To this $1,405 we add the 10-percent defense tax which is $140.50, and you have a total of $1,545.50. This is the total tax for the man in those circumstances under the new law. Last year, under the present law, it would amount to $726, and here is what you Congressmen with two children will pay in addition to what you paid last year, $819.50.

At this point I shall insert chart No. 3. This next computation concerns the tax on corporations. It is rather complicated, and is not an easy matter to follow. I am going to make some assumptions. There is one thing that I would like you to remember, in the computation of taxes on corporations under this new law. It is different from the present law. Very much different. In the final computation there is a tremendous difference in the amount of tax.

New method of computing excess-profits tax

OLD SYSTEM BUT WITH NEW RATES		
Net income		$150,000
Normal tax, 24 percent	$36,000	
Surtax: 5 percent first $25,000; 6 percent on balance	8,750	44,750
Balance		105,250
(Net income for excess profits purposes.)		
Assumed excess profits credit, including $5,000 specific exemption)		80,000
Excess profits		25,250
Excess profits tax:		
35 percent on $20,000	$7,000	
40 percent on $5,250	2,100	
		9,100
Plus normal and surtax		44,750
Total tax		53,850
NEW SYSTEM		
Net income		150,000
Assumed excess-profits credit		80,000
(Including $5,000 specific exemption.)		
Amount subject to excess-profits tax		70,000
Excess-profits tax:		
$20,000 at 35 percent		7,000
$30,000 at 40 percent		12,000
$20,000 at 45 percent		9,000
		28,000
Net income		150,000
Less excess-profits tax		28,000
Balance subject to income tax		122,000
Normal tax 24 percent		29,280
Surtax 5 and 6 percent		7,070
		36,350
Plus excess-profits tax		28,000
Total tax		64,350
Increase tax: $64,350—$53,850=$10,500.		

In this instance the difference is $10,500 more under the new law. This difference arises from a different plan of computation. It is a fine manipulation that will produce millions of dollars in additional taxes. Let us consider this together. Here is a corporation that has a net income of $150,000. Last year, you will remember, this Congress provided a change in the method of computing a tax-exemption base for corporations. We provided that corporations should have the privilege of electing whether they would compute this base upon what was termed the invested-capital base, or upon what was termed the average-earnings base.

In the hearings on this bill for consideration here the Treasury desired a return to the one-base system. The Treasury desired that all corporations should use the invested-capital method. The committee, however, regardless of politics, stood out for the present plan with the privilege of an election. I think that all over the country the action of the committee has been approved.

In this case I shall assume this net income is $150,000. The normal tax on that corporation is 24 percent. The nor-

mal tax, 24 percent, produces $36,000. This, with a surtax of 5 percent on the first $25,000 and 6 percent of the balance makes the total surtax tax of $8,750. The total normal tax plus the surtax is $44,750. Deducting $44,500 from $150,000, we have a balance of $105,250, net balance for excess-profits purposes.

I am assuming an excess-profits credit of $80,000. I use this same figure in both compilations. That leaves for excess-profits taxes $25,250. Let us take $25,250. The excess-tax rate is 35 percent on the first $25,000 and 40 percent on the balance, or a total of $9,100 excess-profits tax. To this add the normal tax of $44,750, and you have $53,850. This is the total tax if figured under the plan of the present law as compared with the rates of the new law.

Let us see how the new system, if computed works. You start with $150,000 and you take off the $80,000, which leaves $70,000. Now, this is where the different plan comes in. The excess-profits tax is on $70,000. The amount the corporation pays under the new plan is $28,000 as against $9,100 on this side. Deducting this $28 000 we have $122,000 for normal-tax purposes. I figure the straight normal tax 24 percent and the surtaxes that go together with the normal tax, and I get a total of $36,500. This with the $28,000 excess-profits tax we have a total tax of $64,350 which is an increase of $10,500. There is a corporation under the new system that will pay $10,500 more than it would under the other computation. At this point I wish to insert chart No. 4. This chart illustrates how this provision requiring joint returns by husband and wife works. I shall explain this if I have time. It practically explains itself.

Compulsory joint returns of husband and wife

Husband earns $7,000. Wife earns $3,000. Total, $10,000.	
Separate returns under new rates:	
Tax on husband's $7,000	$596.20
Tax on wife's $3,000	316.80
Total	913.00
Tax on combined income of $10,000	1,166.00
Husband's liability: $596.20 : $913 :: $762 : $1,166.	
Wife's liability: $316.80 : $913 :: $404 : $1,166.	
$1,166 − $913 = $253 increase.	
Husband's increase	165.80
Wife's increase	87.20
Total	253.00

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 3 minutes remaining.

Mr. TREADWAY. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. JENKINS of Ohio. I thank the gentleman.

In connection with the computation of this tax I want to just take a minute of your time to discuss this matter of joint return of husband and wife. I was one member of the committee who opposed it. I did not oppose it for the same reason that some Members have indicated. I did not oppose it on the ground that it was going to cause any divorces or that it would work any incompatibility in domestic felicities in the different communities. That argument did not appeal to me. I based my opinion on a decision of the Supreme Court. The Court has only spoken once on this subject and no other court has spoken decisively but the Supreme Court. The Supreme Court has spoken decisively and it has never been modified or repealed. It stands today as the decision of the highest Court in the land.

What does this power to tax incomes spring from? It comes from the sixteenth amendment to the Constitution. The sixteenth amendment reads as follows: "The Congress shall have power to lay and collect taxes on incomes, from whatever source derived." Up until 1913, when the sixteenth amendment was adopted, this Congress could not levy an income tax on anybody. Why? Because it did not have the power. The power was in the people. It was necessary that the people give the Congress that right through a constitutional amendment. This amendment said in most simple language the Congress shall have the right to levy a tax on income, from whatever source derived. Now, Congress may levy a tax on income. Let me give you a crude illustration. Here are my five fingers [holding up hand]. Each finger represents a person—one, two, three, four, five. You do not know whether these five are men or women. You do not know whether they are related or what States they come from. These five people have the same income. They have exactly the same income. This constitutional amendment deals with that income, and nothing else. It does not deal with marital relationships. It gives no concern to how many children they may have. It deals only with income. That is all. Now, one step further: The Constitution further says that all taxes must be uniform, and so forth. The Constitution says further you cannot take money from one person and give it to another except by due process of law. You cannot do it. Let us take these five people. You do not know where they live nor who they are. They all make the same money——

Mr. DISNEY. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. In just a minute. They all earn the same money. They should all pay the same tax. If two of them join together by marriage they still have the same income. They have joined together for the purpose of raising a family and establishing a home, the bulwark of American life. They have joined together for social reasons; they have entered into wedlock, which is an institution that has been sanctioned by all people in all generations. They have not done that for taxation purposes. Their income remains exactly the same. Now, what can Congress do about it? It must continue to tax these people on their income regardless of their social conditions. We can say to those two people, "Yes; if you marry we will give you greater exemption"; but we cannot levy a different tax on them. Because they married we cannot say to one of them, "You shall pay the taxes of the other."

Now, let me proceed to illustrate. If the gentleman from Oklahoma wants to ask me a question I will yield at this time.

Mr. DISNEY. The gentleman does not mean to say that under the sixteenth amendment we cannot classify taxpayers?

Mr. JENKINS of Ohio. I do absolutely mean to say you cannot classify them so that one in the same class does not pay the same as another. Certainly you can say you will tax one who earns $1,000 more than another who earns $10,000.

You cannot classify a man in California against a man in Maine who makes the same money. That is what I mean.

Mr. DISNEY. The gentleman does not mean to imply that the wife pays any of the husband's tax bill under this bill, does he?

Mr. JENKINS of Ohio. Yes. Each pays more than others having the same income. I mean this, as the gentleman will see when I get through with this little computation, I mean that both will pay more taxes, because under this bill you try to do something the Constitution does not allow you to do; and my authority for this statement is the decision of the Supreme Court of the United States on the exact subject.

Mr. DISNEY. And that case did not involve Federal taxes.

Mr. JENKINS of Ohio. It involves income taxes. If it holds a State income tax invalid which levies an income tax that compels one to pay for another because it violates that provision of the Constitution that prohibits the taxing of property except by due process of law, so much more would it hold a Federal income-tax law invalid. Read the Wisconsin case which holds directly in point.

Mr. DISNEY. It did not involve Federal taxes.

Mr. JENKINS of Ohio. This decision is in point and never has been revised or modified.

Mr. DISNEY. The gentleman knows that case involved State taxes.

Mr. JENKINS of Ohio. I will answer the gentleman. That decision holds as I have indicated.

Mr. DISNEY. And does not the gentleman know that in the Hooper case the Court held that the husband is liable for the taxes of the wife?

Mr. JENKINS of Ohio. No; that case does not so hold. That makes no difference in this case at all. In that case, where the State had the authority to levy a tax, the Supreme Court said that the State could not make one person pay for another for the reason that it was contrary to the Constitution of the United States. It was violative of the Constitution of the United States, not the constitution of the State. Now, if the Supreme Court of the United States has decided that a State cannot do it, and the State had full authority over this subject until the people granted the power to the Federal Government by reason of this constitutional amendment, then most assuredly Congress cannot do it.

Mr. GWYNNE. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. GWYNNE. Has not the weight of the authority cited by the gentleman

as a precedent been whittled away by subsequent decisions of the Supreme Court?

Mr. JENKINS of Ohio. No; and I will tell the gentleman why. That is a principle that has been laid down. These other decisions all involve some collateral facts. This principle that you cannot tax one's property for another person's is fundamental. I know the arguments advanced in the collateral cases they cite. They cite a lot of cases, but the principle has been laid down affirmatively that you cannot take one man's money and use it to pay another man's taxes. That is what this decision provides. Let us turn to this table of figures and see what the committee does.

Let us see what happens when they are compelled to file separate returns. Under the new rates—not last year's rates—under the rates in this bill the husband would pay $596.20. He will take the full $2,000 exemption. I give him full exemption, and the wife does not get any exemption. She pays on her straight $3,000. That makes $316. Together they add up to $913. How much do they pay when they file a joint return? You make them pay $1,166 instead of $913. So you are taking $253 from somebody and giving it to somebody else.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. Yes; I am glad to yield to my distinguished chairman.

Mr. DOUGHTON. Does the gentleman think it is fair procedure for a man to give half his own individual income to somebody else to avoid taxes?

Mr. JENKINS of Ohio. No; that is the trouble with this whole program.

Mr. DOUGHTON. That is exactly the trouble.

Mr. JENKINS of Ohio. The gentleman is absolutely right in that respect. Here is the argument they make: That somebody gets a little advantage. They stand up here and say, "Why, it is not fair; somebody gets a little advantage." You cannot take any category of taxation but what somebody gets an advantage. For instance, here is a man, a poor consumptive who works as hard as he can to get along, struggles along and makes $5,000 a year, yet he has to pay the same taxes as the big stalwart fellow who goes about enjoying life to the utmost, and so on, and so forth. If you would tax these strictly on their ability to pay you would consider the doctor bill of the sick man. But you do not do it. That is the way everything in life goes. The law cannot equalize everything. But the Constitution says you have no right to levy taxes on anybody's income except under the provisions of the sixteenth amendment to the Constitution. I agree with my chairman, that the instance he cited was that of taking an unfair advantage. It is glaring. But that is not the question here. If you adopt this change it will not solve all the inequities.

Mr. DOUGHTON. The gentleman agrees there are glaring defects, but he does not want to help correct them.

Mr. JENKINS of Ohio. Not in violation of the Constitution; no, sir; and I will state why.

Mr. DOUGHTON. That is where we get apart.

Mr. JENKINS of Ohio. All right, Mr. Chairman. The gentleman and I go along together pretty nearly all the time, and all the time as far as friendship is concerned, but here is where we part on this proposition if we have to, on how to control an inequality. It can be controlled just as other inequalities are controlled, by exemptions. That is the way it can be done if you want to work this out. Just say we will not give a married man any exemption.

Mr. DOUGHTON. That would not get at the root of the evil.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. KNUTSON. Carrying the argument of the gentleman from Ohio a little further, that the husband and wife are two separate units, then why give either a larger exemption than we give unmarried people?

Mr. JENKINS of Ohio. The gentleman has put his finger on the point there. If you do not want to do it one way just do it the other. If you do not want to give that exemption, say so, but society says there ought to be a compliment paid, financially and in every other way, to two people who join up. My good friend has never joined up. Oh, what he has missed by not being joined up. He ought to join up. I would gladly recommend him to many fine girls I know.

Mr. KNUTSON. Give me a little time. I am young yet. May I say to the gentleman that taxation should be levied in accordance with the ability to pay.

Mr. JENKINS of Ohio. Well, that is all right. I have just cited an illustration on that point.

Mr. KNUTSON. And carrying the gentleman's argument a little further, he might say we should not tax Henry Ford any more than John Smith down the street because they are both American citizens. I am not advancing that as an argument of my own. I am using the gentleman's argument. I am carrying it to its logical conclusion.

Mr. JENKINS of Ohio. That does not do the gentleman credit. I notice the gentleman running away from it already.

Mr. KNUTSON. No. I will stay.

Mr. JENKINS of Ohio. I am glad he is coming back. May I say that in these United States of America we have done a lot of wonderful things. One of the most wonderful things we did, outside of freeing the slaves, was to free women. How brutal it was, how barbaric it was, for any man to consider a woman his property. Where is there a man here who feels himself good enough to take a woman as his wife, then say, "She belongs to me, all her possessions belong to me; she is my chattel property." That is the way it used to be.

What happened in this country? Now, you may criticize the law, but the law is majestic, the law is powerful, the law is the dignity, the strength, and the glory of the Republic. We provided by law so that in these States one by one the women were freed by legislation. What did we say to her? I ask the gentleman from Minnesota and the gentleman from North Carolina, what did we say? We said that a woman can go into the same classifications as the men. She and her property and her income are hers, absolutely free from the ownership or control of anybody, including her husband.

Mr. DOUGHTON. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman.

Mr. DOUGHTON. The gentleman talks about freeing women, and I am as much for the freedom of women as is the gentleman, but does the gentleman think that a woman is being enslaved by being put on the same basis as her husband?

Mr. JENKINS of Ohio. No. The gentleman misses the point.

Mr. DOUGHTON. That is all we propose to do under this law.

Mr. JENKINS of Ohio. You take two married people and you make them pay more than other people and more than two single people, that is what you do.

Mr. DOUGHTON. We put them in the same situation as her husband. If she is enslaved, her husband is enslaved. She is the only one enslaved, according to the gentleman's argument.

Mr. JENKINS of Ohio. I am sorry that I am not smart enough to make the gentleman see the point. What right has the Congress got to do this? We have only the right to levy a tax on incomes and we have to levy that the same on the wife's income as on the husband's income. That is what we have to do.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. RUSSELL. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Texas.

Mr. RUSSELL. The gentleman stated in the beginning that the argument for penalizing the union of marriage did not appeal to him at all. He did not attempt to follow up that argument, yet I see by his argument and by his illustration that he has here that he shows a penalty of $253 for such sacred union.

Mr. JENKINS of Ohio. The gentleman gets the point exactly.

Mr. BOEHNE. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Indiana.

Mr. BOEHNE. The gentleman has been rather voluble in his argument in reference to constitutional grounds. Would he care to express himself on the so-called moral grounds about which we have been receiving so many statements?

Mr. JENKINS of Ohio. I can answer the gentleman on that point. Does the sixteenth amendment to the Constitution say anything about morals? Answer me that.

Mr. BOEHNE. I am not on the stand.

Mr. JENKINS of Ohio. I am asking the gentleman.

Miss SUMNER of Illinois. No.

Mr. JENKINS of Ohio. Certainly not. It is not a provision of the fundamental law on morals. It deals with hard income and hard facts and when you come down in the Well of the House and tell

about morals you should remember that it is income tax we are dealing with. Figures are hard and they are determined, they are consequential; you cannot change them.

Mr. BEAM. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Illinois.

Mr. BEAM. I would like to ask the distinguished gentleman from Ohio this question: Assuming a hypothetical proposition which the chairman of the committee submitted a few moments ago whereby for taxable purposes one of the spouses, in order to avoid the payment of taxes, turns over their income as a gift to the other person. Has the committee in its deliberations given any study to the thought of taxing that income as a gift?

Mr. JENKINS of Ohio. Here is what we have done: We have provided a gift tax. One of the gentlemen said awhile ago that does not apply every year. Then the way to do is to make it apply every year. If the law would penalize him so that as long as the woman holds that property and it brings in an income, let her pay her proportion of that.

Mr. DISNEY. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman.

Mr. DISNEY. The gentleman does not deny that in the case of husband and wife having say a $10,000 income, under this system they will pay exactly the same tax as a husband with a $10,000 income?

Mr. JENKINS of Ohio. I am sorry, I was not able to follow the gentleman.

Mr. DISNEY. A husband and wife together have a $10,000 income, for example. Under this law they will pay the same tax as a husband singly with a $10,000 income?

Mr. JENKINS of Ohio. No. It does not work out that way.

Mr. DISNEY. Yes; in both cases the tax will be $1,166.

Mr. JENKINS of Ohio. There are so many exigencies in each case, that you cannot safely put up the proposition like that.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. The gentleman stated that a method was suggested to the committee for catching that tax which was evaded by one spouse making a gift to the other. Did the committee consider the idea, which is my own and may not have any value, but I think it does, that the income from all property given by one spouse to another after marriage or in anticipation of marriage shall be charged as income to the donor?

Mr. JENKINS of Ohio. Let me tell you the consideration that moved the committee most. I am sorry to say that the discussion of this tax did not come up before the committee until the last 2 or 3 days before the committee concluded its work. The women of the country did not have a chance to come in and state their views. Here is what they saw: The committee saw $323,000,000. That is what they had to raise. That is how far they were behind, and that is the reason they espoused this plan. It means more money to spend.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. In some of the community-property States, I understand, the income of the husband is divided equally with the wife; in other words, if a man is paid a salary of $10,000 a year, the wife is credited with $5,000 and the man with $5,000. Under the old law and the new rates, the two would be paying $530 less tax than the gentleman or I would pay in Ohio on a $10,000 salary.

Mr. JENKINS of Ohio. I do not know just how that works out, but that is another thing I do not argue for. I do not argue for the community-property States. They will have to make their own argument on that basis. I do not argue for that.

Mr. BROWN of Ohio. Did the committee consider plugging that particular loophole?

Mr. JENKINS of Ohio. While I am on my feet, let me tell you how that should be disposed of. The gentleman from Massachusetts [Mr. TREADWAY] has introduced a bill, which has been before the Committee on Ways and Means for years, to handle this community-property matter. They could handle that, but you could not handle that under the sixteenth amendment to the Constitution.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. It seems to me it would be just as logical for them to tax the children in the family who live at home, so they can have one family return.

Mr. JENKINS of Ohio. Yes; it is the same story. You can make all kinds of stories out of it if you want to. This increase makes $253. That is the crux of the illustration. Somebody pays that $253, and whoever it is pays it unjustly. [Applause.]

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 30 minutes to the gentleman from California [Mr. BUCK].

Mr. BUCK. Mr. Chairman may I first compliment the gentleman from Ohio who just spoke on his vigorous defense of the rights of womanhood as far as income from personally and separately owned property is concerned. I was very pleased to listen to him, particularly as I do not want my discussion to be considered as applying to any argument made on behalf of community property States. I do not think community property States will be affected in any way by the enactment of this law, for the simple reason that it is only within the power of Congress to tax income. In seven separate decisions by the Supreme Court, beginning with the case of *Poe* v. *Seaborn* (282 U. S. 101), a State of Washington case, and ending with the case of *United States* v. *Malcolm* (282 U. S. 792), a California case. All except one of these, the then community property States, had their division of income between spouses passed on and the Supreme Court held that community property income must be divided between husband and wife according to the laws of the State and, therefore, half must be taxed to the wife. If the wife, by chance, were the wage earner half her income would belong to, and be taxed to, her husband.

Some statements have been made that only the rich benefit by the community property laws. The exact reverse is true. It is interesting to note that in the Malcolm case, only a salary of $3,600 per year was involved and the tax involved was $18.39.

The attempt of the majority of the Committee on Ways and Means—and it was a very slim majority—provides for the addition of the income of the wife and the husband in every one of the 48 States, to make a unit, and then assessing the tax on the basis on which the income of each spouse enters into that unit.

The rule that was adopted by the House provides for the offering of a motion to strike out section 111 of this bill, which is the section covering this particular matter. This section was adopted, as the gentleman from Ohio pointed out, in the last 2 or 3 days of the executive sessions that were held, without any public hearings, and permitting no one who was adversely affected, or perhaps affected otherwise, to appear before the committee.

Whether or not the principle involved in this particular section is sound law—and, of course, I do not agree with it—it is absolutely unfair to consider it at this time and adopt it when there has been no opportunity for anyone to be heard on the subject.

I shall point out another unfairness in this section. It provides that if the husband and wife were living together on January 1, 1941, whether or not they separated immediately thereafter or later in the year, their whole year's income must be added together and taxed as a unit.

It is my considered belief, and it always has been—for that reason I filed a report not dissenting from the main portions of the bill but dissenting from this particular provision, in which dissent I am happy to say some of my colleagues joined me—that the husband and wife are separate entities. The report I filed was an extremely brief one. I cited only one example, and I should like to cite it again for the benefit of those of you who have not read the report.

If any one of you died and left two daughters, and left $20,000 to each of them, and one of them married a man who was earning a salary, whether it was $20,000, $10,000, or $50,000, the income from what she received from that $20,000 would be added to his income and be taxed at a higher rate than would be the income of her unmarried, spinster sister. That is not equality.

All through the report of the majority of the committee, all through the eloquent speech the gentleman from Indiana made yesterday ran the thought that you were overcoming an inequality. In fact, you would be creating an inequality, an inequality among womanhood throughout the country. It is noteworthy that women's organizations have

protested definitely against the enactment of this particular piece of legislation.

Mr. Chairman, it is my intention, when the bill is read, to move to strike out section 111, and I hope I may have the support not only of the 10 members of the Ways and Means Committee who voted with me when I made the same motion in committee, but a majority of the House, for the reasons that I shall now urge upon the Members.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I would prefer to finish my statement, but go ahead.

Mr. VORYS of Ohio. I thought this question might be helpful. Under the rule, will it be possible to offer any form of substitute or can the only amendment offered be one merely to strike out this provision?

Mr. BUCK. The rule provides for only one motion to strike out section 111 and such committee amendments as may be adopted by the committee itself. So far there have been three such amendments adopted.

As I said, the proposal is unfair. I have great dislike in coming before the House or the committee and filing a dissent from the Ways and Means report, and it is the first time I have ever done so, but it is my belief that the committee has laid itself open to justifiable criticism by the proposal that a husband and wife living together, regardless of the fact that each spouse has income of its own from salary, wages, or other sources which, in fact and in law, belong to them as individuals, must file a joint income-tax return and be taxed accordingly. By requiring that the wife's income be added to the husbands for tax purposes, a fictitious figure which is neither the income of the husband nor the wife, but is larger than that of either, is arrived at with the result that higher surtaxes are inevitable and each has to pay an additional tax.

This provision disregards the vested rights of our citizens, affects property arrangements made long before this proposal was ever thought of or anticipated. This affects the rights, as the gentleman from Ohio pointed out, which the women of the country have long struggled for and finally obtained, and, finally, in my opinion it violates the Constitution of the United States, certainly, insofar as the seven decisions which I have cited rendered by the Supreme Court are applicable.

There are only two reasons that actuated the Ways and Means Committee in adopting this proposal. First, as was pointed out, it looked like an easy way to raise $323,000,000. Personally, I do not believe it will raise any such amount of money, and on Monday when we discuss the motion to strike I shall have some additional figures from the Treasury which I think will disprove that claim.

The second reason was that there has been a very definite misunderstanding in the committee and elsewhere about the effect of community property laws and the belief that they improve the income-tax status of citizens of the United States. If they do so, they do so at much greater expense and detriment to the husband, at least in other matters, including inheritance laws, than the advantage that the husband has in States where he can own all the property without the obligation to pay from the income therefrom to his wife, which far exceeds any advantage that a taxpayer in a community property State has.

It is not my purpose to discuss community-property laws this afternoon. I shall be glad to discuss them and to answer questions on them later during the course of the debate or on Monday, if they are not fully answered in the meantime.

Community-property laws were adopted long before any income-tax laws were thought of. Some of the advocates of section 111 might be interested to know that these laws came into this country from Scandinavia and through Saxony, and France and Spain. The Charter of Crozat, creating the Territory of Illinois, provided that community-property law must be the law of the land. It was the law of Arkansas and Iowa and Utah for years. It was the law of Missouri until 1807. The infiltration of what we call Americans from the common-law States who could not understand the workings of the civil law, led to its abolition in those States. Nevertheless, the principle which has been found workable and found the best method of protecting the rights of women has been maintained in all of the States of the Southwest and adopted in the States of Washington and Idaho in the Northwest.

I shall simply say it has its foundation or its origin in the principle that a man and a woman, united in the marital relation, are in partnership. Even if the women did not work in the fields; even if they did nothing more than take care of the house and bear children, a woman was regarded as contributing her share to the partnership and was entitled to one-half of whatever income was earned. That is the principle upon which the community-property laws are founded.

Mr. DISNEY. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I said "entitled," not as a gift, but as a right; and I have given the gentleman from Oklahoma, as I have given practically every gentleman of the committee, a copy of the translation of those Spanish laws that date back at least to the year 1200 that answer every question that could be asked on this subject.

Mr. DISNEY. And I want to ask the gentleman one now.

Mr. BUCK. Very well.

Mr. DISNEY. Of course, all members of a partnership are liable for the debts of the partnership.

Mr. BUCK. Well, a woman is not liable for the debts of her husband under the community-property system.

Mr. DISNEY. If there is a partnership, she is liable.

Mr. BUCK. But the committee has not proposed to add up the income of partner DISNEY and partner DOUGHTON and put them together.

Mr. DISNEY. We are doing better than the gentleman has even suggested.

Mr. BUCK. I told the gentleman at the start that if there are any advantages to be received from the income-tax release in community-property States, they are more than outweighed by the other disadvantages on the husband. Even if a woman is found in adulterous conduct, still she is entitled to half of her husband's income.

Mr. BOEHNE. I wish the gentleman would justify this. If I have an income equal to the income of the gentleman from California, say $10,000 a year, why should I be compelled to pay $280 more tax?

Mr. BUCK. Because the State of Indiana has not been enlightened enough to adopt a community-property system.

Mr. DISNEY. Then suppose New York and Illinois, Ohio, and Pennsylvania, and the other rich States of the Union adopted the same thing, what advantage then would California have?

Mr. BUCK. I am not claiming that California has any advantage. I have suggested that I do not particularly care to discuss the community-property system this afternoon, although I shall be glad to on Monday if anyone desires to inquire further into it, but as far as New York, Indiana, and Illinois are concerned, it seems to me that it would be to the advantage of their womanhood, if they adopted that system. Oklahoma did. I know perhaps that Oklahoma's right has not been ratified by the Supreme Court, but the legality of the laws in the other eight States has.

Mr. DISNEY. Would it be interrupting the gentleman to say that Oklahoma did it in self-defense, that rich people were coming there to legally avoid taxes?

Mr. BUCK. Income is income, however it is defined, and the Supreme Court in these seven cases has ruled that a State can define what income is. It can certainly define what the marital relation is, whether as to taxes or anything else.

Mr. MONRONEY. The internal-revenue department does not recognize Oklahoma's community-property law as being valid, and the returns filed under that are being rejected and these men forced to file joint income-tax returns.

Mr. BUCK. Not necessarily joint—separate. I understand they have some objection to the form of the Oklahoma law.

Mr. MONRONEY. They claim it has not been ratified by the United States Supreme Court, and it will probably be a year or two before that reaches that Court. In the meantime, these Oklahomans are further discriminated against because of the fact that our wealthy people can save money by moving into community-property States.

Mr. BUCK. I say that there were two reasons why in my opinion the majority of the committee, and the vote was close, adopted this repulsive measure, and one of them I said was because of a misunderstanding of what the community property law is. It is as much a distinct form of land tenure, inheritance, and distribution of income as the common law. Under the common law, as the gentleman from Ohio [Mr. JENKINS] pointed out, the husband took

possession of all of his wife's property, personalty, and income, from the day that she was married. There is no question about that. He had absolute control. Under this form of law the husband and wife enter into what we call a partnership from the day they become married.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. BUCK. Yes.

Mr. MAGNUSON. I am in the same situation somewhat. I come from the State of Washington and the community property law has been a part of our law ever since prior to statehood. I hope the gentleman will enlarge upon the fact that if this provision becomes a law it will mean the rewriting in the State of Washington of wills, property settlements, and the rewriting of decisions. In other words, it will change the whole basic marital community property law in our State, because our State has held time and time again that a thing that is taxable is tangible estate, and if it becomes joint estate in our State, we will have to rewrite our basic law, which we have had for almost a hundred years.

Mr. BUCK. I thank the gentleman for his contribution.

Mr. MAGNUSON. I will say further that I think we should have been entitled, on a thing as important as this is to these eight States, to at least present our problem to the Ways and Means Committee, because it means millions of dollars of adjustments in those States.

Mr. BUCK. It means millions of dollars of adjustments in those eight States, but it probably will mean perhaps billions of dollars of adjustments in the other 40 States.

Mr. SANDERS. Will the gentleman yield to me in connection with the remarks of the gentleman from Washington?

Mr. BUCK. I yield.

Mr. SANDERS. The gentleman's observations are correct, provided this proposed legislation is held to be constitutional with regard to the community-property States, because a very profound constitutional question is involved as to whether this Congress has a right upon its own motion to simply cancel State legislation that has been on the statute books for a century or more.

Mr. BUCK. I do not know whether the gentleman was in the Chamber when I started my remarks, but at that time I stated I had very grave doubt about the constitutionality of this bill as it affected community-property States.

Mr. DISNEY. Will the gentleman yield further?

Mr. BUCK. I yield.

Mr. DISNEY. To my mind, this is an absurd suggestion that the community-property laws of the States are going to be abolished by this tax statute. It does nothing of the kind. The Robbins case simply held——

Mr. BUCK. Oh, that was overruled afterward.

Mr. DISNEY. But that case simply held that the Congress could, if it wanted to, assume control over the community-property situation so far as taxes are concerned, and that alone.

Mr. BUCK. Oh, it did not even hold that, I regret to inform my colleague from Oklahoma, whose legal opinion is usually correct but he is entirely wrong on the Robbins case.

Mr. DISNEY. What does it do, then? Did not Justice Roberts say that if the Congress saw fit, it had a right to tax in community-property States as in other States and did that imply the setting aside of community-property laws?

Mr. BUCK. That was pure dictum. Now, if the gentleman will forgive me, I would like to finish my statement.

Mr. DISNEY. I will read what Justice Roberts said.

Mr. BUCK. Now, just a minute. My time is drawing to a close.

Mr. DISNEY. For your information, here is what Justice Roberts said:

> Even if we are wrong as to the law of California, assuming that a wife had an interest in the community income which the Congress could tax, if so minded, it does not follow that Congress could not tax the husband for the whole.

Mr. BUCK. The Robbins case has been cited by my distinguished friend from Oklahoma. What he read was only dictum of the Court. However, in view of the fact that it was called to the attention of the Committee, I feel that I should state that in respect of the judicial interpretation of the Constitution of California, and laws enacted under it, most of such judicial interpretation was made by jurists who were familiar with the common law and not with the civil law. Under the influence of decisions where California courts had used language such as indicated that the wife did not have an actual vested interest in the common income, the Robbins case was decided.

Whatever the imperfections of the California law were at that time, they were very definitely cured by act of the legislature later, acting under the constitutional provision of article XI, section 14. For those who cared to follow the matter legally, I cite the cases of *Siberell* v. *Siberell* (214 Calif. 767), and *Stewart* v. *Stewart* (199 Calif. 318), and the earlier case of *Dow* v. *Gould & Curry S. M. Co.* (131 Calif. 629), page 640, in which it was said:

> The only marked exception (to the adoption of the common law) is found in the section under consideration, providing for the separate property of the wife and the common property of both husband and wife.

Now, the community system remained in California by virtue of the Treaty of Guadalupe-Hidalgo. It has always been there. There is no discrimination, therefore, against the Eastern States and there is no manipulation against the income-tax laws of the United States. It is only a question, gentlemen, of whose income you are taxing.

Well, let us see what Attorney General Stone, who is now Chief Justice of the United States, said with reference to the confusion that existed in the California courts—and it was the confusion in the California courts that caused the decision in the Robbins case. I know that most of those who are listening to me are not familiar with the Robbins case, but that was a community property income-tax case, in which income tax was held assessable entirely to the husband.

> The confusion in the decisions of the California courts with respect to the wife's interest in community property has undoubtedly arisen from the fact that the courts have been attempting in their opinions to apply the terminology of the common law to community property, which embodies a legal concept wholly foreign to the common law and under which the terminology of the common law cannot be applied with accuracy and precision (34 O. A. G. 395).

I am not going to go into the community property any more. I will have to refuse to yield, because I have some things that deal with the principle of this matter. As long as Attorney General Stone is Chief Justice of the Supreme Court we may assume that he may feel the same way about any legal case that comes before him in regard to this subject.

It is true that the counsel for the Joint Committee on Internal Revenue Taxation has endeavored to differentiate and distinguish the case of Hoeper against the Tax Commission of Wisconsin, which held a State could not tax a husband and wife on the total of the income, his income and her income, where the tax would be greater than the sum of the tax that would be due if the incomes of husband and wife had been separately taxed. It is true that the bill before the House has been worded differently from the Wisconsin statute in an attempt to circumvent the Constitution, but I still hold to the principle laid down by the Supreme Court in those seven cases, and elsewhere, that we cannot do indirectly what we cannot do directly. If we wish to maintain stability in our democratic system and have any respect for property rights, it seems to me that we cannot approve radical and sudden departures from a system so long established, which has been ratified by these judicial decisions.

The gentleman from Washington [Mr. MAGNUSON] asked me to discuss further the question of what effect this law might have upon established legal transactions. It is my opinion that our citizens, relying upon laws long in existence, ratified by the courts, have conducted thousands of transactions the results of which will now be adversely affected, in spite of the fact that many of those transactions are irrevocable in character. Many a man has given property to his wife—and I am not talking about community-property States now—many a man has given property to his wife and paid the gift tax. It is true there may be annual income-tax saving, but it may take 10 years for that saving to equal the amount of the tax. Meanwhile the Government has used that money.

Somebody will say he saves the estate tax. That is not necessarily true. If the wife dies first and the property reverts to him, he will not save a dollar of estate tax. In any event, the estate will be taxable on the death of the wife, and if she dies first the total estate tax on the couple will be greater than if the gift had not been made.

In the third place, I believe that the rights of the women of this country will be seriously affected. It took a long time for women to acquire the right to receive income from their own property; now that they have that right we are attempting to say to them your rate of tax will depend not only on how much income you receive from your separate property but it will also depend on the size of your husband's income.

Finally, I predict administrative difficulties will arise in the application of the compulsory joint return. It will be difficult to prove that a husband and wife are living together in many cases, and the exact liability of each spouse for the tax will be difficult to determine. Some persons of judgment even think that the provision may discourage marriages and encourage separations and even divorces.

Before concluding, I wish to state a few practical examples of how the compulsory return will affect our married couples.

As a first example, assume a married couple, the husband having a net income from salary of $4,000 and the wife having a net income from salary of $2,000. Under the law as it now stands on the basis of separate returns, the combined tax on the married couple would be $149.60. Under the new rates proposed in this bill, assuming separate returns still allowed, the combined tax would be $386.10, an increase of 158.1 percent over the tax imposed by existing law. Under the new rates proposed in this bill, coupled with the compulsory joint return, the total tax would be $435.60, or an increase in tax over existing law of 191.2 percent.

As a second example, assume that the husband has a net income from salary of $10,000 and the wife a net income from salary on her separate property of $5,000. The combined tax under existing law would be $792. Under the proposed rates in the new bill, if separate returns were allowed, the combined tax would be $1,815, or an increase of 129.2 percent. Under the new rates, coupled with the compulsory joint return, the total tax would be $2,545.40, an increase of 221.4 percent over existing law.

Finally, to show that the proposed bill affects the smaller incomes more than the large incomes, I will give a third and last example.

Assume the husband has a net income of $600,000 and the wife a net income of $300,000. Under present law the combined tax is $590,398.20. Under the new rates contained in the bill, but on the basis of separate returns, the combined tax would be $621,047.70, an increase of 5.2 percent. On the basis of the new rates and the compulsory joint return the total would be $658,119.60, or an increase in the tax burden of 11.5 percent more than that imposed by existing law.

At this point I ask unanimous consent to have inserted in the RECORD a brief table showing the effect of the new rates and the compulsory joint return on various specimen net incomes.

Mr. Chairman, I have prepared a table showing the effect of the new income-tax rate on husband and wife on the basis of separate returns under the present law and under the proposed increased rates in the bill, and the tax on husband and wife on the basis of compulsory joint returns under the proposed new rates. This has been prepared by me personally, and I ask permission to insert it at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The table referred to follows:

Table showing taxes on various net incomes

	Tax under present law, separate returns	Tax under new rates, separate returns	Percent increase due to rates	Tax under new rates and compulsory joint returns	Percent increase due to rates and compulsory joint returns	Percent increase of joint return tax over tax under new rates with separate returns
Aggregate net income of husband and wife:						
$3,000	$30.80	$85.80	178.6	$85.80	178.6	0
$6,000	149.60	386.10	158.1	435.60	191.2	12.8
$9,000	290.40	768.90	164.8	961.40	231.1	25.0
$12,000	502.70	1,239.70	146.6	1,663.20	230.8	34.2
$15,000	792.00	1,815.00	129.2	2,545.40	221.4	40.2
$24,000	2,020.70	4,110.70	103.4	6,032.40	198.5	46.7
$36,000	4,687.10	8,361.10	78.4	12,038.40	156.8	43.9
$60,000	12,521.30	19,429.30	55.2	26,206.40	109.3	34.9
$90,000	25,759.80	36,215.30	40.6	46,204.40	79.4	27.6
$150,000	58,660.80	74,561.30	27.1	88,299.60	50.5	18.4
$900,000	590,398.20	621,047.70	5.2	658,119.60	11.5	6.0

Tax on husband and wife on basis of separate returns under present law and tax on husband and wife on basis of proposed increased rates in revenue bill of 1941 on basis of separate returns, and tax on husband and wife on basis of compulsory joint returns and proposed new rates.

Assumptions: (1) Income of husband in all cases two-thirds of aggregate and of wife one-third; (2) maximum earned income allowances; (3) no dependents; (4) husband takes $1,500 of personal exemption, wife $500.

Mr. BUCK. In conclusion, let me call your attention to the fact that this revenue bill will be retroactive over a period of 8 or 9 months and that, therefore, the compulsory joint return requirement superimposed on greatly increased rates will result in great hardship this year, because our citizens have had no certain knowledge of the change, and no opportunity was given in the hearings before the Ways and Means Committee for the public to express its view, since there was no intimation until long after the hearings were concluded, that any such proposal as a compulsory joint return would be considered.

The proposal should not be considered at this time or in this bill simply for the last reason I have stated, that it ought to be thoroughly studied by all members of the committee and understood by the public before any action is taken.

I sincerely hope that the motion to strike section 111 from the bill will be carried overwhelmingly.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I would deem that I was remiss in my duty here as the Representative of some 300,000 people in my congressional district if I should not speak upon this pending measure, which is the largest revenue bill to be presented to any Congress in this Nation. H. R. 5417 will be a staggering blow to the people of this Nation when it is passed, and I apprehend that this bill will be passed by the House. This bill, and the sorry implications involved, is merely evidence of the fact that when our Government spends money our taxpayers must respond, because the source of the revenue for our country is in the taxpayers. This bill presents another fact to the people, and that fact is that when we spend money pay day will come after a while, and we have to meet that obligation. It is tragic to think that some of our people occupying places both high and low appear to have entirely forgotten that pay day will come in the future. Today we are facing the pay day for the tremendous spending by our Government throughout the 8½ years of this administration.

Mr. Chairman, I cannot subscribe to the method used in presenting this bill under a closed rule. I voted against the closed rule here presented, because under that form of gag rule the Members of the House do not have a fair opportunity of presenting amendments to the various provisions of the bill, and there is no opportunity given to vote upon the various provisions contained in the bill separately. The sole and only provision contained in this bill which is subject to amendment is the policy of joint returns by husband and wife. Every other provision contained in this bill, regardless of what those provisions may be, are not the subject of any amendment by any Member, and the final vote will be on the bill, and it will have to be voted "up" or "down." In other words, this revenue bill, which will raise approximately $3,500,000,000 annually from the taxpayers of this Nation, has been presented to the House under a gag rule of the very worst type, which gives the right to the committee to present but one amendment, and that respecting the question of the joint or separate returns by husband and wife; every other provision contained in this bill, however repulsive the same may be and however disastrous those provisions may be to business and industry, must be either accepted or rejected. I have opposed every gag rule that has been presented to the House since I came here, and I will continue my opposition to that type of rule as long as I continue to serve the good people of the Tenth Congressional District of Indiana, which I have the distinct honor to represent. I cannot concur with any type of legislation which is literally forced upon the Mem-

bers of the Congress. It destroys the freedom of the Members to represent the people and it destroys the opportunity of the independence of the representatives of the people to legislate in their behalf. In this very instance the members of one committee of the House, consisting of a very great minority group of this entire membership, by the token of this gag rule are, in substance, legislating for this entire body. This method entirely destroys representative government in our country. To this very reprehensible plan I can never concur.

Mr. Chairman, at the outset of my remarks I stated that this pending bill is evidence that pay day has come. Throughout the past 8½ years the tragic spending of the taxpayers' money has continued. There has been no abatement in that policy. It is continuing to this very hour. The people have been appalled at the unbusinesslike procedure of this administration, because it has proceeded as if pay day would never come. The huge spending program of this administration, directed by the Chief Executive and augmented by the various heads of departments, has led us into a staggering debt, and this debt had reached almost $46,000,000,000 before we began our preparations for defense of our country. We have been advised, quite recently, that the expenditure of money, embraced in appropriations and authorizations, has almost reached the stupendous sum of $50,000,000,000 for national defense. Therefore we find that our debt is rapidly approaching the $100,000,000,000 mark. Yet, in the face of our depleted financial standing—in the face of onrushing bankruptcy—practically every nondefense item which is presented to the Congress is voted through by the majority just as if we have a well-filled Treasury. It is the spending program running riot. It is tragic to behold. Practically every measure which has been presented to the Seventy-seventh Congress, which embraced nondefense items, has been largely increased over the appropriations requested for previous years. We are now faced with unnecessary items, such as the St. Lawrence seaway project and many others, which will cost untold sums of money, and which, by the wildest stretch of the imagination, could not be construed as defense items. These nondefense items must be entirely eliminated which are unnecessary, and those items of expense in the various departments of Government must be greatly reduced in order that we may proceed to the completion of our defense program. I have urged that all nondefense items be drastically reduced, and I am convinced that such reductions can be made to the extent of more than $2,000,000,000 annually without impairing the civil functions of our Government. This reduction is essential if we are to be able to withstand the tremendous financial strain we are certain to face in the future.

Mr. Chairman, I wonder what our situation would be if we should eventually become involved in a shooting war? One of the essentials in war is a well-filled treasury. Our Treasury is empty. We have a staggering debt upon us. All of this stands before us now, and we are yet at peace. Our taxpayers throughout the Nation are struggling to pay their taxes, they are facing regulations on every hand—our farmers are forced to curtail their production or they face a penalty—yet they must aid in feeding the nonproducing people of the world, and our people have this oncoming burden of the largest tax measure ever presented to face again. They must meet it—how they will be able to do it no one can tell. The vast amount of money already appropriated, and authorized, for national defense is being rushed into the preparation for war; it is being expended rapidly, and in many instances unwisely. Business methods should be developed in every branch of our defense program in order that we may receive $1 in value for every dollar which we spend. Our defense is costing us greatly in excess of that of any other nation. The waste and extravagance in the Army camps and in the production plants is appalling. Germany, with her great debt following the last World War, conserved her finances. She developed her national-defense materials, her planes, tanks, and guns, she developed her army, all at much less cost than we are doing. Yet we are wildly squandering our resources, and at a time when we are facing extreme peril in our financial structure. If this orgy continues I fear a complete break-down of our entire financial structure. Our people cannot stand the very heavy imposition of excessive taxes upon them in the face of the present existing conditions in our country. We are facing a sad and sorrowful future.

Mr. Chairman, we must develop our national defense so we may be able to resist the attack of any foe, but this must be done both wisely and sanely. The money of the people must not be frittered away, but it must be spent for needed and essential things and the great waste which has been discovered must be stopped. Our people must not be engulfed by large taxes and the money wasted. It must be spent wisely and prudently. The people demand that strict business policies be followed in this huge development. We must think of the future, and we must think of the days ahead when this defense preparation is over. We must prepare to defend ourselves against want and hunger, and we must consider the lives of the children of today who will become the taxpayers of tomorrow. We must think of the destiny of our Nation.

Mr. TREADWAY. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, we have had some very excellent consideration of this bill on the floor, and I will say that 3 months of study and labor in the writing and reporting of this bill has led every member of the committee, I believe, and every Member of Congress to think seriously of the pay day mentioned by the gentleman from Indiana. No one can study the finances of this country without being greatly concerned about them.

I realize that it will be hard to touch on any new phase of taxation that has not been covered by previous speakers, but I do appreciate the kindness of the Committee in giving me this time. Our committee has worked hard on this bill. It is not a perfect bill. In fact no tax bill is ever classed as a perfect bill, or even a good bill. We have now reached the place in our national economy where we must have additional tax revenue. Eleven years of deficit financing for any nation is sufficient cause for alarm.

Our citizens have been demanding more and more contributions and subsidies from the Federal Treasury. These funds have been voted and now pay day is here. Pay day has arrived at a very inopportune time. The world is in turmoil. Wars and fears of war affect every Nation. We entered World War No. 1 with a national debt of $1,000,000,000. Today our Nation, threatened with war, has a national debt of over $50,000,000,000. Some believe our national debt will reach $100,000,000,000 in the very near future. This tax bill is the largest ever presented to Congress and even that falls far short of needed revenue. It seems almost futile to report to the House a revenue bill of three and one-half billion dollars when we are spending between twenty and twenty-five billion dollars this year. It will be necessary to borrow about $1 additional for every dollar collected in taxes. This disparity would not be so bad if we could assure the country that our Federal expenditures would soon be reduced. We are spending our reserves and placing an unbearable financial burden on our resources. Our children will look back to this period in our Nation's history as a period of waste and extravagance.

Since January 1, 1940, Congress has voted over $52,000,000,000 for national defense. We may get a better picture of how much money that is if we realize that the entire agricultural net worth of the United States is around $30,000,000,000. We have voted funds for national defense during the last 18 months that equal one and two-thirds times the value of every farm, all farm machinery and livestock in the entire United States. There are approximately 6,500,000 farms in the Nation, and if this load were equally distributed it would mean a debt of $8,000 per farm. Remember, also, that this does not include the money voted by Congress for nonmilitary expenditures. The value of all farms, farm machinery, and livestock in the State of Kansas totals $1,662,423,150. The large sum of $52,000,000,000 means that we have voted in 18 months for national defense the agricultural net worth of 30 States equal in agricultural net worth to the great farming State of Kansas.

I do not mention these figures in order to express opposition to national-defense expenditures. I do mention them because I believe it is time for every citizen to demand justification for every dollar spent. No one but an anarchist would deny we must have funds for national defense and general Government expenditures. However, no citizen wants any of his tax money squandered or wasted. Those who are spending our national-defense funds must be required to give an accounting.

BROADEN THE TAX BASE

My one criticism of this tax bill is that we did not broaden the tax base. The exemptions in this bill are the ones we

adopted in the Revenue Act of 1940. Our Nation is facing a national emergency, and under these circumstances we should call on every citizen to contribute a part of his income to the Federal Treasury. Remember, when we speak of personal income taxes, we mean net income. Under this bill a married man with two dependents pays an income tax of $11 on a net income of $3,000. The married man who has a net income of less than $2,000 makes no direct contribution to our Government. A married man with $2,500 net income pays $38. This may not be a popular suggestion, but 3 months of study on this tax bill has convinced me we must either broaden the base or vote a general sales tax. Certainly you cannot justify these exemptions in an emergency. We need reduced personal income-tax exemptions in order to halt an inflationary price movement which may be very destructive. We need reduced personal income-tax exemptions so that more of our citizens would become tax-conscious. How can we reduce Federal expenditures when we have some 13,000,000 of our citizens receiving nondefense money in the form of salaries, pensions, farm payments, and so forth, while only about 7,000,000 of our citizens pay taxes directly to the Treasury? As long as we have this condition it will be practically impossible to secure a reduction in Government expenditures. It would, of course, be easier to vote excise or hidden taxes. The average citizen is already spending a large part of his salary in hidden taxes. Few realize how much a sales tax costs the average family. A general sales tax is no doubt the easy way to raise a large amount of revenue. The questions is, Is it the fair way? This tax is levied and collected without regard to ability to pay. The farmer, laborers, and low-income groups would carry more than their share of the burden.

The Iowa State College made a study of our present tax problems at the request of Mr. Edward A. O'Neal, president of the American Farm Bureau Federation. The statement submitted by Mr. O'Neal to the Ways and Means Committee contained the following information:

An income study made a few years ago shows that 18 percent of our farmers, or a million farm families, fell in the less-than-$500-income bracket in 1935–36, while 53 percent had an income less than $1,000.

Incomes	Percent of all nonrelief families in group	
	Farm	Nonfarm
Under $500	18	8
$500 to $999	35	14
$1,000 to $1,500	23	24
Over $1,500	24	54

Families in the "less than $500 income" bracket are already paying more than 22 percent of their income for taxes when allowance is made for State and local as well as Federal levies. This is a heavier tax burden than is borne by any other group making less than $10,000 per year. The following table shows the percentages of income now being taken from various groups by present taxes:

Income class:	Percent of income taken by present taxes [1]
Under $500	22.5
$500 to $1,000	18.7
$1,000 to $1,500	18.1
$1,500 to $2,000	18.7
$2,000 to $3,000	18.5
$3,000 to $5,000	19.0
$5,000 to $10,000	19.3
$10,000 to $15,000	28.3
$15,000 to $20,000	35.7
$20,000 and over	43.2

[1] G. Cohn and H. Tarasov, Who Pays the Taxes? These estimates include the defense taxes of 1940.

From a family income standpoint, farmers are about in the same class as wage earners and, as consumers, will be similarly affected by sales or excise taxes, with the exception they do not spend as high a portion of their income for food.

The Iowa State College study shows that under present tax laws only $16,000,000,000, or 18 percent of a national income of $88,000,000,000, would be taxable. If we should lower present exemptions from $2,000 to $1,000 for the head of a family, and from $800 to $500 for a single person, and the credit for dependents from $400 to $200, we would increase the tax base to approximately $27,600,000,000, or about 32 percent of an $88,000,000,000 income. By eliminating the present "earned income credit," we could add another $4,700,000,000 to this sum, making the total tax base $32,300,000,000, or 37 percent of our total income. With this larger base a normal tax of 10 percent would raise over $3,000,000,000, or five times as much as our present revenue from this tax. Of course, additional sums must also be obtained through higher excess profits and corporation taxes and from an extension of surtaxes. The following table, adapted from data supplied by Iowa State College, shows the relationship between national income and the income tax base (assuming a national income of $88,000,000,000) with present exemptions, with the new exemptions suggested above, with one-half these exemptions, and with no exemptions:

[Billions of dollars]

Group of income receivers	Net income [1]	Earned income credit	Taxable income	Exemptions	Tax base
1940 EXEMPTIONS [2]					
Persons taxable	33.6	2.6	31.0	15.0	16.0
APPROXIMATELY ONE-HALF PRESENT EXEMPTIONS [3]					
New taxpayers	21.5	2.1	19.4	14.7	4.7
1940 taxpayers	33.6	2.6	31.0	8.1	22.9
APPROXIMATELY ONE-QUARTER PRESENT EXEMPTIONS [4]					
New taxpayers	10.0	1.0	9.0	6.1	2.9
Taxpayers under the higher exemptions	55.1	4.8	50.3	11.4	38.9
NO EXEMPTIONS					
New taxpayers	4.0	.4	3.6	0	3.6
Taxpayers under the higher exemptions	65.2	5.8	59.4	0	59.4

[1] After allowable deductions, allowances for nonreporting, understatement, and noncash income.
[2] $2,000 for the head of a family; $800 for a single person; $400 for each child.
[3] $1,000 for the head of a family; $500 for a single person; $200 for each child.
[4] $500 for the head of a family; $250 for a single person; $100 for each child.

COORDINATE OUR TAX STRUCTURE

A study of the tax structure of our Nation convinces me that we must soon grapple with the problem of correlating our tax sources. Taxes are now levied by the Federal Government, State governments, county, municipal, and local units without regard for overlapping in every field. This problem, of course should have been seriously studied before many of our taxes were levied. It has been altogether too easy to raise tax rates on existing tax bases or duplicate taxes collected by other taxing units. The problem is now acute. It is not an easy one to solve, but an effort should be made to apportion various phases of our tax structure to the different taxing units.

The total tax burden on the consuming public has increased approximately 100 percent in the last 10 years. A survey by the National Industrial Conference Board shows that in 1928 we paid 12.3 percent of our national income in taxes, while 10 years later, 1938, we spent 22.4 percent of our national income for the same purpose. This rapid increase is alarming.

We hear much about the extremely high taxes in Great Britain, yet in 1938 that country consumed only 21.7 percent of their national income for taxes. Contrary to popular belief we are already spending a greater percent of our national income than Great Britain.

The percentage of the national income consumed by governmental expenditures for the years 1913 and 1923 to 1939, as compiled by Tax Foundation, Inc., is herewith set forth. The national income is the average of the income produced for the year indicated and the preceding year. For 1939 it is for the year ended June 30, 1939.

Governmental expenditures and national income, fiscal years 1913 and 1923–39

Year	National income in billions of dollars	Governmental expenditures		
		Amounts in millions of dollars	Percent of national income	
			All governmental expenditures	Federal	State and local
1913	35.4	2,919	8.2	2.0	6.3
1923	64.6	8,850	13.7	4.7	9.0
1924	69.3	9,395	13.6	4.1	9.5
1925	71.7	9,869	13.8	3.9	9.9
1926	75.3	10,113	13.4	3.7	9.7
1927	75.8	10,453	13.8	3.6	10.2
1928	77.2	10,972	14.2	3.6	10.6
1929	80.9	11,611	14.4	3.7	10.7
1930	75.9	11,943	15.7	4.2	11.6
1931	61.7	12,390	20.1	5.8	14.3
1932	47.2	13,129	27.8	9.4	18.4
1933	41.3	11,284	27.3	9.2	18.1
1934	46.6	13,604	29.2	12.8	16.4
1935	53.7	15,011	28.0	12.9	15.0
1936	61.0	17,009	27.9	14.1	13.8
1937	68.6	17,187	25.1	12.2	12.8
1938	68.0	17,050	25.1	11.1	14.0
1939	66.3	19,100	28.8	13.8	15.0

It can readily be seen that during the past decade, 1929 to 1939, the percent of national income that is consumed by governments has increased from 14.4 percent to 28.8 percent, or an increase of 100 percent. Of these expenditures 7.8 percent represents Government deficits.

A survey just completed by the American Federation of Investors of 165 of our leading corporations gives a very interesting tax study. The 1940 taxes amounted to $735 for every employee on the pay rolls of these companies, compared to $612 for 1939, or an increase in taxes equal to $123 per worker. The taxes of all kinds for 1940—Federal, State, and local, of these 165 representative corporations, totaled $2,565,000,000, which is an increase of 29.6 percent over 1939. These same companies paid $3.92 in taxes on every share of stock while the dividend payments averaged $1.91. These corporations add their taxes to the cost of the commodity sold. It is pure demagoguery to state that we will get our tax money from the corporations. It is about as logical as the statement that the rich pay all the taxes.

The corporations in this group that process and distribute gasoline, oil, and refinery products were paying a tax from $2,729 to $4,256 per employee. These taxes were, of course, passed on to the consumer. These companies were the collecting agents for the various taxing units. My point is that there is great danger in placing such a large tax burden on industry that we may destroy the ability of these corporations to expand and build up a reserve to cushion the shock our Nation will no doubt receive when Government spending ceases.

It is my contention that we must eliminate some of the conflict and confusion that is now existing, and rapidly increasing, between Federal and State, State and county, county and local governments. We need a correlated tax system. In other words the Federal, State, and local governments should agree to confine their activities to certain fields. The gasoline tax, which is comparatively a new tax, is now collected by the Federal, State, and some local units. My opinion is that this tax belongs to the States and this never should have been invaded by the Federal Government. The evolution of it as a Federal tax is an interesting one. It was first approved by Congress in 1932 as an emergency tax, the rate being 1 cent per gallon. The understanding was that it would expire in 1933, but instead it was extended to 1935, and during the period 1933 to 1934 it was increased to 1½ cents per gallon. The tax was scheduled to expire on at least four dates since 1932. The 1940 Revenue Act increased the rate one-half cent per gallon, which is the present rate. The Treasury recommended a further increase of 1 cent which was not approved by the committee. In many sections the tax on gasoline is equal to, or over, 50 percent of the sale price.

There are over 175,000 tax units in the United States, and thousands of these overlap. There are 35 States that have an income tax in some form. There are 26 States, and at least 2 cities, that have a sales tax. Most States have inheritance and estate taxes. Social-security taxes are collected by the Federal, State, and in some instances, by county governments. The interpretation of conflicting tax laws has resulted in confusion and duplication. The collection of the taxes has added a great burden of expense on the taxpayers. Why not eliminate this duplication and added expense? A good place to begin would be with the social-security taxes. The social-security taxes should be levied on a pay-as-you-go basis. The centralization of the collection and payment of these taxes would eliminate expensive tax collections and reduce administrative expenses. The social-security program should be national in character. Many of our smaller taxing units are being forced into bankruptcy by this tax load. Social-security taxes should never be collected through a property tax, yet that is being done in several States.

Let me suggest that the Congress authorize a special committee to make a thorough study of overlapping taxes and report to Congress at the earliest possible date.

Congress will, no doubt, write another revenue bill in 1942. The natural and the easy thing to do will be to increase rates and reduce exemptions on existing taxes. I ask, is it the fair thing to do? Taxes will be our big problem for the next generation. Let us meet it the correct way—not the easy way.

Mr. DOUGHTON. Will the gentleman yield?

Mr. CARLSON. I yield to the gentleman from North Carolina.

Mr. DOUGHTON. I was misunderstood. I said we might have to do that. There is no reasonable tax but what we might have to resort to it; and while in ordinary times, under normal conditions, I am inherently opposed to the sales tax—and I have a record on that that is Nation-wide—in an emergency, to save our country and liberties, I would not say definitely that I would not favor a sales tax. I do not say I would. I certainly would not say that under no circumstances will we have a sales tax. Perhaps that form of taxation is not in sight. I think the gentleman and I are in accord.

Mr. CARLSON. I appreciate the gentleman's statement. He and I are in accord. We all realize we must have more taxes, more revenue, if we are to retain and maintain our democracy, and after all that is worth more to the citizens of this country than individual sales taxes or any other kind of taxes.

Here is what happens when you levy an excise tax: We have hundreds of thousands of families in the United States that make less and receive less annually than $500. You will be interested perhaps in knowing that 53 percent of the farm families of the entire United States receive less in a year than $1,000. How much do they pay in taxes? The Treasury Department tells us that they pay from 18 to 22½ percent of their income in hidden taxes.

Mr. McKEOUGH. Will the gentleman yield?

Mr. CARLSON. I yield to the gentleman from Illinois.

Mr. McKEOUGH. I am quite sure it was not the intention of the gentleman from Kansas to indicate that only those who were incorporated in his statement relative to farm income were the only ones who paid the hidden taxes, and that they were the only ones with an annual income of a thousand dollars or less. That applies also to every family whether they live on a farm or in the city.

Mr. CARLSON. The gentleman is absolutely correct. If I left that impression I did not mean to leave it.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. CARLSON. I yield to the gentleman from North Carolina.

Mr. DOUGHTON. I am very much interested in what the gentleman is saying because it is along the line of what I have been thinking. There is not only a serious danger but there is a great probability that in this necessary national-defense program a great many appropriations were made that are not essential to national defense, although made in the name of national defense.

Mr. CARLSON. That is right.

Mr. DOUGHTON. That is the fear I have, and it is a very serious fear.

Mr. CARLSON. I have heard our distinguished chairman discuss this so many times there is no question as to his attitude on it. The only thing is that we have to begin thinking seriously about this problem. I may say that we have been under pressure from chambers of commerce and groups at home. All are insisting on Federal expenditures. But in my opinion, when this pay day hits, there is going to be a different attitude in this Congress, and I am sure it will be for the best interests of our country and our Government.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. GWYNNE].

Mr. GWYNNE. Mr. Chairman, there are some things in this bill which I wish had been written differently. If it were possible to do so, I would like to offer certain amendments. However, on the whole, I believe the Ways and Means Committee has written a reasonably good revenue measure.

A very few figures will demonstrate the urgent need of some additional taxation. According to figures presented by officials of the Treasury Department the expenditures for the fiscal year beginning July 1, 1941, will be approximately $19,000,000,000. Of that sum there will be required for the Army, Navy, and for expenditures under the lease-lend law about $12,700,000,000. Of course, the authorizations and appropriations for national defense are much higher, and if our production program can be speeded up the amount actually required will be much greater. The estimated tax collections for 1942, under existing law, are $9,225,000,000. This is exclusive of $712,000,000 to be received as social security payments. So if we add the $3,500,000,000 to be collected under this bill, the total expendible revenue for the next fiscal year will be about $12,725,000,000. In other words, the very best we can figure is that we will collect about two-thirds of the money we need by taxation, and one-third will be added to the growing debt. Assuming the national income will be about $87,500,000,000, approximately 25 percent of it will be required to pay national, State, and local taxes.

However, that does not give the complete picture. If the war continues abroad, expenditures will greatly increase. However, the ability to pay taxes may not increase in proportion. The concentration of activities in a few industries and in a few localities is bound to create serious dislocations elsewhere. The failure to get necessary raw materials may result in drastic curtailment of production in some lines. The sudden increase in our national activities due to preparedness will bring with it many problems that will either cost the Government money or prevent a normal and proportional increase in tax revenues.

In a word, we are now faced with a serious financial problem that is bound to get worse as time goes on. There will be other tax bills and many more appropriation bills. No stone should be left unturned in our effort to keep the Nation on a sound financial basis. The following propositions suggest themselves:

First. The income tax base might will be broadened.

An examination of the tax returns indicates that the taxes are paid by a relatively small number of people. There must eventually be a tapping of new sources of revenue. It is true that practically everyone now pays something in the form of hidden taxes on the necessities of life which he consumes. If every such person were under obligation to make some direct contribution to the Federal Government, even though small, it would at least create more tax-conscious people. There will never be much hope of getting on a sound financial basis until the people discard the fantastic idea that they can get everything they want from the Federal Government and not have to pay for it.

Second. There should be a drastic reduction in nondefense expenditures.

It is true, something has been done along this line, but it is difficult to see why a further reduction should not be made. Of course, the question is asked immediately, Where are you going to cut? The answer is, everywhere. Why is it still necessary for such an elaborate W. P. A. set-up? Some reports from my State indicate that farmers are looking for help even while new W. P. A. projects are being promoted. If relief expenditures cannot be reduced to a minimum now, when can they? The same thing is true of many other expenditures. If the Congress should now decree a 10-percent reduction in all nondefense expenditures for the next fiscal year, it would effect considerable savings. With a few necessary adjustments such a saving could be accomplished.

Third. Certain functions of the Government should be greatly restricted or even eliminated.

We are now considering the advisability of moving certain bureaus to other parts of the country. It is too bad we do not at the same time see how many may be eliminated altogether. For example, millions of dollars are being spent in disseminating useless propaganda. There are other bureaus not necessary to the proper functioning of the Government, even though they may be of some benefit to certain small groups of people. The time has come, however, when the question is not what would we like to have, but what can we afford to have? I am confident that a proper committee having power to act could weed out much unnecessary personnel and effect considerable saving without injuring the operation of the Government.

Fourth. Further expenditures for defense purposes should be carefully scrutinized.

Practically everyone in the country is in favor of the national defense. They are willing to make great sacrifices in order that we may have the necessary ships, planes, and guns. Unfortunately, under the guise of national defense a great deal of money will be spent unnecessarily. A glaring example is the proposed St. Lawrence waterway. The best engineering advice available estimates that such a project could not be completed in time to aid us in the present emergency. We have no extra money nor manpower to tie up in such a project now. After the crisis is over there will be plenty of time to give the matter real consideration on its merits.

No one objects to spending money for the necessary equipment and building projects necessary to the building and maintaining of an army and navy. It is all too apparent even now that there is inefficiency and extravagance in this program. There is no reason why the Federal Government should not get 100 cents on the dollar in its expenditures just as private individuals and corporations do. Of course, time is of the essence. But why are plans not ready at all times for emergencies? What, after all, does the Army do during times of peace? No one can read the statements of our colleague the gentleman from Michigan [Mr. ENGEL] without being impressed with the unnecessary waste and extravagance.

Fifth. There should be a reorganization in the executive department of the entire defense effort.

Congress, after all, can do little more than to make available the necessary funds. The translation of the people's money into equipment is a job for the executive department. Results so far obtained have been disappointing. There is much confusion, much red tape. It will not be possible for any one man to supervise this gigantic effort. More authority should be delegated to men whose past experience in business and industry has demonstrated their ability. Most of us are agreed that the social gains of recent years should be retained. However, the principal objective now should be to build up the national defense. Failing in that there will be no social gains.

This is no time to be encouraging warfare between the various groups in our country or between the Government and any class. The entire resources and efforts of all the people are needed. A reorganization of many departments of the Government, together with a clear and candid statement of our objectives, both abroad and at home, would do much to promote national unity.

There is one item in the bill which, I believe, needs further study. That is the levy on billboards. I have been advised that the levies originally reported would virtually destroy certain companies now doing considerable business. The amendment to be offered by the Ways and Means Committee will afford some relief. This is, after all, a new tax. Before final agreement is reached there should be given an ample opportunity for all interested parties to express their views. It is to be regretted that the rule adopted by the House does not allow a thorough examination of the subject. That will, no doubt, be done before the inevitable conference agreement is adopted. Certainly the Congress should not deal unfairly with this industry in which a great deal of money has been invested and which gives employment to a large number of people.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. I am prepared to vote for this bill as it is reported by the committee. A unanimous report from a committee should always have considerable weight in the House. The committee unanimously voted to report this bill to the House. Then several members of the committee joined in "Individual views of certain members." Then the minority members of the committee joined in "Supplemental views of the Republican minority." There was no adverse report of the committee to the bill.

The fact that the Ways and Means Committee unanimously, as I understand, asked for a closed rule that would prohibit changing the bill as reported by the committee would seem to make conclusive my interpretation of the committee's attitude.

It is not claimed that this is a scientific tax bill. A number of sound principles of taxation, as these principles have always been accepted in this country, have been violated. The necessities of the Treasury make it imperative that as much revenue as possible be raised for the current year. The Ways and Means Committee has searched every available place where any additional tax money might be found. Indeed, this bill taps every encouraging source, regardless of precedent. The gentleman from Pennsylvania [Mr. RICH] for the last 8 years has been asking the same question, Where are we going to get the money? This bill is, in part, the answer.

The country must not get an idea that this bill solves the tax problem. If I read the future correctly, there will be another tax bill before the Congress prior to the date the income tax due in 1942 is payable. The President has indicated, and the distinguished chairman of the Ways and Means Committee has made it clear, that at least one additional tax bill in the year 1942 is a certainty.

I expect to go along with the Ways and Means Committee in supporting any reasonable tax bills. Of necessity, we must rely much upon this committee. This is no time to be partisan and this is the time when Members of Congress must think nationally and not forget that most legislation is a compromise. We cannot expect to have all these taxes

paid by the other fellow's constituents, and, by the same token, the other fellow cannot expect all these taxes to be paid by Michigan industries.

Suffice it to say that while I appreciate the unpopularity of additional taxes, I am going on record here and now to the effect that I am ready to vote for future taxes because it is either a question of more taxes or a bankrupt Treasury eventuating in inflation or repudiation.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from North Carolina, the able Chairman of the Ways and Means Committee.

Mr. DOUGHTON. I am very much gratified to hear my distinguished friend from Michigan say that not only will he support this bill as written but he expects to support the next bill. I suppose he means provided it is unanimously reported by the Committee on Ways and Means, like this bill.

Mr. MICHENER. If it is unanimously reported, I of course will be inclined to give great weight to the committee's judgment. If it is not unanimously reported, there will be more hesitancy. But in the final analysis, I shall study the bill and vote for it if it is equitable and does not unjustly discriminate against particular groups. Taxes are unpleasant but never so necessary in the Nation's history as at this hour.

On yesterday I voted against the rule to bring this bill before the House. On the preceding day I was ready to vote for the rule asked by the committee to bring the bill up for consideration. My change of heart was caused by the disappointing position taken by the distinguished chairman of the Committee on Ways and Means. One day he insisted that there was no possibility of making changes in the bill without destroying its continuity and effectiveness. The next day he appeared before the Rules Committee and asked that the House make a concession to those opposing the joint-return provisions of the bill. He yielded to the philosophy that a pressure group, even though small in number, if sufficiently voluble should be singled out for preference and consideration not given to other groups materially affected by the provisions of a tax bill. The change of front made by the usually courageous chairman really grieved me, to say nothing about being surprised and shocked.

The gentleman from North Carolina, during his long service down through the years, has always been considered a people's man. On many occasions he has addressed the House in the advocacy of, as well as the defense of, what he calls the common man. The little fellow in business, the little fellow in tax lore, has always been the object of his solicitation—at least in the debates on the floor of the House.

In these circumstances, it was distressing to find this great chairman yielding to political expediency, and with hat in hand—and I imagine with his usual Chesterfieldian grace—submitting to the demands of a small group of influential married persons who might have to pay a little more tax on the combined family wealth than they would have to pay under existing law; in other words, yielding to the classes as against the masses.

Of course, we all make mistakes, and we must not be too severe on the distinguished chairman, because of what has happened within the last day or two. Because of this incident I am not ready to lose faith in him or abandon hope for him. I hope, however, that when the next tax bill comes in the chairman will have regained his usual rugged independence and that he will hold the fort, resist temptation, and absolutely refuse to temporize with expediency when dealing with the rights of the taxpayer. The chairman is on his feet, and may I ask him: Will the gentleman do that?

Mr. DOUGHTON. I will, according to my conception of what is the best method of accomplishing that end. And as to my friend, I will say about him that he is always consistent and generally right.

Mr. MICHENER. I thank the gentleman for those kind words, and I now yield to the distinguished gentleman from Minnesota.

Mr. KNUTSON. I would say to the chairman that if the gentleman from Michigan were not generally right he would not be a Republican.

Mr. DISNEY. That is a rebuttable presumption.

Mr. KNUTSON. And when the gentleman from Michigan [Mr. MICHENER] says he might support the 1943 tax bill without examining it, he evidently foresees Republican control in this House after 1942.

Mr. MICHENER. The Republicans undoubtedly will come back into power in the election in 1942, if the program of the present administration, which seems to be leading us directly into a foreign war, is followed to its logical conclusion.

Mr. DISNEY. If they come back into power, under what leadership, and by what method?

Mr. MICHENER. Under the leadership of those Members of the Congress, for instance, who stand for the people, who believe in the common man, who are not willing to yield and kowtow to any dictator, pressure group, or privileged class and who have the intestinal fortitude to vote as they talk. The method will be through the legitimate exercise of the franchise in the 1942 election, subsidies, benefits, Santa Claus hand-outs, and New Deal promises notwithstanding. I think that answers the gentleman's question.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. Surely, to the scholarly ranking Republican on the Ways and Means Committee and the next chairman of the committee.

Mr. TREADWAY. I want to say that if the prophecy of the gentleman from Michigan is correct, it will afford me very great pleasure to have as leader of the minority on the Ways and Means Committee under my chairmanship the able gentleman from North Carolina, who, you seem to think, is not representative of the people here today. I think he is, and I want to back up the chairman in every way I can as long as I am in the minority; but in view of the gentleman's statement, I have great hopes that the power will revert to this side of the House in the next Congress and that the gentleman from North Carolina will reverse places with me as the ranking minority man on the committee.

Mr. MICHENER. I admire the spirit of the gentleman from Massachusetts in coming to the defense of the gentleman from North Carolina. Both have served for many years on their great committee. Like husband and wife, they do not always agree, but woe unto the indiscreet individual who speaks unkindly of either in the presence of the other. Together, down through the years, they have done a pretty good job. They have such love, affection, and admiration one for the other that, except when they are quarreling over the tariff and kindred subjects, they are always in harmony.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield to a third member of the Ways and Means Committee, who easily qualifies for the mutual-admiration society.

Mr. KNUTSON. I was just going to suggest that we are all very fond of the chairman and of the distinguished gentleman from Massachusetts.

Mr. DISNEY. May I inquire what this has resolved itself into?

Mr. KNUTSON. We are trying to give you new dealers a chance to get your second wind. The gentleman from Oklahoma asked how we Republicans were going to get control of this Government. The American people will constitute themselves a referee in bankruptcy, and they will appoint the Republicans to salvage what is left that you have not spent. We never do get hold of the country until the Treasury is emptied, and then we have got to sweep the bottom of the bin; and just as soon as we have accumulated a good-sized surplus the people begin to long for those good old days again when they can eat without working, and they turn us out and put the Democrats back in, and then they keep repeating that formula.

Mr. MICHENER. Wait a minute. I cannot yield for a speech.

Mr. DOUGHTON. The gentleman from Minnesota will recall that there was nothing in that bin when we came into power.

Mr. MICHENER. It is a historic fact that our Democratic friends have always considered the United States Treasury as sort of a "bin." It is also traditionally true that they have usually found a well-supplied bin when they came into power. There has never been a time when there was not less money in the bin when they were retired from power than they found when they came into power.

It is not out of place to remember that when the Democrats came into power in 1913 they found a national debt of approximately $1,500,000,000. When the people returned a Republican Congress in 1919, our friends had accumulated a national debt of $26,000,000,000. Between 1920 and 1930 the Republicans, then in power, reduced that national debt by approximately $11,000,000,000, that is, the

country was never more prosperous than it was during that period. At the same time, those in control of the Government had met all obligations and paid off a billion dollars a year on the Democratic mortgage on the old national farm.

Today we are considering the enactment of a new tax bill to raise $3,500,000,000 additional taxes each year. Our New Deal friends are proceeding true to form, the principal difference being that the new dealers outdistance the Democrats when it comes to taking money out of the bin.

I am sure the American people will not forget that between 1920 and 1930 the party in power passed 5 tax bills, and each one of those tax bills reduced the amount of taxes raised and lessened the tax burden on the American people. On the other hand, our New Deal friends have been in power 8 years and have presented and passed 13 tax bills, every one of which increased the burden on our taxpayers, and especially so on the average man.

Get it clearly in your mind that this $3,500,000,000 is in addition to, and not in place of, taxes being levied under present law. Under the present law, our people will pay $9,400,000,000 for the fiscal year 1942 and when this tax bill becomes a law, they will pay $12,929,200,000, or substantially $13,000,000,000, when this bill becomes fully operative.

Now, I am not objecting to raising this tax, but the tax raised will be but 60 percent of the $22,000,000,000 which the Government will spend this year. This amount is estimated and there is no question in my mind but that since Russia has become our ally, the total will be increased above the $22,000,000,000 for the year 1942.

When our country got into the World War, during the Wilson administration, the national debt was so small, it was only necessary to raise one-third of the expenses of Government by current taxes at that time. The national debt today is approximately $50,000,000,000 and rising by leaps and bounds. The only possibility of avoiding national bankruptcy is a resort to stringent and heretofore undreamed-of current taxes. It is just a choice between financial chaos or tax discomfiture and standard-of-living sacrifice. Either course is distressing, yet there can be no question as to what our choice must be.

The gentleman from Ohio [Mr. JENKINS], a member of the Ways and Means Committee, who knows all the details of this bill, has called attention to something to which I want to revert; that is, three new kinds of taxes have been discovered and are vitalized in this bill:

First. The use tax on automobiles. Every owner of an automobile in the United States must pay a $5 tax for the year 1942 and must wear on his automobile another license plate. This is in reality a license tax because it has no reference to the value or the kind of automobile. The man who buys a $25 automobile from the dump heap must pay the same use tax as he who owns a limousine.

Second. The consumption tax; that is, an endeavor is made to limit consumption of iron and steel by the levying of almost prohibitive taxes on certain manufactured products of iron and steel. It is boldly stated that this tax will raise revenue but that the prime purpose is to limit production and consumption of these iron and steel creations. This is certainly new tax philosophy.

Third. The mandatory joint income-tax returns of husband and wife. This matter has been discussed so extensively that I shall not pursue it further, other than to call attention to the assertion of the very reliable gentleman from Mississippi [Mr. WHITTINGTON], who said in debate:

> If the provision requiring joint returns by husband and wife is eliminated from this bill, it is the view of the committee that it would be necessary to levy taxes of approximateley an additional 100 percent on those whose income lies between $2,500 and $4,000, and by about 33⅓ percent on those from $5,000 to $12,000.

The chairman of the tax subcommittee of Ways and Means, Mr. COOPER, responded that—

> Something like that might be necessary.

Again, another member of the committee, who is always reliable and usually courageous, the gentleman from Virginia [Mr. ROBERTSON], tells us that the result of this mandatory joint husband-and-wife return—

> Takes a tax advantage away from about 6 percent of the income-taxpaying couples in preference to increasing the tax burden on all other married couples and on all single persons.

Now, I do not like any of these three new taxes. However, I realize that in the days and the years that are ahead it will be necessary to tap many more heretofore unthought-of tax reservoirs if national bankruptcy is to be avoided.

Time prevents further discussion. However, the members of the committee, who have devoted more than 3 months of laborious effort to this bill, have explained in detail all of its ramifications, and when the vote comes no Member of the House can justifiably assert that he was not informed as to the details of the bill.

The draftsmanship of the bill is an improvement over many recent bills reported by the committee. The report is as clear as a crystal, and I want to join with the others in complimenting and thanking the committee.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to eliminate as much of the colloquy as seems prudent.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, I yield now to the gentleman from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. Chairman, it is or should be an axiom of taxation that all taxpayers should be treated alike as to the tax levied on comparative amounts of income, and it is particularly important that this be the case under the extremely high tax rates proposed for 1941 under the excess-profits-tax law.

The excess-profits-tax law of 1940 was defective in many vital respects, but the most vital deficiency was in the failure to provide adequate relief provisions for the many situations arising where strict application of the law resulted in substantial inequities and therefore discrimination between taxpayers similarly situated as to property and income, but with differences in invested capital and base-period earnings; these differences have no relation whatever to excess profits arising from the defense program.

This situation has been and is particularly distressing to the mining industry. The effort to draft an excess-profits-tax law on a catch-all basis and without any attempt of consequence to perceive that different industries require different treatment if justice is to be done to all, has resulted in an unfair competitive burden on certain units of the mining industry.

In general, mines are either purchased or discovered. If purchased, the cost or investment to the purchaser will depend largely on market conditions at the time of purchase. If discovered, the investment will vary, but ordinarily the cost will be much less than the purchase price of a fully or partially developed mine, and certainly much less than the value of the discovered ore body.

To illustrate clearly the substantial inequities that arise under the excess-profits law, I wish to present a simple example.

Let us presume five different mines contiguous to each other and competing in the same market. The mines have exactly similar ore bodies. Each produces 100,000 tons of ore per annum.

The base period income of those corporations which were in production during all or part of the base period was at the rate of $150,000 per annum; it is presumed that those corporations which were not in production during any part of the base period would have had similar earnings if they had been in production. During the excess-profits period—say, 1941—each makes $300,000 per annum before taxes, and, presumably, each will pay to the Federal Treasury the same amount of tax.

But, unfortunately, this is only a presumption. Actually, the taxable status of each is quite different, due to accidental factors which have not even a remote relationship to true excess profits, or to any profits whatever arising from the defense program.

Mine A was purchased in 1929 at the peak of prices; it has invested capital of $3,000,000. It had base period earnings of $150,000.

Mine B was purchased on January 1, 1940; its invested capital is $3,000,000 and has no election between credit based on invested capital or base period. It must use invested capital.

Mine C was purchased in 1932, at the depth of the depression, and has invested capital of $500,000. It also had base period earnings of $150,000.

Mine D was discovered by the taxpayer, and came into operation during the base period; its base period earnings

are $75,000, and its invested capital is $250,000.

Mine E was discovered; it has invested capital of $250,000, but the corporation was not organized until January 1940. Therefore, it is compelled to use invested capital in computing its excess-profits credit.

The total of normal and excess-profits taxes to be paid by each corporation under proposed 1941 rates will be as follows:

Mine	Income before taxes	Total tax	Effective tax rate	Tax per ton of output
			Percent	
A	$300,000	$112,050	37.23	$1.12
B	300,000	104,875	34.96	1.05
C	300,000	137,425	45.81	1.37
D	300,000	162,363	54.12	1.62
E	300,000	181,175	60.39	1.81

The fact that such widely varying results are obtained in computing the tax on what is, in effect, the same income, brings forcefully to mind the absolute necessity for some form of special relief. There seems little either of equity or common sense in a rigid tax law that takes 60 cents out of each dollar of income accruing to E and only takes 35 cents from B; particularly is this true when it is considered that the profits of each are won under identical conditions.

It is conceded that from any practical standpoint, it is impossible to write into the tax bill all the provisions necessary to grant relief to all distress cases. The practical and equitable procedure is to grant broad relief powers either to an independent board, or to the Commissioner of Internal Revenue. The taxpayer should have the right of appeal to the Board of Tax Appeals.

It has been argued that such a provision would give the Treasury Department a serious administrative problem. This would not be true if the grant of power was to an independent board. Even, however, if the power be conferred on the Commissioner of Internal Revenue, and granting that the administration will be difficult, it is to be noted that the taxpayer in need of relief is also in a difficult position; and to refuse to grant him relief merely because the subject is difficult of administration is not only unfair, but considers the comfort of the tax gatherer as more desirable than the relief of the taxpayer from discrimination and a difficult competitive position.

Actually it will be much simpler in very many cases to determine what would be fair equitable relief, than it would be to try to determine all the facts and points of law involved in making the statutory computations for invested capital.

Recently, much has been heard of the necessity of increasing the production of materials entering into the defense work, and particular attention has been paid to increased production of metals.

The mining industry, as an industry, is thoroughly alive to the necessity of increasing production. When, however, as to an individual taxpayer, the result of increasing production is the payment of excess profits taxes on what are in reality normal profits, such a taxpayer is rather heavily penalized if he does give the cooperation he would like to give to increase production.

Illustrative of this statement a computation has been made of the tax result in the case of the five mines instanced above, of a 40-percent increase in output and profit. The profit of each corporation would be increased by $120,000, and the tax result would be as follows:

Mine	Increase in annual profit	Increase in tax	Effective tax rate on profit increase	Tax per ton of increased output
			Percent	
A	$120,000	$76,425	63.69	$1.91
B	120,000	76,425	63.69	1.91
C	120,000	78,787	65.66	1.97
D	120,000	81,281	67.73	2.03
E	120,000	82,200	68.50	2.07

At this point it is necessary to emphasize the essential difference between a mine and ordinary manufacturing operations. When a manufacturer of hair brushes, for instance, finds an increasing demand for his product, he can procure an increased supply of the raw materials from which the manufactured article is made. Even though he makes a lesser profit per unit on the increased production, he has undoubtedly made a true profit, and his increased activity during the period of increased demand has not operated to affect his ability to produce more hair brushes in the future.

In mining, the situation is exactly contrary. No matter how extensive an ore body may be, the amount of ore is limited. The exact number of units contained in the ore body may not be known; nevertheless, it is a fixed quantity. An increased output in one year definitely lessens the production of future years.

In the particular illustration we have here, we have assumed that under normal conditions—or rather, during the base-period years, which were distinctly a subnormal period for the mining industry—a profit of $1.50 per ton could be won, on which an average tax rate of 17 percent (average 1936–39) was levied, leaving the miner $1,245 net.

On the increased output of 40,000 tons, however, the amounts remaining to the different taxpayers, after payment of taxes, are as shown:

Tax per ton of output

Mine	Ordinary production (100,000 tons)		Increased production (40,000 tons)	
	Tax	Net to taxpayer	Tax	Net to taxpayer
A	$1.12	$1.88	$1.91	$1.09
B	1.05	1.95	1.91	1.09
C	1.37	1.63	1.97	1.03
D	1.62	1.38	2.03	.97
E	1.81	1.19	2.07	.93

A final table is appended, illustrating not only the unfair competitive condition created by the excess-profits tax but the increasing tax cost of increased production. This table follows:

Tax per dollar of profit

Mine	Ordinary production (100,000 tons)	Increased production (40,000 tons)	Average on total production (140,000 tons)
	Cents	*Cents*	*Cents*
A	37	64	45
B	35	64	43
C	46	66	51
D	54	68	58
E	60	69	63

From the above it is quite apparent that the proposed rates and provisions definitely impose an excess profits tax on normal profits, and the tax is imposed at such high rates that there cannot but be a definite reluctance to dissipating an ore-body of limited extent without even a normal profit.

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I ask unanimous consent to extend the remarks I expect to make and include therein a table or two that I have prepared myself.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TABER. Mr. Chairman, the Treasury deficit for the fiscal year ending June 30 last was $5,167,000,000. The excess expenditures for the month of July down to the 29th day was $1,117,000,000. The increase in Federal expenditures is going on at such a rate that I have not the slightest doubt that in the present fiscal year we shall have a deficit of from $15,000,000,000 to $18,000,000,000. I cannot possibly imagine a situation where the Federal expenditures will be less than $27,000,000,000 or $28,000,000,000, with the effort that is now being made to put on a defense program.

This will leave a tremendous deficit after we get through, even in the face of the enormous tax burden that is being placed upon the people. The people are going to be expected to pay anywhere from 25 to 30 percent of their gross income when you come to consider all factors, Federal, State, and local expenditures. These expenditures and the Federal deficit are very largely concealed through expenditures and advances by the R. F. C., which do not show upon the daily Treasury statement and do not show in the annual deficit. There is a program there of upward of $2,000,000,000 for the construction of defense plants that does not show. There are all sorts of other items in connection with the defense program that do not show, and that are going ultimately to come out of the taxpayer. It is manifest that as we go along, we are dissipating the resources that have been built up in the United States over a period of many years. It is apparent that when we get all through these resources are going to be dissipated down to the point where we are immeasurably weakened and are the prey of foreign powers more than we have ever been in the past. A threat of foreign

invasion and the threat of foreign military power are going to be more dangerous than it has been in the past. And in connection with this situation there has not been the slightest willingness upon the part of the Congress toward economy. There has not been the slightest willingness on the part of Congress to cut down the expenses of Government. I have made some few efforts upon the floor, as often as I felt it was possible, to get the attention of the membership, to reduce these expenditures, especially the nondefense expenditures. I have been over today the appropriations that have been made, and I am going to place in the RECORD a table showing expenditures which I believe can be eliminated entirely without the slightest trouble, without the slightest effect upon any defense program, and without the slightest hurt to any legitimate interest in the United States.

Suggested savings

INDEPENDENT OFFICES BILL, 1942	
National Resources Planning Board	$1,051,390
(A totally incompetent set-up, without any value whatever.)	
Federal Communications Commission	1,500,000
(The most incompetent management in the Federal Government; competent management could easily save this suggested cut.)	
H. O. L. C.	5,000,000
(The management of this outfit is just terrible; there is no business about it.)	
Total	7,551,390
AGRICULTURE BILL, 1942	
Bureau of Agricultural Economics	$2,300,000
(This is for additional and unnecessary expenditures in connection with the publicity activities.)	
Administration of Resettlement properties	7,000,000
(The expense of operating these things is $11,000,000, and it is absolutely ridiculous to spend that amount.)	
Forests, roads, and trails	5,000,000
Conservation and use of agricultural land resources	250,000,000
(This item must gradually and steadily be eliminated if the Government is to survive. It is distributed in a way designed to destroy the agricultural industry and the freedom of the farmer and to militate against the prosperity of those who could take care of themselves without an agricultural program. Instead of making more farmers independent, the agricultural program is making more farmers dependent every year.)	
Parity payments	150,000,000
Disposal of surplus commodities	135,000,000
(This act has been a menace to the price structure of the farmer ever since it was inaugurated. It tends to make the farmer dependent on the Government and to keep his prices down.)	
Farm Tenant Act	$52,000,000
(This act is a menace to every existing farmer. It tends to help those who do not deserve help and to destroy the farmer who is operating his own farm.)	
Submarginal land	2,278,000
Loans, grants, and rural rehabilitation	66,000,000
(This is a swindle of the worst kind and is a menace to the public. It is administered in such a way as to pauperize the people and not rehabilitate them.)	
Loans to needy farmers with R. F. C. funds	125,000,000
Total, Department of Agriculture	794,578,000
INTERIOR BILL, 1942	
Bituminous Coal Commission	$3,250,000
(This has been a useless activity all the way through.)	
Bureau of Reclamation	25,000,000
(The expenditures in this Bureau have been increased in such a way that it has become an absolute menace to the farming industry and the rest of the country.)	
Total	28,250,000
LABOR-FEDERAL SECURITY BILL, 1942	
Wage and Hour Division	$5,000,000
Federal Security Agency—general cut on account of inefficiency of management, 10 percent	500,000
C. C. C.	246,000,000
N. Y. A.	150,000,000
(This outfit is a menace to the young men of the country. It tends to demoralize them and to reduce their ideals of service.)	
National Labor Relations Board	2,900,000
(This Board has been a menace to the operations of free labor and the employment of our people. It has promoted strikes and subversive activities and should be done away with.)	
Total	404,400,000
W. P. A.	911,390,000
(This organization has no excuse for its existence whatever. It should be done away with at once.)	
Grand total	2,146,169,390

Along with that table, I am going to show, as I go along from item to item, the reason why the different items may be eliminated. Those items will total $2,146,169,390. I do not have the slightest doubt that that figure could be doubled. I do not have the slightest doubt that we could save, out of nondefense expenditures $4,000,000,000 if we went at it with the power to do it, with the power to thoroughly examine the departments and find out just what they are doing with the money.

Some of the things in connection with this tax bill are good. Those things that place a tax burden upon a greater number of people are good. The tax bill itself is good, because it tends to add to the tax burden at a time when we are running a tremendous deficit. There are items in the tax, possibilities that have been omitted, such as a lowering of the income-tax brackets which the gentleman from Kansas [Mr. CARLSON] so ably referred to a few moments ago, which would call to the attention of almost every family the necessity for cutting down the foolish expenditure of the people's money.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. TREADWAY. In connection with lowering the exemption, does the gentleman feel that we should lower the exemption below the point where there is any profit to the Government, just to make the people tax-conscious? In other words, if the Treasury shows that a lowering below the present figures of $800 and $2,000 for single and married people, respectively, is not of benefit to the Treasury, would the gentleman still advocate that lowering?

Mr. TABER. I am familiar to a certain extent with the actual cost to the Federal Treasury of lowering the income-tax brackets. I am familiar in a way that members of the Internal Revenue staff may not be familiar, from long practice of my own before I came here, where I had a great deal to do with was done with reference to income-tax returns and from long experience upon the Treasury Appropriations Subcommittee, where we have had to go into the operations of the Treasury and the Bureau of Internal Revenue. I am satisfied that if the amount of work that is done in checking the smaller returns is graded proportionately, that the statement as to diminishing returns that the Bureau of Internal Revenue has made to you, is not correct. I am satisfied that a very large part of those having small incomes below the figures that are now the exemption figures, receive those incomes from salaries or from wages that are practically fixed, where the checking is easy and can be accomplished with comparatively very little cost. I do not believe the lowering of the brackets to such figures as $600 for single persons and $1,400 for married persons would get you anywhere near the point of diminishing returns.

Mr. TREADWAY. Will the gentleman yield once more?

Mr. TABER. I yield.

Mr. TREADWAY. I would like to call the gentleman's attention to a statement made on this subject by the Assistant Secretary of the Treasury, Mr. Sullivan, in his testimony before the committee. It may or may not bear out the gentleman's contention, but the sentence to which I wish to refer is this:

As a result of that act—

That is, the Revenue Act of 1940, among this interminable list of revenue acts that are brought forward annually—

As a result of that act approximately 8,200,000 new returns will be filed in 1941 and there will be nearly 4,000,000 new taxpayers.

So, if these new taxpayers to the number of 4,000,000 paid any amount of re-

turn, lowering the exemption would add to the returns to the Treasury.

Mr. TABER. Oh, it would add to them, but we have already in the Treasury, in the Bureau of Internal Revenue, practically all the data on which it is necessary to check every one of these returns representing salaries and wages, as a result of the operation of the Social Security Act and the pay-roll taxes. That information is all there, and you will not find anywhere near the proportionate cost of operating the checking of these returns that you have upon other returns which are made up from scattering sources, such as applies to the large returns that are presented.

Now, there are other items involved here that, to a large extent, in my opinion, should have been considered. For instance, the cigarette tax. There is not any question but what cigarettes are paying a very large portion of the tax. On the other hand, in spite of the increase in local taxes that has been imposed upon cigarettes in the last 5 or 6 years, the consumption has steadily increased. You are not getting to the point of diminishing returns, at a time when the solvency of the Government depends upon tax returns as vitally as it depends today, so long as the consumption continues to increase. Therefore it is apparent that this item could today take an increase just as the wine industry has been asked to take an increase of from 50 to 150 percent, just as the liquor industry has been asked to take an increase of approximately 20 percent, and just as many other items have been brought in for new taxes.

Mr. ROBERTSON of Virginia. Will the gentleman yield?

Mr. TABER. I yield.

Mr. ROBERTSON of Virginia. On the subject of taxing cigarettes, has the gentleman read the testimony before our committee concerning the situation of the tobacco farmers of the country?

Mr. TABER. I have read some of it. I have not read all of it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TREADWAY. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. ROBERTSON of Virginia. Will the gentleman yield further?

Mr. TABER. I yield.

Mr. ROBERTSON of Virginia. If the gentleman will read all the testimony, I think he will be convinced that the tobacco farmers are in a deplorable situation, which would be made worse by any further increase at this time in the tax on cigarettes. It was not to protect the big cigarette manufacturers, who, as the gentleman says, have increased their business and enjoyed profits that the committee acted in not imposing additional taxes at this time on tobacco, but it was so as not to depress further those farmers dependent solely upon tobacco to make buckle and tongue meet.

Mr. TABER. As I understand the situation, it is something like this, and I want to be corrected if I am wrong.

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield for a short observation right there?

Mr. TABER. If the gentleman would let me answer the suggestion, I will yield in a moment. As I understand it, the situation is something like this: In 1934 the tax on cigarettes was about the equivalent of 6 cents a package.

Mr. DOUGHTON. How is that?

Mr. TABER. In 1934 the tax on cigarettes was about the equivalent of 6 cents.

Mr. DOUGHTON. I believe it was 3 cents.

Mr. TABER. Very well, we will say it was 3 cents. Today it is 3½ cents. In 1934 the price of cigarettes was two packages for a quarter, or 12½ cents a package. They sell over the counter today for 16 cents, or an increase of 3½ cents. The increase in the tax was one-half cent. On this picture it does not seem to me the tobacco grower should get less for his tobacco, but more than he has at any time.

Mr. DOUGHTON. That shows very clearly that the cigarette manufacturers cannot take care of themselves and that any increased burden goes either to the consumer, as the gentleman has just indicated, or is charged back to the producer of the tobacco.

Mr. TABER. The increase in price is 3 cents more than the increase in the tax.

Mr. DOUGHTON. Will the gentleman yield to permit me to make a short statement?

Mr. TABER. Certainly.

Mr. DOUGHTON. The gentleman I know is fair and I always respect his views about matters. I do not think he gives as much study to taxes as we do, and we do not give as much study to appropriations as he, but I have great respect for his ability, integrity, and knowledge.

It has been estimated that an acre of tobacco that is processed and converted into cigarettes pays a tax of $1,100. That is a pretty lively tax on an acre. The farmer at best gets no more than $200 for tobacco on which the Government gets $1,100. That was shown before our committee.

Mr. TABER. I noticed some of that testimony as I went over the hearings. On the other hand, however, I am familiar with the increase in the spread, that is the price has gone up considerably more than the tax has gone up; in other words it is seven times as much; and this has impressed me as meaning that if the industry were operating properly—and I am sure all the big tobacco companies have made a considerable profit right straight through the years because I have seen those reports in the newspapers—if the industry were operating properly more of the tax could be absorbed by this industry. I say this with a feeling, of course, of the utmost desire to be fair to the grower.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield for an inquiry not related to the tobacco tax?

Mr. TABER. Yes.

Mr. TREADWAY. I should like to have the gentleman during the time he has the floor express his opinion on the idea I suggested in my remarks yesterday that there should be some coordination between the Ways and Means Committee and the Appropriations Committee in the matter of raising revenue to meet the appropriations made by the committee of which the gentleman is such a distinguished member.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 2 additional minutes to the gentleman from New York.

Mr. TABER. Answering the gentleman from Massachusetts, I may say I believe there should be close cooperation between the Appropriations Committee and the Ways and Means Committee. In normal times we should not here in the Congress attempt to appropriate large sums of money unless the revenue is in sight to meet the appropriations. I appreciate that when you come to the defense situation, the defense of the United States, we have got to dig in and appropriate a lot of funds that are not in sight except from borrowing. I regret that this situation exists, but it does.

Mr. DISNEY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. DISNEY. What is the gentleman's judgment about the way appropriations are handled? Is it not a mistake to separate appropriation bills into divisions instead of having one appropriation bill?

Mr. TABER. I think it is impossible for any appropriation subcommittee, or any committee, to cover every single item. I am satisfied that the only way we can get anywhere is by going at it the way Martin Madden did when he reorganized the Appropriations Committee in 1920. Martin Madden absolutely refused to appoint anyone to a subcommittee who was specially interested in procuring appropriations along the line handled by the subcommittee. For instance, if a Member lived in a district where there was a navy yard, Mr. Madden would never consent to his appointment on the naval subcommittee; and so on down the line.

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 2 additional minutes and ask him this question. His views and mine are very largely similar with respect to greater economy in government, but is it not true that if not a dollar were being appropriated out of the Treasury for normal expenses we could not reasonably raise enough by taxation to pay as we go the national-defense program.

Mr. TABER. We could not do it.

Mr. DOUGHTON. Even if we did not have a dollar of normal expenses.

Mr. TABER. On the other hand there should be greater economy and greater efficiency on the part of those who are spending the defense funds. We should get rid of the claptrap. I am going to give an illustration of that which I want everyone to know about that is perfectly clear and it is within the comprehension of every ordinary Congressman like myself.

When they go to work and start a project they have to have equipment to use upon it. Instead of going out and

buying automobiles, trucks, and other equipment that have to be used upon that project at the low prices the Treasury Procurement Division has procured for all Government equipment for it to work with, they enter into a lease for the equipment on a monthly basis, letting the seller or the lessor—that is, the local dealer—figure the stuff in at the full retail price, plus insurance, plus license fees, plus 1-percent-a-month carrying charge for financing and all that sort of thing; so that when they get through they have about double what they ought to for the job. I do not like that way of doing business.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. DISNEY. What means does the Appropriations Committee have for knowing what is going on in the departments with reference to the money that the Appropriations Committee has expended?

Mr. TABER. Only when they come up for an additional appropriation, then we question them.

Mr. DISNEY. The Appropriations Committee has no independent staff of its own?

Mr. TABER. No; it has not. Congress has no such staff. We also have what investigation the Military Affairs Committee and the Naval Affairs Committee are able to make from time to time of these different operations. As far as the defense program is concerned that is all we have.

Mr. DISNEY. In other words, you take the word of the departments for all their expenditures?

Mr. TABER. Yes.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON of Virginia. Mr. Chairman, few who have not read the more than 1,500 pages of the printed hearings of the Ways and Means Committee on the pending tax bill fully appreciate the magnitude of the task confronting the committee in the preparation of a bill to add not less than three and one-half billion dollars to the present Federal load of approximately $9,400,000,000. In presenting Treasury recommendations, the Secretary of the Treasury described his recommendations as being unparalleled, but presented in an unprecedented emergency. The fullest opportunity was given by the committee to all interested parties to present their views, not only on the Treasury recommendations but on any other pertinent and germane subject, of which 202 witnesses availed themselves, including representatives of large business, farm and labor organizations of the country, consumer groups, tax experts, and economists of national repute. The hearing of this testimony consumed five laborious weeks, but in the opinion of the committee it was time well spent.

It is unfortunate that there are some who do not clearly understand our method of approach to tax legislation. In that method there is no place for partisanship or pride of opinion nor occasion for conflict between what tax experts of the executive branch of the Government want, and what those of us designated by our colleagues to study tax matters want. What all of us want, or at least should want, are facts, and when in possession of the facts it then becomes the exclusive function of the representatives of the legislative branch of the Government to pass on the question of policy. And in our search for facts we realize that it is quite impossible, in a nation as large, as wealthy, and as diversified as ours, for any one tax expert to know how any given tax proposal will affect every taxpayer to whom it may be applied. Therefore, our committee has given effect to the philosophy of the old couplet:

> The butterfly beside the road
> Preached contentment to the toad;
> The toad beneath the harrow knows
> Exactly where each tooth point goes.

When on the spur of the moment our committee has decided to include in a tax measure some new proposal which had not previously been studied by our tax experts and on which no testimony has been given by those to be affected, we have usually run into unexpected difficulties. That statement alone should serve as a sufficient answer to any critics of the pending bill who say that the committee should have made provision in the bill to raise more than three and one-half billion dollars. We entered upon the difficult task of framing a three and one-half billion dollar tax bill on the assumption that expenditures would not exceed $19,000,000,000, and that a revenue for the coming fiscal year of twelve and one-half billion dollars would finance approximately two-thirds of anticipated Government spending for that year. Hearings had been completed and much spadework done in executive session before the committee was advised that both appropriations and expenditures for defense would largely exceed the previous estimates. In that dilemma the Treasury recommended, and the committee, of necessity, concurred in the recommendation, that no effort be made at this time to reach a larger objective than three and one-half billion dollars, although all and sundry were put on notice that we face the necessity of imposing still additional taxes next year, but not to apply to incomes earned in the calendar year of 1941.

Even today, no one with mathematical exactness can predict what the amount of defense expenditures in the current fiscal year will be. Officials of the O. P. M. say that to do the job in hand, defense expenditures should reach the level of $2,000,000,000 per month, which is approximately 100 percent higher than the present rate. Treasury experts do not believe that figure can be reached. Their latest estimate of fiscal 1942 expenditures, including nondefense items, is $22,000,000,000, of which a tax revenue of $13,000,000,000 will be approximately 60 percent. My personal hope is that we not only reach, but reach within the near future, a monthly expenditure of $2,000,000,000 a month for defense alone, because when I voted for defense appropriations that now total more than $50,000,000,000, I did so because I felt we face the gravest emergency in our national history. The mere appropriation of money does not provide for our national security. Those funds must be translated into equipment and trained personnel. And when I voted to report the biggest tax bill in the history of the Nation and rise today in support of its passage, I do so because I believe that his personal freedom is the most cherished possession of every American citizen, for the preservation of which he is ready, able, and willing to make any necessary sacrifice. While I do not seek by any means to justify all appropriations made for nondefense purposes—on the contrary I have worked and voted to reduce nondefense appropriations and regret my efforts in that behalf were not more successful—at the same time, it is only fair to point out that revenue from existing tax laws will balance the nondefense budget, and, therefore, the pending tax bill is actually what we claim it to be—a defense-tax program. And while we found no appropriate way of writing into the bill the fact that these additional taxes imposed for defense purposes are to be treated as emergency taxes of a temporary nature and not permanent taxes, that is the unanimous sentiment of our committee, which we hope will be the attitude of some future Congress when the pending emergency has been safely ended.

Before undertaking to discuss in detail the phase of the pending bill relating to the taxation of corporations, I feel it pertinent to make just one more general observation. When the Treasury submitted to us its recommendations for a new tax bill, there was considerable newspaper comment to the effect that tax gatherers never had any new ideas concerning taxation and always, in seeking additional revenue, proceeded to increase the burden of those already paying taxes. Now, that the Ways and Means Committee has introduced into the tax bill some new ideas and some new subjects of taxation, the prevailing comment is we are proposing to work some grave injustices, including the stabbing of certain innocent and unsuspecting people in the back—a procedure referred to in some quarters as political logrolling, and in others as reprehensible cowardice. But it may interest some of my colleagues to know that a disinterested group of tax experts, sponsored by that outstanding adviser on taxation, the Commerce Clearing House, Inc., have brought out a new book entitled "Principles of Public Finance," of which Mayne S. Howard is the editor in chief, in which is listed all the proper subjects of Government taxation. I have taken the trouble to study that list of taxable items in connection with the charge of no new ideas and have found that these experts list only one method of taxation not already covered by State or Federal legislation, including the pending bill, namely, a capital levy, defined by them as a once and for all ad valorem tax on capital at a rate which is in excess of the annual return from capital, a rate high enough to reduce the amount of the principal. As to that tax those experts say it "might be defensible" in time of war, and add it is the last step before repudiation of the public debt.

The Wall Street Journal, in its issue of July 29, lists certain complaints concerning the pending bill, including the charges:

First. It does not produce sufficient revenue, a charge I have already answered, to which may be added my personal guess it will produce $500,000,000 more than current estimates.

Second. That the excise taxes fall short of being a brake upon the consumption of material needed in the defense program.

Third. The present exemption from estate taxes of $40,000, plus an additional $40,000 of insurance, is too high, and the $40,000 exemption from gift taxes, plus $4,000 a year to an indefinite number for an indefinite period is likewise too high.

Fourth. While not listed by the Wall Street Journal, criticism in some quarters has been leveled at the provision for mandatory joint returns which takes a tax advantage away from about 6 percent of the income-taxpaying couples in preference to increasing the tax burden on all other married couples and on all single persons.

There has been a minimum of criticism of the plan carried in the bill for the taxing of corporations, due in part no doubt to the fact that corporations in the past fiscal year paid a total income tax of $1,852,000,000, excess-profits tax of $164,000,000, and a capital stock and declared value excess-profits tax of $204,000,000, or a total of $2,220,000,000, to which must be added pay-roll taxes under the Social Security Act amounting to $514,000,000. The pending bill will add to that tax burden, exclusive of payroll taxes, additional income taxes of $125,000,000, excess-profits taxes of $1,198,000,000, and a capital stock tax of $22,000,000, a total of additional taxes of $1,345,000,000. It is to be noted that previous taxes are computed on the basis of fiscal year 1941 and the new taxes are computed on the basis of business expected to be done by corporations for the calendar year 1941. With increased business in the calendar year of 1941, taxes at existing rates will produce more revenue than was produced for the fiscal year of 1941. At a rough estimate, therefore, under the pending bill the combined taxes on corporations, exclusive of pay-roll taxes, for the calendar year of 1941 will be in excess of $4,000,000,000. As to pay-roll taxes we must not lose sight of the fact that in 1943 the present pay-roll taxes automatically increase 100 percent, going to a combined rate of 4 percent, plus, of course, the 3 percent additional tax for unemployment compensation. There are some who contend that the pending bill does not tax corporations enough and that by adopting the Treasury recommendation of excess profits computed on invested capital alone, plus the committee plan of computing excess profits before deducting the normal tax, an additional revenue of $300,000,000 could be raised from corporations. The charge can be sustained that the Treasury recommended an additional burden upon personal income of a billion and a half dollars, while the committee imposed an additional burden of $1,150,000,000; the charge can be successfully made that the Treasury recommended additional excise taxes in the sum of $1,200,000,000 and the committee imposed only $900,000,000; the charge can be successfully made that the Treasury recommended an additional burden of approximately $300,000,000 on estate and gift taxes and the committee imposed only $152,000,000; however, the charge cannot be successfully made that the committee did not impose as much tax burden upon corporations as was recommended by the Treasury Department. On the contrary, the committee bill will take from corporations approximately $445,000,000 more than the original Treasury recommendation, but by employing the alternate method of computing excess-profits taxes, the committee feels the proposed tax burden will be more justly and equitably distributed than under the Treasury plan. In confirmation of that assumption I need but call attention to the fact that when it was reported the committee would reconsider the action taken to permit the alternate plan, I received, in the course of 2 days, more than 300 telegrams from all sections of the Nation urging us to retain the committee plan for the taxation of corporations. There was not a single representative of industry who testified before our committee in behalf of limiting corporations to the use of the invested capital plan for computing the excess-profits credit. Many appeared before us in opposition to the plan. The burden of the testimony on this subject before the committee, and of the letters and telegrams received by committee members, was to the effect that the corporations of the country did not object to bearing their full share of the defense-tax burden but did object to the Congress writing into the tax laws a provision concerning excess-profits taxes which would impose wartime rates upon normal earnings and thus, in effect, penalize successful operation.

It was frankly admitted by the sponsors of the Treasury plan that they desired to place heavier taxation upon those corporations that enjoyed large average earnings during the base period years of 1936–39, even when their present earnings show no increase, thus demonstrating that they are receiving no benefits from the defense expenditures. These earnings, however, the sponsors of the Treasury plan deemed to be excessive. But the committee, while frankly admitting the impossibility of the task of framing any excess-profits tax law free from all inequalities and hardships, took the position that only war profits should be taxed as war profits, and consequently it limited the excess-profits phase of the current tax on corporations to that principle. The thought was well expressed by James F. Stiles, Jr., vice president-treasurer, Abbott Laboratories, who, in testifying before our committee, said:

I am convinced that while it is necessary for Congress to levy, and all of us to pay, all the taxes that can be raised, it is not their intention to tax normal profits of any company as excess profits, when it is possible to determine what are normal profits.

On the subject of the greater fairness of the alternate methods of computing the excess-profits credit the committee report states:

Your committee has retained the excess-profits tax structure which was established in the Second Revenue Act of 1940. The allowance of the alternate methods of computing the excess-profits credit—that is, either the invested-capital method or the average-earnings method—has been justified by experience. The soundness of the policy of allowing the computation of the credit on the basis of average earnings appears to your committee to have been adequately demonstrated.

A method for computing excess profits based upon invested capital alone will penalize many corporations and favor their competitors. For example, a corporation organized in a period of low values would be discriminated against in favor of a corporation organized in a period of high values. Compare, for example, a corporation organized in 1929 with a corporation organized in 1931. The identical assets may have been turned in to each corporation. Yet such assets may be reflected in invested capital of one corporation at many times the value it would have in computing the invested capital of the other corporation. In the summary of the testimony before the War Policy Commission, House Document No 271, it is stated in reference to invested capital that, "In some cases mere accidents of incorporation in one year, instead of one year later, meant savings in taxes of millions of dollars." A corporation reorganized shortly before the World War would have a higher basis than if there had been no such reorganization. The invested-capital method alone would also favor a corporation which has distributed in the past little or no dividends as compared with a corporation which has pursued a liberal dividend policy. This is because the accumulated earnings and profits of a corporation enter into the computation of its invested capital. It would also penalize the stockholders of a corporation who paid for their stock on the basis of the present worth of the corporation. It is well recognized that there has been a large turnover in the stock of many corporations. The present owners in many instances acquired such stock on the basis of the earning record of the corporation at the time of purchase. To conclude that they have realized excess profits on the basis of what the original owners paid for the stock seems contrary to equity and justice.

The invested-capital method will also give no recognition to the fact that many businesses have been conservatively capitalized or built up, especially the smaller ones, not mainly from capital but from good management, skill, development of goodwill, favorable locations, trade advantages, and other important factors of personal efficiency. As well stated by the late Professor Seligman of Columbia University: "Almost all large businesses have grown from humble beginnings, and it is precisely in these humble beginnings that the percentage of the profits to the capital invested is apt to be the greatest." However, your committee felt that there was ample justification for continuing the use of the invested-capital method as an optional base. It is necessary to provide a yardstick for those corporations which had no base-period income or those which were operating on a subnormal basis in the base period. But, it is not believed that the treatment should be such as to give corporations too large an exemption of profits attributable to the defense program. Evidence before your committee conclusively showed that the invested-capital plan alone penalizes small corporations and that was accentuated by the Treasury's new rate schedule.

Upon this structure, your committee has made the following changes:

(a) Increased rates: The existing rates have been increased by 10 percentage points in each bracket, as follows:

Adjusted excess-profits net income	Rates under—	
	Existing law	Proposed law
	Percent	*Percent*
0 to $20,000	25	35
$20,000 to $50,000	30	40
$50,000 to $100,000	35	45
$100,000 to $250,000	40	50
$250,000 to $500,000	45	55
Over $500,000	50	60

(b) Reduction in invested capital credit: The invested capital credit, which under existing law is 8 percent of the invested capital, is left 8 percent on the first $5,000,000 of invested capital but is reduced to 7 percent on the balance.

I feel in frankness I should add that when a corporation computes its excess-profits taxes before deducting normal taxes the invested capital credit of 8 percent is thereby reduced to 5.6 and the 7 percent reduced to 4.9. But even that lowest figure is above the 4 percent on capital in excess of $5,000,000 that was provided in the Treasury plan.

It is to be noted, however, that no corporation escapes the new defense tax because it, in effect, raises the base rate on all corporations, adding 5 percent on net incomes up to $25,000, and 6 percent beyond that figure, and by imposing that increase as a surtax instead of a normal tax we are able to reach the income of a large amount of partially tax-exempt Federal bonds. In my opinion, all well-informed corporation officials expected an increase in the base rate and did not object to it under existing circumstances. The bill also provides a new 10-percent tax on additional profits not subjected to excess-profits tax under existing law. I prefer to give the majority opinion instead of my own opinion concerning that tax, which in the committee report is described as follows:

(d) Ten percent tax on additional profits not subjected to excess-profits tax under existing law: The existing law does not subject to the excess-profits tax earnings which are not in excess of the greater of the average earnings for the base period and the invested capital credit. Thus, many corporations which are making added profits directly or indirectly attributable to Government expenditures for the national defense are paying no additional taxes upon such profits. It is felt that such corporations, benefiting so substantially from the defense expenditures, should make a larger contribution from their increased income even though their income for the taxable year is still less than the invested capital credit.

Apparently the businessmen did not expect the change requiring the computation of excess-profit taxes before deduction of normal taxes, but I regard that as one of the soundest features of the pending bill. In that respect we follow the principle of the excess-profits-tax bill of World War No. 1, of the British law, and substantially the Canadian law. It has the virtue of going directly to the question of how much a given corporation has benefited in net income from defense spending and placing an appropriate tax upon that specific increase, thus subjecting to the excess-profit tax every dollar of excess profits.

Special treatment is provided in the bill for new capital, thus encouraging the investment of private capital in corporate enterprises engaged in the defense effort. For each hundred dollars of money or property paid in for stock after December 31, 1940, the invested capital of a corporation will be increased by $125, thus substantially increasing the invested capital credit. It will be remembered that under the existing law the cost of plant and facilities necessary in the national defense may be amortized in as little as 3 years. The bill makes no change in this respect. In addition, it continues the allowance of 50 percent of borrowed capital to be treated as invested capital.

When it is considered that the pending tax bill, in conjunction with the rates under existing law, will impose a tax burden on corporations in excess of $4,000,000,000 a year, to which must be added State and local taxes, including the 3-percent pay-roll tax for unemployment compensation, it is my opinion we have gone as far as it is safe and wise to go in financing Government expenditures from that source. For years, notwithstanding the fact that some 30,000,000 are dependent upon agriculture for a livelihood, we have been an industrial Nation, and the domestic economy of our system of free enterprise has become virtually dependent upon full employment at decent wages in industry. In a Nation which each year produces an exportable surplus of foodstuff, we are properly committed to the program that no one who makes a reasonable effort to help himself shall go hungry. Consequently, in the depression period of recent years, the Federal Government has appropriated billions of dollars for the relief of the unemployed and primarily for those that would normally be employed in industry. A tax system that either discourages full employment in industry or makes that virtually impossible is economically unsound. As previously indicated, the tax rates in the pending bill are designed to be temporary. When defense spending has ended, it will be highly essential to lower them. But even in this period of vast spending for defense, the application of priorities will hurt a large number of small corporations, and certainly it cannot be claimed that a limit on venture capital of 4.6 percent before the application of wartime taxes is going to produce any wartime millionaires.

In the preparation of this tax bill it has been my privilege to hear many representatives of industry testify, to confer with them in my office, and to read the letters they have written me concerning their tax problems. Based upon those wide contacts with representative businessmen from all sections of the Nation, I can truthfully bear testimony to the fact that they are able, efficient beyond any similar group in any other nation, and also patriotic. They have not complained about paying taxes to finance the defense program, but merely have insisted that the method of levying them be made as fair and equitable as possible. And there can be no doubt about the fact that they have put their shoulder in a wholehearted way to the essential job of producing defense material, notwithstanding the fact that an unfair and unfairly administered Labor Relations Act has subjected some of them to grievous losses and expenses from which there has been no redress, and the further fact that the provisions of the wage and hour law penalize them in overtime wages for full production. I am not unmindful of the fact that the business and the financial interests of the Nation dominated the Government from 1920 until 1930 and did it in a selfish and shortsighted manner, but they have paid dearly for those mistakes. I am not unmindful of the fact that there are still some selfish and shortsighted industrialists who do not think the laborer is worthy of his hire and whose primary concern is social security for themselves. But they are the exception that proves the rule that the businessmen of this Nation are fair and honest and patriotic, and can be depended upon in this emergency to uphold the principles of American constitutional liberty. All that I ask is that all other groups in the country, including organized labor, join in this emergency with the industrial leaders of the country in placing the public welfare and our national security first. To do the job in hand, we need as never before unity of purpose and unity of action. President Roosevelt and the Chief of Staff of our Army have not exaggerated the danger that confronts us or the gravity of this emergency.

That it is Hitler's plan to dominate the world, including our own hemisphere, can no longer be successfully questioned. Nations which sought to purchase their peace by a program of appeasement were ruthlessly overrun and destroyed. Hitler recognizes nothing except superior force, and that, of necessity, must be our answer to him. The program involves sacrifice, of which this tax bill is but a part, and small in comparison with the sacrifice made by those in the armed forces, but I mistake the temper of the American people if I am not right in assuming they would prefer any voluntary sacrifice to living in slavery under a foreign dictator.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. OSMERS].

Mr. OSMERS. Mr. Chairman, America today is in great danger. There are varying opinions as to the extent of that danger in a military sense. There is absolutely no division with respect to the real danger that confronts our financial system, regardless of the outcome and future course of the present war.

Too often have democratic governments foundered on the rocks of financial insolvency. The road to fiscal ruin upon which we embarked in the early thirties is now being followed at an ever-increasing pace as huge debts pile upon mounting deficits. What lies ahead no one knows. A national debt of $150,000,000,000 or more is not beyond the realm of possibility. It is my honest conviction that the generations to follow will never even attempt to liquidate or carry

this impossible burden. It therefore becomes the duty of those of us in this generation who are charged with the responsibilities of government to face the financial facts of life and to begin on a course that will lead to solvency rather than ruin.

The committee has labored long and valiantly in framing this measure and in meeting the amount demanded of us by the Treasury Department. It can well be said of the committee and of the Treasury that their "sights have been too low." The fiscal year ahead will probably see the expenditure of $30,000,000,000 and total revenue, including the amounts to be raised by this bill, will aggregate about $13,000,000,000. A more fantastic or improper ratio is hard to imagine.

When we consider the real danger of inflation that we face, caused by a shortage of consumer goods and a rise in employment and wages, we certainly must prepare to take by taxes a larger share of the national income, if for no other reason than to check the already rising spiral.

This bill and our other tax laws will require direct payments in income taxes by only one earner out of six in the Nation. If we are to remain with a democratic form of government there must be a wider participation on the part of all of us in assuming the financial burdens of government. No wage earner, however small his income may be, should be relieved from contributing directly his mite in direct income taxes to the cost of government. Every American wage earner should pay an income tax so long as the present emergency exists. The myth of soaking the rich as a means of paying the costs of government has been so thoroughly exploded that we need not discuss it further.

Even with the present near confiscation of large incomes we are so far short of meeting our financial obligations that we must look to the great bulk of our citizens for their support.

There is contained in this bill a provision which would force a man and wife with separate incomes to file a joint return. This is not a bona fide proposal, instead it is a sly and tricky way of extorting huge tax payments from a group already more than heavily burdened. Those who have fought for the legal independence of women cannot but regard this proposal as a set-back that nullifies the work of many years. Why should we place a penalty on marriage? Why Congress should seek to destroy the financial independence of women through the medium of this tax bill is beyond comprehension.

When totals are considered, the amount to be raised by this provision pales into insignificance. So long as this compulsory joint return proposal is part of this bill it will not have my support.

The need for revenue from the widest possible number of citizens is so great in view of the cost of our defense program that we must not allow tax legislation to become punitive or oppressive on small groups within the population.

The fiscal needs of the Nation can best be met:

First. By strict economy in all nondefense activities.

Second. By including all wage earners as direct income-tax payers.

Third. By paying as large a portion of defense costs as possible now.

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, we are considering the biggest tax bill ever submitted to Congress at any time in the Nation's history. It is estimated that under its provisions, three and one-half billion dollars of additional revenue will be raised to help carry on the huge expenditures of our Government. Members of the Ways and Means Committee advise they have spent 4 months' time holding hearings and considering this measure. I am sure they have labored hard and long in an effort to provide an equitable distribution of the tax load which is being proposed. I think it is interesting to observe that just last week this House spent only about 4 hours considering an appropriation bill providing for the expenditure of $8,000,000,000—more than twice the amount of this bill.

Mr. Chairman, this is an important measure. I deem it extremely unfair and undemocratic to bring it to the floor of the House under what is known as the gag rule. The mere fact that such rule has been invoked on certain other occasions does not necessarily justify it here. Bills providing for the spending of money do not come up under such a rule.

This legislation is going to reach right down into the homes of the people of this country. It will affect more people, directly or indirectly, than any other tax bill we have had. We are representatives of the people. We ought to have the right, not only to discuss the measure, but to offer any amendments we believe to be for the best interests of our people and our country. The House, by a majority vote, should have the right to accept or reject amendments offered by its Members. As the situation stands, we shall vote for, or against the bill in its entirety. If we vote against the bill because of certain provisions we do not like—then we will have no additional tax legislation, and our mounting deficits will likewise be increased.

Mr. Chairman, I think it is important, too, that people who pay these taxes should understand rather definitely that with all the taxes that have been raised during the past year, including additional taxes provided a year ago—only a small amount has actually been paid on defense expenditures. The American people are patriotic. They want to do the thing that is fair and right. They want to pay the necessary expenses for the operation of the Government under which they live, and to meet any reasonable demands required to carry on the national-defense program.

At the close of our fiscal year just ended, we find our country with its greatest peacetime deficit, even though Treasury receipts for last year were the largest in history. We raised $7,600,000,000 in taxes last year. That is more than was provided any previous year, including the peak year of 1920. But, after Uncle Sam paid $6,662,000,000 for ordinary expenses of the Government, we had approximately $900,000,000 left to apply on defense expenditures. In other words, including the huge tax bill of last year, less than 11 percent was applied on defense. The other 89 percent went for regular expenses of government. The problem becomes more serious when it is observed that even larger amounts have been appropriated this year for nondefense expenditures than last year.

I have just suggested that our taxes last year were more than $7,000,000,000. Under this bill, it is proposed to increase the tax charge by one-half that amount, so our tax bill for next year will run about $11,000,000,000. It looks like a staggering load, but even then the entire amount, when collected, will only pay about half the amount we have already agreed to spend next year. Of course, this is because of the huge expenditures necessary for carrying on our defense program. As a matter of fact, the chairman of the Committee on Appropriations has told us that during the past 2 years we have either appropriated or agreed to expend approximately $50,000,000,000 for defenses, and the end is not yet in sight. The chairman of the Ways and Means Committee has advised we may expect additional tax bills, including the possibility of a general sales tax.

The people of this country want a strong, effective defense program. I believe they are willing, insofar as they can do so, to pay for it. But, Mr. Chairman, we are entitled to have a dollar's worth of value for every dollar expended for governmental as well as defense purposes. Let it be observed, also, that, while Congress appropriates the money, the spending is done through administrative channels. Time after time Members have pointed out the extravagant manner in which a great share of the funds are being used. The President has called upon the people of this country to sacrifice in support of our defense program. The least our Government can do is to see that these funds are judiciously expended and savings effected where possible in the interests of good government. The Secretary of the Treasury advised the Ways and Means Committee several weeks ago that after careful study he believed at least $1,000,000,000 could be saved in our nondefense appropriations. Not one thing has been done in an effort to save even part of that sum. As I just pointed out, nondefense expenses are greater than ever. On the occasions when some of our Members have tried to cut expenses where they would be least harmful, some bureau or organized group would oppose it.

Let it be understood that I am not in favor of cutting any expenditures that will in anywise injure our defense program, but I do say that large sums being spent for and in the name of national defense could be more wisely and judiciously used and expended.

Mr. Chairman, I believe that if this Congress would determine to do so, it could, without injury, save millions of

dollars that have been appropriated for nondefense expenses of our Government, and could also see to it that millions of dollars which have been appropriated for defense purposes could be more economically expended.

Let me give you a few specific instances of the manner in which the taxpayers' money has been expended in the name of national defense.

Our Government is now building a beautiful scenic highway across a half dozen Southern States which, when completed, will cost about $60,000,000. This highway, or parkway, as it was called, was begun about 4 years ago. It will be completed in about 3 or 4 more years. The last appropriation of $7,000,000 went through this House because it was suggested the highway was needed as a part of our defense program. It is well known to be only a scenic highway, winding through the mountains, and not suitable for military purposes.

Within the last few weeks this Congress authorized an expenditure of several million dollars for a dam somewhere in the State of Arizona. It was submitted on the ground that the project might be needed in connection with the defense program. When questioned, it was admitted the dam could not be completed and ready for use for about 4 years.

We are spending millions of dollars to erect big dams in the Northwest. They were started mostly from irrigation purposes. Now it is said we should spend more money on these and similar projects so they may be used for power in connection with the defense program. Now we have a group advocating what is known as the St. Lawrence seaway. Years ago it was advocated on the ground of commercial advantages. Now they say we should have it in order to defend ourselves against enemies about to enter our gates—and yet it cannot be completed for at least 4 years.

We have spent $7,000,000 in St. Louis for a Jefferson Memorial. The money is spent, and no memorial has been started. There would be nothing wrong with such a building if we could afford it—but $7,000,000 would buy a lot of much-needed equipment for our men in training camps.

Now, let me give you some further examples as to how some defense funds are being used. We have spent something over $800,000,000 for Army cantonments. An investigation as to costs was made under the able leadership of our distinguished Member the gentleman from Michigan [Mr. ENGEL]. It showed that because of extravagance and huge profits, $200,000,000 could have been saved in the construction of these Army camps.

Mr. Chairman, recently in a hearing before a Senate investigating committee, an official of the Todd Shipyard Corporation acknowledged his company's profits from Government ship repairs had ranged as high as 40 percent. He added that the profits made by his corporation did not compare with those made during the World War.

Mr. Chairman, just this week, the House within an hour's time agreed to spend $35,000,000 for a magnificent new building to house War Department officials and employees. This building is to be located across the Potomac River in Virginia. It was pointed out that it will cost as much as the Empire State Building in New York. It will be the Government's most expensive building, costing more than any Government building in Washington—3 times as much as the palatial Supreme Court Building. Why not erect a temporary building near the present site as first suggested, and save most of the $35,000,000 for airplanes, guns, and other equipment? Thirty-five million dollars would build about 150 bombers. It would build 750 pursuit planes. Furthermore, Mr. Chairman, just to show how some of this business is transacted, we are informed through the morning papers that the Budget Director has stated the plans for this magnificent building were submitted by the War Department without study either by his office or the Planning Commission, and only brief hearings on the project were conducted by the House committee. Furthermore Mr. Chairman, I believe it is hoped the increase in personnel is temporary and when reduced again, such a building will not be necessary.

Mr. Chairman, in view of world conditions, I am in favor of spending just as much money as necessary to carry on our defense program. I think we should arm, and "arm to the teeth." We should increase our Navy and provide our Army and air force with the best kind of modern equipment and do it just as promptly as possible. We ought to provide such defenses for our country that no nation would want to attack us, and we ought to see to it that our country gets rid of all kinds of subversive activities.

Mr. Chairman, we need a higher degree of cooperation and a better understanding of the seriousness of this situation among the people of this country. We must be more careful in the expenditure of the huge amounts appropriated, and see to it that the taxpayers' money is not wasted or used extravagantly.

Mr. Chairman, we are not in very good shape to ask the hundreds of thousands of boys to leave their homes and employment to serve in our armed forces and to sacrifice their lives if necessary, unless we are willing to forego personal benefits we might expect to receive from the huge Government expenditures. Above all things, we must create an atmosphere of unity and cooperation among our people, with the realization that in order to have an adequate defense program, it can only be accomplished by working together for the common good of all.

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ROLPH].

Mr. ROLPH. Mr. Chairman, representing the Fourth District of California, I urgently hope you will vote against the mandatory joint income-tax provision as called for in this bill.

The feeling in my district is unanimous. I have not received a single letter, telegram, or post card in favor of it.

Indicative of the widespread sentiment and typical of expressions received from scores and scores of individuals, groups, and organizations, I quote herewith a resolution adopted in San Francisco by the State Bar of California. It reads as follows:

Whereas the Federal Government, through the House of Representatives Ways and Means Committee, proposes to eliminate separate income-tax returns by husband and wife and to require joint returns; and

Whereas in the considered opinion of the board of governors such an act would prove to be illegal: Now, therefore, be it

Resolved, That the board of governors of the State Bar of California, vigorously opposes the proposed joint income-return amendment to the Federal income-tax law, and urges that the members of the California congressional delegation exert every means at their disposal to defeat this amendment and to maintain the practice of separate returns.

California feels the proposal is manifestly unfair. Our State is one of those having forward-looking progressive community property statutes. The wife is, in effect, an equal partner in all community holdings acquired after marriage.

With us, the title to community earnings, which include the earnings of the husband, and also those of the wife if she be employed, is by law vested equally in the husband and wife.

It is only right and proper that taxes should be levied with due consideration for the legal title to the income established by law.

It is manifestly unfair to tax a person for income that does not belong to that person and it seems unjust for the Federal Government to maintain said income belongs jointly to husband and wife, whereas, legally, each has a one-half interest in such income.

While everybody realizes under the National Defense Act taxes are bound to be heavy, still the added burden should be borne by all classes of society and the married couples should not be singled out to carry a heavier load than those who are not joined in wedlock.

This proposal is unfair and should be deleted from the bill. It is in no way a measure of national defense. As a matter of fact, it is a step backward and decidedly contrary to the traditional American policy of treating women on an absolute equality with men.

I earnestly hope it will be defeated in fairness to the womanhood of the Nation.

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, I appreciate the hour is very late, and I shall not detain you very long. You have heard a great many arguments for and against this tax bill. You have heard many statements made as to the wasteful extravagance of our Government at the present time. I want to dwell simply on that one feature, and, perhaps, on one angle of that feature of extravagance whereby we are again reducing our good friend, Uncle Sam, to his customary role of Uncle Sap. We have been lending a great deal of money to South America under what we are pleased to call our pan-American solidarity plan. We have loaned them money to purchase materials and equipment in this Nation and

in other nations, I presume, to put them back on their feet. Sometime ago, over my personal objection as well as the objection of many other Members of the House, we appropriated some $7,000,000,000 to a program known as the lease-lend bill, once again designed to pull Great Britain's chestnuts out of the fire. Great Britain has no particular love for us except for what she can get out of us. The initials A. E. F. will again stand this time, as they did the last time, for "After England Fails"—they call on the United States.

Under this lease-lend bill we are sending her a great deal of critical materials. In order to defend ourselves and build up our own preparedness and defense program in this country we have established priorities on certain strategic materials. I am not complaining about that for the purposes of this argument. I am not complaining about the fact that we are undergoing sacrifices on the eastern seaboard with respect to gasoline in order that Canada may advertise in the press and over the radio for American tourists to come to Canada where they have no gasoline shortage and warning them to keep out of the New England States where there is a gasoline shortage. But I have taken this time to complain about a fact that has just come to my attention, namely, that we are now shipping to Great Britain, if you please, American tin plate on which we have established priorities in this country, and, therefore, some of us have to go without it, because that is what priority means, and we are shipping England tin plate which we are giving to her under the lease-lend bill, and what is she doing with it? Using it for defense? Oh, yes; for the defense of her dollars and for the defense of her future world trade.

England, if you please, has taken that tin plate—American tin plate—down into Latin America, into the Argentine, and in one instance I know of is selling it to Argentina people at a price lower than American manufacturers can put that same tin plate in the Argentine. Thus you see we are on the one hand loaning money to the Argentine and the Latin-American countries to make better neighbors, to increase trade, and on the other hand we are sending tin plate to England which she in turn is using to undersell our market in Latin America, not only to continue her trade with Latin America, but to put America out of that trade. Therefore, do you not see that on the one hand we are taxing the American taxpayer in order to loan money to Latin America, and to give materials to Great Britain which we are denying ourselves, in order that Great Britain, in turn, can cut us out of the Latin American market and therefore ruin our American taxpayers? Is not that funny? Do you not see how the world goes round and round? Under our screwy, screwball deal we are making a sap out of Uncle Sam.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. Yes.

Mr. JOHNS. I am very much interested in that circle the gentleman speaks about, where we tax the people in this country to do certain things round and round.

Mr. BRADLEY of Michigan. I should be very glad to elaborate upon the gentleman's question, which he says I have indicated, to this extent: That the other day I talked to one of our Army pilots stationed at Wright Field, and he told me that the biggest trouble out there in furnishing airplanes under the Lend-Lease Act is that Great Britain insists that the planes we give her, if you please, must be equipped not with American equipment; oh, no, but that every time they get a chance they want to put a patented British article on the plane so that we can pay Great Britain's inventors for their article on planes that we give to Great Britain.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. WILLIAM T. PHEIFFER].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, although there are not very many Members of the House present at this late hour, nevertheless I feel that those who are here will be interested in hearing some facts about the actual spending of the taxpayers' money, facts that are shocking and astounding, facts which, had they been brought out at the time the appropriations were made, would certainly have resulted in the defeat of many of the appropriation bills that have been before the House in this session and in former sessions of Congress.

The bringing in of this enormous tax bill is a painful duty, which has been ably and conscientiously discharged by the Ways and Means Committee. It was a gigantic task. Although we may differ with the committee on the justness and practicality of various items of the bill, yet it must be unanimously conceded that the committeemen are entitled to unstinted praise for their sedulous and untiring effort, which is embodied in the 95 pages of this bill. It would be childish to say that we do not need increased tax revenue to bolster the economic structure of our Government against collapse under the heavy burden of the defense program. Likewise, although it is relevant and proper to bring into the light of high noon the facts concerning the lavish spending of the public's money during the past 8 years, which have impaled us on the horns of the present dilemma, that recital can only serve the salutary purpose of calling a halt to governmental extravagance. Every Member of the House can stand at this lectern from now until doomsday and decry the siphoning of billions of dollars from the United States Treasury to finance the follies and foibles which have characterized government under the first and second New Deals, and we could not recover one penny of the sixty-seven and one-half billions of dollars spent with such reckless abandon by the administration during the fiscal years 1933 through 1941.

It is all water over the dam. But we can render a vital service to the American people by posting warning signals against the continuance of the administration's policy of playing high, fast, and loose with the hard-earned money dutifully paid into the coffers of the Government by our taxpayers. We are prone to forget the wise and incontrovertible statement made by the Supreme Court of the United States in a memorable decision rendered many years ago, that the power to tax is the power to destroy. If there was ever a patient who needed to have his ills cured, it is our old friend, John Q. Taxpayer, who, for the past decade, has docilely submitted to a series of emasculating operations by 48 State doctors, as well as by our senior surgeon, Uncle Sam. At the present rate of tax legislation, there will soon be little left of the body on which the surgeons may operate.

In my remarks on the floor of the House on June 10, 1941, I cited specific instances of current extravagance in nondefense expenditures, despite the positive assurance given the country by the President, in his message personally delivered to the Congress on January 6, 1941, that such expenditures would be cut to the limit. I then told the House of a recently approved project for the compiling of certain data pertaining to the censuses of 1880 through 1930, at a cost to the taxpayers of $1,680,321. Also, the project for the salvaging, indexing, and microfilming of the records of discontinued Federal relief programs in New York City at a cost of $700,356. And there were others. Since then several more beauties in this line have come to my attention. What do you think of this one, right hot off the stencilling machine, under date of day before yesterday?

I have here a notification of a project approval issued by the Works Projects Administration, to the tune of $1,903,927, and here is what it is for: That money is to be expended to assist in organizing and operating library services for public libraries and to assist public museums. The work includes creating, restoring, installing, and controlling museum exhibits; extending educational facilities by conducting research work in connection with the preparation of exhibits and dioramas, and assisting in the care and propagation of experimental plants and cultures; preparing bibliographies in connection with museum activities, and so forth.

Here is another one that was approved on June 22, 1941, for the sum of $367,942; to prepare, compute, transcribe, check, and reproduce a series of mathematical tables necessary in various branches of astronomy, mathematics, physics, and engineering. Here is another prize defense contract approved June 13, 1941, which involves the payment by the taxpayers of the sum of $374,999 for which they will be favored with inventories of books, pamphlets, and broadsides printed in the United States and its territorial possessions prior to January 1, 1891, and other indispensable and breath-taking data of a similar stripe. I do not have sufficient time to delineate the several other examples of reckless and absurd nondefense spending I have on hand this afternoon. Suffice it to say that they also involve staggering sums, and they are on a plane with the three projects just delineated.

If any man thinks that the American taxpayers will continue indefinitely to

toil and slave and sacrifice to accumulate money to pay for these superboondoggling projects, particularly at a time when we are in such vital need of guns and armaments, planes and tanks, that man is due to have a rude awakening. One of these fine days the taxpayers are going to rear up on their hind legs and quite convincingly say to the prodigal tycoons of the New Deal: "Lay off, Macduff, or give us value received for our tax money—because dollar bills do not grow on berry bushes."

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield.

Mr. HOFFMAN. Just how long are we of the minority party going to vote for these appropriation bills calling for three, eight, nine, or whatever billion it may be? That is what I would like to know.

Mr. WILLIAM T. PHEIFFER. I will say to the gentleman from Michigan I believe his voting record is about parallel with my own. I have vigorously fought against these appropriation bills where it was apparent there was water in them for these very purposes. But, as I have said before, our efforts in that respect often remind me of what Matthew Arnold said about the poet Shelley. You will remember that he described Shelley as a beautiful, ineffectual angel beating in the void his luminous wings in vain.

It is all well and good to say that you cannot take a dollar out of the Treasury of the United States until it is appropriated, yet we appropriate these vast sums of money and that is the last we hear of them until we find that a great deal of the money is being used for projects of the nature I have just described.

Mr. HOFFMAN. If the gentleman will pardon me for one more observation, I voted against many of the relief appropriations, but then the defense program came along, and I have voted for every one of them. We all realize that there must be an end to that. We have appropriated today more money than the administration can spend to advantage. How long are we as a Republican organization on this side going to go along? That is the same question I asked the Republicans the other night, if you will recall—how long are we going along and vote for everything the Democrats bring in here? Are we ever going to wake up and oppose some of these appropriations? I would like to know.

Mr. WILLIAM T. PHEIFFER. My answer to the gentleman, of course, cannot in any way be enlightening because I do not know. It would take a much wiser man than myself and 10 Solomons to answer that question.

Mr. HOFFMAN. But what are you and I going to do about it? Are we going to continue to vote for $8,000,000,000, or whatever they ask for on that side, just because they label it "national defense"?

Mr. WILLIAM T. PHEIFFER. I will say to my colleague that the only thing we can do is to keep on pounding away at this thing with the hope that someday our good friends on the Democratic side will see the light and agree with us that there should be no center aisle when it comes to spending the taxpayers' money sparingly and to the best possible advantage.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield.

Mr. DITTER. I cannot help but answer my friend from Michigan by reminding him that there are Republican members on the Appropriations Committee, and that a considerable amount of reductions are made by the Republican members on appropriation committees long before the bills come to the floor of the House. So that the Republican Party is not unmindful of the excesses in spending that have been advocated by the administration.

Mr. WILLIAM T. PHEIFFER. I thank the gentleman from Pennsylvania for his valuable contribution.

I am sorry I cannot yield further, because I only have a few minutes remaining, and I have something here that should be pointedly called to the attention of the Congress. It is startling proof of the fact that a great deal of the money which we appropriated for the use of the Office of Emergency Management and the War Department for the building of an unassailable defense for our country is being used to pay for frills and furbelows that have not the slightest relation to national defense.

Here in Washington at the R. K. O. Theater this week there is a magnificent moving picture being run under the title of "Aluminum." According to the caption, that picture was produced by the film unit of the O. E. M. In the name of common sense, what good purpose does the film unit of O. E. M. serve? Does it not induce a disagreeable nostalgia for the fabulous days of the first New Deal, when every socialistic experiment was implemented with a film unit and a troop of cameramen?

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. WILLIAM T. PHEIFFER. I thank the gentleman from Massachusetts. Last Monday morning I requested the Office of Emergency Management to advise me the cost of the moving picture, Aluminum, and the cost of any other pictures produced or in production by the film unit. I have just this afternoon received a letter from O. E. M. saying that that picture cost the Government of the United States $2,000 and that the film unit of O. E. M. now has in production a short on defense housing and one on aircraft manufacture, each to cost approximately $2,000, and then some shorter pictures at costs from $500 to $1,500. The statement in the letter that "These pictures are paid for out of funds appropriated for this purpose by the Congress" should cause us to weep.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. I yield.

Mr. BRADLEY of Michigan. How long is that motion picture to which the gentleman referred?

Mr. WILLIAM T. PHEIFFER. I dare say it requires about 10 or 12 minutes to show it.

Mr. BRADLEY of Michigan. Then it would be about a 2,000-foot picture, and you cannot produce them for less than $1 a foot. I was in that business myself for 20 years, and I know. I challenge their figure of $2,000.

Mr. WILLIAM T. PHEIFFER. If the gentleman is questioning the figures as given me by the O. E. M.——

Mr. BRADLEY of Michigan. I challenge their figures.

Mr. WILLIAM T. PHEIFFER. I understand the gentleman is challenging their figures, but those are the figures they have given me. I know nothing about the mechanics of the moving-picture industry and I bow to the gentleman's judgment on that matter.

Do you know that the War Department, the entire functions of which should be the training of troops and the mapping of defense strategy, has set up a Speakers Bureau and a Bureau of Public Relations? This morning's Washington Post conveyed the enlightening news that an estimable and accomplished lady from my old home State of Texas has been brought here to serve as women's editor in the Bureau of Public Relations of the War Department. I have no idea of the cost to the taxpayers of these extracurricular activities of the War Department. However, I believe I am on safe ground in saying that the Congress had no intention of appropriating defense funds for such purposes.

Mr. Chairman, I am sure that the attempts apparently being made in some quarters to use the defense program as a vehicle for unsound experiments in the field of government, and the festooning of defense activities with propaganda and ballyhoo, are repugnant to every fair-minded Member of the Congress. Let us keep faith with the taxpayers by insisting that every dollar heretofore, and hereafter, appropriated for the defense of our great Nation be used for that purpose, and for none other.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. CASE] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, section 557 of the revenue bill of 1941 imposes an annual special tax on persons engaged in the business of furnishing billboards for purposes of outdoor advertising. The special tax is a flat tax based on the number of billboards maintained during the tax year and the rate varies in accordance with the size of the billboard and the number controlled, but not in accord with the income.

I have received a number of telegrams and letters from outdoor advertising firms in South Dakota protesting against the unfairness of this tax base on the grounds that it is discriminatory and confiscatory. The nature of the discrimination is brought out by these excerpts.

Mr. Herbert Fish of Aberdeen, S. Dak., writes—

That $5 per board per year is just about what I make out of my business to live on. To the outdoor advertising interests in the

east it is chicken feed. I can get only $7.75 per board for advertising out in South Dakota, while the eastern boys get up into the thousands for some of them. Why I have to pay as much tax as they do, and get one-tenth as much revenue is not understandable. If they want to go about it fairly (Lord knows I will pay and pay until it hurts) why not tax all advertising? And why not do it on a net, gross, or any basis for that matter, except such a discriminating basis as $5 a billboard.

Mr. William B. Baker, of Rapid City, S. Dak., points out in a wire that the proposed tax—

would entirely confiscate the profits from my outdoor advertising business on which I depend for a livelihood. The tax appears to be confiscatory and patently discriminatory.

Other letters and telegrams have been received which protest not so much against the tax as against the discriminatory feature of the tax basis. Surely some other basis could be worked out which would not be so discriminatory and confiscatory against the small outdoor advertising firms in the Midwest. The tax paid should bear some relation to the profit or net income involved.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, I am profoundly impressed and inspired by this splendid audience. What it lacks in quantity it certainly makes up in quality.

Mr. Chairman, startling statements by the President have ceased to be a surprise to the American people. The exceptional can become commonplace if repeated often enough. Someone has said that we can actually become accustomed to hanging.

I confess, however, Mr. Chairman, that an observation made by the President in his Budget message took me completely by surprise. It was a comparison which I must admit I had never expected to have drawn. It was as far-flung as the now famous four freedoms. It embraced everything everywhere. I refer, Mr. Chairman, to the President's statement that "our tax burden is still moderate compared to that of most other countries."

This indeed is a new approach to a sore subject. Apparently our people are to be happy because we have not as yet excelled in tax burdens. The approach is certainly original and unique. But I have serious doubts as to its palliative value. Certainly the idea of moderation is remote when we realize that the revenue measure now before us is the heaviest tax load ever saddled on the shoulders of the American people. To attempt to make attractive the sweat, which the President in 1932 said produced our taxes by comparing our tax burden with the load carried by other countries, will hardly be successful with those who will be required to do the sweating under the terms of this bill.

The comparison impressed me when I first heard it. Since then I have read it and reread it, trying to find some reason or some explanation which would justify a comparison between our tax needs and those of other countries. Of course, I realize that the administration has taken delight in superlatives. The greatest spending program, the largest relief program, the easiest work program have become familiar slogans. Moderation has not been an outstanding characteristic of the words or of the deeds of the administration. Excesses have been the example. Have we reached the point where, as a result of the reckless abandon of the last 8 years, we must contemplate an effort to excel in taxation? I would be loath to entertain such a conclusion.

As distressing, however, as the comparison itself may be, Mr. Chairman, the implication of the word "still" is even more disturbing. That word "still" is forceful. But, unfortunately, it is also foreboding. I am afraid that it augurs ill for the future. I fail to find much hope in it. That the patient is still breathing is a note of despair. With a storm raging, the message that the ship is still afloat will not allay the fear of those who know of the danger. Is the administration fearful that the day of boasted moderation is about to pass and that the time is at hand when we will set the pace in taxation? As I examine the tax bill now before the House, as I contemplate the demands which the administration has indicated it will make in the immediate future, as I recall the experiences of the last 8 years, I must admit, Mr. Chairman, the word "still" is neither comforting nor consoling. It reminds me of the optimism of the fellow who fell out of a twentieth-story window of a skyscraper in New York and who insisted as he passed some spectators at a window on the third floor, "I'm still all right."

I find it difficult, Mr. Chairman, to get away from the comparison itself, despite the gloomy prospect implied by the word "still." I am confronted continually by the problem of the need of any comparison. Why should the tax burden placed as a yoke upon other countries be a measuring rod for that which is imposed upon our taxpayers? Is the comparison intended as a justification for these new levies? Or for the former impositions? Or for the fiscal policies of these past years which have brought us to our present sorry plight? Is it an attempted antidote, anesthetic, alleviative, or stimulant? Whatever the purpose of the comparison, one thing is crystal clear—there would have been no need for it had "prudence" rather than "improvidence" been the watchword during the last decade.

At this time an effort is being made by the administration to label the bill before us a defense-tax measure. I am not unmindful of the demands made upon the Government as a result of the expansion of our national defense. Insofar as those needs are honestly, wisely, and competently provided for, I give them absolute support. But the fact of the matter is the expansion program could have been cared for, without resorting at this time to a measure such as this, had the repeated warnings of the past few years been heeded. The administration has thrown care and caution to the winds. Soothsaying and magic have been substituted for common sense in fiscal affairs. Here in the House the majority, despite the warnings and protests of the minority, has approved and supported the measures which have edged us closer and closer to financial disaster. Under the whip of the administration a subservient majority has been the handy tool of a designing band of economic theorists who have cast aside restraints of all kinds in their experimental economics. Make no mistake about it, the pathway of profligacy could not have been pursued had not the majority suggested the original step and had it not urged the successive steps which were taken long before the defense program was inaugurated. Spending ourselves into prosperity was the order of the day in the majority ranks. From all appearances it continues to be the order of the day. That is the tragedy of it. And every taxpayer in the country should know it.

Much has been made of the claim that these enormous expenditures were necessary. I have seen the breast-beating about human needs. I have heard the loud lamentations. I have witnessed the crocodile tears. But, I submit, Mr. Chairman, these human needs could have been cared for completely without resorting to the extravagance and wastefulness which have made the professions of righteousness appear pharisaical when the practices are observed. To a large degree the course which has been followed has not been determined by need so much as it has been decided upon by the adoption of the false philosophy that a prosperous people must be a profligate people. Putting off the pay day does not pay the debt. A government that disregards its own stability can give no real security to any of its people. Security must be more substantial than fulsome phrases.

Despite repeated promises and recurring assurances that economy in government would be practiced, wastefulness and extravagance have continued unabated. I have seen no sign whatever, Mr. Chairman, that spending has been discouraged by the executive branch of the Government. For that matter, I have seen little evidence of it from the majority side here in the House. Excuses have been found for the expansion of activities which have made additional expenditures inevitable. As I see it, Mr. Chairman, until a change is made—a change in fundamental philosophy—there can be no hope of avoiding excessive tax burdens. And so long as the policies which have been adopted by the administration are persisted in, the ominous threat of the word "still" will continue to hang over the heads of the American people.

I do not intend to discuss in detail the many provisions of the bill. One feature, however, a distinct departure from established precedent, and a change which I believe to be a most dangerous one, cannot be ignored. I refer to the compulsory joint-return provision.

In 1934 the Secretary of the Treasury, Mr. Morgenthau, first suggested the possibility of including in the revenue law a provision requiring husbands and wives to file joint income returns. While the

proposal was abandoned at that time, the original sponsorship came from the administration.

We have come to a sorry pass indeed, Mr. Chairman, if a tax on marriage is a necessary part of our revenue program. After all, that is just what this proposal amounts to. This indeed is an indictment of the administration's fiscal policies which will be difficult for the most devoted new dealer to answer. It has been suggested that the proposal will only affect those taxpayers in the upper brackets and that the objection is based solely on the protests of wealthy citizens. No more unsound assertion could be made. It cannot be forgotten that the word "still" is ever before us. Common sense tells us that if the proposal affects the larger taxpayers at this time, in due course it will reach down to the home of the most humble family, to the family where an industrious wife contributes by her toil to the maintenance of the family, and where the joint efforts of husband and wife provide for the children a prospect for the future not otherwise attainable. This proposal is the opening wedge—to compel the payment of a greater tax by husband and wife, irrespective of their station in life or their ability to pay.

This is a direct reversal of our normal and accepted policy toward marriage as exemplified in the income-tax laws for more than 25 years. We have always granted larger personal exemptions to married persons than to single persons. In addition we have always allowed exemptions for children and for dependents, but now these allowances and exemptions will be made meaningless because the added tax burden on a husband and wife in all likelihood will be much greater than the tax savings that would result from the personal income exemptions of married persons and the allowances for dependents. Under the plea of a defense emergency, we are being urged to abandon a long-established principle of our income-tax law without considering the merits upon which that principle has been founded. I personally doubt whether there are any couples that will fail to marry because of the added tax burden that will result if this provision of this bill should be enacted. But it certainly does seem illogical to place upon such couples an added burden because they did marry.

I am opposed to this provision of the tax bill because it tends essentially to destroy the equality between men and women and the independence of married women from the domination of their husbands. Such equality and independence has been won only as a consequence of a long struggle. We all know that under the common law a wife had no effective property rights apart from her husband. She was thus brought into a state of subjugation—under the domination and control of her husband.

For more than a century in this country women have been struggling to secure equality of treatment so far as their property rights go. Mississippi in 1839 was the first State of the Union to free women from the tutelage and control of their husbands relative to the control of their property. New York, Indiana, and Pennsylvania followed that fine example in 1848, and California and Wisconsin did likewise 2 years later. By the end of the nineteenth century in at least three-fourths of the States the wife could own and control her own property apart from her husband; and in at least two-thirds of the States she could possess at least her own earnings. Of course, during the past 40 years much additional legislation removing discriminations has been passed. One of the main reasons why women were so insistent on their right to the franchise was to terminate this discrimination against women that existed in the law, and after the adoption of the nineteenth amendment by the United States, women's organizations have been devoting their energies through the newly won franchise to removing the other continuing inequalities that exist against women. Thus from 1920 to 1940, there were at least 159 State legislative enactments removing legal discriminations against women in 46 States, the District of Columbia, and Hawaii. Twenty-seven of these amendments passed in 14 States dealt with property rights.

It seems obvious that if a joint return is required of a husband and of a wife upon which the tax of the husband and the wife are assessed on the basis of their income, then thereby the equality and independence of women are decreased; because there is being imposed upon the property of the wife a tax that is not solely based upon her property or income but upon the property or income of husband and wife considered together.

The effect of such a provision is to endanger the position and rights that married women have achieved after a long struggle. A woman, because she was married, would have to pay a higher income tax, as would her husband also. Compulsory joint returns is a backward move toward the old view of women as chattels. Slowly women have gained certain rights, including the right to earn a living, to dispose of their own income, and the right to pay their own taxes. This provision of the bill would deprive married women of the right to pay their own taxes. This, then, is a step toward subjugation and away from equality.

Most of the States that have granted equality to women relative to property have done so through granting them the full and unlimited right to hold and control their private property and to maintain title to their own earnings and income. But some eight or nine States in the South and West that have civil-law antecedents utilize the institution of community property. The property and earnings of husband and wife are considered as the community property of the two and are apparently divided equally between them; each is subject to individual taxation on his or her part. A number of persons supporting joint returns for husband and wife are very anxious to attack the institution of community property because it has resulted in the minimizing of taxes for married couples in such States, and such minimizing of taxes did not exist in States that did not have community-property laws. But the greater part of the increased taxes that will result from joint returns will not come from the eight or nine community-property States, but it will come from States that do not have such laws—New York, Massachusetts, Illinois, and a few others. Thus these people who are interested in attacking the community-property States will be placing a greater burden upon those States that do not have such laws than upon the States that do have community-property laws.

The compulsory joint income-tax return of husband and wife is unconstitutional. In 1931, in the case of *Hoeper* v. *Tax Commission of Wisconsin* (284 U. S. 206), the United States Supreme Court held unconstitutional a Wisconsin statute that required the income of husband and wife be added together and taxed accordingly as a unit. Although, under the Wisconsin law a man and wife living together could file joint returns or individual returns, the statute provided that "in either case the tax shall be computed on the combined average taxable income." The Supreme Court of Wisconsin held the act to be constitutional, but an appeal brought by Hoeper in the United States Supreme Court reversed the decision. According to the United States Supreme Court, the real question in this case was—

> Since then, in law and in fact, the wife's income is in the fullest degree her separate property and in no sense that of her husband, the question presented is whether the State has power by an income-tax law to measure his tax, not by his own income but, in part, by that of another.

The Supreme Court then went on to say—

> The appellant says that what the State has done is to assess and collect from him a tax based in part upon the income received by his wife and that such action is arbitrary and discriminatory and consequently violative of the constitutional guaranties.

The Supreme Court supported this contention, saying—

> That which is not in fact the taxpayer's income cannot be made such by calling it income.

The claim was advanced by the State of Wisconsin that the law was actually "a regulation of marriage" to which the Supreme Court replied:

> It can hardly be claimed that a mere difference in social relations so alters the taxable status of one receiving income as to justify a different measure for the tax. * * * Arbitrary and discriminatory provisions contained in it cannot be justified by calling them special regulations of the persons or relationships which are the object of the discrimination. * * * The exaction is arbitrary and is a denial of due process.

The Supreme Court held this tax on one person's income as measured in part by the income of another person was a denial of property without due process of law under the fourteenth amendment. Now the Supreme Court held in *Heiner* v. *Donnan* (285 U. S. 312):

> Nor is it material that the fourteenth amendment was involved in the Heiner case instead of the fifth amendment as here.

The restraint imposed upon legislation by the due process clauses of the two amendments is the same.

Therefore it would appear that the decision in the Hoeper case would be governing relative to this provision of the present tax bill, and that this statute would be unconstitutional.

Mr. Chairman, try as I will, I cannot dismiss the President's palliative, "our tax burden is still moderate compared to that of most other countries."

As a frugal and industrious people adjust themselves to the serious task of making themselves secure in a world of conflict and disorder, something more assuring and more satisfying will be necessary than an odious comparison to spur them on to toil and sacrifice for the general welfare.

Mr. DOUGHTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and, the Speaker having resumed the chair, Mr. WILLIAMS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 5417) had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. DINGELL. Mr. Speaker, on behalf of the gentleman from West Virginia [Mr. RANDOLPH] I ask unanimous consent that he may extend his own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. DITTER asked and was given permission to extend his own remarks in the RECORD.)

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BRADLEY] may revise and extend his remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. BOYKIN] may extend his own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that I may extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, supplementing the request submitted on my behalf by my colleague the gentleman from Michigan [Mr. CRAWFORD] I ask unanimous consent that I may include in those remarks a letter written by John B. Trevor to the board of directors of the American Coalition.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under the previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

WHO BETRAYS THE NATION: LINDBERGH, A DISTINGUISHED STATESMAN, THE INTERVENTIONISTS, OR THE PRESIDENT AND THOSE WHO WOULD LEAD US INTO WAR?

Mr. HOFFMAN. Mr. Speaker, who deceives the people? Who betrays the Nation? Those who abide by the promises which were so solemnly made and who would continue at peace, prepare by the exertion of every possible force for an adequate national defense, or those who would lead us into a war for which all will admit we are unprepared? If names are to be called, let those names be called in public and let the facts be narrated which show the truthfulness or the untruthfulness of the appellation.

We need no proof to substantiate the statement that we are not prepared to send another A. E. F. to Europe. Time and again figures have been given showing the hopelessness of the landing and the maintenance of an American army in Europe, in Africa, or in China.

Nor can it be denied that it is the purpose of some in these United States to send such a force to Europe, where it will undoubtedly meet disaster.

On July 4, last, the United Press contained this statement:

> Gen. Sir Archibald P. Wavell, British commander in chief in the Middle East, was quoted as follows in an interview at Cairo with Harold Denny, of the New York Times: "Can you win the war without America's full-scale participation?" General Wavell answered with a slow shake of his head, then he said, "We shall have to have airplanes, tanks, munitions, transport, and finally men."
>
> "When?
>
> "The sooner the better," was the reply, "but that depends on when you are ready, doesn't it? I suppose when you get into all-out production you will be able to equip any number of men for anywhere in the world."

On July 7 the United Press contained the following statement:

> Lt. Gen. Sir Claude Auchinleck, new British Middle East commander, said today that American manpower eventually would be just as necessary "to win the war properly" as it was in the World War.

We have been told by General Marshall that an American force of 1,700,000 men was adequate to defend this Nation. We now have in service 1,400,000 men, and subject to call something like 900,000 more. If all the men who entered service were discharged at the end of the year's service, which it was said would be the extent of time they would be required to give, and the new men taken in, we would still have more men in the armed forces of the United States than General Marshall said were necessary for national defense.

The truth of the matter is that the President of the United States violated his solemn promise. In utter disregard of his oath of office, he is now, and for some time past has been, making war without a declaration of war, which only the Congress has the right to make.

The President is the man who has violated his promises. The President is the man who has violated his oath of office in that he exceeds his constitutional power. The President is the man who is usurping the powers of Congress. The President is the man who is betraying the American people by creating a situation and then asking and obtaining from Congress authority to extricate himself from the dilemma in which he has involved himself.

The President is the man who is willing to gamble with the lives of a million or more young men.

Some day this war will be ended. It will be ended by the making of a proposal of one country, their acceptance by another, or by a compromise, or, if you please, a negotiated peace. There is no reason why, if American soldiers and sailors are to be sent to fight by the side of British and Russian soldiers and sailors, the American people should not know, and know now on what terms the fight may end.

There is no reason why the German people, and it is my understanding that Hess has already made the statement of terms of the German people, should not propose the terms on which they will end the war.

There is no reason why Churchill should not tell us when he and England will be willing to end the war. If the answer of Churchill be that the war will end only when Hitler is destroyed, will he tell us whether he means that Hitler must abdicate or that he must be executed, and if he does, then what form of government he proposes to impose upon the German people, and will he tell us, if after Hitler and the military leadership of Germany are destroyed, how Germany is to be governed, and by whom, and what the cost of such a government will be, and how much of that cost is to be borne by the American people?

Will he tell us how much in dollars and cents America is to contribute to the success of his plan and how many American lives are to be sacrificed in the exercising of that plan?

In short, if we are to fight, let us know the objective of that fight so that when they have attained it, we may know that the war should be over.

If, on the other hand, we are to fight merely for the sake of fighting, so that munition makers and shipbuilders and international bankers may become wealthy, may enrich themselves, then let us know that.

No; those who advocate remaining at peace, those who speak for national defense, those who believe in preparedness rather than in a war of aggression are not the betrayers of our people or Nation. Those who would lead us into a war for which we are not prepared are the ones who would destroy the people's government, your government and mine.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on tomorrow, after the conclusion of the legislative program for the day and any other special orders that may have been entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT

Mr. DOUGHTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned until tomorrow, Friday, August 1, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Friday, August 1, 1941, in the caucus room for consideration of House Resolution 209.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will start hearings in room 346, old House Office Building, on Wednesday, August 6, 1941, at 10:30 a. m., on H. R. 5234, to amend the Judicial Code in respect to the jurisdiction of the Court of Claims in certain cases. (Mr. SUMNERS of Texas.)

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

803. A letter from the Under Secretary of Agriculture, transmitting a draft of a proposed bill for the relief of Miss Nell Mahoney, junior clerk-typist, Farm Security Administration, Crockett, Tex.; to the Committee on Claims.

804. A letter from the Under Secretary of Agriculture, transmitting a draft of a proposed bill to enable the Secretary of Agriculture to obtain and administer patents for the best interest of the public, and for other purposes; to the Committee on Patents.

805. A letter from the Secretary of War and the Secretary of the Navy, transmitting a draft of a proposed joint resolution to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes; to the Committee on Ways and Means.

806. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 29, 1941, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Galena River (Fever River), Ill. and Wis., authorized by the Flood Control Act approved August 28, 1937 (H. Doc. No. 336); to the Committee on Flood Control and ordered to be printed, with an illustration.

807. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 2, 1941, submitting a report, together with accompanying papers and an illustration on reexamination of Ashland Harbor, Wis., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 19, 1940 (H. Doc. No. 337); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

808. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 29, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of Housatonic River, Conn., Mass., and N. Y., requested by resolution of the Committee on Flood Control, House of Representatives, adopted April 2, 1936 (H. Doc. No. 338); to the Committee on Flood Control and ordered to be printed, with two illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON of Georgia: Committee on Naval Affairs. S. 353. An act to provide for the extension of enlistments in the Navy; with amendment (Rept. No. 1082). Referred to the Committee of the Whole House on the state of the Union.

Mr. JARMAN: Committee on Printing. House Joint Resolution 196. Joint resolution authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents; without amendment (Rept. No. 1083). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FOGARTY: Committee on Claims. H. R. 1371. A bill for the relief of Burl Treadgill and Helen Treadgill; with amendment (Rept. No. 1084). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 2379. A bill for the relief of Mary, Ethel, and Richard Farrell; with amendment (Rept. No. 1085). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 2780. A bill for the relief of O. C. Ousley; without amendment (Rept. No. 1086). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 2864. A bill for the compensation of Edwin Fairfax Naulty and Leslie Fairfax Naulty; with amendment (Rept. No. 1087). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 4010. A bill for the relief of Thelma Carringer; with amendment (Rept. No. 1088). Referred to the Committee of the Whole House.

Mr. DIMOND: Committee on Claims. H. R. 4062. A bill for the relief of Alta Ledgerwood; without amendment (Rept. No. 1089). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 4415. A bill for the relief of the Macon County Art Co.; with amendment (Rept. No. 1090). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 4503. A bill for the relief of Hattie Dillion; with amendment (Rept. No. 1091). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 4514. A bill for the relief of Samuel J. D. Marshall; with amendment (Rept. No. 1092). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 4879. A bill conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon the claims of J. A. Sandell and Frances Sandell, his wife; with amendment (Rept. No. 1093). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 5021. A bill for the relief of Capt. Alex Papana; without amendment (Rept. No. 1094). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 5038. A bill for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor; without amendment (Rept. No. 1095). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 5104. A bill to authorize the Secretary of the Interior to pay certain claims of employees of the Bureau of Reclamation arising out of loss of tools deposited in a warehouse and shop building maintained by the Bureau of Reclamation at Parker Dam, Ariz., destroyed by fire; without amendment (Rept. No. 1096). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 5223. A bill for the relief of Reginald H. Carter, Jr.; with amendment (Rept. No. 1097). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 5225. A bill for the relief of Susannah Sanchez; with amendment (Rept. No. 1098). Referred to the Committee of the Whole House.

Mr. FOGARTY: Committee on Claims. H. R. 5280. A bill for the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes; without amendment (Rept. No. 1099). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5291. A bill for the relief of Helen Rauch and Max Rauch; without amendment (Rept. No. 1100). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. S. 1228. An act for the relief of Mrs. A. B. Tanner; without amendment (Rept. No. 1101). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. S. 1426. An act for the relief of Otis Thompson; with amendment (Rept. No. 1102). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 1944. A bill for the relief of certain Basque aliens; without amendment (Rept. No. 1103). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BLAND:

H. R. 5456. A bill to provide for a preliminary examination and survey of Bonum Creek, Westmoreland County, Va., and the channel connecting with the Potomac River; to the Committee on Rivers and Harbors.

By Mr. D'ALESANDRO:

H. R. 5457. A bill to amend the act of March 16, 1926, providing for a Board of Public Welfare in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. GREEN:

H. R. 5458. A bill to amend the Organic Act of Alaska; to the Committee on the Territories.

By Mr. LANHAM:

H. R. 5459. A bill to permit seeing-eye dogs to enter Government buildings when accom-

panied by their blind masters, and for other purposes; to the Committee on Public Buildings and Grounds.

H. R. 5460 (by request). A bill to provide for the construction, equipment, and furnishing of a building for Federal courts in the District of Columbia; to the Committee on Public Buildings and Grounds.

H. R. 5461. A bill to provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of certain international conventions, and for other purposes; to the Committee on Patents.

By Mr. SMITH of Washington:

H. R. 5462. A bill authorizing the erection of a memorial statue to the veterans of the Spanish-American War, the Philippine Insurrection, and the Boxer Relief Expedition; to the Committee on the Library.

By Mr. VINSON of Georgia:

H. R. 5463. A bill providing for the security of United States naval vessels, and for other purposes; to the Committee on Naval Affairs.

H. R. 5464. A bill to authorize transfer of enlisted men of the Naval and Marine Corps Reserve to the Regular Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. CELLER:

H. R. 5465. A bill to repeal the Neutrality Act; to the Committee on Foreign Affairs.

By Mrs. BOLTON:

H. R. 5466. A bill to correct the naval record of former members of the crews of the revenue cutters *Algonquin* and *Onondaga*; to the Committee on Naval Affairs.

By Mr. CROSSER:

H. R. 5467. A bill to correct the naval record of former members of the crews of the revenue cutters *Algonquin* and *Onondaga*; to the Committee on Naval Affairs.

By Mr. SHANLEY:

H. Res. 283. Resolution providing for the preservation of Austrian sovereignty; to the Committee on Foreign Affairs.

By Mr. VINSON of Georgia:

H. Res. 284. Resolution providing for the consideration of S. 253, to provide for the extension of enlistments in the Navy; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRYSON:

H. R. 5468. A bill for the relief of J. Furman Richardson; to the Committee on Claims.

By Mr. MARCANTONIO:

H. R. 5469. A bill for the relief of Jose Perez and Dolores Perez; to the Committee on Immigration and Naturalization.

H. R. 5470. A bill for the relief of Henrietta Vendemmia; to the committee on Immigration and Naturalization.

By Mr. O'NEAL:

H. R. 5471. A bill granting an increase of pension to Isabel F. Easum; to the Committee on Invalid Pensions.

By Mr. ROCKEFELLER:

H. R. 5472. A bill for the relief of Bernard J. McBride; to the Committee on Claims.

By Mr. BARRY:

H. R. 5473. A bill for the relief of Allene Ruhlman and John P. Ruhlman; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1714. By Mr. GRAHAM: Petition of 78 residents of Beaver County, Pa., urging the enactment of Senate bill 860 as a contribution to a wholesome defense program and a reenactment of legislation similar to that of 1917 and so give to the young men of 1941 the protection their fathers had in 1917; to the Committee on Military Affairs.

1715. By Mr. KRAMER: Resolution of the Los Angeles County Mechanic Arts Association, composed of industrial and vocational arts teachers in Los Angeles County, urging that national legislators exert every effort to offset the activities of groups that would tend to jeopardize educational activity through the unwarranted cutting of school budgets; to the Committee on Education.

1716. By Mr. MERRITT: Resolution of the Queens Chamber of Commerce, New York, that when Congress considers sugar legislation in 1941 it maintain, without modification, the present flow of tropical raw cane sugar into this country for subsequent refining and distribution to consumers; to the Committee on Agriculture.

1717. By the SPEAKER: Petition of the Outdoor Advertising Association of America, Inc., petitioning consideration of their resolution with reference to the matter of section 3269, part XI, of the Revenue Act of 1941 (H. R. 5417), having reference to the proposed tax on outdoor advertising; to the Committee on Ways and Means.

SENATE

FRIDAY, AUGUST 1, 1941

(Legislative day of Monday, July 28, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

God of our Fathers, who didst lead them forth from many lands in times past, inspiring them to found new homes in a wilderness, we yield Thee hearty thanks for that Thou of Thy loving-kindness didst bless their honest efforts to build and to preserve a nation. Give grace, O Lord, to us their children, that in our several callings we may be mindful of their examples of courage in exile, valor in battle, and wisdom in council; and, in our turn, acquit ourselves as incorruptible patriots, brave warriors, and farseeing statesmen.

And, O merciful Lord, in our gratitude for Thy continual providence to them, we beseech Thee to vouchsafe Thy blessing upon all who, in quest of haven and refuge in this later day, are led of Thee to our shores. Grant that their coming may be a benison to our Nation and to them. Help them to close the curtain of the past, and, in purity of heart and innocency of life, to join with us in the protection of American principles of democracy. And grant that they and we, ever mindful of Thy mercies, may show forth thankfulness to Thee in a sincere obedience to Thy laws. We ask it in the name and for the sake of Him who once was also a refugee, Thy Son, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, July 31, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 196) authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	George	Overton
Aiken	Gerry	Pepper
Andrews	Gillette	Radcliffe
Austin	Glass	Reynolds
Bailey	Green	Rosier
Bankhead	Guffey	Russell
Barkley	Gurney	Schwartz
Bone	Hatch	Shipstead
Brewster	Hayden	Smith
Brooks	Hill	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Byrd	Kilgore	Thomas, Okla.
Capper	La Follette	Thomas, Utah
Caraway	Langer	Truman
Chavez	Lee	Tunnell
Clark, Idaho	Lodge	Tydings
Clark, Mo.	McCarran	Vandenberg
Connally	McFarland	Van Nuys
Danaher	McKellar	Walsh
Davis	Maloney	Wheeler
Downey	Mead	White
Eastland	Nye	Wiley
Ellender	O'Mahoney	Willis

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from Iowa [Mr. HERRING], the Senator from Delaware [Mr. HUGHES], the Senator from Illinois [Mr. LUCAS], the Senator from South Carolina [Mr. LUMPKIN], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from New Jersey [Mr. SMATHERS], the Senator from Arkansas [Mr. SPENCER], and the Senator from Washington [Mr. WALLGREN] are necessarily detained from the Senate.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from New Jersey [Mr. BARBOUR], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. HOLMAN], and the Senator from Kansas [Mr. REED] are necessarily absent.

The PRESIDENT pro tempore. Seventy-two Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS

The PRESIDENT pro tempore laid before the Senate the following communi-

cations and letter, which were referred as indicated:

SUPPLEMENTAL ESTIMATES, DEPARTMENT OF COMMERCE—CIVIL AERONAUTICS (S. Doc. No. 101)

A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Commerce, fiscal year 1942, in the amount of $17,686,000, for certain operations under the office of Administrator of Civil Aeronautics (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROVISION PERTAINING TO EXISTING APPROPRIATIONS, FEDERAL WORKS AGENCY (S. Doc. No. 102)

A communication from the President of the United States, transmitting draft of a proposed provision pertaining to existing appropriations for the Federal Works Agency, Public Buildings Administration—building at Suitland, Md.; award of contract on cost-plus-a-fixed-fee basis (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PATENTS TO BE ADMINISTERED BY THE SECRETARY OF AGRICULTURE

A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to enable the Secretary of Agriculture to obtain and administer patents for the best interests of the public, and for other purposes (with an accompanying paper); to the Committee on Patents.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the President pro tempore, or presented by Senators, and referred as indicated:

By the PRESIDENT pro tempore:

The petition of Mrs. H. F. Fulfs, of Sterling, Ill., praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A letter from Peter Gephart, of Richmond (no State given), in relation to the enactment of legislation for the control of prices; to the Committee on Banking and Currency.

A petition of sundry citizens of Mercer County, Pa., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Pittsburg, Kans., praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; to the table.

By Mr. SHIPSTEAD:

A resolution of the board of directors of the Bemidji, Minn., Civic and Commerce Association, favoring the taking of such steps as may be necessary, without interference with national defense, to make it possible for small manufacturers and private-construction interests to secure vital materials for the continuance of business operations; to the Committee on Military Affairs.

By Mr. VANDENBERG:

A resolution of the Upper Peninsula Association of American Legion Posts, in convention assembled at Ironwood, Mich., favoring the enactment of the bill (H. R. 3793) to safeguard and protect the public interest through the creation of conditions under which the remaining uncut stands of timber of the hemlock hardwood types in the northern parts of the States of Michigan and Wisconsin can be conserved and utilized in orderly and constructive ways which will perpetuate the economic and social potentialities of the forest resources and establish the best practicable balance between the current needs and future requirements of the people, industries, and communities of the regions in which such forest resources are situated and of the remainder of the United States, and for other purposes; to the Committee on Agriculture and Forestry.

A resolution of the Upper Peninsula Association of American Legion posts, in convention assembled at Ironwood, Mich., favoring the designation of the Upper Peninsula of Michigan as a special area for W. P. A. employment; to the Committee on Appropriations.

A resolution of the St. Joseph-Benton Harbor Port Commission, Michigan, favoring the enactment of legislation for the development of the St. Lawrence River project; to the Committee on Commerce.

A memorial of sundry citizens of Allegan and vicinity, Michigan, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A petition of sundry citizens of Oxford and vicinity, Michigan, praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A resolution of the Board of Supervisors of Marquette County, Mich., favoring adequate military protection for the mines and mineral resources located in Marquette County and vicinity, Michigan, as a measure of national defense; to the Committee on Military Affairs.

A resolution of the City Council of Dearborn, Mich., stating, in part, that where curtailment of automobile production is essential for national defense that such curtailment be made on a basis which will prevent unemployment in the automotive industry and permit the absorption of automotive employees into defense industry without loss of necessary income; to the Committee on Military Affairs.

A memorial of sundry citizens of Detroit, Mich., remonstrating against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

Petitions of the Women's Society of Christian Service, of Mount Pleasant, and sundry citizens, all in the State of Michigan, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

REGULATION OF BARBERS IN THE DISTRICT—MEMORIALS

Mr. AUSTIN. Mr. President, I ask consent to present for appropriate reference memorials signed by about 127 citizens of Jamaica, Hyde Park, Wolcott, Randolph, Morrisville, St. Johnsbury, Montpelier, and other communities, all in the State of Vermont, remonstrating against the enactment of Senate bill 983 and House bill 3852, being identical bills relating to the operation of barber shops in the District on Sunday, and proposing to amend the act to regulate barbers in the District of Columbia, and for other purposes.

The PRESIDENT pro tempore. Without objection, the memorials will be received and referred to the Committee on the District of Columbia.

LETTER FROM DES MOINES, IOWA, TRADES AND LABOR ASSEMBLY

Mr. GILLETTE. Mr. President, I ask consent to have printed in the RECORD and appropriately referred an unusual letter received from the Des Moines, Iowa, Trades and Labor Assembly, protesting against the allocation of a W. P. A. project in that community.

There being no objection, the letter was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

DES MOINES TRADES AND LABOR ASSEMBLY,
Des Moines, Iowa, July 29, 1941.

Hon. GUY M. GILLETTE,
United States Senate,
Washington, D. C.

DEAR SIR: At the last meeting of the Des Moines Trades and Labor Assembly, held July 23, 1941, a question was brought on the floor. The subject under discussion was a radio broadcast that stated $1,500,000 was going to be allocated for a W. P. A. project at Fort Des Moines Army post located here at Des Moines, Iowa.

The following action was taken by the assembly to notify you that organized labor is opposed to any appropriations for any W. P. A. projects in this territory or in the State of Iowa. Labor feels there is no need at this time for jobs to be created for W. P. A., since there is going to be plenty of work for all laborers regardless of their affiliation.

As the W. P. A. is a program for the unemployed, we don't see the need for any money to be allocated at this time for that purpose. Therefore we solicit your support in opposing any appropriations for W. P. A. at this time.

Thanking you in advance, we beg to remain,

Respectfully yours,
J. W. SOUTTER,
Secretary, Des Moines Trades and Labor Assembly.

REPORT OF A COMMITTEE

The following report of the Committee on Territories and Insular Affairs was submitted:

By Mr. TYDINGS:

H. R. 587. An act to extend the provisions of the act entitled "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937; without amendment (Rept. No. 645).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. THOMAS of Utah, from the Committee on Education and Labor:

Robert Watt, of Massachusetts, to be a member of the Federal Board for Vocational Education, representing the interests of labor, for the 3-year term beginning July 17, 1941.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRD:

S. 1807. A bill for the relief of John Henry Miller, Jr.; to the Committee on Claims.

By Mr. McKELLAR:

S. 1808. A bill to provide for the appointment of a Police Commissioner for the District of Columbia, to authorize said Commissioner to reorganize the Metropolitan Police force to increase its efficiency, and for other purposes; to the Committee on the Judiciary.

By Mr. SHIPSTEAD:

S. 1809. A bill authorizing the States of Minnesota and Wisconsin, jointly or separately, to acquire bridges now existing or to construct, maintain, and operate a free highway bridge across the St. Croix River, also known as Lake St. Croix, at or near Hudson, Wis.; to the Committee on Commerce.

By Mr. GLASS:

S. 1810. A bill to further the national defense and security by checking speculative and excessive price rises, price dislocations, and inflationary tendencies, and for other purposes; to the Committee on Banking and Currency.

By Mr. CAPPER:

S. J. Res. 100. Joint resolution to provide for the proper observance of the one hundred and fiftieth anniversary of the adoption of the first 10 amendments to the Constitution, known as the Bill of Rights; to the Committee on the Library.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 196) authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents was read twice by its title and referred to the Committee on Printing.

EXTENSION OF SELECTIVE SERVICE—AMENDMENTS

Mr. JOHNSON of Colorado submitted an amendment and Mr. THOMAS of Utah submitted several amendments, intended to be proposed by them, respectively, to the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes, which were severally ordered to lie on the table and to be printed.

INVESTIGATION RELATIVE TO WAR PROPAGANDA BY MOTION-PICTURE AND RADIO INDUSTRIES

Mr. CLARK of Missouri. Mr. President, on behalf of myself and the senior Senator from North Dakota [Mr. NYE], I ask unanimous consent to submit a resolution and have it referred to the Committee on Interstate Commerce. I further ask unanimous consent that the resolution be read for the information of the Senate.

The PRESIDENT pro tempore. Without objection, the resolution will be read for the information of the Senate.

The resolution (S. Res. 152) was read and referred to the Committee on Interstate Commerce, as follows:

Whereas the motion-picture screen and the radio are the most potent instruments of communication of ideas; and

Whereas numerous charges have been made that the motion picture and the radio have been extensively used for propaganda purposes designed to influence the public mind in the direction of participation in the European war; and

Whereas all of this propaganda has been directed to one side of the important debate now being held, not only in Congress but throughout the country; and

Whereas this propaganda reaches weekly the eyes and ears of a hundred million people and is in the hands of groups interested in involving the United States in war: Therefore be it

Resolved, That the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to make, and to report to the Senate the results of, a thorough and complete investigation of any propaganda disseminated by motion pictures and radio or any other activity of the motion-picture industry to influence public sentiment in the direction of participation by the United States in the present European war.

The Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to obtain such facts as other Government agencies may have, and to secure the assistance of other Government agencies in the investigation hereby authorized.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, either in the District of Columbia or elsewhere, during the sessions, recesses, and adjourne periods of the Senate in the Seventy-seventh and subsequent Congresses, to employ such experts, and clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production and impounding of such books, papers, and documents, to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

CHURCHILL'S UNFORTUNATE REMARK—EDITORIAL FROM ST. LOUIS POST-DISPATCH

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an editorial from the St. Louis Post-Dispatch of Wednesday, July 30, 1941, entitled "Churchill's Unfortunate Remark," which appears in the Appendix.]

ARTICLE FROM THE NATION RELATIVE TO TOM GIRDLER

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article from the Nation of July 26, 1941, relative to Tom Girdler, which appears in the Appendix.]

ANTITRUST ACTIVITIES AS AFFECTING FARMERS

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an article from the Nation's Agriculture for July-August 1941, entitled "Antitrust and the Farmer," which appears in the Appendix.]

ARTICLE BY VARDIS FISHER ON FOREIGN AFFAIRS

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD an article by Vardis Fisher, published in the Idaho Sunday Statesman of July 27, 1941, entitled "Birdwells Calls It Decency," which appears in the Appendix.]

BRIG. GEN. LEWIS B. HERSHEY

Mr. WILLIS. Mr. President, last evening the Senate confirmed the nomination of Brig. Gen. Lewis Blaine Hershey as Director of the Selective Service System. He was appointed by the President to succeed Clarence A. Dykstra after having served as Acting Director since Mr. Dykstra's resignation.

In this connection it is just that we should pay recognition to General Hershey in appreciation of the able and loyal service he has rendered to our country.

On the basis of a lifelong acquaintance with General Hershey, who was born in Steuben County, Ind., in which I am also proud to claim residence, I am happy to offer this recognition of his fidelity to every responsibility of citizenship and of his loyalty to the Army which he has served so well throughout most of his adult life.

General Hershey was born into a sturdy and patriotic Hoosier family—the kind we like to think of as providing the Nation with its strongest sinews. The son of parents who were also natives of Steuben County, he was educated in the county's common schools, and then received three degrees from Tri-State College in Angola, the county seat, between 1910 and 1914. He furthered his education at Indiana University in 1917, at the school of fire in 1923, at the C. G. S. S. in 1933, and in the Army War College in 1934.

General Hershey's wife, also a native of Steuben County, is a descendant of a former Governor of Virginia. She is a niece of the late Newton W. Gilbert, Vice Governor General of the Philippines in the term of William Howard Taft as Governor General.

As a member of the Indiana National Guard, in which he advanced from private to first lieutenant between 1911 and 1917, General Hershey first gave military service to the Nation in the Mexican border campaign. He served as first lieutenant and captain in the United States Army from 1917 to 1920, as captain in the Reserve Army from 1920 to 1935, and as a major from 1935 to 1940. He was named brigadier general in 1940. His was an advancement based at every turn solely upon merit.

In the field of selective service administration he has rendered particularly able service to the country. He assisted in outlining a program by means of which peacetime training of our young men might be conducted with due regard to the danger of disruption of their social welfare.

When the selective service plan was adopted there was placed in his hands as Assistant Director the very difficult task of its administration. That service has been rendered with conspicuous ability, and with due recognition of and sympathy with the tremendously large problems involved. His acts have been marked with an unswerving fidelity to the law as enacted by Congress, and with broad understanding of the difficulties entailed in its application.

General Hershey's testimony before the committee studying the operation of that law and possible means of its improvement has been characterized by frankness, intelligence, and vision. He has served ably, and his past record gives assurance that his future administration will be equally just, faithful, and steadfast.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

Mr. DANAHER. Mr. President, yesterday the Senator from Montana [Mr. WHEELER] was describing a situation in the State of California of which he had learned, which illustrated the course of the effort to build up sentiment, to build up a public opinion, to arrive at a result which apparently is contrary to the general public attitude. There has been an enormous deal of propaganda, as undoubtedly all of us know, some evidence of which I exhibited yesterday, in addition to that which had been mentioned by the Senator from Montana. But on the evening of July 30, in the New London Evening Day, there appeared an editorial in the course of which the editor exposed a brand new drive of a sort which I think deserves the attention and the most serious consideration of the Senate.

It develops, according to this particular editorial, that a gentleman named William Emerson, who is executive vice chairman for New England of the Committee to Defend America by Aiding the Allies, has been sending to the newspapers in New England a request that the editors "use your power to arouse public indignation at this dangerous and irresponsible use of position by Senator WHEELER" to the end that WHEELER not only "may be condemned by public opinion," but, Mr. Emerson adds, "if possible by governmental action."

Mr. President, that is extremely significant. The New London Evening Day has maintained an attitude of impartial, dispassionate appraisal of the foreign policy of the administration and has not succumbed to the demand of the propagandists that the columns of the paper be yielded up to serve their ends, and it is appropriate that we take notice when we find from that editor an exposé of this latest attempt to reach and excoriate the Senator from Montana, not only through arousing public indignation, if you choose, as the writer of the demand would have it, but "by governmental action."

We are reaching a strange, new state of affairs in this country when our citizenry is being incited by propagandists to demand that governmental action be taken against a Senator of the United States who voices a viewpoint and an objective, as he has a right to do, in opposition to the foreign policy of the United States.

We find evidence of the same sort of pressure being brought to bear by the very same committee, which I understand has now merged with the Fight for Freedom Committee, which, in turn, has come out for an outright declaration of war by the United States, when Senators right here in this Chamber are receiving by the hundreds post cards dealing with the very subject under debate in the Senate at the present time. Let me read one of them, issued by the Fight for Freedom Committee. This card says:

> By August 1 our newly organized Army will begin to melt away unless you act. Unless you act our Army will be hampered in its task of defending the country by having its acts restricted to this hemisphere.

Taking up the first clause, let me point out that not only does the Army not melt away, not only is the statement therefore a deliberate untruth, but the fact of the matter is that no draftee will be discharged by August 1, for his year will not be up earlier than the latter part of October or early in November this year, and at that time there will be but 13,000 discharged on the ground that they have served 1 year of training.

To come to the second clause, we read:

> Unless you act our Army will be hampered in its task of defending the country by having its acts restricted to this hemisphere.

The fact of the matter is that the pending legislation, according to the Senator from Utah [Mr. THOMAS], does nothing whatever to remove the restrictions which the Congress in its wisdom imposed last year upon taking our men beyond the confines of the Western Hemisphere.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. THOMAS of Utah. I wonder if the Senator will tell us the date of the postmark on the post card.

Mr. DANAHER. The post card is dated July 29, 1941.

Mr. THOMAS of Utah. I made the inquiry because, as all Senators know, we were still working late last Saturday night upon the amendment, and I am sure that anyone who took himself seriously enough to anticipate what our committee was going to do did take himself rather seriously.

Mr. DANAHER. I agree with the Senator from Utah. The point is, obviously, that this propaganda is being prepared in advance, at a time when those responsible for it do not even know what the Committee on Military Affairs is going to recommend. But still, in the name of the Fight for Freedom Committee, some are trying pressure methods on Senators while others are demanding action against the Senator from Montana, governmental action, if necessary.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. CLARK of Missouri. Is there any Senator on this floor who is foolish enough to believe that the Fight for Freedom Committee or the Defend America by Aiding the Allies and Other Purposes Committee are restrained in any way by the facts, or care anything about them? They put out the propaganda before the facts are even developed, or before they know what they are putting out propaganda for. They are putting out propaganda in an attempt to whip up public sentiment to shove this country into war, and a mere matter of detail, the fact that the Senate Committee on Military Affairs had not reported a specific program at that time, would not weigh with them. They would not wait to get the facts before they wrote the post card.

Mr. TAFT and Mr. SHIPSTEAD addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Connecticut yield, and if so, to whom?

Mr. DANAHER. I yield first to the Senator from Ohio.

Mr. TAFT. For the Senator's information, I should like to say that I have received post cards identical with those which the Senator is now reading and discussing, coming from different points, a number from Cincinnati, Ohio, from New York, from Columbus, Ohio, and from Pittsburgh, Pa., all printed in exactly the same form as that which the Senator from Connecticut is reading.

Mr. DANAHER. And undoubtedly at considerable expense. I yield now to the Senator from Minnesota.

Mr. SHIPSTEAD. The Senator's reference to the tactics advocated against the Senator from Montana [Mr. WHEELER] reminds us of the tactics used by the Facists in Italy when they started their propaganda to get rid of the Parliament. They went even so far as to take one Senator out in the night and kill him in order to get rid of him. They started with such tactics as the Senator indicates as coming from the Committee to Defend America by Aiding the Allies and the newspaper from New London.

Mr. DANAHER. I thank the Senator from Minnesota. Let me say to the Senator from Missouri that what these people want is an army. What they want that army for is to take it into war, and the cue upon which they rely can be found, of course, as has been true too often of late, in dispatches reaching us from abroad.

I wish to read from the Washington Post of Saturday, July 5, 1941, from an article by Harold Denny.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. TYDINGS. When Secretary Stimson first issued his statement concerning the Senator from Montana, the Secretary evidently believed that the Senator from Montana had circularized the members of the armed forces on a broad scale. Whether we agree or do not agree with that policy, it was understandable, at least, that the Secretary wanted to take issue with the Senator from Montana [Mr. WHEELER] in that regard.

The Senator from Montana later than that date made an explanatory statement on the floor in which, as I recall, he stated that an effort had been made not to circularize the soldiers, but the voters and citizens of the country, particularly those not in the service, but, as was to be expected, it would only be natural that some of the cards should fall into the hands of soldiers, not by direct design but as a collateral result.

Then Secretary Stimson very graciously and in a fine American and statesmanlike spirit, apologized for the inference or reflection he had cast upon the Senator from Montana, and I think his statement deserves special commendation as coming from a man who evidently wanted to be fair and just. But during the period between the first statement made by Secretary Stimson and his apology to the Senator from Montana a great many people accepted as true what Secretary Stimson had said, and, while I sympathize with the remarks the Senator from Connecticut is making, I wonder whether the article to which he refers

was written before or after Secretary Stimson put the country straight on what the real facts of the case were. If it was written after the apology came from Secretary Stimson, obviously it seems to me not to be fair comment. On the other hand, if it was written in the interim between the original charge and the apology, the writer might have been acting in good faith, though he was premising his remarks on a false state of facts.

Can the Senator from Connecticut answer that?

Mr. DANAHER. I can answer the Senator from Maryland to the effect that the article to which I have referred appeared in the New London Day for Wednesday, July 30, night before last.

Mr. TYDINGS. It was after the statement made by the Senator from Montana and Secretary Stimson's statement?

Mr. DANAHER. That is correct. Let me say further to the Senator from Maryland that what the proponents of this propaganda drive against the Senator from Montana demand is that he be prosecuted criminally; they ask that he be silenced by Government action. They support or base their demand for such action on the Espionage Act of 1917.

Mr. TYDINGS. Will the Senator again yield?

Mr. DANAHER. I yield.

Mr. TYDINGS. What I am about to say is not pertinent to this matter particularly, but I think the Senator from Connecticut and others will recall that about 5 years ago the Senator from Maryland, at the request of the Naval Intelligence Bureau, at the request of officers of the United States Navy, introduced a bill making it a criminal offense for persons to circularize the armed forces of the United States with propaganda advising the armed forces not to obey the Constitution and the laws of the United States. My friend the Senator from Wisconsin will remember the measure, because he and I discussed it. It did not propose to stop such persons from talking about governmental matters, but only that they should not be permitted to circularize the Army and the Navy by literature which asked the soldiers and the sailors to disobey the Constitution and the laws of the United States of America.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. TYDINGS. If the Senator will let me finish the statement I shall be glad to yield I introduced that measure in good faith, not wishing to cut off free speech, but it seemed to me that such propaganda was so far outside the field of proper free speech that the Army and the Navy with some justification might ask that the circulation of such revolutionary pamphlets be stopped.

There had been placed in my possession many pamphlets which asked the sailors of the American Fleet to follow the example of the Russian sailors and to turn on their officers and disregard the Constitution and the laws of the country. But no sooner had I introduced the measure than from many sources all over the country it was said to be an outrageous proposal, one that struck at the very fundamentals of democracy, and so hot was the pressure that the then Secretary of War, Mr. Dern, wrote a letter to the Congress in which, after his own intelligence department had approved the measure, he washed his hands completely of it, and as I had only acted at their request, the matter was of no further tremendous concern to me when the Army itself had run out on the proposition.

The point of the matter is that when a measure was introduced to make it unlawful to write to sailors or soldiers and tell them to disobey the Constitution and the laws of the country, a large section of the press looked upon that as an outrageous proposal, and from the same sources now to some extent there comes the statement that a mere sending of a petition to the soldiers is an outrageous and subversive undertaking. In light of those facts it is a little hard to reconcile the two diverse positions.

Mr. SHIPSTEAD. Mr. President, will the Senator from Maryland yield?

Mr. CLARK of Missouri. Mr. President, will the Senator from Maryland yield to me?

Mr. DANAHER. Mr. President, I am happy to allow the Senator from Maryland to designate the Senator to whom he would like me to yield.

Mr. SHIPSTEAD. Mr. President, will the Senator from Connecticut yield to me?

Mr. DANAHER. Mr. President, I yield first to the Senator from Minnesota who has asked me specially to yield to him.

Mr. SHIPSTEAD. The Senator from Maryland has called to our attention two very interesting circumstances. Before Russia joined the battle for democracy members of our Army were solicited not to obey their oaths to the Constitution and the laws of the land. Now, after Russia has so democratically joined the fight for democracy and the four freedoms, the sentiment has turned. I think that is quite significant.

Mr. CLARK of Missouri. Mr. President——

Mr. TYDINGS. If the Senator from Connecticut will yield——

Mr. DANAHER. I shall be happy to yield to the Senator from Missouri.

Mr. CLARK of Missouri. I simply wanted to ask the Senator a question. I am familiar with the bill to which the Senator from Maryland referred. I was in favor of the bill to which he referred. Its provisions did not seem to me to be any violation of the rights of anyone. It was simply designed to uphold the Constitution of the United States by forbidding propaganda directed to military and naval forces, urging them to disregard the orders of their superior authorities, and actually to trample underfoot the Constitution and the laws thereunder.

I wanted to ask the Senator from Maryland whether there was anything even in that measure, which afterward the War Department, and I understand, to some extent the Navy Department, reneged, which would have made it illegal or improper in any way to circularize soldiers or sailors or any other citizens with quotations from pledges made to the whole American people by the President of the United States when he was a candidate for the reelection as a condition of his reelection?

Mr. TYDINGS. If the Senator from Connecticut will yield?

Mr. DANAHER. I shall be glad to yield to the Senator from Maryland.

Mr. TYDINGS. I think the answer to the question of the Senator from Missouri is self-evident. The point of the remarks of the Senator from Maryland is that it seems to be swallowing a camel while straining at a gnat for the same sources who opposed a simple measure making it an offense to ask soldiers and sailors to follow the example of the Russian Navy and overthrow their officers and abolish the Constitution and the laws of the country, now to make so much cut of the unintended circularization of the armed forces by means of a few postal cards which inadvertently fell into their hands, which was not intended. I would not want the Senate to be under the impression, however, that I favor generally the circularization of the Army and Navy for any purpose. I question the wisdom of such action. Other Senators may disagree with me.

I think military discipline is a thing which we must have, even in a democracy, apart from political administration of the Government. I have arisen only because the contrast between these two positions is so glaring that I could not resist saying that those who now cry "wolf" should have cried "wolf" when the wolf was really at the door.

Mr. DANAHER. Mr. President, I wish to recall to the minds of the Senators present a recent timetable of events. It is only 5 weeks ago that General Marshall granted an interview right here in Washington to some of the ablest newspapermen in the United States, and they, correctly, beyond any question, reported him as saying that the Army wants to send the bulk of the trainees back home when they can complete 12 months in uniform.

The particular article to which I now refer was published in the Washington Post for June 24, 1941. I quote from it, in part:

> This stand contrasts with the Army's plans for the National Guard and Reserve officers. Secretary of War Stimson announced Saturday that he had recommended that President Roosevelt ask Congress to extend the service of the guard and Reserves beyond the present authorized year of training.
>
> ARMY OF 1,800,000
>
> If such action is taken, Marshall said, the War Department will ask funds for an Army about 100,000 men larger than the present projected force, to fill in deficiencies This would give the Nation an Army or about 1,800,000 officers and men.
>
> "We want the selectees to continue to come in annual increments," the Chief of Staff said. "We want to keep them flowing into the camps and then back home again. When we send a man home, we will make room for another.
>
> "It may be necessary, however, to keep some trainees in service and release others, depending on where they are and the unit in which serving."
>
> Marshall explained that if a selectee were serving near Chicago, for example, he could be sent home without difficulty. Were he stationed in the Aleutian Islands off Alaska,

on the other hand, he said, it might be necessary to hold him 2 or 3 months longer in service.

On Saturday, July 5, in the Washington Post, Harold Denny reported that Gen. Sir Archibald Wavell, relinquishing his post as commander in chief of the British Army in the middle east, said:

Whatever happens in eastern Europe where the Germans and the Russians are battling, the final issue of the war will be decided in the west as it was in the last war, and in the end it will be a battle of manpower.

If the war continues long enough—and Sir Archibald appears to have no illusions that this will be a short war if it is to be decisively and permanently won—American manpower will be needed. Our airplanes, tanks, and guns alone will be decisive, though their aid which has been helping England to hold out this long will not be enough. There is a limit to Britain's own manpower.

Germany can and will be beaten eventually by an invasion of her soil after she has been hammered sufficiently from the air.

When and where American troops should eventually be employed are matters to be determined by events.

Sir Archibald Wavell was described as a gentleman who was very frank and candid in his exposé of the situation.

The question of all-out American participation in the war was launched with the correspondent's query, "Do you hold with the views that only tools are necessary to win the war?"

General Wavell paused and answered, "No; undoubtedly we will need manpower if the war continues long enough. I have no doubt it will.

"Can you win the wa without America's full-scale participation?"

Sir Archibald answered with a slow headshake. Then he continued:

"We will have to have airplanes, tanks, munitions, transports, and finally men."

"When?"

"The sooner the better," was the reply, "but that depends on when you are ready, doesn't it? I suppose when you get into all-out production you will be able to equip any number of men for anywhere in the world or for the whole world."

A moment later it became evident that the general was thinking of Europe as the eventual field of operations for the American troops, if, and when they come into the war.

"Eventually Germany can be beaten by a combined unrelenting assault from the air, softening her up, and ultimately by an invasion of her territory. But nothing can be done without air power," he said.

"The west remains the principal battlefield while other fronts becom e ones of attrition."

It is American manpower that is wanted, declared General Wavell—American manpower to invade Germany and defeat Germany there. When? "The sooner the better," he said.

His remarks in the interview reported by Mr. Denny were supplemented a few days later, actually July 7, 1941, by a statement by Sir Claude Auchinleck, the new commander of the British Army in the middle east.

Sir Claude Auchinleck, new commander in chief of British forces in the middle east, said today United States manpower was needed if the war is to be won properly—"on Germany's own soil."

The new commander said: "I see as much need for American manpower in this war as in the last. In 12, 14, or 24 months this need will certainly arise. How we are to get into the Germans' country is another matter, but ways and means will present themselves."

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. TYDINGS. In striking contrast with the statement the Senator has just read, we have been told repeatedly that men will not be needed; that all that will be needed will be ships, airplanes, bombs, and munitions; that the war is not a war of foot soldiers; that it is a war from the air; and that as soon as large areas are devastated Germany will throw up the sponge and that will end it. I do not wish to criticize either of those statements, because both might have been made in good faith. The striking thing is the conflicting nature of the propaganda with which we are flooded in this emergency, and how difficult it is to get the real facts and the truth concerning our own part in the situation.

Mr. DANAHER. No Senator can have any doubt that the real truth is that the interventionists want a large Army. They want that Army so that our boys will be taken to war. They want it on German soil, and they want us to defeat Germany by invasion. Does the Senator have any doubt about that?

Mr. TYDINGS. I think that statement is accurate; and I think the English high command and the English people would be very unusual indeed if they did not want every ounce and atom of manpower and everything else that we have in this country. I do not blame them for that. If we were similarly circumstanced we would want everything they had, if they were circumstanced as we now are. That is only human.

Mr. DANAHER. Does the Senator think we would get it?

Mr. TYDINGS. The point is this: I am sympathetic toward aiding England up to a certain point. I want to give her all the assistance we can within reason; but at this juncture, until some new turn takes effect, I do not feel that we have to send men all over the world to fight this battle. Our primary concern must be the preservation and safety of the United States; and we ought to be doing whatever contributes to that objective. I do not feel that the Nation should be called upon to do anything outside that objective, except for moral and material support.

Mr. DANAHER. The Senator is absolutely correct.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. In view of the statement the Senator has made quoting the British generals, it is more than likely that they spoke also for Mr. Churchill.

Mr. DANAHER. I assume that no subordinate general, no matter where he might be, would speak without the consent of his commander in chief on so delicate a matter as this.

Mr. SHIPSTEAD. Is it not probable that the matter has been presented to the Government of the United States; and is it not also possible that that is responsible for the statement in the joint resolution that we are facing a national peril? May not that be the foundation for the measure?

Mr. DANAHER. Let me say to the Senator from Minnesota that I cannot essay to judge whether it is probable or not. But I will say that within the past 3 days the Senator could have read that Mr. Churchill told the Parliament that the United States is "on the verge of war." He apparently does not know that the President of the United States has told the American people again and again and again that he will not send our boys to fight in foreign wars. However, Mr. Churchill's remarks, his predictions, and his prophecies as to our actions have such a strange way of coming true that I have no question that the timetable to which I have made reference becomes especially significant.

Mr. SHIPSTEAD. Evidently Mr. Churchill had information which the Senate does not have.

Mr. DANAHER. So far as I know, it has not yet reached us. All I know is that we are being asked to pass a joint resolution declaring that our Nation is in imminent peril. We are being asked to keep the boys in service for years on end, without any time limit whatever to the period of their service; and yet only 5 weeks ago, under date of June 24, the same General Marshall was reported in the newspapers—and anybody could have read it—as stating that the boys were going to be sent home. But that was before the British generals spoke. That was before Mr. Churchill spoke.

Let me call attention to an article written by Mr. Frank Kent and published on July 24, only a week ago. Mr. Kent said:

Already there is an American expeditionary force. American troops are occupying territory not even theoretically in this hemisphere. American soldiers are in Iceland, in China, in Trinidad, and British Guiana. The American Navy is convoying over a submarine-infested route. The American Navy is moving into real action. It means that we are acting to make good the President's promise that supplies to the British "can and will be delivered." It means, further, that Hitler either must accept defeat in the battle of the Atlantic, which ultimately means total defeat for him, or he must clash with the United States.

If there is any other way of interpreting the known facts it has not been suggested. In brief, what we have done, are doing, and intend to do, means war. No informed person thinks that there is anything ahead except a long war, in which our full participation is assured.

I say to the Senator from Minnesota that if he takes into consideration these facts, if he takes into consideration what has actually been testified to before our own Committee on Military Affairs, and can reconcile those statements with any ground upon which our Nation is said to be so imperiled in the period of the past 5 weeks that this joint resolution should pass, I should like to have him point it out to me.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. DANAHER. Yes; I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. I have a great deal of regard for General Marshall.

Mr. DANAHER. So have I.

Mr. SHIPSTEAD. We must remember that General Marshall is Chief of Staff. He does not formulate the program of our foreign policy. The formulation of that program is a political matter. That is supposed to be done by the executive department in collaboration with and with the advice and consent of the Senate. The fact that General Marshall has changed his mind in 5 weeks would indicate that the program has been changed.

General Marshall had prepared a program for training the armed forces. I assume that he did that on the basis of the program he had been told was necessary to carry out what was then our policy in foreign affairs. He did so. I am sure he did it under great difficulties, because evidently in the past 10 or 15 years very little staff work had been done; in fact, nothing had been done to find out where to build cantonments, and there was nothing with which to train the men. But within 5 weeks he came before the Congress and the Military Affairs Committee with an entirely different program for organizing the fighting forces. I think we have a right to assume that he has now been apprised of an entirely different program for him to carry out militarily than the program he had in view when he gave the interview 5 weeks ago.

Mr. DANAHER. Let me say to the Senator from Minnesota that, after all, General Marshall is only the Chief of Staff. He is not the Commander in Chief. Let me say further as to General Marshall that he was perfectly fair about the matter over a year ago. In the first week in July 1940, he was testifying that if these inductees were put into Regular Army and National Guard units, to separate them later would emasculate those units and might endanger the integration of the Army. He did not conceal that. The fault was with the leadership, let me say to the Senator from Minnesota. But nowadays, as one reads and hears about it, he would think that all this alleged disintegration is of some recent origin; that the Army suddenly is discovered to be in danger of disintegration if these draftees are sent home; and yet, let me say to the Senator from Minnesota, it was only on June 24 that General Marshall was granting an interview in which he said that the selectees would be sent home at the end of their 12 months' training except for those in the Aleutian Islands and other far-off posts, and even as to those they would be free in 2 or 3 months thereafter.

I will say one other thing as to General Marshall; I doubt that any Member of the Senate would raise the slightest question as to his integrity as an officer and most certainly I do not. When he appeared before our Appropriations Committee, the Senator from Colorado [Mr. ADAMS] asked him this question:

> At this moment there is no air base from which continental United States could be attacked, is there?
>
> General MARSHALL. At the moment there is none. The important consideration with relation to antiaircraft is an estimate of our situation in comparison to that of England and France, for example, on which the public mind now dwells.

Of course, it is to be understood that this was last year.

> What is necessary for the defense of London is not necessary for the defense of New York, Boston, or Washington. Those cities could be raided under certain favorable circumstances; but as to continuous attack, such a thing would not be practicable unless we permitted the establishment of air bases in close proximity to the United States. So, the best antiair defense are the facilities to prevent the establishment of such bases within reach of the United States—in particular, of the Panama Canal. That is one reason why I referred to the necessity in my opinion for an immediate increase for the ground forces in order to make possible the naval and Army air operations to prevent the establishment of such bases.

At that time, let me say to the Senator from Minnesota, General Marshall was asking for an Army of 400,000, and was calling it a temporary measure at that.

The Senator from Colorado [Mr. ADAMS] then said:

> What we need is anti-air-base forces rather than antiaircraft forces?
>
> General MARSHALL. You might put it that way, sir.

The Senator from New Mexico [Mr. CHAVEZ] said:

> Do they not go together, General?

General Marshall's answer is significant:

> The whole thing is interwoven. London is subject to bombardment by large masses—a thousand or more bombers. New York City is subject to raids by carrier-based aviation—probably by not more than 150 bombers. Our defense against that is to sink the carrier. A better way to express it is to have immediately available the means to sink such a carrier—the listening devices and the bombers, and the accompanying pursuit, to make it so dangerous that they would not risk the carrier to undertake the operation. Defensive pursuit aviation is made immeasurably more effective if we have aircraft detectors, about which I make representations to this committee the other day. Prior to aircraft detectors, defense against bombardment was primarily by antiaircraft artillery, because insufficient warning of the approach of enemy bombers prevented the pursuit aviation from engaging the bombers.
>
> I have referred to the matter of the practicability of placing larger orders at the moment. I have referred to the necessity of having a trained, seasoned, enlisted personnel in organizations available for operations to prevent the establishment of bases within operating distance of the United States. I should like to add that all of these matters have to be given proper weight in order to get a well integrated and balanced whole, and it is of great importance, when the matter is so vital to our defense and when it is so terribly expensive, that our action be on the most cold-blooded, businesslike basis we can figure out. As I say, we should not be fooled by mere numbers. Frankly, I should be embarrassed at the moment by more money for matériel alone.

Mr. President, presently the same general, let me say to the Senator from Minnesota, testified:

> For the ground forces, matériel presents the most serious problem, since from 1 to 2 years are required for its procurement. Therefore it should be provided as early as practicable. Men can be trained and seasoned in a matter of months.

I am reading from the general's testimony. That is why he could tell us 5 weeks ago that the men would go home at the end of 12 months, because he said they could be trained and seasoned in a matter of months. Now the authorities want a large Army. Now they want to have it permanent. Now they want its service to be continuous—not merely for 12 months, 18 months, or 24 months.

Look at the joint resolution. There is no possibility of escape for those men at the end of 12 months' service as the joint resolution is now written; on the contrary, their service will be indefinite.

Mr. VANDENBERG and Mr. SHIPSTEAD addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Connecticut yield, and, if so, to whom?

Mr. DANAHER. I yield first to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, I call the attention of the Senator from Connecticut to something else which happened on June 24, and it is an interesting coincidence that it happened on the same day. It was on June 24 that the Army issued a general order informing all its commanders in all corps areas that they must discourage the reenlistment of 3-year Regulars because, says the general order issued on June 24, fully trained and wholly competent troops "offer little benefit to the Army" after their training is completed.

In other words—and this is the inscrutible thing, and the able Senator in charge of the joint resolution himself has confessed that he fails to understand how it could have happened—this is the cold fact: As recently as June 24, the same day as that on which General Marshall made the statement to which the Senator has adverted, the policy seems to have been, at least in respect to Regulars, that they were not wanted by way of retention in the service. Their voluntary reenlistment was to be discouraged. Why? Because, said the order itself, when a man is fully trained, if he hangs around any longer he is in the way of some new trainee who ought to have his place and learn the business; and it is specifically said in the order that the retention "offers little benefit to the Army," except as the man has exceptional aptitudes.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. VANDENBERG. In a moment. What I want to point out by way of reinforcement of the statement made by the Senator from Connecticut is that there certainly has been a profound change of viewpoint between June 24 and the present hour. In a matter of 5 weeks, apparently, the situation becomes so acute for reasons which are not disclosed to us that partially trained 1-year conscripts must be retained in the service involuntarily, although 5 weeks ago 3-year Regulars were discouraged from voluntarily giving the Army the continuing benefit of their complete experience and ability. If anybody can put that crossword puzzle together he can do better than I can.

Mr. TYDINGS. Mr. President, will the Senator from Connecticut yield to me?

Mr. DANAHER. I yield.

Mr. TYDINGS. I should like to ask the Senator from Michigan, with the permission of the Senator from Connecticut, whether those men could have voluntarily reenlisted for a year instead of 3 years. Is he familiar with that?

Mr. VANDENBERG. I call the Senator's attention to the general order which he will find reproduced in the CONGRESSIONAL RECORD—I will give him the page—and which I presented the moment it came to my attention. I refer to general order dated June 24, to all commanding officers, entitled "Reenlistment of Regulars," and setting out, in three paragraphs, the policy of nonreenlistment for Regulars.

Mr. DANAHER. Now, Mr. President, it becomes perfectly apparent, when we consider the timetable of events such as those to which I have adverted down to this very week's declaration by Mr. Churchill that the United States "is on the verge of war," that there is some ulterior, unspoken, unidentified purpose back of the demand that these men be continued beyond their 12 months and indeed be continued indefinitely. Let me point out to the Senator from Michigan one thing that may very well have escaped his notice, that in section 2 of the pending joint resolution there is a provision that even those men who have signed up and entered into formal contract of enlistment may be continued in the service indefinitely. It is not merely a matter of trainees being continued subject to the so-called peril in whose name we are asked to act, but men who have contracted to give 3 years of their lives to the service, men who, to avoid the draft, have gone in voluntarily and enlisted earlier in order to pick the service and get whatever advantage might come from voluntary enlistment, now find themselves continued indefinitely in the service. So that the general order of the date to which the Senator from Michigan makes reference would now be superseded by section 2, and even those men would be kept indefinitely in the service.

Mr. SHIPSTEAD. Mr. President——

Mr. DANAHER. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. With the Senator's permission, I have understood, and I think we agree, that the military program of a nation must always be subordinate to its political program. If the Chief of Staff has found it necessary to change our military program, we have a right to believe that the political program has also been changed. If any such change has been made in political policy dealing with foreign affairs, if that is the foundation for now bringing this joint resolution in on the basis that a national peril confronts us, does not the Senator think we ought to know what has been the change in the political policies of the administration?

Mr. DANAHER. Of course, the Senator in his concluding sentence states what is certainly the fact that we ought to know; but do not know because we are not told. I will say for my own part, although it is sheer speculation for want of information that we should have, I have no doubt whatever that the policy as such has undergone no recent change; quite to the contrary, I think the policy dates back to 1938 at the very least and perhaps as early as 1937 and has been continued right down to date. I think, however, there may have been a new turn in that policy within the last 5 weeks. Perhaps a turn that means war; at least a large army is wanted. I think we ought to know the facts and that our people should be advised, I think that if this country is to be taken to war the Congress should make the decision and that the Congress should know and be able to act on all information that is essential in that particular.

Mr. VANDENBERG. Mr. President, bearing upon the question raised by the Senator from Minnesota, and the response of the Senator from Connecticut, I suggest that there may be some significance involved in this change due to the fact that when this new policy was requested by our military authorities there was included a request to lift the ban against sending our soldiers to fight on foreign soil. That has now been eliminated for the moment; it was found to be poor strategy to press it; indeed, it was discovered that it probably could not pass the Congress. The fact that it is withdrawn is something of a confession of what the country really feels about sending American troops to fight on foreign soil, but the fact that that request was made contemporary with the request which is the basis of the pending measure may be the answer to the question raised by the Senator from Minnesota.

Mr. DANAHER. Mr. President, I have no intention of taking further time of the Senate at this particular juncture, but I submit that there are enough untoward circumstances in the record requiring explanation, enough factors as to which we lack information, enough facts as to which the Senate, as a whole, is ignorant, to justify the most searching scrutiny before the United States Senate should go before the people and tell them that this country is in national peril. I submit, Mr. President, that there is no record to justify a finding by the Senate that the national interests are in the deadly peril that some would have us think, and as the propagandists for intervention want our people to believe, meanwhile the people, in turn, without the facts, are easy prey to the incessant continuous drive of the propagandists that we go to war, and there develops that emotional hysterical evolvement which can take us far from the decent, right, and proper course.

I yield the floor.

WE ALL WANT AN EFFICIENT ARMY

Mr. TAFT. Mr. President, there is apparently almost unanimous agreement in the administration, in the Congress, and in the country at large on the fundamental purposes of the joint resolution which is before the Senate; that is, we all want a completely efficient and adequate army for the defense of the United States. Apparently we all admit that we do not want an army larger than is necessary for such defense. We all admit that we do not want to create an army which could only be needed if another A. E. F. were in contemplation.

There may be a substantial difference of opinion on the question whether the sending of troops to Iceland or other Atlantic islands is defense of the United States, but the administration itself justifies that action only on the ground that it is the defense of the United States.

Congress has not declared war, and no one, except Secretary Knox and Secretary Stimson and the Fight for Freedom Committee, seems to be proposing that the Congress declare war. The policy of aid to Britain, established by Congress in the Lease Lend Act, which incidentally negatived convoys and expeditionary forces, is being carried out, and the present status may continue for many years. Even should we unfortunately become involved in an undeclared naval war, it need not necessarily have any great effect on the needs of an American Army.

It is certainly clear that the administration is not asking, at least is not asking openly, for any army from which an A. E. F. can be formed, for on page 4 of the hearings General Marshall makes it perfectly clear that he is not, inferentially or otherwise, preparing any kind of an A. E. F. Again, on page 27 of the hearings, he disclaims any such intention.

There is no official disagreement probably on the size of the Army necessary for the national defense. However some of us may doubt the necessity for the exact number requested, I do not think we are disposed to raise any question. General Marshall testified repeatedly that what he desires is an army of 1,727,000 men, and no more.

On page 14 of the hearings he describes how this number is to be reached, and says:

> That is the limit, as I see it, at the present time. My principal concern is with the efficiency of the numbers we now have rather than with a great expansion, with a possible superficial result.

Again on page 27 he says regarding the proposal to take the limit off the number of selectees in service at one time—and the pending joint resolution proposes to take that limit off—

> I might say, Senator, to be completely frank, that I question the advisability of bringing up that particular issue of 900,000 at this time. * * * I question very seriously the advisability of introducing the matter of removing the limitation on the number of selectees, because somebody will seize upon the 900,000, added to what we already have, and immediately insist that I am asking for an army of 2,400,000—an A. E. F.

And he disclaims any idea that he wants any more than 1,727,000 men.

Again, on page 207 of the hearings, General Marshall objects to my plan on the ground that in order to have men trained I am proposing an army of 1,900,000. He says that is too many, that is more than we need, and he objects to the plan because it proposes too expensive an army. So there cannot be very much doubt that the general of the Army is asking for an army of only 1,727,000.

He says, in reply to my question:

I have stated that the 1,400,000 men in the present Army, plus the 152,000 already approved for the Air Corps, plus approximately 150,000 additional men * * * is all the force required at the present time under present conditions.

In spite of the peril, admitting all the peril that he says exists, in spite of the fact that he claims that the peril is greater than a year ago, he still says that a force of 1,727,000 men is adequate for the defense of the United States.

That position is borne out by the request made to the House Committee on Appropriations, embodied in the first supplemental national-defense appropriation bill recently passed by the House and now pending in our Appropriations Committee. That bill appropriates money for a force of 1,727,000 men for the fiscal year 1942, up to the 1st of July 1942. It provides critical items of equipment for an augmented force of about 3,000,000 men. That part of the bill relates to equipment which takes several years to secure, and which must be ready in advance or not at all.

I personally doubt the necessity for having as large a force as is now requested. It was in June 1940, after the Germans had broken through in France, that General Marshall himself testified regarding the increase of the Regular Army to 375,000 men—which, incidentally, was proposed by our committee and not by the administration—that that was an adequate force, and that the increase might obviate the necessity of calling out the National Guard. That was after the Germans had broken through in France, and France was obviously defeated.

It was a year ago in August that General Marshall was entirely satisfied with an army of 900,000 men, with the prospect in time of increasing it to 1,200,000, the so-called protective mobilization plan. I do not understand why the situation today requires a larger army than at that time, with some exceptions that I shall mention. The Germans had subjugated France. There was a serious danger that they might invade England at any moment. Spain and Portugal were open to them then, as they are now. The German Army was triumphant and efficient, more so than it is today.

On Wednesday the Senator from Utah [Mr. THOMAS] called attention to the tremendous increase in the German Army; and the information was generally published through the country as a revelation from our Army Intelligence Division showing the tremendous difference between the situation a year ago and today. As a matter of fact, an investigation of the figures given by the Senator from Utah shows that he is comparing the present strength of the German Army with the peacetime strength of the German Army in 1939, before the war began. There is not the slightest evidence that the German Army today is any bigger than it was 12 months ago. There is a great deal of evidence that it is not in as good condition, or nearly as ready to go, as it was at that time.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Utah.

Mr. THOMAS of Utah. Right there, I think there should be put in the RECORD the exact dates of the statistics which I gave. September 1, 1939, and July 15, 1941, were the comparable dates. So there was no attempt on the part of the Senator from Utah to do anything but to present the statistics as they should be presented; and the Senator from Utah is in no sense responsible for any misinterpretation of them.

Mr. TAFT. Mr. President, I do not question the figures of the Senator from Utah at all. I am only applying those figures to the argument which has been made here that we are in deadly peril, infinitely greater peril than we were in a year ago, and saying that those figures, which were used by the press in support of that argument, do not show anything of the kind, and were not intended by the Senator to show anything of the kind, so far as I know, because they do not relate at all to 1940. They relate to the peacetime strength of the German Army before the war began, and in the first 12 months of the war the German Army was doubled and trebled and quadrupled. I make this statement only from general conclusions; I have not been able to get the exact figures; but apparently practically all the increase took place before the summer of 1940, or by the end of the summer of 1940.

Some part of the present increase over what General Marshall requested a year ago is undoubtedly justified by the increased number of bases to be garrisoned and by the larger air force which I think we all consider necessary for defense. Of the 1,727,000 men, over 300,000 will be in the air force; and I think we all agree that the importance of air has been demonstrated in the past 12 months to be even greater than we thought it was at that time.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. In the colloquy about the increased peril to the country, I do not know that there has been mentioned something that has come to my attention—the fact that Germany having to hold the peoples in the conquered territories is an anchor on the German Army.

Mr. TAFT. Replying to the Senator from Minnesota, I think it is undoubtedly true that, even if the Germans succeed in occupying Russia, a very considerable part of the German Army will be tied down, holding on to Russia and holding on to the other conquered territories which have been already overrun by the German Army.

Mr. SHIPSTEAD. So Germany is not so footloose as she was a year or two ago.

Mr. TAFT. My opinion is that the situation today, at least from a layman's standpoint, looks infinitely safer. Our own Army is many times stronger. Our Navy is stronger. Our air force is stronger. Our capacity for producing munitions and everything else is increasing by leaps and bounds. I simply cannot understand the statement by anybody that the situation is more perilous today than it was a year ago; but there are certain circumstances which probably justify some increase in the Army—as I say, the increased number of bases to be garrisoned and the larger air force. I am only guessing when I suggest that perhaps the greater part of the increase is due to the fact that General Marshall may have been told that he might have to send an army to South America, which was not in contemplation a year ago. Probably it would not be wise to send any army to South America unless it were composed of at least 500,000 men.

However, the only conclusion that I want to draw in connection with this joint resolution is that I am satisfied that an army of 1,727,000 men, or probably any army containing less than 2,000,000 men, will not provide an A. E. F. adequate for any journey to Europe or to Africa. The number of men who will have to be held in this country for the proper defense of the country is sufficiently great so that I am sure no adequate expeditionary force could be provided for a major operation in Europe or Africa. That is the reason why, so far as I am concerned, I am perfectly willing to go along with the Army's statement of needs of 1,727,000 men.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Michigan.

Mr. VANDENBERG. Bearing on the question of the value of the relative statistics to which the Senator has referred, I call his attention to the fact that the World Almanac reports that as long ago as November 1, 1940, the German Army consisted of 5,000,000 active men. That is a totally different sort of a comparison than a comparison with the pre-war strength of which so much has been made.

Mr. TAFT. I should have found those figures myself, but I did not. However, I am interested to know that the Senator has pointed out that the German Army of 1940, according to the World Almanac, was an active army of 5,000,000 men, which is not very different from the figures given by the Senator from Utah as of July 1941.

Mr. VANDENBERG. And let me add, an active air force, in all branches, of a million men.

Mr. TAFT. I thank the Senator.

As to the number of men in the Army, I would much rather be on the safe side, although I do believe that if the Army is to consist of more than 2,000,000 men, implying an aggressive move in other continents, the policy should again be submitted to Congress. That is the reason why I have submitted one amendment—not the one I mainly wish to discuss—definitely limiting the total authorization, without further action by Congress, to 2,000,000 men.

I believe if that policy is changed, if we go over the 2,000,000 figure, we are in effect adopting an A. E. F. policy, and, in my opinion, such a policy should be submitted to Congress, and should not be left merely to the Committee on

Appropriations. But as far as the pending measure is concerned, there is no substantial difference as to the number of men we should provide. The differences relate solely to the method of providing those men, and the reconciling of an efficient army with our obligations to the boys whom we have forcibly drafted into the Army of the United States.

OUR OBLIGATION TO THE DRAFTEES

Public 96, which ordered the National Guard and the Reserve officers into active duty, authorized the President to order them only "for a period of 12 consecutive months each." It is reasonably clear, however, that all those in the National Guard and the Reserves enlisted voluntarily, for the very purpose of acting as a Reserve in time of peace, as well as in time of war. The National Guard framework forms the basis for many divisions, and it is impossible to return the National Guard to State service at the present time, or at the end of 12 months from the time they were called, without almost destroying many units of the Army.

On the other hand, the status of the National Guard as part of the United States Army should be a temporary one. It is a reserve force. The men who enlisted in the National Guard did not intend to become professional soldiers, and most of them were not students; they had already started in life, and had jobs at home. If war does not come, they are entitled to be returned in reasonable time to their homes and their families and their careers; and they are entitled to have the Government make some more permanent provision for the military defense job, which was supposed to be temporary. The present critical condition in Europe may exist for many years without our becoming involved in war, certainly in a land war, and yet during all that time we would have to maintain a large defense Army. Furthermore, we have an obligation to the States, which are left today practically without military protection at home.

When we come to the draftees, I believe we have a much more compelling obligation. We have taken these men, without their consent, from their homes, from their professions, from their schools, and forced them into the Army. It was stated clearly that the service would be for only one year except in case of a great emergency. Perhaps the year was stressed too much, but certainly the shortness of the term was one of the means used to get the Selective Service Act approved by the people, including these same boys, and passed by Congress.

This is frankly admitted by General Marshall on page 21 of the hearings, where he says:

> I said to the committee that I would compromise on 15 months, but certainly we must have at least 12 months. I admit that is a peculiar way to put it, but I was trying to get the Selective Service Act passed.

In other words, he admits that he came here and put the time at 12 months in order to get the Selective Service Act passed. That is a fact which certainly we cannot lightly dismiss.

It is true that General Marshall at all times claimed that a proper training period for effective training would be 18 months instead of 12 months. I do not agree that we have an absolute obligation to these men to terminate their service at the end of 12 months, but I do feel that we have an obligation to impose a definite limitation on their service, and that we cannot delegate that obligation by giving the President or the Army unlimited power to extend their time to an unlimited period. Our obligation is not to extend that Army beyond the absolute necessities of the United States, the absolute necessity of an efficient army for defense. The obligation is our obligation, and we must determine what extension is justified by the emergency.

THE PRESENT BILL DOES NOT FULFILL OUR OBLIGATION TO THE TRAINEES

It is perfectly apparent from the debate which has taken place in the Senate during the last 2 days that Senate Joint Resolution 95 authorizes the President to retain indefinitely in the service of the United States both the National Guard and the draftees. That authority is not terminated by the present expiration date of the Selective Training and Service Act on May 15, 1945, for that act is extended by section 8. Unless Congress acts further, the President may draft any man for any number of years, and his authority extends for an indefinite period.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question?

Mr. TAFT. I yield.

Mr. VANDENBERG. I am imputing nothing to anyone, but if one wished to create a permanent military dictatorship in the United States, would he require much more than the measure before us in the form in which it is pending?

Mr. TAFT. I see no control whatever over the formation of a military dictatorship except the Committee on Appropriations. Congress has not control. The control of appropriations is the only control I can see that Congress would have, except by the adoption of a concurrent resolution, if that is constitutional—and I think it is not.

Mr. BONE. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BONE. I am not aware of any request from the War Department for appropriations which have been turned down since the beginning of the emergency. If any Member of this body can point to one, I should be glad to be advised now of that fact. So, if the Congress retained its present attitude of mind toward conditions which exist in the world, and felt that they were dangerous, we could have 20,000,000 or 30,000,000 men in the Army, if we could get them from our pool of manpower and Congress were willing to appropriate. We could maintain a military force of that size in this country under this type of legislation.

Mr. TAFT. While it is true that Congress can see itself against a policy by action on an appropriation bill, it is not a good method of controlling questions of policy.

Mr. BONE. We have been reproached in this body by not only well-intentioned, but certainly by well-advised and highly intelligent men, for attempting to use appropriation bills to give some sort of policy slant to legislation. I think most Senators will agree with me that action in connection with appropriation bills has not been regarded as a good way to attempt to control policies. We are constantly reproached for making such suggestions although I suppose it is a legitimate procedure, certainly one way of correcting a bad practice if one develops. It is one method by which Congress can exercise some restraint on departments. Nevertheless, that reproach has been hurled at men who sought to put an end to something by cutting off an appropriation.

Mr. THOMAS of Utah. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. THOMAS of Utah. I am sure that no one wants the impression to go out that there are no limitations at all on the size of the Army. If we put it the other way, that there are not limitations outside the limitations in the law as it stands today, that is all right; but there are plenty of limitations on the size of the Army, especially upon the size of the selective-service Army, limitations which, if I dare use the word, are not implied, because they are definite. We cannot call men into service until we can take care of them, for example. I do not think anyone is helping his cause by assuming that the amendment goes any further than it actually does.

Mr. TAFT. I think I am correct in saying to the Senator from Utah, and I try to be entirely fair, that there is no effective control except the power of withholding money. If Congress grants the money, I know nothing that would prevent the building of an indefinite army of any size. The pending joint resolution settles the question of policy, if we adopt it, and gives the President the power to call an unlimited number of men for an unlimited time of service.

The Senator suggests that the President cannot call them unless he has places in which to put them, but that is a question of money again. He will have places in which to put them if we appropriate the money. No authority is needed for such purpose.

Mr. THOMAS of Utah. Mr. President, I can see that the Senator from Ohio and I are talking about different things. Will not the Senator from Ohio at least grant me one thing, though it was the statement of the Senator from Washington [Mr. BONE], of course, that brought me to my feet, and not the Senator's statement? I do not think there is any attempt to be unfair on the part of either the Senator from Ohio or the Senator from Washington, but I do think we ought to be fair in our statements with respect to the law of the land, and not lose sight of the restrictions which are already in the Selective Service Act, in the act covering the National Guard, and in the legislation covering the Regular Army. The Army, after all, is not a mob of men. It is something which is definitely organized

in a proper and legal way. If that were not the case, the splendid analysis of the present-day needs, which is now being given by the Senator from Ohio, would not be necessary. All we would have to do would be to say, "Let us have 2,000,000 men" and let it go at that. But no; we have 2,000,000 men organized as an Army of the United States for definite purposes. That is my only point.

Mr. TAFT. I am interested in what the Senator says, but I do not think it contradicts anything I said; so I see no use for further comment on that aspect of the case.

Mr. THOMAS of Utah. I do not think it is fair to a committee of the United States Senate to assume that it would propose any kind of an amendment which would turn this Government into a government which was military, or would make it possible to institute, for example, universal military service and things of that kind.

Mr. TAFT. I think the committee undoubtedly feels that the appropriation check is a sufficient control, and I admit it is there. But there is no other check of which I know except the appropriation check.

Mr. THOMAS of Utah. Let us at least admit that the appropriation check works very well in connection with other functions which the Government performs, and it probably will work quite well in connection with this particular function.

Mr. WHEELER. Mr. President, will the Senator from Ohio yield to me?

Mr. TAFT. I yield.

Mr. WHEELER. The Senator from Utah speaks of the pending measure being an amendment to the present law. The truth of the matter is that it will not be an amendment to the present law. It provides for an absolutely new grant of power as distinguished from an amendment to the present law. I think the difficulty with the position taken by the Senator from Utah the other day is that he looked upon the measure simply as amending the present law, whereas section 2 of the pending measure is definitely and positively a grant of power completely changing the present law.

I entirely agree with the Senator from Utah that the committee, by this particular measure, has no intention of militarizing the Nation, but what is proposed to be done is to make it possible for the Nation to become absolutely militarized, except, as the Senator has said, for the matter of the check that may be had on appropriations.

Let us assume that we have an army of 2,000,000 men or of 3,000,000 men. Then let us assume that a proposal is made that the Congress of the United States cut off the appropriations for that army, or let us assume that a proposal is made to adopt a concurrent resolution repealing the legislation providing for that army. If the committee handling the matter is dominated by the administration, a measure carrying such a provision could not be gotten out of the committee. Everyone who knows anything about the practical workings of the various committees must admit that statement to be correct. Such a measure simply cannot be gotten out of the committee. In the House a rule cannot be obtained unless the overwhelming majority of the Members of the House favor the action which is proposed.

We have seen proposed legislation brought before Congress time and time again, both under Republican and Democratic administrations, and if the administration says, "We do not want that bill," Senators know what would happen if an attempt were made to bring the bill out of the most of the Senate committees. For example, if the War Department were to object to a measure, or if the Bureau of the Budget were to object to it, it would be impossible, as a practical working proposition, to get the measure out of almost any committee. So the suggestion of Congress having a curb on the matter is all right in theory, but in practice it simply does not work out.

Mr. THOMAS of Utah. Mr. President, there is no use of arguing about these questions, but the fact remains that at the end of the last war we had an army of 4,000,000 men, which was reduced to an army of approximately 200,000 men.

Mr. WHEELER. Yes; but that was not because of congressional action. That was because the administration itself advocated that the Army be cut down. Many persons in this country condemned the Hoover administration and the Harding administration because under those administrations the Army was cut down in size, and also because the Navy was reduced in size.

Let us consider the Army. What I say is said with all due respect to the leaders of the Army, and I do not blame them for the position they take. In that respect they are like the heads of every bureau of the Government. If a bureau were organized and received an appropriation of $10, it would find some reason for coming back to Congress and asking for a larger appropriation, and for an increase of its powers until it would be built up and become a larger and larger organization, for the greater it becomes, the more power those in charge have, the more influence they have, and the larger are salaries they receive.

The larger the Army becomes, the more promotions there will be for those in the Army. All this is but human nature. Those in charge of the Army are no different from Members of the Senate or from other persons. They are simply human beings, and naturally if they see promotions in prospect they like to receive them. That is part of their training. They like to have a large army. Those in charge of the Navy like to have a large navy. The heads of the Department of the Interior, the Department of Commerce, and of every other department of government like to have their departments enlarged and their influence increased.

But, Mr. President, the Congress of the United States ought to have the guts to say, "After all, we are representing not any particular branch of the Government, not any particular bureau of the Government, but we are representing the masses of the people of the country, and we ought not to turn over our power to the Army, to the Navy, to the Department of the Interior, to the Department of Commerce, or to any other department of the Government of the United States."

If the Senator from Ohio will further yield——

Mr. TAFT. I yield.

Mr. WHEELER. Under this measure we will make it possible for a top sergeant to say to John Smith, "You can leave the service," and say to John Jones, "You must remain in the service." That is not fair. By the passage of this measure Congress is bound to build up in this country a tremendous inequality among the men in the service, and provide unfair preferences among the men in the service. I think the measure in its present form is most undesirable.

Mr. TAFT. Mr. President, I do not think anyone will question the statement I have made that this measure authorizes the President to retain indefinitely in the service of the United States the National Guard, the draftees, and the Regular Army; that such authority is not terminated by the present expiration date of the Selective Training and Service Act; that unless Congress acts further, the President may draft any man or may continue any man who is in the Army, or may draft new men subject to draft for any number of years, even when his authority is revoked by concurrent resolution—if that provision is constitutional, which I doubt—and service must continue for the period previously fixed by the President. So he could extend everyone's service for 5 years just before a concurrent resolution is adopted.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. THOMAS of Utah. The Senator from Ohio remembers the discussion which the Senator from Utah had with him and also with the Senator from Michigan [Mr. VANDENBERG] in regard to the way in which the amendment has been interpreted. I took the stand that there was a definite limitation in the amendment. No one wants a bill as loose as the Senator says this bill is. I do not accept that statement as true, as he knows. I say that there could be no question about the terminal facilities of the powers granted in this measure. I should like to say to the Senator from Ohio and also to the Senator from Michigan that we are trying to work out and will work out an adjustment and a rewording of section 8 and the proposed section 9, so that they will take care of and make definite the provisions which we assume are definite in the measure, but which the Senators to whom I referred have assumed and are arguing are very indefinite.

Mr. TAFT. I was concerned also with section 2, which says that the President is authorized to extend the service for such period of time as may be necessary, which might be 5 years or 10 years. Then the proviso says that the authority may be terminated by concurrent resolution of Congress; but apparently the exercise of the authority would be perfectly valid when made, and would continue the men in service as long as might

be designated in the order. When the Senator is revising the measure I hope he will also take care of that question, which was raised yesterday by the Senator from Maine [Mr. WHITE] in the address which he delivered.

Mr. President, there is a suggestion in section 3—the provision is not compulsory—that the Secretary may release persons who in his judgment would suffer undue hardship if retained, and may release men over 28. There is not the slightest suggestion anywhere in the measure that a man shall be released when his training is completed.

On Wednesday the Senator from Utah [Mr. THOMAS] made this statement:

> The General does not want to hold, and the scheme of the law is not to retain, any man who has completed his adequate training so that he has had the experience essential to a soldier in such a large Army.

The Senator continued:

> As soon as the ordinary selectee has completed the training essential to give him the knowledge and the ability a soldier should have in order to be able to engage in maneuvers of, let us say, an Army Corps standard, then that man has received all the training the Army wants to give him, and it wants to start to train someone else.

I have read the testimony of General Marshall with the greatest care, and I do not find the slightest intention on his part to dismiss any man after he has completed such training. He has never made the statement which the Senator from Utah has made. The General himself testified last year that 18 months would be sufficient for the necessary training. Repeatedly in his testimony he refers to his intention to dismiss the men over 28 and those with dependents; but the number of those would probably not be more than 200,000.

What about the other 600,000 selectees who have been forced into the Army, who may be hard-working, conscientious, and even brilliant soldiers, but who have been forced into the Army at the same time that other men, in exactly similar situations, have been allowed to remain at home and even receive high salaries and wages in industrial work? General Marshall does not say that for the present he contemplates the dismissal of any of those men. In his statement on page 207 of the hearings he says that the necessary force totals approximately 1,700,000 men, and he adds this:

> The immediate problem of the War Department is to perfect this force. Any large increase would disrupt that force because we would again have to spread our trained men to form a nucleus for the training of the increase, and would thereby lower the efficiency of the whole.

Apparently he has abandoned the idea of taking in replacement troops for training so far as the great bulk of the selectees is concerned. His present idea and his present plan are an absolute departure from the plan presented by the Army when the Selective Service Act was passed, which is set out clearly by Senator Sheppard in his remarks on August 26, 1940. I should like to read what Senator Sheppard said at that time, because he presented the plan of the War Department. He said:

> Mr. SHEPPARD. Mr. President, I think perhaps it will be helpful at this time to give a brief picture of our proposed defensive set-up in the event of the passage of the pending bill.
>
> There has been authorized and appropriated for a regular standing Army of 375,000. We now have about 280,000 of that number and expect to have the total by January. This is our regular, permanent, standing Army. The National Guard may be called in an emergency, but when the emergency is over it will return to the States, and the permanent standing Army of 375,000 will continue. The trainees, after they have been trained a year in various increments, will go back to private life. The permanent standing Army will go on as a permanent nucleus, extensible by drawing upon the National Guard and the trainees in accordance with the seriousness of the emergency.
>
> There has been authorized and appropriated for practically as a first-line reserve, although a vital part of the Army of the United States, a National Guard of 255,850, composed of civilians following civilian pursuits, maintaining complete military organization, regularly drilling at stated intervals throughout the year, and holding annual maneuvers. This number in the National Guard authorized and appropriated for has not been entirely enlisted, the number actually enlisted at the present time being 241,600. In addition to the number authorized and appropriated for—that is, 255,850—about 170,150 are authorized but not yet appropriated for, and, of course, not yet enlisted.
>
> If the pending bill is enacted, there will be as a third line of defense a citizens' trainee reserve probably going into the Regular Army Enlisted Reserve. This trainee reserve will have been assembled and trained as follows, according to the present plan:
>
> Seventy-five thousand starting October 15, 1940.
>
> One hundred and fifteen thousand starting November 5–12, 1940.
>
> One hundred and twelve thousand starting December 15, 1940.
>
> Ninety-eight thousand starting in late December 1940, or early January 1941.
>
> Each of these increments will be trained for 1 year, and will then return to private life.
>
> An increment of 400,000 will start training April 1, 1941, and complete training by April 1, 1942.
>
> An increment of 600,000 will start training October 1, 1941, and complete training October 1, 1942.
>
> An increment of 400,000 will start training April 1, 1942, and complete training April 1, 1943.
>
> An increment of 400,000 will start training October 1, 1942, and complete training October 1, 1943.
>
> An increment of 400,000 will start training April 1, 1943, and complete training April 1, 1944.
>
> An increment of 400,000 will start training October 1, 1943, and complete training October 1, 1944.
>
> An increment of 400,000—that being the eighth increment—will start training April 1, 1944, and complete training April 1, 1945.
>
> The bill expires April 15, 1945.
>
> This gives a total trainee reserve of about 3,400,000. Add to that the National Guard of 255,850 and the Regular Army of 375,000 and we have a potential Army of approximately 4,000,000, visualized and desired by General Marshall and his associates.

In other words, an exact plan was presented by which, when the system got under way, 800,000 men were to be fed into the Army and trained each year, and then turned back to private life, while others were brought in to take their places. Apparently General Marshall has entirely abandoned the idea that existed when the Selective Service Act was passed. If I correctly understand the policy of the Army, it is that it will dismiss those men whom it wishes to dismiss, because they are not good soldiers, because of age or home ties, but it will retain indefinitely all the younger, more efficient men. It seems to me obvious that this would be one of the worst blows at Army morale which could possibly be dealt. A man who is constantly complaining, taking no interest, and loafing on the job is to be rewarded by a discharge. A man who is conscientiously doing his duty, no matter how anxious he is to return home, is to be retained in the Army for life. The morale of the Army today is none too good. It will not be improved by such a policy. But above all I do not believe that we perform our obligation either to the National Guard or to the draftees if we give unlimited power to carry out such a plan.

If I am mistaken, and the contention of the Army and of the Senator from Utah is correct regarding the intention to release men who have completed their training, no harm could result from carrying out the idea of the Senator from Utah by definitely limiting the service to that period which is necessary for training, generally conceded to be 18 months. If that involves more camps and additional facilities for training in order that new men may be brought in to act as replacements later, Congress will not hesitate to appropriate the money necessary to carry out a plan to replace the men who have been in service for 18 months. Both the Army and ourselves owe those men an obligation to show them a plan by which they will be released within a definite period. The pending measure does not even suggest such a plan.

Mr. President, the amendment which is on the desk, and which I shall offer, provides a sufficient army and performs our obligation. The amendment strikes out the first two sections of Senate Joint Resolution 95, which give the President unlimited power to extend indefinitely the term of service. It substitutes these provisions:

First, the service of the draftees is extended from 12 to 18 months, and it is provided that dismissals shall begin in April 1942, at the rate of 50,000 each month, to be replaced at the same rate by new selectees. If this amendment is adopted not one man need be dismissed from the Army until April 1942, about 9 months from this time.

Second, the period of service of the National Guard and Reserve officers is extended from 12 to 24 months, so no members of the National Guard would have to be released until October 1942, and the great bulk of the National Guard would not be released until January 1943.

Third, in order to provide a method by which the National Guard may be ultimately replaced, the authorized number of enlisted men in the Regular Army is increased to 800,000, and opportunity is

provided to men in the National Guard and the selective-service force to enlist in the Regular Army, so that a trained Regular Army may be available when the term of the National Guard finally expires, before and after January 1, 1943.

I submitted to the Military Affairs Committee a plan and table showing how a 16-month plan would work out, showing that at all times it would leave in the Army one and a half million men who would have been trained for at least 6 months in existing units. I am told that day before yesterday one of the witnesses before the House committee testified that at the end of 6 months the men who were brought into his unit, a unit already trained, were perfectly competent to be taken to war.

The amendment I suggest today is for 18 months instead of 16 months, in order to give the Army a somewhat wider leeway. Furthermore with the additional 2 months it would only be necessary to release 50,000 men a month, instead of 75,000, and we would not have to begin releasing them until April 1942 instead of February 1942. This would give the Army a freer hand during the winter, and plenty of time to make the arrangements for the replacements that are necessary.

The plan I suggest, furthermore, will provide a trained reserve very much more quickly than it will otherwise be created. The plan that I suggest is exactly in line with the original purpose of the Selective Service Act, as set out by Senator Sheppard when he sponsored that act on the floor of the Senate.

I feel confident that a definite limitation will contribute highly to an improved morale in the training camps. So far as I can judge, a very considerable proportion of the soldiers feel, rightly or wrongly, that there is an obligation to release them at the end of the year. These men can do their own thinking. I have a letter, signed by 100 men from one of the western camps, which states the argument so effectively that I desire to read it to the Senate, to show that these men know what is going on. I quote from this letter from 100 privates in the Army:

> It is our firm belief that in the present war situation there is no more need to retain us longer than the original law called for. We fellows are doing our share to protect the country, and we feel that it is unfair to hold us while there are a million young men who have had no military training and yet they will be called on in case of war. Would not an Army of 3,000,000 trained men, subject to a week's muster, be stronger than the present 1,500,000 trained men with a reserve of another 1,500,000 raw recruits?

The criticism made by these soldiers seems to me completely justified by the statement of the Army as to its intentions on page 207 of the hearings. While a great many of these men feel that they are entitled to be released at the end of 1 year, I feel entirely confident that a definite plan for terminating their service, explained to them with the reasons that make it necessary, will entirely reconcile them to a reasonable extension. The trouble today is that they see as clearly as anyone that the proposed extension is placing their term of service within the arbitrary determination of the Army chiefs. The way to secure the cooperation of reasonable men is to treat them as reasonable men, and not as children.

There is no force so essential to the defense of this country as the United States Navy. Yet we have not given anyone the power arbitrarily to extend the service of enlisted men. In fact, the Naval Affairs Committee of this Senate considered the matter, and decided against it when we passed Senate Bill 353 on July 15. The House committee has just recommended an increased bonus of not less than $200 for enlisted men in the Navy, and they do not expect to have any difficulty in keeping the sailors whom they now have and securing others. Furthermore, the morale of the Navy could not be higher.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Arizona.

Mr. HAYDEN. The period of enlistment in the Navy, however, is 6 years.

Mr. TAFT. It is for varying terms. The particular bill we passed authorizes 2-year, 4-year, 5-year, and 6-year enlistments.

Mr. HAYDEN. As I understand the matter, when a sailor has served 6 years he can reenlist for an additional term of 3 years or 4 years. But the basic term of enlistment is 6 years.

Mr. TAFT. That may be true. But the principle, so far as I can see it, is the same.

I repeat, Mr. President, that the difference between us on this measure is not one which involves the foreign policy of the United States. I realize that it is not quite so convenient for the Army to turn men loose on a specific day; but if we extend the National Guard to 2 years and the draftees to 18 months, I am quite confident that such a program will meet all the situations referred to in his testimony by General Marshall, and it will give plenty of time to make arrangements for the expirations which will begin to occur in very small numbers only in April 1942, and in substantial numbers not until July 1942.

Mr. THOMAS of Utah. Mr. President, will the Senator yield at that point for a question?

Mr. TAFT. I yield to the Senator from Utah.

Mr. THOMAS of Utah. Let us assume that a definite provision were written in the joint resolution, as the Senator from Ohio has suggested, of 18 months for the selectees and 2 years for the members of the National Guard. Would the Senator from Ohio object to adding the proviso "unless otherwise released," or something of that kind, so that the term would not necessarily be increased a whole year for the National Guard men?

Mr. TAFT. Oh, yes; surely.

Mr. THOMAS of Utah. The Senator from Ohio would have no objection?

Mr. TAFT. My opinion is that, so far as legal authority is concerned, the President could dismiss the National Guard today. I think that his general powers include the power to dismiss. I do not think that any of these term extensions are compulsory on the President; and he is dismissing many selectees today. I have known a number of men, special hardship cases, who are simply given an honorable discharge. I do not think that anything limits the President's power to give an honorable discharge to any member of the Army.

Mr. THOMAS of Utah. However, if he were to dismiss a whole regiment or a whole division, or do something of that kind, the flexibility of adjustment would be removed by specifying a definite period. What I should like to know is whether the Senator from Ohio would object to the release of a few less men than the number of men specified as the outside limit—whether he would object to keeping the flexibility.

Mr. TAFT. Oh, no; I have no objection whatever to the President having the power to exercise his discretion to dismiss men within a shorter period. Certainly I do not insist that the dismissal be done on a definite and certain date. In fact, one reason why I was willing to extend the time from 16 months to 18 months was in order that the Army might have a little leeway. I think they can work out a 16-month program; but I am in favor of providing a little leeway in order that they may accumulate for 2 or 3 months all the men in one unit so that when they receive a group of 20 men at one time they may dismiss another group of 20 men at the same time. Of course, such a procedure might be more convenient than to dismiss one man at a time.

Mr. THOMAS of Utah. I take it that the Senator from Ohio would not object to the purpose of providing a 6-month period so that men serving, for example, in outlying bases will be taken care of if at the time when their release period comes, and when the Army feels that they must be released because their release period has arrived, there is no transport to take them home, and none will be available for a month. Such situations have occurred throughout the history of the Army, and have been experienced by our troops in China and our troops in the Philippines, as the Senator from Ohio knows much better than I do. Such a flexible provision is all the more necessary now because of the complex service which the Army is called upon to perform.

Mr. TAFT. I do not think that any express flexibility provision is needed for the Army. We have had a similar period of enlistment for 3 years, and at the end of 3 years the Army has to let the men go. One-third of the men in the Army in effect have terminated their enlistment every year, and the Army has always had to plan to terminate their services at the end of the 3-year term. I do not think that point is particularly material to the present discussion of the limitation.

Mr. THOMAS of Utah. But an actual hardship would be imposed upon the men if they were released and then had to maintain themselves at an outlying station until such time as they could find room on a transport that would bring them home.

Mr. TAFT. I shall be glad to support any bill introduced by the Senator from Utah or any provision which may be placed in the joint resolution for the purpose of relieving men who may be in such a situation. But I do not know of any situation which in any way would justify any extension of service for any longer period than is absolutely necessary in order to replace men, or that would in any way justify the modification of a definite limitation.

Mr. THOMAS of Utah. The leeway provided by the 6-month period is put in for just that purpose. I am sure that no Senator, above all not the Senator from Ohio, who is familiar with such experiences as those to which I have referred in far-off lands, is opposed to having the Army take care of the men in a flexible way, so that injustice shall not be done. The purpose of the amendment is to prevent the doing of any such injustice.

Mr. TAFT. I shall be most happy to support any provision that is intended to prevent the doing of injustice to the men.

Mr. President, I repeat, the difference between us on this measure is not one which involves the foreign policy of the United States. The plan I propose will give plenty of time to make arrangements for the expirations which will begin to occur in April 1942.

It seems to me that Congress itself has the obligation to reconcile the national interests with fairness and justice to the men in the camps. It clearly involves a definite limitation by Congress itself.

If it can be shown that some other limitation than that I suggest is essential for the defense of the United States, I should be glad to know what that limitation is; but I can see nothing that would justify us in giving the Army power to keep indefinitely those who have been forced into the Army, more or less by lot, while millions of others escape altogether.

The present war, like the Napoleonic wars, may go on for 5 years or for 10 years. We should plan now for an Army policy, not for the next few months but for at least the next 4 years.

Mr. HAYDEN. Mr. President——

Mr. TAFT. I was going to suggest the absence of a quorum, but I yield to the Senator.

Mr. HAYDEN. I do not believe it is necessary to call for a quorum. I merely wish to comment upon the third paragraph of the Senator's amendment. I should like to know how he arrives at the figure 800,000 as the proper number of men to be in the Regular Army.

Mr. TAFT. I arrive at that by adding together the number now in the Regular Army and the National Guard, which is, according to the figures I have, 510,000 men in the Regular Army and 283,000 in the National Guard, a total of 793,000 men. The purpose of this provision, fixing the number at 800,000 in round numbers, is to build up the Regular Army to replace the National Guard for the present emergency.

Mr. HAYDEN. The Senator is aware that no increase is necessary, because Congress has already removed the limitation?

Mr. TAFT. I realize that legally it is probably not necessary, but I wish by this amendment to suggest the plan the amendment has in mind, and to make it clear that we are not proposing to keep the National Guard at the end of 2 years and suddenly send them all home and have nothing in the way of a skeleton organization to replace them. It is intended to suggest to the Army what they would undoubtedly do if they felt that the National Guard was really to be returned at the end of 2 years.

The trouble is that if we simply extend the National Guard for a year, I am afraid that people may say, "Well, when the year rolls around it will be extended again," and I want to suggest to the Army that we had in mind a definite plan on their part of building up the Regular Army to replace unit by unit the National Guard units as those units are sent home.

Mr. HAYDEN. The National Defense Act limits the number of men in the Regular Army to 280,000, but 3 times during the past year the Congress has raised the limit. The last provision for that purpose is in the appropriation act for the current fiscal year, which provides:

> That the appropriations contained in this act shall not be subject to any limitations as to the strength of any branch of the Army, as to the enlisted strength of the Army, as to the number of flying cadets in the Army Air Corps, as to the number of assistant superintendents of the Army Nurse Corps, and as to the number and grade of Reserve officers who may be ordered to extended active duty with the Air Corps.

Mr. TAFT. It is my opinion that the Army, without this authority, could be increased to 800,000, but, in order to make an understandable plan, I put in the third paragraph, and I also added a provision for the enlistment in the Army of any National Guard man or draftee who would be willing to continue in the service.

Mr. HAYDEN. That is the next subject which I wish to discuss. The Senator's amendment states:

> Opportunity to enlist in the Regular Army shall be given to men completing their period of service under sections 2 and 3—

That is, their period of service in the National Guard or as selectees—

> before the completion of such service; and a bonus for such enlistment before the expiration of their period of service shall be paid each man so enlisting, in the sum of $200.

How did the Senator arrive at the figure $200?

Mr. TAFT. Because the House committee has just reported a bonus provision which will give a sailor reenlisting in the Navy $200. Since, therefore, it is proposed to raise the reenlistment bonus for sailors in the United States Navy, I thought it was a good idea to make the provision as to the Army uniform with that of the Navy. I have no objection to $100 or $150, if that should be desired, but I took the figure mentioned, because the House committee yesterday or the day before agreed on a bonus of $200 for reenlistment in the Navy. Incidentally, a man in the National Guard or a draftee who planned to remain in the service for a year, may have to rearrange all his plans if he is to continue in the service, and I think he will find he needs at least $200 in order to make such arrangements. Certainly if he has any family or any connections at home, arrangements for whom have to be extended for a period of 3 years, which is the enlistment period in the Regular Army, that would be so.

Mr. HAYDEN. I am sure the Senator did not realize that his amendment involved a practical discrimination against the regularly enlisted soldiers in the Army.

Mr. TAFT. I realize that, but I felt that if this amendment were adopted, the Senator from Arizona and others would be only too quick to amend the statute which deals with the bonuses, which is complicated by the fact that the bonus is based on service. So I thought to go into the whole question of readjusting the bonuses for reenlistment of Regular Army men would make the amendment unduly long and complicated. I feel confident that if the Senate will adopt the amendment as it is we can readjust the bonuses for the Regular Army.

Mr. HAYDEN. The point I wish to make is that when the Navy pays a bonus of $200 it is for the reenlistment of a man who has served 4 or 6 years. A high-ranking petty officer——

Mr. TAFT. No; $200 is the minimum of the Navy bonus for reenlistment, and it runs up to $400 as it affects the men who receive the pay of the higher grades.

Mr. HAYDEN. I am referring to the existing law. I will read it as printed in the United States Code.

Mr. TAFT. I was following the provision the House committee has agreed on and which probably will be agreed on by all.

Mr. HAYDEN. I do not know what the Congress will do, but I do know as the Senator's amendment now stands it is discriminatory, as I will point out, against the man receiving the Navy enlistment allowance. I read from title 37, section 16, United States Code, act of June 10, 1922 (42 Stat. 630):

> An enlistment allowance equal to $50 multiplied by the number of years served in the enlistment period from which he has last been discharged, but not to exceed $200, shall be paid to every honorably discharged enlisted man of the first three grades who reenlists within a period of 3 months from the date of his discharge; and an enlistment allowance of $25 multiplied by the number of years served in the enlistment period from which he has last been discharged, but not to exceed $100, shall be paid to every honorably discharged enlisted man of the other grades who reenlists within a period of 3 months from the date of his discharge.

In other words, enlisted men of the Navy who are in the first three grades—chief petty officer, petty officer first class, and petty officer second class—and who have served a full enlistment of 6 years are entitled to receive upon their reenlistment for an additional 6-year period an enlistment allowance of $200.

Seamen receiving pay comparable to that of a private or corporal in the Army, upon completing a 6-year enlistment are

entitled to an enlistment allowance of $100 upon reenlistment for an additional 6-year period.

Mr. TAFT. The provision adopted by the House committee doubles those figures.

Mr. HAYDEN. In the case of the Navy, Congress has gone upon the theory that here was a skilled man who has earned promotion. He had served 6 long years in the Navy. In the case of the Army, the provisions are identical, except, because the Army enlistments are for only 3 years, the most that a master sergeant or a technical sergeant or a staff sergeant—those are the first three grades—can get, if he reenlists, is $150. In the case of anyone below that—a sergeant, corporal, or private—if he reenlists, the payment is based upon $25 for each year of service, and the total sum which he may receive is not more than $75.

We are paying to get good men to come back who have demonstrated their fitness in the service and who stayed in for a full enlistment. Now, the Senator proposes to pay $200 for a man who, under the terms of his amendment, has not as yet even served 1 year. We will not get what we pay for.

Mr. TAFT. Whatever bonus the Senator thinks is right is perfectly agreeable to me. He may change it in any way he desires. I adopted the one I propose because the House is now proposing the payment of this bonus to sailors who reenlist, and I think it is most important to encourage volunteering in the Regular Army, incidentally of men who are at least partially trained, because the draft system has put a complete damper on the whole volunteer plan. It has upset the volunteer plan. We cannot get the volunteers we otherwise could have gotten; and if we are to try to build up the Regular Army on a 3-year volunteer basis, I think we should properly pay a bonus to accomplish that purpose, because these men are not professional soldiers. They are men who are giving up something at home. They are men who have often sacrificed twice and three times the wages they are now getting in the Army. It seems to me the sum proposed, $200, is not unreasonable for a man of that character who is willing to reenlist in this crisis. It is no more than compensation for a very small part of the damage he has suffered.

Mr. HAYDEN. Such a sum will not amount to much to the individual soldier, but, added up, it amounts to a considerable sum.

Mr. TAFT. It may amount to a considerable sum, but probably tomorrow or Monday Congress in 10 minutes will pass an $8,000,000,000 appropriation bill that the Appropriations Committee is now considering; and I think we can afford to be fair to the men to the extent that this amendment would involve. If it should bring in 200,000 men it would amount to about $40,000,000.

Mr. HAYDEN. The allowance the Army has been paying is reasonable. In the 1942 appropriation bill we carry for reenlistment allowance only $4,998,775—that is about $5,000,000—to get what? To get men who have served a full 3 years' term in the Army.

The Senator from Ohio is not quite consistent. I do not think there is anyone in this body who has been a more persistent advocate of economy at all times, and particularly in small things—where—

Little drops of water, little grains of sand
Make the mighty ocean and the pleasant land.

He cannot now consistently change his argument, and say that because we are spending money in large quantities for other purposes this is not the place to make the cut.

I am not objecting to the amount of money involved. What I am objecting to is holding out to the selectee now in the service the prospect of receiving something which, if he does not get it, will make him discontented. I do object to giving a 1-year drafted man more for enlisting for 3 years than we give to the men who have served 3 years in the Regular Army.

To do what is right it is necessary to more than double everything. If money is to be provided to pay $200 to a man who has served a year or less, we certainly must pay $800 to a sailor who has rendered 4 years' service in the Navy, and $600 to the soldier who reenlists after 3 years' faithful service in the Regular Army.

Mr. TAFT. However the Senator desires to perfect the amendment I shall be very glad to consider and almost certainly accept the amendment which he offers.

Mr. HAYDEN. The principle which I want to argue briefly to the Senate is that it is wrong to consider paying bonuses in order to have an Army. I cannot do better than to quote from Gen. Hugh Johnson's column on that point:

Among others of the various suggestions to compose this predicament is that of paying large bonuses for men whose service is extended either by voluntary acceptance or by reason of congressional action.

This is a lapse into an early error that plagued our military history for many years and reached the height of folly in the Civil War. You can't measure the obligation to military service in terms of dollars and you can't salve whatever feeling of resentment there may be by requiring military service from one man and not another, or as between classes of soldiers, by paying the former $400. If soldiers got a mere monetary reward for patriotic sacrifice, including sometimes death, there isn't enough wealth in the United States to support an army of a million men.

We can't depend for our defense on medieval mercenaries hired by the sovereign, but only on the American principle of the universal obligation to military service in time of national danger and sacrifice beyond the possibility or desirability of monetary compensation.

General Johnson spoke the truth.

Mr. TAFT. However, Mr. President, the Congress has established the principle of bonuses. It is there. I quite agree with the Senator that a bonus offered in this situation should be fitted in with the other system of bonuses, whatever that may be or may be about to become, because if the naval bonuses are increased we certainly shall have a proposal to increase the Army bonuses; and I quite agree with the Senator that the sum should be adjusted to fit the general scale of bonuses that Congress has declared shall be paid in the Army.

Mr. HAYDEN. I want to discuss the principle of paying bounties and bonuses, because there is nothing new about it. It goes back to the very beginning of our Government. In considering such payments to members of the armed forces of the Nation, it is necessary to recall first the fact that the authority of the Federal Government includes the fundamental right to call upon its citizens to serve the Nation without remuneration in all cases involving its welfare in times of emergency. Therefore, any payment by the Government to citizens is in the nature of a gratuity. It is a right inherent in the Government to require the services of its citizens to preserve it. Each citizen of the United States under the Constitution has certain rights and certain corresponding duties, and included in the latter is that of military service.

This is an old, old story. Every time we have ever had the problem of raising an army, from the Revolution on down, somebody thought he had an original notion that by paying money the Nation could get the kind of an army that was needed.

I desire to read some extracts from Upton's Military Policy of the United States. The very brilliant Army officer who prepared this book died in the course of its preparation. The manuscript of the book lay in the War Department from 1881, the time of his death, until 1904, when Elihu Root discovered it. Upton is rated as the most brilliant graduate of West Point, and this work is monumental in its complete analysis of what actually happened in every war in which our country had been engaged. His discussion of the question of bounties is most convincing.

On page 7 he says:

Any system of voluntary enlistments necessarily places a government in the position of a suppliant, and when patriotism and popular enthusiasm no longer suffice to fill the ranks, resort must be had to the vicious practice of giving bounties to recruits. Even at that early day the letters of Washington refer to the bad effects of this practice, and the danger of admitting as a principle was recognized by Congress when it resolved, on the 6th of December 1775, "That the charge of bounty in the account exhibited by Rhode Island against the United Colonies be not allowed."

Not withstanding this disapproval, the sequel will show that bounties were paid throughout the Revolution, and, as was the case during the War of the Rebellion, were at all times potent factors of evil and discontent.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

Mr. HAYDEN. I yield.

Mr. TAFT. The Senator understands that these men have already been called by the Government. They have already given more service than millions of their fellow citizens who are just as liable to service. They have completed that service; and all this amendment suggests is that they get a bonus for reenlisting for a period of 3 years in the Regular Army.

Now, certainly it cannot be said that there is any gratuity there, because these men have already performed the obligation to which Congress has said every man is subject. I think the Senator is applying great principles to something that is of a very different character.

Mr. HAYDEN. No; I am applying a principle which the Senator now concedes we shall have to apply by increasing the allowances to men who have been in the service longer if we are to pay this large bonus to men who have been in the service for so short a time.

Gen. George Washington discussed that principle in a letter addressed to the Board of War on June 9, 1776. It reads as follows:

> The enormous bounties given by the States, towns, and by individuals to men for very short temporary services are the source of the present discontents and of a thousand evils among the soldiers, and as long as they continue to be given so long will they excite dissatisfaction. They induce the soldier, who has undergone a long service, and who engaged for the war in the first instance on a very moderate bounty, to reason upon his situation, and to draw a comparison between what he receives and the great emoluments others get, and put him upon inventing means from which he will be able to derive the same advantage. And from this comparison and these considerations it is, I am convinced, that most of our desertions proceed, especially where the men do not go to the enemy.

We cannot pay $200 to a man who has served a year or less and think that we can make a man who served 6 years in the Navy, or 3 years in the Army, consider anything but that he is entitled to three times as much or six times as much. We shall have to do justice between the old Regular in the Army and the sailor who has done his bit, served his entire term. If the bounty or bonus is based upon a year's service, then the payment must be three times as much or six times as much, according to how long the veteran soldiers and sailors have served. There is no other way to do justice; which means that the payment of $200 to 1-year men is going to cost much more money than we anticipate.

I had occasion not long ago to look at the report of James B. Fry, who served as the provost marshal general during the Civil War, commenting upon different features, and among others the question of paying bounties is discussed. Here was a man who served in that position from 1863 until he wrote this report in 1867, and this is what he says:

> Prior to March 3, 1863, the Government was dependent upon voluntary enlistments for the recruitment of its armies. It was soon judged necessary by Congress to stimulate recruiting by offering to recruits inducements intended to compare favorably with the price of ordinary labor and at the same time provide means for the support of the family or others dependent on the labor of the recruit.

That is the same old argument identical with the one we have heard in the Senate during the past 2 days, that someone is making more money than the soldier receives and, therefore, we must pay the soldier as much as is earned by someone else on the outside—a workman in a factory, for instance. Whoever made that plea undoubtedly thought he had a new idea. This quotation shows that at least there was the same idea back in 1867, that there is absolutely nothing new in the argument. All through this report the evils resulting from the payment of bounties and bonuses are pointed out. The conclusion written by the provost marshal general was as follows:

> A plan of recruitment, based upon the bounty system, will necessarily be more expensive than any other, and, as a rule, produce soldiers of an inferior class; and although bounty is unquestionably calculated to stimulate recruiting, it does not always accomplish that object at the proper time. For when it is visible, as it was during the late war, that in the anxiety to obtain recruits, the bounties offered constantly increased—

If what is suggested by the Senator from Ohio did not induce men to enlist, I presume he would be willing to double the bounty—

> the men who intend to enlist at one time or another are induced to hold back, with the hope, at a later day, of receiving a higher compensation and having to serve for a shorter period.
>
> In time of peace a sufficient number of recruits to meet the requirements of the service can usually be procured without the aid of bounty, and in time of war the country can least afford the cost, besides needing the service of better men than those who enter the Army simply for mercenary motives.
>
> I beg leave to submit that for the purpose of maintaining or increasing the Army the law of Congress, as embodied in the act known as the Enrollment Act—

That was the Civil War draft act—

> and its amendments, with the single additional amendment hereinbefore mentioned, is ample in itself for any emergency which the country has witnessed or is likely to meet in the future, without resorting to any system of bounties by the Government or local authorities. It has seemed the more necessary to present these views and facts, because it is absolutely essential that they be properly weighed and considered when a war begins, and before a system of bounties is inaugurated, for once involved in the system it is extremely difficult, if not impossible, to escape from it, or even restrict the rapid growth of its evils.

Mr. TAFT. I hope the Senator will notice, however, that we have a bounty system for reenlistment—and all this relates to reenlistment, not original recruiting—and that most of what he says does not apply at all. So far as the amount of the bounty is concerned, I am quite willing the amount shall be changed if necessary. There is no doubt that the Regular Army and the Regular Navy bounty for this particular purpose should be so fixed as to be uniform and fair to all men, so that no one would be discriminated against.

Let me ask the Senator what the bounty is for reenlistment in the Regular Army in foreign service? There is a larger bounty paid to men who reenlist, for instance, in the Philippines, if I remember correctly.

Mr. HAYDEN. There may be; I do not know about that. All that I have are the citations in the United States Code.

What has happened is that in the Congress, knowing what our duty is, that is, to require men to serve in the Army if their country needs them, in order to salve our consciences a little it is proposed we give them some money, and we think we will feel better about it. But the love of one's country and a desire to serve it cannot be paid for. Money will never secure the will to fight. What is $200 to a man if he really does not want to be in the Army? Why do we want him as a soldier if his services have to be bought? Why make a mercenary of him?

Mr. TAFT. Does the Senator intend to oppose the House amendment as to the Navy if it comes back to the Senate? I think that would be the time to discuss the whole question of bounties. I am not wedded to the theory, but it does seem to me that the Government has a very great advantage in getting into the service for 3 years men on whom it has spent a good deal of money in training for a year and a half in modern warfare, as will get them if this amendment shall be adopted. I think we can well afford to pay more for such a man than for any new recruit, and there is no proposal that we give a bounty to new recruits.

Mr. HAYDEN. I am glad to have the Senator committed to such a principle, because there is another step which may be anticipated. If Congress provides for a bounty to a man who was drafted in order to get him to reenlist, the next step will be to pay a bounty to get him to enlist in the first place.

Mr. TAFT. For instance, we may urge enlistment upon an excellent mechanic, and offer him a higher wage to come in because he has certain training.

Mr. HAYDEN. The Navy does that very thing at this time, and is getting something of real value for the money.

Mr. TAFT. I see no reason why a man who has had 18 months' training from the Government should not be given an inducement, as against the outside recruit who has had no training. It seems to me much of the principle laid down by the Senator is sound, but I think there is more justification for a bonus of this kind.

When it comes to the amount, I am quite free to admit that it should be in line with the practice in the Regular Army and the Regular Navy, and I tried to make it that way; but if the pending measure does not go through, and if the Regular Army is not changed, then it is undoubtedly too high, and if the Senator will suggest an amount, I shall be glad to change the amount.

Mr. HAYDEN. That is exactly what I want the Senator to admit, namely, that what is to be paid for is that which a man has learned while in the service of the United States, which makes him more valuable as a soldier or sailor. It is a positive advantage to the Navy to get an experienced man to reenlist. It is much the same with the staff sergeants in the Army. They are worth more, and we should pay them more. But when a fair and just system of selective service has been adopted, why we should pay them at all is beyond me. The practice should be one which would make men recognize that it is their duty to defend their country in time of need.

I make these remarks because I am convinced that if attention is not now

directed to the evil inherent in paying bonuses and bounties, and I fear a precedent will be established which would be very detrimental to the Nation as time goes on.

Mr. AUSTIN. Mr. President, on that point I call attention to page 103 of the hearings which began July 17, 1941. Mr. Grenville Clark, speaking of the particular element, the bonus, said:

> It couldn't be done and it oughtn't to be done. Those are the men who step forward. Somebody may say they like the military life, but many of them don't. They have gone into it because they think the country needs them, and they have gone in ahead of the draftees.
>
> Surely it is an almost ludicrous proposition that Congress could vote to pay 600,000 draftees an extra bonus for staying in and neglect corresponding increases to the 800,000 men who volunteered in our other forces.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 1261) to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SUMNERS of Texas, Mr. WALTER, and Mr. GWYNNE were appointed managers on the part of the House.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. HILL. Mr. President, a year ago Congress passed the Selective Training and Service Act. We gave the law that official name in the act, and it is so designated by the act itself. The very name shows that the Congress had in mind that two purposes would be carried out under the Act. One would be the purpose of training men in our armed forces and having them as a reserve, so that in case of need we might have them trained and ready to be called back to active service. The second purpose, as indicated clearly by the word "service," was that we might have a sufficient armed force ready in this country to meet a military situation if it should develop.

Mr. President, we are thinking now more in terms of the service feature of the measure than we are of the training feature. In the pending joint resolution we have not in any way departed from the training feature. We believe in the training feature. We believe that that feature should be carried on, but the international situation is such today that we must at this time give our first thought and our first consideration to the service feature, to having a proper and adequate armed force ready and prepared here in the United States.

General Marshall, our Chief of Staff—and he, under the law, is the military adviser to the Commander in Chief of the armed forces, the President of the United States, and is also the military adviser to the Congress—General Marshall, testifying before our committee, made this statement with reference to the present situation which confronts our country:

> It is difficult at this time to determine the exact requirements of the national interest with respect to military personnel. However, in view of the international situation and its rapidly increasing threat to our security, I submit on the very basis of cold logic that the virtual disbandment or immobilization of two-thirds of our trained enlisted strength and three-fourths of our trained officer personnel at this time might well involve a national tragedy.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. PEPPER. Did the Senator from Alabama get the impression which the junior Senator from Florida has gotten—that the difference of opinion which had occurred in our own body in times past was whether aid to England, or aid to Russia, or aid to China, or aid to Greece, or aid to some other country, was a good way or a doubtful way to defend America, but that we all were agreed that we wanted America to be strong here at home? Now has the Senator found that those who have opposed aid to these other countries have dashed to the front here and helped the able Senator from Alabama and the other able members of the Military Affairs Committee in having a strong army for the United States of America here on our own soil?

Mr. HILL. In reply to the Senator from Florida I will say that those who opposed aid to England and China and other countries, in spite of their protestations that they believed in a strong America, an America well-armed and well-fortified, have opposed practically every measure that your Committee on Military Affairs has brought to this floor to the end that we might have a strong armed force and that we might have a strong America.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. The Senator knows that the Senator from Maryland has supported measures without exception for the defense of America.

Mr. HILL. The Senator has been what I would call a valiant soldier in the cause of a strong defense for the United States.

Mr. TYDINGS. I do not mean to imply that it would be a wise thing to leave the defenses of our country weak in this hour of emergency. Whether members are isolationists or interventionists or in between, whatever shades their opinions may be, in my judgment all persons realize that this country ought to be put in a state of adequate defense just in case that defense is needed. I think most everyone agrees to that.

My concern is with this proposition, which is not contrary to the statement I just made. The men in question were taken into the military service. Whether it is true or not that no definite commitment was made that they should remain in the service but a single year, the general impression was gained by each of them that after a year's service they would be released. At the present moment the Chief of the Army, and many other persons outside the Army, feel that to release these men en masse would not be wise, would not be taking care of the defenses of this country.

Mr. HILL. It might, as General Marshall said, involve a national tragedy.

Mr. TYDINGS. That is correct; it might conceivably involve a national tragedy, assuming that many things would happen which are well within the realm of probability.

I have the highest regard for General Marshall as a citizen and a soldier. I should like to accede to any reasonable request he might make to carry out what the Senator so eloquently is expounding now—namely, the constant defense and protection of the country. As a Senator I do not like to be placed in the position of taking a conscript army and keeping it in the service until 1945. I should much rather keep it in service 6 months' overtime, and then vote to keep it in 6 months' more overtime, than to say, "It shall be kept in service, if needed, until 1945." I believe a great many Members of the Senate would like very much to go along with General Marshall and the administration on this measure, but if we are to retain men in the service until 1945, that is a long way in the future. It may be necessary, as time goes on, to have an Army of the size proposed, or a greater one, until 1944 or 1945, but I would rather take it in homeopathic doses than to swallow it all at one gulp. That is the course of democracy.

Mr. President, I do not mean to infer that the President will violate the discretionary authority it is proposed to give him. On the contrary, I believe he will uphold the discretionary authority. But that is not the point. This is still a democracy, this is a legislative body, and I think we ought to extend these limitations, if we extend them at all, for comparatively short periods of time, rather than for a long period.

Mr. President, I am not out of sympathy with what the Committee on Military Affairs has in view, namely the defense of the country during the emergency, and I can see why the committee would say that the discretion should lie in the President, but I would rather extend the period of service for a short time, and then extend it again if necessary, than extend the period of service for a long time. Even in this emergency, when it is absolutely necessary that much discretionary power be surrendered to the Chief Executive, I think we ought not to surrender more power to the Chief Executive to make decisions than the circumstances make imperative. When the circumstances make such action imperative we should willingly surender that power in the national interest. I am reluctant to keep writing blank checks for 3 years in the future, if Senators want to know how I personally feel about the matter, but under no circumstances would I want to go so far as to disband the Army now in the face of grave world events.

Mr. HILL. I am sure the Senator, even if he were to place a limitation on

the service, would want that limitation placed in such a way that it would not cripple or in any way seriously hamper or confine the Chief of Staff of the War Department in the administration of our armed forces.

Mr. PEPPER. Or the Commander in Chief.

Mr. HILL. Or the Commander in Chief.

Mr. TYDINGS. The Senator is absolutely right in making that statement.

Mr. HILL. And the Senator knows that in handling an Army of a million and a half men, all composed of different units, composed of many different kinds and types of units, some of them being in far-off Alaska, others down in Panama, some in Hawaii, some in our outlying bases all the way from Newfoundland down to British Guiana and Trinidad, we would have to have time to work out these things; we would have to have time in which to dispose of those units.

Mr. TYDINGS. But under the measure it is proposed that the time be extended until 1945 in order to work out that problem. I am perfectly willing to concede what the Senator says, that some troops away out in the Pacific, for example, cannot be quickly transferred. The transfer of those troops would require a period of 6 weeks each way.

Mr. HILL. The Senator does not want to keep the War Department so busy with the administrative end of taking new troops in and letting old troops out, and shifting troops forth and back by reason of discharge of troops, that all the War Department's time will be consumed with that sort of military work, does he?

Mr. TYDINGS. Conceded; but if the Senator will allow me a rejoinder, on the other hand I do not want to write a blank check for 3 years. I think somewhere between the two extremes is sanity, patriotism, good sense, and national defense.

An effort has been made to meet the view which I express by having a 6-month clause in the joint resolution, so that the Congress may recapture the time limit. I think that was an effort to meet the point of view I am expounding; but I should much rather extend the authority for 6 months, 7 months, 8 months, or a year, than to vote a 4-year extension on the basis of a questionable recapture clause providing for a concurrent resolution. I may be in the minority, but I believe I represent a substantial block of sentiment among those who have supported every measure which the administration has called upon them to support since this thing started.

Mr. HILL. Mr. President, I do not want to interrupt the Senator, because I am glad to have his views. The Senator realizes, of course, that 6 months or a year might perhaps be too short a time, having in mind that we have about 120,000 men 28 years of age or older who are going out. Then we have the hardship cases. It is only an estimate, but based upon the way they are running now, they will run between 20,000 and 40,000, or perhaps 50,000. Then we have the men who fall out on account of sickness, disability, and other causes. So for the next year—certainly for the next 6 or 8 months—the time will be pretty well taken up by men who are definitely going out.

Mr. TYDINGS. Let us concede that for the sake of this argument. When do we stop after that is over? Not until 1945.

Mr. LEE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LEE. I am sure that members of the committee agree with the Senator from Maryland, with this proviso: We should be glad to set the limit of time if we knew the date when the national interest will no longer be imperiled. We should have no justification for asking for an extension at this time if the national interest were not imperiled.

Mr. TYDINGS. That is correct.

Mr. LEE. Since we cannot fix a time when the national interest will no longer be imperiled, we do the next best thing. We put two discretionary provisions in the bill, leaving it in the discretion of the President himself to muster the soldiers out of service, and in the discretion of the Congress itself to terminate that period, making the over-all terminus the date which the Senator has suggested.

Mr. TYDINGS. I do not quarrel with the desire of the committee to try to be equitable and fair in this grave international situation. I am only saying that as an individual I should much prefer to grant this power to the President or the Chief of Staff, through whom the President will largely act—he will undoubtedly take General Marshall's recommendations—for definite periods of time, even though they be for a year, rather than to make the time 2½ years.

Mr. LEE. We did not have a terminal date in the World War.

Mr. TYDINGS. But we are not yet at war.

Mr. LEE. I understand; but we are in a period of emergency. Twenty-three years later it is a different story. The country which is not ready for war before war comes is put on the list of countries conquered by Germany.

Mr. TYDINGS. I agree with the Senator.

Mr. LEE. Therefore the situation is different. In the period in which we are now living our actions will determine our security for the future. Therefore this is about as grave a period as we could have, next to the final step, which is war.

This time we did something which we did not do the time before. We drafted men in peacetime. That shows that we ourselves and the country recognize that in this day of fast mechanized armies, the period of emergency in preparing for defense may be as serious to the security of the country as war itself might be. Therefore, I say it is a good analogy to say that in the World War, when we went in we did not have a date at which we would be mustered out. We knew that we were mustered in "for the duration." Why can we not now take the same view of it, that the boys who are mustered in now to meet an emergency are mustered in for the duration of that emergency? I am not still in the service. I know it has been said that the boys are given a life sentence. That is merely a prejudicial statement. With the Congress having the power to revoke the authority in a democracy, that is not an argument. That is only a prejudicial statement thrown out to prejudice the people and to bring prejudicial pressure against those of us who are in all sincerity doing our dead level best to write a law which will give security to this country with the very minimum of inconvenience.

In the last World War when the emergency was over the troops were mustered out as rapidly as possible. To fix a dead line and say that on a certain date the boys must be mustered out would create such confusion in the armed forces that we should be left as helpless as was France just before the fall of France, when she changed commanders and civilian leaders on the very eve of her fall.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. Let us take what the Senator says and apply it to the case in point.

The Senator says this is still a democracy, and that when it feels it is wise to do so, Congress will revoke the power which it now is considering extending. I take the logic of his argument to support my own. I say that Congress could extend the authority for still another year if the emergency should persist. By framing legislation in that fashion, the people would be put on notice that men are being kept in the Army in this emergency from time to time in yearly periods—if that be the time fixed—and that each time the year is 6 months from its close, if it seems that the emergency is to continue beyond the end of the year, Congress will again extend the authority.

Mr. LEE. And each time the argument will be made that the men were called for only 12 months and that we have broken faith with the soldiers.

Mr. TYDINGS. No.

Mr. LEE. The argument is now being made. The question is being asked, "Why did you not tell us that the term of service was to be longer than a year? Why did not the Army say it was to be longer than 12 months?" The same argument would be made over and over again, and we should have to fight two battles, one at home and one abroad.

Mr. TYDINGS. Let us keep fighting the battle of democracy. The way to win the battle of democracy is to keep our defenses strong. The Senator wants to keep our defenses strong, and to keep our Army in good shape. So do I. Let us do it in the democratic way so far as the circumstances will permit.

Mr. LEE. Hitler conquered four countries while Congress was passing the lease-lend bill.

Mr. TYDINGS. He has not yet conquered America.

Mr. LEE. And he will not conquer America.

Mr. TYDINGS. Assuredly he will not.

Mr. LEE. The Senator and I both want to make it so strong that he cannot.

Mr. TYDINGS. That is correct.

Mr. LEE. We want a measure which will make it possible for the men we put at the head of our Army to keep that Army strong. It seems to me that to muster out the men every 12 months from units all over the country would cause confusion and weakness. Every military man before our committee said that it would weaken our defense to muster the men out at this time.

Mr. TYDINGS. I do not think Hitler is going to conquer us, for the very reasons which the Senator from Oklahoma sets forth. I am in complete agreement. Therefore I will do everything I can in this Chamber to make sure that he does not conquer us, and that we are as strong as the circumstances may require and as strong as it is possible for us to make ourselves.

The point I wish to make is this: In my humble judgment there is absolutely no reason at the present time for an extension of this power to 1945, which is 4 years away.

If it had been 2 years I think it would have been somewhat questionable, but heaven knows it would have been better than a 4-year extension. That would have taken us to 1943, and when 1943 comes or when the end of 1942 comes, if then it appears that we should still further extend the term of service, I do not understand why at that time we could not pass another law extending it, rather than now to extend it for 4 years.

I think the joint resolution is entirely too wide in its scope the way it is written. I admit that machinery is provided in the joint resolution which is intended to be enforced and which would permit the recapture of the extension power if Congress should choose to do so. But I would much prefer to limit it and extend it than to extend it and then try to get it back if we want it back. Certainly the course of wisdom is to limit the term, and then later extend it if need be, and certainly there is no use in our fighting dictatorships on the one hand and then giving blanket power, which is the source of all dictatorships, on the other. In a democracy the surrender of rights is well-nigh unavoidable in time of war or in time of great crisis, but just because it is unavoidable we do not want to surrender rights we do not need to surrender.

Mr. LEE. This is not a surrender; this is placing the power in the Executive and asking him to exercise it.

Mr. TYDINGS. Yes, instead of ourselves.

Mr. LEE. But all through the measure we reserve the right to revoke the grant of power at any time.

Mr. TYDINGS. Let me say to the Senator from Oklahoma, with the permission of the Senator from Alabama, who has been most kind and generous in allowing these interruptions, all of which are made in good faith and for the purpose of bringing light on the matter, and we are all working to a common end, that one of the excuses which has been offered in every parliament on the face of the earth, one of the reasons Hitler is where he is today is that there were men who said, "Yes, it can be recaptured."

In making that remark I do not wish to imply any reflection on the President of our country, because frankly I have no intention, wish, or desire to reflect upon him. I only make the parallel point that the argument is the same which has been used in Germany, in Italy, in Hungary, in Russia, and in every dictatorship that the world has had since the World War: "Oh, we have to give up this power, and we can recapture it when we want to."

The way to preserve democracy is to keep hold of it, and not give it away. I am willing to give it away entirely if America cannot exist in any other way; but I do not want to give any more of it away than necessarily must be given away in order to preserve the existence and safety of this Republic.

Mr. BONE. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Washington if he desires to ask a question.

Mr. BONE. I was going to say that I assume that my friend the Senator from Maryland [Mr. TYDINGS] proceeds on the theory advanced by De Tocqueville, that "the remedy for the evils of democracy is more democracy." That has been accepted as a philosophical truth since the year he wrote it.

It is my understanding, and if I am in error I hope the Senator will correct me, that General Marshall's view was that it would require 18 months—he did not speak of that as an over-all time—to make a pretty good soldier out of the average inductee; in other words, to give him a knowledge of tactics and movements and to give him the necessary fundamental training required to make him a pretty good soldier, so that he could be utilized in general maneuvers and operations. Is not that correct?

Mr. HILL. That is correct, so far as making a trained soldier out of the individual.

But as I said at the beginning of my remarks—I do not know whether the Senator from Washington was on the floor at the time or whether he had to be somewhere else—we must remember that the Selective Training and Service Act had a dual purpose, a twofold purpose. One purpose was to train the individual. He might be trained with the thought in mind that he would go into this great reservoir of reserves from which he might be drawn if and when we need him. The other purpose, as indicated by the word "service," meant also that we might have a sufficient armed force in this country; we might have an army ready, trained, seasoned, and prepared.

Mr. BONE. Well, would we not have such an Army if we——

Mr. HILL. If the Senator from Washington will be patient with me for a little while I will get to that in a few minutes.

Mr. BONE. I do not desire to interrupt too much.

Mr. HILL. Let me say to the Senator from Washington what I intended to say at a later point. As the Senator from Maryland will testify, there is a great difference between what we might call a trained soldier and a seasoned soldier. If I may use the illustration, we might have a man who is a fine football player; he might be one of the best football players in the world. He would be a trained football player; but he would not be a seasoned football player, in the sense of being a member of the Washington football team, unless he had been playing with the Washington football team, unless he had had much practice and training with the Washington football team, and unless he knew how the man on his right worked, how the man on his left worked, and how the other members of the team worked, and unless he knew the teamwork of that team.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. I do not desire to interrupt the Senator from Alabama further, because probably he will cover many of the points about which I might interrogate him; but I should like to make a request of the Senator. I understand there is available, somewhere, either before the Appropriations Committee or the Committee on Military Affairs, the figure as to the number of men who, under existing law, would leave the service by months. I should like to see that figure so that I could anticipate what would happen if we did not extend the service at all; and I should like to see that figure, if it is in the report or in the testimony, so that one might consider how to proceed in order to preserve what the Senator seeks to preserve.

Mr. HILL. Very well. In reply to the statement of the Senator from Maryland, let me say that in General Marshall's testimony there is such a table, with reference to the situation down through the month of March.

Mr. TYDINGS. March of next year?

Mr. HILL. March of next year. But let me emphasize the fact that the table does not give the full picture.

Mr. TYDINGS. Of course not.

Mr. HILL. Because the table does not take into consideration the 120,000 men who are 28 years of age and over and who will go out in a very short period of time. The table does not take into consideration the undue hardship cases, and it does not take into consideration the men who will go out on account of sickness, illness, disability, or other causes.

Mr. TYDINGS. And the table does not take into consideration the fact that in many of the units, such as antiaircraft units, machine-gun units, and antitank units, the men have not had the equipment with which to train.

Mr. HILL. The Senator from Maryland is absolutely correct. So when the Senator from Maryland refers to the table he will get only one side of the picture; he will not get the full picture at all.

Mr. TYDINGS. I agree with the Senator from Alabama. Both of us have been in the service, and I know that the Senator from Alabama has had a fine record there. We know from past experience that we cannot train a good machine gunner or antitank gunner without providing him with a weapon with which to shoot.

Mr. HILL. That is correct.

Mr. TYDINGS. But I do feel that the period up to 1945 is a rather long time during which to familiarize such a man with an antitank gun.

Mr. HILL. Let me say to the Senator from Maryland that I think there is very real sympathy with the Senator's position; and I think that fundamentally the Senator from Maryland and the committee are now together, as will become more apparent as this debate progresses and as the consideration of this joint resolution progresses.

Mr. TYDINGS. That is correct.

Mr. HILL. I think that as this debate and consideration progress we shall not only be together fundamentally but we shall be together in every way.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HILL. I yield now to our distinguished leader.

Mr. BARKLEY. I have been attempting by negotiation with the members of the committee and with those opposed to the joint resolution and with others to work out an agreement either for fixing an hour for voting early next week or for limitation of debate; and I am able to say that the proposal which I shall now make meets with the approval of all those elements interested on both sides of the joint resolution, that is, beginning with Monday when the Senate meets at noon, and during the further consideration of the joint resolution, no Senator shall speak more than once nor longer than 30 minutes on the joint resolution or any amendment thereto. I make that request.

The PRESIDENT pro tempore. Is there objection?

Mr. TAFT. Reserving the right to object, I myself have no objection, but perhaps there should be a quorum called.

Mr. BARKLEY. I will say to the Senator that I have spoken to the Senator from Montana [Mr. WHEELER], the Senator from California [Mr. JOHNSON], the Senator from Vermont [Mr. AUSTIN], and the Senator from Ohio himself, and other Members on both sides of the question, and the Senator from Ohio has also spoken to other Senators who are interested, and I am certain there will be no objection to this proposal.

Mr. TAFT. That is with the understanding that the Senate will adjourn tonight until Monday next?

Mr. BARKLEY. That is correct; that upon the conclusion of the discussion today the Senate shall go over until Monday.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. HILL. Mr. President, the Senate Committee on Military Affairs was confronted with the fact that the Chief of Staff of the Army, General Marshall, stated to the committee that the virtual disbandonment or demobilization of two-thirds of our trained enlisted strength and three-fourths of our trained officer personnel at this time might well involve a national tragedy. The question was presented to the committee, What should we do; what should be done? Could the committee—could the Congress—assume the responsibility of perhaps involving the Nation in a national tragedy by permitting two-thirds of the enlisted personnel and three-fourths of the officer strength to leave the Army at this time?

The committee recalled that when the Selective Service Act was written and passed last year there was written into it the provision that men inducted into the service should serve for 12 consecutive months, provided, however, that if the Congress should declare the national interest to be imperiled, the President of the United States was authorized to extend that 12-month period of service. The committee, therefore, brings to the Senate the joint resolution declaring the national interest imperiled, and if the joint resolution is passed, and becomes a law, there will be given to the President the power, as the original Selective Service Act contemplated, and as was within the purview of that act, to extend the time of the selectees now in the service.

Mr. President, it has been said in the press, it has been said in other places, that if the Congress should pass the pending joint resolution, making it possible for the President to retain selectees in the service, it would be breaking faith with the selectees; that the Congress would be breaking its word to the selectees.

An examination of the record will show that there is not an iota of foundation for such a statement and that it is wholly erroneous, because, as I have said, in the original Selective Service Act we put a provision that if at the end of the year's service the Congress felt that the national interest was imperiled all that Congress had to do was so to declare, and the President, as Commander in Chief, would have the power to retain the selectees in the service.

An examination of the hearings before the Senate Committee on Military Affairs, before the House Committee on Military Affairs, of the debates here on the floor of the Senate and of the debates yonder on the House floor shows that when the original selective service bill was under consideration the proviso to which I have referred was debated and was presented thoroughly to the Congress and, through the press, to the people of the country.

We recall that the then distinguished Senator from Nebraska, Mr. Burke, was the coauthor of the original bill, he having introduced it in this body. When the bill was under consideration by the Senate Committee on Military Affairs Senator Burke had this to say:

> Senator DOWNEY raises a very important question as to the 8 months' period—

At that time the bill provided for an 8 months' period rather than a 12 months' period—

> As to whether that is adequate or not, and, of course, there is a difference of opinion on that; but I should like to have the record show, and call the Senator's attention to the fact that there is a proviso in connection with that, to the effect that if the Congress should determine that the national interest is imperiled, then the enrollees shall be subject to service for an extended period until the national emergency is over and the enrollee is relieved from active service. So, it is elastic—

Said Senator Burke—

> and the 8 months' period may run into 10 or 12 months, or longer, if Congress determines that the national emergency requires it.

When the selective service bill came before the Senate the then distinguished Senator from Texas, the chairman of the Senate Committee on Military Affairs, Senator Sheppard, in his explanation of the bill called particular attention to this proviso and to the fact that these men might well be continued in the service longer than 12 consecutive months. Senator Sheppard said:

> Section 3 (b) provides for a peacetime training period of 12 consecutive months, with a provision for an extension of such period by Congress, should Congress declare the national interest to be imperiled during such 12 months, such extension to end when Congress declares that the national interest so permits.

Incidentally, it was in keeping with this statement of Senator Sheppard that the committee provided, in the pending joint resolution, that on the passage of a concurrent resolution by the Congress this extension of service shall cease. Senator Sheppard went on to say:

> Congress has control over the length of any extension of the training period, for it is provided that no such extension shall continue until further declaration by the Congress.

He goes on further to say:

> Section 3 (b) further provides for the transfer of a trainee after completion of his training period to a trainees' Reserve until the act becomes inoperative.

Mr. President, under the provision to which Senator Sheppard called attention when the selective-service bill was under consideration, and which is now in the law, if the trainees ended their service at the end of the 12 months' period, they would be transferred. It does not say they may be transferred; it says they shall be transferred into reserve components; and, as the distinguished Senator from Wisconsin [MI. LA FOLLETTE] pointed out when the bill was under consideration, under the so-called Reserve and National Guard Act, which Congress passed just prior to the enactment of the Selective Training and Service Act, the President of the United States without a single act by the Congress has the power under that act to call every one of these selectees back into active service for another 12 months' period. That was brought out in the debate on this floor.

Mr. CLARK of Missouri. Mr. President, I do not wish to interrupt the Senator's argument.

Mr. HILL. If my friend wishes me to yield to him, I shall be glad to do so. I want to be courteous to him.

Mr. CLARK of Missouri. If the Senator prefers to finish his argument, I will defer what I was about to say.

Mr. HILL. No; go ahead, if the Senator desires.

Mr. CLARK of Missouri. Does not the Senator think that is a very essentially

different thing from passing a general authorization to enable the President to retain these men in the service for life?

Mr. HILL. Let me say this to the Senator:

As the joint resolution is now written, the Congress keeps in its hands control of this extension. The Congress may terminate the extension at any time, in keeping with the statement of the then chairman of the committee, the late Senator Sheppard, at the time the original act was under consideration. I think, though if the Senator heard the statement of the distinguished Senator from Utah [Mr. Thomas] yesterday there is no disagreement about the fact that some limitation will be put in this measure. The original act, as the Senator knows, expires on May 1, 1945; I am sorry the Senator was busily engaged on some other matter, and did not hear the discussion which took place a little earlier between the Senator from Maryland [Mr. Tydings], the Senator from Oklahoma [Mr. Lee], and myself. The thought in our discussion was that there might be even a shorter limitation than May 1, 1945. There was no agreement, of course; but that was the thought.

Mr. CLARK of Missouri. The Senator does not deny that the joint resolution as it stands at the present time is absolutely indefinite?

Mr. HILL. I should say that it is. I want to be very frank.

Mr. CLARK of Missouri. The Senator always is very frank with everybody.

Mr. HILL. I want to be very frank, and say that my interpretation of the joint resolution as it now stands is that the period of the extension is indefinite, subject to two propositions: One is that the President himself may terminate it, because before the President may exercise this power he has to find or declare that it is necessary for the national interest that the time of service of these men be extended. So the President, the Commander in Chief, may terminate it and the Congress may terminate it by concurrent resolution; but the Senator is correct about the indefinite period.

Mr. CLARK of Missouri. So far as the joint resolution itself is concerned, at the present time it provides for retaining these men in the service indefinitely—that is, for life?

Mr. HILL. No; I do not agree to that. I agree with the Senator to the extent that so far as the joint resolution now before us is concerned, the selectee has no right as to when his extension may be terminated.

Mr. CLARK of Missouri. What is the difference between that and the proposition I have just stated? I do not wish unnecessarily to take the Senator's time, because I expect to speak in my own right.

Mr. HILL. I understand. The Senator is a practical man, one of the wisest and most practical men in this body. The Senator knows just as well as every other Senator knows that the minute the emergency situation passes we shall release these men just as rapidly as we can, just exactly as we released the men as soon as we signed the armistice in November 1918. The Senator also knows that if the President should be slow to get rid of the men after the danger had passed the Congress probably would refuse to appropriate for them. They have to be fed. They have to be housed. Congress is always in the picture; and at any time the Congress desires it can pass a concurrent resolution, which takes no action at all from the Chief Executive, putting an end to the extension of service.

Mr. CLARK of Missouri. I expect to speak on this measure in my own time, and I do not wish further to interrupt the Senator from Alabama, who is always very kind and very complimentary to anybody who interrupts him; but the Senator admits, then, that under this joint resolution power is vested in the President to keep the selectees in service for the duration of their lives, whether he puts it in the same phraseology that I do or not.

Mr. HILL. The Senator wants to put words in my mouth. I will not accept the Senator's words.

Mr. CLARK of Missouri. All right; I shall be glad to have the Senator state the matter in his own way.

Mr. HILL. I yielded to the Senator. He may state the matter in any way he desires, but I do not agree to accept his statement.

Mr. CLARK of Missouri. As I say, I do not wish to take too much of the Senator's time; but when the Senator says I know that the President will not do that—not only that this President will not do it, but that some other President will not do it—I say to the Senator that I revert to the old, fundamental proposition of government that when power is granted it may be exercised.

As to my speculation about what the present President or any other President may do, that is something I have about given up speculating on. I did not think President Roosevelt would run for a third term, but he did. I did not think that if any American ever ran for a third term he could be elected, but he was. When the members of the committee came in here with this very proposition a year ago I did not think they would be back now trying to extend the term of it, but they are. So I revert to the fundamental proposition that when power is granted it may be exercised.

Mr. LEE. Mr. President, will the Senator yield to me?

Mr. HILL. I will yield, but before doing so I wish to say that the Senator, my old comrade in arms, makes these statements, and he either looks at the boys in the Press Gallery or they look down on him with the prospect of big headlines. [Laughter.]

Mr. CLARK of Missouri. I was looking at the Senator from Alabama, and I noticed him casting his eyes up to the Press Gallery. [Laughter.]

Mr. LEE. Mr. President, will the Senator yield to me?

Mr. HILL. I want the record kept straight.

Mr. LEE. Will the Senator yield to me?

Mr. HILL. In just a minute.

Mr. LEE. What I desire to say will not be any good in a minute.

Mr. HILL. Not only may this extension be terminated by the President, not only may it be terminated by a concurrent resolution of Congress, but the Senator from Utah [Mr. THOMAS], who reported the joint resolution from the committee and who is in charge of it, stated yesterday that he himself favored putting a terminus on the length of time the service of these men may be extended.

I now yield to the Senator from Oklahoma.

Mr. LEE. Mr. President, I merely wish to ask the Senator from Missouri if he would support the joint resolution if it had a time limit in it.

Mr. CLARK of Missouri. If the Senator from Alabama will permit me——

Mr. HILL. I yield for that purpose.

Mr. CLARK of Missouri. Let me say that I am not certain that I would. I should have to see the amendment. I still think that would be more or less of a betrayal of faith to the men who have been taken into the service. That is a matter which I intend to discuss in my own time; but I think it would remove very many objections to the present joint resolution to put in a reasonable terminus. I am not pledging myself to any amendment I have not seen or to any proposition that I do not know about.

Mr. LEE. Does the Senator think of some amendment that would furnish a time limit to it that would cause him to support the joint resolution, that would effect the purpose we are trying to carry out?

Mr. CLARK of Missouri. I will say very frankly to the Senator from Oklahoma that I am not at all certain that I would support the joint resolution under any conditions. I should be very much more inclined to support it, however, if all the objections of General Marshall to allowing the present term to expire were complied with by the inclusion of an additional term of 3 months or 6 months. General Marshall originally said that 18 months was the maximum time he needed to train the men.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. HILL. I will yield in just a minute. The Senator from Missouri was not here when I opened my remarks.

Mr. CLARK of Missouri. No; I was not. I was temporarily off the floor.

Mr. HILL. I stated that the joint resolution had a dual purpose. One was to train these men. An 18-month period of training, so far as training the individual is concerned, is sufficient. The other purpose was, as indicated by the word "service," that we might have the proper kind of an armed force in this country. We have not in any way forsaken the first purpose—that is, of training men—but right now, frankly, we are thinking more of the matter of having the right kind of an army in this country at this time, in the face of the danger which exists.

Mr. CLARK of Missouri. Everybody is thoroughly in favor of maintaining the most efficient Army that the United States can possibly maintain. As I say, I do not wish to enter into a lengthy discussion of the joint resolution in the

Senator's time; but, of course, it is palpably untrue that to permit the provisions of the present act to be carried out would denude the United States of trained men at any particular time, because the men did not come in at any one time. They have been staggered over a period of a whole year. If every man in the United States were discharged at the time of the expiration of his service of 1 year, we should still have a very material modicum of trained men.

Mr. HILL. I do not want to go back over what I said before; but I made this point, if I may repeat it to the Senator—that we are going to release about 120,000 men very shortly, the 120,000 being men who are 28 years of age and over. Then we shall probably release perhaps between twenty-five and fifty thousand——

Mr. CLARK of Missouri. We are not going to let out the men already in who are over 28.

Mr. HILL. Oh, yes; to be sure. Certainly we propose to do that.

Mr. CLARK of Missouri. Nor does the Senator propose to do it.

Mr. HILL. It is in the joint resolution to release the men who are 28 years of age and older. As the Senator knows, we passed through both Houses, and the bill is now in conference, a measure to exempt from the draft all men 28 years of age and over.

Mr. CLARK of Missouri. I am familiar with that.

Mr. HILL. We now propose to release all men 28 years of age and over who are in the service.

Mr. CLARK of Missouri. I understood that to be the argument of the Senator from Maryland yesterday.

Mr. HILL. That takes care of 120,000 men.

Did the Senator from Montana want me to yield?

Mr. WHEELER. When the Senator was asking the Senator from Missouri as to whether or not he would vote for the joint resolution if there were included in it a time limit, I was merely going to say that I probably might vote for the measure, though I should want to see the amendment, if it contained a reasonable time limit. But if it contained a provision that the time limit is to be 2½ years, I certainly would not vote for it or support it on that basis, because, in my judgment, there is no reason at all why the time should be made 2½ years. I can readily understand that there might be some excuse for extending the service for a few months. When the bill was passed, I and others on the floor of the Senate made the statement that we did not have the material with which to train the men, and we have not the material with which to train them today. They were taken into the Army, but we did not have the machine guns, we did not have the guns, we did not have the powder, we did not have the tanks, we did not have much equipment for them when we took them in, and they have not been given any training, except that they were taken out and marched. The training given them was portrayed by the daily paper called PM, which is a pro-New Deal paper, and a paper which has viciously attacked everyone who has not been for going to war. They showed pictures of the various camps where the training given them was training the boys to put down strikes. That is the training which has been given them in most of the camps.

Mr. LEE. Mr. President, will the Senator yield?

Mr. WHEELER. Let me finish.

Mr. HILL. I do not think the record will bear out the statement of the Senator from Montana. I have not visited all the different camps, but I have heard from a good many men who are in various camps, and I do not think the record will bear out the statement that these men have been trained merely to put down strikes. The men have been going through all kinds of training, going through maneuvers of all kinds. The Senator well knows that it would not be necessary to train men in maneuvers, where there were divisions and Army corps and great units of troops together, to teach them how to put down strikes. That is an entirely different proposition. I do not think it is quite accurate or fair, if I may say so to the Senator, to make the statement that the training has been to put down strikes. I do not think the record will sustain that statement.

Mr. WHEELER. Do not misunderstand me. I do not say they have not received any other training, but I do say that in numerous camps that is the case, because I have a magazine in my office, the name of which I have forgotten, which contains pictures showing the training that is being given the men to put down strikes. Not only that but in PM newspaper, which is a pro-New Deal newspaper, the most pro-New Deal paper in the country, and the most pro-war paper in the country, a story appears, and if my memory serves me correctly they carry pictures, and I have another magazine in my office, a well-known national magazine, showing that very thing. That is the fact, according to these publications, according to PM, and according to other magazines, in which pictures are shown of the actual training.

I do not mean to say that is the only training the men have gotten. I think it is comparatively a small part of the training. Nevertheless, it is a fact that that has been done in a number of camps, according to information which is published and made a public record, and which has never been denied by anyone; and pictures have been taken of exactly what was being done.

Mr. LEE. Mr. President, will the Senator yield?

Mr. WHEELER. What I started to say, if the Senator will pardon me a second, is that because of the fact that there was a lack of materials, and they are not available now, I should be inclined to vote to extend the time for a few months, because no one wants to destroy the Army and turn the men all loose at one time, according to the propaganda which has been sent out. But when we talk about extending the time for two and a half years, that seems to be contrary to what General Marshall himself has said, because originally he came before the committee and said that what he wanted was a provision for 18 months.

Mr. HILL. Let me say to the Senator, and I wish to emphasize it, that when the general referred to 18 months of training, he was speaking then of the training of the individual; he was not speaking in terms of having the right kind of an army, the right kind of an army being dependent upon the situation confronting our country at a particular time, at this time, let us say.

Mr. WHEELER. Let me say to the Senator that the trouble with General Marshall's statement—and, as I suggested yesterday, I have great respect for him as a soldier—is that he testified before the House committee that what he needed first was an army of 375,000 men.

Mr. HILL. When did the general make that statement?

Mr. WHEELER. I cannot give the date.

Mr. HILL. The whole situation is changed.

Mr. WHEELER. Wait a moment. Then he said that he needed 450,000 to 500,000 men, that that was what he wanted for the defense of the United States. Now he says that they want 1,700,000 men. Certainly the situation is changed, because he is not making the policy, and of course when the policy is made, he has to carry out the policy of his superiors.

I say frankly that I cannot have very much faith in the opinions given by the Chief of Staff when one day he comes to us and says, "We need 375,000," and a few days later he says, "We need 450,000," and the next time he says, "We need 1,700,000." If an expert testified in that way upon the witness stand, the Senator from Alabama, as a lawyer, a trial lawyer, and a very good trial lawyer, would say to the jury, "You should disregard his testimony."

Mr. HILL. If he testified in that way, I would.

Mr. WHEELER. Certainly the Senator would.

Mr. HILL. But knowing General Marshall as I do, I do not have any idea that he testified in that way. I do not mean that I question the Senator's statement at all, but I mean, in the first place, that I should want to know on what date the general said he needed an army of 375,000 men. In the second place, I should want to know whether, when the General said 375,000 men, he was talking about an over-all army, or whether he was testifying then as to what he needed in the Regular Army alone. I should also want to know on what day he testified about the 450,000 men, and whether or not in using the figure 450,000 he was talking of an over-all army, including National Guard, Regulars, Selectees, Reserves, and others, or whether he was talking only in terms of the Regular Army.

Mr. WHEELER. He was talking about the defense of the United States, and he said that what he wanted was a well-trained, mechanized Army of 450,000 men, not to exceed 500,000 men, as a professional Army. Then he said he

wanted to call in these other people and train them as a backlog. He testified to that when the draft bill was either before the House or the Senate.

Mr. HILL. Of course; then, if he said at that time that he wanted a regular, trained, seasoned Army of 450,000 men, and then wanted to bring in these other trainees—the Senator said he wanted to bring in the other trainees—if we put them at 900,000, which is the limit in the law today, and add them to 450,000, that would make 1,350,000 men. So I say to the Senator he should not come on the floor and cite these figures without our knowing the background, without knowing the dates, without knowing exactly what General Marshall was talking about. General Marshall may have been talking about only what he wanted in the Regular Army.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BARKLEY. I am not a member of the Military Affairs Committee, and I did not hear General Marshall's testimony, but it seems to me that we all had an understanding last year that what was needed and what was desired was a regular, permanent, standing army of 375,000 men, and that is what Congress authorized.

Mr. HILL. The Senator is correct.

Mr. BARKLEY. Prior to that time there had been a limitation provided in the law.

Mr. HILL. Prior to that time we had about 165,000 men in the Regular Army.

Mr. BARKLEY. Yes; but there was a limitation in the law, I think, to about 250,000 men.

Mr. HILL. Yes; 250,000 men, as I recall.

Mr. BARKLEY. There was a 250,000-man limitation, but the actual number was about 165,000.

Mr. HILL. Yes.

Mr. BARKLEY. And pursuing that theory, which I understood was wholly independent of any matter of the National Guard or of selectees, we passed a law fixing the regular, permanent, standing Army of the United States at 375,000 men, and that is the law now, as I understand. Is that correct?

Mr. HILL. No; that is not the law now, but the number was fixed at about 375,000 at one time.

Mr. BARKLEY. That was last year, 1940, when we fixed the number at 375,000. It is now increased probably to 450,000. What is the limit now as to the permanent number in the Regular Army?

Mr. HILL. At the present time there is no limitation except in the matter of appropriation.

Mr. BARKLEY. Except in the matter of appropriation. Whatever the limit was at which we fixed the number last year—and the number was first fixed at 375,000, I remember that very distinctly—it had no relationship, as I understood at the time, either to the National Guard, which was in the nature of a reserve contingent anyway, or to the selectees who would be drawn in under a measure which was really a congressional enactment, initiated in Congress; as I said the other day, offered here in the Senate by the then Senator from Nebraska, Mr. Burke, and in the House by the Representative from New York [Mr. WADSWORTH]. It was not a bill that had been sent here by the President, nor by the Secretary of War, nor, as I recall, by the Chief of Staff, although they approved it in general principle. But what we did at that time was entirely independent and beyond the regular permanent standing Army, as I understood, and it has been changed since, so that the general limitation is the amount of money Congress appropriates to support the Army.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WHEELER. What I was going on was the testimony which General Marshall himself gave before the committee. I will get the exact quotation for the Senator. He testified before the committee in connection with the conscription bill, which we passed, that he needed 450,000 men, or not to exceed 500,000.

Mr. HILL. I do not doubt that he used those figures, but I still insist, knowing General Marshall as I do, knowing the Army as I do, that he was testifying as to the number of men he should have in the Regular Army. That is different from the number of men he should have in the over-all Army, composed of Regular Army men, National Guard men, selectees, and reserves.

Mr. WHEELER. What he was talking about then was the defense of the United States and the Western Hemisphere?

Mr. HILL. Yes.

Mr. WHEELER. Now they are talking about an overseas Army.

Mr. HILL. No; they are not talking about an overseas Army. General Marshall made it very clear that he was not talking about an overseas Army. He was talking, no doubt, about 450,000 men in the Regular Army. That is what he was talking about, not an over-all Army of 450,000 men.

Mr. WHEELER. I do not wish to divert the Senator from what he is discussing now, but in view of the fact that a moment ago I mentioned a certain matter, I now wish to call attention to an article appearing in PM of Tuesday, July 15, 1941, over which there appears a picture. The article is:

When 300 soldiers at Camp Edwards, Mass., went out into the field last week to learn how to quell civilian disturbances they found themselves being instructed in how to suppress strikers—by beating, gassing, or even shooting them. The 300, wearing steel helmets, attacked 100 other soldiers, wearing cloth fatigue hats, who simulated a group of strikers gathered about an old water tower atop a hill, which represented a mine shaft. The soldiers were armed with guns, gas bombs, and gas masks. The strikers had clubs and branches of trees to defend themselves. Strikers, badly outnumbered, were captured and herded into a prison pen. The United Press said three men required hospital treatment.

That is only one article. As I said, another very well-known national magazine contained other pictures of what took place in other camps, where identically the same thing was being done. I do not happen to have that other magazine here. It is on my desk in the Senate Office Building.

Mr. HILL. The article from which the Senator quoted just now says:

When 300 soldiers at Camp Edwards, Mass., went out into the field last week to learn how to quell civilian disturbances, they found themselves being instructed in how to suppress strikers—by beating, gassing, or even shooting them.

The truth is that when men are being trained and prepared they are trained how to handle civilians. If a city is captured the soldiers should know how to move in and take that city. They will be confronted with snipers of all kinds. They will likely be confronted with all sorts of opposition, from the civilian population of that city. No Army officer who is worthy of being an Army officer is going to march his soldiers into a city as though they were marching out on a parade ground somewhere. He trains and prepares his men.

Mr. WHEELER. He does not prepare them for strikes, though. When you are taking over a city you do not prepare your soldiers for suppression of strikes.

Mr. HILL. No, Mr. President. That strike feature made a fine picture. That picture, however, would not have had any consequence, it would not have appeared, I take it, in any paper but for the fact that the strike thing was brought into it. That lends it color, that lends it news value, that gives it an emphasis and an interest to the people.

Mr. WHEELER. It does not change the facts.

Mr. HILL. The article says the soldiers are being trained and prepared to quell civilian disturbances. If one simply works into that picture that the soldiers are also going to handle a strike, then there is a great story; then a great and interesting picture is made out of it.

Mr. PEPPER. Mr. President, that gives an argument in the mouth of some that Roosevelt is a sort of a brutal dictator in this country, does it not?

Mr. HILL. Of course, but everyone knows that Mr. Roosevelt is the best friend the working people of this country have ever had.

Mr. LEE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LEE. I wish to ask the Senator from Montana a question. I was interested in his statement made awhile ago that he would not object to an extension of the time of service. With what maximum number of months of extension in the bill would the Senator support the bill?

Mr. WHEELER. I do not know what the proposed amendment is, but I would say the maximum should be 6 months.

Mr. LEE. The Senator would support the bill if we extended the time of service 6 months?

Mr. WHEELER. I am very much inclined to think that I would support the bill if it were amended extending the period of service for 6 months, and I think that would be ample time to give

the men sufficient training so you would not break down the Army.

Mr. President, I am just as anxious not to break down the Army as is the Senator from Florida or the Senator from Oklahoma. But, as I have explained on the floor of the Senate, I do not think we want completely to break faith with these men whom we have taken into the service, and say that we are going to keep them for an unlimited period of time, when it is not necessary to keep them in the service. I may say to the Senator that I feel it is not simply a question of keeping these particular men in the service. It seems to me that if you do keep them in the service for an unwarranted length of time you are going to destroy the morale of the Army itself, and you are going to do more to destroy it in that way than anything else that can possibly happen. I, for one, do not want to see that happen. I know that the Senator from Florida [Mr. PEPPER], whispering to the Senator from Oklahoma [Mr. LEE], may disagree with my views and ideas about it, but I am stating my own opinions with reference to the matter and am saying exactly what I want to do. I think it is unfortunate that we have to extend the time at all.

Mr. LEE. I am glad the Senator states that he would extend it 6 months, particularly in the light of the Senator's former statement that to extend it would be to break faith. If we should extend it for 1 month, that would break faith a little. Six months would be a little more. The Senator would break faith——

Mr. WHEELER. No; I do not want to break faith.

Mr. LEE. The Senator made the statement yesterday that we were taking these boys by the scruff of the neck and keeping them in the service. The Senator would take them by the scruff of the neck and keep them in service for 6 months longer.

Mr. WHEELER. I am frank to say that I think it is breaking faith with them, in a sense, to keep them in 6 months longer; but I do not think it would break down the morale. I think that under the circumstances most of the boys would be willing to serve 6 months longer. But I feel that to keep them in the service for an indefinite length of time, and to say to them, "This man has authority to say who shall step out and who shall step in" would not only break faith with the boys, but would be the most undemocratic thing that could possibly happen. In my judgment, favoritism will wreck the Army if anything of that kind happens. I am opposed to it, and I shall stand here and fight it as long as I have breath in my body to do so.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. PEPPER. Since the able Senator from Montana adverted to the fact that the Senator from Florida ventured to whisper to the Senator from Oklahoma, I will say that what the Senator from Florida whispered was that the only danger of breaking down the morale of the boys lies in having them believe such statements as are constantly reiterated by the able Senator from Montana, to the effect that they are being held in the service upon a false pretense, and that in the opinion of the able Senator from Montana, there is no menace or danger to their country.

Mr. WHEELER. Of course, I appreciate the fact that the Senator from Florida disagrees with me. It is well known that the Senator has been advocating turning over powers to the President. He advocated the lend-lease bill a long time before any Senator advocated it on the floor of the Senate. He has advocated conscription and all the other things. As a matter of fact, he has been the leader, and the President has been his follower. He and Mr. Willkie, particularly, have led, and the President has followed them. I want to congratulate the Senator from Florida upon having the President of the United States follow his every utterance on the floor of the Senate.

Mr. PEPPER. If the able Senator from Montana had intended that as a compliment to the Senator from Florida and not to deprecate the President, I should appreciate it.

Mr. WHEELER. I consider it a great compliment to the Senator from Florida.

Mr. HILL. Mr. President, the distinguished Senators have passed compliments, and I think it is time for me to continue my remarks.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JOHNSON of California. Thus far I have not participated in the discussion; but during the time I have been present much has been said concerning the length of time that the enlistments will be extended. Is there before us at the present time any amendment to the joint resolution or any substitute for it which does that sort of thing?

Mr. THOMAS of Utah. Mr. President——

Mr. HILL. I yield to the Senator from Utah.

Mr. THOMAS of Utah. I do not know whether this is the proper time to offer the amendments I have in mind, but in answer to the question of the Senator from California I will say that when the Senator from Ohio was talking I remarked that there seemed to be an interpretation of the committee amendment which resulted in so much indefiniteness that one Senator said a boy could be kept in the service for life.

Mr. JOHNSON of California. What does the new substitute provide?

Mr. THOMAS of Utah. I think I had better submit the amendments and ask that they be read and lie on the table.

Mr. HILL. Mr. President, I yield temporarily for that purpose.

Mr. JOHNSON of California. I shall be very glad to have it done.

Mr. AUSTIN. Mr. President, will the Senator yield in order that I may make a suggestion?

Mr. HILL. I yield for that purpose.

Mr. AUSTIN. I suggest to the Senator from Utah that he also have read the content of the agreement of the conferees on Senate bill 1524, relating to clause 28, because it affects the amendments which are about to be read.

Mr. JOHNSON of California. Mr. President, let me ask a question. When was an agreement reached?

Mr. THOMAS of Utah. By the committee?

Mr. JOHNSON of California. Yes; if an agreement was reached by the committee.

Mr. THOMAS of Utah. We had a meeting this morning of probably 8 or 10 members of the committee. The apparent lack of understanding was pointed out. I quoted the words of the Senator from Michigan [Mr. VANDENBERG]. I cannot quote them directly or as eloquently as he stated them. The Senator from Michigan seemed to be talking about one thing, and I seemed to be talking about another.

Mr. JOHNSON of California. May we therefore have the considered conclusion which the 8 or 10 members of the Military Affairs Committee agreed to?

Mr. THOMAS of Utah. I shall be glad to submit the amendments. I have been trying to answer the questions in the way in which I thought the Senator wanted me to answer them.

Mr. President, I ask to have read first the proposed amendment to which the conferees on Senate bill 1524 have agreed, which, if it is adopted by the two Houses, will put into effect at once, in a mandatory way, the permissive suggestions of the amendment which is before us. Then I ask to have read the three proposed amendments to the joint resolution, and also that they be printed and lie on the table.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Without objection, the amendments will be printed and lie on the table.

The clerk will read the amendment agreed to by the conferees on Senate bill 1524.

The legislative clerk read as follows:

Provided further, That the Secretary of War shall, as soon as practicable and when not in conflict with the interests of national defense, release from active training and service under section 3 (b) of this act, and transfer to a reserve component of the land forces for the same period and with the same rights, duties, and liabilities as any other person transferred to a reserve component of the land forces under the provisions of section 3 (c) of this act, regardless of his period of training and service, any person who has heretofore been inducted into the land forces under this act, who requests such release, and who had attained the twenty-eighth anniversary of the day of his birth on or prior to July 1, 1941, and prior to such induction: *Provided further,* That any person so released under this paragraph who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of this act.

The PRESIDING OFFICER. The amendments submitted by the Senator from Utah will be read for the information of the Senate.

The LEGISLATIVE CLERK. The first amendment proposes, on page 5, to strike out section 8 and insert in lieu thereof the following:

SEC. 8. Section 1 of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940, is hereby amended by striking out "June 30, 1942," and inserting in lieu thereof "May 15, 1945."

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. HILL. Does the Senator from Vermont wish to ask the Senator from Utah a question?

Mr. AUSTIN. I wish to point out that the remainder of the amendment should be deleted. The "(1)" should be stricken out.

Mr. GERRY. There should be a period at the conclusion of what has just been read.

Mr. AUSTIN. The only change proposed is the change of date.

The PRESIDING OFFICER. The clerk will read the remaining amendments submitted by the Senator from Utah [Mr. THOMAS].

The LEGISLATIVE CLERK. On page 3, line 13, it is proposed to strike out "(1)".

On page 3, line 15, beginning with the comma, it is proposed to strike out through the word "service" in line 20.

On page 3, line 23, before the period, it is proposed to insert ", which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of the Selective Training and Service Act of 1940."

In lieu of the proviso in lines 9 to 11, inclusive, on page 3, it is proposed to insert the following:

Provided, That the extension of the period of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months, except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Michigan.

Mr. VANDENBERG. Let me be sure that I understand the use of the term "18 months." The 18 months is in addition to the 12-months service, so that the total service will be 2½ years? Is that correct?

Mr. THOMAS of Utah. The total service may be 2½ years.

Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield to the Senator from Utah.

Mr. THOMAS of Utah. Let me say that my proposal for a new section 9, which amendment was tendered yesterday, will not be necessary under the new arrangement.

The PRESIDING OFFICER. Without objection, the amendment originally offered by the Senator from Utah, and now pending, is withdrawn.

Mr. DANAHER. Mr. President, will the Senator yield to me?

Mr. HILL. I yield to the Senator from Connecticut.

Mr. DANAHER. I thank the Senator.

Mr. President, I should like to ask the Senator from Utah if the proposed substitute strikes out so much of the language appearing on page 2 of the pending joint resolution, in lines 21 to 23, inclusive, as would declare the national interest imperiled.

Mr. THOMAS of Utah. Oh, no; there is no reference to the opening words of the amendment as printed.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JOHNSON of California. When is it the Senator's intention to bring up these amendments?

Mr. HILL. Not before Monday.

Mr. JOHNSON of California. I thank the Senator.

Mr. HILL. Mr. President, a few moments ago my distinguished friend the Senator from Montana said that General Marshall had said that he needed an army of 375,000 men and then said he needed an army of 450,000 men, and then said that he needed an army of 1,700,000 men; and the Senator from Montana said he could not have faith in any commander who so quickly changed his opinions with reference to numbers.

I said to the Senator from Montana that I felt sure that when General Marshall used the figure 375,000 he used it not in connection with the over-all army—that is, the army composed of the Regular Army, the National Guard, the Reserves, the selectees, and all the components of the over-all army—but in connection with the Regular Army alone.

I have before me the hearings on the Selective Training and Service Act which were held last year, on July 3, 5, 10, 11, and 12, 1940. I turn to page 330, where I find that that is exactly what General Marshall said and what he had in mind when he used the figure 375,000. He was speaking about 375,000 men in the Regular Army.

Mr. WHEELER. There is no dispute about that.

Mr. HILL. I know; but I want to make it clear. Yesterday the Senator from Montana, in his speech, hammered at how General Marshall said that we needed an Army of 375,000 men, and then said 450,000, and that he had now stepped it up to an Army of 1,700,000. The Senator from Montana, in his very able way—and he is always extremely able—endeavored a little while ago to get me, certainly by inference, to join in his criticism of General Marshall.

Mr. WHEELER. Oh, no; I never could get the Senator from Alabama to agree with me.

Mr. HILL. The truth of the matter is that except on foreign policy and national-defense matters the Senator from Montana knows that he and I are usually in accord.

Mr. WHEELER. I am willing to go a long way with the Senator from Alabama on matters of national defense.

Mr. HILL. I hope the Senator is going along with me now on national defense.

Mr. WHEELER. The only thing upon which the Senator from Alabama and I disagree is the war issue.

Mr. HILL. I wish to quote from the record. It so happened that as a member of the Committee on Military Affairs I was interrogating General Marshall on this particular question. I read from page 330 of the hearings:

Senator HILL. You want the Regular Army and the National Guard.

General MARSHALL. That would be absolutely essential to the present international situation, and to the present situation of our Army.

Senator HILL. You want to have the National Guard right now?

General MARSHALL. Yes, sir.

Senator HILL. General, how many do you have in the Regular Army today?

General MARSHALL. At the present time I think our strength is about 255,000 men.

Senator HILL. And you would like to build that 255,000 up to what?

General MARSHALL. A peace strength of 375,000.

A peace strength, of course, of 375,000 for the Regular Army, and the Regular Army alone.

Mr. WHEELER. That is correct.

Mr. President, will the Senator yield to me?

Mr. HILL. I yield.

Mr. WHEELER. Let me read what General Marshall said a little later.

Mr. HILL. Very well.

Mr. WHEELER. He said:

A peace strength of 375,000; but we first want the strength that is urgently necessary, which is 335,000, and we will build it up to that as rapidly as possible. That embraces all of the ground forces; the remaining 40,000 to go to 375,000 is for the Air Corps, to handle the equipment that is to be delivered at some later date.

Senator HILL. All right; now, can you get that 335,000 under the present system of volunteer enlistments?

General MARSHALL. Yes, sir; we can, but we cannot get them rapidly enough.

I now read from page 332 of the same hearings:

General MARSHALL. That includes everything, except replacements. * * *

Senator HILL. General, I want to get these figures. You have today 255,000 men in the Regular Army; is that right?

General MARSHALL. Yes, sir.

Senator HILL. As I understood it, you said a little while ago you would step those up to 375,000; then you used the figure 500,000.

Apparently the Senator from Alabama was a little confused about what the general was trying to get at. General Marshall said:

General MARSHALL. Five hundred thousand is war strength, sir.

Senator HILL. That is war strength?

General MARSHALL. Yes; everything up to 375,000 is purely peace strength, except the aviation allotment of 40,000.

The Senator says that the general then said that what he wanted for war strength in the United States was an army of 500,000 men.

Mr. HILL. In the Regular Army, of course.

Mr. WHEELER. Of course, in the Regular Army,

Mr. HILL. At that time; he said that at that time.

Mr. WHEELER. But what the Senator from Alabama is now asking for is permission to keep not only 500,000 men but 1,700,000 men. If I am mistaken about this I hope the Senator will correct me, because I may not remember exactly.

Mr. HILL. The 1,700,000 would include the Regular Army, the National Guard, selectees, Reserves, enlisted Reserves, and all the components of the Army of the United States.

Mr. WHEELER. That is correct. But what difference does it make whether we call them the Regular Army, the Reserves, conscriptees, or selectees, so long as we propose to keep them in the Army for an indefinite period of time?

Mr. HILL. It does not make any difference.

Mr. WHEELER. They are still in the Army, and they are still in the Regular Army as much as anything else. If an Army of 500,000 men is sufficient for the defense of the United States, what excuse can there be for having an Army of 1,700,000 men?

Mr. HILL. General Marshall did not mean to give the impression at all that 500,000 men were sufficient for this country in time of war.

Mr. WHEELER. What did he mean?

Mr. HILL. He was thinking only in terms of the Regular Army.

Mr. WHEELER. Oh, no.

Mr. HILL. The Senator must know that.

Mr. WHEELER. Oh, no.

Mr. HILL. General Marshall testifying before the committee asked for hundreds of thousands of trainees, and said he had to have the National Guard, which numbered about 280,000 more.

Mr. WHEELER. In one breath he says he wanted 375,000 Regulars for a peacetime Army and then he wanted 500,000 in wartime.

Mr. HILL. He said in the Regular Army.

Mr. WHEELER. And he wanted to train others so as to have a "backlog."

Mr. HILL. He not only wanted to train them so as to have a "backlog" but he wanted to have them trained so that if a danger presented itself such as confronts us today we would have an adequate and proper kind of an army. That is what he said, of course, and that is exactly what he meant. The record as written in the hearings of the Committee on Military Affairs absolutely shows this.

Mr. President, when we digressed on the question of the size of the Army, I was endeavoring to show to the Senate, from the record, that it was clearly and definitely understood when the Selective Service Act was passed that the selectees might have their 12-month period of training extended if Congress, under the proviso to which I have referred, should declare that the national interest was imperiled, thus giving to the President the power to extend the training of these men. As I have said, that was brought out in the Senate Committee on Military Affairs; it was brought out on the floor of the Senate by Senator Sheppard, the then chairman of the Senate Committee on Military Affairs; it was brought out by Senator Burke, the co-author of the bill; it was brought out by the distinguished Senator from Wisconsin [Mr. LA FOLLETTE]; it was brought out by the distinguished Senator from Arizona [Mr. HAYDEN]; it was brought out by the distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY]; it was brought out by numerous other Senators in the debate on the floor of the Senate.

The same thing exactly happened in the House of Representatives. There Representative MAY, Representative KEEFE, Representative BRADLEY, Representative WADSWORTH, and any number of other Representatives on the floor of the House brought out the fact that the selectees might have their service extended longer than for a 12-month period.

The Senator from Maryland [Mr. TYDINGS] on this floor devoted almost two pages of the CONGRESSIONAL RECORD to discussing this very proviso and calling the attention of the Senate to the fact that under the proviso which was written in the bill it was in contemplation, it was provided for, it was within the purview of the act, that these men might have their service extended.

So when any Senator or any Member of the House or anyone else says that we are breaking our word to the selectees, that we are breaking faith with them, he simply has not read the record, for the record shows that these men and the people, through the press, were all notified of the proviso, were all notified of the fact that the proviso might be brought into play, and that the selectees might have their service extended.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WHEELER. I merely wish to call the Senator's attention to the testimony of General Marshall when he testified the other day before the Senate committee.

Mr. HILL. From what page is the Senator about to read?

Mr. WHEELER. From page 13.

Senator DOWNEY. As I understand, if Congress would follow your recommendation here, that would give you, in the armed forces of the United States, approximately 1,400,000 men that you could then hold, according to your discretion, for an indefinite period?

General Marshall said, "Yes, sir." Does the Senator believe that we ought to have 1,400,000 men in the Army whom General Marshall or anybody else could hold for an indefinite period of time within his own discretion? Does the Senator believe that in this country a General of the Army or anyone else should have the power to determine, according to the speech of the Senator from Utah [Mr. THOMAS], whether they will let out these men? What does it mean? It means that the man who is at the foot or bottom of the ladder may be told, "If you curry favor you may be able to go home or you may be retained in the service." I say that in a democracy that is an extremely serious thing.

Mr. LEE. Where does the Senator find any such statement?

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. WHEELER. It is not only in the record of the testimony of General Marshall, which I just quoted, but also in the speech, as I recall, which was made by the Senator from Utah [Mr. THOMAS] on the floor of the Senate yesterday or the day before. He talked about making it fluid or flexible, and letting certain men out of the service.

Mr. HILL. Of course, as I have said repeatedly, the matter of retaining these men in the service is not in the discretion of General Marshall, the Chief of Staff. Forgetting for the time being the amendment the Senator from Utah has just offered, which puts a definite limit on the time that any man can be retained, the joint resolution in its original form did not leave it to General Marshall's discretion as to how long these men should remain in the service, but left it to the discretion of the Commander in Chief, the President of the United States, and to the discretion of the Congress of the United States, including the Senate of the United States. As I have suggested, the amendment of the Senator from Utah would put a definite limit on it.

Mr. President, while we are speaking of General Marshall not keeping these men in the military service, let me read what General Marshall said about retaining them. I read from his testimony of just a few days ago before the Senate Committee on Military Affairs. General Marshall said:

The basic problem that confronts the War Department is that of continuing our present Army on a most efficient basis.

Mr. WHEELER. What page is the Senator reading from?

Mr. HILL. Page 5 of the hearing of July 9, 1941.

Actually, we do not want to hold in service all of the selectees that we now have. We would prefer to release a certain number of the selectees and replace them with the 3 months' product of our training centers—

General Marshall would prefer, Mr. President, not to hold these men, but to keep the rotation process in motion, to keep these men coming in.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. Let me finish reading this, and then I will yield.

But—

Said General Marshall—

we must not be compelled to release a particular group at a certain time. We must be able to handle the matter to meet existing conditions as to time and place, and with regard to the particular unit. I repeat—

Said General Marshall—

we do not want to hold the present selectees any longer beyond 12 months than we can avoid.

In other words, General Marshall declares here that he does not want to hold these men any longer than necessary; but he says that the basic problem right now is to have our Army on an efficient basis, and therefore he does not want

to be forced to release the men in a way that would impair or impede or interfere with the efficiency of our Army.

Mr. TAFT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Ohio?

Mr. HILL. Yes; I yield to the Senator from Ohio.

Mr. TAFT. I merely wish to call the Senator's attention to the fact that the language he has read is almost word for word the same——

Mr. HILL. As the language General Marshall used in his comment on the Taft resolution; yes.

Mr. TAFT. After saying—

I repeat, we do not intend to retain the present selectees any longer than is necessary—

He goes on and says—

Specifically, we wish to release the older men, those 28 years old and over, on the completion of their 12 months, and even earlier if possible, and I think that in the large majority of cases we can do so without too serious an effect on organizational teamwork. Men on whom an undue hardship would be imposed could also be released, as many now are being so released—that is, transferred to the Reserve.

So, when he comes down and speaks specifically, he confines his desire to relieve these men to the 28-year-old men and to those who suffer especial hardship.

Mr. HILL. No.

Mr. TAFT. He does not go on and say, as the Senator from Utah [Mr. THOMAS] said yesterday, that he would release the men who have completed their training and service.

Mr. HILL. Whoever prepared the memorandum for General Marshall in his comment on the Senator's bill simply took a part of the General's testimony which did not give the background of the whole picture. It was just a letter; that was all. In the hearings we have General Marshall's full testimony, at which time he testified for an hour or so before the committee, and made it very clear to the committee that he not only wants to release the men who are 28 years of age and older, not only those who are suffering from undue hardship, but also he wants to keep rotating with the other men, and release the other men as rapidly as possible, consistent with the efficiency of the Army of the United States.

Mr. TAFT. Will the Senator refer again to the page number on which that testimony was given?

Mr. HILL. That testimony was given in General Marshall's appearance before our committee on July 9. The testimony is captioned "Strengthening the national defense," and the part I read is found on page 5.

Mr. TAFT. I thank the Senator.

Mr. WHEELER. Mr. President, will the Senator yield for just one moment?

Mr. HILL. Yes; I yield. I want to get through if I can.

Mr. WHEELER. Someone said to me a moment ago, "Where did you get the statement about General Marshall letting men go, and about favoritism?"

Mr. LEE. No; I said "about currying favor."

Mr. WHEELER. Of course, somebody will pass upon whether there is a hardship to this particular individual or that particular individual.

Mr. HILL. Somebody is doing that every day, Mr. President. Every day the authorities release a certain number. They released over 2,000 hardship cases last month. The fact is that they have been doing that almost ever since we have had an Army, for 150 years.

Mr. WHEELER. But here are a lot of boys who are coming in, and the Senator and I know it is a human impossibility under that situation for General Marshall to pass upon the question and say to one particular boy, "You are undergoing a hardship," and to another, "You are not undergoing a hardship."

Mr. HILL. I will tell the Senator how they work that.

Mr. WHEELER. I know how they will work it. They will go down to some top sergeant who will have something to say about it.

Mr. HILL. No; the Senator says he knows how they will work it, but he does not know how they will work it.

Mr. WHEELER. I agree with the Senator; I do not know.

Mr. HILL. I will tell the Senator. When they get these hardship cases, does the Senator know what they do?

Mr. WHEELER. No.

Mr. HILL. They send the case to the local Red Cross, and they have the local Red Cross make an investigation of the case; and if the report from the local Red Cross shows that there is a hardship there the man is released. That has been done in the Army for years. I think it has been done almost ever since there has been a Red Cross. Men are released from the Army every day. As I say, over 2,000 of them were released last month because of hardship cases, and that is the way it was done. The Army officials send the case back to the local Red Cross and let the Red Cross make an impartial, fair investigation, and make a report. If the report shows a hardship case the man is released. That is the way they do it.

Mr. LEE. Mr. President——

Mr. HILL. I yield to the Senator from Oklahoma.

Mr. LEE. Perhaps the Senator from Montana will tell us a better way to do it—how we can have an Army and do other than rest with human beings the authority to pass on such matters. Perhaps the Senator will tell us how we can set up better machinery to relieve these hardship cases.

The Senator from Montana criticizes. The Senator from Montana has as much responsibility for constructive legislation as the rest of us have. Why does he not offer something constructive, instead of always offering something destructive?

Mr. WHEELER. I appreciate that it is a difficult thing for me to have the intelligence and the great brilliancy that the Senator from Oklahoma has, and always to offer something constructive. I agree that he is always offering constructive measures. That is the reason why I so often vote with him. I know that the general public in this country look upon him as a great, constructive Member of the United States Senate, and I congratulate him on it. I have heard favorable comments upon the constructive legislation he has offered.

Let me say to the Senator from Alabama that I recently had a letter in regard to what seemed to me a particularly severe case, in which a man wrote to me and told me that he had a wife and children who needed his support, and that he had not been able to get out of the Army. I did not know the man. I never heard of him before. I wrote back and said to him that I could not take up the matter with the Army for him, because I felt that they would resent Members of the Senate taking it up.

Mr. HILL. Oh, no; I will say to the Senator that all in the world he had to do was to send the letter on to The Adjutant General of the Army. If he did not want to send the letter, he could have had one of his secretaries call The Adjutant General and give The Adjutant General the name of the man and tell him he had been informed upon what he thought was reliable authority that there was an undue hardship there and ask The Adjutant General of the Army if he would not have an investigation made, and an investigation would have been made forthwith through the Red Cross.

When we started out to build our Army we had an Army of 165,000 men. That Army has had to be expanded, it has had to be enlarged to a point where today we have an Army of some 1,500,000 men. That was not an easy job. It was a difficult job to have as a nucleus only 165,000 men—and perhaps cut of the 165,000 men only some 40,000 or 50,000 were seasoned soldiers—and expand that Army into a million and a half men, create a lot of new units, set up a lot of new staffs, build up a lot of new services of supply, and do the manifold things essential to an efficient army. As the Senator from Montana said earlier in the debate, the Army was very much handicapped, due to a lack of equipment, supplies, matériel. They did not have the things they needed. They did not have the things they should have had in the beginning. But in spite of all these handicaps, in spite of all these impediments, the War Department has gone along and built this Army from 165,000 to a million and a half men, a balanced Army with the proper units, with the proper supply system; and now the question is whether or not we will let this Army melt away before it has had an opportunity to reach the efficient basis that it should, before these different units have the necessary training, and the necessary experience to be adequately and properly prepared to meet any situation.

In that connection, I desire to read an excerpt from the testimony of General Devers, of the Army. General Devers commands the armored forces of our country. He commands what we would call the panzer divisions of the American

Army today, at Fort Knox. He said this, speaking of those armored troops:

We can take the field, we have taken the field, we can fight. We have got a long way to go, however, in getting up to the standard that we will have to have if we are going to fight a real enemy. It is just as different as it is for a football team, a high-school football team, to fight a high-class football team. You have got to team your troops; in order to be able to depend on your men, you have to build a team. The team starts with the individual, the individual must know his man to the right and to the left. That holds true as you go up to each one of these categories. The team that gives up when a man falls out, is not a team.

We have been at it, you might say, for 6 months, but we have just started team training, because in the division, the staff organization is what counts, and they are just beginning to click.

We haven't had any corps problems at all. We have not worked into the Army. By the 1st of December, we will have been through that training. Then along comes Christmas and the holidays and these boys go out by the trainloads, they go home, so you can see we lose the month of December. In January, we start to discharge this fine team, and soon, the division will have only 50 percent of its trained men. It is just like Notre Dame starting to build a football team with freshmen, getting a team built up, and then discharging 50 percent of them. We could lick them with West Point. But it is a tough job to lick them now, because they probably started 10 years ago to build up their present team. That is what we are up against.

I note the presence of the distinguished junior Senator from Massachusetts [Mr. LODGE]. I am delighted he is here, because he made a statement in the debate on the original bill on August 22 last, which states clearly the problem which confronts us today. As I recall, the distinguished Senator had just returned from Army maneuvers, in which he participated as a Reserve officer on active duty. He came back fresh from the maneuvers where he played a part as an officer on active duty, and he rose on this floor and made this statement:

But I should like to point out the difference between a trained man and a seasoned man. A man can have had training, and he can have passed certain tests and can have demonstrated certain knowledge, but he may not be a seasoned man, may not be in the physical condition which would enable him to take the field. He may not be in close touch and understanding with all the people with whom he would have to work. No one knows better than I, who happen to be in the Reserves, that having had a certain amount of training is no substitute for being on active service. They are two entirely different things. While a trained man is much better than an untrained man, he is nothing like a seasoned man who is in the active service.

The danger we have before us today is that if we release these men, two-thirds of our enlisted personnel and three-fourths of our officer personnel, we will absolutely gut the Army as it is today, so far as its seasoned men are concerned, so far as the men are concerned who during the past months have been training and working and soldiering together, so far as these different units are concerned which have been working together, which have been trying to build up a coordinated and efficient team, and a powerful machine.

There is nothing the Germans have done, with all their efficiency, which has won my admiration, and I think the admiration of many other people, like the building of the marvelous fighting machine they have, the way they have synchronized that machine, the way they coordinated that machine, the way every part of that machine worked right in play with the other parts, the way their dive bombers worked with their ground troops, the way their ground troops marched right in to support their panzer divisions. For 7 years the Germans were building that machine, and they did an effective job.

We have had our men in the training camps without the proper equipment, without the proper supplies. As General Devers said, we are just now getting the units, the troops, to the point where they are really beginning to enter the stage that will give us a properly trained, efficient, and seasoned army. We cannot afford at this time, in the face of the danger which confronts us, to permit these seasoned men to go, to tear down and destroy this machine which we have been striving and working to build over these months.

We recognize the situation confronting us, because we have appropriated over $40,000,000,000, and we have done that which perhaps no man in this Chamber 2 years or 3 years ago even dreamed we might do, a thing which 2 or 3 years ago would no doubt have seemed absolutely fantastic to any man in this Chamber; that is, we have given millions of dollars in arms and equipment and military supplies to England, China, and other countries.

Mr. WHEELER. To China?

Mr. HILL. To China; yes.

Mr. WHEELER. And to Russia. Great democracies.

Mr. HILL. The Senator suggests China. We have given to China, too.

Mr. WHEELER. And to Russia.

Mr. HILL. We have given to every country that stands and helps hold the line against Adolf Hitler, in his attempted conquest of the world, that helps to keep Adolf Hitler from coming to the shores of the United States.

Mr. WHEELER. I have no objection, and I thought long ago we should help China. I felt a long time ago that we should have stopped sending oil and many other things to Japan, on the one hand helping China and on the other hand sending war materials to Japan.

Mr. HILL. That may be true, but that has not anything to do with this bill.

Mr. WHEELER. Let me interrupt the Senator one moment to say that I have not any objection to helping Russia, giving them war materials, but I do say that when we rise and talk about helping democracies, the Senator knows and I know that there are hardly any democracies in the world today. Certainly the British Empire is not a democracy, China is not a democracy, and Russia is not a democracy. Of course, it is all right to use that word as a figure of speech.

Mr. HILL. Let us have no misunderstanding about the matter. I do not think that we should withhold aid to a country fighting Hitler because of its form of government.

Mr. WHEELER. That is right.

Mr. HILL. We are giving all these millions of dollars of supplies and equipment, we are giving all this help, because we feel it is to our own best interest to do so.

Mr. WHEELER. That is right, and we should be honest about it.

Mr. HILL. Certainly; and I am honest about it.

Mr. WHEELER. I know the Senator is honest about it, but we should not say we are doing it because we want to help these great democracies, when there is no democracy in the world.

Mr. HILL. It is not a question of helping these great democracies; it is a question of helping the United States of America; it is a question of our trying to make these nations which are fighting Hitler today so strong that they can hold him—that they can keep him in Europe; that he cannot realize his dream of world conquest, and that he cannot get to the shores of the United States of America. We are doing all these things, pouring out these billions, to that end, and we are also pouring out all these billions of dollars for equipment for our own Army, and we are right in doing it. We see the danger, and I say this shows that we cannot assume the responsibility in the face of the danger of permitting our Army to melt away or to be dismembered.

The history of the United States, from its beginning to the World War, is a story of tragic defeats and bitter heartaches because the Congress of the United States did not provide the right kind of an Army for its commanders in time of war.

We find George Washington writing a letter saying—

Short enlistments have been the origin of all our misfortunes and the great accumulation of our debt.

Mr. President, if we do not have the right kind of an Army we invite attack, we invite war, and then when we have war, we invite unjustified expenditures both in human life and in wealth and property.

George Washington, in his letter, continued:

The disadvantages attending the limited enlistment of troops are too apparent to those who are eyewitnesses of them to render any animadversions necessary, but to gentlemen at a distance, whose attention is engrossed by a thousand important objects, the case may be otherwise. That this cause precipitated the fate of the brave and much-lamented General Montgomery, and brought on the defeat which followed thereupon, I have not the most distant doubt, for had he not been apprehensive of the troops leaving him—

Their enlistments had expired, Senators, or they were expiring—

had he not been apprehensive of the troops leaving him at so important a crisis, but continued to blockade Quebec, a capitulation, from the best accounts I have been able to collect, must inevitably have followed.

And listen to one word further from George Washington, because he suffered and went through all the trials, and the

disasters, and the heartaches, and the misery, resultant from the fact that the Congress would not, in spite of his petitions and his pleadings, provide him with a proper and an adequate Army. General Washington said:

> Had we formed a permanent army in the beginning we never should have had to retreat with a handful of men across the Delaware in 1776; we should not have been the greater part of the war inferior to the enemy, indebted for our safety to their inactivity, enduring frequently the mortification of seeing inviting opportunities to ruin them pass unimproved for want of a force which the country was completely able to afford, and of seeing the country ravaged, our towns burnt, the inhabitants plundered, abused, murdered, with impunity, from the same cause.

The War of the Revolution lasted 8 long years. George Washington had more opposition from the obstructionists who opposed him in Congress than he had from King George's troops, and because of the fact that Congress would not provide him a proper army, instead of the Revolutionary War being brought to an end in 2 or 3 years, it lasted for 8 long, terrible years.

The same story was true of the War of 1812, when we suffered all the humiliations and the disgraces of that war, when this very Capitol Building, and yonder White House, were burned by the invaders. Think of it, Senators, the pension rolls for the War of 1812 show that there were 527,654 men in the service, but the Army rolls show that although we had over 527,000 pensioners as the result of the war, at no one time did we have as many as 25,000 men in the Army. Some of these men, militia troops, caused the destruction of their comrades by deserting the Army and leaving the Army when their enlistments ended, and when their comrades were under fire and desperately needed their assistance.

In the Mexican War General Scott captured Vera Cruz. He moved on and captured Cerro Gordo. Then he moved on to Pueblo, and he was within 3 days of capturing the Capital of Mexico, Mexico City. Did he capture that capital in 3 days? It was just a 3-day march, with practically nothing to stop him. No; by the time he got to Pueblo the enlistments of the men in 7 of his 11 volunteer regiments expired, and he could not move forward. He had to stop, and instead of getting to Mexico City in 3 days, as he should have done, it took him over 3 months, and he came near meeting with a dire disaster.

Senators on this floor are too familiar with the story of the War between the States to be reminded of that story. General McDowell, the Union commander, wrote these words:

> When the Army moved forward into battle—
>
> Some of the troops—
>
> moved to the rear to the sound of the enemy's cannon.

because their enlistments had expired. In actual battle the enlistments expired, so instead of moving forward while the enemy's cannon were roaring they threw down their arms and left for home.

General Sherman—who, Henry Grady said, was a little careless with his fire—but who certainly was a great general, wrote these words—

> Yesterday I had my Regulars all ready with shotted guns to fire on our own troops, some of whom not only claimed their discharge, but threatened to spike our guns.

Their enlistments had expired. They were not only going home, they were not only going to quit, they were even going to spike their own guns.

Mr. President, we know what happened at the time of the Philippine Insurrection; how we sent our soldiers to the Philippines during the Spanish-American War, and then the Philippine Insurrection arose, and while the insurrection was in progress, while the Army was in combat, while the Army was under fire, enlistments expired, men left the Army to go back home, and the whole United States Army had to be reorganized in combat under fire.

Mr. President, are we to repeat the errors of the past? Are we to repeat these terrible mistakes which brought so much disaster and sorrow and misery and heartache to the people of our country, which brought so much unneeded and unjustified expenditure both of human life and of property? That is the question before us this hour, Senators. Are we to refuse to give heed to the men to whom we must look for the protection of this country if it should ever need to be protected? I am reminded of what General Joffre said after the Battle of the Marne. Someone asked the general, "Who won the Battle of the Marne?" General Joffre said, "I do not know who won the Battle of the Marne, but I can tell you who would have lost it if it had been lost." If the Battle of the Marne had been lost not only the French, but all the world, would have said that General Joffre lost the Battle of the Marne.

Gen. George C. Marshall is the Chief of Staff of our Army. Under our laws and our system of government he is the man who is primarily responsible for the safety and protection of our country. Are we to throw into the discard his advice, his petitions, and his pleadings, and accept the advice of some of our political generals? The history of our country shows that whenever we have refused to heed the warnings and pleas of our military commanders and have taken instead the advice and judgment of our political generals, we have always suffered defeats and disaster.

We are building an Army. We have not yet been able properly to equip it. Speaking of equipment, do Senators realize that when the Germans captured Czechoslovakia they captured as much military supplies and equipment as we hope to have in this country by next spring? Even the distinguished Senator from Montana [Mr. WHEELER] has admitted this afternoon that our units have not had the equipment, supplies, and weapons they need to be properly trained and seasoned. As General Devers said, shall we at this juncture, when our Army is beginning to reach the stage when it can go forward and become a truly proper and adequate protective force, demobilize or dismember that Army?

Senators ask about the danger. I shall not delay the Senate with any long speech on the danger, and on what Hitler has done. He has proclaimed, not once, but many times, his purpose and his determination for world conquest. Every movement he has made has been a movement toward that very end. We find Germany and Japan leagued together in an axis to conquer the world. We find them moving toward a position where the United States may some day find that she is in the jaws of a gigantic pincers movement, with one jaw in Japan, the other jaw in Germany, and South America being used as the handle through which the pressure will be applied to us.

We know that if Hitler wins a victory over Russia he will then turn back to the West. What is there to stop him from taking Spain, Portugal, the Azores, and the Cape Verde Islands? We hear much talk about Dakar. Is there any Senator who does not know that Hitler already has Dakar, just 1,700 miles from the east coast of Brazil? Is there anything to keep him from taking the whole West Coast of Africa?

Japan moves into Indochina, carrying on her aggressive purposes. She moves within striking distance of the vital lines that bring to the United States the rubber, tin, and other minerals that she must have. By moving into Indochina, Japan almost completes the encirclement of the Philippine Islands. Not many months ago she bombs the *Panay*, and day before yesterday she bombs the area of the American Embassy in China and strikes one of our gunboats.

Is there any man who doubts that both Germany and Japan are on the march to conquer the world? They know that they can never conquer the world until after they shall have conquered the United States. As long as the flame of liberty burns brightly in this land that flame will not only protect and keep free the people of the United States but it will also be a light of hope to all the oppressed peoples of the world who suffer under the iron heel of Hitlerism and the cruel lash of Japanese imperialism.

It is said that Hitler cannot come over here because 1,700 miles of water intervene. Adolf Hitler is already in the United States, and he is already in South America. How long has it been since the American Government was compelled to send home every German consular representative within the United States? Why did we send them home? We sent them home because those German consular representatives, under the command and at the dictation of Adolf Hitler, were making war against the United States. War can be made by deceit, by lying propaganda, by lulling people into false security, by sabotage, and by undermining, as well as by bullets and bombers.

Is Hitler in South America? Of course he is already in South America. The

Washington Post of Friday, August 1, says:

Putsch—

I note the spelling—p-u-t-s-c-h.

Putsch smashed in Argentina.

In Buenos Aires, police announced that a putsch against the Argentine Government had been smashed in Entre Rios Province, a reputed Nazi hotbed, and it was disclosed that the Argentine foreign office told the German Ambassador to get rid of a portable radio transmitter.

Hitler is trying to foment revolution and to seize control of the Argentine Government. We know that that is the first thing Hitler does in his conquests, whenever he can. He takes over the local government. After he once gets in his hands all the power of the local government and the means of communication, the rest is easy; and here he was yesterday trying to take over by revolution the Government of the Argentine!

Let me say to the Members of the Senate, while we consider the problem which confronts us, those who are for our foreign policy and those who are against it, those who are for our military measures and those who are against them, always shout from the housetops that they favor defending the Western Hemisphere, that they favor carrying out the letter, the spirit, and the purpose of the Monroe Doctrine. I remind the Members of the Senate, while we think of our problem, while we think of our danger, while we think of our obligation and our commitment and our determination with reference to South America, that it is farther from where we sit today to Buenos Aires in the Argentine than it is from where we sit to Cairo, Egypt; and yet Members of the Senate are talking about dismembering our Army, about letting it melt away!

Need I remind the Members of the Senate about what happened the other day in Bolivia, on the 19th day of July, when the government was forced to declare a state of siege in order to forestall a serious threat to its sovereignty? Where did that threat come from? It came from totalitarian hands. It came from the hands of the puppets and the agents and the representatives of Adolf Hitler. An old boundary dispute down in South America, between Peru and Ecuador, the world had forgotten. Men in this country and men in South America had forgotten that there ever was such a dispute. But under the manipulations and the Machiavellian maneuverings of Hitler's agents and stooges and representatives, that boundary dispute was again brought to life. It again becomes active, it again becomes acute, in order that there might be discord, that there might be confusion, that there might be disunity, and that, if possible, there might be war among the countries of South America—creating a situation for Adolf Hitler to seize upon, to fatten upon, to turn to his ruthless advantage—his sworn conquest.

The little state of Colombia lies just south of the Panama Canal. If the Nazis held Colombia, and had a few air fields in Colombia, they could put the Panama Canal out of business as readily as the Army Air Corps at Bolling Field could drop bombs on Baltimore or on Richmond, Va. We find the Nazis today down in Colombia sowing seeds of distrust against the United States, proclaiming that old gospel of the greed of the Colossus of the North, attempting to undermine the faith and confidence of the people of Colombia in the United States, its integrity and its purposes, doing all they can to arouse and to breed ill will and hate on the part of the people of Colombia against the United States and her people.

Hitler in South America? Why, he is there now with his duly constituted embassy officials, his consular officers, and other representatives. He is there with his Army officers. I spoke of the Argentine. Up until a year ago who do you think was training the Argentine Army? Officers from Adolf Hitler's German Army. He is there with his German-born citizens, with his German-descent citizens. He is there with his "fifth columnists"; he is there with his air lines. He is all over South America this very day. Let Britain go down, let the British Navy either fall into Hitler's hands or go down, and where will we be, with a one-ocean Navy in the Pacific Ocean held there by the other aggressor, Japan?

Where are we? I ask the Members of the Senate. We cannot brush away these facts merely by wishful thinking. We cannot close our eyes to the threatening picture that in such graphic and compelling form presents itself to us.

Oh, yes; Norway, Denmark, Belgium, the Netherlands, France, England, Greece, and Yugoslavia all had either their senators or other officials in the government who refused to look at the facts, who refused to see the picture, who would not see the danger.

For 7 long years Adolf Hitler was openly and flagrantly—yea, contemptuously—making ready while the victims of that preparation gave it insufficient heed. They were all too tardy in their counter-preparations, all too short of vision, to combine their strength while they were yet free people, that they might continue free. Their Senators and their officials were saying to them, "Oh, we need not worry; it is going to be all right. When Hitler has taken this other country he will have all he wants." They refused to heed the declarations of Hitler as proclaimed by him in Mein Kampf. They refused to see the writing on the wall. They heard, but they did not heed, the rumblings of the storm. Those same rumblings now come to us. Do we hear them?

Shall we heed them? Shall we keep our Army? Shall we, if possible, make that Army stronger and better and more efficient for our safety and our protection? Or shall we do as 13 other nations did in Europe; disregard those rumblings, and invite by default the destruction of all that we cherish?

That is the question, Senators. If we are to err, if we must resolve a doubt, if we must make a choice, in the name of all that we treasure and all that we hold sacred, let us err on the side of safety. Let us not speculate with our country's safety, let us not gamble with our country's freedom. Halfway or half-hearted measures are useless. The nations of Europe held back while there was yet time and they perished.

In all our long history our country has never been confronted with so impelling a danger as that which faces it today. At this hour the responsibility is that of the Congress. What can the people back home do? It does not lie within the power of the people of the United States to save this Army, this shield of protection, this bulwark of safety. Ours is the responsibility. It is in our hands that the great trust is imposed. I do hope and pray that we shall meet this trust as George Washington would have us meet it. I do hope and pray that we shall meet this trust in a way worthy of the great heritage that is ours and worthy of the men who fought for and founded our Government and transmitted to us the blessings of liberty.

Let us pass the joint resolution. Let us follow the advice of the man to whom we must look for the safety and the protection of our people, George C. Marshall, a great soldier, a great general, and a great American. Let us avoid the errors and the frightful mistakes of the past. Let us be worthy of the past and worthy of the people who sent us here, whose fortunes and whose freedom we now hold in our hands. Let us keep this Army, that we may keep America strong and keep America free.

Mr. TAFT. Mr. President I offer an amendment to the pending joint resolution.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The CHIEF CLERK. It is proposed to strike out sections 1 and 2, and to insert in lieu thereof the following:

SECTION 1. Subsection (b) of section 3 of the Selective Training and Service Act of 1940 is amended to read as follows:

"(b) Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 18 consecutive months unless sooner discharged. It is the intent of Congress that except in case of a declaration of war, or unless Congress shall otherwise provide by law, men inducted under this act shall be discharged beginning in April 1942 at the rate of approximately 50,000 each month, to be replaced at the same rate by new selectees."

SEC. 2. The period of service of any member of any Reserve component of the military forces of the United States heretofore or hereafter ordered into the active military service of the United States, under authority of Public Resolution No. 96, approved August 27, 1940, shall be a period of 24 consecutive months, except in case of a declaration of war or unless Congress shall otherwise provide by law.

SEC. 3. The authorized number of enlisted men in the Regular Army is hereby increased to 800,000, so that there may be no reduction in the number of men under arms because of the termination of the service of those ordered into active service under Public Resolution No. 96, approved August 27, 1940. Opportunity to enlist in the Regular Army shall be given to men completing their period of service under sections 2 and 3, before the completion of such service.

Mr. TAFT. Mr. President, this is the amendment which I discussed this afternoon, except that I have eliminated the provision regarding bonus, which the Senator from Arizona [Mr. HAYDEN] thinks is too much out of line with the existing bonus.

Mr. BROOKS. Mr. President, while we have been talking about emergencies and perils to our country, I think one of the most important considerations is the manner in which and the speed with which we appropriate billions of dollars. It takes about 40 minutes to appropriate $3,000,000,000, and it takes weeks and months of effort to collect it.

I note by the CONGRESSIONAL RECORD of this morning, page 6489, the appointment of certain Members of the Senate on the standing committees of this body. I am not particularly interested in that matter, except that it brought to my attention the composition of the most important committee of this body, the Finance Committee. According to the Senate Manual, this committee is entitled to 21 members. The present composition of the committee is 14 Democrats, 6 Republicans, and 1 Progressive. Pennsylvania, Michigan, and Massachusetts have 2 members each, while the great States of New York and Illinois are not represented at all.

Illinois has a population of 7,897,241; New York has a population of 13,479,142. I merely call the attention of the Senate to this situation in the hope of obtaining more equitable representation for my State at least, and some of the other large States which are entitled to consideration, as we approach the all-important matter of deciding how we are to collect the money to pay the Nation's bills.

We shall appropriate more money this year than perhaps was ever before appropriated in the history of our country. I merely call the matter to the attention of the Senate because, as we all know, it is difficult for those of us from the larger States properly to represent our people unless some Member is present at the committee hearings to ask questions and to act for us.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROOKS. Certainly.

Mr. BARKLEY. I wish merely to say in regard to that matter that each State, including Illinois, has two Senators. In the case of Illinois, one is a Democrat and one a Republican. Ordinarily on the Democratic side, and I presume it is true on the Republican side, the committees in charge of committee assignments—in our case the steering committee, and I suppose a similar committee on the Republican side—always try to give consideration to the requests and preferences of Members in the matter of committee assignments. I cannot speak for the minority of the Finance Committe or of the Senate, and I do not know whether the Senator who has just spoken has requested his party to honor him with membership on the Finance Committee.

Mr. BROOKS. I did.

Mr. BARKLEY. But I will say that, so far as I know, no other Senator from Illinois has asked to be assigned to the Committee on Finance. If such a request had been made, it would have received very careful consideration.

Mr. BONE. Mr. President, I am not sufficiently advised as to the law and the military regulations affecting the matter I have in mind, and, therefore, I am compelled, desiring information, to ask some member of the Committee on Military Affairs concerning the status of a Reserve officer who was called out under the law on August 27, 1940. I am impelled to ask the question by reason of a story by Capt. Lowell Limpus who I understand is himself a Reserve officer. He presents a recital of figures dealing with the problem of the Reserve officers who are being inducted into the service, and who will be dismissed from service in various groups from time to time.

I wish to ask the Senator from Alabama what would happen if a Reserve officer, reaching the end of his year of duty, desired to serve for another year? What procedure would he follow if he desired to serve another year or 2 years?

Mr. HILL. He would merely request that he be permitted to remain in active service for another year, or for such time as he desired to remain, and his request would be determined on the basis of two factors. One factor, of course, would be how efficiently he had discharged his duties as a Reserve officer, and whether on the basis of his record his superiors would like to have him remain in the Army.

The other factor entering into the consideration would be whether the War Department believed other men who had not had any active training were entitled to come into the service and get such training. Therefore, it might be that they would not let him continue. If they felt there were other men who needed the training, and the particular officer had had all the training they thought he needed or should have at the time, and the other men were clamoring to enter the service, under such circumstances they might not grant his request. Those would be the two determining factors upon which the action of the War Department would be based.

Mr. CLARK of Missouri. Will the Senator from Washington permit me to ask a question of the Senator from Alabama?

Mr. BONE. Certainly; I am merely seeking to explore this matter for a moment.

Mr. CLARK of Missouri. The Senator from Washington has advised me about the question in which he is concerned, and I should like to ask the Senator from Alabama if he does not agree with me that under the present law, if a Reserve officer wishes to remain in the service the only thing that is necessary is the consent of the War Department.

Mr. HILL. That is exactly true.

Mr. CLARK of Missouri. In other words, under the present law there is nothing to prevent the War Department retaining in the service any officer who is willing to remain.

Mr. HILL. That is exactly correct. Under the present law the Secretary of War, which means the War Department, of course——

Mr. CLARK of Missouri. Certainly.

Mr. HILL. Has the power to extend such an officer's active service.

Mr. CLARK of Missouri. If the Department is willing to keep the officer in the service and he desires to remain, there is nothing to prevent him remaining.

Mr. HILL. There is nothing to prevent the War Department from letting such a man remain in the service. As I stated, the War Department would determine the question on the two factors I have mentioned. But there is nothing in the law which would prevent the War Department from letting such a man continue in active service.

Mr. BONE. Mr. President, I have found the articles written by Captain Limpus to be interesting and instructive. I assume that a man of his reputation for careful writing would preserve the same care in dealing with this subject, all of which leads me to refer to some statements which appeared in the Daily News of New York today under the name of Captain Limpus.

Referring to what the Senator from Alabama has just said about the officer being retained if he is a good officer, Captain Limpus quotes Maj. Gen. Robert Danford, Chief of Field Artillery, who made a secret efficiency survey of the Reserve officers, which apparently was productive of happy results. He said:

> Their superiors rated 19 percent of them superior, 32 percent excellent, 25 percent very satisfactory, 20 percent satisfactory, and only 4 percent unsatisfactory.

Captain Limpus points out that there are about 128,000 Reserve officers on the rolls. Sixty-five thousand will have completed their year's service by next July. He proceeds to say that most of the officers called up are young R. O. T. C. graduates, who learned their soldiering out of books, without much opportunity to practice under practical field operating conditions. He also adds:

> My last report showed that 72 out of every 100 Infantry officers are Reservists.
>
> * * * Almost all our captains and lieutenants are Reserve officers.

This leads me to make inquiry, because I have had no military experience which would give me any information concerning the attitude of mind of the Reserve officers. I am filled with curiosity as to whether there is sound foundation for the fear which has been expressed here by able men, such as the able Senator from Alabama [Mr. HILL] and others, that the Army will be dismembered because the Reserve officers, who are said by Captain Limpus to be so vital to our Army, will forsake the service.

It had been my impression that the Reserve officers went into the military service because they loved it, because they expected to serve their country sometime if the occasion arose. They certainly would not have attended Plattsburg, or the other Reserve officers' training camps, have sought participation in military activities in college life, have sought Reserve commissions in the United States Army, unless they were willing to serve.

It had seemed to me—though I may be in error—that they elected deliberately to do that sort of thing with the understanding in their minds that they might be called on to serve, and that they are serving patriotically. They certainly are advised now that the country needs their services. It is impossible for me to bring myself to believe that the fears expressed in so many places that these Reservists are all going to run out now, and in effect go on a strike, is well founded, when, as the Senator from Alabama has expressed it, they can, if they desire, continue their work and do another hitch of 1 year or 2 years. Therefore I wonder whether the fears which are expressed by the Army officials, which seem reflected in this article, are well founded.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BONE. I yield. I am merely seeking information.

Mr. HILL. I know of no one who has expressed any fear in that regard. It may be that some have, but so far as the hearings before the Committee on Military Affairs are concerned, no one has expressed any fear about the Reserve officers "running out." I wish to state that, on the contrary, General Marshall paid a very fine tribute to the Reserve officers, stating that most of the men were graduates of the R. O. T. C. units in our colleges and universities, and that they had come into our Army and did a fine job. If he did not use that exact language, he at least conveyed the idea that it would not have been possible for us to have built up our Army as we have done and to have had it in as good shape as it is at present, but for the fact that these fine young R. O. T. C. graduates, who are today the Reserve officers in our Army have been available. I know of no disposition on the part of Reserve officers to "run out."

Mr. BONE. I merely seek information. I assert nothing, because I do not know the facts. But I have seen several articles implying that there would be this en masse leaving of the service by Reserve officers. I repeat, I think Captain Limpus writes with reserve and restraint. He speaks of the situation which the Senator from Alabama has talked this afternoon. He says that the Reservists, who constitute nearly two-thirds of the Army officers, may have to go home, that two-thirds of our present Army officers may have to go home within 6 months, and his use of the word "have" caused me to rise and ask the question of the Senator from Alabama.

Two-thirds of our present Army officers may have to go home within 6 months.

What does that mean to me, a layman? I do not know. I have read that statement, and I am influenced in my viewpoint by the statement that they have to go home. But, apparently, they do not have to go home.

And—

Says Captain Limpus—

that's causing a lot of new, gray hairs to sprout among the bedeviled higherups who guide our military destinies.

What are the 130,000,000 Americans to conclude when they read a military authority such as Captain Limpus, or hear Major Eliot on the radio say that the whole organization is going to be utterly bedeviled and bemused because, forsooth, all the Reserve officers are going to quit and go home? I do not know what to think of that kind of a statement. I thought those men had joined the Army because they wanted to serve. I do not know whether the point is worth making, but it is certainly worth thinking about. I do not know what to believe now. I do not know whether to believe the fears that have been expressed that the Army is going to pot, that all the officers are going to go on a glorified something or other in the nature of a picnic, and throw the whole business over, and let the country go to the bow-wows, or whether the boys are going to stay on the job.

The Senator from Alabama has relieved my fears by saying that they can all reenlist for 1 year or for 2 years. I believe that the same patriotic impulses which caused them to seek Reserve commissions will cause them to continue to stay in the Army.

MISSOURI RIVER BRIDGE, NEAR WASHINGTON, MO.

Mr. TRUMAN. Mr. President, the city of Washington, Mo., issued bonds to construct a toll bridge over the Missouri River. The city now has an opportunity to refund the bonds at a rate which will cause a saving in the payment of tolls by those who use the bridge. A House bill on the calendar provides that after the payment of the bonds and the interest thereon, the toll charges shall cease, and that the bridge shall be maintained thereafter and operated free of toll. The Reconstruction Finance Corporation is ready to refinance that program.

Mr. President, I ask unanimous consent for the present consideration of House bill 3625, Calendar No. 605.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3625) to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.

The PRESIDENT OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE MESSAGES REFERRED

The Presiding Officer (Mr. LA FOLLETTE in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

RECESS TO MONDAY

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 23 minutes p. m.) the Senate took a recess until Monday, August 4, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 1 (legislative day of July 28), 1941:

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

TO BE MAJORS

First Lt. Joseph Edward Barzynski, Jr., Air Corps (captain, Army of the United States).

First Lt. Albert Joseph Shower, Air Corps (captain, Army of the United States).

NOTE.—The dates of rank are omitted as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

The following-named second lieutenants to be first lieutenants in the Marine Corps from the 2d day of June 1941:

George R. Newton
Richard D. Weber
William A. Houston, Jr.

The following-named second lieutenants to be first lieutenants in the Marine Corps from the 24th day of June 1941:

William H. Doolen	Monfurd K. Peyton
Daniel C. Pollock	Lawrence V. Patterson
Harvey B. Atkins	

The following-named second lieutenants to be first lieutenants in the Marine Corps from the 25th day of June 1941:

Bruce B. Cheever	Thomas L. Ridge
John P. Haines, Jr.	Jackson B. Butterfield
Ralph A. Collins, Jr.	Byron V. Leary
Edward N. Rydalch	Merrill M. Day
Raymond G. Davis	Lowell E. English
Ransom M. Wood	Albert H. Follmar
Robert A. Abbott	Robert F. Steidtmann
Walter S. Osipoff	Alvin S. Sanders
Jess P. Ferrill, Jr.	James R. Christensen
Guy H. Kissinger, Jr.	William E. Benedict
Harold R. Warner, Jr.	George H. Cannon
Edward H. Hurst	James C. Magee, Jr.
Donn J. Robertson	Albert J. Roose
William M. Frash	George A. Graves
Benjamin S. Hargrave, Jr.	Maurice W. Fletcher
	Charles W. McCoy
Robert S. Howell	John W. Burkhardt
Elmer A. Wrenn	

Laurence D. Gammon, a citizen of Maine, to be a second lieutenant in the Marine Corps from the 29th day of May 1941.

Frank A. Gunner, Jr., a citizen of California, to be a second lieutenant in the Marine Corps from the 1st day of July 1941.

David A. Van Evera, a citizen of California, to be a second lieutenant in the Marine Corps from the 1st day of July 1941.

Marine Gunner William A. Lee to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant, from the 1st day of May 1941.

Quartermaster Clerk Louie F. Shoemaker to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant, from the 14th day of May 1941.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 1, 1941

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou whose blessings are without number and whose treasury of goodness is infinite, we rejoice that our ceaseless needs do not exhaust Thy patience and

that no good thing wilt Thou withhold from those who fear the Lord and walk uprightly.

We pray that as we approach Thy throne of grace for wisdom and for strength, we may have the humble spirit and the contrite heart. May we come with confidence, for Thou canst do for us exceeding abundantly above all that we can ask or think.

In all our plans and purposes may we have the mind of Christ, holding our desires and wishes in suspense until Thou dost declare Thy will.

In His name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate has agreed, without amendment, to a concurrent resolution of the House of the following title:

H. Con. Res. 49. Concurrent resolution providing for the printing of additional copies of the bill and report on the bill (H. R. 5417), Revenue Act of 1941.

REPORT ON HOUSE JOINT RESOLUTION 222

Mr. MAY. Mr. Speaker, I ask unanimous consent that the Military Affairs Committee of the House may have until midnight tonight to file its report on House Joint Resolution 222, and that the minority may have the same time in which to file its minority views.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what is this bill?

Mr. MAY. This is the joint resolution relating to the continuation of the draftees, the National Guard, and the Reserve Corps in the military service.

Mr. MARTIN of Massachusetts. When does the gentleman expect to have it brought up in the House?

Mr. MAY. It is hoped that we will be able to get it to the House floor on next Tuesday. If we do not get it here on Tuesday, we hope to get it here on Wednesday.

Mr. MARTIN of Massachusetts. How much debate does the gentleman expect to have?

Mr. MAY. I think both sides of the committee have agreed to either 5 or 6 hours and perhaps only 4 hours.

Mr. MARTIN of Massachusetts. Four hours?

Mr. MAY. Yes.

Mr. MARTIN of Massachusetts. Why debate it at all?

Mr. MAY. There is just one question in controversy in the committee and, so far as I know, in the House, and that is the question relating to the time of extension of those who were selected and inducted into the service under the provisions of the Selective Service and Training Act. Nobody raised any other question.

Mr. MARTIN of Massachusetts. There are 435 Members of the House, and if each Member speaks for 1 minute, they could not do it under the time the gentleman is asking.

Mr. MAY. I would not assume that 435 of them would want to speak, but I am not going to be contentious about time.

Mr. MARTIN of Massachusetts. That is quite a big subject to try to put through in 4 hours.

Mr. MAY. I will be liberal about time when I go before the Rules Committee. We will have another bill we want to dispose of next week and that is the one relating to the requisitioning of personal property. I think we have chopped on it and hewed on it until we have it in pretty good shape.

Mr. MARTIN of Massachusetts. The gentleman may think so but others do not. I think it will require some time.

Mr. MAY. We will try to preserve the gentleman's constitutional rights.

Mr. RICH. Mr. Speaker, reserving the right to object, I may say to the gentleman it is about time that the 435 Members of the House begin to speak, because the country wants to hear from them. The people are sick and tired of the Members being rubber stamps, and the country wants to know how the Members think and what they are thinking.

Mr. MASON. Mr. Speaker, reserving the right to object, may I say that the 435 Members of the House speak most effectively when they cast their vote. We will all have that chance.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

WAIVER OF INSPECTION AND NAVIGATION LAWS DURING NATIONAL EMERGENCY

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5111) authorizing the waiver of the navigation and inspection laws during the national emergency, which I send to the Clerk's desk.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. BLAND. Mr. Speaker, the original bill was sent down with a message from the President. That bill was introduced and considered by the committee. It was amended by striking out all after the enacting clause and substituting a new bill therefor. The new bill will permit the waiver of technical provisions and other provisions when necessary to continue the operation of ships without strict regard to some of the provisions of existing laws. The waiver can be made only upon the request of certain agencies; that is, the Secretary of War, the Secretary of the Navy, the Secretary of the Treasury, the United States Maritime Commission, and the Office of Emergency Management. These officials must make their application in writing. The reasons must be set out in writing. Such waivers as are made can be made only to such extent and in such manner and upon such terms as the Secretary of Commerce after investigation may find to be necessary or proper for the national defense. The Secretary of Commerce shall not waive compliance with any of such laws to such an extent as will permit the navigation of any vessel in an unsafe condition, nor waive compliance with the coastwise laws of the United States where the service can be supplied promptly by American ships. The amendment does not permit waiver of laws requiring the division of crews of vessels into watchers or limiting the hours of labor of seamen on such vessels. The waiver must be by specific rulings for specific occasions. The amendment further provides that in order that the Congress may always have a check on all acts under the law, the Secretary of Commerce at the beginning of each month and at the beginning of a Congress shall make a full report to the Congress on the specific waivers and what was done under the act.

Mr. MARTIN of Massachusetts. This is necessary?

Mr. BLAND. It is very necessary right now because of certain provisions and changes that are desired in order to accommodate the emergency program. Certain things are being held up. For instance, there is a question of barges probably being needed, and things of that kind, where it may be that a Canadian barge should be gotten in if we cannot get any other. We have safeguarded it in every way we can. I have notified the ranking minority member of the committee, and he told me to go ahead.

Mr. MARTIN of Massachusetts. It is a unanimous report of the committee?

Mr. BLAND. It is a unanimous report of the committee.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That during the national emergency declared by the President on May 27, 1941, to exist, but not after June 30, 1943, the Secretary of Commerce is authorized, upon direction by the President or upon written recommendation of the Secretary of the Navy, the Secretary of War, the Secretary of the Treasury, the United States Maritime Commission, or the Office for Emergency Management, to waive compliance with any of the navigation and vessel-inspection laws of the United States to such extent and in such manner and upon such terms as he may deem necessary or proper for the national defense.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That during the national emergency declared by the President on May 27, 1941, to exist, but not after June 30, 1943, for the purpose of securing the most expeditious transportation consistent with safety of men and materials that are necessary to national defense and to reduce delays in water-borne transportation, provide quicker turn arounds, expedite deliveries, and help to prevent shortages in defense or critical materials, the Secretary of Commerce is authorized, upon written recommendation of the Secretary of the Navy, the Secretary of War, the Secretary of the Treasury, the United States Maritime Commission, or the Office for Emergency Management, to waive compliance with the navigation and vessel inspection laws of the United States, except laws requiring the division of crews of vessels of the United States into watches, or limiting the hours of labor of seamen on such vessels, but only to such extent and in such manner and upon such terms as he may find after investigation to be necessary or proper for the

national defense: *Provided, however,* That the Secretary of Commerce shall not waive compliance with any of such laws to such an extent as will permit the navigation of any vessel in an unsafe condition, nor with the coastwise laws of the United States where the service desired can be supplied promptly by American ships: *Provided, further,* That in the exercise of authority granted by this Act, the Secretary of Commerce shall waive compliance with any of such laws only by specific rulings for specific occasions, and shall in each case specifically state the particular laws with which compliance is waived and the reasons therefor: *And provided further,* That during the effective period of this act the Secretary of Commerce shall, at the convening of each session of Congress, and monthly while the Congress is in session, report to the Congress every action taken by him under authority of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SERGEANT ALVIN C. YORK

Mr. COURTNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COURTNEY. Mr. Speaker, Tennesseans in Washington have been delighted to have with us for several days past Sgt. Alvin C. York of World War fame. Yesterday he was the guest of our delegation at a luncheon here in the House and last evening the guest of the Tennessee Society at dinner at the Willard.

He, more than any other man, perhaps, has added luster to the name of our State. In him and through him the world has come to better know the character and temperament of our mountain people, God fearing, liberty loving, patriotic, brave, but withal without show or ostentation.

We congratulate him upon the unaffected and unselfish manner in which he has carried the praise and acclaim bestowed upon him through the years. His life has been an heroic example to the young men of today.

How different his characteristics from those of another former national hero, Charles A. Lindbergh, whose claim to fame in the first instance was a flight across the Atlantic, a fine job then, of course, but many times accomplished since and perhaps before. Nevertheless he proceeded to set himself up as the supreme authority on divers subjects, wholly unassociated with the field of aviation, his expertness, in which, I gladly concede. With no military or naval experience, he sets himself up as a great strategist along these lines; with no diplomatic or kindred experience, he sets himself up as an authority to be followed by our State Department and our Chief Executive in foreign policies, and in time of national emergency, when he could be of help in his field, he resigns the commission, authorized by Congress, as a colonel in the Army of the country whose citizenship he later almost foreswore, and now he goes on speaking tours calculated deliberately to disrupt our national unity.

Thank God, in Sergeant York America has a national hero without feet of clay.

The Senate has passed a bill authorizing the President to name York a colonel. The House will do well to concur. He will never dishonor his commission nor resign it in time of national peril.

EXTENSION OF REMARKS

Mr. ROBINSON of Utah. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the bill H. R. 3582, the coffee-sugar bill.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

SWITZERLAND

Mr. THOM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. THOM. Mr. Speaker, all over the world next Sunday, wherever men and women of Swiss ancestry live, there will be celebrations of the six hundred and fiftieth anniversary of the birth of that sturdy little country that so far has escaped the ravages of Hitlerism and remains an island of freedom and democratic greatness in the midst of fallen neighbors.

Sometimes I think that Hitler's lust of conquest suddenly dims out for the moment when he looks on little Switzerland. For 650 years it has braved all kinds of disasters. It is our hope that this mighty little fortress of democracy will continue to live its own life in its own way until the end of the present conflict.

Switzerland is armed to the teeth. Some 250,000 men are in the Army at all times. Every citizen is a soldier with a musket in his own home. If a cavalryman, he has his own horse. Curious enough, while it maintains the system of universal military service, it keeps its political thinking free and forward looking and nourishes no imperialistic designs.

It has a keen sensitiveness to social justice. As far back as 1877, it passed a Factory Act, limiting working hours and giving other protection to the worker, while in the United States a segment of our people still are trying to convince the country that this kind of legislation is detrimental.

The Swiss immigrants to this country have been a great asset. They are industrious, self-reliant, and intelligent. We have been the beneficiaries of outstanding achievements by such men of their nationality as Albert Gallatin, a Secretary of the Treasury; Louis Agassiz, a great zoologist; Edward Eberle, an admiral of the United States Navy; and Louis Chevrolet, automobile manufacturer.

May we not, as Members of the House of Representatives, salute little Switzerland on its great history and its intelligent application of the democratic principle?

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject The Price Control Program, and to include therein a short editorial, very pertinent, on the same subject, from the Evening Star of last night.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by me before the Vermont American Legion on July 25.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

SHORTAGE OF SCRAP IRON

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I call attention to some of the effects of price control and some of Mr. Henderson's mismanagement. I have here a wire from the Commercial Iron Works of Los Angeles which reads as follows:

Forced to shut down our foundry. Unable to procure cast iron scrap delaying numerous defense orders. Wire by Western Union what course to take to procure scrap so we can operate to capacity.

I also have a telegram from the Los Angeles Chamber of Commerce reading as follows:

Scrap-iron situation extremely critical with many foundries on straight defense production entirely out of scrap and about to close down. Cause of situation very complex and difficult to explain at distance. Urgently recommend that France, Bishop, or other qualified representative O. P. A. C. S. immediately fly out here to clear situation. Please check back with me as quickly as possible.

This is just an example of the incompetence of some of the theorists who are trying to run our Government.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by the president of the Pennsylvania State Bar Association. I have been informed by the Government Printer that the cost will be $150.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

TRANSPORTING STOLEN CATTLE IN INTERSTATE COMMERCE

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1261) to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes, insist on the House amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair

hears none, and appoints the following conferees: Messrs. SUMNERS of Texas, WALTER, and GWYNNE.

FLOOD CONTROL

Mr. WHITTINGTON submitted a conference report and statement on the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

EXTENSION OF REMARKS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Timberman on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

PROFITEERING IN STRATEGIC AND CRITICAL MATERIALS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, in 1936, when Mr. Roosevelt was a candidate for a second term, he was advocating the passage of a Neutrality Act which would be designed to keep us out of somebody else's war forever. At that time he said that if we ever did become involved in another war it would be because there would be many in the land who would be seeking blood profits and fool's gold.

Today we are dangerously close to war, and we are being pushed further along the road to war by one particular small minority group that we can compare only to a certain black-and-white-striped "wood pussy" in our country. They are men who deal nefariously in strategic and critical materials in order to reap blood profits. It is about time we clamped down on those fellows. Today I am introducing a bill calling upon the President to clamp down on them and fine them $10,000 and give them 10 years in prison whenever they are convicted of selling strategic or critical war materials on which a priority rating has been established.

I have consistently opposed granting additional powers to the President, especially powers which rightfully belong to the Congress, but this is one power the President should have and should use, and use now.

[Here the gavel fell.]

FARM REGIMENTATION

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I have opposed regimentation of the farmer, the businessman and the laborer. I have received the following letter:

JERSEY SHORE, PA.,
July 30, 1941.

Hon. ROBERT RICH,
Woolrich, Pa.

DEAR SIR: Am writing you concerning this wheat question. When a farmer asks no aid from the Government of any kind, buys his own lime and seed and fertilizer, pays for it out of the money he earns on his farm, pays his local taxes and all the other alphabetical unknown taxes, and doesn't join this Soil Conservation Act, and then out of a clear sky, when his wheat is almost ready to cut, comes a pimp of some kind who doesn't know how to work, is too lazy to work if did know how, and tells you your wheat must be plowed under or be fined 49 cents per bushel, that makes a self-respecting farmer boil clear down to his toes and makes him think of that old Winchester standing behind the door.

Twenty-eight farmers in ——— Township, out of a possible 100, had a right to vote against it. If that is all the farmers, you have to show me.

I do not believe in Government soil conservation. I was practicing it before the Government thought of it.

I really think it is time for the farmers to get together and clean house of such Representatives as that.

We do not, as you know, make any money growing wheat at $1 per bushel.

I feel that under the Constitution I have a perfect right to grow what I please on my farm. I don't borrow money from land banks, and most of them that do never expect to pay it back. These are some of the things I think. Hoping I haven't bored you with this letter, I am

Yours respectfully,

———.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address made by the gentleman from Massachusetts [Mr. MARTIN] before the Republican convention in Wisconsin.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that I may proceed under a special order for 10 minutes following the gentleman from Michigan [Mr. HOFFMAN] at the close of business today.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. GORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a resolution endorsing my friend Joe Carr, of Tennessee, for national president of the Young Democrats.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Tulsa Tribune, endorsing public power development.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

JOINT INCOME-TAX RETURNS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to extend my remarks and to include therein a letter from the Women Investors in America and also a statement from them.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. FELLOWS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief newspaper editorial.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address by Mr. George Stringfellow, of East Orange, N. J.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOHNS. Mr. Speaker, I have two unanimous-consent requests to submit. I first ask unanimous consent to extend my remarks in the RECORD and to include an address delivered by myself over the Columbia Broadcasting System on Wednesday night and, secondly, to extend my remarks in the RECORD to include a letter from a constituent of mine on the subject of the W. P. A.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

(Mr. LAMBERTSON asked and was given permission to revise and extend his own remarks in the RECORD.)

HARRY HOPKINS AND JOSEF STALIN

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, while Harry Hopkins is over in Moscow asking Joe Stalin what he would accept of American taxpayers in the way of money and property, out in Los Angeles, the city of my friend the gentleman from California [Mr. LELAND M. FORD], the Communists are holding up production for national defense. Harry ought to get together with those Communists, because unless the Communists in this country permit production, we cannot give their "red" brethren what is not produced today—what is not produced, cannot be sent to Russia—and Harry ought to know it.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield? How did you vote on Tuesday?

Mr. HOFFMAN. I voted right. How did you vote?

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement in opposition to the joint tax return.

The SPEAKER. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting some excerpts from a recent broadcast by Fulton Lewis in which he discusses the racket set up in New York which capitalizes on the privation and suffering in England.

The SPEAKER. Is there objection?

There was no objection.

PRICE FIXING

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks, and that those remarks be put into the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks and include certain editorial comments in support of a separate air force.

The SPEAKER. Is there objection?

There was no objection.

[Mr. CANNON of Missouri addressed the House. His remarks appear in the Appendix of the RECORD.]

PRICE FIXING

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURRAY. Mr. Speaker, price fixing is a very appropriate subject to discuss this morning. This price fixing of farm products, with all due respect to my colleagues, is nothing new to the New Dealers. I do not see why we are getting so excited about this bill, because the present administration is manipulating and controlling certain farm prices at the present time. This man Henderson seems to want to get a little more power to do a little bigger job. Milo Perkins has been manipulating farmers' prices for several years. This man Perkins has cost the farmers of this country millions upon millions of dollars. At the present time, with the $500,000,000 out of the $7,000,000,000 lease-lend bill and the $235,000,000 from the domestic funds provided by Congress, he or anybody else can control every market in this country. That is, as long as the $735,000,000 lasts. The Agriculture Department has or tries to have direct control of every major farm commodity. Prices have been advanced on some agricultural products by borrowing the money, fixing a price of the product, and then by giving the product away, thus keeping the product off the regular market. It is high time that the producer, distributor, and consumer obtain consideration that is fair to each group.

REFERENDUM ON WAR

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, I want to announce the result of the poll that is being conducted in my district on the war question.

As of August 1, 1941, I have received 62,158 ballots. Of that number, 58,557 are against our entrance in the present war and 3,601 are for entrance into the war.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by inserting a brief article on small factories in connection with the O. P. M. work.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE REVENUE BILL—1941

Mr. DOUGHTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5417, to provide revenue, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5417, with Mr. COLE of Maryland in the chair.

The Clerk read the title of the bill.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Utah [Mr. ROBINSON].

Mr. ROBINSON of Utah. Mr. Chairman, I am much concerned over the provisions of this bill because of their effect upon the mining industry, which is one of the most important businesses in my State. I realize the necessity of increased revenue, and I am committed to the principle that we should endeavor to raise out of current income as much revenue as is possible to meet current expenditures.

At the same time, I am faced with the fact that this constitutes the highest tax bill in history and that it is still true that "the power to tax is the power to destroy." The most carefully prepared bill carrying the rates provided in this measure must of necessity have a very heavy impact upon the industries of the Nation, because this provides for an additional tax to be superimposed upon the tax already provided in existing tax laws.

We must have in mind, that after all, the additional revenue under an income-tax law depends upon the income of the taxpayer, and I realize that there are several ways in which the income of the taxpayer will be affected by a tax bill such as this. Here are some of them:

First. The rates may be so high as to discourage the development and expansion of business enterprises, particularly mining enterprises.

Second. The application of a general law such as this and of the regulations for which it provides may inequitably affect many of the mining enterprises of my State.

Third. The application of a general law or regulation may affect adversely one mining enterprise in competition with another so as to seriously curtail its income and its consequent ability to pay taxes.

It seems to me that a bill such as this, at a time such as this, should be framed so as:

First. Not to affect adversely, industries whose continuous production is essential to national defense. Mining is such an industry.

Second. To encourage the expansion of such essential industries. By this I particularly mean, the discovery and development of new ore bodies which are absolutely essential in our national-defense program.

I do not need to tell the Congress that the mining industry is essential, both to national defense and to the fulfillment of the aims and purposes of the lease-lend program. America cannot continue as the "arsenal of the democracies" if its basic supplies are curtailed or if its increased production is hampered or restrained. Let me call your attention to these facts:

First. A steady production of the base metals depends upon exploration and development of additional ore bodies. This requires an unremitting program entailing the expenditure of large sums of money which may never be returned, and also an unceasing expense in search for metallurgical processes which would make low-grade ore deposits commercially available.

Second. Mining is a wasting industry. It is constantly using up its capital in the form of units of the metals produced, and this capital can never be replaced.

For these reasons, I believe that mining and, in fact, all extractive industries should have special consideration in a bill involving as heavy a drain upon its income as does this tax measure. I do not mean that they should be specially favored, but I do mean that the nature of their business, the peculiar character of their operations and the fact that their assets are constantly being used up in the creation of what is called income, should have very special attention. I know it is not the desire of the Congress to seriously injure or retard the development of an industry essential alike to good living and preparation for defense.

Now, I am going to suggest two respects in which I believe mining and relative industries should have treatment in an excess-profits tax bill different from that accorded to those industries or businesses which do not consume their assets in their operation. I am not objecting to the normal tax rates provided in this bill, because I realize the necessity of an increased revenue, but when it comes to determining excess profits, then I wish to call attention to the necessity, both in fairness and in furtherance, of the development and maintenance of a permanent industry which is so essential, of weighing most carefully the effect of the provisions of this bill. Accordingly, I urge:

First. That a formula be written into this bill providing for the determination

of excess profits in the mining industry upon the basis of units mined and sold, rather than upon the general basis of income from the entire operation.

Second. That special provision be made for relief in cases where the application of the general provisions of the law would work an injustice to the individual business.

As to the first proposal, may I call your attention to the fact that the price of metals, per unit, has been stabilized. The industry in my State is cooperating patriotically in the policy of the Government to maintain a ceiling on metal prices. Accordingly, the price per unit is not at the present time substantially in excess of the average price over a period of 40 years.

At the same time, however, the Government urges, and our operators have been cooperating, that the mines increase the number of units produced. If the mining company follows the program of maintaining the present ceiling on prices per unit, and at the same time, in response to the Government's needs, increases the number of units produced, it will have materially decreased the units remaining in the ground, which would be available for production under more propitious circumstances. At the same time, because through increased production of units it has added to its taxable income, it will be obliged to pay extremely high taxes under this law, when, as a matter of fact, these are not excess profits at all.

Then, again, there are many mining companies, particularly those having small operations, which have neither the base-period earnings nor a sufficient statutory capitalization to constitute a proper credit for the computation of excess profits. Many of these properties need special consideration because of their peculiar history. These are the operations with which I am most concerned, for they are not within the class of those larger operations which have built up either a sufficient capital structure or a base-period earning to constitute a sufficient credit. These small operators know little about what we are doing here, and they will first learn of the provisions of this excess-profits tax bill when they are called upon to make their contribution to the Government finances next year.

I have in mind many instances of severe hardship which will be brought about by the application of this law. For this reason I had hoped that the rather stringent provisions relating to relief for cases of this character might have been modified and made more workable in behalf of the types of companies to which I have referred. Under the rule adopted here it is perhaps necessary that we pass this bill, but I shall vote for it with a mental reservation that it does not contain the provisions which I would like to see embodied in it—provisions which would assist, and not seriously hamper, the production of metals so essential in our national-defense program.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. ELIOT].

Mr. ELIOT of Massachusetts. Mr. Chairman, I am grateful to be granted this time. I want to use it simply to ask a question of the committee that refers to section 552 A (7) of the bill, excise tax on rubber articles. My question is whether by any chance that tax applies to crude rubber in any of its usual forms?

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield.

Mr. COOPER. I am glad to state to the gentleman that the proposed tax does not apply to crude rubber. This proposed tax levies a manufacturers' excise tax on rubber products except footwear and surgical instruments.

Mr. ELIOT of Massachusetts. I thank the gentleman, and I yield back the balance of my time.

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON of Georgia. Mr. Speaker, I respectfully request consideration, particularly by the members of the Ways and Means Committee, of the statement I am going to make. Section 101, subsection (1), of the internal revenue law specifically exempts labor organizations from taxation. The question is, Does the Ways and Means Committee know of 150 large national unions, 34—or 23 percent—have total assets as of April 1, 1941, of $42,371,199.23? That these assets represent an increase of $4,030,684.66 over the assets possessed by these same unions on the 1st of October 1939, when the present emergency began? In other words, an increase in the assets of those nontaxable unions of 11 percent, due entirely to the national emergency.

The Naval Affairs Committee, charged with this investigation, has sent out questionnaires and has received 105 from the American Federation of Labor and 45 from the C. I. O. The total assets on September 1, 1939, of all unions was $38,161,000. Of that, $10,000,000 was American Federation of Labor, $2,538,000 was C. I. O. On March 31, 1941, on account of the national emergency, the total assets had increased to $42,000,000; $11,000,000 of which, or 12 percent, was an increase in A. F. of L. assets, and $4,162,000, or 64 percent, was an increase in the assets of the C. I. O. The country is sorely pressed for new sources of revenue. Why should these organizations be exempt from paying their proportionate part on their assets?

[Here the gavel fell.]

Mr. DISNEY. Mr. Chairman, I yield myself 30 minutes.

I share the view expressed in this debate on the subject of nondefense appropriations. In my opinion, Secretary Morgenthau's advice to cut out a billion dollars on nondefense was sound. If this had been done, many rates could have been made substantially lower and some excise taxes on the people's goods left off. No one in a position of powerful authority made the slightest effort to put the advice of the chief fiscal officer of the Nation into action. I made such a motion in the Ways and Means Committee, but since the Ways and Means Committee has no jurisdiction on such appropriations a point of order was properly sustained. Under the rules of the House, appropriations cannot be offered in this bill in the National Congress, even in the case of an emergency as great as war. The whole Budget is not intelligently considered. The Appropriations Committee spends the money as it pleases without regard to the Ways and Means Committee, which is required to raise it. The two committees are poles apart. As has been said by the press on the subject of a point of order, it appears that "saving is not germane to spending."

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield for an observation?

Mr. DISNEY. I yield.

Mr. SUMNERS of Texas. Mr. Chairman, the gentleman has yielded to me, and I want to direct the attention of the Committee to the fact that the gentleman is speaking of the fact that there is not a proper coordination between the committee that raises the revenue and the committees that have to do with the expenditure of the money. I beg my colleagues to pay attention.

Mr. DISNEY. My other remarks on this subject will be very brief, because I want to go into the subject of mandatory returns of husband and wife.

Congress appears to be the only place on the face of the earth where the spending organization is completely divorced from the tax-raising or income-producing organization. Up to the time of the War between the States the Ways and Means Committee raised the money and spent the money. Since that time we have had the Appropriations Committee on the one hand spending the money, and the Ways and Means Committee on the other hand raising the money, and the composite brain of the Congress has nothing to do with any intelligent coordination between these two committees under the rules of the House and the rules of the Senate. Something ought to be done about it.

Mr. MICHENER. Mr. Chairman, will the gentleman yield there?

Mr. DISNEY. I yield.

Mr. MICHENER. And under the rule by which this bill is being considered, the House cannot have a thing to say about it—it is all left to this Ways and Means Committee.

Mr. DISNEY. Yes; but the gentleman is off the subject. That is not a fair reference to my remark. Under this rule appropriation cuts would not be in order, as the gentleman well knows.

Mr. Chairman, I address myself particularly to the provisions of the bill dealing with the mandatory joint return by husband and wife.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield.

Mr. KEEFE. It is a fact, is it not, that repeated efforts were made upon the floor of this House time and time again when appropriation measures were before this House to reduce appropriations for nondefense items; and the majority in this House refused time and again to approve those proposed cuts. Is not that true?

Mr. DISNEY. Does the gentleman mean the Democratic majority? Is that what the gentleman is talking about, or the majority of the membership?

Mr. KEEFE. I assume that if any responsibility lies any place, it lies with the majority that is in control of this Congress. Is not that true?

Mr. DISNEY. That is the first suggestion I ever heard that the minority party had no responsibility in the matter of appropriations.

Mr. KEEFE. I did not say responsibility; I said control.

Mr. DISNEY. I do not yield further. I remember quite well when the distinguished gentleman from New York [Mr. TABER] offered an amendment to cut the W. P. A. appropriation to $500,000,000. Seven men out of 435 in this House stood up to support him on it. Likewise, many other instances we all know about.

Now, coming back to this subject of mandatory joint returns. There has been such a welter of confusion engendered with all the propaganda spread that I feel the proposal should be restated, and if the Members will listen to me, I think I can state it correctly. I hope the Members have read this report. It is enlightening, and it is specifically definite on this subject. I think I can explain it.

Succinctly the issue involved is: Shall 5.77 percent of the people filing tax returns be permitted to file separate returns, thereby defeating surtaxes, and shall the remaining 94.23 percent of the people filing tax returns continue to be required to take up the slack and pay the taxes—along with the other taxpayers—which the 5.77 percent avoid? This is the sole issue in this controversy. The issue is the age-old issue between taxpaying and tax avoidance, between those who pay their taxes and those who legally avoid a portion of the general taxation. To understand this problem clearly you must know the facts. In 8 States—1 of them my own—earned income, such as salaries and wages, may be divided between husband and wife, and surtax thereby avoided. In the remaining 40 States assignments or gifts of salary or wages—even by antenuptial agreement—cannot be legally recognized for the avoidance of the surtax under the Federal statutes. This arises by reason of the community-property laws of 8 States; but in all 48 of the States division of income-producing property, like land, stocks, and bonds and royalties, and so forth, are and must be under the present law accepted by the Federal Treasury, even though the specific purpose of division of the property is for legal tax avoidance. To state it concretely, in community-property States a single individual with a $10,000 salary would pay a tax of $1,166, but in the community-property States the husband may divide this $10,000 salary with his wife, or the wife divide hers with the husband, and they each pay a tax on $5,000, or both pay a total of $880, thus avoiding $286 in taxes, while just across the State line in a non-community-property State a husband and wife similarly situated may not divide the husband's salary and cannot legally avoid paying the $1,166; but in all States income-producing property may be divided and similar tax avoidance be accomplished.

The process of the division of property for the avoidance of surtaxes is simple. Husband or wife gives to the other spouse income-producing property, pays the gift tax, and the income may then be separately reported and high surtaxes avoided. Since 1932 taxable gifts and tax-free gifts have amounted to about $7,000,000,000, and the committee feels that a great portion of this amount involves family transfers.

Who takes up the slack? Who pays the bill? Who pays the taxes thus avoided? Who, if this measure fails, will pay the $323,000,000 involved? Who will pay the taxes avoided by the 5.77 percent of the folks filing tax returns? Reason becomes arithmetic, and we are confronted with the bald injustice that the 94 percent of the taxpayers take up the slack, they pay the taxes for the tax avoiders. They, and the folks who have hidden taxes upon hidden taxes heaped upon them, such folks who do not take advantage of separate returns and the people who do not file returns, the smaller taxpayers who pay the excise taxes, will pay the bill for the 5 percent.

Mr. BUCK. Will the gentleman yield?

Mr. DISNEY. I yield to the gentleman from California.

Mr. BUCK. The gentleman is always fair, and I think accurate, when he is fully informed on any question. He made the statement that in community-property States the husband and wife may divide their income. I just want to correct the record. I think that is what he said.

Mr. DISNEY. That is correct.

Mr. BUCK. I want to simply state that in community-property States the husband and wife must divide the income. It is because of the fact that those who come from the common-law States cannot understand what the civil law provides that this misunderstanding has arisen about community-property income.

Mr. DINGELL. Will the gentleman yield?

Mr. DISNEY. I yield to the gentleman from Michigan.

Mr. DINGELL. Whether they may or must, the fact is that they do in the community-property States and we do not in the common-law States.

Mr. BUCK. But income is income, whatever it is; whether it is the wife's income or not.

Mr. DISNEY. We have a precedent for this proposal, a precedent that is based on our form of civilization, a precedent springing from another Anglo-Saxon nation, a nation of the same language, like customs, a democratic nation, a nation with laws like ours in most respects. England has had this provision since 1914 and has found its practical effect is to prevent legal tax avoidance and to make for tax equality, that it prevents a small number of people from having a tax advantage over the larger portion.

The report of the Royal Commission appointed to investigate this subject in 1920 reads in part as follows:

> The aggregation for income-tax purposes of the income of husband and wife is not dependent upon any medieval conception of the subordination of women, nor is it a question of sex disability, since either partner can claim separate assessment and separate collection. The incomes are aggregated because the law of taxable capacity is the supreme law in matters of taxation, and taxable capacity is, in fact, found to depend upon the amount of the income that accrues to the married pair, and not upon the way in which that income happens fortuitously to be owned by the members of the union. It is beyond question that in the immense majority of cases where the wife has separate means she contributes to the common purse, either by actual merger of her income with her husband's, or by bearing expenses which in less fortunate households fall upon the husband.
>
> We have given a great deal of time and attention to this subject and have considered with the utmost care all the arguments that have been put before us, and we have been forced to the conclusion that the grievance complained of is more vocal than real, in other words, that it is a grievance rather than a hardship. We therefore recommend that the aggregation of the incomes of wife and husband should continue to be the rule.

With reference to this twaddle about loss of women's rights and that this provision will put a premium upon divorce and a penalty on marriage, that it would cut down the birth rate and so forth, the Royal Commission dignifies that argument by one sentence as follows:

> The statement is also made that the method of assessment imposes a penalty on marriage.

Of course, we are not bound by what England and Canada do, but we should be impelled by the dictates of common sense, fair play, and justice between man and man, between taxpayer and taxpayer, rich and poor alike.

It may be claimed that the civil law gives certain rights. This is the law in France and I think in Spain. There is the civil law.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. DISNEY. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. The gentleman said it would place no penalty on marriage. It seems to me it does. Why is it that you have not taxed or prorated alimony settlements?

Mr. DISNEY. Well, that is a subject we are going to have up in the next tax bill. It is a tedious matter.

Mrs. ROGERS of Massachusetts The gentleman has spoken of the English law. It seems to me that the English law has always been unfair to women. I happen to know about the French law, and that is manifestly unfair. We have the best and the fairest laws for women. I may say to the Members here that——

Mr. DISNEY. Mr. Chairman, I did not yield to the gentlewoman to make a speech. I want the gentlewoman to ask me a question, but I do not want her to make a speech on my time.

Mrs. ROGERS of Massachusetts. May I ask the question, then?

Mr. DISNEY. Yes; please ask the question.

Mrs. ROGERS of Massachusetts. Does not the gentleman think it is unfair to take a step backward so far as women are concerned?

Mr. DISNEY. I am going to convince the gentlewoman before I get through that this is not a step backward for women, if she will just wait a minute.

Mrs. ROGERS of Massachusetts. Will the gentleman answer the question after that, if I am not convinced?

Mr. DISNEY. Yes; indeed, I will.

Now we must inquire whether or not this proposition is morally right. I urge upon you, if you have not already read them, the nine reasons stated on pages 13 and 14 of this report, where it is stated:

It is the opinion of your committee that division of income between husband and wife as a tax-saving device has no equitable basis. It results in an unequal distribution of the tax burden as between families similarly situated. The joint-return proposal will overcome the inequities referred to and will result in a more equitable distribution of the tax burden. It appears proper to treat husbands and wives as taxable units for purposes of the Federal income tax.

I recall that in the discussion of the social-security bill, our distinguished floor leader, the gentleman from Massachusetts [Mr. McCORMACK], many times referred to the family as a unit. That is the principle upon which depends the Social Security Act under which we are now operating—that the family is the unit.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield to the gentleman from California.

Mr. THOMAS F. FORD. Why do you not include the sons of the family where they have an income?

Mr. DISNEY. I am afraid that is a catch question.

The committee further states—

It prevents the income tax law from operating unfairly with respect to a family where all the income is received by one spouse as compared with a family where the income is received by both.

I shall cite a specific illustration, and if it does not convince you, you must be hard to convince.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield to the gentleman from California.

Mr. BUCK. What does the gentleman have to say about the instance I cited yesterday with regard to the two sisters?

Mr. DISNEY. I will come to it. I am ready for that.

Let me cite you an instance. Your attention was distracted from this first paragraph in the committee's nine suggestions why this should be the law, referring to the differentiation in the tax burden as between families similarly situated.

A certain gentlemen upon hearing this proposal said to me—and this is directed to the special attention of the gentlewoman from Massachusetts [Mrs. ROGERS]—"I make $40,000 a year. I earn it. my wife has a $6,000 income from investments which she inherited. Are you going to make me pay her taxes?"

I said, "The proposal is not that. She pays her own taxes and you pay your own taxes in proportion to the total income. That is the basis upon which it is figured."

"Won't my wife have to pay more taxes?"

"Yes; some," I replied "We are going to calculate both of your taxes on the basis of your total income of $46,000."

He replied, "That is unfair and unjust."

I said, "What about the gentleman who lives right down the street from you, in the next block, whose wife has no independent income, but who himself earns $46,000 a year? He pays on a $46,000 base. Does he not have to pay his taxes, both normal and surtax, on the $46,000 base, while you and your wife, by your divided returns, avoid some surtaxes?"

Finally he said to me, "I see the justice and the propriety of this proposal. My wife's income certainly adds to the family income. To do as we have been doing is unfair to the man with the $46,000 income down the street, whose wife has no independent income."

Let us go to the other extreme. About the same time I had an interview with a Marine sergeant from Tulsa stationed out here at Quantico. He told me that out of his salary of $66 a month, $6 went to the support of his widowed family, $25 was the lowest rent he could find for a place to keep his wife and two babies, and the milk bill for his little family amounted to about $10 a month.

I asked him what he got out of his salary, and he as pleasantly as the rich man after we concluded the discussion replied, "Cigarette money; but I have my wife and babies."

I do not want to be tedious, but I do want to redirect your attention to these nine points raised by the committee. Surely you will not overlook reading them.

The second point is—

It removes the discrimination under the present law against earned income in favor of investment income.

That is what it is, a discrimination when in 40 States you cannot divide your income with your wife and in 8 States you can.

Our distinguished friend the gentleman from Ohio [Mr. JENKINS] yesterday took the side of the 5-percent group, but on page 6469 in Chairman DOUGHTON's address you will find that in Mr. JENKINS' great State of Ohio, out of 330,967 tax returns, 12,565 filed separate returns. In other words, 3.7 percent in Ohio got the tax advantage, the 12,000 are enjoying a special tax privilege that the other folks are paying for, the others who filed returns and those who are paying only excise taxes. Ninety-six and three-tenths percent of the 330,000 in Ohio had to contribute more taxes in order that the 12,000 might enjoy their privilege of tax avoidance.

I wonder now why our good friend from Ohio, and others similarly situated, will not heed the warning that is contained in these figures and in the figures shown at page 16 of the report, which gives the information to you with respect to every State of the Union. You only have to look at the table to find it.

As another specific instance, Chairman DOUGHTON received a letter from a widow that teems with the personal element. I take the privilege granted by him to read it. This ought to interest you ladies, as well as you men, and it ought to interest everyone who is interested in plain, square, fair justice between taxpayers. I will read the letter:

I am a widow—I have been for 2 years. The income that was "ours" and returned separately, at my husband's death became "my" income and was shot immediately into the higher bracket. This, although there was no longer any earning capacity in our family. Both my children are minors. I note that probably I can expect exemption for only one child in the tax scheme. This, too, although there is not any longer any earning capacity or prospect of any better income or living by virtue of the fact that my husband is dead. It seems to me that if a widow can accept, without complaint, and gladly because of the necessity, such increase in her taxes, two people spared each other's love and companionship can adjust their living to the necessity of their country. If they were not fortunate in having a much more than average living, they would not have the tax to pay.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. Let me first conclude the reading of the letter.

As for those couples who threaten divorce if their incomes are combined for tax purposes, I hope the Government in all sincerity will tell them to get their divorces. Neither their children nor the spirituality of their country will be served by the continued mating of two people held together by such ignoble motives. The satisfaction will be small should they admit it, or the spending of the dollars saved to themselves by failing their country in this, its hour of need.

As for the poor man who dreads his wife knowing what his real income is—and there have been some instances like that suggested to the committee—he must be pretty miserable already and much as a humane Congressman would like to keep from increasing his misery by forcing an exposé of his valiant efforts to provide for his family's future, I should think his plight would have to be his sacrifice to his country.

Mr. GEARHART. Mr. Chairman, will the gentleman from Oklahoma yield?

Mr. DISNEY. I now yield to the gentleman.

Mr. GEARHART. I think we are laying altogether too much emphasis on the distinction which may exist between community-property States and States where that system does not prevail.

Mr. DISNEY. We have to leave it in because that is what causes the trouble. That is the reason we have had hearing upon hearing on community-property laws.

Mr. GEARHART. In listening to the gentleman I have gained the imression, perhaps incorrectly, that the gentleman assumes that all of the income of each of the spouses is community property which may be divisible for purposes of income tax.

Mr. DISNEY. That is the statement made by the gentleman's colleague, the gentleman from California [Mr. BUCK].

Mr. BUCK. I beg the gentleman's pardon.

Mr. DISNEY. Then I am in error.

Mr. GEARHART. Let me continue, if you please. The gentleman gave an example a moment ago of a woman who became a widow and her income went up into the surtaxes by reason of the property inherited from her husband. This illustrates quite clearly the fallacy which seems to control the thought of so many Members of the Congress. We have in California a dual system. The husband and wife may each have separate property and they may have together community property and when she inherited property from her husband, that which

she received ceased to be community property and became her separate property and as a widow she would thereafter pay her tax upon the income derived from that which she inherited, like everybody else in the United States.

Mr. DISNEY. But it was a fine advantage when she had a husband.

Mr. GEARHART. It is but a small advantage at best, if you please. This joint income-tax return proposal is not offered to correct any disadvantages suffered by people who live in other than community property States. This change is made for the sole and only purpose of writing another formula for levying taxes which will produce $350,000,000. Because I think it is a decidedly unjust, a discriminatory, a completely unfair method of mulcting the American people of their hard-earned income I shall vote to eliminate it from the bill. You who favor this unfortunate proposal are merely lumping incomes for the purpose of forcing those taxpayers up into the surtax brackets just for the purpose of compelling married people to pay more, three and one-half billion dollars more. If that does not penalize the marriage relation, what would?

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. Just for a question, not for an observation.

Mr. BUCK. But the gentleman has used my name. He said that I had made a certain remark, which I think he has misinterpreted. Certainly in any community property State, when the earnings of the husband and wife are made during coverture they are community property income. If a husband has earned or has property from which he is receiving income before marriage, or if the wife has, either way, that is not community property income.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 10 minutes more.

Mr. BUCK. I would like to get this into the RECORD.

Mr. DISNEY. I suggest to the gentleman that he put it in in his own time.

Mr. BUCK. But I cannot get any more time. I have already had 30 minutes.

Mr. DISNEY. There are lots of community property people here to make speeches. Why not get them to do it.

Mr. BUCK. This is the question, Does the gentleman not understand that the income earned from property which the husband or wife owned before marriage, or that either of them received by gift or dissent, is separate income, and can be paid separately?

Mr. DISNEY. I do not think that is pertinent here at all.

Mr. BUCK. And when you combine that together, you are only making a fictitious income.

Mr. SUMNERS of Texas. Mr. Chairman, if the gentleman will permit, will he kindly discuss the constitutional question?

Mr. DISNEY. I will if I can get the time. Surely the gentleman does not take the view that the Congress cannot constitutionally pass such an act.

Mr. SUMNERS of Texas. May I say to my friend I think it is sufficiently important that the gentleman be good enough to discuss it and give the view of the committee as to why it thinks it can levy this tax? I myself question it, but I do not want to make that observation now.

Mr. DISNEY. I have hardly gotten started. I presume I should not have yielded any of my time.

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 10 minutes additional.

Mr. DISNEY. Mr. Chairman, the suggestion is made by the gentleman from California [Mr. BUCK] about two sisters. Each acquired by inheritance or gift from their father a certain amount of money. One of them is married to a husband who is making a large income. The other is single. The single daughter will be taxed only upon the income from the $20,000 which she inherited, while the married daughter will pay an income tax on the income from the $20,000 she received and also the earnings of her husband. Has not the married sister a greater ability to pay than the single sister? She not only has the income from the $20,000 but she also has that of her husband, who is earning a substantial income. The taxable capacity of that family is much greater as compared with the taxable capacity of the single sister, whose only income is from the $20,000. I can well understand that the single sister would be willing to assume a greater tax burden, if she could be placed in the same status with her married sister. Furthermore, why should a family of that taxability be favored over a family where all of the income is earned by the husband? To go back to the illustration about the $46,000 man, why should that family be favored in that manner? Existing law places the other family in a much less favorable status. Yet each family has the same tax-paying ability. We certainly should not treat families differently because of the way the income happens to be happily or fortuitously obtained by the members of this union.

Mr. Chairman, I have more material than I shall be able to use in the time allotted to me. The gentleman from Texas, Judge SUMNERS, whose opinion we all rely upon on legal matters, inquires as to the constitutionality of this proposal.

He wants to know, has the Federal Government the power to pass this kind of a statute?

Do the State constitutions and statutes prevent and make unconstitutional this proposed exercise of power by the Federal Government?

It has been pointed out that the constitution of some of the community property States make provision for the community-property system and declare that that system is forever the law by the basis of property laws regarding husband and wife within that State. It is urged, further, that any Federal enactment which does not give proper weight to the provisions of such State constitutions and laws under the Federal Constitution would be unconstitutional.

Now, have any of you recently read the sixth article to the Federal Constitution? It reads like this:

> This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

An illustration of the supremacy of the Federal Constitution and the revenue laws and under which particularly pertains in this regard, as a parallel, may be found in the Burk-Waggoner case, a Texas case.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. No; I am not going to yield.

Mr. BUCK. The Treaty of Guadaloupe Hidalgo is still in effect.

Mr. DISNEY. If you think that treaty supersedes the Constitution of the United States when Texas and California came under the Constitution of the United States under this provision, your view of the law is entirely different from mine.

Now, it was said yesterday that to pass this upsets all the law in the community-property States; the law of wills, and so forth. The gentleman from Washington [Mr. MAGNUSON] rather amplified on that subject. But it does not do that. This is only for Federal tax purposes. It disrupts no other rule of law. For Federal tax purposes the Federal law, in my judgment, is supreme.

For instance, in the Hamel case, involving the sale of oil under royalty contract, under the law of Texas that was a sale of the oil in place. The taxpayer took the view that the capital-gains tax was all he was required to pay. The department took the view that this was in the nature of royalty income and subject to income tax. The Supreme Court held with the department's view, to the effect that this was income. It did not have to set aside the law of Texas, holding that this was a sale of oil in place. It remained the law for State purposes, and still is the law; but for Federal income-tax purposes the law of Texas was superseded by the Federal income-tax law.

The Supreme Court in another case made this discussion:

> The power of Congress so to tax associations is not affected by the fact that, under the law of a particular State, the association cannot hold title to property, or that its shareholders are individually liable for the association's debts, or that it is not recognized as a legal entity. Neither the conception of unincorporated associations provided under the local law, nor the relation under the law of the association to its shareholders, nor their relation to each other and to outsiders, is of legal significance as bearing upon the power of Congress to determine how and at what rate the income of the joint enterprise shall be taxed.

Mr. SUMNERS of Texas. Will the gentleman incorporate the citation in his remarks?

Mr. DISNEY. Yes. That is Two Hundred and Sixty-ninth United States Reports, at page 110.

This decision demonstrates in like fashion that community property laws of the various States cannot in any fashion restrict the Congress of the United States from determining the rate at which a married couple should be taxed.

The Supreme Court, in an increasing variety of cases, has called attention to

the fact that the unity of family may be recognized by Congress as such in Federal revenue acts. The Supreme Court has gone further than is proposed in this bill, for it taxes the husband's income which belonged to his wife, merely because he possessed some control over the property from which that income was derived, although such control would not permit him to obtain that income.

After the Robbins case in California, holding that a wife did not have a vested right in the community property, but only a mere expectancy, the legislature passed the law giving the spouse a vested right.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. Yes; I yield.

Mr. GIFFORD. Do you believe in the community-property law in the States? Do you believe in the principle of it?

Mr. DISNEY. Yes. It is all right for the States, but it should not conflict with the Federal taxing power.

Mr. GIFFORD. After we do this, they may want to do the same thing, and it would create a great deal of trouble, would it not?

Mr. DISNEY. I do not understand the gentleman.

Mr. GIFFORD. I am glad to know you approve of the community-property law.

Mr. DISNEY. It is all right. Let the States have it.

Mr. GIFFORD. But what about the effect of what we do upon them?

Mr. DISNEY. We have a right to act upon that Federal community-property law for tax purposes.

Mr. GIFFORD. But you are showing the viciousness of it.

Mr. DISNEY. Let us go further on that suggestion, then. Let us suppose that New York passes it. Oklahoma passed it in self-defense, because wealthy people were leaving and going to Texas to avoid paying taxes. She passed it in self-defense, avowedly. It was so discussed in the legislature. Let us suppose that New York, the richest State in the Union, then Pennsylvania, and on down the line, Ohio, Illinois—let us suppose they passed community-property laws; then you would not be getting enough Federal income tax to run this Government 6 weeks.

Mr. GIFFORD. That is done right along in the matter of intangibles, one State claims an advantage over another to attract people to the State. You will not find any tax bill that is not full of discrimination of one sort or another.

Miss SUMNER of Illinois and Mr. KEEFE rose.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. DISNEY. I yield.

Mr. SUMNERS of Texas. I think we would all like to have in continuity the gentleman's discussion of the constitutionality of this legislation, which he was engaged in. We have great respect for his opinion, and I hope the gentleman will state it without interruption.

Mr. DISNEY. Apparently, I am not able to proceed that way.

Mr. SUMNERS of Texas. The gentleman is just too polite, that is all; do not yield to us.

Mr. DISNEY. Keep in mind this, please. This proposal does not tax the husband on the wife's income; it merely joins the income of both to measure the rate of taxation. The only Supreme Court case that bears out any contention that this tax is unconstitutional is the so-called Hooper case, *Hooper* v. *The Tax Commission* (284 U. S. 206). Read the report, and you will find this case thoroughly dissected. This case did not turn upon a Federal constitutional question; it turned upon the question of the constitutionality of a statute passed by a State legislature attempting to lay a tax upon the husband for the wife's income. That is what was involved, but that is not involved here. The Hooper case was squarely upon the question whether the State could make you pay your wife's taxes. That is the turning point in that case, and the report thoroughly discusses that feature. The attempt of the Wisconsin law was to make the husband pay the wife's taxes, and vice versa. This proposal does not in any way, shape, or form make that attempt. Generically, the sixteenth amendment puts into effect an excise tax. That is what the income tax is in substance, an excise tax, because it is generically an excise tax doing away with geographical and proportionate distributions. When it becomes an excise tax, then becomes involved the right of Congress to classify taxpayers, and if it is done in a reasonable manner without discrimination it does not violate either State or Federal Constitutions, or Federal processes. We can tax lawyers under the excise process in one way, tax doctors in another way. We can tax one businessman in one way and a different type of business in a wholly different way provided as between the men, women, and corporations of the class provided we do not discriminate between members of the class. That is the test and the very widest range is given to legislatures and the Congress in their determinations how they shall classify taxpayers.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield.

Mr. SUMNERS of Texas. Does the gentleman want us to understand that the Congress can levy a different income tax on doctors from the tax they levy on lawyers?

Mr. DISNEY. The illustration maybe is unfortunate, but the gentleman will agree that we have the right to classify taxpayers so long as we do not discriminate between the individuals of a class. Is not this the general rule, I ask the gentleman: That so long as the legislature, the council, or the Congress does not discriminate between the individuals of a class, it is not violative of the constitutional prohibition against discrimination.

Mr. SUMNERS of Texas. The gentleman is correct.

Mr. DISNEY. But we may discriminate between classes. I do not think any lawyer will disagree on that proposal.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield.

Miss SUMNER of Illinois. It seems very obvious to me that if this bill passes, sooner or later some spouse is going to come up in the Supreme Court saying, "I had a very small income, or my husband had a very small income," as the case may be, "yet my income, small though it was, threw my spouse's total into a higher surtax bracket, so that my income tax was higher than my net income." That would be clearly unconstitutional, and the Court would have to declare that the law was unconstitutional.

Mr. DISNEY. The gentlewoman knows, as a matter of fact all Members do, that we may discriminate between single people and married people. We are doing that in this bill and have done it in every tax bill since 1913.

Miss SUMNERS of Illinois. But we may not, under the sixteenth amendment, tax a person more than his or her income.

Mr. DISNEY. We have not got to the point of taxing people more than their incomes.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield.

Mr. REED of New York. Right in that connection, I want to remind the gentleman that we do that in the case of corporations, that we tax them, and they have to pay the tax even though they are in the red—the capital-stock tax.

Mr. DISNEY. There is no attempt in this provision to interfere with the property laws of any State. This bill merely takes the husband and wife together as a taxable unit for Federal tax purposes. In my opinion it does not interfere with the property rights of the States at all.

The question as to whether or not the Congress may make its Federal income-tax laws turn upon State laws is a question for the Congress to decide. In the community-property case of Poe against Seaborn, which will be relied upon by opponents of this measure, the Supreme Court held that the present Federal income-tax statute was not specific enough to permit the taxation of all the community property to the husband because the wife had a vested interest in half of the community property. The court interpreted the present Federal statute as taxing income only to the owner thereof and its ownership was fixed by law. In other words, Justice Roberts substantially said in Poe against Seaborn that Congress had not gone as far as it could go. But the Court has pointed out in any number of cases that the Congress may or may not follow the State law in determining whether or not a person is liable for an income tax. In fact, the Supreme Court in the Harmel case cited in the community-property case of Poe against Seaborn is authority for the statement that State laws may control only when the operation of the Federal taxing act by express language or by necessary implication makes its

own operation dependent upon State law. In this proposal we are treating the husband and wife as a taxable unit, exactly like the Federal law treats some partnerships as corporations for Federal tax purposes, although they are recognized only as partnerships under State law.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. COOPER. Will the gentleman yield for an observation?

Mr. DISNEY. I yield to the gentleman.

Mr. COOPER. This brings the gentleman up to 1 hour and even if further time is yielded, it can only be on condition that the Committee as a whole agrees.

Mr. DISNEY. Mr. Chairman, let me read this citation from the case of Poe against Seaborn:

> The case requires us to construe sections 210 (a) and 211 (a) of the Revenue Act of 1926 and apply them, as construed, to the interests of husband and wife in community property under the law of Washington. These sections lay a tax upon the net income of every individual. The act goes no further, and furnishes no other standard or definition of what constitutes an individual's income. The use of the world "of" denotes ownership. It would be a strained construction, which, in the absence of further definition by Congress, should impute a broader significance to the phrase.

In other words, in my judgment, this paragraph is tantamount to Justice Roberts saying that if the Congress had gone further, it would have been sustained.

Mr. KEEFE. Will the gentleman yield?

Mr. DISNEY. I yield to the gentleman from Wisconsin.

Mr. KEEFE. If this bill passes and becomes law, a husband enjoying an income of $10,000, regardless of its sources and his wife with an income of $5,000, will be compelled to file a joint return?

Mr. DISNEY. Yes.

Mr. KEEFE. Showing a taxable income for tax computation purposes of $15,000?

Mr. DISNEY. Yes.

Mr. KEEFE. Now, if I understand it correctly, when the bill is presented for payment of that tax the wife under those circumstances would be billed on the basis of her share of the income, namely, one-third and the husband two-thirds. Is that right?

Mr. DISNEY. May I answer that in this way?

Mr. KEEFE. Or is it going to be billed entirely to the husband?

Mr. DISNEY. Oh, no. Read the bill.

Mr. KEEFE. I understand it will be billed to each?

Mr. DISNEY. Read the bill and the report and that will be as clear as day. It is billed ratably.

Mr. KEEFE. I understand that exactly, and I am asking the gentleman as a matter of procedure—I understand that and I so stated—the wife would be billed for one-third of the income?

Mr. DISNEY. Not one-third. The calculation is a little different.

Mr. KEEFE. Can the gentleman explain that?

Mr. DISNEY. It is right in the report.

Mr. KEEFE. I confess I do not get it as easily as that from the report or the bill. I do not understand it at all. I would like to understand it before I vote on this proposition.

Mr. DISNEY. If the gentleman will read the report he will understand it. It is there.

Mr. KEEFE. I have read the report, and I think there are a lot of Members on this floor who have read it and who do not understand it. I would like to understand it.

Mr. DISNEY. Mr. Chairman, let us take a look at the practical effect of this proposal. I wish the Members would look at page 17 of the report. You will find this very practical thing confronting you. We might not be compelled to go to the personal income-tax schedule to take up the slack of $323,000,000, but there is where we would most likely have to go. We might be compelled to go there. If you look at page 17 of the report you will find that on this $10,000 income at $1,166, if we have to go over to Schedule B, then the tax on the $10,000 income would be $1,628.

On the $2,500 income, which under the present tax law would be $30.50, under the new bill it would be $71.50. The $3,000 income tax would jump from $85 to $151. The $4,000 income jumps up to $312. The $5,000 income from $308 to $506. That is what confronts you. You are not going to add additional excise taxes when we have already more than a billion. We have gone apparently as far as we possibly can on corporate taxes.

The only place we can go is to additional income taxes. The best illustration I can cite to you is that taxes on your own income will jump from $1,166 to $1,628, and all down the line the situation will be proportionate. You are not going to do that. You are going to make the 5.77 percent of the people do like the 94 percent of the people, make them file their tax returns as the 94 percent of the people do, and not give them the tax advantage over this vast array, this vast army of taxpayers. Justice and right demand that we pass this provision in this language.

Go with us in our hunt for $323,000,000. Any member of the committee will tell you that the consideration invariably leads to higher personal-income taxes, with a proportionate jump, as I have suggested, from $1,166 on a $10,000 income to $1,628, and maybe even higher taxes than that, with a new tax bill next year. You are not going to be able to avoid this thing.

Do I need to say more in a demand for equality of taxation, for right between taxpayer and taxpayer? You can take this list of States and see that the very few who have been so insistent in opposition and conjuring up this propaganda against this suggestion are inevitably those who are seeking an advantage, who are legally entitled to an advantage under existing law, and who have been getting an advantage, that 5.77 percent as against the 94 percent. They have an advantage not only over the 94 percent of those who make returns, but they have an advantage over those who are paying hidden taxes, that vast army of small excise-tax payers, in addition to the 94 percent of those who make tax returns.

Mr. WOODRUFF of Michigan. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield to the gentleman from Michigan.

Mr. WOODRUFF of Michigan. Is it not true that every member of the committee has been faced with the most efficient, an almost overwhelming, organized propaganda on this question that has ever come to our desks?

Mr. DISNEY. I have never seen a more unenlightened propaganda since I have been here. It has not been based on the merits of the proposal.

Mr. WOODRUFF of Michigan. I agree with the gentleman that it has been unenlightened propaganda; nevertheless it has piled our desks high with embossed stationery.

Mr. DISNEY. It comes from those interests, the 5.77 percent that are getting a tax advantage over the other 94 percent of tax reporters and the additional army that are paying excise taxes.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. DISNEY. I yield to the gentleman from California.

Mr. BUCK. Does not the gentleman realize that we can pick up $160,000,000 of taxes, or half of what this proposition would bring in, from a tax on gasoline, and that there are a good many other taxes which could be imposed?

Mr. DISNEY. You try to pass a gasoline tax through this House and put the burden on the gasoline users. Is not that a fine argument to bring before the House? Put the burden on the people who are already paying gasoline taxes up as high as 10 cents in some States. Splendid, unselfish suggestion.

The gentleman is trying to leave the implication that I am for this proposition in order to avoid increased gasoline taxes. Gasoline taxes are not any more important to me than to any other Member of the House, although I am from an oil State.

You go hunting through the avenues of taxation for more revenue and you just wreak more injustice on the persons who have been paying hidden taxes to the amount of millions of dollars a year. One pack of cigarettes a day costs the taxpayer $21.60 a year in taxes.

Let us talk about gasoline taxes. Down in Tennessee when you buy 10 gallons of gas you have to leave at the filling station almost a dollar bill in addition, for taxes. You are not going to do any such silly thing as put an additional tax on gasoline. It could not pass the House. You are going to have to go to personal income taxes, lowering the exemptions and maybe creating additional hardship; but where you are going to hit hardest is on the average, the middle-class incomes. And all for the benefit of whom? A small group, 5.77 percent, who want an advantage over the 94 percent and an advantage over those who do not file any tax returns.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, the opponents of the joint-return provision claim that it is unconstitutional. I believe that a careful examination of this subject will lead to a contrary conclusion. Let us look at the provisions of the Constitution which might affect this proposition.

Article I, section 8, clause 1, of the Constitution provides that:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

In commenting upon this authority of Congress to levy taxes, the Supreme Court said—*Brushaber* v. *Union Pac. R. R. Co.* (240 U. S. 1):

That the authority conferred upon Congress by section 8 of article I of the Constitution to lay and collect taxes, duties, imposts, and excises is exhaustive and embraces every conceivable power of taxation, has never been questioned, or if it has, has been so often authoritatively declared as to render it necessary only to state the doctrine.

The limitations that direct taxes must be apportioned according to population (art. I, sec. 9, cl. 4) and that all duties, imposts, and excises shall be uniform throughout the United States were not so much a limitation upon the complete and all-embracing authority to tax, but in their essence were simply regulations concerning the mode in which the plenary power was to be exerted (*Brushaber* v. *Union Pac. R. R. Co.*, 240 U. S. 1).

The Supreme Court has repeatedly upheld the power of Congress to classify subjects of taxation. *In Flint* v. *Stone Tracy Company* (220 U. S. 1) the Court held that—

In levying excise taxes the most ample authority has been recognized from the beginning to select some and omit other possible subjects of taxation, to select one calling and omit another, to tax one class of property and to forbear another.

In the *Pollock Cases* (157 U. S. 557), the Supreme Court held that the income tax of 1894 was unconstitutional because it was not apportioned according to population. The Constitution requires that direct taxes are subject to the rule of apportionment. But this decision did not hold that the income tax was generically a direct tax. This is brought out by Mr. Justice White in *Brushaber* v. *Union Pacific Railroad Company* (240 U. S. 1), in which, in referring to the Pollock case, he said:

Moreover, in addition, the conclusion reached in the Pollock case did not in any degree involve holding that income taxes generically and necessarily came within the class of direct taxes on property, but, on the contrary, recognized the fact that taxation on income was in its nature an excise entitled to be enforced as such unless and until it was concluded that to enforce it would amount to accomplishing the result which the requirement as to apportionment of direct taxation was adopted to prevent, in which case the duty would arise to disregard form and consider substance alone, and hence subject the tax to the regulation as to apportionment which otherwise as an excise would not apply to it. Nothing could serve to make this clearer than to recall that in the Pollock case, insofar as the law taxed incomes from other classes of property than real estate and invested personal property—that is, income from "professions, trades, employments, or vocations" (158 U. S. 637), its validity was recognized; indeed, it was expressly declared that no dispute was made upon that subject, and attention was called to the fact that taxes on such income had been sustained as excise taxes in the past (id., p. 635). The whole law was, however, declared unconstitutional on the ground that to permit it to thus operate would relieve real estate and invested personal property from taxation and "would leave the burden of the tax to be borne by professions, trades, employments, or vocations; and in that way what was intended as a tax on capital would remain in substance a tax on occupations and labor" (id., p. 637), a result which, it was held, could not have been contemplated by Congress.

The sixteenth amendment of the Constitution provides:

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

It was contended in the Brushaber case construing the Revenue Act of 1916 that—

As the amendment authorizes a tax only upon incomes "from whatever source derived," the exclusion from taxation of some income of designated persons and classes is not authorized.

The Court, after quoting the amendment, went on to state:

It is clear on the face of this text that it does not purport to confer power to levy income taxes in a generic sense—an authority already possessed and never questioned—or to limit and distinguish between one kind of income taxes and another, but that the whole purpose of the amendment was to relieve all income taxes when imposed from apportionment from a consideration of the source whence the income was derived. Indeed, in the light of the history which we have given and of the decision in the Pollock case, and the ground upon which the ruling in that case was based, there is no escape from the conclusion that the amendment was drawn for the purpose of doing away for the future with the principle upon which the Pollock case was decided; that is, of determining whether a tax on income was direct not by a consideration of the burden placed on the taxed income upon which it directly operated but by taking into view the burden which resulted on the property from which the income was derived, since in express terms the amendment provides that income taxes, from whatever source the income may be derived, shall not be subject to the regulation of apportionment. From this, in substance, it indisputably arises, first, that all the contentions which we have previously noticed concerning the assumed limitations to be implied from the language of the amendment as to the nature and character of the income taxes which it authorizes find no support in the text and are in irreconcilable conflict with the very purpose which the amendment was adopted to accomplish.

The Court concluded that the only effect of the amendment was—

the prevention of the resort to the sources from which a taxed income was derived in order to cause a direct tax on the income to be a direct tax on the source itself and thereby take an income tax out of the classes of excises, duties, and imposts—

and place it in the class of direct taxes.

This was reaffirmed in the case of *Stanton* v. *Baltic Mining Company* (240 U. S. 103). The Court said:

But aside from the obvious error of the proposition intrinsically considered, it manifestly disregards the fact that by the previous ruling it was settled that the provisions of the sixteenth amendment conferred no new power of taxation but simply prohibited the previous complete and plenary power of income taxation possessed by Congress from the beginning from being taken out of the category of indirect taxation to which it inherently belonged and being placed in the category of direct taxation subject to apportionment by a consideration of the sources from which the income was derived; that is, by testing the tax not by what it was—a tax on income—but by a mistaken theory deduced from the origin or source of the income taxed. Mark, of course, in saying this we are not here considering a tax not within the provisions of the sixteenth amendment; that is, one in which the regulation of apportionment or the rule of uniformity is wholly negligible because the tax is one entirely beyond the scope of the taxing power of Congress and where consequently no authority to impose a burden direct or indirect exists. In other words, we are here dealing solely with the restriction imposed by the sixteenth amendment on the right to resort to the source whence an income is derived in a case where there is power to tax for the purpose of taking the income tax out of the class of indirect, to which it generically belongs, and putting it in the class of direct, to which it would not otherwise belong, in order to subject it to the regulation of apportionment.

See also the case of *Tyee Realty Company* v. *Anderson* (240 U. S. 115). These cases clearly demonstrate that the only effect of the sixteenth amendment was to remove the income tax on property from the direct class and put it in the class of an excise or indirect tax to which it inherently belonged.

Since the income tax is an excise tax, the Court properly held it could be classified.

The Court upheld the provisions of the Revenue Act of 1913 giving the Congress the power to classify incomes and provide exemptions. In that first act, it was contended that married people living together were discriminated against as compared to single persons and married persons not living together. Under that act, single persons were allowed a personal exemption of $3,000 apiece as well as married persons not living together. But married persons not living together were allowed a personal exemption of only $4,000 in the aggregate. But the Court did not hesitate to hold that such a classification was reasonable and within the power of Congress. The Court was careful to point out that the due-process clause of the fifth amendment, which was cited, to invalidate this classification, had no application. It stated that the fifth amendment is not a limitation upon the taxing power unless the taxing provision is so palpably arbitrary and unreasonable as to lead to the conclusion that it is not an exercise of taxation but a confiscation of property; or what is equivalent thereto, is so wanting a basis for classification as to produce a gross and patent inequality. (*Brushaber* v. *Union Pacific Railroad Company*, 240 U. S. 1.)

If the Congress can classify income for the purpose of granting relief, it seems clear that it can classify income for the purpose of determining ability to pay.

The committee bill by making this classification levies the tax according to ability to pay. As stated in the committee report:

> The taxable capacity is made to depend upon the income that accrued to the marital community and not upon the way that income happens fortuitously to be owned by members of the union. In the majority of cases where the wife has separate income, she contributes to the common purse, either by actual merger of her income with her husband's or by bearing expenses which in less fortunate households fall upon the husband.

Some of the opponents of the bill have claimed it is unconstitutional because of certain community-property cases decided by the Supreme Court several years ago. These cases are *Poe* v. *Seaborn* (282 U. S. 101); *Goodell* v. *Koch* (282 U. S. 118); *U. S.* v. *Malcolm* (282 U. S. 792); *Bender* v. *Pfaff* (282 U. S. 127); and *Hopkins* v. *Bacon* (282 U. S. 122). These cases merely held that under existing law Congress did not intend to tax the community income to the husband. They did not settle the question as to the power of Congress to tax such income to the husband. While the courts did hold that the wife had a vested interest in the community income under the State law, this could not be construed as denying the right of Congress to classify husband and wife as a taxable unit.

The Government in these cases was attempting to tax all the income to the husband and make him liable for the whole tax. This was also the situation in the *Heoper Case* (128 U. S. 206), decided under the Wisconsin law. In that case, while the State law required a mandatory return, the husband was made liable for the whole tax. The appellant made this clear in the opening statement of his brief when he said:

> Whether the two statutes might have been construed as together authorizing only a collection from each spouse of that one's proportionate share of the tax is not involved (brief for appellant, p. 5).

Therefore the Court did not pass upon the question presented by the proposed provision. It treated the problem before it as being merely that of taxing one person for another's income and although this approached the real issues involved, it was a view that the Court could logically take since the whole tax was imposed upon the husband.

The joint-return provision will eliminate one of the most prevalent methods of avoiding progressive income taxes through interspouse gifts, trusts, and partnerships. The Supreme Court in any number of cases has held that this could be done without violating the due-process clause of the fifth amendment. In *Helvering* v. *City Bank Farmers' Trust Co.* (291 U. S. 386), the Court said:

> Congress may adopt a measure reasonably calculated to prevent avoidance of a tax. The test of validity in respect of due process is whether the means adopted is appropriate to the end.

In Lucas against Earl, the husband attempted to divide his earnings between his wife and himself to avoid income taxes. The Supreme Court refused to recognize this assignment for Federal income-tax purposes, even though it was a valid assignment under State law.

I find no justification for holding the committee provision unconstitutional.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Maine [Mr. FELLOWS].

Mr. FELLOWS. Mr. Chairman, the people of the State of Maine make no complaint against necessary taxes. They do deplore and protest the waste and extravagance of this administration. The Treasury Department calls for a tax bill that will produce additional revenue of three billion five hundred millions. The same Department suggested that the Congress could save from nondefense expenditure one billion. No effort has bas been made to curtail nondefense expenditures. It is the extravagance of the last 8 years that has made it necessary to impose upon the people of America this neck-wrenching tax bill.

There are those who say, "Now that the 'horse and buggy' age has passed, let us throw off its philosophy." The "horse and buggy" age invented no philosophy. There is a very much older principle. It is the principle that raised us up to the "horse and buggy" age—also raised us above it—and its work is only beginning. It is a very simply principle—that if you want food you must plant it; if you want a house you must build it; if you want an education you must toil for it, and if one man can do this all men can do it—that a man's promise is to be kept and a man's debt is to be paid. The people of Maine still recognize the word "thrift" in their vocabularies.

I am opposed to the provision in this tax bill that requires husbands and wives to make a joint return. The women of America have an individuality—social, economic, and political. The women of Maine have the vote. They may own property, sell property, inherit property, and will property. They may sue and be sued without the husband's joinder. They serve on our juries.

We prepare to defend this Republic, and in our desperate effort to make up in a measure for the vicious waste of the last 8 years, we strike at its foundations. This joint return provision is unfair, un-American, and dangerous.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. LECOMPTE].

Mr. LECOMPTE. Mr. Chairman, the chief purpose of this bill, namely, raising more money for national defense, has my approval and, general speaking, the endorsement of my party. I am not in accord with the method of consideration—a closed or gag rule—which prevents individual Members from offering amendments for the consideration of the whole House. In many cases the bill is, at least, open to debate.

If we are to avoid the dangers and pitfalls of inflation or repudiation, it must be manifestly apparent that a greater proportion of the extraordinary expenses of this emergency be met by increasing the tax income of the Government. We cannot continue to borrow and borrow without incurring the dangers of impairing the Federal credit.

For 10 solid years the Federal Budget has been out of balance. We have been spending more than we have been taking in. A family or an institution cannot continue a policy of this kind without running into serious difficulties and jeopardizing its future and certainly the Government cannot escape the inevitable calamity of such a program.

The taxpayers of America who must bear the burden of this tax bill have a right to expect that every nondefense activity of the Government will be reduced. This bill comes before the House right on the heels of the biggest appropriation bill ever considered in the history of the Republic, I believe. We are all for adequate defense, but there are scores of nondefense activities of the Government wherein economies could be effected.

When the World War broke out the national debt of this country was so small as to be of little consequence—probably a billion and a half. In a decade, from 1910 to 1920, the national debt leaped to about $27,000,000,000. During the twenties it was reduced at the rate of about a billion a year to seventeen or eighteen billion dollars, these figures being more or less general, of course.

With the advent of the New Deal the floodgates were thrown open and the national debt has gone to astronomical figures. It now stands at somewhere near $50,000,000,000, and we are only now entering the emergency.

Next year the debt may reach sixty billion, and it is easy to imagine that it may reach one hundred billion before the present emergency is circumvented and we begin to set our house in order again. We are probably paying as much in interest annually as the national debt amounted to in 1912.

Manifestly it is apparent that the Government must raise more money even though individually we may not be in accord with all the provisions of this bill.

In 1939 we adopted legislation that requires public officials to pay income taxes on equal terms with citizens who derive their income from private sources. I would be reluctant to support this bill piling on additional taxes if public officers were to escape a part of the income taxes that are placed on the backs of the American people.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. THILL].

THE 1941 TAX BILL

Mr. THILL. Mr. Chairman, the Ways and Means Committee has worked for many weeks on the tax bill which is now presented to us. The bill has reached that stage where the committee is satisfied with it—at least the Democratic majority of the committee has approved the content of the tax bill and has reported it out. There are many elements in the bill with which I do not agree. There are many injustices which the bill does not attempt to correct. There are many hardships which the bill will impose. Yet the membership of the House is not given a fair opportunity to offer amendments for the purpose of improving H. R. 5417.

The financial condition of our country is grave because the New Deal administration for 8 long years has spent borrowed money recklessly and extravagantly. This Nation would be on a sounder and safer footing if the wanton waste of the New Dealers could have been stopped. Our national-defense effort

requires billions of dollars, and these dollars must eventually come from the taxpayers. The general objective of the tax bill in trying to bring revenues and expenditures closer together certainly has the approval of most of us. But the provisions of the bill which place undue burdens, restrictions, and hardship upon the American taxpayer cannot be too severely condemned.

For the purpose of comparing the income-tax rates in Great Britain, and the income-tax rates imposed by our Federal Government, as well as the income-tax rate in my State of Wisconsin, I asked the legislative reference service of the Library of Congress to prepare the following material:

British individual income taxes, 1940

Income tax	1940–41	Proposed, 1941–42
Exemptions (normal tax only):		
Single persons	£400	£320
Married persons	680	560
Dependents	200	200
Earned-income credit (normal tax only)	*Percent* [1] 16⅔	*Percent* [2] 10
Rate of normal tax:		
First £660	25	32½
All over £660	42½	50
Rate of surtax (on excess in each bracket):		
Up to £8,000		
£8,000 to £10,000	6¼	10
£10,000 to £12,000	7½	11¼
£12,000 to £16,000	12½	10¼
£16,000 to £20,000	17½	21¼
£20,000 to £24,000	21¼	25
£24,000 to £32,000	25	28¾
£32,000 to £40,000	31¼	35
£40,000 to £60,000	37½	41¼
£60,000 to £80,000	42½	45
£80,000 to £120,000	45	47½
Over £120,000	47½	47½

[1] Maximum £1000.
[2] Maximum £600.

Federal individual income taxes, 1940

INCOME TAX

Exemption	
Single persons	$800
Married persons	2,000
Dependents	400

Earned-income credit: 10 percent of the earned net income but not in excess of 10 percent of the net income, but not more than $1,400.
Rate of normal tax: 4 percent.
Rate of surtax:

	Specific surtax	Excess up to—	Rate on excess
Surtax net income of—			*Percent*
$4,000	None	$6,000	4
$6,000	$80	8,000	6
$8,000	200	10,000	8
$10,000	360	12,000	10
$12,000	560	14,000	12
$14,000	800	16,000	15
$16,000	1,100	18,000	18
$18,000	1,460	20,000	21
$20,000	1,880	22,000	24
$22,000	2,360	26,000	27
$26,000	3,440	32,000	30
$32,000	5,240	38,000	33
$38,000	7,220	44,000	36
$44,000	9,380	50,000	40
$50,000	11,780	60,000	44
$60,000	16,180	70,000	47
$70,000	20,880	80,000	50
$80,000	25,880	90,000	53
$90,000	31,180	100,000	56
$100,000	36,780	150,000	58
$150,000	65,780	200,000	60
$200,000	95,780	250,000	62
$250,000	126,780	300,000	64
$300,000	158,780	400,000	66
$400,000	224,780	500,000	68
$500,000	292,780	750,000	70
$750,000	467,780	1,000,000	72
$1,000,000	647,780	2,000,000	73
$2,000,000	1,377,780	5,000,000	74
$5,000,000	3,597,780	(1)	75

[1] Any amount.

Defense tax: 10 percent of the tax as computed (but in such 10 percent of the tax exceeds 10 percent of net income in excess of tax, then defense tax is 10 percent of net income in excess of the tax).

Wisconsin individual income taxes, 1940

INCOME TAX

Exemptions (deduction from tax):	
Single persons	$8.00
Married persons	17.50
Dependents	4.00
Rate of normal tax:	*Percent*
First $1,000	1
$1,000 to $2,000	1¼
$2,000 to $3,000	1½
$3,000 to $4,000	2
$4,000 to $5,000	2½
$5,000 to $6,000	3
$6,000 to $7,000	3½
$7,000 to $8,000	4
$8,000 to $9,000	4½
$9,000 to $10,000	5
$10,000 to $11,000	5½
$11,000 to $12,000	6
Over $12,000	7

Rate of surtax for teachers' retirement: From the normal tax as computed, deduct $37.50, and divide remainder by 6.
Rate of surtax for old-age assistance: 60 percent of the normal tax.

Total tax payable in Great Britain, United States, and Wisconsin—Married persons with no dependents, all income earned

Taxable income [1]	Great Britain		United States [2]	
	1940–41	Proposed 1941–42	Federal [2]	Wisconsin [2]
$1,000	$38.33	$110.50		
$2,000	303.83	504.50		$8.00
$5,000	1,366.33	1,854.50	$110.00	108.58
$10,000	3,620.50	4,504.50	528.00	461.92
$100,000	76,445.50	84,079.50	43,476.40	11,547.75
$400,000	346,445.50	376,579.50	255,391.60	48,647.75
$1,000,000	882,995.50	961,579.50	717,583.60	122,847.75
$5,000,000	4,482,995.50	4,861,579.50	3,916,547.60	617,514.42

[1] After all deductions, except personal.
[2] It should be noted that the Federal and Wisconsin taxes payable on any given amount cannot be added together and the result said to be the burden for that particular income, since taxes paid to the one jurisdiction in 1940 were deductible in computing the 1940 taxable income of the other.

Collections from British taxes based on income

	Year ending Mar. 31, 1940	Year ending Mar. 31, 1941
Income tax	£390,083,000	£523,949,000
Surtax	£69,780,000	£76,107,000
Total	£459,863,000	£600,056,000
Conversion (£=$4)	$1,839,452,000	$2,400,224,000
Per capita	$38.73	$50.54
Per capita national income (1940)	$445.00	$445.00
Percentage income taxes is to national income	8.7	11.3

Sources: Economist, Apr. 5, 1941, p. 468; Conference Board Economic Record, May 24, 1941, p. 215.

Net income-tax collections in Wisconsin, 1940

	On individuals	On Corporations	Total
Federal income tax	$11,823,984.05	$17,694,445.95	$29,518,430
Wisconsin income tax	8,532,000.00	9,148,000.00	17,680,000
Total	20,355,984.05	26,842,445.95	47,198,430
Per capita income tax	$6.49	$8.55	$15.04
Per capita national income in Wisconsin	$561.26	$561.26	$561.26
Percentage that income taxes is to national income in Wisconsin	1.16	1.52	2.68

Sources: Annual Report of the Commissioner of Internal Revenue, 1940, p. 53; Bureau of the Census, State Tax Collections: 1940, p. 12; Conference Board Economic Record, March 24, 1941, p. 121.

The United States laws permit certain deductions against income before the tax is computed. The law in Great Britain, according to the information I have received, allows no similar deductions.

Principal deductions allowed individuals under the income-tax laws of the United States and Wisconsin

[1940 incomes]

Item	United States law	Wisconsin law
Interest	Allowed	Allowed, except that paid on indebtedness created to conduct business outside Wisconsin, or to acquire or maintain property outside Wisconsin.
Taxes	Allowed, except Federal income, Federal war-profits, and Federal excess profits taxes, and all estate, inheritance, legacy, succession, or gift taxes, or special assessments.	Allowed for Federal taxes on income taxable under Wisconsin income-tax law, all taxes on rented property and property used in business or profession. No deduction is allowed for inheritance taxes or special assessments or taxes on residences occupied by the owner, or on vacant lots or property not yielding taxable income.
Charitable contributions.	Allowed up to 15 percent of net income.	Allowed (if for use within the State) up to 10 percent of net income.

DEDUCTION FOR PREMIUMS PAID ON LIFE-INSURANCE POLICIES UNDER BRITISH INCOME TAX

Life-insurance premiums are not deducted for calculating the taxable income, but tax on them is allowed as a deduction from the tax payable.

The deduction allowed is as follows:

(1) On premiums paid during the tax year, but not to exceed tax on—

(a) One-sixth of total income. Nor on—

(b) Seven percent of capital sum insured at death (exclusive of bonus additions) and £100 in all in respect of payments for other benefits.

(2) "As regards insurances or contracts for deferred annuities made after June 22, 1916"—

(a) Only given on policies insuring capital sum at death.

(b) No deduction during period of deferment on deferred policies.

(3) Where contract made on or after June 22, 1916, and total income [1]—

	Rate in £ on premium paid
Does not exceed £1,000	3s. 9d. (½ rate)
Is between £1,000 and £2,000	5s. 7½d. (¾ rate)
Exceeds £2,000	7s. 6d. (full rate)

For 1940–41 the minimum rate of relief is 3s. 9d.

The allowance includes all premiums whether annual or not (or paid by a wife, on her husband's life, out of her separate income), also compulsory deductions from salary for deferred annuity to widows or provisions for orphans.

Premiums are allowed only so far as paid in cash.

Sources: Income Tax Act, 1918, section 32 (3), as amended, and Finance (No. 2) Act, 1939, section 9 (1); Taxation, Key to Income Tax and Surtax, Budget edition, 1940–41; Tolley's Complete Income Tax, Surtax, etc., Chart-Manual (24th ed., 1939–40); Sharles, F. F. (and others). Income Tax Law Practice and Administration, Service Supplement No. 14 (issued July 1940).

[1] "Total income" is the statutory income from all sources, earned and unearned, less allowable charges on income (ground rent, mortgage interest, etc.), and amounts on which tax has been successfully reclaimed (bank interest, farm and business losses, repairs to property, etc.).

The picture of increased taxes is a sad picture which Americans must face. But we would gladly pay all taxes necessary to provide for adequate national defense if we could be sure that waste and corruption would be held to a minimum. There should be a drastic reduction in unnecessary civil outlays and economy should be practiced wherever possible. Nondefense spending should be curtailed and every dollar should be spent in such a way that we get full value for what we buy. Economy and thrift should be our watchwords.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Chairman, I have no enthusiasm over the present tax measure, but shall vote for it for two reasons. One is that the country needs the revenue and needs it now, and the other is that I know, from past experience, that the Finance Committee of the Senate will make many changes in this bill. If we vote down the revenue bill for 1941, and the Ways and Means Committee must again go into session to produce a new measure, it will be some time in September or October before the new measure will be produced. Then, if the Senate takes several months for the consideration of the bill, it will not pass until the end of the year, and while its provisions will go back to January 1, 1941, as regards other taxes in the bill, nevertheless excise taxes will be lost, and our need for them is very great.

I cannot condemn too strongly the rule under which this bill is brought before us. This rule precludes every Member of the House from offering any amendment. Only one amendment is permitted to the bill, and it is no compliment to the Rules Committee or to the Ways and Means Committee that that particular section relates to only about 5 percent of the people, and that 5 percent belonging to the wealthy classes. Why so much agitation and concern over a group that is always well able to take care of itself? I am referring to the joint tax returns of husband and wife. Personally I do not find in the arguments that have been made to date any reason for not having such a provision in the bill.

May I point out to you that the farmers of this country are ably assisted by their wives in the management and conduct of their farms; that women on the farms do a great share of the work, and in many instances the women make the butter and sell it and retain the butter money. Likewise, they look after the chickens and have the income from the eggs and such chickens as they may sell on the market from time to time. I have known instances where farmers' wives have bred canaries, made hooked rugs, and have assisted in the family income in various other ways. No one has ever brought out a special rule to have the income of the farmer's wife filed under a separate return. It has always been included in the income of the farmer.

Now, let me point out another instance. In many cases in the cities where a man has a white-collar job that does not pay a salary large enough so that he may educate his children as he would like to do the wife helps out with the family income by taking in a couple of roomers. She does the work in the care of those rooms, and yet when the tax return is filed by the father of that family there is a provision in it for the added income from rent from rooms.

If the principle is correct in respect to the farmer and the worker of low income in the city and their wives, why is not it applicable with equal force to a wife who may have inherited a million dollars and never turned a hand to produce any of the income, but received it as her right as the result of inheritance? The same applies to stocks and bonds. I think if anyone would be entitled to the filing of a separate return, it would be those women who, through their own initiative and energies, built up a business and had a substantial income from their efforts. Such an argument might apply with some force to the farmer's wife, to the city man's wife, and to all women who might have a separate business or a separate profession, but I cannot see either a moral or a legal argument that because the joint income would be in a larger bracket, therefore it should be exempt from a joint return and each should be permitted to file a separate return.

There are inequalities in this bill that I do not like. Some of them I suggested to the Ways and Means Committee at the time of the hearings on this bill. I can see no justification, for instance, in taxing billboards, which is one type of publicity agency, and at the same time granting a subsidy to newspapers, which is another type of publicity agency. Furthermore, I agree with the editorial in Labor of the issue of Tuesday, August 5, in which it says:

> While the taxes of corporations are increased about 35 percent, the taxes of individuals are hiked an average of 75 percent. The largest percentage increases are in small incomes, running up to 250 percent.

And it adds:

> Before it begins paying surtaxes, a corporation must have profits in excess of its average profits during the best 2 years between 1936 and 1939. If it is more advantageous to the corporation, it may forget about "average profits" and claim an exemption of 9 percent on its capitalization, including stocks, bonds, debts, "water," and what have you. Under this provision, Treasury officials contend, scores of corporations making "fantastic profits" on defense contracts will entirely escape payment of surtaxes. The individual taxpayer, however, is required to pay surtaxes on every dollar of his income, whether it is the same or smaller than last year.

The American Federationist, which is the official magazine of the American Federation of Labor and is edited by William Green, its president, in its July issue of 1941 on page 18 has a well written article entitled "Defense Profits Are Enormous." I am taking the liberty of quoting a few excerpts from this splendid article. These excerpts I think need no explanation:

> In the first quarter of 1941 (latest figures) we find that 295 leading manufacturing corporations earned an average of 12½ percent on invested capital (annual rate), even after laying aside tremendous reserves for taxes. Clearly, business as a whole is not doing badly.
>
> Profits in 1940 averaged 32 percent on capital for the 10 leading (airplane) companies, and the 1941 outlook is for still higher profits, even after a liberal allowance for increased taxes.
>
> These 10 companies manufacture more than nine-tenths of the country's airplane output; their combined income, after taxes in 1940, was $65,000,000 on a combined capital of $204,380,000.
>
> Applying our yardstick for excess profits to each company separately, we find that the industry in 1940 earned $49,000,000 in excess profits, or $544 per worker.
>
> In 1940 Alcoa's (aluminum) net income was $44,146,000 on a net worth of $206,176,000, or a profit of 21 percent. And its 1941 profits, even with higher taxes and a slight boost in wages, will probably equal 1940's. The company's excess profits (over 8 percent) last year were nearly $28,000,000.

I should also like to point out that in the President's message of July 30 he refers to the fact that the cost of living is constantly increasing. The Bureau of Labor Statistics on 28 basic commodities stated that by the end of June this index had advanced 50 percent beyond its August 1939 level and furthermore that it has increased 24 percent since January of this year.

> In the past 60 days wholesale prices have risen more than five times as fast as during the preceding period since the outbreak of the war abroad. In a single month from the middle of May to the middle of June the cost of living jumped 2 percent.

In the light of these facts the 250 percent increase on individual incomes must have added to it the increased cost of living on these wage earners which is a substantial tax on everyone's income. To the person of fixed salary, especially a man with several children, who is making monthly payments on a home, who is trying to keep up his insurance, who is endeavoring to give his children an education, the increased cost of living makes a marked inroad on his income which, added to his increased tax burden, will make it very difficult for him to keep up his obligations and at the same time try to do something for his family.

I might also add that I do not agree with the taxes relating to radio broadcasting stations. I think it would be better to start the taxes on gross contracts at $50,000 and from then on have a graduated increase. This would be more equitable when compared with the increase of 250 percent on the individual taxpayer who also has to meet the increased cost of living.

I trust that the Senate Finance Committee will iron out some of these inequalities when it is considering this bill and that next year when the new tax bill comes in and a much clearer picture will be had of the situation than we have now, inequalities will be hard to find.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, I think that it is appropriate while we are considering this 1941 Revenue Act that we turn our attention to the more abundant life. I have chosen to speak on that subject.

I think that it is apropos that we keep in mind that the New Deal came into

power in 1932 in the interests of the "forgotten man" and to bring about a new social order, a new day—a new day where the Federal Government would remove all of the harshness and cruelty from life and provide the more abundant life.

It is the duty of this Congress to let the people of the United States know why this tax bill is necessary. Some will say that it is necessary in order that we may prepare to defend ourselves. It is true that national defense costs a lot of money. But this tax bill here before us today is here not because of our present defense program but because of the efforts of our Federal Government to spend this country into prosperity. It is part of the price that we are paying for the experimenters that attempt to legislate a Utopia.

In 1933 the public debt was $22,538,672. The total public debt today is estimated at various amounts. I charge that it amounts to $60,931,479,589.

Here is my tabulation of that figure:

Stated debt of July 25, 1941	$49,378,345,589
Estimated deficit for current year	10,900,000,000
Treasury currency obligation	3,134,000
United States Housing, direct obligations	650,000,000
Total	60,931,479,589

Some accountants include in addition to the above $20,664,000,000 for our gold deposits, for which they contend that the United States has never made a lawful payment. If this is included, it is $81,595,479,589.

Today, in the enactment of this tax measure, we are commencing to pay the piper. Today America faces the task of an extensive rearmament program with an empty till. The New Deal Party has increased our national debt to such a point that we cannot go on at the present rate. They have robbed every till and all funds that they could get their hands on. The result is that this tax bill is necessary. But its pressing necessity lies in the past conduct of the Federal Government and not because of the defense program.

Now, I am not one of those people who contend that all of the spending by the New Deal Party has been for naught. They have had sound businessmen and honest people in charge of some things. They have built some good projects, and I am especially in favor of those projects that conserve and help to develop the natural resources of our country.

But the fact that some good has been done is no justification for waste, extravagance, and corruption.

I would like to see an inventory of the earnings of the Democratic national committeemen of the 48 States during the lifetime of the New Deal. Oh, yes; when the people commence to pay the taxes under this bill they should do so with the knowledge that some of that money is needed to pay for the huge cut to the national committeemen and other New Deal bosses for boondoggling and other of their favorite indoor sports.

It is not America's Army that receive their $21 a month that makes this tax bill necessary. Since 1933 there have been more regulators, inspectors, and supervisors going up and down the country regulating the private lives of individuals than at any time in the history of our country. They have driven big cars; they have stayed at the best hotels; and they have had a retinue of stenographers and clerks. All of these things cost money. That is one of the reasons why this tax bill is here today.

Oh, yes; the New Deal has provided the more abundant life, not for the forgotten man but for the New Dealers themselves. America may not have been ruled so well during these last few years, but they have had plenty of rulers. There is one thing about this more abundant life for new dealers; it takes in the whole family. Wherever you find a prominent New Deal politician on the Government pay roll, the chances are that you will find that all of his relatives, his children, his nephews and nieces, his mother-in-law, his cousins to the "*n*th" degree, and all of the rest of them, have Government jobs, too. All of this costs money, and that is another reason for this tax bill. This is a tax bill to provide the more abundant life for those who can get it.

Under the New Deal they have spent $530,784 for the Treasury relief art project. We have hired 328 artists. With this same expenditure, we could have built 12 pursuit planes or 50 heavy Army trucks to rush up troops against a possible invader. The P. W. A. alone have spent approximately a million dollars for window shades and related fixtures. This money could have provided us with 10 attack bombing planes.

However, the more abundant life has been supplied in certain instances. The good people of Somerville, Mass., when they go to the post office to get a notice that they must pay their Federal taxes, will have an opportunity to look upon a $2,000 mural in the lobby of that post office. They can take another look when they mail their checks. It may be a fine picture, but the Army could have bought 20 new semiautomatic rifles with that $2,000. If it is the function of the Federal Government to place a $2,000 painting in the post office at Somerville, Mass., then is it the function of the Federal Government to spend a like amount for a painting in every post office in the United States? Should they all be treated alike? Or if it is argued that this was done because some artists were out of employment, then perhaps a gymnasium should be added to the post office in my home town, because there are some carpenters there who are out of employment. Surely we have gone far afield from the authority granted in the Constitution for the Congress "to establish post offices and post roads."

From July 1933 to March 1939 the P. W. A. spent $715,072 for theatrical scenery and stage equipment. This amount of money would have purchased over 7,000 new semiautomatic Garand rifles.

Mr. Chairman, when we view the fiscal policy of the New Deal administration, we realize the great truth of the old fable of the grasshopper and the ant. While the ant worked all summer, the playboy grasshopper whiled away his hours, but the day of reckoning came. It seems to me that such a day is not far distant for our country.

There is not an individual in all the land who will escape the effects of this tax bill. It is true that the great majority of the people will not make a direct tax return to the Federal Government. This tax bill will be paid by the common people, or by the poor people. They will pay it every time they buy something. If there is anyone here who thinks that you can tax a telephone and telegraph company without having that tax added onto the bills of the users of those utilities, or who thinks that we can tax the railroad companies without increasing freight rates, thus raising the prices of everything that we buy, they are indeed optimists. This tax bill is not a burden on only a few people in the United States, it is a burden on the rank and file of the people. Business must pass taxes on to the next fellow. If it did not, it could not exist, for if it loses only 1 percent a month in 100 months, it would be gone. That is simple arithmetic.

There is not much satisfaction in the thought of the new dealers, "we planned it that way."

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, since 1933 the Congress has enacted 13 tax measures. The bill under consideration will be the fourteenth. It will be the third revenue measure enacted since 1940 when we embarked upon our preparedness program. The measure now being considered is of greater significance and importance, however, than all those which have preceded it. To borrow the language used by the majority of the Ways and Means Committee in its report, the bill is unprecedented. It will yield an unprecedented sum and it will impose a substantially increased burden upon the American people. I doubt if there is anyone in the country who will escape its impact either directly or indirectly. What is more the taxes that are to be increased and the taxes that are to be imposed for the first time are a promise of still more to come. The bill also constitutes a first attempt to formulate a tax policy for national preparedness.

In view of the bill's importance, it is imperative that the citizens of the country understand its provisions. They should know not only its major details, but its aims, its merits, and its faults as well. One should study its effects upon the fiscal policy of the Federal Government, its effects upon those who will bear its burdens, and its effects upon the national economy as a whole.

FISCAL ASPECTS OF THE TAX BILL

Total Federal expenditures for the fiscal year ending June 30, 1942, are now estimated at $22,000,000,000. According to Secretary of the Treasury Morgenthau, if we are to follow sound financial procedure, two-thirds of this amount, or $14,700,000,000 should be raised by taxes. This would leave $7,300,000,000 to be raised by borrowing or by increasing the national debt.

Federal revenues, according to latest estimates of the Bureau of the Budget,

fall far short of the amount designated by Secretary Morgenthau as desirable. Total Federal receipts for the fiscal year ending June 30, 1942, will be about $9,200,000,000, or $5,500,000,000 less than the necessary two-thirds.

A major purpose of the revenue bill of 1941 is to increase tax yields so we can finance a greater part of our current expenditures out of current receipts. The measure does not, however, provide sufficient revenue to meet Secretary Morgenthau's standard. According to estimates outlined in the report of the majority members of the Ways and Means Committee the bill will yield only $1,900,000,000 during the current fiscal year. Thus total Federal revenues for the fiscal year 1942 will be about $3,600,000,000 less than called for by the two-thirds rule.

Nor will the situation in this respect be greatly changed when the increases imposed by this bill are in effect for a full fiscal year. According to the committee's estimate the bill is designed to yield an excess of $3,500,000,000 for a full year of operation. Thus if the bill had been in effect for the entire 12 months of the current fiscal year, and if other things remained equal, the bill would fail to reach the revenue requirements imposed by the two-thirds rule by about $2,000,000,000. In this connection, one must note that Federal expenditures will no doubt be far in excess of the $22,000,000,000 to be spent, according to the latest estimates, during the fiscal year 1942. At the same time it is doubtful if Federal revenue will keep pace with rising expenditures in the years to come, even if one assumes there will be a material increase in national income and in tax revenues from the new rates. Therefore, it is quite likely that in the next few years we will be as far away from meeting the requirements of the two-thirds rule as we are now, if not further. Worthy of note in this connection is the persistent tendency of the administration to underestimate the costs involved in building our national preparedness. This tendency has made it quite impossible to develop a sound fiscal policy for national preparedness. As the gentleman from Pennsylvania [Mr. DITTER] observed in his remarks in the RECORD for July 3, 1941:

> I understand that a committee of this body is now considering a revenue bill that it is hoped will yield $3,500,000,000 in added taxes. If this bill should be passed and if it yields this estimated revenue, the deficit will be reduced unless estimated expenditures continue to rise. From our experience gained under the Budget for 1941 and with the actual expenditures for that year, one should not be surprised if expenditures increase in 1942 if it is physically possible for the New Deal to attain such an end.

No advantage will be gained by trying to dodge the fiscal implications of these solemn facts. Either taxes must be increased further in the near future or we must rely to a greater extent upon Federal borrowing. This latter would mean abandoning the two-thirds rule suggested by Secretary Morgenthau. If we choose this course, then we have removed what could have been an effective control over the rate of increase in the public debt. If we do this we might run the risk of reducing faith in the public credit, for it will tend to imply that we are not much concerned over sound fiscal policy at a time when we will be seeking billions of borrowed dollars. Relative to the future trend in the size of the public debt, the minority members of the Ways and Means Committee observed:

> This year, Congress was obliged to increase the (debt) limit to $65,000,000,000 so that the Treasury could continue to meet the Government's obligations, both civil and military. It now appears that the $65,000,000,000 limit will be reached next year, and it is probable that before the present emergency is over the national debt may easily go to $100,000,000,000. Even this figure, which is nearly equal of the assessed value of all real estate in the United States, may be all too conservative. (Supplemental Views of the Republican Minority, Report on the Revenue Bill of 1941, p. 72.)

The majority members of the Ways and Means Committee observed in their report that "During the World War only one-third of the expenditures were met by taxes and two-thirds by borrowing." These members of the majority failed, however, to call attention to the evil consequences that befell that policy. That policy was responsible to a great extent for World War inflation, the burdensome increase in the cost of living and for inflation's aftermath, the culmination of which was the world depression of 1929.

THE TAXPAYER'S BURDEN

Although the measure does not provide sufficient revenues for two-thirds of our total Federal expenditures, it does nevertheless impose a substantial burden upon the taxpayer over and above his present load. Of the more than $3,500,000,000 to be raised by the bill in a full year of operation, $1,152,000,000 is to be derived from individual income taxpayers. The effective date of the tax bill as it relates to income taxpayers is January 1, 1941. Thus individual income taxpayers will be required to pay the increased rates on income received during the full calendar year January 1, 1941, to December 31, 1941.

From the standpoint of the individual taxpayer, the greatest change in the bill relates to surtax rates. Whereas no change is made in the individual normal tax rate of 4 percent surtax rates are increased substantially. Surtaxes now will start at 5 percent on the first dollar of surtax net income and range upward to 75 percent on surtax net incomes of $5,000,000, and over.

It is this provision of the bill that will greatly increase the amount of taxes to be paid by the majority of individuals on income earned during the current calendar year. Thus a single person with a net earned income of $1,000 will pay $15.40 compared with $4.40 as at present; a single person with a net earned income of $3,000 will pay $211.20 compared with $83.60 as at present; and a single person with a net earned income of $5,000 will pay $473 compared with $171.60 as at present. A married person, but with no dependents, with a net earned income of $2,500 will pay $38.50 under the proposed bill compared with $11 as at present; and a similar person with a net earned income of $5,000 will pay $308 compared with $110 as at present. A married person with two dependents will not pay any income tax under the proposed bill, however, unless his net earned income approaches $3,000; and a married person with four dependents will not be affected by this provision of the tax bill unless his net earned income approaches $4,000. A married person with four dependents will pay on a net earned income of $5,000, $116.60 under the proposed bill compared with only $39.60 as at present.

Perhaps the second major change provided for in this bill as it relates to individual income-tax payers is the provision making it mandatory for husbands and wives with separate incomes to file joint returns. Thus, the bill as reported requires husband and wife living together to report their income in a single joint return and to compute the tax on their aggregate income. Under the present system of separate returns a husband with a net earned income of $2,500 and a wife with the same amount of income would pay $275 taxes. Under the joint return system they would pay $308. Under the present system of separate returns a husband and wife with a net earned income of $5,000 each would pay $880 in taxes, compared with $1,166 under the system of joint returns.

Another change of interest to individual income-tax payers relates to the 10 percent defense tax which was imposed by the First Revenue Act of 1940. This tax, originally imposed for 5 years, will be made a permanent feature of our tax system by the revenue bill of 1941. Also of interest to the individual taxpayer is the fact that income-tax exemptions remain the same as last year; that is, $800 for a single person and $2,000 for a married couple. The present exemptions on a weekly basis are $15 for a single person and $38 for a married person. Individual taxpayers will also be vitally affected by the increases in existing excise taxes and in the added excise levies. These excise taxes are expected to yield about $900,000,000 in revenue during a full year of operation. I will discuss these at some length shortly.

BUSINESS AND THE REVENUE BILL OF 1941

The measure will also affect every business organization in the country, large and small. Of the $2,475,000,000 to be derived from income taxes, $1,323,000,000, or 53 percent, is to be obtained from increased corporate taxes. Business will be affected by an increase in corporate surtaxes, by an increase in the excess-profits tax, and by the various excise taxes. Although the bill makes the defense tax permanent, it does not change the corporation normal tax rate. A change is made, however, in the normal tax base, the excess-profits tax being allowed as a deduction from gross income in arriving at net income subject to normal tax.

Changes in the corporate surtax rates are expected to yield $645,000,000 in a year of full operation. The bill imposes upon corporations a surtax of 5 percent on the first $25,000 of surtax net income and 6 percent on the remainder. Changes in the excess-profits tax are designed to yield an additional $1,198,000,000 in a year of full operation. This

tax will be stiffened by lowering exemptions and by increasing the existing rates by 10 percentage points in each bracket. For example, at present the rate on an adjusted excess-profits net income up to $20,000 is 25 percent. The new bill will increase this rate to 35 percent. Rates instead of running from 25 percent to 50 percent as at present will run from 35 percent to 60 percent. Important changes have also been made in the methods of computing taxable income. Corporations, however, will still be allowed to measure excess profits by either the average earnings or invested-capital methods.

EXCISE TAXES

Increases in existing excise taxes and the imposition of new excise taxes will vitally affect both individuals and business concerns. These taxes will affect virtually every person in the country. They are designed to yield $900,000,000 in a full year of operation. They include manufacturers' and retailers' excise taxes on distilled spirits; wines; passenger automobiles; automobile parts and accessories; automobile trucks, busses, and trailers; tires and tubes; refrigerators and air conditioners; matches; playing cards; radio receiving sets and parts; phonographs and phonograph records; musical instruments; sporting goods; luggage; electrical appliances; photograph apparatus; electric signs; business and store machines; rubber articles; commercial washing machines; soft drinks; jewelry; furs and toilet preparations. These excise taxes also include such miscellaneous taxes as on admissions; bills incurred at cabarets and night clubs; club dues; safe-deposit boxes; telephone, telegraph, radio, and cable facilities; telephone bills; transportation, such as on a railroad fare; a "use" tax on motor vehicles and boats; taxes on bowling alleys and billiard and pool tables; taxes on coin-operated amusement and gaming devices; taxes on radio broadcasting time sales; and on outdoor advertising. Many of these taxes will fall upon individuals not reached by the income tax.

OTHER MAJOR CHANGES

The tax bill will also increase the capital-stock taxes, the estate taxes, and the gift taxes. These increases in rates are expected to yield $174,000,000 in revenue during a full year of operation. The bill increases the capital-stock tax rate from $1.10—$1 plus 10 cents defense tax—per $1,000 of adjusted declared value to $1.25, effective for the fiscal year ending June 30, 1941. The bill also provides a new schedule of increased rates for the estate tax, applicable only to the estates of decedents dying after the enactment of this bill. In addition, the 10-percent defense tax is made permanent. No other change is made with respect to the estate tax. In addition the bill provides a new schedule of increased gift-tax rates applicable to the calendar year 1942 and subsequent calendar years. As under existing law, the new gift-tax rates are in each case three-fourths of the corresponding estate-tax rate. No other change is made with respect to the gift tax.

THE EFFECT OF THE BILL ON THE NATIONAL ECONOMY

The measure is also of great importance viewed from the standpoint of the national economy as a whole. I have already pointed out that it will not raise sufficient revenue to pay for two-thirds of our expenditures. Nor can it be said as the majority members of the Ways and Means Committee seem to imply in their report, that the measure will prevent inflation. During wartime, or during a time such as this, a tax bill is normally expected to drain off excessive purchasing power so that prices can be more easily controlled. This tax measure however, does not accomplish that end and since it does not, we have complicated to that extent any attempt that might be made in the future to control prices or the cost of living. Since the bill will not prevent inflation, many people will be cut with a two-edged sword, for they will confront higher taxes at the same time when rising prices are materially reducing their real income. What is more, since the bill fails to approach realistically the fiscal problems of the Nation, it cannot be said that this bill will facilitate mobilization of our national resources for defense. Many changes will have to be made in our tax program before it can be said that we have created a sound tax defense policy.

A detailed examination of the fiscal position of the Federal Government leads to the conclusions that we are facing a perilous situation, indeed. We have had deficit after deficit, year after year, and during the present fiscal year the gap between expenditures and receipts will be approximately $11,000,000,000, even if one includes the increased revenue to be yielded by this bill during the current fiscal year. If we are to pursue a course of sound fiscal policy, it is absolutely imperative that the gap between expenditures and receipts be narrowed materially. This bill will do part of that job; more, however, remains to be done, and there is much that we can do immediately. The old saying "penny saved is a penny earned" applies to the realm of fiscal affairs as well as to an individual's personal finance. We can save money and help narrow the gap between expenditures and receipts by eliminating every dollar of needless expenditure and administering the national-defense program with the greatest amount of efficiency and with the least possible cost. As the minority members of the Committee on Ways and Means observed in their excellent report:

> If the Government is going "all out" for national defense and "all out" for taxes upon the people, it is compelled both by necessity and by a regard for its obligation to the taxpayers of the country to also go "all out" for economy.

There is universal agreement that much is to be gained at this time by a rigid policy of governmental economy. The Secretary of the Treasury in his appearance before the Ways and Means Committee states that in his opinion nondefense expenditures could be reduced to the extent of at least $1,000,000,000. This is the opinion of the man who is directly responsible to the President for the fiscal affairs of the Government. If he says it can be done, it can be done; but it cannot be done unless the President is willing that it shall be done. Not until he so decides will any progress be made in this direction.

Considerable evidence is also at hand indicating that great savings can be accomplished in our defense program. According to an investigation conducted by one of our colleagues in the House, at least $250,000,000 of the $800,000,000 appropriated for the construction of Army cantonments was wasted. Therefore, it is imperative that defense expenditures as well as nondefense expenditures should be studied in great detail so that every dollar of unnecessary spending can be eliminated. If this is done, the administration need never fear that the people of this country will ever question the credit of the Federal Government.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. LELAND M. FORD].

Mr. LELAND M. FORD. Mr. Chairman, I rise to make a few remarks on this tax bill.

I have noted in the papers recently that this bill has been termed "an unprecedented tax burden." Unfortunately, this is true; but also, unfortunately, this is only a small part of what the people in our country may expect, as there is much more to come.

If the wasteful, destructive expenditures of this Government continue—and I do not mean national defense by this, but I mean those expenditures that are not for national defense but which have been slipped in, in this time of confusion, disorganization, and emergency, which I am sorry to say exists—the tax bill of this country is going to confiscate all business, industry, all the earnings of labor, and all the earnings of our public.

This is an unprecedented tax bill, and much of this money that our people are going to be called on to pay in not only this but in future tax bills, in my opinion, should have been entirely unnecessary, because many billions have been wasted, thrown away, and, so far as any tangible assets are concerned, those billions have been destroyed and lost.

Many times have I arisen to address the House and cautioned this body that there would be a day of reckoning. This day of reckoning is now beginning to catch up with us, and the bills are now coming home to roost. There is a limit to the number of days of spending that one can continue, and finally there must be a day of paying. Most of our taxpayers were unaware or did not realize what these wasted billions would finally cost them and do to them. Now, when they get this tax bill and others that will increase their taxes 2 times, 4 times, 6 times, 8 times, and perhaps 10 times, they will then begin to realize that some of the things that were told them by many of us about their Government are true.

In past years a penalty has been placed on saving, a premium was placed on spending. Many of the principles that this country has held dear and have

proven to be right were set aside. A new group of theorists arrived, who never had made a dollar of their own, never had any real business experience or met a pay roll, and said this was old-fashioned, that they had new ideas, that they could overturn the old laws of economics and finance. While they were pleasantly spending and bribing the public to sleep, people did not think very deeply or look very far into the future, with the result that today the day of reckoning is here for the taxpayer, who now must consider the billions that have been wasted and misspent. This is usual during the pleasant spending spree, but when the soberness of realization returns, when it is time to pay the bills, the people of this Nation must finally wake up.

It is said that this tax bill is to finance the defense program. Let me say right here that no American, including myself, would ever deny an appropriation to give us a proper defense program in all its ramifications. We must do that in order to protect this country.

It may be said that this is to finance the defense program. I am going to tell you that if we had back in our Treasury some of those wasted billions, we might have used some of those billions to finance this defense program and not now have to tax our people so heavily.

This bill does not come anywhere near financing our program, as it only calls for an increase of three and one-half billion dollars, while on last Monday, alone, this Congress spent eight billion. Again, the national debt has moved up from approximately twenty-five billion to somewhere around fifty or fifty-five billion now. Is it unpatriotic or treasonable to ask to know what became of the difference of some thirty-odd billions of dollars? The day of reckoning should not only be here, but the day of accounting for past performances or stewardship should be here also.

It is stated in the press that it was thought that this burden would be borne cheerfully. I believe this statement would be true if people had full confidence that the money that was called for, all went into actual national defense, and if the items that were not for actual national defense, but were camouflaged as such, could be cut out and the money could be spent efficiently for national defense. As an instance of the efficiency of this program—and I do not think it is unpatriotic to try to conserve our national credit and save our money—I will quote you from the report of the gentleman from Michigan, ALBERT ENGEL, wherein he reported that in the last war it cost two hundred and six million to house 4,000,000 men. After all the confusion of war expenditures was over and sober sense again attended our people, a congressional report was made saying that out of that two hundred and six million, seventy-eight million was wasted or misspent. Now, let us compare the record of this new war preparation.

In round figures, eight hundred million has been called for so far to house not 4,000,000 men but only 1,400,000, and in Mr. ENGEL's opinion at least $250,000,000 of this is being wasted and misspent.

Now, compare these figures, and after that is done, I wonder if our people, when they know that our money is being wasted and misspent by the hundreds of millions, will bear that cheerfully. This is only one example. Many others could be given. People might bear this more cheerfully if the general scheme was more equitable.

I see no reason why every person in the United States should not bear his proportion of the tax burden. Each shares in all of the good things and benefits of government, and I believe, therefore, that each should share in the responsibility for the payment for government. If his tax bill were only 1 cent a year, I believe he should pay it, in order that we may not create two classes in this country, one class which pays all the bills, and the other class which receives all the benefits. In practice it will be found that the class receiving all the benefits but not paying the bill is the one that is always clamoring and screaming for more expenditures. Perhaps if this group had to pay for some of the things they have asked for, they would then become tax-cost conscious. Up to a short time ago we never knew what classes were, but, unfortunately, there has been an effort on the part of some people to name and create classes. This is an extremely dangerous thing to do, because, in my opinion, the government in power, by subsidizing these classes, which actually amounts to bribery, will always be able to vote them in their favor, which finally will lead to corruption and destruction of not only the Government but these very classes themselves.

It was said that this bill would be borne cheerfully. So far as I am concerned, I have not run across anybody who was cheerful about this, but had they used the word "fearfully," I would have agreed with them. Many people see the socialization of America coming as a result of this. I think the great bulk of our people are not cheerful about the great subsidy that has been passed to the subversive, communistic, socialistic, racketeering C. I. O. leaders. Particularly, they are not cheerful about handing these billions over to this group, when at the same time their sons have been drafted into the Army, where the lives of these men may be taken, and have been given $21 a month. This is not equitable. Neither are our people cheerful or happy when they find that strikes headed by this group have cost 2,500,000 days in our defense program. Neither are our people happy or cheerful when everyone is asked to make a sacrifice for the defense program, but find this subversive, communistic group demanding their pound of flesh in money, closing up the plants, and refusing to put the arms and implements into the hands of the young patriotic manhood of this country, who have submitted to the draft and are willing to defend the country with their lives.

When the full story is written, Madam Perkins and Bridges, whom she has protected, Hillman, Murray, and Lewis, and the others are going to have something to answer for. You have never heard any of these people, who are in a position to do so, ask the C. I. O. racketeering, communistic leadership to modify their demands and make any sacrifices for the country; just the reverse. They want to expend every dollar and give every dollar to those men that they can, and whenever they do that they are weakening our finances, which in turn weakens and destroys our defense program.

The strongest defense of this country is its strong national credit, which should be protected against any individual, whether he comes from business or industry or labor, for after all, armies and navies these days travel on bank accounts.

I believe our people would be much more cheerful over this if they knew we were getting value received, and if they knew that the money was not being wasted. My suggestion, therefore, is to cut out the unreasonable, undesirable, unnecessary expenditures and the socialistic encroachments upon the functions of our Government.

It is said, this year, that six billions which were not national-defense items were included in the appropriation. Why?

This Government has become extremely complicated and extremely expensive and far more socialistic than our people realize. The statistics of the costs I have heretofore placed in this RECORD. I note now that a movement is on foot to take many of the bureaus out of Washington. So far as I can see, I think it would be a fine thing for every citizen of the United States if many of these bureaus were not only taken out of Washington, but were taken out of the Government itself. This does not apply to the War Department, which we all agree is a necessary Department, and particularly at this time.

The importance of national defense to continue freedom and security was mentioned. Let us look this over carefully. Do our people not realize that continued freedom and security can be lost in two ways? Most people have lost sight of this in this confusion. One way, of course, is to lose it through defeat as the result of war. We are now preparing against this and are trying to muddle through to a national-defense program. Mr. Knudsen, if let alone and if given proper power, would be able to do this, but unfortunately a man like Hillman, representing the C. I. O., has acted as a dagger at his heart so far as the defense program is concerned, but, nevertheless, we are trying to muddle through, and I mean muddle. That statement goes unless there is a change in the program calling for real efficiency and organization.

The second way our freedom and security might be lost is through the wreckage and destruction of the credit of this Government, the wasting of its money, which will finally bring socialism in one of its degrees—straight socialism, nazi-ism, fascism, or communism. What is the use of talking about continued freedom and security if we are going down the road straight to destruction by wasting our money and throwing away our credit? Cannot you see what will happen to this country under these conditions? If you cannot, I draw your attention to the nations of Europe who did the same thing and tried to

spend themselves back to prosperity. They spent themselves into ruin and destruction of all freedom and all security.

Unless a change occurs, it is quite possible for us to lose our American form of government and have it supplanted by socialism or one of its isms. Many people might be constrained to discount this statement as a radical one. But let us check up and see, by the actual facts and actions that have occurred here in Washington in the last year.

First. When the bill to deport Harry Bridges was overwhelmingly carried in the House, it was blocked and stopped and never became a law.

Second. When the Smith amendments to the N. L. R. B. were passed overwhelmingly in the House, they were blocked and stopped and never became law. This Smith bill would have desocialized, decommunized, and Americanized the N. L. R. B.

Third. The Logan-Walter bill, which would curb the power of bureaucrats and have retained in the hands of our people some of those things we have termed individual liberty and rights under the Constitution of the United States, was also blocked and stopped and never became law.

Fourth. The shipping bill, wherein the captain of a ship was empowered to select his own crew.

These were all blocked and stopped by this subversive group who had the power to do it and who would like to socialize or communize this Government. There are many other items that come within this same category, recently, among them none other than the antistrike provision in a recent bill in the House, when the notorious Harry Bridges and his subversive gang moved into Washington and had enough power to stop this amendment and knock it out.

Another illustration is this man Lasser, one of the heads of the notorious communistic Workers Alliance, who was placed in an important position in the W. P. A. The House of Representatives could not quite swallow this and passed an amendment cutting out his salary, as they could get rid of him no other way. I cite the above, and quote as a fact, that these subversive interests did have enough power and control over Congress to stop American laws and substitute therefor socialistic and communistic laws.

Do the people of this country demand more proof, or are they going to await the time the Communists take us over, physically, mentally, and lock, stock, and barrel?

Do not the people in this country realize that the wastage of money calls for high taxes, and that high taxes bring on depression and unemployment in the long run, and that these depressions and high taxes make fertile ground for socialism, communism, and revolution, which many of these socialistic, communistic leaders advocate today?

None of our people object to a real defense program that will continue our freedom and security, but all of our thinking people object to this program that is working with the plans of the Communists and Socialists that will eventually destroy our form of government, and with that destruction freedom for labor, business, industry, and the individual.

Legitimate national defense should be had, and will be had if some of us can have our way. It is my opinion that three things must be done if a real national defense is to be had and national security is to be had, and they are these:

First. Check up, retrench, and quit spending for unnecessary, unreasonable, and undesirable items, and knock out the socialistic functions of government.

Second. Business efficiency in spending for national-defense items whereby we get value for money spent.

Third. Knock out and cut out any political considerations wherein certain groups or classes are given money that they are not entitled to, which amounts to bribery for their political consideration. Whenever these newly created classes are handed this form of pork-barrel treatment, the taxpayer should realize that he is going to be called upon to pay the bill.

This is the day of reckoning; and while a part of this may be going for national defense, the taxpayers of this country should know that those who have tried to buy the favor of certain political groups have not yet paid these groups all they want with their own money. They are now calling for the taxpayers to put up the taxpayers' money to pay for this great amount of political influence which those in charge have bought.

One other thing: The chairman of the committee has made the statement that this is more or less a makeshift bill and that there will be others to come. If this is true, why could not our people be told the total amount of their obligations at this time? Is it fear that if our people acually knew their financial situation they would rise up and stop this wastage of money and the socialistic encroachment? I believe our people should be told the whole truth, and told it right now, because I have confidence that if they were told they would demand from their representatives in Congress that wastage be stopped, and stopped immediately.

All these things above may sound rather hard, and it is with some reluctance and hesitancy that I make these statements, and have only made them after sound consideration and thought. My final conclusion, however, is that the friends of the American people and the friends of American Government will tell the people of that Government the things that they ought to know, and not the things that they like to hear, and the things that it is necessary for them to know, even though they may not like to hear them.

It is in that spirit that I make these statements, and so far as I am concerned I think every statement I have made herein is true, and I hope that this message may be carried to the people in this country in order that they may know something of the real picture here in Washington.

Mr. TREADWAY. Mr. Chairman, I yield 15 minutes to the gentleman from New Jersey [Mr. McLEAN].

Mr. McLEAN. Mr. Chairman, as I have observed the construction of the bill we have before us, I have become convinced of two things. One of them is that the bill, as finally written, is entirely out of line with the kind of bill that we started out to prepare. For that the Ways and Means Committee cannot be blamed, because since we started on our task, the demands of the country and the need for wide expenditures have very substantially increased, due to circumstances far beyond our control.

I have also become convinced that the people of the country realize the problem of the Congress and are satisfied that our needs and demands must be met and that it will require a great deal of sacrifice, and these sacrifices they are willing to make for the cause and under existing world conditions.

The situation as it presents itself to us at this time results in one conclusion, namely, it is a waste of time to try to balance the revenue which this bill will produce with the amount of expenditures that must necessarily be made and the bill we will have to pay. Therefore in the observations I make, which I intend to make directly to section 111 of the bill governing the joint-return feature, I think it useless to use as an argument against the elimination of that paragraph of the bill the fact that revenue will be lost as a result, because as has been said and as is well understood, developments since preparation of this measure began have entirely changed the premise upon which our tax structure of the future must be based. The demands make a supplement to this measure necessary and any rearrangement of anticipated revenue that may be necessary can be taken care of in connection with that measure.

It has been said that only 5 percent of the taxpayers will be affected by this provision. That these are the people who are profiting or benefiting by the fact that they now file separate returns in the assessment of individual income as against joint returns, filed by husband and wife whose combined income would be assessed as one. But the argument is silent upon the fact that there are 130,000,000 people or thereabouts in the United States and that out of these 130,000,000 people, during the year 1938, only 3,041,000 filed income-tax returns. This year it is estimated that the number filing such tax returns will approach 16,000,000. This increase in the number of taxpayers is due to the fact that in the last revenue bill we widened the base. That is to say, we reduced the exemptions which a person could claim against his tax, and this reduction widened the base and increased the source of revenue accordingly. So, whereas in 1938 the taxpayers were 3,000,000, there will be 16,000,000 this year. Certainly, it does seem that out of our population of 130,000,000 we ought to be able to find more than 16,000,000 people who ought to be contributing to the conduct of their government, particularly at this time. This is a fertile field for the Committee on Ways and Means to explore. I made that suggestion in the committee and made an effort to have adopted a system whereby the base would be broadened,

but for reasons which I do not understand, my motion did not prevail. But some time it will prevail, and then there will be more equitable Federal taxation.

This matter of separate returns requires that a husband and wife living together shall make a joint return and that the tax shall be computed on their aggregate income. This is a new departure in our tax system. Whereas up to now the object of the income tax has been the individual, we now propose by this act and under the stress of existing world conditions to establish for income-tax purposes a family unit consisting of a husband and wife living together. That phrase "family unit" I take from the proponents of the measure. All other family units, such as a brother and sister or a mother and child living together and a husband and wife living apart from each other, are not to be subject to this increased tax burden. The real object is to obtain more revenue by a device which will carry incomes subject to tax into brackets which will pay a higher rate. I have reached the conclusion that such a provision would, first, be contrary to public policy. Whether or not it is constitutional, there are matters which come entirely within the Constitution but which it is inadvisable for the Congress to adopt, because they are against public policy. Secondly, because the proposal would be unfair, because it is inequitable and discriminatory; and, thirdly, because it will go much further than the 5 percent of taxpayers whom we are told it will affect.

It has always been the policy of our law to encourage matrimony, and the establishment of home life, and likewise to avoid any laws which would interfere with the creation of that relationship and its successful continuance. The answer to the suggestion is that it is ridiculous to suppose that the liability for increased taxation would restrain those who would otherwise enter into matrimony, or affect its continuous existence. The fact is that this proposal is sufficiently controversial to create a doubt as to its fairness and wisdom, and its consideration should be deferred until such time as it can be gone into on its merits—not enacted merely because of its supposed value as a source of revenue. We have long outlived the idea that women are mere dependents, or that on entering upon the marital relationship they become a chattel, and are required to give over to their husbands all of their worldly goods. There is still reserved to manhood protection, helpfulness, and guidance. The obligations of chivalry seem to be inherent, but womankind has emerged from her lowly position of the early ages to attain independence, self-support, and leadership, which we are all proud to commend and which has made a great contribution to our present-day civilization.

In a complete marital union joint interest in the family income will not interfere with the dispositions of husband and wife, but my experience in my profession has given me an insight into the effect which financial differences often have on what otherwise would be a successful marriage. I cannot help but feel that compulsion on the part of the Federal Government which will immediately change the habit of life of thousands of homes will bring about unhappy situations. I know of many instances where a husband does not care to be concerned over his wife's income and does not take it into account in the ordinary expenses of their joint lives. I know of others where it would be desirable that a wife should not be informed of the husband's income, and the converse is also true. The result would be many extravagances and resulting disagreement. The idea here is to tax the family unit. All household or family units are not based upon the relationship of husband and wife. There are many family units consisting of relatives living together, such as one living with a brother, a sister, a mother, or other relative or any combination of these. The combined income is the basis for maintaining the household, and all the elements of family unit are present and yet for income-tax purposes we are to consider a family unit only a husband and wife living together. By this method we place a burden upon those who have heretofore been the object of liberal laws to encourage the marital relation. It is not difficult to instance cases where prospective marriages would be postponed under such circumstances. And can we in good conscience compel husband and wife, living together and conducting themselves as right-living citizens and outstanding examples of moral conduct, to make substantially larger contributions to the tax burden, while we permit their neighbor living separate and apart from husband or wife to profit from his or her matrimonial differences.

Said the Supreme Court:

> It can hardly be claimed that a mere difference in social relations so alters the taxable status of one receiving income as to justify a different measure of taxation.

I have said that the arrangement would be inequitable and discriminatory. For example, two sisters received an inheritance from their father. One sister married and bore children, the other remained single. The inheritance which the sister who married received from her father would be worth considerably less to her than that of her unmarried sister, for the reason that her tax would be considerably larger, being forced into brackets which would pay a higher tax because it must be combined with that of her husband. Again, relatives with separate incomes living in the same household and whose combined income goes into its maintenance are certainly a family unit. Let us assume that a brother and sister, unmarried, living with their widowed mother, each with an income of $1,500, all contribute from their separate incomes toward the maintenance of the household. No joint return would be required and the combined income would be taxed in that bracket which fixes the rate on $1,500 of income; whereas in the case of a husband and wife having a combined income of $4,500, their income would reach brackets requiring payment at the rate of income of $4,500. That is the purpose of this proposal, to raise additional revenue.

The science of taxation, if it is a science, looks to the social effects of the levy and certainly that rule argues against this proposal.

The arguments in support of the measure are substantially to the effect that the rich people have transferred a portion of their assets to their wives for the purpose of evading taxes on the income in the higher brackets; and the inference is that only that class of people will be affected by this provision. It infers that where a husband and wife are fortunate enough to have separate incomes there is some element of dishonesty for the purpose of tax evasion, and that by the enactment of this provision that situation can be corrected. The assertion is made that it affects only 5 percent of our taxpayers. In my judgment the penalty on marriage which would result from compulsory joint returns will go much deeper than that.

Instance the ordinary artificer or mechanic working at his daily trade at a wage of $15 per day, with time and a half for overtime, and whose aggregate income for the year will be approximately $4,500. His wife does part-time house work in the neighborhood, for which she receives $4 a day for perhaps 4 days a week. She will receive an income of approximately $900 a year. During their lives together they have accumulated sufficient to own a two-family house, in which they reside and from which the wife receives an income of $30 per month from the other apartment, or approximately $360 a year. Under the present law the tax of the husband would be computed on a gross income of approximately $4,500 and that of the wife on approximately $1,192. Under the proposed provision of this law they would be required to file a joint return, and their income tax would be computed on a gross income of upward of $5,700 per year, carrying the levy into the higher brackets and substantially increasing the tax. These are not rich people. These are the ordinary, thrifty—some may say humble—citizens. That is why I point to the fact that this program will go much deeper than to the 5 percent who are picked out as illustrations of malfactors whom this provision is intended to reach.

From examples such as these it can be readily seen that it will not only be the rich that will be struck by this hastily conceived idea. In our zeal to correct apparent existing ills we must be cautious not to create others that we know not of.

I do not argue for the individual who, by the device of transferring securities to his wife, has avoided paying the tax which, under the law, he fairly owes to his Government, and I am ready to admit that there are many such cases. I would support a method whereby that kind of tax evasion could be met. If the method of joint returns is the method by which it can be met, I would support such a provision, provided the wife would be separately taxed on her own estate except insofar as the principal of it was received from the husband for the purpose of tax evasion. In other words, on grounds of public policy I would insure

to the married woman that independence which she now enjoys, considering as her own separate estate such property as has come to her apart from any effort of her husband, and certainly most of all as earnings from her own efforts and ingenuity.

I anticipate that advocates of the system of joint returns as herein proposed will propound the inquiry that, if this provision is stricken from the bill, it will be necessary to look elsewhere for $300,000,000, which it is proposed to raise. Such inquiry does not go to the merits but confirms my contention that the purpose of this provision is to raise revenue and that its social influences have been lost sight of or disregarded. While we do the best we can to estimate income and measure the tax levy by the requirements of the Government, who is there that is willing to say or estimate, with any degree of certainty, the exact amount a revenue bill will raise or even approach? It may as likely as not run over the estimated amount as to fall short of it. We need not concern ourselves very much along this line at this time because the requirements of the Government have very greatly increased while this measure has been in the course of development. We all know, and the country knows, that the tax problem will be with us for a long time to come and that in the not far distant future we will be working out other means of taxation, and that before this Congress adjourns there will be another tax bill. If we were honest with the American people, we would broaden our income-tax base. We would call upon those who do not now make a contribution to the Federal Government, and we would develop a most fruitful field for tax-seeking endeavors. Also, sooner or later we must seek to reduce nondefense expenditures. The suggestion is frequently made; and if we do not attempt it, we will soon be doing it under the pressure of abject necessity and our inability to impose further taxes.

Mr. CROWTHER. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. BENNETT].

WHAT WILL THE AFTERMATH BE?

Mr. BENNETT. Mr. Chairman, during the few months that it has been my privilege to sit as a Member of this House, I have watched with more than ordinary misgivings the course of legislation through the Congress. To say that I have been sorely disappointed in my expectations of what this legislative body would do in the present emergency is putting it mildly. Knowing full well that the Government has not been able to balance its budget in more than 10 years; knowing that for all intents and purposes the Treasury of the United States was virtually empty; knowing full well that the faith and credit had already been subjected to a severe test in meeting the demands for the billions that have been borrowed and spent in an effort to buy back the prosperity that we lost mainly as a result of this Nation's participation in the last World War; knowing that the present Chief Executive was elected in the first instance principally on his promise of a drastic reduction in the cost of government; knowing, too, that as late as 1938 he was promising there would be an end to the deficits, it was but natural that I should have some misgivings about the survival of representative government should the present emergency continue and the control of Federal spending remain in the hands of the bureaucrats now in the saddle and at the controls of every department and agency in the Government.

So, Mr. Chairman, I have sat here day after day with saddened heart and watched this body authorize and appropriate the billions about to be spent, because I realize that not a single Member can tell just how and where we are going to get the money to pay for our extravagances without taxation so severe that our whole social and economic structure, the foundations upon which our Nation's greatness and former prosperity was built, will be wrecked.

Mr. Chairman, I have set here day after day and watched government get further away from the people. I have sat here and wondered, what will the aftermath be? The revenue bill of 1941 only postpones the day of reckoning. It is but a feeble gesture to stave off national bankruptcy. It may delay inflation. At best, it is only a temporary expedient that we hope will bridge the gap until the spending can be brought either to a dead halt or to a figure within the means of the people.

Mr. Chairman, a free people will never submit to be chained indefinitely to the bondage of the tax collector. I know, Mr. Chairman, that we will never unite the American people behind any program in which the hazards are so great and the possible benefits so doubtful. I know the American people will not unite behind any program to which the majority are so overwhelmingly opposed. I speak of war, foreign war with all its gruesome and ghastly implications.

THE ECONOMIC CONSEQUENCES OF OUR DEFENSE EFFORT

Before we consider the possibilities of participating in any foreign war, the Congress should examine the economic consequences of our present defense effort.

The total to July 26 of United States Government appropriations, contract authorizations, and funds made available to the Reconstruction Finance Corporation for defense amounts to $47,116,000,000. The national debt is now over $49,300,000,000. Add to this the more than $6,000,000,000 of contingent obligations of various New Deal agencies, and the debt situation becomes startling. Yet, in 1941, we have authorized spending in excess of forty-seven billions, and the measure now before the Congress contemplates the spending of eight billions more.

Mr. Chairman, on July 15 the total deposits of all the active banks in the entire United States amounted to less than $67,000,000,000. This sum represents the accumulated savings, the working capital, and the measure of security for millions of Americans, men and women. So, as we enter this new phase of our national-defense program, we ought to review the operations of the past 8 years and try to profit from experience. During the past 8 years billions have been poured out upon projects which in the main had intense social desirability, but which now, in the emergency, cannot be classed as necessary. And if we measure our past follies against such tangibles as better food, better clothing, and better housing, it drives home very forcefully the wisdom of Grover Cleveland's remarks, that—

> For the people to support their Government is but natural; but for the Government to support the people, that spells disaster.

But in the past 8 years this Government has not alone attempted to support a large part of the people, but it has consistently sought to render aid to other nations and other peoples whose ideals and ideologies are totally divergent from those of the American people.

So, out of the fullness of our hearts and the emptiness of our Treasury we have appropriated $7,000,000,000 for lend-lease aid to Britain. On top of this lend-lease aid we are faced with the task of financing our own defense program, made doubly costly by reason of its very urgency.

Although experts and officials high in the Government report our own people, at least 40 percent of them, are suffering from the effects of malnutrition and poor diets, we are now going to help feed the world. But our own Army and the Civilian Conservation Corps will continue to be taken care of, no matter how the people's diets are affected.

Mr. Chairman, I was greatly interested in a news release that came to my attention last Sunday. The Federal Security Agency is the authority I am now about to quote. For each of the more than 200,000 enrollees in the C. C. C. the Government provides 375 pounds of meat yearly as against an average of 115 pounds consumed by the Nation as a whole. The Government provides 46 pounds of chicken as against 17 pounds by the taxpayers; 114 pounds of sugar against 96 by the taxpayers; and the average C. C. C. enrollee consumes about twice as much tea and coffee as the average citizen. So the boys, as they work, are living on the fat of the land.

Mr. Chairman, if we were to raise the diets of the rest of the American people to Army and C. C. C. standards we would have no food to export, we would have no surpluses, and we would need to put millions of idle acres to work. This news release alone shows the folly of an economy of scarcity. But since this emergency has become the pressing business of the administration the rising indexes of foodstuffs show that the diet of the American people is in danger of being sharply curtailed. Food costs have advanced much faster than pay rolls, and this means trouble for the housewife and skimpy meals for the family.

I do not object to feeding the boys in the Army and in the C. C. C. camps the best the markets afford, but I do think we ought to give a little bit of consideration to the undernourished taxpayer and his children who will have to foot the bills. I want to take first things first. I want to feed our own people before we start out to extend charity, along with

the four freedoms, to the four corners of the earth.

So what will be the economic effects of the defense program upon our people? The industries that have successfully withstood the impact of the industrial slump of the past 8 years are now putting forth every effort to meet the demands for defense materials. New industries are being brought into production almost overnight. Old ones are being expanded. Is all of this to satisfy the common wants of humanity? Certainly not.

Will we emerge from this period of industrial activity richer in the finer things of life? Certainly not. But it is just as certain that we will emerge a sadder and wiser people. More food, more clothing, and better housing as a general objective will, for a time be sidetracked, while the Nation bows to the god of war. And the production of the American people will be devoted to the protection of democracy and the four freedoms, although some object, throughout the Western Hemisphere and other parts of the world.

Such is the contemplated program. Some have suggested that, in effecting that program, we as a Nation, may in the end, sacrifice our own freedom and wind up either as a totalitarian State guided by a dictator, or as one of a coalition of socialistic States in which the United States will continue to play the part of Lady Bountiful to Great Britain and her colonies. This is the tragedy that is unfolding. In this hour no citizen can sit smugly at home and say that the disintegration that has destroyed other nations cannot destroy ours. It may happen here, but it cannot happen here if the people are informed. Therefore, it is a duty of citizenship to be informed and it is the duty of government to keep its citizens informed, and truthfully informed, especially on fiscal matters.

Mr. Chairman, how many citizens do you think know how critical the present fiscal situation has become? Is it not a fact that in the good old days, when a citizen, either through carelessness or indolence or wasteful spending, became a pauper, the State stepped in because the pauper was a liability to society? Did the State attempt to capitalize the pauper? No; the State attempted to feed him and rehabilitate him. We must rehabilitate our pauper Government, our Federal Treasury. We must stop the wasting. We must reorganize downward. We must cut the pay rolls and fire the paytrioteers.

Mr. Chairman, for 8 years this administration has been capitalizing the poor of the Nation. They have seized upon an unfortunate situation to extend the frontiers of bureaucracy. In fact, under the guise of benevolence, we have been treated to the spectacle of oligarchy masquerading as democracy.

Now, only the people stand between democracy and its total collapse. We have paid a fearful price for the experiments of the past, and we will continue to pay and pay for generations. But, Mr. Chairman, should the warmongers drag us into the present world conflict, against the desires of the people, the cost of that participation will overshadow anything heretofore contemplated.

Oh, I know, some will say that this is a wail from the doghouse. But the American people are all in the doghouse, except those who will make millions out of this program and the paytrioteers who have affixed themselves to the pay rolls.

Mr. Chairman, I was amazed at the revelation last week before a Senate committee that the Todd Shipyard Co. had made profits as great as 40 percent, upon certain contract work executed for our Government.

I was more startled when I found that in the month of June our per capita national debt had increased from $359.60 to $368.74, an advance of $9.14 in 1 month.

If we continue to spend at that rate, Mr. Chairman, this means that in the present fiscal year each man, woman, and child in America, rich or poor, will be obligated by his Government for an additional $108. This is a fearful price to pay for preparedness when we are separated from any potential enemy by 3,000 miles of the Atlantic and 6,000 miles of the Pacific.

Mr. Chairman, during the last 12 months the per capita circulation of currency has been increased, the total new money being added to the jackpot being $1,646,616,000. This increase in the medium of exchange may for the moment confuse the people. But it is only part of the scheme to capitalize our debt. The Nation will someday learn that the mere printing and circulating of paper money does not add to the wealth of the Nation any more than the production of war materials contributes to the people's fuller enjoyment of the more abundant life.

Thus, I predict that those who base their future economic security upon the present defense boom and its deficit financing are due to a rude awakening someday to the truth of the old adage by Benjamin Franklin, "Always taking from the meal box and never putting in soon comes to bottom."

Therefore it is with great misgivings that I shall support the new tax bill. There are many features that are distasteful to me. As I previously stated, I consider it but a feeble gesture to stave off national bankruptcy. I say this because I know that if we were to liquidate the Federal, State, and local debts tomorrow or in the next 10 years, the liquidation would amount to a "wash-out" of all the capital assets of the Nation.

Mr. Chairman, I do not believe the physical assets of the Nation are today in excess of $350,000,000,000. Against these assets the billions in private and public debts are a liability that unless progressively reduced and ultimately liquidated will crush our civilization. When civilization falls it will fall not a victim of war but a victim of political and financial exploitation such as the world has never seen.

Let us then manfully face the distasteful fact that if we do not meet our obligations we must travel down the long road that leads to any one of three places—inflation, repudiation, revolution. God forbid that such should be our lot.

Mr. CROWTHER. Mr. Chairman, I yield to the gentleman from California [Mr. GEARHART] 20 minutes.

Mr. GEARHART. Mr. Chairman, there never has been and never will be a tax which was or will be popular with the people who have to pay it. To borrow from the vocabulary of that legendary character from the backwoods country who, while a visitor at a public menagerie, saw for the first time the somewhat grotesque figure of a giraffe: "There simply ain't no such animal." And despite the lofty protestations of those who write me letters to proclaim a burning, patriotic desire to pay taxes in greatly increased amounts, I never fail to find the inevitable "but" which precedes the exposition of a compelling reason why the proposed levies which would hit them if enacted into law should not be adopted.

Even though it is not possible to write a tax law which is popular, I believe the Ways and Means Committee in this instance has done a most excellent job, as good a job as could be expected from 25 men working very often at cross-purposes. Even though I think it is a reasonably good job that they have done, there are several provisions in the bill to which I cannot give my approval. It is to those provisions I desire to address my attention during the few minutes I shall occupy the floor.

I am bitterly opposed to the provision which requires compulsory joint income tax returns by husbands and wives. This part of the bill will be before us for a separate vote under the 5-minute rule. In view of the importance of the subject we can well afford to devote a considerable portion of our time to a discussion of this highly controversial proposal. Although I have not been on the floor constantly during this debate, during the time I have been here I have heard so much said concerning the community property system which is not true that I am constrained to devote a few moments to the question of just what community property is.

The gentleman from Oklahoma [Mr. DISNEY], who preceded me today, delivered what I will ever regard as a most effective presentation of his views and left the impression, unintentionally, I am sure, that all of the income of people who happen to live in the so-called community-property States is community income which is divisible for income-tax purposes as between the parties to the community.

Let me point out that under the law of California and, I think, of every other one of the States which have adopted the community property system, persons who happen to be married to each other can hold property under as many different systems as are known to the law, though, it would seem, the community property relationship is the only one to which anyone today is giving any thought. People who happen to be married to each other can, in their own right, own separate property. They can own property in common. They can own

it, even though they are married to each other, as joint tenants, with right of survivorship. They can own property in California under about every conceivable legal relationship that appertains anywhere. The community property system is not all-embracing by any means. In a separate return of a married person who resides in a community property State may be contained income that was derived from separate property, estates in common, joint-tenancy property as well as the income which is classed as community income. In view of this, the comparison of the number of separate returns with the number of joint returns does not instantly reveal the full story.

I also think that the impression has been left from that which has been said by the gentleman from Oklahoma and other speakers that California and the other community property States have devised this system for the very purpose of evading, anyway, of avoiding, the income tax laws of the United States.

Let me call your attention to the fact that the income-tax amendment to the Constitution was adopted in 1913. California and many, if not all, of the other community-property States have been community-property States during all the time they have been a part of the Federal Union. California was admitted to statehood in 1850. California was a community-property State then. It was a community-property State when it was under the flag of czaristic Russia. It was a community-property State when it was under the flag of the United States of Mexico. It was a community-property State when it was a province of the King of Spain. So neither California nor any of these other States which were carved out of territory that was formerly Mexican, as California was, can be justly charged with having devised this system for the purpose of reducing their Federal income-tax responsibility. The income-tax law is, comparatively speaking, a recent innovation, but the community-property system is as old as the white man's occupation of the Western Hemisphere; yea, even older. It is the application of the income-tax amendment to the Constitution upon the already established community-property system against which some in this House are today protesting.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. GEARHART. I yield.

Mr. VORYS of Ohio. Would it be possible under the California community-property law for a Congressman, for instance, to divide his salary between himself and his wife so that they would each make a separate return and pay income tax upon $5,000?

Mr. GEARHART. Not only is it possible but that is precisely how income derived from the earnings of married people who live in community-property States is handled. Under the community-property system the wages and salaries of either or both of the spouses constitutes the community estate in which each has a definite one-half interest. These legal principles do not apply to income from separate property; they do not apply to income from common property; they do not apply to income from estates in joint tenancy, with right of survivorship. Subject to many exceptions which arise in special situations only that income which is acquired by either the husband or the wife during the time they are married, from salaries or wages, or from the investment of saved salaries or wages, is taxable. Let me point out again in this connection that any property acquired by either spouse prior to marriage, together with the rents, issues, and profits thereof, is separate property. Any property acquired by either of the spouses, including the rents, issues, and profits thereof, after matrimony, by gift, devise, consent, or bequest, remains and is the separate property of the party so acquiring it.

Mr. KNUTSON. Will the gentleman yield?

Mr. GEARHART. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Does the distinguished gentleman from California maintain that because these community-property States had a law which permitted separate returns at the time they went into the Union we have not the right to change that order?

Mr. GEARHART. For the purpose of argument, I am willing to admit that Congress for Federal purposes can write its own income-tax law as it sees fit. But are you not attaching altogether too much importance to community-property phases of this problem? The advantage which community-property taxpayers enjoy is of small consequence when compared to the thirteen billion dollars we expect to raise by taxation this year. The abolition of this saving which taxpayers who happen to live in community-property States will not add much to the national exchequer.

Mr. KNUTSON. It is going to produce $350,000,000. I would not call that a small matter.

Mr. GEARHART. That is exactly what I am trying to explain. By compelling by law the filing of joint income-tax returns you will take a small benefit from community-property taxpayers and impose on all of the married taxpayers of the country a burden of $3,000,000,500, a colossal levy upon the marital status. In other words, you are reaching into the pockets of people who happen to be married and gouging them to the extent of $350,000,000—married people in every State in the Union.

Mr. FISH. Will the gentleman yield?

Mr. GEARHART. I yield to the gentleman from New York.

Mr. FISH. Is it not a fact that these very same people under this particular bill, these middle brackets and higher brackets people, particularly the ones in the middle brackets between $3,000 and $50,000, are already soaked and swatted right and left, taxes on the right, left and all around, and now they want to come in here and find some other way to gouge them? Beyond it all, is there not a higher principle involved, that you do not want to destroy the economic freedom and the economic independence of women and set them back 50 years, whether it involves $300,000 or $3,500,000,000?

Mr. GEARHART. I entirely agree with the gentleman from New York. It is just an ingenious scheme to increase the tax burden of people who happen to be married to each other, because, as someone figured out, three billion five hundred million can be gotten that way.

Mr. Chairman, I am going to talk about a young fellow and a young girl who do not happen to live in California or in any one of the other community-property States. I am going to tell you what will happen to them if you write this ill-advised legislation upon the statute books. For the purpose of round figures I am going to take the case of two young people of opposite sex, each of whom are earning $10,000 a year. If you think you are merely getting even with the community-property States by writing this on the statute books, I will ask you to consider this case and I think you will agree with me when I conclude that you are soaking yourself right on your own nose when you write this joint income-tax proposal on the statute books.

So let us consider the situation of these two young folks who we will call, for convenience, John and Jane. As single, unmarried persons, each of them will pay a tax under this new proposal of $1,469.60. In other words, they will severally pay into the Treasury on two independent tax returns a sum which totals $2,939.20. Just bear in mind that their individual responsibility is $1,469.60.

If John and Jane should happen to fall in love with each other and get married, under the compulsory joint system contained in the pending bill and which I hope you will strike out, they will suddenly have their taxes hiked up to $4,238.40. In other words, if they get married they will have to pay $1,399.20 more than they would have to pay if they remained single.

If we divide this additional tax burden which John and Jane will have to carry by two we will find that, because they got married, each owes Uncle Sam $699.60 more than he or she would have had to pay if one had been left "waiting at the church." If we divide this annual tax payment by 12, we will learn that, for the privilege of living together as husband and wife they will have to pay to the internal-revenue collector a penalty of the not inconsiderable sum of $58.20 a month. That is matrimonial bliss in a non-community-property State where John and Jane happen to reside.

Mr. RICH. Will the gentleman yield?

Mr. GEARHART. I yield to the gentleman from Pennsylvania.

Mr. RICH. Suppose this same man had all the income. Suppose they got married. We will divide that income with his wife, and then they will pay the figures that the gentleman suggested for the two of them. Suppose that man lived in Pennsylvania and he married Jane. We cannot divide income in Pennsylvania. He has got to pay the full tax. But in California you divide it up by giving her half of it, because they live in California. It is like the old saying, "California, here we come."

Mr. GEARHART. I prefaced the story of the sad tax experiences of John and Jane by pointing out that they were not residents of a community-property State, but of a State which might have been, for purposes of the illustration, Pennsylvania. If you adopt the mandatory joint return, John and Jane, residents, perhaps, of your congressional district, are the ones who are going to get soaked an extra $1,399 simply because they happen to fall in love and get married. They are the ones who are going to have to pay the extra $58 a month for the privilege of being married and living together; that is, each of them will have to pay that. Because Pennsylvanians are going to get gouged beyond all justice and reason, it would be my suggestion that you, as a Pennsylvanian, give careful consideration to just what is going to happen to your constituents if this iniquitous proposal is finally enacted into law. But you just cannot seem to get California and the other community-property States out of your mind. Man alive, it is time you think about your own.

Mr. RICH. If we want to treat everybody in the United States alike, then we have got to write the bill as it is now written, so that you fellows in California pay what we are compelled to pay in Pennsylvania, New York, and Ohio.

Mr. GEARHART. The gentleman has given expression to that idea many, many times and as many times has ignored the effect which the adoption of this proposal will have upon his own people. Let us not lose sight of the real point in issue. Let us not forget that if you compel joint returns it is going to hit every State in the union alike. Community and noncommunity States are going to have to submit to a terrible tax gouging. And in imposing this tax penalty on those who have entered the married state don't forget that you are reversing the policies of this Government and, I think, of every other civilized government on the face of the earth, in that it has always been the policy of government to favor matrimony, to extend privileges to people who happen to be married, to offer inducements in the way of tax advantages to induce people to get married. But in requiring joint tax returns and indulging the gentle art of tax gouging you are reversing the policy which has guided government from time immemorial. Can it be said that we are encouraging matrimony when we in effect say to the young people of this country, "If you get married, be prepared to take on a tremendously increased tax burden." That a tremendously increased tax burden is the consequence which must be faced if the mandatory returns section is adopted, cannot be denied. The story of John and Jane, which I have recited must be taken as true. The tax figures which I cited were obtained from the staff of the Joint Committee on Internal Revenue and Taxation and cannot be denied.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. GEARHART. I cannot yield any more.

Mr. RICH. Just one question; I want to help the gentleman this time.

Mr. GEARHART. I do not need it. Thanks.

Speakers who have heretofore risen on this floor and advocated this innovation have denied that this would constitute a penalty on the marital relationship. In view of the figures I have just read to you, how can anyone escape that conclusion?

Mr. DOUGHTON. Mr. Chairman, will the gentleman yield?

Mr. GEARHART. I yield to the gentleman from North Carolina.

Mr. DOUGHTON. While I do not wish to get into the colloquy between my distinguished friend and the distinguished gentleman from Pennsylvania, the gentleman spoke of the number of people in Pennsylvania who would have to pay more taxes. May I say that in the State of Pennsylvania 499,876 persons made income-tax returns, and of that number 19,036 made separate returns and 480,840 made joint returns. That is, less than 4 percent made separate returns. Consequently, less than 4 percent of the people of Pennsylvania could be hurt by this provision and they are those most able to pay taxes. The 96 percent, who are not so able to pay taxes, would be hurt and only 4 percent would be benefited in the State of Pennsylvania, according to the figures if this proposition were not adopted. Less than 4 percent take advantage of the privilege of making separate returns. The other 96 percent would not be hurt by making joint returns because they are making joint returns now. Continuing to make joint returns could not hurt them.

Mr. GEARHART. True, in some States, for convenience, married people make joint returns. True, in community-property States married people almost universally divide their salaries and wages and make separate returns. That is the fact. To attempt to deny it would be futile.

Mr. DINGELL. Let me tell the gentleman why they do it.

Mr. GEARHART. In just a minute.

There is one thing we are forgetting about this proposal to require joint income-tax returns and that is that in addition to compelling everybody to file joint income-tax returns the rates are hiked tremendously. It is the combination of joint returns and exorbitant rates that hurt.

[Here the gavel fell.]

Mr. CARLSON. Mr. Chairman, I yield 5 additional minutes to the gentleman from California.

Mr. McKEOUGH. Mr. Chairman, will the gentleman yield?

Mr. GEARHART. I yield to the gentleman from Illinois.

Mr. McKEOUGH. At this juncture I think it is well to point out, and I am sure the gentleman from California will agree, that there are two factors involved in the separate returns of a man and woman living as husband and wife. The first relates to the community-property States. In those particular instances—and there are 8 of them out of the 48 States—there can be an arbitrary division, 50–50, regardless of the source of the income.

Mr. GEARHART. From salaries and wages.

Mr. McKEOUGH. Yes. In the non-community-property States, in the case of those who allocated their assets from 1913 to 1932, when there was no gift tax, they are compelled under the law to return in their separate returns only that which is their income, whereas in the eight community-property States they have the advantage of arbitrarily dividing the income 50–50. I think that ought to be touched on.

Mr. GEARHART. It has been brought out time and time again by not only the gentleman himself but by everybody who has asked me to yield. I believe everybody is thoroughly impressed with the fact that in the community-property States income derived from salaries and wages can be divided and separate returns may be made by husband and wife.

In answer to that, I again point out to you as emphatically as I can that that is an insignificant drop in the bucket as compared to the total of American tax take. It is of no importance when you consider what is going to happen in the non-community-property States. The point I wish to impress upon you is that you in the non-community-property States are going to take a sock on the nose that in the parlance of the prize ring is going to knock you cold. Do not forget that fact. Do not forget you are going to make every one of our Johns and Janes who get married in one of the non-community-property States pay a penalty of $58.20 a month each for the privilege of getting married, assuming that they each have a $10,000 income. It is going to hit the people in the community-property States a little bit harder than you in the other States will be hit, but the blow that falls in the non-community property States will be no love tap.

Before I leave this floor, Mr. Chairman, let me reemphasize that which I adverted to early this afternoon. In the imposition of penalties upon the marriage status you will be reversing a policy that is as old as this Government, as old as every other enlightened government on the face of the earth, the policy of offering encouragement to young people to enter into the marital state by the granting of privileges and tax concessions. If you enact this legislation, you will be taking from women advantages they have fought to achieve down through the years. For generations beyond numbering women have fought for economic emancipation, for the right to be considered persons before the law, and for equal treatment in their relation to government. If you enact this highly controversial proposal into law you will have turned the course of her advancement backward toward those hated days when womenkind were indeed chattels of the marital relationship.

You will hear more of what is in this bill if you adopt this provision. You will hear a lot more about it in the days to come. With every minute that ticks upon the clock, with every day that passes, with every month that you turn on the calendar, you will hear in increas-

ing crescendo the protests against this reactionary law which takes from women that for which they have been battling for years untold. If you vote for this unholy provision, be prepared to meet a rising issue that will never be quieted until it is blotted from the statute books, erased from the memory of man.

With the indulgence of the membership, I would, Mr. Chairman, ask your consideration of another section in the bill. I will not yield further.

RADIO-BROADCASTING NET-RECEIPTS TAX

Mr. Chairman, section 601 of the revenue bill of 1941, which we are now considering, imposes on radio-broadcasting stations and networks a graduated excise tax measured by receipts from the sale of time to advertisers.

Newspapers and national magazines, with which radio competes for advertising revenue with which to maintain its service to the public, get off scot-free. Broadcasters, as might be expected, object strenuously to being thus discriminated against by this special levy, which places them at a disadvantage in competing for business with newspapers and magazines.

This special penalty on radio advertising will unquestionably drive many advertisers from radio to other competing media. The resultant loss of revenue would undoubtedly impair the ability of radio stations to serve the public. The inequity of a special tax on only certain forms of advertising ought to be obvious. Hastily collected data would indicate that broadcast stations would suffer a reduction of 50 percent or more in their net income, even after allowing for savings in excess-profits taxes. At least 13 stations affected were in the red last year, and as to them the proposed tax would be well-nigh fatal.

The tax is in reality a tax on the gross income of broadcast stations. It is standard practice for the industry to enter into yearly contracts with advertisers at a fixed rate. Many of these contracts protect the rate to the advertiser for periods even in excess of a year. Even if the advertiser would pay an increased rate, many stations will be barred by contract from attempting to pass the increase along to the advertiser. Thus the certain result would be decreased profits and in many instances no profits at all. This would create pressure to divert revenues which are now used in the development of a better broadcast service.

Mr. Chairman, the broadcasting industry does not and will not seek to evade its just and proportionate share of the tax burdens which must necessarily be increased because of the present emergency. The industry does, however, object to being singled out as the object of a discriminatory tax. And, in this, I think they are entirely within their rights.

Broadcast station licenses are for only 1 year. Substantial investments must be amortized over a short period of time. Broadcasting is a new and rapidly developing art. Within a year high-frequency—frequency modulated—broadcasting and television have been authorized to operate commercially, which will require large sums of capital for their successful development. Manifestly, sufficient profits must be permitted to provide these funds. Who among us would contend that the public interest would be served by a tax which would cripple this development?

Broadcasting obviously has an important role to play in the national defense. Unnecessary obstacles must not be placed in its way. In the past year broadcast stations have freely given time on the air to further the recruiting programs of the Army and Navy, the sale of defense bonds, and the search for skilled mechanics for defense industry. The Civil Service Commission has credited 500,000 skilled workers to broadcasters' cooperation in the year ending July 23, 1941. The commercial value of the time thus gladly donated runs into millions of dollars. Broadcasters have declared their intention to continue to give time in the interest of national defense.

It is interesting to recall, Mr. Chairman, that on July 15, the executive committee of the National Association of Broadcasters adopted the following resolution:

> In view of current trade publicity being given to a proposed advertising campaign in behalf of the Navy Department to be placed through one of the large advertising agencies, the executive committee feels that the purchase of time by defense agencies might tend to restrict rather than enhance the most effective utilization of broadcasting during the present emergency.
>
> Therefore we wish at this time to reaffirm the industry's desire to continue its present practice of making its facilities available at no cost to Government agencies engaged in promoting the national-defense program.
>
> To inform the public of the industry's position, it is suggested that an announcement that all Government defense programs being carried without charge be used once each day by all cooperating stations.

In the light of the broadcasters' generous offer, it is also interesting to recall that the Navy Department advertising campaign is a test campaign using only newspapers, which will be paid $1,000,000 for their defense efforts in this connection. This serves only to heighten the discrimination against radio inherent in the proposed tax.

The first to agitate for a special, punitive tax on radio broadcasting was the International Allied Printing Trades Council, allegedly seeking to promote more jobs for the printing trades by means of penalizing radio advertising. It has been noised about that this tax has the support of the American Federation of Labor. In contradiction of this let me point out that just last week William Green, president of the A. F. of L., wrote the chairman of the Ways and Means Committee stating that the A. F. of L. had taken no position on the measure.

To show that all labor unions do not share the ideas of the printers, it is only fair to point out that three large A. F. of L. unions, the International Brotherhood of Electrical Workers, the American Federation of Musicians, and the American Federation of Radio Artists, have registered their opposition to this discriminatory tax. Radio employs large numbers of men and women who are members of labor organizations, and will create many more opportunities for employment in frequency modulation and television if the planned expansion of the industry is not prevented by the imposition of a discriminatory tax of the kind which is contained in this bill.

The broadcasters are entitled to equality of treatment, and they are entitled to no less.

Treasury estimates indicate that less than $5,000,000 in additional revenue will be collected from this source. Surely the fiscal program of the Government could not be seriously affected by the elimination of this discriminatory levy. The harm done to broadcasting greatly outweighs any advantage to the Government from the revenues to be derived from an unjust and discriminatory tax.

Mr. Chairman, point after point could be made with telling effect, argument after argument could be advanced to establish that this tax should not be levied. But my time grows short and I must bring these remarks to a close.

In the name of justice and fair play let us strike from the bill the tax on broadcasting, outdoor advertising, and the provisions which require joint income-tax returns by husbands and wives.

Amendments to that effect should be adopted.

Mr. DOUGHTON. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I have just heard from my well-beloved colleague from California [Mr. GEARHART], in his concluding remarks the same sort of warning that has been issued to me by many of my good friends in the last few weeks. I think I realize that for a man who comes from a community-property State to take the position which I am taking on this matter is probably not necessarily political wisdom. I am taking it because I believe I am right and because I believe that the committee's provisions in the bill on this matter are right under present circumstances.

I want in the first instance to say this. If we were in a period in this country when it was possible for us to talk about a reduction of taxes I would personally like to see us say that throughout the whole Nation we would permit for tax purposes the kind of arrangements of separate returns for husband and wife even as to salaries as well as other income that are in effect in community-property States. But we are not in that situation. Indeed, we are in a situation where we have a bill before us today which is an attempt to get as much revenue as we can get because of a great national need. It is important that we get it in the fairest way we can devise to get it. We are liable to have some more bills before the House before we get through, which will be in the nature of precisely the same kind of job.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I will but I hope I will not be asked to yield very many more times.

Mr. DINGELL. I think we will be able to get the gentleman more time if he will yield. I want to say for the benefit of the gentleman that there is a proposal on my part which I trust will materialize in the event this provision should be stricken from the bill, which will bring about exactly what the gentleman has in mind of making compulsory split or divided returns so that the entire Nation will have the same benefit as the privileged, individual taxpayers in my State have and the same privileges that are had in the community-property States.

Mr. VOORHIS of California. The gentleman would not press that at this time, I believe, would he?

Mr. DINGELL. I feel obliged to if this section is stricken from the bill.

Mr. VOORHIS of California. Oh, I see.

Mr. DINGELL. Because we are confronted with a practical purpose or problem of producing $323,000,000.

Mr. VOORHIS of California. That is exactly the point I make. My colleague from California who preceded me made the point that it was not a matter of concern just to the people of the community-property States. He is quite right. Indeed, if all there was to this provision of the bill were a prohibition against people in community-property States dividing salaries for tax purposes, I would be against such a provision. But that is not all this is. It is not even the most important part of it. What this bill says is that not only shall husbands and wives in community-property States report their income as if they were indeed a family unit, but also that people in New York and Illinois and every other place shall so report their income. In looking over the figures on this sheet, which all of you have before you, I find that in the State of New York there were 53,905 separate returns filed as against 57,000 such returns in California, or almost the same number. Who are these people in New York, and why is it that in the State of California only 10.9 percent of all the people in our State filed separate returns? It is because as to the other 90 percent of our people it does not make a bit of difference whether they file separate returns or joint returns, because their incomes are not big enough for it to make any difference. That is the reason. When the gentleman says that every young person who contemplates marriage is going to be confronted with a tax penalty against marriage, I beg to differ with him most fundamentally, because, as a matter of fact, not over 1 percent of the young people in America who might be contemplating marriage at this moment would be affected by this matter in one way or another. No family with an income of less than $4,000 is affected by it. Furthermore, I want to say this with a great deal of earnestness: I am not impressed by any arguments that have to do with a defense of the sanctity of the family which imply that a part of the purpose of marriage is to derive pecuniary benefit or escape part of one's taxes. If I did not believe American family life rested on a more firm foundation than that I would be hopeless indeed.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes; I should yield to the gentleman.

Mr. GEARHART. I do not want to be understood as having based any of my argument on that contention.

Mr. VOORHIS of California. I did not say the gentleman did that.

Mr. GEARHART. In other words, I want to insert in the RECORD at this point the statement that I do not believe anything we can do in this Legislative Hall is going to make decent people indecent or moral people immoral.

Mr. VOORHIS of California. I know the gentleman believes that, and I do not want it to be understood that I had reference to any argument that the gentleman was making; but I have certain arguments down here, and the gentleman does not care how I characterize them, I suppose.

Mr. GEARHART. I understand that, but I wanted to get that off my chest at this time.

Mr. VOORHIS of California. Furthermore, I believe that a little personal illustration will be pardoned by the House. I have once in my married life filed a separate return for tax purposes, and I have been ashamed of myself ever since. We went to California in 1928. This matter of filing separate returns never occurred to either my wife or myself during all the years of our married life, nor did any of my friends ever suggest that there was such a thing as a separate return, until I was elected to Congress with the prospect of the seemingly huge salary of $10,000, which I thought at that time was going to be something you could not possibly dispose of in a year, though I found out differently as I discovered what the demands of this office are.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. In just a moment. In other words, my own personal experience illustrates the fact that what we are talking about today is the question whether we shall go on permitting people who are in the higher income brackets, by the use of division of income between husbands and their wives, to escape a certain amount of the tax burden, which, from the point of view of equity and economic justice ought to be paid by the family unit, since that family unit enjoys the income together. I yield to the gentleman from New York.

Mr. FISH. Is it not true that in the higher brackets they are so high that it cannot be divided up?

Mr. VOORHIS of California. Oh, when you come up to the bracket of millions of dollars of annual income, we reach the point of where the rates are supposed to be at the point of diminishing returns, and there are no higher rates above that point.

Mr. FISH. Suppose the law were this way; that it did not permit people to make joint returns; then it would be all right; but the law as it is permits people to make their choice as to whether they shall make a joint return or separate return. Why compel them to do this when the law says it can be done either way?

Mr. VOORHIS of California. The reason is the need of the Nation for this $323,000,000 of revenue, and that is the whole reason, so far as I am concerned. We realize that it is necessary for the Congress of the United States at this time to show some courage with regard to the levying of taxes. If we are going to do that, I think the most important principle that needs to be followed is the principle of making the tax burden fall with as great justice as possible, in accordance with equality of sacrifice, because the thing that will cause resentment is the feeling on the part of some people that they are not being treated as well as others are being treated, and, above all things, it is important that we should avoid that.

Once again, to speak about this matter of the protection of the family, I cannot see for the life of me the point some are trying to make that this is an attack on the institution of community property. I believe that every bit of property or income that belongs to me or that I earn belongs equally to my wife, or half of it to my wife, or, in a very real sense, all of it, for that matter, and I think that is the way the law of the land ought to be. But when our Government makes it possible for us to live together in this Nation and raise our children happily, and then when that Government comes to the necessity of raising considerable revenue by levying taxes on the people of the United States, and when we know that such income as we derive is used by us as a unit, I am sure we do not think we should kick if we are asked to pay taxes on that basis.

I believe, as a matter of actual fact, that it might be a very good thing for the institution of marriage if we remove the situation where a man can now say, if he should want to, that the fact that he has a wife is worth $100,000 to him in taxation. I just don't believe that marriage is that kind of a venture, that you can measure in dollars and cents. And if there are any young people with incomes in the $10,000 bracket—or even the $5,000 bracket—who can be dissuaded from getting married because, as it has been said, it will cost them some tax payments, then according to my own view of what marriage ought to mean they had probably better remain single.

Now, to state the matter briefly, we have to decide whether by requiring joint returns we are going to raise this $300,000,000 or whether instead of that it is going to be necessary to go to the people in the very lowest brackets of the income tax and levy the Treasury percentage of surtax that was proposed to the committee. Personally, I am glad the committee did what it did. I think the committee was right in this case in reducing the surtax in these lowest brackets to 5 percent. If it is possible to get along with the 5 percent on these $2,000-a-year people, I do not want it to go any higher. But I am inclined to believe from what

I know that these several million people will get the 11-percent surtax rate on the first bracket of taxable income unless this provision for joint returns by the few thousands stays in the bill. In other words, the choice is whether the people in the lower tax brackets will bear this burden or whether the people in the upper brackets shall bear it. That is what the choice means.

Now, I want to say a few words about some other features of the bill. The committee was good enough to hear me when they were having hearings on the bill and I delivered myself of some ideas about taxes which seem to me to be important.

There are certain principles of government and economic policy that must be considered in framing this or any other tax bill.

The first of these is it should be devised so as to prevent the accumulation of any great fortunes as a result of this national-defense program. For years we have promised this. Now is our opportunity to demonstrate our sincerity.

Second, that while every citizen should be called on to do his fair share, the burdens should fall in accordance with the principle of equality of sacrifice.

The third one—and which I believe is important from the revenue standpoint and from every other standpoint—is that certain obvious inequalities in present taxes should be corrected.

Fourth, is to arrange the tax bill in such manner as will be helpful in bringing about an orderly adjustment to peacetime industry, when the hopes for time of peace do return, without unemployment and depression.

These are the principles in the light of which all provisions ought to be considered. In connection with this bill we have heard the charge made that all the taxes of the country were being levied against about 5 percent of the people, and that all we were doing in this bill was making those people pay more.

Here is a chart that was made up by experts in the tax field which shows the proportion of income that is paid in taxes by the various income classes of the country. The first column is the people who get incomes under $500 a year. The second column is $500 to $1,000 a year. The third column is $1,000 to $1,500, and so on up until you get to the $5,000 to $10,000 and $10,000 to $15,000. The lightly shaded graphs indicate the proportion of income paid in taxes by these various income groups before the last tax bill was passed, and the cross-hatched sections indicate that same thing after that tax bill was passed.

If you will notice, it is true in the United States of America today that people with incomes of less than $500 pay as high a proportion of their income in taxes as people who derive up to $5,000 of income. The poor people, by percentage of income, are paying more than their share—not less. Why is that true? It is true because the direct taxes that everyone sees, income-tax schedules, estate and gift taxes, and such taxes are by no means the whole tax burden, and that the extent of sales taxes, excise taxes, and other taxes of that character are in the aggregate so great on the poor families' pocketbooks as to create a situation like this. Therefore, if the committee has seen fit in any instance to see that this situation is to some degree corrected, and the burden placed more nearly on the basis of equality of sacrifice, I stand with the committee in so doing. In this connection I believe frankly that more of the burden should have been put on estates than has been done, and that the gift-tax exemptions should have been reduced.

I think the committee was dead right in not at this time lowering the income-tax exemptions. I disagree with those who think the base should have been broadened again. The only excuse there could be for lowering those exemptions and bringing millions more people into the necessity of paying personal income taxes in addition to all other taxes that they pay, would be if we actually got into a situation where our country was indeed desperate for other sources of possible revenue, and we are not yet in that desperate condition. I think the committee is absolutely right about that.

Of course, members of the committee have already explained a great many of the things I would like to speak about, and which I shall not, therefore, take the time of the House to discuss. But one of the factors in this bill, one of the loopholes that now exists that ought to be eliminated just as much as we can is the advantage some have from holding tax-exempt securities. By using the surtax instead of the normal tax increase, of course a great proportion of the outstanding Government bonds which are exempt as to normal tax but not as to surtaxes, will be reached by this tax bill, which I think is right and fair.

Mr. REED of New York. There are $29,500,000,000 of those outstanding.

Mr. VOORHIS of California. I thank the gentleman very much. That is over half of the present outstanding public debt.

I wish, as I have said many times, that it had been possible to include the so-called Glass amendment. I believe that people who derive income from tax-exempt bonds ought to be required to include such income when computing their income taxes instead of completely disregarding such income when they figure their total income for tax purposes, as they can now do. That portion of their income would not be taxed, of course, but the effect would be that the tax they did pay on the rest of their income would be in the bracket where they belong. That is not in the bill today. I wish it were.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. VOORHIS of California. I thank the gentleman from North Carolina.

With regard to corporation taxes and excess-profits taxes, I just want to say this. As a general matter, I believe that levying taxes on business for the purpose of raising revenue is an undesirable tax policy. I think we should derive revenue primarily from taxes on individuals, from estate and inheritance taxes as much as possible first; second, from incomes of individuals; third, from excess-profits taxes, which I believe at a time like this are very important. But, as to taxes on business as such, I think those taxes should be devised for other reasons than revenue. In other words, to accomplish the purpose that you want to accomplish, to equalize competitive disparities or control monopolies or something like that.

Now I come to the matter of small business. We face a situation in this country today where certain of the greatest corporations of the country are being greatly advantaged by the defense program, but where many of the smaller corporations are having a tough time of it. I would like to see that recognized more fully in tax legislation. I am told that the loss in revenue from the exemption of the very small businesses would not be serious, and I think socially it would be desirable in the greatest degree.

In connection with the excess-profits tax, I agree substantially with what the gentleman from Tennessee [Mr. COOPER] had to say the other day. One thing that I still cannot understand, although I have talked to some very good people about it, is why a formula could not be devised, if you still want to retain the average-earnings plan of computing the excess-profits credit. It seems to me it would be possible, perhaps on the basis of a careful review of capital structure which would have to be made first, to fix a ceiling above which the excess-profits-tax credit could not go for a corporation using the average-earnings plan.

At present there is not any such ceiling, so a corporation may have had earnings of any amount in the base period and still not begin to pay any excess-profits tax until those earnings are exceeded. There are individual corporations who may not have made more than 1-percent profit over the base period but there are others that made very high earnings indeed. I have shown these facts before in information I have previously placed in the RECORD. The present excess-profits tax operates to the advantage of some of the very largest corporations, who will not under this situation begin to pay excess-profits taxes until they get above, in one case that I think of, 25 percent and in another it is 43 percent. This is not right, I believe, nor fair to other corporations or other taxpayers. We should be able to devise an excess-profits tax that is more equitable. And from the standpoint of the present situation it is most important, if we are to prevent profiteering in connection with the defense program that we make the excess-profits tax as fair in its application and as effective all around as we possibly can.

Now, all of us have heard from the radio people and the billboard people to the effect that they do not believe the taxes imposed on them in this bill are fair. They say their competitors in the advertising business are not taxed. I believe they may have a point here, and I hope the committee, which alone can offer amendments under the rule, will consider the matter. I hope they will also

consider the problem with regard to reconditioned auto parts sold by garage people which, after all, ought not to be taxed as new manufactured goods.

I have some other ideas that I will not have time to expatiate on but I would like to make a few remarks regarding the long pull. For we have got to think about that now. I want to issue this warning: Some day this terrible international situation is going to be cleared up and peace restored. Some day there is going to come a time when the great cry is going to be "Now is the time to reduce taxes." I would like to say now, and I intend to say it over and over again, as long as I have breath, that when that time comes there are some right things and there are some wrong things to do. The problem then will be what to do to sustain the flow of consumer purchasing power at a time when governmental expenditures will have been greatly curtailed. The further problem will be to prevent the accumulation of huge idle savings in the hands of a few people.

What is the right thing to do about taxation when that time comes? The right thing to do would be immediately to repeal practically every consumption and excise tax on the books, and to reduce taxes on small business enterprise. The wrong thing to do would be to reduce income taxes or inheritance taxes in the higher brackets of the income tax. There is where you will get most of your pressure. But such a general policy as I have outlined would be of great benefit, in my judgment, in preventing a collapse such as we might otherwise face.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. IZAC].

Mr. IZAC. Mr. Chairman, I have asked for this time in order to comment on the apparent injustice of two parts of this bill which may not yet have come to the attention of the House but which I am sure will prove very revealing on closer study.

Take, for instance, the tables on page 7 of the committee report. You will find there the surtax rate which, multiplied by the person's income, gives the surtax he will pay. Notice, please, the present rates and then in another column the rates proposed in this bill. Increases apparently almost all along the line, it is true, but the increases range from zero percent through hundreds of percent and on up to infinity. Now look further and you will find that the infinitely high increases are on the lowest taxable incomes, those up to $4,000, and the next highest increases come on the next to the lowest taxable incomes, where they range between 300- and 500-percent increase. Where do you suppose the increase falls most lightly under this new bill? Why, way up there in the quarter-million class, where it is 2 percent and in the million-and-up class where there is practically no increase: not 200 or 300 percent as for the six- or eight-thousand-dollar income but 2 percent and zero percent. Do not let anyone tell you this is a "soak the rich" tax bill. I am afraid it can in truth be entitled a "soak the little fellow" bill. Now, let us see in actual dollars and cents what these increased surtax rates amount to. From this same table prepared by the committee, I quote their own figures. The $6,000-income family last year paid a cumulative surtax of $80. So they have increased the take on that family 600 percent, or $480. Figures for the $8,000 family are $200 surtax last year and $780, or nearly 400-percent increase for this year under this bill. Now drop down and see if the bigger incomes are treated similarly. How about the $50,000 income? The new rates mean less than a 50-percent increase in the surtax from $11,780 to $17,320. And as we go higher the difference is less pronounced and the increase finally ceases altogether and leaves the extremely high brackets paying the same tax this year as last, although we are all agreed that the crisis confronting our country today is the very reason for this drastic tax bill.

To show the injustice of this policy, I want to express its results in yet another way. And, again, I use a table compiled by the committee; the one on page 8. If we are in a desperate situation and the lives and fortunes of every one of us are forfeit for the common defense, why should not each one of us be called upon for a similar contribution, similar as to the burden imposed and one's ability to carry it? Is there any similarity in the figures I quote or in the increased sacrifices demanded by this bill? Listen! The $2,000-income taxpayer will have $1,890 to live on after paying his tax this year. The $10,000 family will have $8,834 to live on. They had $9,472 last year, and if they filed separate returns it left about $9,680. In other words, this income family tightens its belt about a thousand dollars' worth more this year, or one-tenth of its total income more, than last year to help the common cause. The million-dollar-income family on the other hand had $282,417 on which to live last year and under the new bill will still have $263,481 on which to live after paying its income tax. There apparently is no emergency so far as this latter family is concerned.

Now in like manner the greatest burden due to the elimination of separate returns by husband and wife is in the same lower brackets. The percentage increase caused by the new surtax rates plus joint returns will be greatest on those families with incomes of $2,000 to $15,000 per year, and will mean an increased payment in many cases of from 300 to 500 percent over last year. Were everyone's increase the same I would have no complaint but the discrimination resulting from the proposed bill is obvious. I feel sure had the committee considered the rates from the angles I have just suggested they would have been inclined to more nearly equalize the burden among all income groups. It is natural, of course, that in a stupendous job of this kind some errors are bound to creep in. I do commend the committee on the patience and understanding displayed in trying to cover every conceivable approach to the problem of fair taxation. And the fact that I draw attention to only two phases of the proposed bill is a tacit admission on my part of my general agreement with the committee's views.

Now in this second complaint, and I will be brief, I draw to your attention the fact that in this bill we propose to tax two advertising media and exempt all their competitors. We propose to tax billboards and the radio, and we make the tax pretty stiff, and then we say nothing about newspapers, magazines, and other avenues of approach to the people. I have tried to view this from every angle but for the life of me I just cannot see the fairness of such a tax on one medium and not on another.

The average American is docile and long-suffering and he will go through hell fire if fairness or principle demands. I know he will shrink from nothing when he knows his country's welfare is at stake. You may treat him rough, you may deprive him, you may chastise him. But there is one thing you must do: Treat him the same as everyone else. Do not discriminate. Do not be unfair. Especially do not hit him a wallop and then say to his competitor "We whacked the other fellow but we are going to be nice to you."

I opposed the rule on this bill because it meant we could offer no amendments to correct the injustices I have endeavored in these few minutes to bring to the attention of the House. However, under this same rule the Ways and Means Committee itself has the power to bring in amendments, and I therefore trust that before we send this bill on its way to the Senate a further effort will be made to make the changes I have suggested in the interest of equal burdens for all and special privileges for none.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR. Mr. Chairman, today is a holiday in Colorado. On the 1st day of August 1876 President Grant issued a proclamation declaring the Territory of Colorado to thereafter be a State in the Union. The President's signature was attested by the Secretary of State, Hamilton Fish, the grandfather of our colleague by that name. That being the centennial year, our State became the Centennial State, and of this fact all we Coloradoans are very proud. On this sixty-fifth birthday of my home State I desire to extend my remarks in the RECORD in the nature of an analysis of the nondefense appropriations during the past and the present fiscal years. I shall endeavor to show that of the 12 general categories of nondefense appropriations, 7 are of such nature they cannot be cut, and that if we were to take the course which is being broadcast so vociferously of just cutting $1,000,000,000 off the nondefense appropriations it would represent 30 percent of everything that is not fixed charges. It would be utterly impractical. We cannot reduce the interest on the national debt. We cannot reduce pensions; we cannot reduce a great many fixed items. For this reason I feel that an analysis and definite statement of these nondefense appropriations would be instructive and I trust counteract a very erroneous impression.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. SMITH].

MANDATORY JOINT RETURNS BY HUSBAND AND WIFE—UNJUST AND UNCONSTITUTIONAL

Mr. SMITH of Washington. Mr. Chairman, I desire to compliment the distinguished members of the Rules Committee and the Committee on Ways and Means for their fairness in bringing in a rule which permits a separate discussion and vote on the section in this measure requiring mandatory joint income-tax returns by husband and wife. I regret that owing to the fact the rule does not permit amendment of other sections in the bill which are also objectionable to many of my constituents, I felt impelled to vote against the rule. In the 9 years that I have had the honor to be a Member of this body I have never voted for a closed rule, which I consider to be contrary to the spirit of our democratic institutions. I have steadfastly held the view that all legislation coming before the House for consideration should be open to full, free, and independent discussion and action by the entire membership of the House the same as in the Senate. This tax revenue measure affects every home, every office, every factory, and every farm, and it will affect the lives of every man, woman, and child in America. It will be reflected in the cost of living and in the price of almost every necessity as well as the so-called luxuries. It is far too important a piece of legislation to be considered under a closed rule.

Mr. Chairman, the mandatory joint-return provision rendering it impossible for the wife to make a separate return is particularly obnoxious and unfair to residents of the State of Washington, whom I have the honor in part to represent. Our State is one of the nine States which have community property laws, under which the title is vested equally in each spouse, namely, to one-half of their property and to one-half of the income derived therefrom. This entire question has been thoroughly briefed by Hon. George Donworth, former Federal judge, of Seattle, Wash. Judge Donworth's paper was read at the Joint Conference of the Pacific Coast Institute of Law and Administration of Justice and Washington State Bar Association, July 27, 1935, and revised in June 1937. It is the most logical and cogent analysis of the subject which has ever come to my attention and to my mind it is unanswerable. Mr. Chairman, by permission of the House previously granted, and for the information of my colleagues who are interested in this vital question, which we all should be, I insert at this point in the RECORD the address referred to, and feel confident that all Members will find it very informative:

COMMUNITY PROPERTY INCOMES AND THEIR TAXATION

Mr. Chairman, ladies and gentlemen, in view of the provisions of the Federal Constitution relating to taxation of incomes, the authoritative decisions of the Supreme Court, and the historical development, the basis upon which the Federal Government may impose an income tax can hardly be said to be open to question. That the basis upon which such a tax is levied against any individual is the ownership of the income by that individual is an established constitutional doctrine. In the case of a community income the husband owns one-half of the income and the wife owns one-half.

In 1895, in *Pollock* v. *Farmers Loan & Trust Co.* (157 U. S. 429, 158 U. S. 601), the Supreme Court clearly enunciated the proposition that under the Constitution an income tax is a direct tax and that a tax on the income of real or personal property is a direct tax on the property producing such income. It necessarily resulted, as that Court declared, that under the then existing provisions of the Constitution such a tax could not be imposed unless apportioned among the several States in proportion to population.

The impracticability of levying an income tax in proportion to population led to the adoption of the sixteenth amendment, taking effect February 25, 1913. Under that amendment Congress has power "to lay and collect taxes on incomes from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

As the Supreme Court has since pointed out (*Eisner* v. *Macomber*, 252 U. S. 189; *Bromley* v. *McCaughn*, 280 U. S. 124), the sixteenth amendment did not extend the taxing power to new subjects, but merely removed the necessity which otherwise existed for an apportionment among the States of taxes laid on income. The Supreme Court said, in *Eisner* v. *Macomber* (which I call the Macomber case to distinguish it from the earlier case of *Towne* v. *Eisner*, 245 U. S. 418):

"A proper regard for its genesis as well as its very clear language requires also that this amendment shall not be extended by loose construction, so as to repeal or modify, except as applied to income, those provisions of the Constitution that require an apportionment according to population for direct taxes upon property, real and personal. This limitation still has an appropriate and important function and is not to be overridden by Congress or disregarded by the courts."

The word "incomes" being now in the Constitution, the definition of that word and its implications is a function of the Supreme Court. In exercising that function the Court has spoken in no uncertain language. In the Macomber case the Court said, in defining the meaning of the term:

"Here we have the essential matter: * * * a gain, a profit, something of exchangeable value proceeding from the property, severed from the capital, however invested or employed and coming in, being 'derived,' that is, received or drawn by the 'recipient' (the taxpayer) for his separate use, benefit, and disposal; that is, income derived from property. Nothing else answers the description."

Let it be noted that the parenthetical explanatory phrase "the taxpayer" is not my interpolation. It is the language of the Court. Income is something derived by the taxpayer.

The dissenting opinions in the Macomber case picture in clear relief the substantial holding of the Court. The dissenting opinion of Mr. Justice Holmes takes the ground that the word "incomes" in the sixteenth amendment was used, not in the sense announced in the majority opinion of the Court, but in a broader sense conforming to a supposed common understanding among the public. Nevertheless, the above quoted declaration as to the meaning and effect of the amendment has been expressly reaffirmed by the same Court and is the established law. In *Bromley* v. *McCaughn* (280 U. S. 124), the Court, in upholding the gift tax as an excise and referring to other cases where excise taxes of various kinds with reference to property had been upheld, said:

"It is true that in each of these cases the tax was imposed upon the assertion of one of the numerous rights of property, but each is clearly distinguishable from a tax which falls upon the owner merely because he is owner, regardless of the use or disposition made of his property."

In *Taft* v. *Bowers* (278 U. S. 470) the Court upheld the validity of the provisions in the Revenue Act of 1921 which required the donee of a gift to pay an income tax on the capital gain based on the cost of the gift to the donor. In the unanimous opinion, the Court said:

"Under former decisions here the settled doctrine is that the sixteenth amendment confers no power upon Congress to define and tax as income without apportionment something which theretofore could not have been properly regarded as income."

So, in *Home Savings Bank* v. *Des Moines* (205 U. S. 503)—not an income-tax case—the Court said:

"Taxes are assessed against persons upon the property which they own, not upon the property which others own. We should be reluctant to suppose that there has been any departure from this principle in this law."

It being established that an income tax can be assessed only against the owner of the income, the next point for consideration is: By what law is the ownership of income determined? It is determined by the same law as the ownership of any other class of property, namely, by the statutes and decisions of the State in which the property originates or has its situs.

There are 48 States in the Federal Union. In no 2 of the States are the statutes concerning property rights alike. In no 2 of the States are the laws concerning marriage and the property rights of married persons of identical tenor. There are 48 different systems by which property rights in general and the property rights resulting from the marriage relation are determined. The legislature in each of the 48 States is supreme in determining all such matters entirely without restraint so far as concerns the sixteenth amendment, which merely authorizes the imposition of Federal income taxes without apportionment. In fact, the States are subject to no restraint whatever in determining the property rights of their citizens not originating under a Federal law or treaty except that imposed by the fourteenth amendment which prohibits the deprivation of the property of any person without due process of law. Aside from the fourteenth amendment, (which certainly gives no added Federal power in connection with the imposition of income taxes), each of the 48 States is as free to determine for itself the results of the marriage relation as if it were an independent nation and the Federal Union had never been formed. There is no dissent on this point in the decisions of the Supreme Court.

In *Smith* v. *Alabama* (124 U. S. 465), the Court said:

"It has never been doubted but that this entire body and system of law, regulating in general the relative rights and duties of persons within the territorial jurisdictions of the State, without regard to their pursuits, is subject to change at the will of the legislature of each State, except as that will may be restrained by the Constitution of the United States. It is to this law that persons within the scope of its operation look for the definition of their rights and for the redress of wrongs committed upon them. It is the source of all those relative obligations and duties enforceable by law, the observance of which the State undertakes to enforce as its public policy. And it was in contemplation of the continued existence of this separate system of law in each State that the Constitution of the United States was framed and ordained with such legislative powers as are therein granted expressly or by reasonable implication."

This principle was well expressed by the Supreme Court of Washington in *Curry* v. *Wilson* (57 Wash. 509), where the Court said:

"The right of the State to fix the character of property acquired by its citizens and the terms under which it shall be holden, is a right of severeignty and a matter in which the Congress of the United States can have no concern."

In speaking of the power of the State to control and regulate property rights of married persons, the Supreme Court of the United States said, in *Neilson* v. *Kilgore* (145 U. S. 487):

"Marriage is a civil institution, a status, in reference to which Mr. Bishop has well said 'public interests overshadow private * * * one which public policy holds specially in the hands of the law for the public good, and over which the law presides in a manner not known in the other departments."

In *Ohio* v. *Agler* (280 U. S. 379), the Court said:

"It has been understood that the whole subject of the domestic relations of husband and wife, parent and child, belongs to the laws of the States and not to the laws of the United States. * * * In the absence of any prohibition in the Constitution or laws of the United States, it is for the State to decide how far it will go."

Similar declarations are made in *U. S.* v. *Hudson* (7 Cranch. 32).

The case of *Kansas* v. *Colorado* (206 U. S. 46), contains clear and excellent language pointing out how restricted are the powers of the Government of the United States when the attempt is made to trench upon local subjects of legislation.

It is well to bear in mind this observation made by the Court in the last cited case:

"One cardinal rule underlying all the relations of the States to each other is that of equality of right. Each State stands on the same level with all the rest. It can impose its own legislation on no one of the others, and is bound to yield its own views to none."

In 8 States of the Union, including Washington, the property rights of married persons are governed by a statutory relation generally known as the community system. The form of the community system differs in each of the 8 States, but in all of them the marriage relation results in a species of partnership between husband and wife. In the other 40 States there is no community system. Nevertheless it would be distinctly erroneous to refer to these 40 States as "common law States."

The rules of the common law relating to the property rights of husband and wife were barbarous rules. Every one of the 40 States that inherited those rules has materially changed them, and further statutory changes are constantly taking place. Uninformed persons not familiar with the community-property system and its underlying reasons gratuitously assume that that system was devised and put in force by 8 States for the purpose of reducing the Federal income taxes payable by their citizens. Nothing could be further from the truth. With the exception of California, which in 1927 amended its community-property statute (this amendment being more in the nature of the filling of a hiatus in the law than the adoption of a new system), all the community-property States have retained their system without amendment since sometime in the last century. All of these 8 States chose that method of regulating the property rights of married persons because they considered it the most just system. They adopted it long before the sixteenth amendment was proposed or thought of.

Not only for many years before 1913, but during the period since that date, the amendments to the community-property laws of those States have been few and minor. It is a safe assumption that the 40 noncommunity-property States have in the past 50 years more often and more materially changed the laws relating to the property rights of married persons than have the community-property States. They are progressing away in varying degrees from the barbarity of the common-law rules governing this subject. While they are to be congratulated on this progressive approach to marital justice, we may express the hope that they will not be led into any "holier than thou" or "more in the fashion than thou" attitude toward the well-tried and steadier system of community property. The community system is not aware of any inferiority complex. Those who, living elsewhere, read about it and register their disapproval without having experienced its workings, seem to regard it (quoting, I believe, Christopher Morley) "like a thoroughbred bulldog, ugly enough to be attractive."

It is sometimes said by those who would attempt to change the present method of taxing community incomes that the application of the income-tax law to citizens living under community-property laws results in inequality. The fact is that the application of the Federal income-tax law to the property systems of all the States results in some inequality. As no two States have the same local laws of property, a Federal law uniform in its terms throughout the country necessarily produces different results in operating upon different local systems. This has frequently been recognized as one of the necessary results of our Federal Union.

As the Supreme Court pointed out in *Florida* v. *Mellon* (273 U. S. 12), differences of State law which may bring a person within or without the category designated by Congress as taxable may not be read into the revenue acts to spell out a lack of uniformity.

The product of a constant and a variable is of course a variable. The only way to produce a uniform result in the application of a Federal income-tax law is to enact a constitutional amendment which would transfer to the Federal Government the power to fix and regulate the property rights of married persons. No one, I hope, is suggesting that course. Such inequality as results from the application of the Federal law to the diverse property systems of the 48 States is a part of the price we pay for our Federal Union. The results of this inequality have been much exaggerated by the opponents of the community-property system. In every one of the 40 noncommunity States, husbands transfer income-producing property to their wives and thus divide an income which otherwise would belong solely to the husband. They make use of many other methods, lawful under their respective State laws, for effecting transfers of income. They voluntarily do what the citizens of the State of Washington are compelled to do and cannot avoid doing, namely, they vest in their wives the ownership of a part of their accumulations received after marriage.

The sun shining from the heavens shines uniformly upon all things. Where it shines upon 48 different objects, there cannot be 48 shadows of the same length and form unless the objects are of the same height and size. Though the sun shines with uniformity, men know that diversity in their created structures is inevitable.

Such inequality as results from the application of a Federal law to situations arising from the varying laws in the 48 States was bargained for and agreed upon at Philadelphia in 1787, where a division of powers between Federal and State sovereignties and jurisdictions was made a basic principle of the Constitution. The same freedom of State legislation was bargained for again and agreed upon again when the sixteenth amendment was adopted. By that amendment the people of the United States constitutionally decreed that Congress may lay and collect taxes on incomes from whatever source derived, but they conferred no power upon Congress to regulate property rights or the results of the marital status in the several States. It is obvious that in 1913 and prior years when the sixteenth amendment was under consideration and was adopted, everyone knew what is known now, namely, that questions concerning the general ownership of property producing income in each of the several States must be determined by the laws of that State. Then as now the community property system was in force in 8 States. It was a time-honored system. Its basic principles were well known. From the beginning of statehood each of these States had established and maintained the system because its citizens believed it to be the most just method of defining the property rights of husband and wife.

When the power was thus conferred upon Congress to tax incomes without apportionment, the community-property system was taken into consideration fully as much as was any other of the numerous and varying statutory systems for regulating the rights of married persons existing in any of the States. There was no uniformity anywhere. The whole matter of ownership was left to the local determination of the States, as it had been in 1787 and has been ever since.

The suggestion has been made from time to time that Congress should amend the income-tax statutes so as to hit in some way the community-property system. Various devices have been suggested for this hitting. One device suggested has been that Congress should by statute declare that management and control by the husband are considered equivalent to ownership. This reminds me of a conundrum that made the rounds among schoolboys years ago: "How many legs would a dog have if you considered his tail one?" The answer was, "He would have four, because considering it one would not make it one."

It does not require much consideration to discern the invalidity, if not the absurdity, of this suggested device. Time and again it has been decided by the courts, State and Federal, that the husband's power of management and control is no more than a statutory power of attorney, the equivalent of an irrevocable power of attorney which a wife may give to her husband, or vice versa, in any of the States. Washington decisions embodying this conclusion are numerous. Some of them are:

Schramm v. *Steele* (97 Wash. 309); *Olive Co.* v. *Meek* (103 Wash. 467); *Marston* v. *Rue* (92 Wash. 129); *Stewart* v. *Bank of Endicott* (82 Wash. 106); *Bortle* v. *Osborne* (155 Wash. 585); *Huyvaerts* v. *Roedtz* (105 Wash. 657).

To quote at length from these decisions would unduly extend this paper. Time and again the Supreme Court of Washington has decided that the community property, real and personal, is actually owned by two persons, namely, by the husband and by the wife, and that this ownership is an actual legal title vested equally in each spouse.

Schramm v. *Steele* (97 Wash. 309), may be taken as typical. In that case the court said:

"The same circumstances, all of them and no others, which make real estate community property make personalty community property. The two kinds of property are impressed with the community character by the same facts and by force of the same words in the same defining statute. All property, whether real or personal, property and pecuniary rights without exception, acquired after marriage by either husband or wife, or both, otherwise than by gift, bequest, devise or descent, is community property. * * * The provision of the statute entrusting the husband with the management and control of community personal property * * * except he shall not devise by will more than one-half thereof (Rem. C., sec. 5917), must be construed in the light of this dominant fact of ownership. The property referred to is community property; that is, property belonging to the community. The husband is made, by the

statute, the manager, not the owner * * *. To hold that the whole substance of the term 'community property' as applied to personalty consists in a mere contingent expectancy of the wife, would make of the term 'community personal property' a palpable misnomer. It would take away every community element except that the wife's labors and sacrifices had helped to earn it. It would destroy that equality which it is the obvious purpose of our community property law to conserve. * * * The words of the statute are generally no broader than those often employed in general powers of attorney for the management and disposition of personal property; but we have yet to learn of a case in which such a power, however broad, was held to destroy the estate of the donor of the power and subject the property to the personal debts of the attorney in fact."

Many other Washington decisions are equally clear and emphatic in upholding the equal title and ownership of the two spouses in the community property, real and personal, neither having a superior title or interest to the other.

In *Marston* v. *Ruc* (92 Wash. 129), the court used language to the effect that under the Washington statute the community property, real and personal, is just as much the wife's as the husband's.

Kaufmann v. *Perkins* (114 Wash. 40), and numerous other cases hold that, as to real estate, conveyances, and agreements for conveyances and leases made by the husband alone are void, even as against the husband.

A voluntary conveyance of a half interest made to a wife by a husband in New York can have no greater effect. Yet no attempt is made to tax the New York husband for the entire income after making such a conveyance. Even the gift tax gives him liberal exemptions, especially if made by annual gifts of $5,000 each.

The Supreme Court of the United States has considered and sustained the provisions of State community-property statutes in a variety of cases among which are *Arnett* v. *Read* (220 U. S. 311), *Warburton* v. *White* (176 U. S. 484), *Buchser* v. *Buchser* (231 U. S. 157). I discuss later two of these cases which decisively bear on our present subject.

Those who advocate the insertion in the Federal income-tax statute of a declaration that management and control by the husband with respect to community property shall be the basis of the Federal income tax are not really content to declare management and control the equivalent of ownership; they really propose to make management and control superior to ownership and to predominate over ownership as the basis of the Federal tax. There is no doubt where the ownership lies; hence, they wish to depart from ownership and base the tax solely on management and control. But they propose this only in the case of community property. That means, in effect, that they propose this rule for eight States only. They do not suggest that management and control by the husband be given a like effect in the non-community-property States.

We may note in passing, the injustice of following a State community-property statute only to the point of joining the earnings of a husband and wife in a common fund and then departing from that statute insofar as it fixes the ownership in the two spouses equally of the fund thus created. This injustice and the constitutional difficulties involved are frankly recognized by some writers on the subject. They suggest, therefore, with more justice a uniform system of taxing family incomes throughout the United States, disregarding practically in their entirety all State statutory provisions defining the property rights of married persons.

The Supreme Court of the United States has decided in *Arnett* v. *Read* (220 U. S. 311) and *Warburton* v. *White* (176 U. S. 484) that the wife's vested interest in community assets in States having the community system is property in the constitutional sense, and that it cannot be taken away from her without compensation, by reason of the fourteenth amendment. That Court has equally decided in *Warburton* v. *White* that the management and control given by statute to the husband can be taken away without compensation despite the fourteenth amendment, because it is not a property right vested in the husband but a mere statutory agency subject to change whenever the legislature so wishes. The proponents, therefore, of the management and control device seriously propose to base an income tax upon something which the Supreme Court has held is not property and is not protected by the fourteenth amendment, namely, the right of management and control. And they equally propose to disregard something which the Supreme Court has said is property and cannot be taken away without compensation, namely, the wife's statutory ownership of her one-half interest. What chance there is of the upholding of such a device as a constitutional Federal enactment may be readily conjectured. It seems not too much to say that any proposition of departing from the trail well blazed by the Supreme Court, the trail of ownership, leads into a hopeless morass of tangled substitutes. Let it be noted that in this paper when I speak of the Supreme Court, without other designation, I mean the Supreme Court of the United States.

We hear it said that the Supreme Court has upheld the imposition of an income tax on one who is not the owner. An analysis of the cases cited as sustaining that proposition will show, I think, that they do not in fact support it. In all those cases it will be found that the person, not the owner, against whom the Supreme Court has held that a Federal income tax may lawfully be imposed was one who had been the owner and had not entirely divested himself of that ownership. Of course, there are numerous cases in the books holding that a status once established for taxing purposes retains its efficacy until completely changed. A partial change does not prevent the exercise of the taxing power against one originally taxable.

I am reminded that I once lived in the town of Machias in Maine. There was a citizen of our town who was going to change his residence to Cherryfield. He said: "I will beat the town of Machias and the other towns out of 1 year's taxes." The towns in Maine have jurisdiction to do the assessing and the taxing, and by statute they assess and tax property to the owner in the town where he resides on the 1st day of April.

So on March 31, John Doe, of Machias, arranging to remove from that town, packed up his household goods, having already sold out everything he did not want to take, and, with his family, drove 15 miles on the way of Cherryfield. He arrived at the town of Jonesport in the afternoon of March 31.

He spent the night of March 31 and the day and night of April 1 in Jonesport. He left Jonesport about 10 o'clock on the 2d of April, arriving a few hours later at the town of Cherryfield, where he took up his permanent abode.

He said: "I cannot be taxed in Machias because I left there for good on March 31; they won't think of taxing me in Jonesport, because I was only passing through there on April 1. As far as Cherryfield is concerned, I was not living there until the 2d of April."

His plan failed. They taxed him in Machias, and the tax was upheld. The court said that for taxation purposes a status once acquired continued until it was completely changed. A partial change was not recognized. His status on April 1 was that of a resident of Machias, because he had not yet acquired any other status. That is the substantial principle that I find applied in the cases where a person, no longer the complete owner, is held to be subject to an income tax.

Why is it that in all of these cases the decision upholding the tax pursues the point of an interest retained by the grantor, the former owner? It is because the income tax is assessed against the owner and the courts refuse to recognize an incomplete change of ownership. The cases cited under this head are: *Reineke* v. *Smith* (289 U. S. 172); *Burnet* v. *Wells* (289 U. S. 670); *Burnet* v. *Leininger* (285 U. S. 136), a partnership case where *Hoeper* v. *Tax Commission of Wisconsin*, cited below, is distinguished but left unquestioned. All of these are grantor cases where a tax was upheld against a grantor who had not completely parted with the title. There is an excellent comment on *Burnet* v. *Leininger* in *Lowery* v. *Helvering* (70 Fed. (2d) 713).

It has been suggested that *Burnet* v. *Wells* (289 U. S. 670), cited above, has a broader implication than I have indicated. I do not think so. In that case, by a 5-to-4 decision, the Court sustained an income tax against a grantor, who, in creating a trust, directed that a part of the income should be applied to the payment of premiums thereafter accruing on life-insurance policies taken out by the grantor before the creation of the trust, on his own life for the benefit of two women considered by the court to be members of his family, an expenditure which the majority opinion speaks of as being "a common item in the family budget." All nine of the justices recognized that a remaining interest in the grantor was necessary in order to uphold the assessment of an income tax against him, and that he could be taxed only for so much of the income as represented that interest. It was tacitly assumed by all that the validity, construction, and effect of the instrument creating the trust were to be judged by State laws. State laws also controlled as to the construction of the life-insurance policies. Congress had enacted a special provision in the Revenue Act directing that

"Where any part of the income of a trust is or may be applied to the payment of premiums upon policies on the life of the grantor * * * such part of the income of the trust shall be included in computing the net income of the grantor."

Five Justices held the statute to be constitutional because the grantor had a continuing interest in the policies. They were at much pains to point out that it was a grantor who was taxed, and that his continuing interest was substantial.

Mr. Justice Cardozo, speaking for the majority, said:

"If the insurer without cause were to repudiate the policies, the insured [the grantor], would have such an interest in the preservation of the contracts that he might maintain a suit in equity to declare them still in being (citing authorities). The contracts remain his, or his at least in part, though the fruits when they are gathered are to go to someone else."

The outstanding fact is that the Court in the majority opinion upholds the constitutionality of the assessment of the tax only because of the continued interest of the grantor who first took out the policies and later created the trust.

In effect, all the grantor cases are distinguished from the community property cases by the court itself in the *Seaborn Case* (282 U. S. 101), cited below. There, as shown in the passage of the opinion hereinafter quoted, the Court pointed out the difference between the situation of a grantor technically parting with the title, while, in fact, retaining ownership with its incidents in whole or in part, and the situation of the husband under the community property system where "the husband never has ownership."

The leading case of *Poe* v. *Seaborn* (282 U. S. 101) and the companion cases (the income-tax cases dealing with community property), decided in 1930, make it clear that ownership of the income is the basis of the assessment of income taxes under the sixteenth amendment and that that ownership is determined by the local State laws. That case involved the community-property law of Washington and held the husband not liable for a Federal income tax assessed against him by the commissioner on the entire community income. The decision is rested definitely on the ground that only one-half of the community income belonged to Seaborn, the other half being his wife's. In decisions rendered the same day a like ruling was made as to community incomes in Texas, Louisiana, and Arizona (*Hopkins* v. *Bacon* (282 U. S. 122); *Bender* v. *Pfaff* (282 U. S. 127); *Goodell* v. *Koch* (282 U. S. 118)).

The three cases last cited and Poe against Seaborn were test cases. The Government there strongly asserted the theory that the husband's management and control of community property is the equivalent of ownership and that to hold the contrary would involve an unfair discrimination against the taxpayers in the 40 States having other systems. These contentions were fully considered by the Court and were overruled. The question must, therefore, be regarded as set at rest by these four cases, especially when they are read in connection with the later cases of *Hoeper* v. *Tax Commission of Wisconsin* (284 U. S. 206), and *Heiner* v. *Donnan* (285 U. S. 312), hereinafter discussed.

For 15 years the practice of the Department has been in accordance with this principle. In April 1920 United States Internal Revenue Commissioner's office decision No. 426 (2 C. B. 198) gave specific recognition to the community-property laws of Texas and Washington, and upheld the propriety of returns dividing the community income equally between the husband and wife. Later in the same year, by opinion of Attorney General Palmer, the ruling was extended to all of the community-property States except California, where the local State courts had held that under the then existing statutes the wife had no vested interest in the community property or income. In February 1921 the second opinion of Attorney General Palmer (32 Ops. Atty's. Gen. 435), considered the subject exhaustively and adhered to the ruling already announced. There has since been no departure from it. Various attempts have been made to persuade Congress to amend the income-tax law by the insertion of language by which the advocates of a change hoped that this established practice might be overborne. Both Houses of Congress have turned deaf ears to these proposals.

The holdings of the Supreme Court may be synopsized, I think, by stating that in no case has that Court held any person liable for a Federal income tax unless he was the owner or had been the owner of the income or the property producing it and had parted with an interest less than the entire interest, thus retaining a substantial interest in himself. In the *Seaborn case* (282 U. S. 101), the Court, speaking of *Corliss* v. *Bowers* (281 U. S. 376) (a case cited to the Court as having a contrary import), expressed itself as follows:

"We held that where a donor retains the power at any time to revest himself with the principal of the gift Congress may declare that he still owns the income. While he has technically parted with title, yet he in fact retains ownership with all of its incidents. But here [in the Seaborn case construing the community property law of the State of Washington] the husband never has ownership. That is in the community at the moment of acquisition."

The case of *Hoeper* v. *Tax Commission of Wisconsin* (284 U. S. 206) establishes the proposition that an income tax assessed against a husband cannot be increased by reason or the fact that his wife receives an income which she owns. That case, like others decided by the Supreme Court, denies the asserted power to add together two incomes owned by the husband and wife and to tax them as one income to the husband. It holds that the Constitution is violated as to the fourteenth amendment when a State attempts to tax a husband for propery or income which under the State law belongs to his wife.

In *Heiner* v. *Donnan* (285 U. S. 312) the Court states that a course of action prohibited to the States by the fourteenth amendment is prohibited to the Federal Government by the fifth amendment. It is held, applying this principle, that a Federal statute is unconstitutional which creates a conclusive presumption that gifts made within 2 years prior to the donor's death were made in contemplation of death. The Court says that the conditions stated in the opinion "show that to impose liability for the tax as a gift tax upon the estate, as they in terms require, is, in effect, to exact tribute from the gains or property of one measured by the gains or property of another." This holding and this language are pertinent when it is proposed to add together and tax to the husband in the higher bracket two incomes which under State law belong to two persons, namely, one to the husband and one to the wife. The proposal becomes obviously more unwarranted and unjust when the husband has also a separate income, since in that case it is proposed to add the two community incomes to the separate income of the husband and to subject the husband to a higher rate of tax and surtax as a consequence.

Nor can the supporters of the proposed innovation find consolation in the opinion of the dissenting judges in the Hoeper case. That being the case of a Wisconsin State tax, the tax was imposed by the same legislative authority which had established the property relations of husbands and wives and had changed the common law of the State of Wisconsin in that respect. The dissenting judges pointed out that Wisconsin, if it so desired, could have restored the common law and in that way could have vested the entire ownership of the wife's property in the husband. In their view it followed that the Wisconsin statute there in question could be treated as a reenactment of the common-law property rights of husband and wife, insofar as the State income tax was concerned. That is the only ground that the dissenters appear to have found for questioning the validity of the majority decision.

In the case of a Federal income tax on incomes owned by husbands and wives, no such considerations exist. United States statutes cannot change the relations or the property rights of husbands and wives in any State. The United States cannot reenact the common law as to property rights between husbands and wives in any State. The Hoeper case is emphatic and is in line with the other cases cited which declare that there is a constitutional barrier to the enactment of a Federal law which would join together and tax as a unit incomes which, under State law, are owned by the husband and by the wife.

So far as concerns inheritance and estate taxes, little need be added. It necessarily follows from the provisions of the Washington statutes and decisions that the wife's interest in community property is a continuing interest existing during marriage and thereafter, and that in case of the husband's death the wife in no sense inherits her one-half interest in the community property from the deceased spouse. In the converse case, equally, the husband is not an inheritor of his one-half, but is a continuing owner both before and after the wife's death. The long-established practice of the Inheritance Tax Department of the State of Washington in this regard is too well known to justify further comment.

The Federal Government has uniformly adhered to the same method in valuing and taxing the estates of deceased married persons. The rule was made clear by Internal Revenue General Counsel's Memorandum No. 7773 (August 1930) in which reference is made to the decisions of the United States District Court for the Northern District of Texas in the Vincent and Underwood cases. In those cases the decisions of the court were oral and consequently unreported. In the General Counsel's Memorandum No. 7773 it is said:

"In view of the court's decision in the Vincent and Underwood cases which are applicable to the instant case, it is the opinion of this office that the value of B's interest in the community property is not a part of A's gross estate within the purview of section 302 (a) of the Revenue Act of 1926, notwithstanding the fact that she elected to take under the will."

The general principle stated in the cited memorandum had been enunciated in department rulings long previously. The only question raised in 1930, and on which the General Counsel's opinion was sought, was whether a different rule applied where, by reason of testamentary provisions, an election by the wife was required.

In referring to the two decisions just mentioned, the memorandum says:

"In each of those cases the Court held without written opinion that the interest of the wife in the community estate was not a part of her deceased husband's gross estate. The Government did not appeal from those decisions."

I believe no question has been suggested as to the propriety of this long-established practice in the application of the laws governing the Federal and State estate and inheritance taxes.

GEORGE DONWORTH.

NOTE 1. In *Blair* v. *Commissioner of Internal Revenue* (— U. S.), decided February 1, 1937, the unanimous opinion of the Court cites twice with approval *Poe* v. *Seaborn* (282 U. S. 101) in support of the proposition that the decisions of the State courts are final as to property rights and that Federal income-tax liability attaches to ownership of the income as defined by State laws.

NOTE 2. While for obvious reasons the State statutes and decisions cited in the foregoing paper are those of the State of Washington, it follows under the decisions of the Supreme Court of the United States therein discussed that the conclusion reached is equally applicable to community incomes received by residents of the other seven States where the community-property system is in force.

On February 19, 1934, our former colleague, Hon. Morgan G. Sanders, of Texas, delivered a speech in the House in which he discussed the subject of income-tax returns on community property at great length and quoted copiously from discussions by the United States Supreme Court. I feel that it should be read by every Member of the House before voting on this important legislation. By leave previously obtained, I insert the speech by former Congressman Sanders at this point:

INCOME RETURNS ON COMMUNITY PROPERTY

(Speech of Hon. Morgan G. Sanders, of Texas, in the House of Representatives, Monday, February 19, 1934)

Mr. SANDERS. Mr. Chairman, I had not intended to make any remarks on the present bill; but in view of the fact that some Members of the House have criticized in their

speeches the action of the Committee on Ways and Means, by reason of the fact that the community-tax proposition was left out of the bill, I deem it proper to defend the committee by stating certain facts.

One of the most ardent critics has been the gentleman from Kentucky [Mr. Brown]. The Ways and Means Committee has been in session since December 4 last; and if the gentleman from Kentucky [Mr. Brown] had any information on the subject, I submit that in all fairness it was his duty to come before the committee and give the committee the benefit of his knowledge on this subject. He did not do so, but contented himself until the bill came before the House, and then made a speech in which he talked about "Horse sense and stable thinking." The supposition on the part of some folks that community property States are enjoying special privileges has been current for some time, and this particular subject I will deal with hereafter, but first permit me to give you a little history in regard to the origin of community property law, given by Mr. Lewis in his dissenting report:

"While the community systems of the eight community-property States in their varying forms came from the Spanish and French, the origin was in the communal forms of Germanic law. The Goths brought the institution of marital community into southwestern France and Spain, and in the latter country it became the law of the land under a Gothic conqueror. In France, however, it remained in the southwest Provinces until adopted in the Code Napoleon. Community-property law was brought to the New World of Spanish dominion, but in Louisiana an earlier Spanish law had later superimposed upon it the provisions of the Code Napoleon. The Texas law, though primarily from the Spanish, also shows traces of French influence. The States of California, Nevada, New Mexico, and Arizona came into their community-property laws by direct influence during Colonial times, as did Texas and Louisiana. Washington and Idaho, however, adopted their laws from the older States."

This question of community-property taxation was considered in the Seventy-first Congress when Mr. Hawley was chairman of the Ways and Means Committee. Mr. Hawley presented House Joint Resolution 340, which was to extend the time for the assessment, refund, and credit of income taxes for 1927 and 1928, in the case of married individuals having community income. The resolution was read and is of record on page 9963 of the RECORD of the Seventy-first Congress, second session. Mr. Hawley advocated the passage of the resolution. Mr. Garner, now Vice President of the United States, was at that time a member of the Ways and Means Committee. Mr. Garner made this statement:

"I happen to represent, in part, one of the States involved in this transaction, probably the largest taxpaying State of the seven. In 1927, when we passed the internal revenue act, there was quite a contest, and you will recall section 1212, in which we undertook to settle the back taxes of these community estates. There was some objection to it, and we finally compromised by an agreement, in substance, between the Treasury Department and the representatives of these five or seven States—Texas, Louisiana, Oregon, Washington, and other Western States. We entered into an agreement that we would take the cases from these various States into the Federal courts and on through to the Supreme Court as quickly as possible to determine the legal question involved. Suits were instituted. I have in mind particularly the one that was instituted in Texas at Fort Worth. The court held that in Texas they had the right to make a separate return; that is, Mrs. Garner and myself, for instance, had the right to make a separate return under the Constitution. The Government appealed the case, and it went to the Fifth Circuit Court of Appeals, and the court there sustained the district court. It is now pending in the Supreme Court and is set down for argument on October 20 of this year. The statute of limitations will begin to run against the Government in favor of the people of Texas on March 15 next for 1927, because we had a 3-year limitation then, and on March 15, as to 1928, because we have now only a 2-year limitation. So we must either pass this bill, or the Treasury Department will be compelled to notify every taxpayer in all these seven States by one of their 60-day letters that these taxes are due for 1927 and 1928, and they will have to do this about the 1st of next January or February."

Then Mr. Chindblom, a Republican, and one of the ablest Members of the House and an able and outstanding member of the Ways and Means Committee at that time, made this statement:

"I want to say that this case is exceptional and different from the large mass of cases in which we are very often requested to waive or extend the statute of limitations. This is a case where the rights of citizens under the laws of the States are involved; where the Federal Government sets up one claim and the citizens of five States set up other claims based upon their own constitutions and, in addition, when the matter was before the committee, it was understood, and it has been understood all the time subsequently that the eventual determination of the matter would depend upon the conclusion of the suits pending in the Supreme Court of the United States."

Let me applaud the statement of the gentleman from Illinois, Mr. Chindblom, who said that it was a matter where the rights "of the citizens under the laws of the States are involved."

The resolution was agreed to, and the community-property States kept faith with the promise to have this matter tested in the courts of our country. The case to which Mr. Garner referred was that of Hopkins, collector of internal revenue, against Bacon, which decision was rendered on November 24, 1930, and which is to be found in volume 282, page 122, of the Reports of the Supreme Court of the United States. Before giving you this decision in full, I want to call your attention to the fact that in that decision the Court held:

"The interest of a wife in community property in the State of Texas is properly characterized as a present vested interest, equal and equivalent to that of her hunband; and under sections 210 (a) and 211 (a) of the Revenue Act of 1926, she and her husband are entitled to make separate returns each of one half of the community income."

I now give you the opinion of the Supreme Court of the United States on that case in full:

"This case comes here on writ of certiorari to the Circuit Court of Appeals for the Fifth Circuit. It involves the same questions with respect to community income under Texas law as are involved in *Poe* v. *Seaborn*, ante, page 101, and *Godell* v. *Koch*, ante, page 118, under the law of Arizona and Washington.

"Respondent was assessed additional income tax for 1927 because he and his wife had made separate returns and had each returned one-half of the community income, whereas the Commissioner of Internal Revenue asserted that the respondent must return the whole thereof. Respondent paid under protest, brought suit in the District Court (27 Fed. (2d) 140), and recovered judgment. The collector appealed and the Circuit Court of Appeals affirmed the judgment (38 Fed. (2) 651).

"In view of our decision in *Poe* v. *Seaborn*, supra, the only matter to be examined here is whether under the community property system of Texas the wife has a mere expectancy, as she would under the law of California (cf. *United States* v. *Robbins*, 269 U. S. 315), or on the contrary has a proprietary vested interest in the community property such as makes her an owner of one-half of the community income.

"The statutes contain sweeping provisions as to what shall be included in community property. They provide that each spouse shall have testamentary power over his or her respective interest in the community property. In the event of failure to exercise such testamentary power they provide that the property shall go in the first instance to the descendants of the deceased spouse. They provide, as is usual in the States having the community system, that the husband shall have power of management and control such that he may deal with community property very much as if it were his own. In spite of this, however, it is settled that in Texas the wife has a present vested interest in such property (*Arnold* v. *Leonard*, 114 Tex. 535). Her interest is said to be equal to the husband's (*Wright* v. *Hays' Administrator*, 10 Tex. 130). It is held that the spouse's rights of property in the effects of the community are perfectly equivalent to each other (*Arnold* v. *Leonard*, *supra*). These expressions as to the wife's interest are confirmed by the authorities holding that if the husband as agent of the community, acts in fraud of the wife's rights, she is not without remedy in the courts (*Stramler* v. *Coe*, 15 Tex. 211; *Martin* v. *Moran*, 32 S. W. 904; *Watson* v. *Harris*, 130 S. W. 237; *Davis* v. *Davis*, 186 S. W. 775).

"The applicable statutory provisions are noted in the margin.

"In view of what has been said in *Poe* v. *Seaborn*, supra, it remains only to say that the interest of a wife in community property in Texas is properly characterized as a present vested interest, equal and equivalent to that of her husband, and that one half of the community income is therefore income of the wife. She and her husband are entitled to make separate returns, each of one-half of such income. The judgment of the circuit court of appeals is affirmed."

When we were having hearings before the Ways and Means Committee on the revenue bill, Mr. Evans, of California, a member of the Ways and Means Committee, made the following statement and submitted the following decision:

"I shall not repeat the authorities submitted by Mr. HILL of Washington and Mr. Sanders, of Texas, members of the committee. There is, however, one other United States Supreme Court decision arising from a case coming from the State of California, and that is the case of the *United States* v. *Malcolm* (282 U. S. 792).

"In that case it will be noted that the Supreme Court stated that under the Revenue Act of 1928 the husband and wife, domiciled in California, must make separate returns on income derived from community property.

"I desire to submit the following quotation from that decision:

"'UNITED STATES *v.* MALCOLM (282 U. S. 792)

"'Robert K. Malcolm and Esther Jarret Malcolm are husband and wife and citizens of the United States. Since October 1, 1920, they have continuously maintained their domicile in the State of California. During the year 1928 Robert Malcolm received a salary of $3,600 for personal services rendered as an officer of the Liberty Farms Co., a California corporation. Under the laws of the State of California this income was community property. On March 1, 1929, the husband and wife filed separate returns of their income for Federal income-tax purposes. Each reported one-half of the salary of $3,600 received in 1928 by the husband, and each fully paid the amount shown to be due on the return. It is admitted that all income taxes due from either husband or wife for the year 1928 have been fully paid, if, as a matter of law, they had a lawful right to

make such separate returns under the provisions of paragraphs 11, 12, and 51 of the Revenue Act of 1928.

"'After the husband had filed his income-tax return for the calendar year 1926, as set out above, the Commissioner, upon an audit and examination, determined that his return was incorrect in that the salary of $3,600 should have been reported by the husband alone, and an income tax paid thereon by him, instead of both husband and wife reporting it at $1,800 on each return. Accordingly the Commissioner determined against the husband a deficiency in income tax amounting to $11.39. An assessment in this amount was then made and collected from the husband, the plaintiff herein, together with interest amounting to $1.12. A claim for refund was thereafter filed and rejected by the Commissioner. From a judgment for this amount in plaintiff's favor the defendant has appealed.

"'The questions certified were as follows:

"'1. Under the applicable provisions of the Revenue Act of 1928 must the entire community income of a husband and wife domiciled in California be returned and the income tax thereon be paid by the husband?

"'2. Has the wife, under paragraph 161 (a) of the Civil Code of California, such an interest in the community income that she should separately report and pay tax on one-half of such income?'

"Per curiam: The first question certified is answer: No. The second question is answered: Yes (*Poe* v. *Seaborn*, ante, p. 101; *Goodell* v. *Koch*, ante, p. 118; *Hopkins* v. *Bacon*, ante, p. 122)."

I wish to call your attention to the case of Poe against Seaborn, Two Hundred and Eighty-second United States Reports, beginning on page 101. One paragraph from the syllabus is as follows:

"The question whether the interest of a wife in community income amounts to ownership, and is therefore taxable and returnable under the Revenue Act of 1926, apart from the interest of the husband, is to be determined by the State law of community property (p. 110)."

And the opinion is as follows:

"Seaborn and his wife, citizens and residents of the State of Washington, made, for the year 1927, separate income-tax returns as permitted by the Revenue Act of 1926, chapter 27, section 223 (U. S. C. App., title 26, sec. 964).

"During and prior to 1927 they accumulated property comprising real estate, stocks, bonds, and other personal property. While the real estate stood in his name alone, it is undisputed that all of the property, real and personal, constituted community property and that neither owned any separate property or had any separate income.

"The income comprised Seaborn's salary, interest on bank deposits and on bonds, dividends, and profits on sales of real and personal property. He and his wife each returned one-half the total community income as gross income and each deducted one-half of the community expenses to arrive at the net income returned.

"The Commissioner of Internal Revenue determined that all of the income should have been reported in the husband's return, and made an additional assessment against him. Seaborn paid under protest, claimed a refund, and on its rejection brought this suit.

"The district court rendered judgment for the plaintiff (32 Fed. (2d) 916); the collector appealed, and the circuit court of appeals certified to us the question whether the husband was bound to report for income tax the entire income, orwhether the spouses were entitled each to return one-half thereof. This court ordered the whole record to be sent up.

"The case requires us to construe sections 210 (a) and 211 (a) of the Revenue Act of 1926 (U. S. C. App., title 26, secs. 951 and 952), and apply them, as construed, to the interests of husband and wife in community property under the laws of Washington. These sections lay a tax upon the net income of every individual. The act goes no further and furnishes no other standard of definition of what constitutes an individual's income. The use of the word 'of' denotes ownership. It would be a strained construction, which, in the absence of further definition by Congress, should impute a broader significance to the phrase.

"The Commissioner concedes that the answer to the question involved in the cause must be found in the provisions of the law of the State, as to a wife's ownership of or interest in community property. What, then, is the law of Washington as to the ownership of community property and of community income, including the earnings of the husband's and wife's labor?

"The answer is found in the statutes of the State and the decisions interpreting them.

"These statutes provide that, save for property acquired by gift, bequest, devise, or inheritance, all property however acquired after marriage, by either husband or wife, or by both, is community property. On the death of either spouse his or her interest is subject to testamentary disposition, and failing that, it passes to the issue of the decedent and not to the surviving spouse. While the husband has the management and control of community personal property and like power of disposition thereof as of his separate personal property, this power is subject to restrictions which are inconsistent with denial or the wife's interests as co-owner. The wife may borrow for the community purposes and bind the community property (*Fielding* v. *Ketler*, 86 Wash. 194). Since the husband may not discharge his separate obligation out of community property, she may, suing alone, enjoin collection of his separate debt out of community property (*Fidelity & Deposit Co.* v. *Clark*, 144 Wash. 520). She may prevent his making substantial gifts out of community property without her consent (*Parker* v. *Parker*, 121 Wash. 24). The community property is not liable for the husband's torts not committed in carrying on the business of the community (*Schramm* v. *Steele*, 97 Wash. 309).

"The books are full of expressions such as 'the personal property is just as much hers as his' (*Marston* v. *Rue*, 92 Wash. 129); 'her property right in it (an automobile) is as great as his' (92 Wash. 133); 'the title of one spouse * * * was a legal title as well as that of the other' (*Mabie* v. *Whittaker*, 10 Wash. 656, 663).

"Without further extending this opinion it must suffice to say that it is clear the wife has, in Washington, a vested property right in the community property equal with that of her husband; and in the income of the community, including salaries or wages of either husband or wife, or both. A description of the community system of Washington and of the rights of the spouses, and of the powers of the husband as manager, will be found in *Warburton* v. *White* (176 U. S. 484).

"The taxpayer contends that if the test of taxability under sections 210 and 211 is ownership, it is clear that income of community property is owned by the community and that husband and wife have each a present vested one-half interest therein.

"The Commissioner contends, however, that we are here concerned not with mere names, nor even with mere technical legal titles; that calling the wife's interest vested is nothing to the purpose, because the husband has such broad powers of control and alienation, that while the community lasts, he is essentially the owner of the whole community proper and ought so to be considered for the purposes of sections 210 and 211. He points out that as to personal property the husband may convey it, may make contracts affecting it, may do anything with it short of committing a fraud on his wife's rights. And though the wife must join in any sale of real estate, he asserts that the same is true, by virtue of statutes, in most States which do not have the community system. He asserts that control without accountability is indistinguishable from ownership, and that since the husband has this, quoad community property and income, the income is that 'of' the husband under sections 210–211 of the income-tax law.

"We think, in view of the law of Washington above stated, this contention is unsound. The community must act through an agent. This Court has said with respect to the community-property system (*Warburton* v. *White*, 176 U. S. 494) that 'property acquired during marriage with community funds became an acquet of the community and not the sole property of the one in whose name the property was bought, although by the law existing at the time the husband was given the management, control, and power of sale of such property. This right being vested in him, not because he was the exclusive owner but because by law he was created the agent of the community.'

"In that case it was held that such agency of the husband was neither a contract nor a property right vested in him, and that it was competent to the legislature which created the relation to alter it, to confer the agency on the wife alone, or to confer a joint agency on both spouses, if it saw fit—all without infringing any property right of the husband. (See also *Arnett* v. *Reade*, 220 U. S. 311 at 319.)

"The reasons for conferring such sweeping powers of management on the husband are not far to seek. Public policy demands that in all ordinary circumstances litigation between wife and husband during the life of the community should be discouraged. Lawsuits between them would tend to subvert the marital relation. The same policy dictates that third parties who deal with the husband respecting community property shall be assured that the wife shall not be permitted to nullify his transactions. The powers of partners, or of trustees of a spendthrift trust, furnish apt analogies.

"The obligations of the husband as agent of the community are no less real because the policy of the State limits the wife's right to call him to account in a court. Power is not synonymous with right. Nor is obligation coterminous with legal remedy. The law's investiture of the husband with broad powers by no means negatives the wife's present interest as a coowner.

"We are of opinion that under the law of Washington the entire property and income of the community can no more be said to be that of the husband than it could rightly be termed that of the wife.

"We should be content to rest our decision on these considerations. Both parties have, however, relied on executive construction and the history of the income-tax legislation as supporting their respective views. We shall, therefore, deal with these matters.

"The taxpayer points out that, following certain opinions of the Attorney General, the decisions and regulations of the Treasury have uniformly made the distinction that while under California law the wife's interest in community property amounts to a mere expectancy contingent on her husband's death and does not rise to the level of a present interest, her interest under the laws of Washington, Arizona, Texas, and some other States is a present vested one. They have accordingly denied husband and wife the privilege of making separate returns of one half the community income in California, but accorded that privilege to residents of such other States.

"He relies further upon the fact that Congress has thrice, since these decisions and regulations were promulgated, reenacted the

income-tax law without change of the verbiage found in sections 210 (a) and 211 (a), thus giving legislative sanction to the executive construction. He stands also on the fact that twice the Treasury has suggested the insertion of a provision which would impose the tax on the husband in respect of the whole community income, and that Congress has not seen fit to adopt the suggestion.

"On the other hand, the Commissioner says that, granted the truth of these assertions, a different situation has been created as respects 1926 and subsequent years. For in the 1926 act there was inserted a section which plainly indicated an intent to leave this question open for the future in States other than California, while closing it for past years. The section is copied in the margin.

"We attribute no such intent to the section as is ascribed to it by the Commissioner. We think that although Congress had twice refused to change the wording of the act, so as to tax community income to the husband in Washington and certain other States in view of our decision in *United States* v. *Robbins* (269 U. S. 315), it felt we might overturn the executive construction and assimilate the situation in Washington to that we had determined existed in California. Section 1212, therefore, was merely inserted to prevent the serious situation as to resettlements, additional assessments, and refunds which would follow such a decision.

"The same comments apply to the Joint Resolution No. 88, Seventy-first Congress, on which the Commissioner relies.

"It is obvious that this resolution was intended to save the Government's right of resettlement in event that the proposed test suits, of which this is one, should be decided in favor of the Government's present contention. See the report of the Ways and Means Committee on the resolution (CONGRESSIONAL RECORD, June 11, 1930, pp. 10923–10925).

"On the whole we feel that were the matter less clear than we think it is on the words of the income-tax law as applied to the situation in Washington, we should be constrained to follow the long and unbroken line of executive construction applicable to words which Congress repeatedly reemployed in acts passed subsequent to such construction (*New York* v. *Illinois*, 278 U. S. 367; *National Lead Co.* v. *United States*, 252 U. S. 140; *United States* v. *Farrar*, 281 U. S. 624), reenforced, as it is, by Congress' refusal to change the wording of the acts to make community income in States whose law is like that of Washington returnable as the husband's income.

"The Commissioner urges that we have, in principle, decided the instant question in favor of the Government. He relies on *United States* v. *Robbins* (269 U. S. 315), *Corliss* v. *Bowers* (281 U. S. 376), and *Lucas* v. *Earl* (281 U. S. 111).

"In the Robbins case we found that the law of California, as construed by her own courts, gave the wife a mere expectancy and that the property rights of the husband during the life of the community were so complete that he was in fact the owner. Moreover, we there pointed out that this accorded with the executive construction of the act as to California.

"The Corliss case raised no issue as to the intent of Congress, but as to its power. We held that where a donor retains the power at any time to revest himself with the principal of the gift, Congress may declare that he still owns the income. While he has technically parted with title, yet he in fact retains ownership and all its incidents. But here the husband never has ownership. That is in the community at the moment of acquisition.

"In the Earl case a husband and wife contracted that any property they had or might thereafter acquire in any way, either by earnings (including salaries, fees, etc.), or any rights by contract or otherwise, 'shall be treated and considered and hereby is declared to be received, held, taken, and owned by us as joint tenants * * *.' We held that, assuming the validity of the contract under local law, it still remained true that the husband's professional fees, earned in years subsequent to the date of the contract, were his individual income, 'derived from salaries, wages, or compensation for personal services' under sections 210, 211, 212 (a), and 213 of the Revenue Act of 1918. The very assignment in that case was bottomed on the fact that the earnings would be the husband's property, else there would have been nothing on which it could operate. That case presents quite a different question from this, because here, by law, the earnings are never the property of the husband, but that of the community.

"Finally, the argument is pressed upon us that the Commissioner's ruling will work uniformity of incidence and operation of the tax in the various States, while the view urged by the taxpayer will make the tax fall unevenly upon married people. This argument cuts both ways. When it is remembered that a wife's earnings are a part of the community property equally with her husband's, it may well seem to those who live in States where a wife's earnings are her own that it would not tend to promote uniformity to tax the husband on her earnings as part of his income. The answer to such argument, however, is that the constitutional requirement of uniformity is not intrinsic but geographic (*Billings* v. *United States* (232 U. S. 261); *Head Money Cases* (112 U. S. 580); *Knowlton* v. *Moore* (178 U. S. 41)). And differences of State law, which may bring a person within or without the category designated by Congress as taxable, may not be read into the revenue act to spell out a lack of uniformity (*Florida* v. *Mellon* (273 U. S. 12)).

"The district court was right in holding that the husband and wife were entitled to file separate returns, each treating one-half of the community income as his or her respective income, and its judgment is affirmed."

Section I of the fourteenth amendment to the Constitution of the United States is as follows:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

I also wish to call your attention to the case of *Hoeper* v. *The Tax Commission of Wisconsin* (283 U. S. 208), as follows:

"Appellant, a resident of Marathon County, Wis., married in the year 1927. Subsequently to his marriage he was in receipt of income taxable to him under the income-tax statute of the State. His wife, during the same period, received taxable income composed of a salary, interest and dividends, and a share of the profits of a partnership with which her husband had no connection. The assessor of incomes assessed against the appellant a tax computed on the combined total of his and his wife's incomes as shown by separate returns, treating the aggregate as his income. The amount so ascertained and assessed exceeded the sum of the taxes which would have been due had their taxable incomes been separately assessed. The authority for the assessor's procedure is found in the following sections of the act:

"Section 71.05 (2) (d): '* * * In computing taxes and the amount of taxes payable by persons residing together as members of a family, the income of the wife and the income of each child under 18 years of age shall be added to that of the husband or father, or if he be not living, to that of the head of the family, and assessed to him except as hereinafter provided. The taxes levied shall be payable by such husband or head of the family, but if not paid by him may be enforced against any person whose income is included within the tax computation.'

"Section 71.09 (4) (c): 'Married persons living together as husband and wife may make separate returns or join in a single joint return. In either case the tax shall be computed on the combined average taxable income. The exemptions provided for in subsection (2) of section 71.05 shall be allowed but once and divided equally, and the amount of tax due shall be paid by each in the proportion that the average income of each bears to the combined average income.'

"Appellant paid the tax under protest and, after complying with requisite conditions precedent, instituted proceedings to recover so much thereof as was in excess of the tax computed on his own separate income. He asserted that the statute as applied to him violates the fourteenth amendment. The Supreme Court of Wisconsin overruled this contention and affirmed a judgment for appellees. The question is whether the State law as interpreted and applied deprives the taxpayer of due process and of the equal protection of the law. The appellant says that what the State has done is to assess and collect from him a tax based in part upon the income received by his wife, and that such exaction is arbitrary and discriminatory, and consequently violative of the constitutional guaranties.

"At common law the wife's property, owned at the date of marriage or in any manner acquired thereafter, is the property of her husband. Her earnings and income are his, he may dispose of them at will, and he is liable for her debts. Were the status of a married woman in Wisconsin that which she had at common law, the statutory attribution of her income to her husband for income tax would no doubt be justifiable. But her spouse's ownership and control of her property have been abolished by the laws of the State. Women are declared to have the same rights as men in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects. Under the title "Property rights of married women" it is enacted that a wife's real estate and its rents, issues, and profits shall be her sole and separate property as if she were unmarried, and shall not be subject to the disposal of her husband, and this is true of her personal property as well, whether owned at the date of marriage or subsequently acquired. She may convey, devise, or bequeath her property, real and personal, as if she were unmarried, and her husband has no right of disposal thereof, nor is it liable for his debts. Either spouse may convey his or her property to the other or create a lien thereon in favor of the other. The individual earnings of every married woman, except those accruing from labor performed for her husband, or in his employ or payable by him, are her separate property, and are not subject to his control or liable for his debts. She may sue in her own name and have all the remedies of an unmarried woman in regard to her separate property or business and to recover her earnings, and is liable to suit and to the rendition of a judgment, which may be enforced against her separate property as if she were unmarried. Since, then, in law and in fact, the wife's income is in the fullest degree her separate property and in no sense that of her husband, the question presented is whether the State has power by an income-tax law to measure his tax not by his own income but, in part, by that of another. To the problem thus stated what was said in

Knowlton v. *Moore* (178 U. S. 41, 77), is apposite:

"'It may be doubted by some, aside from express constitutional restrictions, whether the taxation by Congress of the property of one person, accompanied with an arbitrary provision that the rate of tax shall be fixed with reference to the sum of the property of another, thus bringing about the profound inequality which we have noticed, would not transcend the limitations arising from those fundamental conceptions of free government which underlie all constitutional systems.'

"We have no doubt that, because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income. Compare *Nichols* v *Coolidge* (274 U. S. 531, 540).

"It is incorrect to say that the provision of the Wisconsin income-tax statute retains or reestablishes what was formerly an incident of the marriage relation. Wisconsin has not made the property of the wife that of her husband, nor has it made the income from her property the income of her husband. Nor has it established joint ownership. The effort to tax B for A's property or income does not make B the owner of that property or income, and whether the State has power to effect such a change of ownership in a particular case is wholly irrelevant when no such effort has been made. Under the law of Wisconsin the income of the wife does not at any moment or to any extent become the property of the husband. He never has any title to it, or controls any part of it. That income remains hers until the tax is paid, and what is left continues to be hers after that payment. The State merely levies a tax upon it. What Wisconsin has done is to tax as a joint income that which under its law is owned separately and thus to secure a higher tax than would be the sum of the taxes on the separate incomes.

"The court below assigned two reasons which it thought removed the constitutional objections to the application of the statute in the instant case. It cited and followed the *Income Tax cases* (148 Wis. 456; 134 N. W. 673; 135 N. W. 164), where the statute here in question was sustained on the ground that the provisions under attack are necessary to prevent frauds and evasions of the tax by married persons, and stated that the decision of this court in *Schlesinger* v. *Wisconsin* (270 U. S. 230) was not inconsistent with the views expressed by the Supreme Court of Wisconsin in its earlier decision. To this we cannot agree. In the Schlesinger case this court held invalid a statute which, for purposes of inheritance tax, classified all gifts inter vivos, effective within 6 years of death, as gifts made in contemplation of death. To the argument of the necessity for such classification to prevent frauds and evasions, it was answered (p. 240):

"'That is to say, A may be required to submit to an exactment forbidden by the Constitution if this seems necessary in order to enable the State readily to collect lawful charges against B. Rights guaranteed by the Federal Constitution are not to be so lightly treated; they are superior to this supposed necessity. The State is forbidden to deny due process of law or the equal protection of the laws for any purposes whatsoever.'

"The claimed necessity cannot justify the otherwise unconstitutional exaction.

"The second reason assigned as a justification for the imposition of the tax is that it is a regulation of marriage. It is said that the marital relation has always been a matter of concern to the State, and has properly been the subject of legislation which classified it as a distinct subject of regulation. It is suggested that a difference of treatment of married as compared with single persons in the amount of tax imposed may be due to the greater and different privileges enjoyed by the former, and, if so, the discrimination would have a reasonable basis, and constitute permissible classification. This view overlooks several important considerations. In the first place, as is pointed out below, the State has, except in its purely social aspects, taken from the marriage status all the elements which differentiate it from that of the single person. In property, business, and economic relations they are the same. It can hardly be claimed that a mere difference in social relations so alters the taxable status of one receiving income as to justify a different measure for the tax.

"Again, it is clear that the law is a revenue measure, and not one imposing regulatory taxes. It levies a tax on "every person residing within the State" and defines the word "person" as including "natural persons, fiduciaries, and corporations," and "corporations" as including corporations, joint-stock companies, associations, or common-law trust." It lays graduated taxes on the incomes of natural persons and corporations at different rates. It is comprehensive in its provisions regarding gross income and allowable deductions and exemptions and is in most respects the analog of the Federal income-tax acts in force since 1916. It is obvious that the act does not purport to regulate the status or relationships of any person, natural or artificial. Arbitrary and discriminatory provisions contained in it cannot be justified by calling them special regulations of the persons or relationships which are the object of the discrimination. The present case does not fall within the principle that where the legislature, in prohibiting a traffic or transaction as being against the policy of the State, makes a classification, reasonable in itself, its power so to do is not to be denied simply because some innocent article comes within the prescribed class (*Purity Extract Co.* v. *Lynch*, 226 U. S. 192, 204). Taxing one person for the property of another is a different matter. There is no room for the suggestion that qua the appellant and those similarly situated the act is a reasonable regulation, rather than a tax law.

"Neither of the reasons advanced in support of the validity of the statute as applied to the appellant justifies the resulting discrimination. The exaction is arbitrary and is a denial of due process.

"The judgment must be reversed and the cause remanded for further proceedings not inconsistent with this opinion.

"Reversed."

I also call your attention to the case of *Knowlton* v. *Moore* (178 U. S. 41, 77), and I quote therefrom as follows:

"It may be doubted by some, aside from express constitutional restrictions, whether the taxation by Congress of the property of one person, accompanied with an arbitrary provision that the rate of tax shall be fixed with reference to the sum of the property of another, thus bringing about the profound inequality which we have noticed, would not transcend the limitations arising from those fundamental conceptions of free government which underlie all constitutional systems.

"The Court proceeds in this case as follows:

"'We have no doubt that, because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income.'

"Following that, the opinion concludes as follows:

"'Arbitrary and discriminatory provisions contained in it cannot be justified by calling them special regulations of the persons or relationships which are the object of the discrimination. The present case does not fall within the principle that where the legislature, in prohibiting a traffic or transaction as being against the policy of the State, makes a classification, reasonable in itself, its power so to do is not to be denied simply because some innocent article comes within the prescribed class (*Purity Extract Co.* v. *Lynch*, 226 U. S. 192, 204). Taxing one person for the property of another is a different matter. There is no room for the suggestion that qua the appellant and those similarly situated the act is a reasonable regulation, rather than a tax law.

"'Neither of the reasons advanced in support of the validity of the statute as applied to the appellant justifies the resulting discrimination. The exaction is arbitrary and is a denial of due process.

"'The judgment must be reversed and the cause remanded for further proceedings not inconsistent with this opinion. Reversed.'"

These decisions clearly show that the Supreme Court of the United States has passed upon this matter of community property taxation, and I cannot understand how anyone could think that the Supreme Court of the United States would reverse itself on these matters. There is an axiom to the effect that—

"Law is the perfection of reason. It always contends to conform thereto, and that which is not reason is not law."

Under our dual form of government each State has the right and the authority to fix its own laws and its own property rights, and these laws and these property rights will not be disturbed by the Supreme Court of the United States provided they do not conflict with the Constitution of the United States, which is the supreme law of our land. These decisions may go over the heads of some folks who do not have proper reverence for our Constitution and our laws. Some Members of Congress, I am sorry to say, claim that when we refer to the Constitution that it is simply a lawyer's trick to evade the issues. I cannot subscribe to that doctine, nor do I have any patience with it. Each Member of Congress takes this oath:

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

Under this oath my duty is to interpret the Constitution from my own viewpoint with what honesty and intelligence I may possess. I cannot delegate this duty to the Supreme Court of the United States, because it is a personal matter to me that I must act upon before the Supreme Court of the United States is called to act upon it. If this Congress should pass a bill interfering with the right of eight sovereign States of this Union to fix their own property rights when those rights are not in conflict with the Constitution of the United States, then I have no doubt but that the Supreme Court of the United States will write such doubting Thomases another letter in addition to those which I have given.

I am aware that to the person who has not given study to this very important problem, that at first blush it might occur to him that the community-property States have some advantages over those States which do not have community-property laws. However, when you take into consideration the fact

that the laws in the community-property States absolutely fix the status of community-property rights between the husband and the wife and that they have little opportunity or power by subterfuge to escape their just proportion of taxation, and when you consider the different laws of the 40 States which are not community-property States and the powers and possibilities which the citizens of those States have under their own peculiar laws for tax evasion, it occurs to me that the 8 community-property States would be at a disadvantage if denied their rights under their own constitution and laws. A few of these evasions are accomplished through transfers of properties from husband to wife or wife to husband, by allocations of charitable gifts, by exchanges of security holdings, and by trusts, voluntarily created. These evasions are more difficult in Texas and at least some of the other community-property States because of stringent legal restrictions fixed by statutes of these States. The hearings before the committee contain an able argument made by the gentleman from Washington [Mr. HILL] on this subject.

The able subcommittee of the Ways and Means Committee, which under resolution investigated the question of tax avoidance considered this subject, with the advice of experts, and after full consideration said:

"No recommendation in regard thereto is made by your subcommittee in view of the legal difficulties involved."

Some Member of Congress made the statement on the floor of the House that the President was behind this matter to deprive the community-property States of their legal rights. At least that was the substance of his suggestion. I challenge that statement.

The Treasury Department, in referring to this matter, simply recommended for consideration their views which were set out in their report. There is not a lawyer who values his reputation but who will tell you that the constitutionality of either proposal, one, known as the Parker proposal, or the Treasury proposal, does not present grave questions of constitutionality. This is not the question of making the 8 community-property States pay more tax and thereby relieving the tax burden of the citizens of the other 40 States of this Union. If you compel the 8 community States to pay more tax, the citizens of the 40 States will pay as much tax as they are now paying and even more. In the first place, the Treasury suggestion was to have one joint return between the husband and wife. If that should become a law, it will be a new and revolutionary proceeding in the income-tax laws of this Nation and will cause many citizens in every congressional district in the 40 noncommunity States to pay more taxes than they are now paying. In other words, when you seek to inflict punishment on the 8 community-property States, each and every Member of Congress who votes for either proposal which has been submitted will by his or her vote increase the taxes upon some of their own constituents. The income-tax law is based on the individual. It states that—

"There shall be levied, assessed, and collected from every citizen an income tax."

It does not state that you can group these citizens. If you can group them under the head of husband and wife, then why not include all of the children? Why not group the entire family? Then the other proposal to tax, not every person as the income-tax laws state but to tax the one who manages and controls the income, is a new departure from the income-tax law as was written and has been in force these many years. Instead of taxing each individual citizen who has an income you are going to tax someone who manages or controls an income.

If either one of the revolutionary proposals is adopted, those who vote to adopt them will find that after the law becomes effective many of their own citizens will have to pay more taxes than they are now paying; and it will be small comfort to a Member of Congress to go out into his district and tell his constituents that he voted to make the eight community-property States of the Union pay more taxes than they had been paying, when some intelligent citizen rises up in the audience and says, "Mr. Congressman, that sounds mighty good, but under the law that you passed you are causing me to pay more taxes than I had to pay heretofore, because I had a separate income from my wife and we had been filing separate returns by reason of that fact, and yet you now compel us to file a joint return or a return based upon management and control." I plant my feet on the good old doctrine of State rights, that each and every State has the right to manage and control its own affairs and fix its own property rights when not in conflict with the Constitution of the United States.

Mr. Chairman, the compelling of husbands and wives to file joint income-tax returns under any and all circumstances is a new experiment and a dangerous precedent to establish. It is retrogressive and would revive the old common law fiction that the wife is a chattel of the husband. It would destroy and wipe out all the rights and equality that woman has gained in the last century and place her back in her former servile status. Mandatory joint returns by husband and wife would establish a dangerous and undesirable precedent, because if Congress has the legal right to force joint returns by husband and wife, why then has Congress not the power to force joint returns by other family members, for instance, for father and son, sister and brother, mother-in-law and husband, or wife and father-in-law? The forcing of mandatory returns by husband and wife is not predicated upon their relationship as such, but is a purely arbitrary act by the Congress and if sound and legal can be applied to all other relations as well. It is a compulsory pooling of income for taxation purposes which is without warrant in the Constitution and if once established, can be carried to any extreme. It would nullify the individual property rights of the citizen under State law, which has been recognized as paramount during our entire national history, and which the United States Supreme Court has always recognized as inviolate and sacred. I therefore hope that the mandatory joint return provision will be stricken from the bill.

Mr. Chairman, on yesterday I secured permission to extend these remarks and to include therein comments by Hon. George Donworth, former Federal judge of Seattle, Wash., and a speech of a former Member of the House, Hon. Morgan G. Sanders, of Texas.

Mr. DOUGHTON. Mr. Chairman, I yield such time as he may desire, to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Chairman, however inconvenient or painful it may be, it is essential that Congress take steps to begin collection of funds looking toward the payment of enormous appropriations we have been making for the past year for use in national defense. When we lose sight of the fact that the bills must be paid with money earned by the people, it is an easy matter to make appropriations, but revenue bills and increased taxes have a tendency to make the representatives of the people think twice before voting appropriations for increased taxes. As direct representatives of the people, we cannot separate the responsibility to make appropriations for the benefit of the people from the responsibility to levy and collect taxes to meet such appropriations.

It is practically impossible to pass an appropriation bill and turn the funds over to someone to be dispensed and expecting to be expended without some mistakes or possibly some waste. It is equally difficult to prepare a revenue bill and not expect some inequalities in the operation or administration of the law. We may expect some hardships and some inequalities to follow the passage of this bill, but I do not feel there is any great necessity to be alarmed because there will probably be many other revenue bills within the next few years and any inequities found in the administration or operation of the law can be remedied in revenue bills to be presented later. The membership of this committee will be perfectly familiar with the conditions upon which all the revenues provided for in this bill are passed and they will, therefore, be in a position to assist in correcting any inequalities that may appear. Mr. Chairman, I would like to observe in passing that it is a fortunate policy of Congress to retain Members on the Ways and Means Committee generally as long as they remain in Congress, and it is a fortunate custom of the people to reelect Members who have demonstrated sufficient ability to merit a place on this committee.

Of course, the collection of the funds we have appropriated within the past year will cover a period of years. That is, the collection will be distributed over a number of years to come, but I have felt for some time that we proceed with collection somewhat in proportion to our expenditures and ability to pay because, as we have already suggested, the responsibility for making a debt and providing funds with which to pay it cannot be divorced. Should it ever become the policy of any Congress, administration, or political party in power to incur debts for their successors to provide payment, then our system of government will be in grave danger, for making a debt without taking thought of payment into consideration will not only bankrupt an individual but will bankrupt a government. Furthermore, this is a government by the people and if we are to be beneficiaries of money spent we should be willing to assist in paying the bills. We all know that when a person spends more than he produces year after year he will soon find himself upon the rocks. A government cannot continue to spend without taking definite action and making plans for payment. Of course, some have the idea that so long as we can borrow the money from our own people we are in no danger, but I think the philosophy of Benjamin Franklin still holds good when he observed: "He who goes a-borrowing goes a-sorrowing."

You have heard a great deal within the past 12 months about reducing expenditures, except for defense purposes, but so far little or nothing has been done, and my prediction is that little or nothing will be done about it until we undertake to collect taxes to pay, then we can expect a reduction in nondefense items but hardly before.

Mr. DOUGHTON. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I shall undertake within the brief span of time allotted to me to discuss primarily the question of the manufacturers' and retailers' excise taxes contained in this bill. The estimated total amount of revenue anticipated from this source alone is $514,900,000. To this might be added various miscellaneous taxes amounting to $365,200,000, which cover such items as the operation of amusement and gaming devices, tax on the use of telephone and telegraph and other communication facilities, tax on theater admissions and on other forms of amusement, and likewise a use tax on motor vehicles and boats.

If we are to follow the classification of miscellaneous taxes a step further we will include an amount of $174,200,000, which covers capital stock, estate and gift taxes, making a grand total of miscellaneous internal revenue of $1,054,300,000. However, I shall not even attempt to discuss the last two classifications due to the fact that I must in a sense only sideswipe the discussion of the most important items which are being considered for the purpose of creating new or additional excise levies affecting manufacturers and retailers.

The average Member of the House need have no difficulty in understanding the provisions of H. R. 5417 if an evening or two are devoted to the study of the report which is as meaty as a stuffed goose. It is an interesting document replete with informative matter covering every point in the bill. Various statistics, tables, and examples which will fix firmly in your minds not only the intent and application of the bill, but likewise the basis for certain imposts which are included. To be perfectly candid with the membership of the House, I have been opposed in principle to excise taxes as a source of revenue. I have been in disagreement with the principle of taxing a given product of a manufacturer whether the tax was applicable to food, drink, mechanical contraptions, or amusements.

I always adhered to what I considered a basic and sound theory in taxation and that is to tax the income derived from a product or an activity rather than to stifle or retard the production of a commodity by imposing a tax in the form of an excise. In other words, under normal circumstances I believe in the free and uncontrolled production of essential goods and products and the imposition of the tax upon the profits which accrue as a result. I believe that the majority of the committee members feel pretty much the same as I do about this principle but these are most unusual times in that they are critical, dangerous, and unpredictable and the Treasury needs an unparalleled volume of recurrent tax revenues from many sources. The Government of the United States and our American way of life is at stake and for that reason I must compromise with my own rebellious attitude in order to obtain the necessary revenue with which to secure the future of my own beloved country.

Of course, the Committee could have voted in the face of protests and the expert advice to the contrary, to disregard this avenue of revenue and could have centered its action upon vastly increased corporation and individual income taxes. I may say by way of digression that if you wipe out section 111 with regard to compulsory joint returns you are going to have to increase the rates in every categord of the income taxes.

The committee could have disregarded the ruinous effect of an arbitrary action of this kind, but the Committee on Ways and Means, like any other important and responsible committee of this House, is as anxious to bring out a bill that is as equitable, reasonable, and as considerate, if I might use that term in connection with a tax bill, as is possible under existing circumstances. It has been a most difficult task. The committee since April 24 has labored ceaselessly and tediously until July 25 before completing the revenue measure now in your hands. All taxes contained in the bill have been increased substantially, either by a direct hike in the rate applicable to a given classification, by a reversal of the method of computation, by reduction in credit and deduction, or by a combination of all of these.

To devise and complete a bill of this nature requires a great amount of patience and fortitude. Every member of the Ways and Means Committee, whether on the majority or minority side, has been seared with the heat of concentrated opposition emanating from the sources touched by new or additional taxes and affecting nearly every item on the approved schedule. We have scrutinized very closely, we have appraised and reappraised, and considered and reconsidered nearly every item which we now present for your approval. The entire committee was prompted by a desire to bring out a bill that would be acceptable because it was equitable and because the burden was distributed as widely and as uniformly as our joint efforts could devise.

My predicament in particular was not a very comfortable one as you can well realize. Arguments were made before the committee to impose repressive taxes upon the automobile industry and that included tire, tube, and accessory production. This recommendation was reinforced by the militant and aggressive Henderson-Eccles combination which advocated a tax of 20 percent to 25 percent of the manufacturer's sale price, and even more, in order to reduce the demand for automobiles. The purpose of the advocates was lofty, patriotic, and unquestioned as to its intent. The advocates of the tax on automobiles were not content to apply a manufacturer's excise tax to new cars, but went a step further in the proposal, which was actually voted down in the committee, to levy a 3 percent excise tax upon the sale and the resale of used or second-hand cars.

I am not going to burden the committee with an extensive rehash of what occurred during our executive sessions only to say that the Treasury came forth with a final proposal of a 15-percent tax to which proposal I voiced unqualified opposition and moved the imposition of a 7-percent tax instead. The committee in its wisdom, after considerable discussion, sustained my proposal. You will note that the bill now carries a provision embodying my motion. Incidentally, the increase amounts to 100 percent above existing law. The committee voted to increase the tax on tires and tubes a little over 100 percent.

It is interesting to note that the great automobile industry, more specifically the manufacturing end of the business, did not interpose any serious objections to a higher rate of taxation. The surprising thing to me was the fact that I was neither prompted nor encouraged to combat the Treasury or the Henderson-Eccles proposals. Seemingly, the industry was resigned to "take it lying down" and there seemed to be utter abandonment of the dealers in that no objection was interposed on their behalf. I could understand how the manufacturers might, during the emergency, continue to keep their plants in operation and their employees fully occupied because I knew it was intended by the higher repressive taxes while reducing automobile production to make such productive facilities available for the production of ordnance of all kinds, including tanks, planes, and munitions. Profits, too, could be anticipated and actually gaged from this source of operations and there need be no dislocation if the reduction in automobiles was absorbed systematically by the production of defense items.

However, the problem of the dealer was very complicated. In fact, his very existence was in danger; especially so if the used car was to be taxed in sale. The dealers' association throughout the country was aroused to the danger and stimulated some slight opposition and even the automobile manufacturers bestirred themselves later to retain the 7 percent, but this only after the fight had been won. I dislike to arrogate unto myself all of the peacock feathers or to occupy the spotlight alone, but I do want to say that it was rather disheartening to "go it alone" in the face of the powerful lineup against me. I want to acknowledge the valued and effective assistance of my colleague from Michigan and to take this opportunity to say that this tax bill has been considered in an atmosphere that was free from narrow partisanship.

The recommendations of the Treasury with regard to a tax on beer were not approved in committee. Beer being a poor man's drink and a liquid food, was presumed to be carrying its fair share of the tax burden. Cigars, cigarettes, and tobacco were reexamined carefully for possible additional revenues, but these too were permitted to remain without the imposition of any additional tax. The Treasury made the proposal to impose a bank-check tax. After a careful

analysis of the problems involved and the amount of revenue to be derived, the committee, in my estimation, wisely decided against the impost at the present time.

The committee reduced the Treasury's recommendation as regards taxes on soft drinks from an estimated amount of $132,000,000 down to one-sixth of the amount, or $22,000,000, which, according to this rough estimate, amounts to one-sixth of a cent per bottle or 4 cents per case. As to the attitude of your humble servant, I have favored the elimination of this tax in its entirety, especially so since I have been in entire accord with the elimination of the tax proposal with regard to candy. The committee, however, refused to consider several moves to strike out soft drinks from the provisions of this bill.

Recommendation by the Treasury to hike the tax on gasoline was not concurred in, and the tax, therefore, remains the same. Various other products and commodities were subjected to an increase or were entered as new objects of excise taxes. Consideration of the question of imposing floor taxes followed naturally in the wake of new or additional levies. The committee gave individual attention in each case and tried to handle the problem in such a way as to cause as little dislocation to the affected industry as was possible, while, at the same time, protecting the revenue of the Treasury. I believe you will find that on the whole the taxpayers who have been consulted in the matter are in agreement with the provisions of the bill relating to floor taxes.

Mr. Chairman, I want to express my keen appreciation of the very fine exposition of statesmanship we had here this afternoon on the part of the gentleman from Oklahoma [Mr. DISNEY] and the gentleman from California [Mr. VOORHIS]. Both of these gentlemen hail from community-property States, and they have shown as fine an example of statesmanship, selflessness, service, and a subjugation to sound principle as I have ever witnessed on this floor. Political expediency or particular advantage for themselves and for their States was not taken into account. The general good of the country only and of the great majority of their own people motivated these two gentlemen in coming here and taking the side of the issue which holds to the fact that section 111, pertaining to compulsory joint returns, is sound and should remain in the bill.

And now, if I might be permitted, Mr. Chairman, to dwell for just a few moments on the controversial and misunderstood subject of compulsory joint returns, I should want to say that the Committee on Ways and Means for a period of years, and more especially during the past 8 years, with which I am familiar, tried to get at this problem which, while not confined alone to community property States, of which there are nine, is most acute and pressing because of these States. However, as I stated, the problem is not confined to these nine States. It is prevalent to a lesser degree in every State of the Union and confined to a relatively small percentage of the taxpayers of any given State.

Taking the number of married couples filing income-tax returns throughout the United States, the total is 3,041,624. Of this number 2,866,026 are at the present time, and voluntarily, filing joint returns, while only 175,598 married couples constituting 5.77 percent file separate returns. For the benefit of the people of Michigan I want to state that out of 136,701 married couples filing returns 132,080 voluntarily file joint returns now, while only 4,621 married couples, constituting 3.38 percent file separate returns. You will observe that among the married couples making separate returns in Michigan the percentage in my State is slightly more than one-half of the percentage in this category nationally.

To be more specific, separate returns in Michigan amount to only 3.38 percent of the total, whereas throughout the United States the percentage is 5.77. This is due to the fact that the community-property States swell the national average in this classification.

Let us now take several of the community-property States as an illustration: California, which has been one of the greatest beneficiaries, the State of Texas, and the State of Louisiana. Incidentally, these States in about the order named have been most bitterly opposed to any change of status. The percentage of separate returns in California in relation to the total filing returns is 11.83, in Texas it is 14.82 and in Louisiana it is 17.19; more than twice and three times the national average, and as high as five times the average for Michigan.

Mr. GEARHART. Will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from California.

Mr. GEARHART. Is the gentleman assuming, as I think he is, that in those separate returns that only the income on community-property income is reported to the Government?

Mr. DINGELL. I am merely taking the figures for what they are and they indicate clearly that the percentage in the State of California who file separate returns is more than three times as great as in Michigan so there must be some advantage in this practice for the taxpayers of your State.

Mr. GEARHART. I may point out to the gentleman that in those separate returns may be contained a return upon income derived from common property, a return upon income derived from separate property, a return of income derived upon property held as a joint tenancy, with survivorship, or under any other legalistically conceived estates by which property may be held or income derived. California recognizes the holding of property under as many different systems as man can conceive of. And the return on income derived under any property classification is made separately. So your figures do not shed much light on the situation.

Mr. DINGELL. I am mindful of all that you say, but you cannot get away from the fact that the figures clearly indicate that in the State of California a taxpayer will pay only $880 as compared with $1,166 in Michigan because he splits his return in California and because we in Michigan do not have the community-property privilege.

Mr. GEARHART. Because California has gained a slight advantage, you want to take that from California. Are you willing to inflict upon yourself and the taxpayers of the non-community-property States cruel and unusual treatment just because the taxpayers of California enjoy a slight benefit?

Mr. DINGELL. I am not inflicting anything upon my people or upon myself. I am guarding against a wrong. I will tell you how I might inflict upon myself, and that is if I vote to strike section 111 in reference to compulsory joint returns. I will tell you to what extent I am going to inflict it upon myself, and this goes for every Member of the House. Here is where the infliction will come in. Let us take the example which I cited of the Californian paying $880 on a separate return and the Michigander $1,166. The Michigander will, if this section is stricken from the bill, be obliged to pay $1,628. Make no mistake about this. I am serving notice on the House now that I propose to press for some sort of action that will wipe out this advantage. Call it small or big, it is absolutely without justification, and I am going to insist that it be eliminated and that the taxpayers of Michigan and of California must be treated alike. For this reason I am going to insist that split or divided returns shall apply equitably throughout the entire United States and to compensate for whatever loss may occur as a result of the striking of this provision from the bill, that the rates be hiked sufficiently to bring about a balance in accordance with what the committee originally planned.

Mr. GEARHART. I believe the suggestion the gentleman makes is one well worthy of consideration.

Mr. DINGELL. The gentleman has expressed himself to that effect before.

Mr. GEARHART. I would like to have it thoroughly investigated. I believe, however, if we pass this proposal that the people who do not live in community-property States are going to find that they have bitten off their own noses to spite the face of someone who happens to be living in a community-property State.

Mr. DINGELL. I will tell you how many are involved. In my State the ones who will be penalized, as the gentleman states, and who will be made to pay their fair proportion, as I say, number 4,621 out of 136,701 at the present time.

Mr. SHAFER of Michigan. What percentage is that?

Mr. DINGELL. Three and thirty-eight one-hundredths percent.

I call your attention to page 17 of the report, and I dare say if you will read this very carefully so that you will be able to understand the illustration and the table and realize the effect that not a single Member of this House living in a non-community-property State will vote to strike out section 111, because if you do you will perpetuate the special privilege and the evasion of tax on the part of 6 percent of the taxpayers and will impose it upon the already overburdened 94 percent who voluntarily file

joint returns. That means, too, that you will have to impose upward of $323,000,000 more on the people who willingly and without complaint are paying their just share in order to respond to the protests of those who are now enjoying an undeserved privilege.

May I say here and now, Mr. Chairman, that if this well-organized and determined move emanating from the community-property States' representatives should materialize, and the House should strike section 111 from the bill, I shall endeavor to have the committee submit for the consideration of the House a plan which I have advocated of a compulsory divided or split return applicable in all States and to all income taxpayers in the same way. In other words, to give to all married couples the same privileges and the same advantages as are had by the married couples which in community-property States make separate returns and enjoy the more attractive rates contained in the lower brackets. Such a move is intended to equalize the burden among the taxpayers in my State and is intended to eliminate evasions and such other advantages as are permitted under the law and which accord avenues of escape through the creation of trust funds, through the practice of making substantial gifts to wives and to husbands, and by other recognized and legitimate means. In order that there may not be a loss of revenue my proposal will include a substantial hike or increase in the tax rates and then I am wondering how many Members of this House from non-community-property States will dare vote against such a proposal. There is neither rhyme nor reason why an income taxpayer in the State of Michigan should pay $1,166 in making his joint return while a taxpayer similarly situated and in the same classification should pay $286 less, because he is privileged to make a separate or split return with his wife, and the presumption being that one-half of his $10,000 income for tax purposes belongs to her. I am wondering if there will be a single Member from Michigan who will vote to strike out the compulsory joint-return provision in order to favor the 4,621 privileged taxpayers in Michigan and thereby shift a substantial amount of the tax burden to the 132,000 who are today voluntarily filing joint returns.

I am prepared to defend my position in this matter against any and all attacks and I am sure that my people in the State of Michigan will sustain me.

When the time comes I am not tongue-tied and will make myself heard. Many well-intended people have been misled to believe that this compulsory joint-return provision is a discrimination against wives—in other words, against women. That is sheer bunk and nonsense. There is nothing in the bill which will sustain that kind of an argument. The gender was not considered. It applies equally to men and to women. The bill has in mind only the taxpayer. We, of the committee, were not concerned about sex. Moreover, arguments were advanced that this provision will lead to dissolution of marriages, will create misunderstandings, will stimulate loose moral practices and downright illicit sexual relations.

All of these arguments are fallacious and without foundation. I received a letter written by a prelate of a great Christian communion which was addressed to members of the Committee on Ways and Means but which was first given to the press. The letter was undoubtedly inspired by selfish individuals directly affected by the compulsory joint-return proposal. The well-intended bishop was sadly misled. He cannot sustain his position or his opposition and subjects himself to well-deserved criticism. I have written him and stated, in part:

> I feel that when a bishop, laying aside his mitre and mantle, departs from theology and dogma and invades, without extensive study, the complex and dangerous field of taxation, that he may subject himself to criticism similar to that which once was applicable to a great inventor who left his bench and formulae and slide rule to prove by electrophysics and mechanical appliances that there was or was not a God.

I shall vote to retain the compulsory joint provision.

[Here the gavel fell.]

Mr. CARLSON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, I ask unanimous consent to revise and extend the remarks which I have made and which I will hereafter make during the discussion of this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. GEARHART]?

There was no objection.

Mr. CARLSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, the proposed tax bill, H. R. 5417, now before the House for consideration proposes a levy of three and a half billion dollars in new taxes on the American people. The House Ways and Means Committee has devoted a great deal of time to the subject, and, upon the whole, has performed an exceedingly difficult task. They have brought to the House a tax measure which includes an enormous list of new items, tax schedules, amendments, and rates. It is a complicated measure. It is not easy to understand it all unless one is a member of the Ways and Means Committee and has taken part in the consideration and preparation of a measure of this magnitude and scope.

There is no such thing as a good tax bill. Taxes, whether large or small, are never welcome to those who have to meet the obligations and burdens imposed by them.

The present bill, by and large, presents an equitable measure. The committee exercised a great deal of care in an effort to avoid inequities and unjust provisions. In spite of that fact, however, inequities are bound to appear and some of the provisions of this bill seem to be unjust.

Like every other Member of this body, I have received protests against the unjust proposal of joint return by husband and wife of their income. It is even claimed that the effect of this change in the law would discourage marriage and encourage divorce, and that where the husband and wife have incomes from separate estates, they could live cheaper by severing their marital relations. It is quite probable that the objections to it may result in its being stricken from the bill under the rule presented to the House.

This tax bill proposes, like others that have been presented, to place an additional and ever-increasing burden upon industries that offer the least resistance and where the tax can be collected with the least effort.

The greatest industry in the United States, or at least one of the largest industries in this country and which furnishes a large amount of money in taxes for the Federal Government, is the automotive industry. While this tax bill doubles the amount of taxes upon that industry, I believe that the committee has done a credible piece of work in view of the recommendations made. There is an inexorable law of diminishing returns and that never-changing rule of "killing the goose that lays the golden egg." Let us who are charged with the responsibility of protecting as well as taxing the industries and commercial life of this country beware that we do not impose unjust and punitive taxes upon an industry or a product because it is easy to tax. Better that we adopt a policy to make every person pay his just portion of the Nation's burden than to crush and destroy an industry because it yields easily to taxation.

A further unjust provision in the present bill has come to my attention regarding the proposed tax on outdoor advertising. I received a protest from an advertising firm in my State pointing out that if this provision of the bill became effective that the tax on its concern would approximate $3,700 annually, and that the company had never made a net profit of that amount in any one year. It further pointed out that they could not change their contracts with their customers because their contracts are made for a term of 3 years in advance. The result of this tax, if it becomes effective, will be to either force that concern into bankruptcy, reduce its personnel, or go out of business. If such should be the result, then we would be putting into actual practice the effect of that famous oft-quoted statement in a decision of the Supreme Court of the United States that "the power to tax is also the power to destroy."

During the last 11 months more than $53,000,000,000 has been appropriated by Congress for national defense. This staggering amount does not include the other billions of dollars required to meet the present high cost of running the Government. It probably will amount to at least ten or twelve billion dollars more, or a total of nearly $65,000,000,000.

This bill proposes to raise $3,500,000,000, or a little more than 5½ percent of the staggering sum appropriated and to be added to our public debt. This sum will be in addition to $9,500,000,000 now levied under existing law, or a total of $13,000,000,000 in taxes in 1 year.

No one familiar with the fiscal affairs of our Government hesitates to admit that a national debt of $100,000,000,000

will confront the American people. This tax bill is but a mild gesture compared to what the people will have to pay. During the last 8 years this country has witnessed an administration committed to extravagant spending and reckless borrowing. Much of it has been wasted and frittered away on many useless and questionable projects. The people of this Nation have been living in a fool's paradise. The Government has provided things which they would never have provided for themselves. In spite of the steadily mounting, staggering burden of public debt, a majority have gone to the ballot box and registered their approval of such a course. Undoubtedly many have done so in the belief that there was no end to the credit of the United States; that there would be a steady flow of Government checks; and that there would be no end to Federal hand-outs and subsidies.

But now the time has come when we must pay the fiddler. This is the first hint of what is to follow, and the people of this country will have but one of three choices to make. They must either bend beneath the load of Federal taxation, accept the disastrous effect of uncontrolled inflation, or the dishonor of repudiation. The latter means the destruction of the American form of government. The present course of adding billions upon billions to the ever-increasing amount of our national debt through spending, and borrowing from our great grandchildren, leads in one direction—the collapse of the economic structure of this Republic.

A very considerable portion of our people have come to believe that the Government will provide their livelihood without any or very little effort on their part to produce it.

Since this administration came into power I challenge anyone to find a single utterance made by the President calling upon the American people to economize in their daily living, to save a portion of their earnings for a rainy day, or to sacrifice in their wants and demands in life. On the contrary, they have been led to believe that the domestic policies of the administration and its theories of social reform made the virtue of thrift and saving old-fashioned, outmoded, and no longer necessary. The result is the staggering public debt that is now facing the Nation, with its attendant trend toward national bankruptcy. There will come a time, and it may be near at hand, when the people of this land will rise in their might and reject these utopian theories, that we can all have more by working less and saving nothing.

It may be that the history of governments deny the wisdom of placing a limitation upon the amount of debt that may be imposed upon the people of a country by their representatives, but I believe that the time may come when an amendment to the Constitution of the United States will be proposed by the people themselves fixing a limitation upon the amount of national debt beyond which no political party or Congress can go. There may be many reasons and arguments advanced why this would be unwise, but the present condition in which we find ourselves in the United States presents a tragic, if not a most convincing argument why such a course should be adopted.

In conclusion, let me say that the policy of borrowing, spending, and electing will never cease in this country until the viciousness of that policy and the burden which follows it are placed directly on the breakfast table and in the lap of every taxpayer and citizen in the United States. Then, and only then, will the people realize or become conscious of the unsound and dangerous course which has led them into our present difficulty.

This world has not yet discovered a theory of government superior to simple arithmetic.

Mr. CARLSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. CLEVENGER].

Mr. CLEVENGER. Mr. Chairman, much as I dislike the rule under which this bill is brought before the House, I shall vote for it—large as it is in amount, the largest single tax-raising measure in history. It is still inadequate in scope to sustain the spending of this administration.

Certainly it is not strictly defense taxation. It will partly cover the ordinary civil expenditures—the customary deficits of the New Deal. With the delivery of present outstanding defense and lease-lend contracts our national debt must certainly approach the $100,000,000,000 figure. The debt service must approach 3 billions annually—the ordinary expenditures some 7 billions. The peacetime operation of Army and Navy not less than 5 billions or $15,000,000,000 per year, even after the feverish building of the present ceases. This is two and one-half times the national income for 1940. With billions more of New Deal schemes awaiting the go signal in the guise of defense or economic planning, certainly the financial outlook for America is dark indeed.

I have voted against billions in New Deal schemes including the $7,000,000,000 lease lend. I shall continue to do so. I have voted for billions for defense that I am sure are not being carefully spent, and with my country almost without friends and woefully unprepared I will continue to vote for preparedness even at the cost of waste. I regret to see these grievous burdens laid upon my unhappy country but the tune has been called, and the piper must be paid. My hope and my prayer is that the credit and the resources of my country may prove adequate to the task of arming and protecting this Nation against all threats from any quarter.

That we shall not face ruinous inflation, repudiation, or financial collapse due to this wild-eyed spending and profligate wasting under the New Deal.

How precious are the remaining assets, how jealously should they be conserved, that this free Republic may live and private enterprise under the American system offer its rewards to millions of men and women.

Mr. CARLSON. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, they say that there is nothing sure in life but death and taxes. We know we are going to get the taxes, we know we have had the taxes, and some day I suppose death will come to all of us.

The power to tax is the power to destroy, and I believe we are probably approaching that point in our National Government.

I have heard much said about this tax bill being a defense-tax measure. I do not look upon this as a defense-tax measure. I look upon it as a tax to let the American people pay for the great joy ride we have had for the past 10 years. Each year in the past 8 years the national deficit has averaged $3,500,000,000. If you intended to keep on the joy ride, which it seems you do, because you have not reduced the regular operating expenses of government, it seems to me you should have put this tax bill into effect 10 years ago.

Since 1936 you have placed on the statute books eight major tax bills. This is the eighth major tax bill you have written for the American taxpayers to pay. A frugal man will keep the expenses of his home or his business to a minimum. You have not done that in the operation of your Government, and there is no one who can say that you have.

In regard to keeping expenses within your income, I can quote no better authority or no sounder statement than President Franklin D. Roosevelt in his campaign speech at Pittsburgh, Pa., on October 19, 1932:

> The credit of the family depends chiefly upon whether that family is living within its income. And that is equally true of the Nation. If the Nation is living within its income, its credit is good.
>
> If government lives beyond its income for a year or two, it can usually borrow temporarily at reasonable rates. But if, like a spendthrift, it throws discretion to the winds and is willing to make no sacrifice at all in spending; if it extends its taxing to the limit of the people's power to pay and continues to pile up deficits, then it is on the road to bankruptcy.

Also I quote from the Honorable Albert C. Ritchie, former Governor of Maryland, in his address before the Association of the Bar of New York City, March 28, 1935:

> No nation can ever be stable without recognizing certain fundamental economic truths, and one of these is that it must live within its means and cannot long borrow to meet deficits or current obligations. So we must aim for a balanced budget.

You have promised to reduce the number of bureaus and to reduce the operating expenses of Government. This you have not done. You have increased the number of bureaus, and you have multiplied by hundreds of percents the number of employees in the various departments. Now you are getting into the trouble that comes from such operations. You are not only getting into trouble now, but you are going to get into more trouble as you go on.

Refer to the Government statement of July 29. Do you know that you went into the red during the month of July up to that date over $1,117,000,000? Do you know that you have been going in the red during that time $38,500,000 a

day? Do you know that this administration has gone into the red at the rate of over $10,000,000 a day ever since it has been in existence? This is a terrible record. You have not only spent and spent and spent, but you have created the sentiment in the majority of the people of this country that they ought to come to the Government to get something out of the already empty Treasury. That is the worst thing that has ever happened to the American people. The old, stand-up American used to say, "I am ready to get up at 4 o'clock in the morning and get out and work, and earn, and save." You have just about broken down that quality in the sound American individuals, and it is going to be difficult for you to get the American people back to that attitude. You have come to such a point that God only knows if we will be able to preserve our American Government and our American form of life.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield for a question.

Mr. PATRICK. I do not believe the gentleman can apply that argument right now, because this bill will bring something into the Treasury.

Mr. RICH. Yes; it will bring something in to pay for this terrible spending you have been doing, the things you voted for. You are doing it now under the guise of national defense. It is not because of national defense; it is because of the ruthless spending you have been doing in the last 8 years.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. RICH. I cannot yield now, because I have only 10 minutes, and I do not want to impose on the time of the Members. You have heard me speak on this subject time after time. As long as God gives me the strength to do so, I am going to continue to punch it to you.

Mr. BUCK. Is the gentleman addressing his remarks to the members of the Committee on Ways and Means or to the House generally?

Mr. RICH. To the House generally. I may say to the gentlemen of the Committee on Ways and Means that I believe you have done about as good a job as you could do in bringing in this tax bill. I do not like it. I do not want to vote for it. It is going to punch me right in the ribs, but I am going to vote for it because I am going to try to save this Nation if I possibly can. The only way you can do that—I want to impress this on you, as I have tried to do for 8 years—is to stop your spending and use a little common sense. I have tried to vote every time I could to cut expenses, but I have gotten very little help over here.

Mr. BUCK. I do not wish to be disrespectful to the gentleman, who is a member of the Committee on Appropriations, but may I say that all the Committee on Ways and Means is trying to do is to bring in revenue to pay for the appropriations which the gentleman's committee makes.

Mr. RICH. You will never catch up with us, I am sorry to say. The House of Representatives is too good at spending for you to do that. I want them to do that. I would like for the Ways and Means Committee to keep up with the Appropriations Committee. I agree with that sentiment 100 percent, but as our friend, the gentleman from Tennessee [Mr. COOPER], has said, the Appropriations Committee is only acting for the House and if they are going to pass all these appropriation bills, you have got to go to the people and make them pay. I want to make them pay now so the people will kick out of the Congress a lot of these spenders. This is the only way you can stop such spending. I do not say this with any disrespect for any Member of the House, but I say it because I am trying to do my duty as an honest, conscientious American citizen, and if the people do not like me because I have voted to keep from spending their money, and now I am going to vote to tax them, then I say to them that I am simply trying to save the liberty which the American people have enjoyed for 150 years. This is more valuable than their pocketbooks and is more important than any money they have ever had.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to my colleague, the gentleman from Tennessee.

Mr. COOPER. Does not the gentleman agree that we ought to begin one step further back and watch these authorizations that we vote on here in the House, because after the authorization is voted, then they come to the gentleman's Committee on Appropriations and say that you have authorized it and now you have got to appropriate the money.

Mr. RICH. The gentleman is absolutely correct. I hear many Members of the House say in speaking of an authorization, "This is not going to cost anything, because it is just an authorization." When a man tells me that I feel like asking him whether I look that dumb. I would not want to insult him, but I always feel like making that remark to him because he knows in his own heart that it will only be a short time until he will be before the Appropriations Committee or the Budget Bureau or the President trying to get the money to put the authorization into effect.

Mr. COOPER. He wants the authorization so he can get the appropriation.

Mr. RICH. The gentleman is absolutely right.

[Here the gavel fell.]

Mr. CARLSON. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. RICH. I now want to say a word about the provision with respect to joint income-tax returns. I do not like that provision, and it distresses me very much that I shall have to vote for that, too. I have received letters and telegrams from my people asking me to vote against it, and some of them are my best friends. But when I think of eight States and the number of people in those States who can take their salaries and earnings and divide them up and make two income-tax returns, it seems to me it is not right or just or honest. If we are going to permit these eight States to have that privilege, then I wish we could permit everybody in every State to have the same right, and I understand there is going to be an amendment offered giving us a chance to vote on that. I am going to vote first to include these eight States, and, if I cannot accomplish that, then I am going to vote to include every State and treat them all alike, because, as long as I am in Congress, I want to do the right and honest and just thing to everybody in every State in the United States. This is what I am going to try as long as I am in Congress. The people back home can wire me and ask me to do a certain thing, but if I believe it is wrong then I am not going to vote for it.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from California.

Mr. GEARHART. According to the last figures we have been able to obtain, the advantage or the tax saving to taxpayers who live in the community-property States amounts to $40,000,000.

Mr. RICH. I have been told that it amounts to $335,000,000, and we have got to get that $335,000,000, and I am going to help to get it.

Mr. GEARHART. I believe we are talking about different things. The saving is nothing like that. I say that according to the last figures we have been able to obtain the savings to the taxpayers in the community-property States amount to $40,000,000 each year. We are now writing a $13,000,000,000 tax bill, including the other tax levies that are still in effect. This means that the saving that everybody is so excited about in all of the community-property States constitutes but two-tenths of 1 percent of the total tax collections for 1941–42. It is nothing to get excited about. If compulsory income-tax returns are to be required the charge should be justified on other grounds.

Mr. RICH. Mr. Chairman, I believe in taxes, but I think that the first thing we know we are going to break down industry and break the American people. We will either have to stop spending or we will have to levy more taxes. This will bring about a terrible situation, because we are now in very bad financial shape.

The following are some 1940 tax facts with respect to 165 American corporations:

1940 TAX FACTS REVEALED BY SURVEY OF AMERICAN INDUSTRY OF 165 CORPORATIONS

Gross assets of 165 representative American corporations totaled $44,975,000,000 in 1940.

Total capital stock of these 165 companies outstanding in 1940 aggregated $16,811,000,000.

Number of employees of these 165 corporations (average for the year 1940) was 3,490,000.

Total net income, after taxes, of these companies in 1940 was $2,023,000,000.

Total taxes for 1940 (all kinds, Federal, State, and local) of the 165 companies included in this tabulation amounted to $2,565,000,000. (This does not include the portion of social-security taxes that employers are compelled by law to withhold from workers and pay to the Federal Government.)

Dividends on common stock paid by these 165 companies in 1940 amounted to $1,247,000,000. (Twenty-six of the companies listed paid no dividends in 1940 to their common stockholders.)

SALIENT POINTS BROUGHT OUT BY THESE STATISTICS

1. Total taxes paid by these 165 companies for the year 1940 amounted to approximately 56 percent of net earnings, before taxes.

2. Taxes for 1940 were equivalent to $3.92 per share of common stock, whereas dividends paid amounted to only $1.91 per share of common stock. In other words, these companies paid more than twice as much in taxes per common share as they paid in dividends.

3. Compared with 1939, total taxes paid for 1940 increased almost 30 percent, but net earnings (after taxes) increased only 17½ percent in the same period.

4. Taxes for 1940 of these 165 companies were equivalent to $461 for every owner of common stock, and to $735 for every employee.

5. The average number of shares of common stock owned by each stockholder was 115.

Mr. COOPER. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I have followed the course of this debate very attentively, and I wish at this time to pay tribute to the very splendid manner in which the Ways and Means Committee have performed a very onerous task. As other speakers have said, it is utterly impossible to bring in a popular tax bill, but the Ways and Means Committee in this instance has given their best attention to suggestions that have been laid before them, as I know, and they have, in my opinion, done a very fine job. That does not mean that I necessarily agree with every conclusion they have come to. It is rather impossible to conceive that all of the 435 Members of this House will agree among themselves on any one, or two, or three measures, certainly not a tax bill. There are a few things in this bill that I do not approve. I intend to vote for it. I am not going to vote for the joint-return feature of the bill. I shall vote to eliminate it, but whether it is eliminated or not I shall vote for the measure as it is presented to the House in its final form, because in common with most of the other Members of this House I recognize the fact that the tremendous appropriations for national defense we have been making can be met in no other way than by taxation, and this is not the last of the tax measures that the Ways and Means Committee must report to this House. We must make up our minds to that effect and support those measures in the best form that can be presented to the public from time to time.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. Yes; for a question.

Mr. PATRICK. Does the gentleman propose to give his reasons for not supporting the joint-return feature of the bill?

Mr. SANDERS. As much as I can in the brief time that I have.

Mr. PATRICK. Will the gentleman please state why he is opposing it?

Mr. SANDERS. I propose to do that, but I cannot cover it fully in the time that I have. First, let me make it plain that it is not the amount of money involved. I am willing to vote for any tax and in any amount that may be necessary for the defense of the country, and the people whom I represent, the people affected by this joint-return feature—and, of course, I speak for my own section of Louisiana only—will be entirely willing to pay any amount, but we do object to this particular feature of the bill because we feel that it is in the bill due to a misconception of the situation.

Mr. PATRICK. Does the gentleman believe that the burden will fall on those least able to pay if that amount of money is lost through this feature being stricken out?

Mr. SANDERS. Not necessarily. That depends upon this and other tax bills.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. Yes.

Mr. LEAVY. As a Member coming from a community-property State, as a matter of fact the joint return destroys the community-property law of the States where they have enacted such a law under their sovereign right and it is, therefore, unconstitutional.

Mr. SANDERS. I agree with the gentlemen, and have been giving opinions to that effect to my clients in Louisiana for 20 years or more. I doubt if I can convey to Members from a noncommunity property State what we mean by community property. I do not propose to try. I went to a law school and I studied the measure for 3 years, and when I graduated I had a very vague idea about it, and I have been studying it ever since. There are still lots of things that I do not know about community property. I can say some of the things that it is not. Of course, I speak of the law of the State of Louisiana. I let the Members from other States speak for those States. Our community property law is not a matter of tax evasion. Speaker after speaker has spoken of community property laws as though they constituted a scheme devised for the purposes of evading taxes. Let me read to you from the report of the majority of the committee, just a line, on page 12, near the bottom of the page:

If husband and wife can so arrange their affairs that the wife is in receipt of a portion of the income, income taxes can be considerably reduced.

And so forth. Every speaker who has spoken on this matter in favor of the joint-return feature of the bill, without exception has spoken as though, in the language of this report, it is a measure devised for the purpose of reducing the income tax that these people have to pay.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. Yes.

Mr. COOPER. Of course, that reference in the report applies not only to States having community property laws, but it is also applies to the other 40 States where the very thing can be done that the report says.

Mr. SANDERS. I grant you that, but I specified that I was speaking, of course, only for the section from which I come. In that connection, let me say that I doubt if this feature of the bill will affect the community-property States as much as it will the other States. My information is, and I hope some member of the committee will correct me if I am in error, that a total of $325,000,000 will be raised by this feature of the bill, only $20,000,000 of which will come from the community-property States. I doubt the constitutionality of it as it applies to those individuals who reside in the community-property States.

Mr. CROWTHER. Will the gentleman yield?

Mr. SANDERS. I yield briefly.

Mr. CROWTHER. Let me say that as one member of the committee, I did not consider it particularly as an evasion. Tom Adams, the great expert, said to me there are two methods of dodging taxes, illegal invasion and legal avoidance. I consider it in the classification of legal avoidance.

Mr. SANDERS. I would like to answer the gentleman. How can this be considered as legal avoidance of an income tax?

Mr. CROWTHER. Will the gentleman yield further?

Mr. SANDERS. Let me proceed just briefly on that.

Mr. CROWTHER. Legal avoidance.

Mr. SANDERS. But how can it be legal avoidance?

Mr. BUCK. Let me just ask you what does the sixteenth amendment give the Congress the power to tax?

Mr. SANDERS. Incomes, according to my understanding.

Mr. BUCK. Then you are going to read something defining "income." States can define marital status and assign income to each spouse, and then the income is individual income—is it not—and must be taxed so, instead of building up a fictitious pyramid, which your committee is trying to do.

Mr. SANDERS. That is my understanding. Article 2399 of the Louisiana Civil Code is the article providing for—

Community of acquets and gains; stipulation against required. Every marriage contracted in this State, superinduces of right partnership or community of acquets or gains, if there be no stipulation to the contrary.

Then follows an entire section of the Louisiana Civil Code, of many pages, amplifying that provision and the rights of the various parties thereto. That is the Code of 1870. Prior to the Code of 1870 we had the Code of 1812, and prior to that we had other codes. Every one of them contained a similar provision, even prior to the admission of Louisiana to statehood. This was a part of the law of the land. This was part of the background on which families were established, long before the income tax was ever dreamed of in this country. How can gentlemen get up on the floor of this House and speak of an attempt to evade——

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. SANDERS. How can gentlemen get up here and speak of an attempt to evade, either legally or illegally, in face of the fact that this has been the law of the State of Louisiana since before Louisiana was a State?

Mr. CROWTHER. The gentleman's argument strengthens my point that it is legal avoidance. He has proved it.

Mr. SANDERS. It certainly was not in contemplation of the income tax that this provision of the Louisiana Code was adopted. You must recall that there is before this House, and this debate proves it conclusively, two concepts of "family." You have the people who came from Great Britain and the other islands of that group who brought with them to this country the common-law idea that the husband and wife were one, and the husband was that one. As they spread westward they brought that idea with them, and this basic idea continued to prevail in the common-law States, though it has been subsequently modified by statutes in many States. But in the civil-law States we have an entirely different attitude toward "family." In Louisiana, Mr. Chairman, a wife does not inherit one-half of her husband's property. She has it as a matter of right. She has it because she is a wife and a part of that community, and when you say that she must add her income to his you are depriving her of the right that she is an individual in her own right. A wife and a mother in Louisiana is not a hired housekeeper or kitchen helper. She is equal owner in the community, and we submit that in this respect the civil law has contributed something to the dignity and the sacredness of married life and of family life.

Under the old common law, it was a common saying, all too unfortunately true, that women were in the same class with lunatics and criminals. As such, they had no rights. Through many decades the womanhood of America has been struggling upward in an effort to obliterate civil and political inequality.

In Louisiana, under the civil law, the wife and mother has, for over 150 years or more, occupied a place of equality and dignity with the man of the family. Under our law she is not regarded as a mere chattel who receives an allowance at the whim of her husband. The wife owns an equal interest in the community. She stands on an equal footing with her husband in ownership. This is a vested right, and along with it, and more important than the property right, is married woman's right to be considered as an individual in her own right.

This joint-return feature of the present bill would, in effect, seek to wipe out the distinction between the two people who comprise the community. In effect, it seeks to establish in our law the legal concept that a married couple is not composed of two people, but is one. It is an effort to merge identities, and this is impossible.

The joint-return feature of this bill seeks to ignore the facts. The rights of a married woman and of a married man in the community-property States are based upon the law of those States. This feature of the bill says that two individuals must be treated as one. Under Louisiana law a wife may own property in her own name as a part of her separate estate. The husband is likewise permitted to own property in his own separate estate. Under Louisiana law each owns an undivided one-half interest in all community property; that is, property acquired after the marriage. Now, this ownership is an actual thing. It is not an expectancy; it is not inherited; it already exists. But the joint-return feature of the tax bill ignores the fact of ownership and seeks to create an artificial pyramid of property and income merely for the purpose of putting these people into a higher bracket than the facts of the case permit.

It is the policy of most governments to encourage matrimony, but this feature of the tax bill places a penalty upon it. One of the speakers yesterday spoke of the fact that there was an attempt in this bill to control the production of steel equipment for offices by increasing the tax upon this class of equipment. The theory is, of course, that the more you tax a commodity the less it will be used. Can it be argued that a tax in one part of the bill is put there in the hope that it will bring about a decreased use of the article taxed, without applying that same argument to other items taxed in the bill?

There is no disguising the fact that this is a tax upon marriage. And as such, in my opinion, it is against public policy. The three pivots around which our society moves are the church, the schoolhouse, and the family. We do not tax the church, and we should not for sound reasons of public policy. We do not tax schools, and we should not for sound reasons of public policy. Up to the present we have not taxed marriage, and we should not, and this feature of the tax bill should be eliminated for equally sound reasons of public policy.

[Here the gavel fell.]

Mr. CROWTHER. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, I can see very little point in the debate on this tax bill. You bound and gagged yourselves with a gag rule. I voted against the gag rule. About all we can do now is just talk about it. We cannot do anything about it except to vote for or against the bill. No one can offer an amendment except the Ways and Means Committee.

I was a Member of the House in 1921 when the first tax bill was brought in by a Republican Congress. At that time we had all of the high taxes of the first World War. We set about to take many taxes off and reduce others. A great many persons urged that the Treasury would be without money. Our action encouraged and increased business so that at the end of the year instead of being short of money we had a surplus; and then in 10 years there were 5 major tax bills, every one of them carrying a big reduction in taxes. Business thrived. Revenues rolled in and we paid $10,000,000,000 on the national debt.

I wish to call attention to some statements of the President on the question of taxes, spending, and deficits.

He stated in his acceptance speech of July 2, 1932:

> For 3 long years I have been going up and down the land preaching that government costs too much.

And at Pittsburgh, Pa., on October 19, 1932, Mr. Roosevelt declared:

> That (the Hoover spending), my friends, is the most reckless and extravagant pace I have ever been able to discover in the statistical record of any peacetime government anywhere, any time.

He further said in his Pittsburgh speech:

> Taxes are paid in the sweat of every man who labors. If excessive, they are reflected in idle factories, in tax-sold farms, and hence in hordes of the hungry tramping the streets and seeking jobs in vain. Our workers may never see a tax bill, but they pay in deductions from wages, in increased cost of what they buy, or (as now) in broad cessation of employment. * * * Our people and our business cannot carry its excessive burdens of taxation.

In a speech at Sioux City, Iowa, on September 29, 1932, Mr. Roosevelt said:

> I shall use this position of high responsibility to discuss up and down the country at all seasons, at all times, the duty of reducing taxes. * * * This I pledge you, and nothing I have said in the campaign transcends in importance this covenant with the taxpayers of this country.

And he further announced in his Pittsburgh speech:

> Before any man enters my Cabinet, he must give me a pledge—absolute loyalty to the Democratic platform and especially to its economy plank.

In commenting on the alleged wasteful administration of President Hoover, he said in the same speech:

> We find that the expenditure for the business of government in 1927 was $2,187,000,000 and, in 1931, $3,168,000,000.

He condemned this increase of less than $1,000,000,000 in 1931, with a depression on, over expenditures in 1927, when the country was prosperous.

The President, further commenting in his speeches on governmental expenditures, said:

> I regard reduction in Federal spending as one of the most important issues of this campaign. In my opinion, it is the most direct and effective contribution that government can make to business.

The President, in his message to Congress on March 10, 1933, said:

> For 3 long years the Federal Government has been on the road to bankruptcy. For the fiscal year 1931 the deficit was $462,000,000. For the fiscal year 1932 it was $2,472,000,000. For the fiscal year 1933 it will probably exceed $1,200,000,000. * * * With utmost seriousness I point out to the Congress the profound effect of this fact upon our national economy. It has contributed to the recent collapse of our banking structure. It has accentuated the stagnation of the economic life of our people. It has added to the ranks of the unemployed. Our Government's house is not in order. Upon the unimpaired credit of the United States Government rests the safety of deposits, the security of insurance policies, the activity of industrial enterprises, the value of our agricultural products, and the availability of employment. The credit of the United States Government definitely affects these fundamental human values. It therefore becomes our first concern to make secure the foundation. National recovery depends upon it.

The President was 100 percent right then. There would be a different story today if he had kept his pledges and followed the course he advocated in 1932–33. The President appears in those statements as a far-seeing statesman. Taxes are paid in the sweat of everyone who toils and if excessive slow down business and kill enterprise; want and widespread unemployment are seen on every hand. Excessive taxes and spending threaten the Nation's credit, bank deposits, insurance policies, and the faith and confidence of the people. The Republican minority in their report on the tax bill used the following significant language:

The Nation's finances are in a critical state, due to the extravagant spending and reckless borrowing under the New Deal administration during the past 8 years. This condition is now aggravated by the fact that unprecedented outlays for national defense are being required.

It is obvious that a substantial increase in the tax burden is imperative if the credit of the Nation is to be preserved and the defense program is to go forward.

We, therefore, have no alternative but to support the general objective of the bill in seeking to bring revenues and expenditures closer together.

STRONG INDICTMENT

The minority in its report made the strongest indictment ever made against any administration. Are the charges true? We regret to say they are. Mr. Roosevelt condemned the extravagance of President Hoover because he spent $3,168,000,000 in 1931, a hard depression year. What did President Roosevelt do? The following table shows:

The New Deal fiscal record

	Expenditures	Receipts	Deficits	Public debt
Fiscal year—				
1934	$6,011,000,000	$3,116,000,000	$2,895,000,000	$27,053,000,000
1935	7,010,000,000	3,800,000,000	3,210,000,000	28,701,000,000
1936	8,666,000,000	4,116,000,000	4,550,000,000	23,778,000,000
1937	8,177,000,000	5,029,000,000	3,148,000,000	36,425,000,000
1938	7,239,000,000	5,855,000,000	1,384,000,000	37,165,000,000
1939	8,707,000,000	5,165,000,000	3,542,000,000	40,440,000,000
1940	8,998,000,000	5,387,000,000	3,611,000,000	42,968,000,000
1941	12,710,000,000	7,607,000,000	5,103,000,000	48,961,000,000
Total	67,518,000,000	40,075,000,000	27,443,000,000	

President Roosevelt, in his first fiscal year ending June 30, 1934, spent over $6,000,000,000; this was twice as much as Hoover spent in 1931. The Roosevelt Administration has spent $67,518,000,000 up to June 30, 1941, in 8 years. This does not include billions of obligations and guaranties made by the Government. The President denounced the Hoover administration on account of $4,000,000,000 of deficits in the 3 worst depression years. This table shows $27,443,000,000 of deficits in the 8 years of the Roosevelt administration, and his administration has increased the national debt from less than twenty-one billions to fifty billions, and it is going up by leaps and bounds. While the money has not all been spent, yet Congress, in less than 18 months, has appropriated and given contractual authority for fifty-five billions. This includes the bill for $8,100,000,000 recently passed. This huge sum is for national defense, so they claim, yet we have not fired a gun and do not have an Army or air force equipped to fight our own or anybody's war. Congress, in less than 1 year, has increased the debt limit twice, from forty-five to forty-nine billions and then to sixty-five billions, and within another year it will jump to seventy-five or perhaps eighty billions, then on to one hundred billions. We will be called upon in a short time to vote another seven-billion, lend-lease, give-away bill for Russia, Britain, and any country that calls upon our Uncle "Sap" to help them finance their quarrels and wars. That will push our war-spending obligations above sixty-two billions. This will be more than double the actual cost of the World War, when we had 5,000,000 men under arms and sent 2,225,000 men and equipment to Europe. This is all before we get into war. The interventionists say that we must get into the war and it will last from 4 to 8 years and that we must spend forty billions a year. This is the financial picture that confronts the American people.

FIVE HUNDRED AND FIFTY PERCENT INCREASE IN TAXES

The last years of Hoover's administration there were collected about two billion of Federal taxes; under the present law there will be collected by the Federal Government about nine and one-half billion. The bill before us increases the taxes three and one-half billion, so that the American people will have to dig up thirteen billion in Federal taxes for this fiscal year. That means an average annual tax of $100 for every man, woman, and child in the United States or $500 for the average family of five. This is an increase of 550 percent over the last year of the Hoover administration. With this great increase there will be a deficit this year of thirteen billion. This three and one-half billion is a big increase in taxes, but it is only one-fourth of the amount we will give away to Russia, Britain, and other warring nations. This is the fourteenth tax bill brought in by this administration in a little over 8 years. We are told that we must pass another tax bill this winter. It will be imperative, and they say it will likely carry a sales tax and an increase in the taxes we now have. Of course, when this war is over these excessive taxes will paralyze industry and business. These are the heaviest taxes ever levied by this Nation in war or peace, and by the man who denounced Hoover for collecting two billion a year from the American people.

I have opposed the many taxes urged by the President, because they have not used the taxes to protect the credit of the Nation. They tax and squander and borrow and spend. The more we give them, the more they squander and spend. How long will the American people submit to this policy? The President said taxes are paid in the sweat of every one who toils. The common people pay the great bulk of the taxes. The direct and indirect taxes in this bill cover everything consumed and for all services from the cradle to the grave, and includes a use tax of $5 on each motor vehicle. The model T Ford and the Lincoln pays the same $5 tax. Railroad and bus tickets are taxed. Many other new taxes and many old taxes are more than doubled. We need taxes for national defense and to run the Government, but that is no reason why billions should be wasted, squandered, and given away to any nation that asks for the American taxpayers' money. They are flocking into Washington from all parts of the globe. We have become the Santa Claus for the world. Harry Hopkins of W. P. A. fame, is telling them to come and get it.

WILL MEAN BANKRUPTCY

When we entered the other World War our national debt was a little over one billion. If we enter this war now, our national debt and contractual obligations will exceed sixty billions. We would have to finance at least 75 to 80 percent of the war by immediate taxes. That would mean that we would have to increase our annual revenues by at least seven to ten billion. I am opposed to our Nation becoming an active belligerent in the present war, as it would mean unbearable taxes, complete bankruptcy of our Nation, a great lowering of our standard of living, and likely the loss of our liberties as well as great loss of human life and suffering.

Before we plunge this Nation into the greatest and bloodiest war in all the history of the world, let us not forget the sacrifices it will impose upon the American people in debts and taxes, and the blood and tears of sons and fathers and mothers of this Nation. Defend this Nation, yes; but avoid the quarrels and wars of the nations of Europe, Asia, and Africa.

Mr. CROWTHER. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, "Willful waste makes woeful want." And now, after 7 years of spending by the Federal Government after the manner of a drunken sailor, the American people are saddled with a debt and burdened with a load of taxation that staggers and terrifies the mind of man.

In 1917, when the United States entered the first World War, the national debt was a little more than a billion and a half dollars. At the end of that war the national debt was, in round numbers, $26,000,000,000. Under the three Republican administrations between 1921 and 1933 the national debt was reduced to $16,000,000,000. Since 1933 the Nation's debt has steadily climbed. Today it is more than $49,000,000,000, including $16,000,000,000 of the first World War debt. During 1940 and 1941 the Congress has appropriated for defense and for aid to other nations the staggering sum of $52,000,000,000, and this is only a starter.

The expenditures of the National Government for the fiscal year ending June 30, 1942, will be more than $23,000,000,000. Federal income from all sources

during that year will be $13,000,000,000. At the end of this fiscal year the Government will have a deficit of $10,000,000,000. Thus we are going in the red at the rate of almost a billion dollars a month.

By the lease-lend bill this country has given and is now giving away $7,000,000,000. By this bill we are seeking to raise three and one-half billion dollars, only one-half of the $7,000,000,000 given away and to be given away under the lease-lend bill. No government ever before undertook to raise by taxation from its people within a single year such a stupendous sum.

Inflation, born of the cheapening of our money and the increasing spiral of higher prices for all of the necessities of life, attended with all the miseries that follow in its wake, is impending; and, looming on the horizon, the ever-increasing load of oppressive, regulatory, punitive, and confiscatory taxation is stifling free enterprise, laying the ax at the roots of private ownership of property and threatening the security and growth of industry and the freedom and prosperity of our farmers. The specter of bankruptcy and insatiate taxation threatens all alike. It hangs like a pall above every gainful occupation; it is a skeleton in the closet of every home and stands with grim and forbidding mien above every cradle in the land.

And now, by the joint return of husband and wife living together, required by this proposed act, the Federal Government, for the first time, declares the marital relation to be a taxable privilege. The family, our unit of society, the foundation of our civilization, the origin of life, the fountain of our national existence, is to be penalized. The man and the woman who are lawfully wed, who are faithful to each other, who by sacrifice, industry, thrift, and leading decent lives build the American home, are to have laid upon their shoulders a burden greater than they would severally bear did they not marry or if, after marriage, they separated and broke up their home. Thus is fidelity penalized and perfidy rewarded.

This proposal is nothing more or less than a tax on the marriage relation. Upon the marriage of a man and woman, each of whom own income-producing property, or each of whom earn incomes, they come under the ban and are subject to the burdens and penalties of this provision. If they remain single, or if, after marriage, they throw aside their vows and obligations, they may escape the burdens of this proposed enactment. It is no answer to say that a man or woman who will avoid marriage or cast aside its obligations to escape this added tax burden is an unworthy member of society. Society passes laws to buttress and uphold the marriage relation and to foster and maintain the perpetuity and sanctity of that relation. Above the rooftree of the home is suspended the shield of the law's protection. Across its threshold the marauder may not come to disrupt and to destroy. To secure its existence, the welfare and support of a man's family are put above the rights of his creditors to the extent that he may not be stripped of all his property. In my State, a homestead of the value of a thousand dollars is exempt and free from the levy of execution for debt. The head of every family is entitled to this exemption. The household furniture, his wages and salary are exempt to a certain extent. So are the tools of his trade and the work stock and implements with which he may till his farm.

Under the Federal income-tax law a married man is very properly allowed an exemption of $2,000 and $400 for each dependent, as defined in the act. On social and moral grounds the joint income requirement is indefensible.

But it is said that certain rich men create trusts that are mere colorable, fraudulent devices by which they split up income among members of their family, but the control and enjoyment of which they retain and enjoy. But such subterfuges will not stand up in court. They do not withstand the acid test of the law. This has been demonstrated in the cases of *Burnett* v. *Wells* (289 U. S. —), and *Helvering* v. *Clifford* (309 U. S. —).

And in addition to this, by a gift tax, such transfers can in most instances be reached.

It is not necessary to burn the barn to get rid of the rats. In the long run, it is not helpful nor healthful to exterminate the taxpayer. Heretofore the Government has annually sheared the taxpayer—now, not satisfied with the fleece or a goodly portion of it, we propose to skin him.

If this keeps up, the taxpaying species of the genus homo, like the dodo and the passenger pigeon, will become extinct. One of the most alarming features of the present situation are the gaunt, gray wolves of state socialism furtively moving behind the scenes, more bent on changing our form of government into a socialistic state than in building a national defense or in preserving our way of life. The ultimate extinction of the taxpayer and consequent loss of taxes is an end devoutly to be wished in their philosophy. The Government would then own everything, as in Russia, or take virtually all, as in Germany. To this end we are rapidly approaching. So much for the moral and social aspects.

The joint return is violative of the fifth amendment to the Constitution of the United States, which provides—

> No person shall * * * be deprived of life, liberty, or property, without due process of law.

This provision, which is similar in terms and intent to the fourteenth amendment of the Federal Constitution, is designed to protect the citizen against the violation of these rights by the Federal Government. The fourteenth amendment is designed to protect the citizen against similar wrongful invasions and violation of these rights by the several States. The pertinent part of the fourteenth amendment is in these words:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

By the sixteenth amendment to the Federal Constitution, it is provided:

> The Congress shall have power to levy and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By article 1, section 8, of the Federal Constitution, it is provided:

> The Congress shall have power to levy and collect taxes, duties, imposts, and excises * * * but all duties, imposts, and excises shall be uniform throughout the United States.

The ninth amendment to the Federal Constitution is in these words:

> The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

The tenth amendment provides:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

In the proposed enactment of this joint income return by husbands and wives, with what are we dealing? There is but one answer, we are dealing with the marital status and the rights of married persons. Is this status fixed and are these rights determined by Federal or by State statutes? There is but one answer to this question. This status and these rights are fixed and determined by the laws of the several States.

A State may sanction and recognize a common-law marriage. A State, as does the State of Tennessee, may prescribe certain statutory requirements—a health certificate, a marriage license, a bond, the performance of the marriage ceremony by one authorized by law to perform the marriage rites, and due return of the license with a certificate that the ceremony has been performed.

The several States also may define and safeguard the property rights of both the husband and the wife.

Under the common law, as formerly in force in many States of the Union, marriage reduced the wife to a state of servitude, stripped her of ownership and control of her personal property, and classified her with children of immature age and with idiots. She could not sue or be sued. She could not contract or be contracted with. Under the outmoded and little more than cave-type principles of the common law her husband, as her liege lord, had the right to inflict corporal punishment upon her short of an assault constituting a felony. The first step toward the emancipation of women in many States was embodied in such a statute as this:

> If any person commits an assault and battery upon his wife, for any cause whatsoever, he is guilty of a misdemeanor and punishable accordingly.

This was the first forward step taken with respect to the rights of married women in many States. In Tennessee, as in most of the other States of the Union, a statute removing the disabilities of coverature has been enacted. I quote the statute of Tennessee, because it is

similar in terms to those enacted in most other States of the Union:

Married women are fully emancipated from all disability on account of coverature, and the common law as to the disability of married women, and its effects on the rights of property of the wife, is totally abrogated, except as set out in the following section and subsequent sections; and marriage shall not impose any disability or incapacity on a woman as to the ownership, acquisition, or disposition of property of any sort, or as to her capacity to make contracts and to do all acts in reference to property which she could lawfully do if she were not married; but every woman now married, or hereafter to be married, shall have the same capacity to acquire, hold, manage, control, use, enjoy, and dispose of all property, real and personal, in possession, and to make any contract in reference to it, and to bind herself personally, and to sue and be sued with all the rights and incidents thereof as if she were not married.

This act, as modified, was carried into the 1932 Code of Tennessee, and is the law of that State. Under the common law, prior to the enactment of this and similar statutes, it was held by the supreme court of my State:

It is the general rule at common law that marriage amounts to an absolute gift to the husband of all personal goods of which the wife is actually or beneficially possessed at the time of the marriage, or which come to her during coverture.

By the above cited and similar statutes, a woman, by marriage, loses none of the rights with respect to the ownership, control, and enjoyment of her property which she had as a single woman prior to her marriage. So that it follows, when a woman about to enter into marriage stands upon the threshold of matrimony, she is clothed with all the rights of a feme sole. By the marriage she loses none of these rights, but retains them all. Therefore, in contemplation of law, by the letter and spirit of the law, husband and wife are two distinct, separate, legal entities, and any attempt by Federal law to interfere with this status or to infringe on these property rights of a married woman forcing a joint income-tax return, and thereby increasing her taxes is an illegal trespass upon the rights of a married woman, is a violation of article 1, section 8, of the Federal Constitution, which provides for uniform taxation throughout the United States; is a violation of the ninth and tenth amendments to the Constitution, and a bold, bald invasion of the reserved powers of the States and the people of the States. It is a violation of the due process clause as contained in the fifth amendment to the Constitution of the United States.

I have read the argument contained in the report dealing with this proposed requirement of a joint return, and the consequent unjust and illegal increase of taxes required of husband and wife. And I have examined the authorities there cited in the argument advanced in favor of the constitutionality of this proposed enactment. This argument seeks to brush aside, and, by weasel words, to suck the life out of the holding of the Supreme Court in the case of *Hoeper* v. *Tax Commission* (284 U. S. 206); opinion by Mr. Justice Roberts. It is ingeniously and speciously argued that the Hoeper case "has no authority in the field of Federal income taxation," and that its vitality as an effective limitation upon the taxing power of the States has been dissipated by more recent decisions of the Supreme Court, which it is claimed have undermined its foundations.

No decision of the Supreme Court of the United States has ever overruled the holding in the Hoeper case, and none of the cases cited in support of this proposition are controlling, nor are they in point. An amazing feature of the argument directed at the soundness of the Hoeper case is the statement:

It may fairly be predicted that if the Supreme Court were presented today with the question presented in the Hoeper case that that case would not be followed.

This is an amazing statement. Surely it cannot be said that anyone is authorized to say in advance of a decision by the Supreme Court of the United States what its holding would be. No man can thus speak by the card and thus remove the ancient landmarks which the founding fathers have set with respect to the reserved powers of the States and with respect to the property rights of the citizen, as guaranteed by the fifth amendment to the Constitution, and with respect to the requirement for uniform taxation throughout the country, as required by section 8, of article I, of the Constitution. Nor is the opinion in question to be narrowed by the construction sought to be placed upon it. The decision in the Hoeper case did not turn wholly upon "the provision that each person whose income was included in the tax computation was liable for the entire tax." The language of the court refutes this limited construction and criticism. We quote from the decision itself:

At common law the wife's property, owned at the date of marriage or in any manner acquired thereafter, is the property of her husband. Her earnings and income are his, he may dispose of them at will, and he is liable for her debts. Were the status of a married woman in Wisconsin that which she had at common law, the statutory attribution of her income to her husband for income tax would, no doubt, be justifiable. But her spouse's ownership and control of her property have been abolished by the laws of the State. Women are declared to have the same rights as men in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects.

The provisions of the Wisconsin act emancipating women are substantially those of the Tennessee statute above quoted.

Discussing this statute, and the rights of the husband and wife thereunder, the Supreme Court of the United States further said:

Since, then, in law and in fact, the wife's income is in the fullest degree her separate property and in no sense that of her husband, the question presented is whether the State has power by an income-tax law to measure his tax, not by his own income but, in part, by that of another. To the problem thus stated, what was said in *Knowlton* v. *Moore* (178 U. S. 41, 77), is apposite:

"It may be doubted by some, aside from express constitutional restrictions, whether the taxation by Congress of the property of one person, accompanied with an arbitrary provision that the rate of tax shall be fixed with reference to the sum of the property of another, thus bringing about the profound inequality which we have noticed, would not transcend the limitations arising from those fundamental conceptions of free government which underlie all constitutional systems."

We have no doubt that, because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income. Compare *Nichols* v. *Coolidge* (274 U. S. 531, 540).

It is incorrect to say that the provision of the Wisconsin income-tax statute retains or reestablishes what was formerly an incident of the marriage relation. Wisconsin has not made the property of the wife that of her husband, nor has it made the income from her property the income of her husband. Nor has it established joint ownership. The effort to tax B for A's property or income does not make B the owner of that property or income, and whether the State has power to effect such a change of ownership in a particular case is wholly irrelevant when no such effort has been made. Under the law of Wisconsin the income of the wife does not at any moment or to any extent become the property of the husband. He never has any title to it, or controls any part of it. That income remains hers until the tax is paid, and what is left continues to be hers after that payment. The State merely levies a tax upon it. What Wisconsin has done is to tax as a joint income that which under its law is owned separately and thus to secure a higher tax than would be the sum of the taxes on the separate incomes.

The Court then held that the Wisconsin statute seeking to compel a joint-income return by husband and wife and to exact a higher tax from both thereby, could not be upheld on the ground that it was necessary to prevent frauds and evasions of the tax by married persons. And it replied, in its own language used in the case of *Schlesinger* v. *Wisconsin* (270 U. S. 230):

"That is to say, 'A' may be required to submit to an exactment forbidden by the Constitution if this seems necessary in order to enable the State readily to collect lawful charges against 'B.' Rights guaranteed by the Federal Constitution are not to be so lightly treated; they are superior to this supposed necessity. The State is forbidden to deny due process of law or the equal protection of the laws for any purpose whatsoever."

The claimed necessity cannot justify the otherwise unconstitutional exaction.

The Supreme Court, in its opinion, overruled the second reason assigned as a justification for the imposition of a tax, on the ground that it was a regulation of marriage. And in overthrowing this contention, it used this pertinent language, which applies with equal force to the proposed enactment now under consideration:

This view overlooks several important considerations. In the first place, as is pointed out above, the State has, except in its purely social aspects, taken from the marriage status all the elements which differentiate

it from that of the single person. In property, business, and economic relations they are the same. It can hardly be claimed that a mere difference in social relations so alters the taxable status of one receiving income as to justify a different measure for the tax.

The Court further held that the act did not purport to regulate the status or relationship of any person, natural or artificial; that arbitrary and discriminatory provisions in an act cannot be justified by calling them special regulations of the persons or relationships which are the object of the discrimination. And the Court concluded: "The action is arbitrary and is a denial of due process."

Can it be said that the highest court in the land will extend the protection afforded to the citizen against the violation of his fundamental rights as guaranteed by the Constitution as a whole, and especially by the fourteenth amendment, from an illegal invasion of those rights by the States, and that in the next breath, it will withhold the protection afforded the citizen by the fifth amendment against a similar invasion and trespass upon his constitutional rights by the Federal Government?

The unique argument is advanced in favor of this proposal that these provisions of the Federal Constitution may be brushed aside if it may appear that there are sufficient justificatory facts. It has been said that bad cases make bad law. But it cannot be asserted that the mere need of the Federal Treasury for more taxes justifies nullifying the provisions of the Federal Constitution. The opinion of the Supreme Court of the United States, in the case of *Poe* v. *Seaborn* (282 U. S., p. 101), also supports the views here advanced. In that case, under the law of the State of Washington, it was held that the husband and wife, by virtue of the community-property law of that State, were entitled to make separate returns, each making a return on one-half the income of both, and each paying on his and her respective share of that income. In that case the Supreme Court said:

> When it is remembered that a wife's earnings are a part of the community property equally with her husband's, it may well seem to those who live in States where a wife's earnings are her own, that it would not tend to promote uniformity to tax the husband on her earnings as part of his income. The answer to such argument, however, is, that the constitutional requirement of uniformity is not intrinsic, but geographic. *Billings* v. *United States* (232 U. S. 261); *Head Money Cases* (112 U. S. 580); *Knowlton* v. *Moore* (178 U. S. 41). And differences of State law, which may bring a person within or without the category designated by Congress as taxable, may not be read into the revenue act to spell out a lack of uniformity. *Florida* v. *Mellon* (273 U. S. 12).
>
> The district court was right in holding that the husband and wife were entitled to file separate returns, each treating one-half of the community income as his or her respective income, and its judgment is affirmed.

This case expressly gives effect to the status of married persons and their property rights as determined by the law of the State in which they reside.

We, therefore, conclude that the proposal is not only wrong in principle, contrary to public policy, but that it is violative of the supreme law of the land, and should be defeated.

For these reasons I shall vote against it.

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, I am very much tempted to discuss this issue of joint or separate returns, but in the limited time I have I am going to pass that and, when we come to the amendment that I understand will be offered later, I shall discuss it then.

There are two other features of this bill I wish to discuss. What I have to say is not said in criticism of the Committee on Ways and Means. They have labored long and faithfully and have brought to us a bill that doubtless is the best they could get under the circumstances. Nevertheless, there are two features of this bill that I desire to call to the attention of the Members. I mentioned them yesterday briefly in interrogating a member of the committee, the gentleman from Missouri [Mr. DUNCAN]. One is the new tax that is levied on outdoor advertising and the other is the new tax that is levied upon the radios of America.

This, apparently, is the first time that this type of tax has ever been written into a tax bill, and yet in an examination of nearly 2,000 pages of hearings you will find that the two groups whose business and property is being vitally affected had little, if any, opportunity to present their side of the case. But even aside from the fact that they had no opportunity to be heard, the tax provisions seem extremely discriminatory, doubtless unintentionally so on the part of the committee. Still the fact remains that billboards and radio, when used as advertising media, are being subjected to a burden not placed on other business.

There are three great mediums of advertising, the newspapers, magazines and kindred publications, the billboard and the radio. The tax is levied here on the last two named, and the first, the printed page, is entirely omitted. I am not here to say that it is wise to tax any of the three, but if you do tax any one, they ought all to be taxed, otherwise the power to tax, whether intentionally or unintentionally, has become the power to destroy. I am sure that no feature of this bill was written with the thought that one type of business would profit at the expense of the other, because that theory or philosophy of tax is unsound, still that result will obtain if the provisions I have mentioned remain in the bill.

I hold no brief for billboards. I am just as much put out with some of them as anyone could be, but, after all, the matter of billboard policing and regulation is not a Federal tax matter, it is a matter peculiarly belonging to the States, just as is the matter involving separate and joint returns in community-property States.

I understand the committee is going to offer an amendment later, when we read the bill, in reference to billboard advertising that is going to change the schedules of rates that have been set up here, but I would like to suggest respectfully to the committee that in offering such amendment they also consider the special penalty that is inflicted by the terms of this bill upon persons who have to pay a tax on billboards, since no such penalty is inflicted upon any other taxpayer. The billboard operator is subjected, under the terms of this legislation, to all general penalties in the various revenue laws, and then for every single violation in this act—and, mark you, this is a new field of taxation, and much interpretation needs to be done upon it—he is required to pay a $50 penalty in addition to the regular penalties. It does seem to me it is unfair to single out a group who are in a legitimate business, whether we like it or not, and say to them that you are a suspicious type of character and we expect to penalize you greater than any other taxpayer in the entire group.

Mr. GEARHART. Will the gentleman yield?

Mr. LEAVY. I yield to the distinguished gentleman from California.

Mr. GEARHART. I simply want to express my approval of the point the gentleman is now making. I do not think the matter was adequately investigated. It was put into the bill at the very last minute by the Ways and Means Committee without any consideration. This is one point I think we completely overlooked, and I think we ought to give every consideration to it now. The outdoor billboard people have donated thousands of boards that are now in use to advertise the sale of United States defense bonds and for many other public services, and under this proposed law they will be required to pay out of their own pockets, without a single cent of profit, this tax on the space occupied in such patriotic and civic services.

Mr. LEAVY. I appreciate the gentleman's contribution and trust when the Ways and Means Committee, of which the gentleman is an important member, offer an amendment on billboard tax that they will follow his sound suggestions to eliminate some of the blighting effects this tax will have on a recognized and legitimate business.

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I asked for this time to follow along the line of the discussion pursued by my friend who just preceded me. I want to speak especially in reference to the radio and the billboard advertising features of this tax bill. I think the committee has worked long, hard, and patiently on the bill, and I think unquestionably, as has been well said in the past, they are entitled to the commendation and thanks of the House. But in reference to the radio and in reference to the billboard-tax provisions, no opportunity has been given for hear-

ing and within the last 2 days I have received numerous protests by telegram and by letter against these two provisions of the bill. The burden of these protests, Mr. Chairman, is that they have not been heard and, in fairness to these people, I think they should have an opportunity to present their views, their facts, and their arguments in support of the proposition that they should not be included in the tax bill.

I have not been able personally to assemble the information myself as to how much money this tax will raise, how it will operate, and how it will affect either the radio or the billboard industry, but I do believe they should be given, so to speak, their day in court, and I am going to ask that at a little later time, after the Committee goes back into the House, that these telegrams that I hold in my hand, all of which are in protest and all of which more or less ask for an opportunity to be heard, be incorporated into the RECORD at this point, so that although the rule which has been adopted in this House will permit no amendment to these stipulations of the bill, yet those interested persons in northwestern Louisiana who wanted to appear and protest will have an opportunity to present their protests in writing at this point in the RECORD and, later on, the Senate may consider them in connection with their own hearing.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman.

Mr. LEAVY. Does not the gentleman believe that when the committee offers an amendment to change these schedules on billboard advertising they certainly ought to strike out the special penalty imposed upon people engaged in that business?

Mr. BROOKS. I heard what the gentleman said in that respect, and I am in accord with his viewpoint as to the penalty. I hope and trust my friend the gentleman from California [Mr. BUCK], who is standing before me now, will give that matter thought and consideration and aid us in withdrawing that penalty along with the other features of the proposed compromise in reducing the tax on the billboards.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. Yes.

Mr. BUCK. I endeavored to inquire of the gentleman from Washington [Mr. LEAVY], and I now inquire of the gentleman, if he is not aware that on the other excise taxes which heretofore have been in existence, a similar penalty for violation is imposed.

Mr. BROOKS. No; but my point, if I may answer the gentleman, is this, that not only the tax but the penalty is there, with no opportunity for adequate expression of opposition to this bill.

Mr. BUCK. I am not talking about that. I think the gentleman may have a point there, but I want to clear up the matter in the mind of the gentleman from Washington [Mr. LEAVY] and the gentleman, that similar penalties exist, and the only reason this was put in was because we were creating a new category of taxes.

Mr. BROOKS. Mr. Chairman, I present to you telegrams received by me from local businessmen and interested firms in reference to these tax provisions:

SHREVEPORT, LA., *July 30, 1941.*
Hon. OVERTON BROOKS,
House of Representatives,
Washington, D. C.:

Bill imposing tax on outdoor and radio advertising, approved by Ways and Means Committee, now before House. This tax is prohibited to these medea and discriminates because it excludes newspapers, magazines and penalizes radio and outdoor advertising. If passed, this bill will seriously affect our crafts, and we ask your assistance in preventing the passage of this unfair bill.

SHREVEPORT BUILDING TRADES COUNCIL,
STANLEY HERBERT, *Secretary.*

SHREVEPORT, LA., *July 28, 1941.*
Hon. OVERTON BROOKS, M. C.,
House Office Building,
Washington, D. C.:

Bill imposing Federal tax on outdoor and radio advertising, approved by Ways and Means Committee, will go before the House tomorrow for approval. This proposed Federal tax is exorbitant and would wipe out entire profits and many operators. It is also discriminatory against outdoor and radio advertising in favor of newspapers and magazines. The outdoor advertising industry has always been most generous in its contributions of advertising space in times of national emergencies. May we count on your help and protection against this unfair bill.

B. & B. SYSTEM, INC.

DERIDDER, LA., *July 28, 1941.*
Hon. OVERTON BROOKS, M. C.,
Washington, D. C.:

I represent Gulf States Advertising Co., owned by my minor son and his aunt, permanently incapacitated. We have skimped for 4 years to free company of debt. License tax on billboards will absorb all company profits from which we might retire balance of indebtedness. Have always given generously to Government, space, labor, and cost, in supporting advertising all Federal defense projects. Anticipated revenues, this bill, will net only a drop in the bucket to national-defense expense, on contrary, confiscatory on us and will absorb entire profits of our small plant. If revenues were of any appreciable amount we are patriotic enough to gladly forego sacrifice but, obviously, the source has no potential possibilities as it stands and should at least be deferred until some general occupational tax is worked out to cover all businesses instead of just this and radio singled out. Please do what you can to help out, if you can consistently do so. Regards.

W. C. (BILL) PEGUES, JR.

SHREVEPORT, LA., *July 28, 1941.*
Congressman OVERTON BROOKS,
House Office Building,
Washington, D. C.:

Without giving those affected an opportunity of being heard, the Ways and Means Committee recommends bill imposing excessive taxes on radio and outdoor advertising. Your active interest on the floor in righting this wrongful practice and equalizing distribution of taxes would be appreciated.

ED. C. BURRIS,
Shreveport Chamber of Commerce.

SHREVEPORT, LA., *July 28, 1941.*
Hon. OVERTON BROOKS, M. C.,
House Office Building,
Washington, D. C.:

Appropriations bill imposing Federal tax on radio and outdoor advertising approved by Ways and Means Committee now before House. This tax is discriminating because it excludes newspapers and magazines, and penalizes radio and outdoor advertising. We ask your assistance in opposing this unfair bill.

ADVERTISING CLUB OF SHREVEPORT,
FRED BESELER, *President.*

SHREVEPORT, LA., *July 20, 1941.*
Hon. OVERTON BROOKS, M. C.,
House Office Building,
Washington, D. C.:

We ask your assistance in opposing that portion of defense tax bill approved by Ways and Means Committee which proposes prohibitive taxes against radio and outdoor advertising. This bill is discriminatory against radio and outdoor advertising due to the fact that it excludes newspapers and magazines. If passed, it will defeat its own purpose in many instances by wiping out profits of small operators. Outdoor-advertising industry has always been most generous in its contributions of advertising space in times of national emergencies, and stands ready to serve our country again now.

OUTDOOR ADVERTISING ASSOCIATION OF LOUISIANA,
FRED C. BESELER, *Secretary.*

SHREVEPORT, LA., *July 29, 1941.*
Hon. OVERTON BROOKS,
Member Congress, House Office Building, Washington, D. C.:

Bill imposing Federal tax on radio and outdoor advertising approved by Ways and Means Committee now before House. This tax is prohibitive to these media and discriminating because it excludes newspapers and magazines and penalizes radio and outdoor advertising, which would affect our use of same. We urge your assistance in preventing the passage of this portion of the bill.

CECIL WATSON.

SHREVEPORT, LA., *July 28, 1941.*
Hon. OVERTON BROOKS,
Congressman, House of Representatives, Washington, D. C.:

Bill imposing tax on outdoor and radio advertising approved by Ways and Means Committee now before House. This tax is prohibitive to these media and discriminates because it excludes newspapers and magazines and penalizes radio and outdoor advertising. If passed, this bill will seriously affect our craft, and we ask your assistance in preventing the passage of this unfair bill.

ELECTRICIANS LOCAL UNION, No. 194,
R. F. THOMAN, *Business Manager.*

NEW ORLEANS, LA., *July 29, 1941.*
Congressman OVERTON BROOKS,
Congressional Office Building,
Washington, D. C.:

Sincerely hope that you will do all you possibly can to either kill discriminatory tax on radio advertising or have newspapers included. Remember that when Huey wanted to tax newspaper advertising in Louisiana they yelled "bloody murder." They said it was discriminatory. Now the shoe is on the other foot and we are perfectly willing to pay any tax the Government wants to impose on radio stations for defense purposes provided it not only applies to radio and billboard but to newspaper advertising as well. To omit newspaper and magazine advertising seems a little

out of reason, and we do not see how they could object to being taxed same as other advertising media. Please understand that we here at WDSU are not complaining about paying our just share of defense taxes but we don't think it fair to let the alleged free press get by with only a laugh. Kindest regards and best wishes.

P. K. EWING,
General Manager, WDSU.

SHREVEPORT, LA., *July 28, 1941.*
HON. OVERTON BROOKS, M. C.,
House Office Building,
Washington, D. C.:

The $3,000,000,000 defense tax bill approved by Ways and Means Committee and scheduled for House floor tomorrow carries special tax on outdoor and radio advertising, I understand. Am apprehensive, of course, that this special taxation would pave way for similar levy on all advertising, including newspaper, which would doubtless prove detrimental to business and commerce depending upon advertising mediums. If you can consistently do so, will appreciate your opposing this tax.

Regards,

DOLPH FRANTZ.

SHREVEPORT, LA., *July 28, 1941.*
HON. OVERTON BROOKS,
House Office Building,
Washington, D. C.:

I sincerely hope that you will actively oppose the uncalled-for and unfair last-minute attempt to add an additional tax on radio and billboards. Truly the power to tax is the power to destroy.

Regards,

JOHN D. EWING.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. COOPER. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Chairman, in the time at my disposal I shall address myself to the serious consideration of the members of the committee responsible for this bill. Each Member of the House, I am sure, fully appreciates the task which this committee has had to assume in connection with this bill. We all feel that they have done their best to discharge properly their responsibility. The only controversial item, as we all understand, which as an item will receive serious consideration, is that requiring consolidated returns by husband and wife. With reference to that item, may I call attention of the committee and the country to the fact that the cleavage between what is known as the community-property States and the common-law States is more a matter of theory than it is of fact now. Since women began to emerge from the status of nonentity after marriage, so far as their independent legal status is concerned, we have been advancing toward the establishment of equality of women before the law, with regard to property, with regard to their children, their voice in government, and everything.

In this country the progress in the common-law States has brought the status of women up to about the same place, practically, that it has in the community-property States. That is the general situation, the general picture which we have when we come to consider this section 111 provision in this bill. This proposed amendment to the Internal Revenue Code making it mandatory to consolidate these returns is a departure from existing law which levies a tax upon all income from every source of the individuals taxed. It is an arbitrary, mandatory consolidation of the income of two persons who have an independent status insofar as ownership of property and revenue therefrom, gifts, wages, and all other income are concerned. It is proposed in this bill to ignore the fact, an actual, legal, substantial fact of separate entities, which Congress may not constitutionally do. The committee asks us to ignore the fact that women in America, married women, stand before the law as men stand. I know it is called a joint return but in fact it is a mandatory merging in a definite degree of the wife's entity with that of the husband, regardless of the fact that under the laws of the States which fix the marital status the contrary is true. The Supreme Court of the United States held in Hoeper against Tax Commission that the Wisconsin State income-tax law violated the fourteenth amendment by an attempt to force a consolidated return similar in its effect to the mandatory joint return here under consideration.

In this case found at 284 United States 206, the Supreme Court of the United States held a Wisconsin income-tax statute imposing on a husband a tax computed on the combined total of his and his wife's income violated the due process clause of the fourteenth amendment. Keep in mind the fact that the Supreme Court has expressly held in *Heiner* v. *Donnan* (285 U. S. 312) that "the restraint imposed upon legislation by the due process clause of the fourteenth and fifth amendments is the same." The decision in the Hoeper case is therefore directly applicable to this proposed mandatory joint return.

In the Hoeper case the Supreme Court said:

Since, then, in law and in fact, the wife's income is in the fullest degree her separate property and in no sense that of her husband, the question presented is whether the State has power by an income-tax law to measure his tax, not by his own income but, in part, by that of another. To the problem thus stated, what was said in *Knowlton* v. *Moore* (178 U. S. 41, 77) is apposite:

"It may be doubted by some, aside from express constitutional restrictions, whether the taxation by Congress of the property of one person, accompanied with an arbitrary provision that the rate of tax shall be fixed with reference to the sum of the property of another, thus bringing about the profound inequality which we have noticed, would not transcend the limitations arising from those fundamental conceptions of free government which underlie all constitutional systems."

We have no doubt that, because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income.

It will be noted that the Court says that:

We have no doubt that, because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment.

That is exactly what is proposed to be done by this mandatory joint return. Regardless of how the rendition may be made or the tax assessed, the tax upon the income of the husband and wife is "measured" * * * "by reference to the" * * * "income of another."

It will be noted that this holding was with reference to the income tax of the State, which governmental agency, it is well recognized, has a greater latitude and discretion than the Federal Government, because it is the State which fixes the marital relationship.

Under the Wisconsin law, under which this tax was levied, it was provided that the tax might be levied against the husband or it might be enforced against any person whose income was included within the tax computation. Married persons living together might make separate returns or join in a single joint return. In either case the tax was to be computed on the combined average taxable income, which is the exact arrangement under the provisions of this section 111.

It is true that Mr. Justice Holmes dissented from the opinion of the Court, and in his dissent he says (p. 219):

This case cannot be disposed of as an attempt to take one person's property to pay another person's debts. The statutes are the outcome of a thousand years of history. They must be viewed against the background of the earlier rules that husband and wife are one, and that one the husband; and that as the husband took the wife's chattels he was liable for her debts.

The whole trend of modern governmental policy has been away from that notion; away from the legal pattern "that husband and wife are one, and that one the husband." The committee proposal moves back in that direction.

Mr. Justice Holmes continues:

They form a system with echoes of different moments, none of which is entitled to prevail over the other.

And further, Justice Holmes says:

So far as the Constitution of the United States is concerned, the legislature [State] has power to determine what the consequences of marriage shall be, and as it may provide that the husband shall or shall not have certain rights in his wife's property, and shall or shall not be liable for his wife's debts, it may enact that he shall be liable for taxes on an income that in every probability will make his life easier and help to pay his bills. * * * it would require ingenious argument to show that there might not be a return to the law as it was in 1800. It is all a matter of statute. But for statute, the income taxed would belong to the husband.

It will be noted from the foregoing that Justice Holmes' dissent was based upon the power of the State to fix the marital status, a power which could return woman to her status "as it was in 1800."

In view of the reasons for Justice Holmes' dissent and in view of the fact that this amendment proposes to ignore a status created and controllable by the State, it seems clear that Justice Holmes' dissent supports the position of those who contend against the constitutionality of this mandatory joint return.

The Wells, Clifford, Horst, Eubank, Hormel, and Schaffner decisions are not in point. The Court did not tax these men on income they did not receive. It taxed them on certain income because it found that they did receive it, or its equivalent.

In *Burnet* v. *Wells* (289 U. S. 670) the taxpayer diverted some of his income through a trust directing its payment on life insurance policies on his own life. The Court found this evasion device left the taxpayer with substantial ownership of the income so used.

In *Helvering* v. *Clifford* (309 U. S. 331), the taxpayer transferred some of his interest-earning securities to short-term trusts, of which he retained full management and control and the income of which could be paid to his wife only at his express direction. The Court says on page 334 of its opinion that the basic issue was whether the grantor after the trust was established may still be treated as the owner of the property and its income. The court found that he continued to be the owner. He retained rights which were the fair equivalent of what he previously had.

In *Helvering* v. *Horst* (311 U. S. 112), the taxpayer had certain coupons which were in the process of maturing; and, seeing the income coming his way, he gave the coupons to his son just before the money arrived, but kept the income-producing bonds. The Court held that the exercise of the power of disposition of income in satisfaction of his wants constituted a realization of the income by the taxpayer. It was his income; he owed the tax.

In *Helvering* v. *Eubank* (311 U. S. 122), the taxpayer gave away income due him as renewal commissions, which he would otherwise have received. The Court held he had realized the income and owed the tax. There is nothing new in this doctrine. Long prior to the Hoeper decision it was established that a taxpayer could not avoid tax by giving away his earnings prior to their actual receipt.

Except for certain procedural points *Hormel* v. *Helvering* (85 L. Ed. 651), decided March 17, 1941, adds nothing to the Clifford case. Here again the court simply penetrated the disguise of a trust, found that the income was Hormel's and taxed him on it.

In *Harrison* v. *Schaffner* (85 L. Ed. 694), decided March 31, 1941, the taxpayer assigned to her children certain trust income she would otherwise have received. The court found that she had, and had exercised, actual command over the income which is taxed and received the actual benefit for which the tax is paid. In this case it stated the point of this whole series of cases, as follows:

> It was for that reason that in each of those cases it was held that one vested with the right to receive income did not escape the tax by any kind of anticipatory arrangement, however skillfully devised, by which he procures payment of it to another, since, by the exercise of his power to command the income, he enjoys the benefit of the income on which the tax is laid.

My distinguished friend, the gentleman from Oklahoma [Mr. DISNEY], seems to have attempted to draw a distinction between the relationship of the provisions of the due process clause of the fourteenth amendment to the Constitution which were invoked in the Hoeper case, and the due process clause of the fifth amendment—the provision under which the constitutionality of this mandatory joint return proposal must be determined. As a matter of fact, there is not any difference except that the fourteenth amendment limits the governmental discretion of the State, and the fifth amendment limits in the same way the powers of the Federal Government. The Hoeper case, therefore, is directly in point here, with the force of that decision strengthened by the fact that as to the Federal Government which is undertaking to do this thing there is an entire absence of the power to fix the marital status which the State of Wisconsin possesses. If the State of Wisconsin, which possesses that power, could not do a similar thing, how can it be expected or held that the Federal Government, which possesses no such power, can do it, and that, too, in defiance of the States which do possess that power and have exercised it to establish and make certain the independent, distinct, and fixed status of the wife.

In this bill you are attempting to levy a higher tax upon a woman who is married, than you levy upon a woman with the same income who is not married, and a higher tax upon a man who is married than the tax you impose on one who is not married. There is no question about these facts. Take the case of a man and a woman who are unmarried, and each of them, we will assume, has an income of $2,500 a year. The total of the tax that they pay would be less than the total of the tax they would pay under this bill if they were married, and that arises out of the attempt of the Congress of the United States by the mandate of this Congress to change the status of that man and the status of that woman by reason of the fact that they may be married. The Supreme Court of the United States says you cannot do it. The only theory upon which you can do it is that Congress has the power to break down the result of progressive statutory enactments during the past 100 years of the States, liberating women and giving them a social and legal entity which marriage does not destroy and Congress cannot ignore. Of course the Congress has the implied power to make classifications incidental to a proper exercise of its powers, but it cannot under the guise of necessity in connection with the exercise of its powers do what is proposed in the amendment.

Much has been said in justification and support of this mandatory joint-return proposal as to the relatively small percentage of people affected. I do not know what percent of people would be affected, and, except as a matter of political consideration, I do not see how that fact can have any importance to people facing a matter of constitutional duty and power on their part and constitutional right on the part of a citizen, even a bad citizen, whose offense against society is that he got married. It is insistently admitted that the motive behind the scheme of this mandatory joint return is to force these people who have got married to pay $328,000,000 more than they would have been compelled to pay if they were not married. That statement of amount probably should be modified some, but in the big aspect of this matter the statement is correct.

In *Helvering* v. *City Bank Co.* (296 U. S. 92), the Supreme Court said:

> There are, however, limits to the power of Congress to create a fictitious status under the guise of supposed necessity. Thus it has been held that an act creating a conclusive presumption that a gift made within 2 years prior to death was made by the donor in contemplation of death, and requiring the value of the gift to be included in computing the estate of the decedent subject to transfer tax, is so grossly unreasonable as to violate the due-process clause of the fifth amendment. In the same category falls a statute seeking to tax the separate income of a wife as income of her husband (citing *Hoeper* v. *Tax Commission*).

I do not believe the Supreme Court, in passing upon a human right under the Constitution, would be guided in its determination by the number of people to be affected. It is a new doctrine to me that if there be a small number affected, then it would be all right to take away their substantial constitutional rights; either that, or it would be politically safe to do it. That seems to be the argument; simply to say to ourselves in the first instance, and expect the Court in the second instance to say, "There is a small number involved. Sure, go ahead and kick them in the flanks. There are only 3 or 4 percent of them."

If the Supreme Court cannot do it, and should not do it, I say Congress cannot constitutionally do it, and should not do it, because, in the first instance, the Congress has to sit in judgment with reference to its own constitutional powers and responsibilities and limitations. The Supreme Court takes no different obligation from the obligation which you and I took when we stood here and took the oath to support the Constitution of the United States.

Now, I am grateful that many of you have listened to what I have had to say. I have not tried to make a constitutional argument or a speech of any sort. I appreciate the hard, earnest work of the great Ways and Means Committee, of Chairman Doughton, and his efficient coworkers. I have ventured some observations which I felt I should make. I do not want to take any more of your time. If anyone wishes to ask any questions I will be glad to yield.

Mr. MICHENER. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes; I yield to my colleague.

Mr. MICHENER. May I hope that my distinguished chairman in that speech will discuss the cases, especially the Texas case to which the gentleman from Oklahoma [Mr. DISNEY] referred in his argument this afternoon? I have never studied this matter, but I listened very attentively to that argument.

Mr. SUMNERS of Texas. I am not certain which cases the gentleman referred to, because he did not cite the cases in his statement. He promised to put them in the RECORD. Unfortunately, I will not find out what those cases are until tomorrow.

Mr. MICHENER. There was one case which you asked him to cite, and he did give you the citation, as I recall.

Mr. SUMNERS of Texas. I believe the case he referred to was a case in which the Supreme Court held that Congress could tax a voluntary association as though it were a corporation or a partnership. But as I recall that case, and I have not examined it for a long time, it does not seem to be pertinent, in view of the fact that we have the clearest sort of pronouncement by the Supreme Court that this thing, here proposed, cannot be done. Aside from the constitutional question involved, there is the question of public policy in thus compelling people who are married to pay more tax upon the same income than if they were not married. As to its importance, there can be difference of opinion, but as to the fact, I do not suppose there can be any. The other question is: Do we believe as a matter of policy that the progress in the United States toward establishing the independent relationship of women toward property and toward government should be encouraged or not? That is hardly a fair statement. Perhaps it would be fair to say, "Do we believe under all the circumstances that we should take this backward step toward the statute of 1800, as Mr. Justice Holmes said the States might do?" But he did not indicate he thought the Federal Government could do it. I realize this amendment applies to men and women equally, but in view of woman's historical background and the immaturity of her present status, she has the larger interest in the questions associated with this mandatory joint return.

Mr. MICHENER. Of course, that is a question of policy.

Mr. SUMNERS of Texas. Yes.

Mr. MICHENER. The thing I was vitally interested in was the thing which I think the gentleman was going to discuss, and that is the constitutionality.

Mr. SUMNERS of Texas. Of course.

Mr. MICHENER. We undoubtedly can do the thing unless it is unconstitutional.

Mr. SUMNERS of Texas. That is right, but I am afraid my friend did not understand me. I said there are several things involved. First, that question of policy is involved. Then, of course, is the question of power. I agree with my friend that the first question that should be determined is the question of constitutional power to do it.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. LEAVY. When the gentleman expresses an opinion upon constitutional law in this body I think his opinion carries perhaps greater weight than that of any other member of this body, because he is a man learned in the law. The answer to the question I am about to propound is self-evident. The United States Congress could not in any manner, directly or indirectly, enact legislation that fixed the status of private property within the confines of any State in the Union?

Mr. SUMNERS of Texas. No; it could not do that, speaking generally.

Mr. LEAVY. When the Congress enacts a tax bill which disturbs the status of property then fixed by a sovereign State, which has reserve powers under our dual form of government, then are we not indirectly striking at the sovereignty of the respective States?

Mr. SUMNERS of Texas. I tried to make it perfectly clear that certainly under the decisions of the Supreme Court up to this time, as clear cut as they can be, and under the philosophy of our system of government, I do not have any question myself that we are attempting to do that which must fail when it reaches the Supreme Court, because there is not the slightest question but that this status of independent relationship toward property and toward income is definitely fixed under the laws of the States. There is no question about it. The argument they make, with all respect to my friends, that you get so much more money by compelling these two persons who have an independent relationship to their property and an independent obligation to make response in taxes to their Government—the statement that by making them combine you throw them into a higher bracket and get more money is no sounder than to say that if you make a provision that will make all the people in a community engaged in a particular business or living in a single neighborhood put into one rendition their properties, you will throw their income into a higher bracket and get more money. That statement is a bit too strong, but it illustrates.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. COOPER. I, of course, value and highly respect the distinguished gentleman from Texas.

Mr. SUMNERS of Texas. I do not pose as any expert on the Constitution.

Mr. COOPER. I should like to submit two cases to the gentleman for the benefit of his answers. First, a married man is entitled to $2,000 deduction, a single man to $800. That is the law now. How does the gentleman differentiate between this and the joint- and separate-return proposal? How can one classification be justified without justifying the other?

Mr. SUMNERS of Texas. I say to my distinguished friend from Tennessee that I have never examined that matter; that character of distinguishing between married persons and unmarried persons, persons with dependents and persons without dependents. I suppose it is a question of the reasonableness of the classification.

Mr. COOPER. Will the gentleman yield for a further question?

Mr. SUMNERS of Texas. Yes.

Mr. COOPER. Let me also ask for the benefit of the gentleman's assistance with respect to the question that arose in the Brushaber case in connection with the original Income Tax Act of 1913. As I recall that act provided that married people living together should have an exemption of $4,000 but married people not living together were entitled to $3,000 each. This meant therefore that married people not living together had the advantage over married who were living together, yet the Supreme Court sustained that act with that direct question raised, as I now recall.

Mr. SUMNERS of Texas. In the first place I disclaim any right to pose as an expert. Those questions have never come under my examination. I really have not much respect for experts anyhow. Most experts know more about nothing and less about something than any other bunch I ever ran across. I have not examined into those questions as has the gentleman's committee. I have attempted to make an examination of questions that arise directly under the provisions of this amendment.

In the case of Hoeper against Tax Commission, referred to—and this is a fairly recent decision of the Supreme Court—the question there directly presented was whether the State has power by an income tax law to measure the husband's tax not by his own income solely, but in part by the income of his wife. The Court held:

> We have no doubt that because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax of one person's property or income by reference to the property or income of another is contrary to the due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income.

That is a direct pronouncement by the Supreme Court.

That question arose in an attempt by a State to force a consolidated return throwing the payment in a higher bracket and making each spouse pay more than he or she would if he or she had made a separate return.

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Texas.

Mr. CROWTHER. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I will yield, but let me complete this statement first.

While this question arose under the fourteenth amendment, a limitation upon State powers, the limitation upon the Federal Government imposed by the due-process clause of the fifth amendment as applicable here is identical with the limitation imposed upon the State by the fourteenth amendment.

Mr. CROWTHER. It is with great trepidation I even ask the distinguished jurist from Texas a question, but does he not believe that in view of the Supreme Court decisions on these matters, such as are related to this particular subject—and there are very few that are on all fours—that perhaps under the fifth amendment it might be considered that this action of Congress is a reasonable classification? I am speaking now in light of what has been done as regards dependents and differentiating between single and married people as to exemptions.

Mr. SUMNERS of Texas. I suggest that the gentleman examine the opinion to which I have already referred, if he has not already done so, and he will find that the Court held directly with the issue squarely before it, that such a classification is unreasonable and arbitrary, and therefore unconstitutional.

Mr. CROWTHER. I hope to do that. I am going to yield myself enough time to read, following the gentleman's statement, a short paragraph from the report of our committee on this same subject. I think it is apropos at this time, and it will be very enlightening.

Mr. SUMNERS of Texas. I am very much obliged to you all for listening to me.

[Here the gavel fell.]

Mr. CROWTHER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I yield myself this time following the gentleman from Texas to read the following paragraph from the report on this bill:

> The only authority against the constitutionality of the proposed legislation is *Hoeper* v. *Tax Commission* (284 U. S. 206). There the State of Wisconsin had provided for treatment of spouses who enjoyed independent incomes similar to that provided for in the proposed amendments. There was, however, one essential difference. Under the Wisconsin law each person whose income was included within the tax computation was liable for the entire tax. The Supreme Court held that this legislation was unconstitutional on the ground that each person was liable for the total tax and therefore A was required to pay a tax on B's income. But this conclusion was reached over the vigorous dissent of Mr. Justice Holmes, Mr. Justice Brandeis, and Mr. Justice Stone, and the views of the dissenters in the Hoeper case have recently been measurably strengthened by the Supreme Court in a series of significant decisions. *Burnet* v. *Wells* (289 U. S. 670), *Helvering* v. *Clifford* (309 U. S. 331), see also *Helvering* v. *Horst* (311 U. S. 112), *Helvering* v. *Eubank* (311 U. S. 122), *Hormel* v. *Helvering* (85 L. Ed. 651), *Harrison* v. *Schaffner* (85 L. Ed. 694).

Mr. Chairman, I am not a lawyer. Folks in my district have said to me many times, "Doctor, the trouble with you down there is there are too many lawyers in Congress." I said, "You are mistaken. We need them. The language and phraseology that we use in legislation is technical. It requires the education, it requires the continuity of thought and the powers of analysis and conclusion that lawyers are trained in." So I still hold that we need you lawyers and I appreciate your extremely valuable services. It is all right to have a few men here that just read the newspapers as I do, and have some little sprinkling of horse sense, but we need the lawyers. I recommend a study of this matter, particularly to my distinguished disciples of Blackstone.

One of my colleagues said to me a few moments ago, when someone spoke of the dissenting opinions of these distinguished Justices, "I do not care anything about dissenting opinions." I said, "Why not?" He said, "Because they are not the law." True, they are not the law, but certainly study and consideration and weight should be given them, especially when reference is made to the fact that they have been given added strength by numerous decisions following this original case in the Supreme Court.

Mr. GEARHART. Will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from California.

Mr. GEARHART. Despite the fact that the gentleman from New York is a little modest, may I say that, in the estimation of his colleagues, he has become a very great lawyer in the time he has served in legislative halls. Since you are now giving consideration to constitutional questions, I would like to have your opinion in respect to a question that is engaging my attention. Though it has not been suggested by anybody during the course of this debate that such a tax should be levied, I was wondering what the gentleman's opinion would be in respect to the constitutionality of a law which would require the members, copartners of a business partnership to file joint income tax returns. Is not a business partnership and a matrimonial partnership sufficiently similar to justify equal treatment in a tax law?

Mr. CROWTHER. I do not get the gentleman's meaning. Does the gentleman mean a man who has a partnership business should include that in the income of his wife?

Mr. GEARHART. Not exactly that. What does the gentleman think of the idea of compelling the members of all business partnerships to file a joint return?

Mr. CROWTHER. Well, we have a very good and sufficient system of taxing business, corporations, and partnerships. It has been very well defined after long years of study, and it is evidently working well. Why dive into that pool of difficulty?

Mr. GEARHART. If you are after money, you will raise much more by compelling joint returns by members of business partnerships than by compelling joint returns by members of the matrimonial partnership.

Mr. CROWTHER. If we wanted to raise money, there are divers ways that may be just as unpopular as this is.

Mr. GEARHART. The only reason you favor joint returns is because you want to raise $350,000,000. An easy way to get that sum is to take it from the people who happen to be married. Is that not the reason for this unprecedented proposal?

Mr. CROWTHER. That is not a fair statement.

Mr. GEARHART. After sitting through 4 months of committee hearings that is the way it appears to me.

Mr. CROWTHER. A moment ago the gentleman said that the amount of money involved was inconsiderable, that it was only two-tenths of 1 percent. Now the gentleman destroys one argument with the other.

Mr. GEARHART. I was talking about an entirely different thing. I was talking about the savings to the people who live in community-property States. It is only two-tenths of 1 percent of the amount you are going to collect this year from the taxpayers of this country. You are wasting your time talking about that.

Mr. CROWTHER. In my estimation, it is a matter involving an honest determination as to income, and for the purposes of taxation I think the Federal Government has a perfect right to aggregate the income of the husband and wife for the purpose of determining what the tax shall be.

Mr. GEARHART. Why not business partnerships, too? They are analogous.

Mr. COOPER. Will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from Tennessee.

Mr. COOPER. With respect to the statement the gentleman made about the dissenting opinions of the Supreme Court, I am sure the gentleman will recall that the dissenting opinion in the Wisconsin case was delivered by Mr. Justice Stone, who is now the Chief Justice of the United States Supreme Court.

Mr. CROWTHER. I thank the gentleman for his contribution.

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. ANDERSON].

Mr. ANDERSON of New Mexico. Mr. Chairman, I desire only to say that insofar as part XI, relating to outdoor advertising, is concerned, every word that I have received from any business institution in my State indicates that we would like to suggest to the members of the Committee on Ways and Means our hope that it will present an amendment to strike that section from the bill.

Further, just a word with reference to the community-property States. May I say that while those of us who live in community-property States may enjoy a slight advantage on the 15th day of March because of the privilege of filing separate returns we live under that system 364 other days. We do not dispose of our houses or our lots or our property without the consent and persuasion of our business partners, our wives. We realize that no property can be disposed of without their consent. I think it is a fine institution, and I hope that the power to tax does not destroy that part of our community life.

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, after the Committee on Ways and Means has given such painstaking study and such sincere and patriotic effort for 4 long months in preparing this bill, I feel much more like praising than criticizing.

While I shall vote affirmatively for the proposed amendment to strike out the

joint-tax-return provision, and while there are at least two other changes which seem to me desirable, I do want to compliment the committee for their splendid work.

Mr. Chairman, I am not well pleased with that portion of the bill, on page 38, lines 22–25, inclusive, wherein section 731 of the Internal Revenue Code is stricken out. On turning to the Revenue Code, I find that certain benefits have been furnished the miners and operators who are producing tungsten, quicksilver, manganese, and certain other of the strategic metals. I think the producers of these war minerals should have great consideration shown them in computing excess-profit tax. While we have done something in recent sessions of Congress toward promoting home production of these strategic minerals and metals, it is my candid judgment that we have not done enough, and for that reason I dislike to see such little advantage as they had under Public Law No. 801 of the Seventy-sixth Congress taken away from them.

In computing excess-profit tax, I fear an injustice is being done certain branches of the mining industry. I know many small mining men who have not been in production during the years of the depression, but who could now and would very much like to produce the war minerals so much needed at the present time. It is for this struggling industry that I beg consideration, first in this tax measure and also in the computation of all taxes, and more particularly in their encouragement in many other ways, so that these hundreds of small operators may not be discouraged but rather materially encouraged to produce that which the emergency demands.

Although thinking of the many small operators, I am reminded that one great mining corporation operating in the State of Arizona will be hard and unjustifiably hit by this measure as it now stands. Four years ago, I traveled over to Morenci, in Greenlee County, Ariz., and saw a great enterprise in its beginning. A copper-mining company, in the midst of the depression and before the World War, had started, had sufficient faith in the future to invest $35,000,000 to turn a mountain upside down and handle millions of tons of rock before they took out a pound of copper and before they could make 1 penny of profit. I take off my hat to such business planning and financial courage, and I do hope that when this defense-taxation legislation is finally worked out such beginners, whether large or small, shall not be taxed out of existence through an unwise application of excess-profit taxes.

Mr. COOPER. Mr. Chairman, I yield 15 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, I am among those who believe that the provision in this bill for joint returns by husbands and wives is probably the most constructive provision in the legislation under consideration. At the same time no injustice is done to the community States that desire to retain the system of community property and community-income taxes within their own jurisdiction. However, the discrimination between American citizens is removed by the incorporation of provisions for joint returns in the bill, and all citizens of the Republic, regardless of State or community laws, are treated alike in the filing of returns.

The bill under consideration provides for approximately $3,500,000,000 in taxes. These figures are unparalleled. They are astronomical. The bill will provide for the most burdensome taxes in the history of the Republic for the year 1942, and they will exceed the previous large year of highest taxes in 1920, just after the greatest of all wars.

It has been suggested that taxation may be relieved by the reduction of normal governmental expenses. Appropriations are not the functions of the Committee on Ways and Means. They are handled by the Committee on Appropriations. It has been proposed that there should be a joint committee composed of representatives of the Committee on Ways and Means and the Committee on Appropriations to look for a solution of the problem of appropriations, for, in truth and in fact, we may as well admit that instead of reducing normal expenditures during the present session, the Congress of the United States has increased such expenditures. I voted against such increases.

Again, it has been suggested that the initiative for reduction is for the Executive. Personally, I think there is a responsibility on the Executive, but at the same time there is a responsibility upon the Members of the House and Senate. It is my view that there can be no solution of the problem which we must solve, to-wit, during the emergency to reduce the normal expenditures of the Government, except by cooperation between the Executive and the Congress. I am inclined to think that, inasmuch as the Executive speaks for all interests, there will never be any reductions in normal expenditures until they are recommended to the Congress by the President in his Budget message. Joint committees can help, but the Executive must lead in reductions.

There are those who vote for continued large appropriations, and they assert that income taxes in the United States are very much lower than income taxes in the United Kingdom and in Canada. The methods of local taxation are different in the United States than in those countries. I speak to you long enough, and for only a few moments, to call your attention to the Preliminary Report of the Joint Committee on Internal Revenue Taxation, submitted by the chairman of that committee on May 21, 1941, and to the fact that for the year 1940 it would be interesting to make a comparison of the revenues collected and the expenditures made by the United Kingdom, Canada, and the United States.

May I say that there are different methods of local taxation in other countries as compared to our own. When we are asked to make large appropriations or to increase our income taxes we should keep in mind the significant fact that in Great Britain in 1940 the local revenues were approximately one-sixth of the total national revenues, whereas for the same year in the United States the State and local revenues exceeded by more than 60 percent the national revenues.

Probably the best way to compare taxation as between the United States and those countries is to compare the per capita tax. The per capita tax in 1940 in Great Britain was $136.45, in Canada $98.19, and in the United States $102.11. Under the bill of 1940 and under the pending bill, the national revenue in the United States will be increased so that in 1942 it will amount to approximately $8,000,000,000 more than in 1940, and that $8,000,000,000, divided among 130,000,000 people means that the per capita tax in the United States will be substantially increased to $162 as against $136 in the United Kingdom for the year 1940. And the end is not yet in sight.

Taxes for defense are imperative, but a strong economic government is essential in waging war. In making comparisons I think it would be well enough for us to keep in mind that for the fiscal year 1938 and prior thereto in Great Britain and in Canada, the expenditures were substantially the amount of the revenues. The budgets of Great Britain and Canada were balanced, whereas since 1930 in the United States, we have had accumulating deficits, and there have been deficits for practically every year of from one to five billion dollars a year. I maintain that if we are to defend the United States and the Western Hemisphere, we have got to put our economic house in order.

Another thing in connection with comparisons it is well for us to keep in mind is that while the per capita debt of Great Britain was substantially in excess of the per capita debt of the United States in 1940, with 50 billions of dollars for national defense already authorized and appropriated, and with an $11,000,000,000 increase in the last 60 days, the national debt of the United States per capita in the next 12 months will be comparable to that of Great Britain, and Great Britain has been fighting with her back to the wall since July 1940 and engaged in war since September 1939.

Mr. Chairman, the committee in their report are frank enough to say that this is a bill to raise revenue. There are those who advocate increased taxes and savings to prevent inflation. I should like to say to the distinguished chairman and the members of the Ways and Means Committee that in my humble judgment if there is a defect in the pending bill it is in not providing against inflation. Inflation comes by the doubling or the multiplying by three and more times of wages and salaries. The man who was getting $5 a day and is now getting $15 a day and spending it provides the increased purchasing power. I call attention to the fact, before I leave the subject of comparison of taxes in other jurisdictions, and I speak from the report, that the income taxes included in the present bill are substantially the income taxes that obtained in Great Britain in 1938, the year before the war, and somewhat less than the income taxes in

Great Britain in 1939, the first year of the war, and yet the United States is not at the present in a declared war. The defect in the pending bill, as I see it, is that there has not been a broadening of the base, so as to make all of the taxpayers of the United States tax conscious.

I know the reasons given by the committee for not broadening the base. I suggest that there might be a flat tax of $5 for every person who is earning $500 a year, and $10 for every person earning $1,000 a year, and $15 for all earning $1,500 a year. And I say this, that whatever be said about the provisions of the pending bill, and whatever has been said about comparing the rates with the rates recommended by the Treasury for the income-tax payer below the $12,000 income, the rates in the pending bill are much less than those recommended by the Treasury, in the hope that there would be no inflation, and I say, to emphasize, that, if there is one class of taxpayers who are discriminated against in this bill, it is the taxpayers with incomes of from $10,000 to $75,000 a year. It is no answer to say we are exempting those with lower incomes, because under the exemption statutes of the States, whether community or not, those with lower incomes have their homesteads exempted from taxation in Louisiana, Mississippi, and other States, and there are other exemptions all share in the excise taxes in this bill. But that is not the whole story. I have before me the report of the Ways and Means Committee on the revenue bill of 1940, and in 1940, as shown by pages 10 to 12 of the report and as shown by the bill of 1940, the very taxpayers who have been more largely increased than any other taxpayers in the pending bill are those in the brackets between $10,000 a year and $75,000 a year. They were increased from 10 to 13 percent a year ago, thereby increasing the tax by one-third, and this class of taxpayers, those who furnish the capital for the small industries of the country, those who are able to build residences on which taxes are paid to support the schools and build roads and streets, are the taxpayers whose burdens have been materially increased by substantially 33⅓ percent in 1940, and again in the present bill by substantially 50 percent. The taxes on incomes in these brackets have been twice in 2 successive years increased at much greater rates than in other brackets.

For my part, I want to pay all the taxes that are necessary to provide for our national defense. I know the difficulties confronting the committee. It is difficult to prepare a bill that is fair and just to all, but I submit that in fairness to the taxpayer with an income of $10,000, to $75,000, the previous tax bill, the seven previous tax bills passed during this administration and every tax bill passed since 1913, followed the graduation that obtained prior to 1940. I want to remind you, that there is a limit, where rates become unproductive of revenue, as you yourselves say with respect to an income of a million dollars, on which there has been properly no increase. The million-dollar income man will have $200,000 left, but the man with a $50,000 income will only have $28,000 left. I want to say in this connection that whatever bills we may have in the future it should be kept in mind that the brackets to which I have referred are the brackets that are bearing the brunt.

Now, will we prevent inflation by the terms of this bill? I refer to page 17 of the report. A taxpayer with an income of $50,000 under the bill recommended by the Treasury would have paid $19,540, whereas under the pending bill he pays $20,002. Under the bill recommended by the Treasury, a taxpayer with an income of $2,500 would have paid $71.50. Under the pending bill he pays but $38.50.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. DOUGHTON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. WHITTINGTON. Mr. Chairman, as I stated, I realize the difficulties confronting the committee. It is late. I know it is pleasing to say that in the bill we have not increased the burdens on the smaller taxpayers. That is fine. I stand for that. The Committee has adopted rates as proposed by the committee and rejected those proposed by the Treasury, which would in a way have broadened the base. At the same time we have not solved the matter of inflation which is indirectly involved in taxation. Until we broaden the base, until we provide for those who have benefited in the defense program by materially increased wages and salaries, we have not provided against inflation. A person with a salary of $10,000 is increased three times. The average wage earner is not increased at all. I am in favor of fair treatment to both, and to all.

Mr. Chairman, there will be another tax bill in less than a year. When the youth of my district and State and the Nation are being called to the colors, as a citizen I have no desire to increase my income. I would not be content to make more money when your sons and mine are called into service. It is time for us to economize, and not to try to pass the problem from the Congress to the Executive or for the Executive to pass the problem to the Congress, but it is time for all to unite. There must be increased taxes and there must be reductions in the normal expenditures of the Government if the United States is to be defended.

I extend by summarizing.

PER CAPITA TAX BURDEN, 1940

It is a fallacy to maintain that the tax burden is less in the United States than in the United Kingdom and Canada. Those who make this statement overlook the fact that ordinarily the local revenues in the United Kingdom are much less than the State and local revenues in the United States. The same applies to Canada.

In 1940 the local revenues in the United Kingdom were about one-sixth of the national revenue in the United Kingdom; they were about one-half in Canada, while in the United States the State and local revenues exceeded the national revenue by more than 60 percent.

As I have pointed out the income tax in 1938 in the United Kingdom on a $50,000 income was $21,137.81. The amount had been increased in 1939 to $27,388.96. Great Britain declared war on Germany in September 1939.

Under the pending bill, as shown by page 17 of the report, the tax on $50,000 is $20,002. The United States is not engaged in a declared war but the tax burden in the United States, with the passage of the pending bill, will be comparable to the tax burden in the United Kingdom and in Canada. The national debt will not only be comparable but under present conditions will probably exceed the per capita national debt of the United Kingdom and of Canada. We cannot continue therefore to make appropriations that are not imperatively needed on the theory that the tax burden at present is less in the United States than in the United Kingdom and Canada.

BUDGET

In 1938 and previous years the budget of the United Kingdom was balanced. It was in substantial balance in 1939. For the first time in 1940, after the second World War began in September 1939, the British expenditures materially exceeded the revenue receipts. The same is true with respect to Canada.

ESSENTIAL SECURITY IS ESSENTIAL TO NATIONAL DEFENSE

Taxes must not only be levied, but the normal expenditures of the Government must be reduced to promote national defense.

TREASURY AND COMMITTEE RATES

As shown by page 17 of the report the Treasury recommended a tax of $19,540.40 on an income of $50,000. The bill is larger by something like $500, and the tax is $20,002.40. The Treasury recommended on incomes from $2,500 to $10,000 taxes substantially twice as large as those in the pending bill.

The taxes in the pending bill are much less on incomes below $10,000 than recommended by the Treasury. The taxes on incomes roughly between $10,000 and $75,000 are higher than any other brackets. As shown by page 7 of the report, the great percentage of increases on income taxes is on incomes from $10,000 to $75,000.

There is no material increase on incomes of $100,000 to $750,000, and there is no increase at all on incomes of a million dollars and more. The taxes on income taxpayers from $10,000 to $75,000 in the pending bill are higher than the taxes proposed either by the Treasury or by the joint committee for these brackets.

The Revenue Act of 1940, as shown by page 10 of the report, increased very materially the taxes on incomes from $10,000 and especially from $20,000 to $50,000. These are the brackets in which the income taxes in the present bill are largely increased. On a $50,000 income there was an increase of approximately $5,000. The income tax on $50,000 was almost doubled in 1940, as shown by page 12 of the report on the revenue bill of 1940.

The tax on incomes of $50,000 is increased in the present bill by about $6,000 more than it was under the bill of 1940. The taxes are much higher than they were in the highest year following the first World War, which was for 1920.

If it be said that an income of a million dollars is already taxed 79 or 80 percent, the answer is the taxpayer will have left around $200,000, whereas the taxpayer with an income of $50,000 would only have left about $28,000. In other words, in the pending bill incomes from $12,000 to $100,000 are carrying more taxes than should be put upon this group. There were materially increased taxes last year when there was substantially no increases in other brackets.

JOINT RETURNS

As disclosed by page 17 of the report of the committee, if joint returns are eliminated it would mean that on incomes of $2,500 to approximately $15,000 the rates of the Treasury would have to be levied, which would be approximately 100 percent in excess of the rates under the pending bill. The joint tax returns affect 6 percent of the taxpayers. The increased rates would affect 94 percent of the taxpayers.

The report of the committee answers in detail the objections as to the constitutionality or legality of the proposed joint return of husband and wife.

INFLATION

Increased wages without increased taxes and increased savings mean inflation. Those whose salaries and wages have been increased in the defense program should have their income taxes increased; otherwise, there is inflation. Moreover, there will be no reduction in the normal expenditures of the Government unless all taxpayers share in the tax burden. The tax base should be broadened. Wages and salaries which have been especially increased in the defense program should be taxed. The taxes in all brackets should be increased. They should not be confined to any one class of brackets. As I have pointed out, prior to the tax bill of 1940, there was a graduation in income taxes in accordance with the ability to pay that has obtained since the passage of the first income-tax law in 1913. The graduation was changed by increasing the rates in the brackets from $10,000 to $75,000 out of line with the increases in other brackets in 1940. The graduation in said brackets has been changed again in the pending bill. It cannot be that throughout all of the years a mistake has been made in the graduation of income taxes. If excessive taxes mean no taxes in the higher groups, excessive taxes will mean no taxes in the brackets where there has been a doubling of the taxes in the past 12 months.

DEFENSE MEANS TAXES

Adequate defense means increased taxes. Adequate defense means a balanced Budget for ordinary expenditures. Adequate defense means raising a substantial part of defense expenditures by taxation. The generation that is protected should largely foot the bill

I know it is difficult to levy a tax that is satisfactory to all, but it is my view that all citizens should participate in the burden of taxation. Of course, there should be reasonable exemptions, but excessive and wasteful expenditures will not be eliminated unless the public is tax conscious. A broadening of the base will result in a wholesome tax consciousness that will contribute toward sound economic security and adequate national defense.

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I ask unanimous consent that all Members who have spoken today may have permission to revise and extend their own remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. COOPER. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. PATRICK], which closes the requests for time on this side.

Mr. PATRICK. Mr. Chairman, a forward step was taken by the Ways and Means Committee in reporting out this joint tax proposal and this move is one of the most laudable steps that has ever been taken by a taxing body in the United States. Every argument I have heard presented substantiates the statement by the gentleman from New York [Mr. CROWTHER] that this effort against it is one of legal avoidance. One of our fine things in this country is that we have so many constitutional lawyers, but you cannot find any group of persons who disagree among themselves any more religiously than do the constitutional lawyers. I do want to say, too, for my good friend the gentleman from Texas [Mr. SUMNERS] with all of his information and with all of his education and with all of my lack and need, I believe I know more about the sacred precincts of the marital relation than he does. So, when he comes espousing that as his gospel, I feel free to answer him by stating that those who come forward with this proposal have put their finger at least on those who are able to pay, which is where it should go. It is an effort to levy a just tax, and if they talk of different returns—they say it demands a different tax on the married from the unmarried—that is because of the different status and the different way that they have to be approached to do the thing that needs to be done at this time. If people do not think any more deeply and solemnly of the marital relationship and if they have not any more regard for each other, as people ought to have when they get married, than to let this tax keep them apart, then they are not made for each other and ought never to get married in the first place; and if people who would come under it should stay unmarried because of the tax, they have no business getting married and would not be proper persons to enter that sacred relationship with each other if they were married. So I do not give any great weight to this argument.

I have listened to this argument. I came here to listen and to think it through as best I could and have reached my decision almost entirely from hearing the arguments on the floor. I did not hear what went on in the sacred confines of our tax-levying committee. The House should be delighted with its work. In years to come we shall look back with great pride on the present membership of our Ways and Means Committee.

But the thing I got up here to talk about was not that at all. I want to refer to the title which has to do with radio broadcasting and radio network tax. That is section 601 of the revenue bill, and let me raise a warning finger.

On July 15 the executive committee of National Radio Broadcasters adopted this resolution:

> In view of current trade publicity being given to a proposed advertising campaign in behalf of the Navy Department to be placed through one of the large advertising agencies, the executive committee feels that the purchase of time by defense agencies might tend to restrict rather than enhance the most effective utilization of broadcasting during the present emergency.
>
> Therefore we wish at this time to reaffirm the industry's desire to continue its present practice of making its facilities available at no cost to Government agencies engaged in promoting the national-defense program.
>
> To inform the public of the industry's position, it is suggested that an announcement that all Government defense programs being carried without charge be used once each day by all cooperating stations.

The United States of America has no child who is more loyal, who is more cooperative than her radio industry. She has not one who renders such magnificent service; no, not one. The sale of defense bonds and the search for skilled mechanics in the defense industry was aided very materially by free time given through her agencies, her radio stations. The Civil Service Commission has credited the efforts of the radio chains with producing 500,000 skilled workers in the year ending July 23, 1941.

Let me refer to the three advertising media to be dealt with—radio, newspapers, and billboards. I am glad to have the Members preceding me stand up with me on it. For some reason one of these three, the newspapers, are exempt in this tax bill. I wonder why? This is unfortunate. Let us analyze this for a moment. I hope this discrimination is stricken out, or this entire provision is stricken out. I am not interested in taxing the newspapers any more than they are now taxed. But this part of the tax levy is expected to produce only about $5,000,000 revenue if sustained. This means that many men will be thrown out of employment, because the radio stations must do something tremendous to equalize themselves with this tax and still compete with the untaxed newspapers if they are not going to be put out of business. It amounts to unfair competition, because in the end that competition has got to be met, and their business will have to be rechecked. If this tax is maintained the newspapers ought also to have to meet it, as well as radios and billboards, but since the tax is not assessed against the newspapers while being assessed against the radio companies it is unfair. It will do more harm than the good to be done by the revenue the Government may obtain from the tax, and is not worth the candle.

Mr. CROWTHER. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. CROWTHER. Does not the gentleman think—he has had a wide experi-

ence in the art of radio broadcasting and advertising—that the radio broadcasting system is worth the 10 percent more than newspaper advertising, especially when the advertising is delivered in the seductive and splendid tones the gentleman from Alabama uses?

Mr. PATRICK. I must confess I am biased on that subject. In fact I believe my opinion on the value of radio advertising would, because of my bias, be less convincing than that of some unbiased man, and modesty itself precludes me from expressing an honest opinion on what I might do with this subject on the radio.

Mr. BROOKS. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Louisiana.

Mr. BROOKS. In addition to what the gentleman said in reference to the radio, I may say that I notice the billboard advertising mediums very often give space in considerable quantities to the national-defense program, to the American Legion, and to a great many civic and service organizations throughout the United States. They contribute very heavily to the civic interests and to the national defense.

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. PATRICK. Mr. Chairman, I have not investigated billboards as has my friend the gentleman from Louisiana [Mr. BROOKS], but I have gone into this other matter a little bit. The radio broadcasting companies report to me they would suffer in many instances a reduction of 50 percent or more in their net income, even after allowing for savings and excess-profits taxes. There are at least 13 radio stations affected that were in the red last year. In some instances it will be fatal, they report, and pretty nearly fatal in all cases. Here is a business kept short of breath by us, because we only license a station a year at the time. This ties them down to short contracts. It just cannot be worth the candle. It means more than the subscriber would pay in addition to present sums and stay with his station, thus a plain cut-down on annual income.

I am sure the inequality and the consequences will give the radio stations a harder job than they ought to have to undertake to overcome and absorb. There is not in the United States an organization or a band of people who has come forward with more full-hearted support of the Nation and who have given more time than the radio stations. Radio is a fine art that as a matter of public good should be encouraged and supported. If you wish to sell bonds, or if any need arises in the land, the radio stations respond not only willingly but valiantly, because they are the one great voice that can be heard in the far corners of the earth when a cry is heard in the land. They cheerfully and gloriously give of their time. It is an exceedingly patriotic group, these radio people, providing an effective medium for interassociation and all-out service communication among the people of this great country. Whenever a thing like this comes up, they should be given consideration, because they are part of the pulse and responsive chords of the Nation today. I believe that if we can remember this serious fact and if we will give radio a true and fair review, we must come to the conclusion that the radio is the best general forum and the purest agency for national strength in the country. I hope this consideration will be had before the legislation is ended.

[Here the gavel fell.]

Mr. COOPER. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. COSTELLO].

Mr. COSTELLO. Mr. Chairman, I believe that the mandatory joint income-tax provision contained in this proposed tax measure is not only most unwise but likewise very unsound in its application. Throughout the entire history of this Nation, every effort has been made to protect the family relation and to bestow benefits thereon rather than to inflict discriminatory penalties. In other countries, where extra revenue has been sought, a special tax has been placed upon bachelors, the while married persons are granted concessions. We in this bill propose to extend benefits to bachelorhood, the while we would place extra burdens upon married persons.

In another portion of this bill, a special tax is proposed to be levied upon advertising. However, instead of covering the entire advertising field, only a single form of advertising, namely billboard advertising, is chosen to bear the burden of taxation. By what theory of equality of taxation the committee has chosen to tax solely outdoor advertising and has totally ignored all other forms, such as radio, newspaper, magazine, and signs on buildings, is beyond my comprehension.

Yet having chosen this method of applying taxation, it is not surprising then that in an effort to tax the family relationship, only the husband and wife are singled out for unequal treatment. If husband and wife are to be taxed jointly because they live together, then why not include all members of the household domiciled under the same roof? The sole basis on which it is to be determined whether husband and wife must file a joint return rather than individual returns, is the question of living together. If husband and wife live together for just 1 day in any taxable year then they must file a joint return.

Why should only these two members of a family be so singled out, while sons and daughters having taxable income and living with their parents are not also required to join in filing a single return for the entire income of all members of the family? If the test is to be a question of living together for a time during the taxable year, why should not two brothers, living together and sharing their expenses, be likewise required to join in filing a mandatory joint return. Surely the relationship of the brothers is just as close as that of the parents and should be subject to the same requirements under the tax laws.

One need not stop there in applying the test of domicile, if that is hereafter to be the basis of our future tax legislation. What will happen here in Washington, where there are countless thousands of Government workers who, in order to reduce their high living costs, join together in the rental of apartments and the expense of furnishing them? Are they to be called upon in some future tax bill to file mandatory joint returns, because they are domiciled together, even though they may not be related at all? Are their incomes to be pooled for taxation purposes, merely because they have chosen to share the same roof and equally bear the burden of their living expenses?

Let me single out another feature of this provision of the present bill which to my mind is very inequitable. The requirement to file a joint return applies whenever any husband and wife live together at any time during the taxable year. As a result, when two persons decide to marry this December, they are going to find that the income which each has acquired individually throughout the year is suddenly going to be thrown into a common fund for tax purposes and they will be penalized in the amount of tax which they pay, just because they proposed to marry in December rather than to wait until January.

Much has been said during the debate upon this provision, to the effect that it is going to only affect the rich and well to do. The fact is that this provision will work the greatest hardship upon those of very modest means. In fact, the burden will bear heaviest upon young married couples, who in order to supplement their small incomes are both working, in the hope that they may be able to acquire a modest savings account and thus the more quickly obtain sufficient financial security to enable them to plan the future; to provide the means for purchasing a home of their own, or to cover the costs of illness at any time. It is true that the greatest revenue will not come from persons in this category, but the greatest hardship will be borne by such persons.

It is not the amount of money to be raised by this method of taxation which disturbs me. The need for tax revenue is admitted by all. But merely because this change in the tax structure will provide a large sum of money, it cannot be justified, as one of my colleagues earlier in the day would infer, when the underlying principle is itself bad, as is the case here. Any legislation which places an undue burden upon married persons cannot fail to carry with it a tendency to act in restraint of marriage. Courts have long held contracts in restraint of marriage to be void, and they have rightly done so, because such provisions are bad in themselves. Yet we are being asked to put our approval upon a tax measure which is in restraint of marriage.

Moreover, we have been told that this provision will remove an inequality between the community-property States and the other 40 States. The fact is that of the total revenue to be raised by this provision only $50,000,000 will be derived from the community-property States, while the other 40 will bear the brunt of the burden to the extent of more than $275,000,000. This is a tax being levied upon married couples throughout the

Nation and is in no way limited to a mere 8 States. This provision is inserted in this bill in an effort to eliminate what has been termed a source of tax evasion by means of gifts from the husband to the wife in an effort to reduce tax liability. If so, why not directly tax these gifts between husband and wife, without spreading the tax liability to the separate property of the wife, acquired as it may be prior to marriage or through inheritance or gift from persons other than the husband? If gifts between husband and wife are not so taxed, then the law makes permissible such gifts, and there is no injustice on the part of one married couple in so transferring portions of their property to one another as against a second couple where the spouse will not trust the mate by likewise transferring property. The real effect of this legislation will be to eliminate such transfers of property to the wives, and certainly will be a matter of much concern to the women of America. In fact, for the first time in the history of legislation in this country, we are taking a backward step regarding the separate and individual rights of women, when we make their income part and parcel of that of their husbands and levying higher taxes thereon because of marriage—taxes at a higher rate than that paid by single persons.

An illustration was used in the debate earlier today attempting to point out an inequality in the case of one family where the wife had a $6,000 income and the husband had $40,000, each filing separate returns, while in another family the wife having no income and the husband having $46,000 then he had to pay a tax higher than the first husband, although the income of the two couples happened to be the same. There is no inequity here, any more than where one single person has a $40,000 income and so pays at one rate of taxation, while a neighbor having $46,000 income pays at a higher rate because of greater income. There is only inequity, if husband and wife are one person, if the wife being but a chattel is to be denied her separate identity before the tax law, something which the people of this country do not desire and surely do not intend. How fortune may distribute the goods of this world amongst various people is in many cases a matter of chance, and so the most one can say regarding the two couples discussed above is that the second couple may be unfortunate in that the husband's income is the sole source of income, whereas in the first family the source of income is divided between them. But may not the first wife likewise complain of inequity in that her husband is only earning $40,000 while the second wife has the good fortune to have a husband who earns $46,000?

One other feature of this new proposal is the method of terminating a taxable year in the event of a divorce. The language states that the joint taxable year of a husband and wife shall be terminated upon the date of their divorce or legal separation or upon the date of the annulment of their marriage. When does the joint taxable year end in the case of a married couple who have received an interlocutory decree of divorce, but which will not become final until the end of the calendar year? Must they, merely because the laws of the different States vary, continue to pay taxes under this mandatory joint-return requirement for a full year, pending the entrance of a final decree of divorce upon the records of the court? Whereas in other States granting outright divorces the taxable year would end immediately. We may complain of seeming inequities in the laws of the various States, but if we are going to recognize the individual rights of States, then we must anticipate different conditions in the different States. The community-property States may have an advantage in small degree in this matter of taxation, but with that goes the obligation of husband and wife to share their property acquired after marriage equally. If those who complain of the tax inequality, wish to eliminate it—why not adopt the same legislation and grant to wives equality of treatment, an equal share in property acquired during marriage, and thus acquire the same so-called preference. They decline to do this because they are not willing to grant to the women of their States the full recognition which the community-property States have accorded married women throughout the long years of their existence, long prior to the enactment of income-tax legislation. Little wonder that the women of the country are greatly disturbed over what is being attempted in this tax bill and are protesting against it in ever-increasing numbers throughout the land.

Mr. CROWTHER. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, the American people have always been ready and willing to pay just taxes if they have the wherewithal with which to pay, especially that portion that has been spent judiciously, but no one likes to pay out their hard-earned dollars for such nonessentials as this administration has knowingly and willfully wasted by the billions.

This Congress would do well to earnestly and honestly resolve from this minute that not one dollar of the people's money will henceforth be wasted, because the American people are in no mood to be kidded longer. Yes; they want and demand a real, honest-to-goodness national defense, and are willing to pay the bill, but, first of all, they want, and have a right to demand, that kind of national defense which will best insure the keeping of this Nation out of war and will keep war out of America.

The overwhelming majority of our people are wondering just where we go from here. They want, above all, to stay out of the foreign wars, the cost of which is measured in not only tax dollars but more distressing in the sweat and tears of all—moreover in the misery, suffering, blood, and death of our boys.

Certainly, Mr. Chairman, this 3½-billion-dollar tax bill is quite a blow to every person in this land as, of course, it hits us all, either directly or indirectly, and is only a starter, more bills of like nature and even more drastic bills we are told that will hit the lower-income groups directly are now being considered behind closed doors here in Washington. This is all very disturbing, of course, but let us consider for a moment just what will happen if America should become involved in the shooting war.

Should we become actively involved in the European war or even the Asiatic war the tax bill we are now considering under the closed rule will be remembered as a measure only to gather in the chicken feed laying around easy to find, compared to the amount of tax dollars which will be extracted from the pockets of every citizen in order to ward off, if possible, a complete United States Treasury collapse, rank inflation, and its ultimate aftermath, national socialism, misery, and strife in our free land.

Mr. Chairman and my colleagues of this Congress, the people we represent, the American people, are hoping and expecting and, in fact, demanding that this Congress in whom they still have some faith will save them from destruction. The hope and faith of our boys also lies in the Congress. Will we continue to merit that faith? We must.

Mr. COOPER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, the gentleman from Maryland [Mr. COLE], chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 5417, to provide revenue, and for other purposes, had come to no resolution thereon.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that on Monday when H. R. 5417, to provide revenue and for other purposes, is under further consideration in the Committee of the Whole, and having particular reference to the time of debate on section 111, that the debate on any motion made to strike section 111 out of the bill be limited to 2 hours, in addition to the first 5 minutes for which the proposer of any such amendment will be recognized; and that the 2 hours be controlled, one-half by a majority member of the Ways and Means Committee and one-half by a ranking minority member of the Ways and Means Committee.

This is not a part of the unanimous-consent request, Mr. Speaker, but may I say that both of those gentlemen, I know, will see that the time is apportioned equally and fairly between Members who are in favor of and in opposition to this particular provision.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

PRIVATE CALENDAR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the call of bills on the Private Calendar for Tuesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, can the majority leader give us an idea what the program will be for next week?

Mr. McCORMACK. I will be very glad to, and what I shall say is rather indefinite, but it will give a general idea.

Of course, on Monday bills on the Consent Calendar will be called, but this will not take very long. Then there will be a continuation of the debate on the tax bill.

On Tuesday, if a rule comes out of the Rules Committee, it is quite probable that the matériel requisition bill will come up for consideration, after which the bill extending the time of the inductees will come up for consideration. This will be either Wednesday or Thursday, whenever a rule comes out, and in turn is dependent upon the termination of debate and final action on the bill now under consideration in the other body. Thereafter, although I cannot definitely state the date, but to give an idea what the order of business will be, but not prior to the consideration of extending the time of the inductees, the bill S. 353, which relates to the extension of enlistments in the Navy, will be brought up for consideration.

If any one of these bills are up for consideration on Wednesday, it is my intention to ask that Calendar Wednesday business be dispensed with next week. If the legislative situation is such that the matériel bill, which comes up on Tuesday, is disposed of and we are not ready to take up the other bill for consideration, either because the other body has not terminated debate, or because final action has not been had in the other body, or because a rule has not been reported by the House, then, of course, we will call the calendar on Wednesday; but the strong probabilities are that Calendar Wednesday business will be dispensed with.

Mr. MUNDT. Mr. Speaker, further reserving the right to object, when will the bills on the Private Calendar be called up?

Mr. McCORMACK. Of course, I am unable to state that now.

Mr. MUNDT. It does not mean it would be delayed a full month, however?

Mr. McCORMACK. I believe the call of the Private Calendar would not be unduly delayed. Approximately every 2 weeks the Private Calendar is called. I do not want to be bound at this time by making a definite statement as to when the Private Calendar will be called. Of course, it is only with great reluctance that we dispense with the call of the Private Calendar. I can assure the gentleman that every consideration will be given to the disposition of bills on the Private Calendar in one way or another before the time arrives when, I am hopeful, and I am looking forward to it with a great deal of pleasure, we may have a substantial recess.

Mr. MUNDT. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I have been granted permission to address the House on next Monday on a subject I have been studying about a little bit. I assume that next Monday will not be a proper day to approach that subject. I should like to transfer that time to Tuesday, if I may.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. PATRICK. Mr. Speaker, I also ask unanimous consent to address the House for 35 minutes on Wednesday. I will not use the time on both days.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, some of us have been waiting here for that speech on several occasions. We would like to know if the gentleman is really going to give it.

Mr. PATRICK. That is what I would like to know, too.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

COMMITTEE ON MILITARY AFFAIRS

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the Chairman of the House Committee on Military Affairs [Mr. MAY] may have until midnight tonight to file a conference report on the bill S. 1524.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a copy of an address.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole this afternoon and include therein certain charts, tables, and statistics.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD under the title "The Minority Has a Mandate, Too."

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in Committee of the Whole today on the tax bill and include therein some brief excerpts from the report on the bill, together with other brief excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and include therein certain telegrams to which I referred. There are 10 or 11 of them.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. RICH] may incorporate in the remarks he made on the floor today certain newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

THE ARMY GAG

Mr. HOFFMAN. Mr. Speaker, protesting because some of the cards sent out by Senator WHEELER asking American citizens to advise the President that they were "against our entry into the European war" fell into the hands of men who had been drafted for national defense, but who are about to be sent with another A. E. F. into Europe, Secretary of War Stimson said that Senator WHEELER'S action came "very near the line of subversive activities against the United States, if not treason."

The President subsequently, when the matter was called to his attention, endorsed the expression of two New York newspapers which, commenting on WHEELER'S action, captioned their critical editorials with the statements "On dangerous ground" and "Mr. WHEELER goes too far."

Stimson later apologized for his false charge, but the President so far as remained silent. We may, therefore, assume that the President still believes that privates in the United States Army and Navy have no right to express their opinions of his action in violating his promise made to them prior to the time they were conscripted.

The administration has been extremely active in calling upon Army officers and the administration's stooges in Government service to express their opinions when favorable to it. That the generals of the Army do not represent the opinion of the conscripted or enlisted men is very evident from expressions which come to us.

Note this excerpt from a letter received this morning:

> This morning we were warned against any attempts to influence legislation, such as the writing of letters to public officers, and the signing of petitions, as this is against Army regulations. I guess they have become a little excited over WHEELER'S recent disputes with the Secretary of War, etc. I am tempted to suggest that it would be equally appropriate that some of the heads of the Army desist from attempting to influence legislation. Particularly I dislike seeing lies printed and said by some of the big Army men. I read a statement in a paper the other night, that the commanding officer of some post made, to the effect that 90 percent of the enlisted men and officers at his post were in favor of extending the service of the present soldiers.
>
> That, I know, is a downright lie, or a statement made in utter ignorance of the true situation. I would make the statement, and bet that it is closer to the truth, that 90 percent of all selectees are opposed to such extension.
>
> I keep my mouth pretty well shut around here about the way I feel, for I think I would only court some trouble and arouse animosities if I sounded off about them.

Naturally, we conscriptees are greatly concerned over the present situation and all the talk of an indefinite service. In my own opinion, I think our defense program calls for no such action. Our training could be accomplished in much less time than a year and our value for defense purposes would not be lost if we were to return to civilian occupations.

I believe that I can see a reason for the growth of sentiment in favor of a larger and larger Army in the tremendous defense contracts which are going to private business. Naturally, these contracts must look good to the businessmen concerned. I think that if the profit could be taken out of all phases of the defense program, you would see less enthusiasm for the present policy.

I heard part of Roosevelt's speech the other noon and was thoroughly disgusted. I think the overwhelming majority of selectees feel as I do about it. I sincerely hope that we will find enough clear logical thinkers, statesmen, and indignant fathers and mothers, to prevent the fulfillment of the aims of Roosevelt and his clan.

Also the following from another letter received this morning:

MY REPRESENTATIVE: A few days ago I read your article, Washington Letter, which appeared in my home-town paper. Being that I am one of the many, many thousands who is against the extension of our time in the service of our country, I read your article with very much interest. I am keeping this clipping and am passing it on to my already disgusted soldier friends. It is needless for me to get the names of all those who are against an extended period of training, because all are against it.

We were conscripted into the Army for 1 year, for the purpose of defending this country, defending the things that this country stands for. We are all doing that, but we don't want to fight for the principle of the British Empire. Every one of us will give our lives to protect the principles of this country, and if there were an immediate danger, we would be glad to stay in the service for an extended length of time. Please, Mr. HOFFMAN, do everything possible to not allow this bill to pass. We, 90 percent of the —— Division, beg of you.

The thing which Mr. Roosevelt, the warmongers and the new dealers forget, the thing which they overlook, is that the American Army is not made up of slaves or subjects. It is not composed of unthinking, uneducated men, who believe in dictatorships. The American Army is a cross section of American life. The men in that Army believe in the principles enunciated in the Bill of Rights. They have faith in our Government. They believe, as did our forefathers, that, under God's guidance, and with His help, this Nation can and will remain as a foundation for civilization, as a guardian of human freedom.

They have no desire to engage in European wars, in European political controversies. They are now, as always, ready to make every sacrifice for the preservation of the Union, for the principles which made us great, one of the most important of which is the right of free speech; and, when the Army officers, the new dealers, or the President think they can muzzle them, drive them into a mute submission, to injustice, they are forgetting the spirit, the determination and the independence which made this Nation what it is.

Let the President and those who would remake America, who would make it a puppet State of Britain, watch their step that they let not loose a force which will mete out to them the fate which eventually is the end of all dictatorships.

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. CRAWFORD] is recognized for 10 minutes.

SUGAR

Mr. CRAWFORD. Mr. Speaker, at this late hour I very much dislike to impose on the Speaker and any Members of the House, but there comes a time in connection with some of the basic commodities when I think it is very important that certain observations be made. In my opinion, that hour has arrived in connection with the basic commodity, table sugar.

We must bear in mind that in recent weeks the Department of Agriculture has recognized that what with the colossal administrative error it made during the early spring of this year in forcing the continental sugar growers of the United States to reduce their acreage devoted to the production of sugar some 16-plus percent, that coming at a time when the shipping facilities of the world are greatly disturbed as a result of the dislocations of war, and also at a time when there is great concern among the officials of the departments of the Government with reference to inflationary rises in the prices of the necessities of life, all these things have contributed to a very embarrassing situation for the trade, for consumers, for the administrative forces of Government, and for those who sit on the floor of this House as representatives of the people.

For instance, we find that the Department of Agriculture has recently increased the marketing quotas of sugar four times, I believe it is, to the extent of several hundred thousand tons of refined sugar. We also find that the President has dispatched to the sugar-producing areas of the Caribbean Sea one Charles Taussig. We also find that there is operating in those areas at the present time, and particularly in the vicinity of Puerto Rico, one Rexford Tugwell, and, speaking frankly and abruptly, Mr. Speaker, it is my opinion that these gentlemen who have been and perhaps now are closely affiliated with the official staff of the American Molasses Co., are proceeding on a program for the specific purpose of shuffling to the areas of the Caribbean approximately 1,000,000 tons of sugar, which we have heretofore drawn from the Philippine Islands, and to prevent in the failure of the Philippines to supply that sugar to the United States, the continental sugar-beet and sugarcane areas taking up that production for the American people.

Mr. Speaker, these two gentlemen to whom I have referred have been exceedingly aggressive, and I should say very, very clever in connection with their operations in these areas. For instance, I am informed that just recently Mr. Tugwell has had himself offered the position of chancellor of the University of Puerto Rico. I am informed that there is considerable protest against that movement on the part of the Puerto Rican people, because, as I understand the situation, it runs contrary to the principles enunciated in a message of the President some months ago when he spoke in connection with the governorship of Hawaii. It is also my understanding that the President has sent to the Senate the name of Mr. Tugwell as Governor of Puerto Rico.

We have a situation here, Mr. Speaker, where the consumers of sugar in this country, and the growers of sugar beets and sugarcane may be well concerned about what is taking place in these offshore areas, as it operates through those two gentlemen whose names I have mentioned. We find the Department of Agriculture, in sheer desperation, increasing these marketing quotas in an attempt to cover up an administrative error made earlier in the year, and every time the administrative forces of the Department of Agriculture increase the marketing quotas, the price of sugar advances. Why? For two or three specific reasons which I shall mention. The sugar consumers of this country are smart enough to know that under no circumstances has this Government attempted to control the price of sugar which Cuba imposes on the housewives of this country. The sugar consumers of this country are smart enough to know that the supply of sugar which is constantly referred to by Dr. Joshua Bernhardt, in charge of the Sugar Division, is not located within continental United States but is located primarily on the island of Cuba, over which we have no control, so far as prices are concerned. I suggest to the Members of this House that they carefully notice the marketing reports during the past fortnight, and see how cutely and completely Cuba remains out of the sugar market and adds to this rapid advance in the price of sugar which is imposed upon the sugar consumers of this country, and at a time and at the very moment when the Chief Executive of the Nation sends to this House a special message on inflationary prices and calls for special legislation.

Why has the administration subjected the people of this country to a third item, which I shall mention, which is the absence of bottoms in which offshore sugar can be brought to the United States? The sugar consumers of this country are not unaware of the predicament that we have gotten into from that standpoint.

So when the administration says to the sugar consumers of this country, first, we will let you produce in the United States a reasonable share of your sugar consumption in time of war and, second, we will not subject you to the price advances which can be imposed upon you by offshore foreign lands over which we have no control and over which we do not pretend to exercise any control, that in itself will be a stabilizing influence in the price of sugar; but the administration follows a course absolutely opposed to that.

Mr. Speaker, I shall not impose upon you and the other Members of the House who are forced to remain at this late hour. I ask unanimous consent to include in my remarks an estimate of the supplies of sugar available for the United States in 1942 and some seven reasons on which those estimates are based; together with a table setting forth in detail the apparent available supplies of sugar for 1941 and also for 1942; and

to supplement that information by a statement prepared by the Bureau of Agricultural Economics, dated June 16, 1941, in which the Department sets forth its estimate of supplies available to the United States in 1941.

The SPEAKER pro tempore (Mr. COSTELLO). Without objection it is so ordered.

There was no objection.

The matters referred to are as follows:

SUPPLIES OF SUGAR AVAILABLE FOR THE UNITED STATES IN 1942

Under conditions likely to exist in 1942, sugar available to the United States from normal sources of supply will not reach more than 6,734,000 tons. This is in contrast to the figure of 7,986,000 tons estimated here for 1941 or 8,900,000 tons as estimated recently by the Department of Agriculture. The marked shrinkage in potential supplies has taken place notwithstanding a liberal allowance made in the table for increased production in domestic areas and Cuba.

Details of computation are shown in the accompanying table. Starting with initial stocks and known production in 1941, appropriate allowances have been made for local consumption, exports to other markets, and normal reserve stocks. After deducting estimated United States consumption for 1941, the resulting figures may be taken as indicative of stocks at the beginning of 1942.

In projecting the picture another 12 months, substantially the same procedure has been used. Production, however, has been estimated at the maximum which may be expected of individual areas during the ensuing year. Although estimates of local consumption show little change, adjustments for sales to foreign markets have been increased for reasons discussed hereafter. The various remainders represent sugar supplies available for meeting United States consumption requirements in 1942.

These figures are premised upon certain basic assumptions. The following are those considerations deemed to be most influential in determining supply and demand conditions in 1942:

(1) The growing scarcity of ships will force a greater and greater reliance for sugar supplies on those areas from which the sea lanes are shortest and most easily protected. This means that in 1942 shipments from the Philippine Islands will in all probability be eliminated. In addition, shipments from Hawaii may be substantially curtailed. The Maritime Commission has already drafted plans for the diversion of shipping to the far eastern trade in order to obtain needed stocks of tin and rubber. As a result, the Western Hemisphere may be forced to rely for its entire sugar requirements on continental United States and West Indies production.

(2) Elimination of Philippine and the curtailment of Hawaiian sugars appears more probable in view of the limited refining capacity existing on the Pacific coast. Approximately three-fourths of Philippine shipments and one-third of Hawaiian shipments now move to Atlantic ports for refining by way of the Panama Canal. Not only do these movements tie up valuable shipping for a prolonged period, but traffic through the Canal itself will become increasingly congested. Nor can these sugars be economically moved overland inasmuch as the freight from the Pacific coast to Atlantic seaboard refining centers would add approximately 1 cent to the present price of sugar.

(3) The requirements of the Western Hemisphere must necessarily include those of the United Kingdom. The economic and military interests of the American and British Governments are becoming more and more alike, with the result that British sugar requirements will have the same priority as those of the United States and Canada. Moreover, the scarcity of ships will force the United Kingdom to obtain the greater part, if not all, of its imports from the Western Hemisphere in order to avoid the long, dangerous haul from those far eastern areas with which it has dealt in the past.

(4) The United Kingdom in a normal year imports about 2,500,000 tons of sugar. Strict rationing has reduced the amount of sugar consumed in the British Isles to a figure about one-half this size. Nevertheless, it is safe to assume that Cuba and the Dominican Republic together will be called upon to provide from 750,000 to 1,000,000 tons during the coming year. Any of this sugar which, through submarine or air attack, fails to reach the British Isles will, of course, reduce the available supply by that amount.

(5) Increased use of high-test molasses for the production of industrial alcohol will also exert a demand upon the sugar-producing capacities of the Western Hemisphere. To the extent that cane is converted directly into high-test molasses, the sugar-producing potentialities of that area will be correspondingly reduced. Estimates of the sugar equivalent of high-test industrial molasses range upward as high as 1,000,000 tons. For the sake of conservatism, it has been estimated here that Cuba will supply sugar equivalent in the form of high-test industrial molasses in the amount of 500,000 tons.

(6) The same forces operating to eliminate or to curtail sugar shipments from the Philippine Islands and Hawaii will operate to prevent shipments from such South American areas as Peru, Argentina, and Brazil. Of these countries only Peru, in the past, has shown any interest in the United States market. Shipments even from this country have been relatively small. In view of the long hauls involved, the necessity to economize on shipping space and shipping time will preclude such areas from supplying any appreciable amount of sugar to the United States market. This fact has been recognized by Dr. Joshua Bernhardt, Chief of the Sugar Division, in discussing the subject before members of the New York sugar trade.

(7) All continental and nearby areas currently supplying United States market may be expected to increase their production in 1942. This increase, however, will be less than that required to offset the probable demand from the United Kingdom and the loss in shipments from the Philippine Islands and Hawaii. Possibilities of expansion in the continental beet area will be limited by the growing shortage of farm labor and the higher price for alternative crops. A limiting factor in expansion of continental cane production will be the damage sustained in Louisiana due to the freezes of last year. Expansion in Puerto Rico will be limited both by the lower yields obtainable from the large amount of carry-over cane and by the uncertainties caused by insular legislation affecting the management of sugar lands. Of all the areas now supplying the United States market, Cuba is in a position to expand most rapidly and in greatest degree. Nevertheless, even in this case the nature of cane cultivation is such that the maximum crop to be anticipated in 1942 can scarcely exceed 3,700,000 tons.

On the basis of estimates presented here, those areas now supplying the United States with its sugar will fail to meet the country's full 1942 requirements. After allowing for reduction in Philippine and Hawaiian supplies, and after anticipated diversions to industrial molasses and requirements on the part of England, the supply of sugar remaining for the United States in 1942, barring nordustrial molasses and requirements on the mal reserves, will presumably total only 6,734,000 tons. In addition to this sugar in areas normally servicing the United States, limited supplies may become available in other nearby areas in the West Indies. Such sugars, however, have been estimated at not to exceed 470,000 tons. Even if these alternative sources be included, apparent supplies available for United States consumption in 1942 will fall more than 400,000 tons short of this year's most recent consumption estimate.

Repeated emphasis as to the adequacy of supplies for 1941 has obscured the situation which will confront the country in 1942. This situation presages a definite shortage in supplies emanating from customary sources. In view of this, it is essential that responsible officials should turn their attention to ways and means of broadening the supply to be obtained from domestic areas. The domestic sugar industry is the first line of consumer defense, and as such should merit primary consideration.

Apparent available supplies of sugar for 1941

[Thousands of tons, raw value]

	Stocks on Jan. 1, 1941	1941 crop	Total supply	Local consumption	Exports other than sugar to United States	Normal reserve stocks	Available for United States in 1941
Normal sources of United States supply:							
Refiners and importers	713	----------	713	----------	----------	700	13
Raw sugar mills	62	[1] 599	661	----------	----------	200	461
Beet-sugar factories	1,602	[1] 1,579	3,181	----------	----------	1,277	1,904
Puerto Rico	150	929	1,079	72	----------	180	827
Virgin Islands	0	8	8	1	----------	----------	7
Cuba	1,245	2,734	4,079	175	[2] 400	663	2,841
Hawaii	0	969	969	35	----------	0	934
Philippines	23	1,092	1,115	115	----------	1	999
Total	3,895	7,910	11,805	398	400	3,021	[4] 7,986
Alternative sources of supply:							
Dominican Republic	24	420	444	22	267	25	130
Haiti	4	34	38	9	4	4	21
French West Indies	0	121	121	6	0	0	115
British West Indies	0	476	476	55	421	0	0
Peru	80	504	584	111	200	50	223
Total	108	1,555	1,663	203	892	79	489

See footnotes at end of table.

Apparent available supplies of sugar for 1942

[Thousands of tons, raw value]

	United States 1941 consumption [1]	Available stocks on Jan. 1, 1942	Estimated 1942 crop	Available stocks plus 1942 crop	Estimated local consumption	Exports other than sugar to United States	Available for United States in 1942
Normal sources of United States supply:							
Refiners and importers		13		13			13
Raw-sugar mills	495	[3]34	550	516			516
Beet-sugar factories	1,825	79	1,750	1,829			1,829
Puerto Rico	940	[4]113	1,100	987	85		902
Virgin Islands	7	0	10	10	1		9
Cuba	2,251	590	3,700	4,290	175	[7]1,250	2,865
Hawaii	934	0	[5]635	635	35		600
Philippines [6]	963						
Total	7,435	535	7,745	8,080	296	1,250	6,734
Alternative sources of supply:							
Dominican Republic	69	61	450	511	22	500	189
Haiti	9	12	40	52	9	4	39
French West Indies		115	135	250	6	0	244
British West Indies		0	500	500	55	445	0
Peru [8]	115						
Total	193	188	1,125	1,313	92	749	472

[1] Includes 74,000 tons of sugar made from cane grown in previous year.
[2] Includes 144,000 tons of sugar made from beets grown in previous year.
[3] Includes 200,000 tons of sugar estimated as required by United Kingdom and 200,000 tons of sugar equivalent of high-test industrial molasses.
[4] Compares with Department of Agriculture estimate of 8,900,000 tons.
[5] Represents official consumption estimate of 7,627,562 tons after reallotment of indicated deficits for Hawaii, Virgin Islands, and certain foreign areas other than Cuba.
[6] Represents requirements filled out of normal reserve stocks.
[7] Includes 750,000 tons of sugar estimated to be required by United Kingdom and 500,000 tons of sugar equivalent of high-test industrial molasses.
[8] Represents production necessary for normal shipments of Hawaiian sugar to west coast only.
[9] Represents anticipated elimination of receipts due to shipping shortage.

Compiled from reports of the U. S. Department of Agriculture, trade figures, and private estimates.

Sugar—Supplies available for United States in 1941

Country	Jan. 1 stocks	Production		Total supply	Local consumption	Estimated exports to markets other than United States	Reserve stocks at end of year	Available for United States
		1940 crop	1941 crop					
United States:	*1,000 tons*	*1,000 tons*	*1,000 tons*	*1,000 tons*	*1,000 tons*	*1,000 tons*	*1,000 tons*	*1,000 tons*
Cane sugar:								
Refiners and importers	713			713			550	163
Cane sugar mills	62	74	325	661			200	461
Beet sugar	1,602	144	1,435	3,181			1,240	1,941
Puerto Rico	150		908	1,058	72			986
Virgin Islands	0		8	8	1			7
Cuba	1,345		2,726	4,071	175	200	500	3,196
Hawaii	0		1,000	1,000	35			969
Philippine Islands	23		1,282	1,305	115		1	1,158
Total	3,895	218	7,884	11,997	398	200	2,491	8,906
West Indies:								
Dominican Republic	24		420	444	22	100	25	297
Haiti	4		34	38	9	4	4	21
French West Indies	0		121	121	6	0	0	115
British West Indies	0		471	471	55	416	0	0
Total	28		1,046	1,074	92	520	29	433
South America:								
Argentina	222		593	815	473	100	100	142
Brazil	94		1,425	1,519	1,203	10	94	212
British Guiana			213	213	6	205	0	0
Peru	80		504	584	111	200	50	223
Other countries			136	136	385	−249	0	0
Total	396		2,871	3,267	2,180	266	244	577

Source: Division of Statistical and Historical Research, Bureau of Agricultural Economics. Compiled from official sources and trade reports.

Mr. CRAWFORD. Mr. Speaker, these estimates are for the benefit of sugar consumers of the United States and other students of this particular commodity. This is a time when we can well be concerned about the way the administration is handling this particular food commodity.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1359. An act for the relief of Robert Edward Lee; and

H. R. 4671. An act to authorize a plant-protection force for naval shore establishments, and for other purposes.

ADJOURNMENT

Mr. BROOKS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.), the House, pursuant to its order heretofore entered, adjourned until Monday, August 4, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, August 5, 1941. Business to be considered: Hearings on H. R. 5343, daylight saving time.

COMMITTEE ON THE JUDICIARY

Subcommittee No. 1 of the Committee on the Judiciary will start hearings in room 346, old House Office Building, on Wednesday, August 6, 1941, at 10:30 a. m., on H. R. 5234, to amend the Judicial Code in respect to the jurisdiction of the Court of Claims in certain cases. (Mr. SUMNERS of Texas.)

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WHITTINGTON: Committee of conference on the disagreeing votes of the two Houses. H. R. 4911. A bill authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes (Rept. No. 1104). Referred to the Committee of the Whole House on the state of the Union.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 5428. A bill making eligible for citizenship any alien not racially ineligible to naturalization heretofore admitted to the United States for permanent residence under special act of Congress; without amendment (Rept. No. 1111). Referred to the House Calendar.

Mr. COFFEE of Washington: Committee on Claims. H. R. 5185. A bill to amend section 2 of the act entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in sums not exceeding $1,000 in any one case," approved December 28, 1922 (42 Stat. 1066); with amendment (Rept. No. 1112). Referred to the Committee of the Whole House on the state of the Union.

Mr. COFFEE of Washington: Committee on Claims. H. R. 5079. A bill to authorize the Treasurer of the United States to make settlements with payees of lost or stolen checks, which have been paid on forged endorsements, in advance of reclamation, and for other purposes; with amendment (Rept. No. 1113). Referred to the Committee of the Whole House on the state of the Union.

Mr. JENNINGS: Committee on Claims. H. R. 4791. A bill to reimburse the city of McMinnville, Oreg., for damages assessed to it by the United States for innocent trespass upon land belonging to the United States; with amendment (Rept. No. 1114). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee of conference on the disagreeing votes of the two Houses. S. 1524. An act to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940 (Rept. No. 1116). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. House Joint Resolution 222. Joint resolution declaring a national emergency, extending terms of enlistments, appointments, and commissions in the Army of the United States, suspending certain restrictions upon the employment of retired personnel of the Army, making further provision for restoration of civil positions to members of the Army on relief from military service, and for other purposes; with amendment (Rept. No. 1117). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEISS: Committee on Claims. H. R. 247. A bill for the relief of Lena B. Crouch; with amendment (Rept. No. 1105). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 4777. A bill for the relief of Alexander Kehaya; without amendment (Rept. No. 1106). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 5039. A bill for the relief of Mrs. Albert Spillman; without amendment (Rept. No. 1107). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. Senate Joint Resolution 29. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.; with amendment (Rept. No. 1108). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. S. 605. An act for the relief of Pherne Miller; without amendment (Rept. No. 1109). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. S. 1398. An act for the relief of Elinor Leugers; without amendment (Rept. No. 1110). Referred to the Committee of the Whole House.

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 4562. A bill for the relief of Leslie Charteris (Leslie Charles Bowyer Yin) and Patricia Ann Charteris; without amendment (Rept. No. 1115). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 5474. A bill to reduce the rate of interest on obligations of home owners to the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

By Mr. BRADLEY of Michigan:

H. R. 5475. A bill to prevent unwarranted prices from being demanded and received for strategic and critical materials; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 5476. A bill to provide aviation education in the senior high schools of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. STEAGALL:

H. R. 5479. A bill to further the national defense and security of checking speculative and excessive price rises, price dislocations, and inflationary tendencies, and for other purposes; to the Committee on Banking and Currency.

By Mr. KEFAUVER:

H. J. Res. 226. Joint resolution providing for payments for the purpose of equalizing, as between the different regions or territories of the United States, freight charges for the transportation of defense materials during the existing emergency; to the Committee on Interstate and Foreign Commerce.

By Mr. RAMSAY:

H. J. Res. 227. Joint resolution designating the Sunday immediately preceding Decoration Day, May 30, of each year as Memorial Sunday for Deceased Firemen; to the Committee on the Judiciary.

By Mr. McLAUGHLIN:

H. Res. 285. Resolution authorizing the Committee on the Judiciary of the House of Representatives to have printed additional copies of the hearings held before a subcommittee of said committee on the bill (H. R. 4394) to amend the Bankruptcy Act and acts amendatory thereof; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FLANNAGAN:

H. R. 5477. A bill for the relief of David Lasser; to the Committee on Appropriations.

By Mr. McGEHEE:

H. R. 5478. A bill for the relief of Nell Mahoney; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1718. By Mr. HILL of Washington: Petition of sundry residents of Moses Lake, Wash., and various other cities, urging the passage of House bill 4000, a bill to prohibit the sale of alcoholic liquors on military or naval reservations, and to prohibit vice districts in close proximity thereto; to the Committee on Military Affairs.

1719. Also, petition of sundry residents of Moses Lake, Wash., and various other cities, protesting against House bill 3852, which authorizes the District of Columbia Board of Barber Examiners to establish opening and closing hours, and a day on which barber shops shall remain closed after an investigation as to the preference of a majority of the licensed barbers; to the Committee on the District of Columbia.

1720. By Mr. LAMBERTSON: Petition of Rev. Claude J. Utley and 106 others, regarding House bill 2475, as amended by the Senate, including the Sheppard bill, S. 860, urging a vote against reconsidering the vote by which this amendment was made; to the Committee on Military Affairs.

1721. By Mr. ROBERTSON of North Dakota: Petition of the North Central Association of Commissioners, Secretaries and Directors of Agriculture, opposing enactment of House bill 5032, which would nullify the sanitary pact against foot-and-mouth disease; opposing reduction of import duties on imports of foreign farm products; opposing setting of maximum price "ceilings" on agricultural products; and urging that farmers receive the full parity prices for products domestically consumed; to the Committee on Ways and Means.

1722. By Mr. TENEROWICZ: Petitions of sundry citizens of the United States, urging consideration of House Joint Resolution 131; to the Committee on Foreign Affairs.

1723. By the SPEAKER: Petition of Ben Jablonski, of Ladysmith, Wis., and others, petitioning consideration of their resolution with reference to House bill 4000, for suppression of vice in the vicinity of military camps; to the Committee on Military Affairs.

1724. Also, petition of the Toastmasters International of Santa Ana, Calif., petitioning consideration of their resolution with reference to the national-defense program; to the Committee on Military Affairs.

SENATE

MONDAY, AUGUST 4, 1941

(Legislative day of Monday, July 28, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Giver of Life and Lover of Souls, we remember before Thee one who came not as a stranger in our midst, though brief his sojourn among us, whom now in the full strength of his glorious manhood, Thou hast called hence to realms of higher service. Grant that his life, so fruitful and so full of promise here, may unfold itself in Thy sight and find sweet employment in the spacious fields of eternity. Remember his family and loved ones in the tenderness of Thy mercy and comfort them in their sorrow by Thy sustaining presence and infinite love.

And grant, O Lord, we beseech Thee, that each unfolding day of this wondrous life may bring us deeper knowledge of Thee, wherein we may serve Thee here with joy and without fear, until the fullness of our days hath come, and for each of us the Trumpet hath sounded upon the farther shore. Then, of Thy mercy, grant that we may see our loved ones face to face, and serve Thee in that blessed Kingdom which Thou hast prepared for all who love Thee. Through Jesus Christ our Lord. Amen.

NAMING A PRESIDING OFFICER

The Secretary, Edwin A. Halsey, read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., August 4, 1941.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. KENNETH MCKELLAR, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Thereupon, Mr. MCKELLAR took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Friday, August 1, 1941, was dispensed with, and the Journal was approved.

SENATOR FROM TEXAS

Mr. CONNALLY. Mr. President, Hon. W. LEE O'DANIEL, duly elected a Senator of the United States from the State of Texas, is present and prepared to take the oath of office. His credentials have heretofore been filed.

The ACTING PRESIDENT pro tempore. If the Senator-elect will present himself at the desk, the oath will be administered to him.

Mr. O'DANIEL, escorted by Mr. CONNALLY, advanced to the desk and the oath prescribed by law having been administered to him by the Acting President pro tempore he took his seat in the Senate.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on August 1, 1941, the President had approved and signed the act (S. 505) making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States.

COMMITTEE SERVICE

Mr. BARKLEY. By direction of the steering committee of the majority, I ask that the order for committee assignments, which I send to the desk, be agreed to.

The ACTING PRESIDENT pro tempore. The order will be read.

The Chief Clerk read as follows:

Ordered, That the Senator from Texas [Mr. O'DANIEL] be assigned to service on the Committees on Commerce, Claims, District of Columbia, and Irrigation and Reclamation.

The ACTING PRESIDENT pro tempore. Without objection, the order is agreed to.

CONSTRUCTION OF ROADS NEEDED FOR NATIONAL DEFENSE—VETO MESSAGE (S. DOC. NO. 103)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and, with the accompanying bill, referred to the Committee on Post Offices and Post Roads and ordered to be printed:

To the United States Senate:

I return herewith, without my approval (S. 1580) a bill "To supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes."

One of the major provisions of this bill involves authorization of $125,000,000 to correct critical deficiencies in lines of strategic network of highways and bridges with the further provision that these funds are to be apportioned among the several States in accordance with the existing Federal Aid Act. The critical deficiencies in highways and bridges that may require prompt correction in the interest of our national defense cannot be reasonably related to the population of States or the other factors which enter into ordinary apportionment. The result, therefore, is the necessity for the appropriation of a far larger sum of money to meet immediate requirements than would be necessary if these funds were applied to critical deficiencies without the apportionment method. In fact, it is quite possible that the most critical deficiencies in some areas may not be corrected even with the sum authorized in this bill. I am unable to approve this method of expending money for the immediate national defense and for which I recommended a total of $25,000,000 without apportionment.

Another item to which I wish to call attention is the provision for off-street parking facilities. This provision authorizes the expenditure of Federal funds to aid in buying and developing parking areas of such size as to accommodate vehicles prohibited by local authority from parking within any political subdivision on the street portion of any section of the strategic network of highways. I feel that it is not a proper expenditure of Federal money to aid in providing for the parking of vehicles in the various political subdivisions of the United States that happen to be on the strategic network of highways, particularly where the possible benefits of such expenditures are dependent upon local enforcement of parking laws or regulations.

There are other provisions of this bill which raise questions of public policy or depart from established practice, such as (1) the authorization of $25,000,000 to reimburse local communities for highway damages resulting from Army maneuvers; (2) the recall of retired employees, notwithstanding the provision of the Civil Service Retirement Act; and (3) the unlimited detail of employees as students at technical institutions at the expense of the Federal Government.

The authorization of appropriations of $150,000,000 for access roads to military and naval reservations and defense-industry sites, while $50,000,000 more than was recommended, is not objectionable, since under this authorization estimates of appropriation may be submitted, and appropriations may be provided, in such amounts and for projects in such areas as will best meet our most important defense needs. The entire reverse of this desirable procedure is set up, however, in the authorization of $125,000,000 for correcting critical deficiencies in the strategic network of highways. Under this latter authorization the entire amount is required to be apportioned among all the States in accordance with the population and other distribution provisions of the Federal Highway Act, and becomes, without any further review by the executive or legislative branches, an obligation of the Federal Treasury. Such a distribution formula entirely disregards, it seems to me, the main purpose to be accomplished, which is that of providing highway construction in particular areas, and in those areas only, where there is immediate need of such construction in the interest of our national defense.

In the light of these considerations, I find myself unable to approve this legislation in its present form.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *August 2, 1941.*

EXTENSION OF INTERSTATE COMPACT TO CONSERVE OIL AND GAS

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Mines and Mining:

To the Congress of the United States:

I transmit herewith a certified copy of an agreement executed by the Governors of the States of Oklahoma, Texas, Kansas, Colorado, New Mexico, Illinois, Michigan, Arkansas, Louisiana, New York, and Pennsylvania to extend for 2 years, commencing September 1, 1941, the interstate compact to conserve oil and gas. The original of this agreement, in accordance with a provision contained therein, has been deposited in the archives of the State Department.

The original compact between the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas was first executed in February 1935, and received the consent of the Congress in August 1935. Since that time the original compact, with the consent of the Congress, has been twice extended and renewed for 2-year periods, the last extension period expiring September 1, 1941.

It is interesting to note that the original compact, first ratified by 6 States, has now been ratified by 11 of the States. The increasing membership in this compact is particularly heartening in view of the need for the conservation of these resources.

I hope that the Congress will, by appropriate legislation, sanction this extension agreement, as required by article I, section 10, of the Constitution of the United States.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *August 2, 1941.*

(NOTE.—The certified copy of the agreement accompanied the President's

message to the House of Representatives.)

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Acting President pro tempore, or presented by a Senator, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

Memorials of Herman Wright, of Muncie, Ind., and the Parents of America, signed by Ruth E. Redmann, of St. Paul, Minn., remonstrating against the enactment of legislation to retain draft selectees in the military service for more than 1 year; to the table.

A petition of several citizens of Lancaster, S. C., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

A petition of sundry citizens of Salina, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTIONS OF AMERICAN LEGION, DEPARTMENT OF VERMONT

Mr. AUSTIN. Mr. President, the American Legion, the Department of Vermont, held its annual convention at Barre, Vt., last week, and on the 25th day of July adopted the following resolutions:

Whereas there are now in the armed forces of this country, hundreds of thousands of former members of the National Guard of this Nation, and an even greater number of selective-service men, training for the defense of this country during a great emergency; and

Whereas the Army's Chief of Staff has publicly declared "That the virtual disbandment or demobilization of two-thirds of our trained enlisted strength and three-fourths of our trained officer personnel at this time might well involve a national tragedy"; and

Whereas it would be impossible to devise a better way to disorganize and confuse and render impotent the defenses of the United States, in the midst of a world war and at one of the great crises of our history: Be it

Resolved by the Department of Vermont, That it is the sense of this convention that legislation should be immediately enacted by Congress extending the period of service of those now in the Army, until such time as the national crisis is over—and not 1 minute before; and be it further

Resolved, That a copy of this resolution be forwarded to Hon. WARREN R. AUSTIN and Hon. GEORGE D. AIKEN, Members of the United States Senate from Vermont and to Hon. CHARLES A. PLUMLEY, Member of the House of Representatives from Vermont.

Adopted July 25, 1941.

LESLIE E. WILSON,
Department Adjutant.

I ask that the resolutions lie on the table.

The ACTING PRESIDENT pro tempore. The resolutions will lie on the table.

REPORTS OF A COMMITTEE

The following reports of the Committee on the Judiciary were submitted:

By Mr. McCARRAN:

S. 1207. A bill to change the times for holding terms of the District Court for the Eastern Division of the Western District of Tennessee; without amendment;

H. R. 3752. A bill to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended November 30, 1940; without amendment (Rept. No 647); and

S. J. Res. 35. Joint resolution proposing an amendment to the Constitution of the United States providing for national representation for the people of the District of Columbia; adversely (Rept No. 646).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. O'DANIEL:

S. 1811. A bill making unlawful the use of force or violence or threats thereof to prevent or attempt to prevent any person from engaging in any lawful vocation; to the Committee on the Judiciary.

By Mr. MEAD:

S. 1812. A bill for the relief of the Wilson Co., a New Mexico corporation; to the Committee on Claims.

Mr. THOMAS of Oklahoma. Mr. President, today the President of the United States has recommended the extension of an oil compact which is now in existence between numerous oil-producing States. In harmony with that recommendation, I ask permission to introduce a joint resolution proposing to extend the existing compact.

The ACTING PRESIDENT pro tempore. Without objection, the joint resolution will be received and appropriately referred.

By Mr. THOMAS of Oklahoma:

S. J. Res. 101. Joint resolution consenting to an interstate oil compact to conserve oil and gas; to the Committee on Mines and Mining.

EXTENSION OF SELECTIVE SERVICE—AMENDMENTS

Mr. MALONEY submitted an amendment and Mr. THOMAS of Utah submitted several amendments, intended to be proposed by them, respectively, to the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes, which were severally ordered to lie on the table and to be printed.

COMPENSATION TO STATES WHEREIN NONTAXABLE INDIAN LANDS ARE LOCATED

Mr. THOMAS of Oklahoma submitted the following concurrent resolution (S. Con. Res. 14), which was referred to the Committee on Indian Affairs:

Whereas the investigations and reports authorized and contemplated under Senate Resolution 282 and 432 of the Seventy-first Congress were never finally completed; and

Whereas the recommendations of the United States Senate subcommittee of the Committee on Indian Affairs were that studies be continued to determine the rights and equities of the States wherein are located tax-exempt Indian lands; and

Whereas Congress has never been fully advised as to the merits of the claims of the States in this respect: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Committees on Indian Affairs of the House of Representatives and of the Senate of the United States, or the duly authorized subcommittees thereof, are authorized to make an investigation of the relationship between the Federal Government and the governments of the several States and political subdivisions thereof, in which are located Indian reservations and unallotted Indian tribal lands, or any other Indian lands which are not now, or which have not in the past, been subject to taxation by said States, or the political subdivisions thereof, with a view to developing a plan by which the United States may make a fair and equitable compensation and reimbursement to said States, or the subdivisions thereof, toward the expense of carrying on governmental activities in such States and political subdivisions thereof and in reimbursement for taxes which would have been collected from such lands had they been taxable.

For the purpose of this resolution, the committees, or any duly authorized subcommittees thereof, are authorized to hold hearings; to sit and act at such times and places during the sessions and recesses of the House of Representatives and the Senate of the Seventy-seventh and succeeding Congresses until final report is submitted; to employ such clerical and other assistance as may be necessary; to require by subpena, or otherwise, the attendance of witnesses and the production of books, papers, and documents; to administer oaths; to make and take such testimony, and to make such expenditures as it deems advisable.

The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committees, which shall not exceed $20,000, shall be paid from the contingent funds of the House and Senate, upon vouchers approved by the chairman of the respective committees, or if any subcommittee is authorized to act in the premises, then by the chairman of such subcommittee. It shall be the duty of the said committee, or subcommittee, to hold hearings in any State, or States, necessary to more conveniently and economically ascertain the facts and facilitate its work.

If such hearings and findings be made by subcommittee, then the subcommittee shall report to the Committees on Indian Affairs of the House of Representatives and of the Senate; and the said Committee on Indian Affairs of the House and the Committee on Indian Affairs of the Senate shall in turn make a complete and comprehensive report of their findings and make recommendations in the premises to the Congress.

This authorization shall be deemed a continuation of the authorizations provided for in Senate Resolution 282 and Senate Resolution 432 of the Seventy-first Congress and pursuant to report of the subcommittee on Indian Affairs of April 1932, submitted to the chairman and members of the Senate Committee on Indian Affairs pursuant to said Resolution 282.

OUR MADNESS INCREASES AS OUR EMERGENCY SHRINKS—ADDRESS BY SENATOR NYE

[Mr. NYE asked and obtained leave to have printed in the RECORD an address by him at St. Louis, Mo., on Friday, August 1, 1941, the title of the address being Our Madness Increases as Our Emergency Shrinks, which appears in the Appendix.]

OBLIGATION TO THE PUBLIC OF MOTION-PICTURE PRODUCERS

[Mr. NYE asked and obtained leave to have printed in the RECORD an article from the

Washington Times-Herald of July 31, 1941, entitled "The Public Wants Entertainment and Not Propaganda," which appears in the Appendix.]

ARTICLE BY WALTER LIPPMANN ON ISOLATIONISTS AND SOLDIERS

[Mr. LEE asked and obtained leave to have printed in the RECORD an article by Walter Lippmann, published in the Washington Post of July 24, 1941, entitled "Isolationalists and Soldiers," which appears in the Appendix.]

STATEMENT BY AMERICAN LIVESTOCK ASSOCIATION ON IMPORTATIONS OF ARGENTINE BEEF

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD a statement issued by the American Livestock Association in reference to importations of Argentine beef, which appears in the Appendix.]

EDITORIAL FROM AMERICAN CATTLE PRODUCER ON IMPORTATIONS OF ARGENTINE BEEF

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD an editorial from the American Cattle Producer of August 1941 on importations of Argentine beef, which appears in the Appendix.]

SECRETARIES STIMSON AND KNOX—EDITORIAL FROM THE CHICAGO DAILY TRIBUNE

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD an editorial from the Chicago Daily Tribune of August 1, 1941, entitled "Stimson and Knox Should Get Out," which appears in the Appendix.]

SENATOR WHEELER AND SECRETARY STIMSON—EDITORIAL FROM MAYSVILLE (KY.) PUBLIC LEDGER

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an editorial published in the Maysville (Ky.) Public Ledger, of July 31, 1941, reprinted from the Cincinnati (Ohio) Times-Star, entitled "The Senate Gives Its Opinion of WHEELER," which appears in the Appendix.]

HAPPY DAYS AGAIN ON MIDWEST FARMS—ARTICLE FROM NEW YORK TIMES

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an article by Roland M. Jones, published in the New York Times of August 3, 1941, entitled "Happy Days Again on Midwest Farms," which appears in the Appendix.]

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	McCarran
Andrews	Downey	McFarland
Austin	Eastland	McKellar
Bailey	Ellender	Maloney
Bankhead	George	Mead
Barbour	Gerry	Nye
Barkley	Gillette	O'Daniel
Bone	Green	O'Mahoney
Brooks	Guffey	Overton
Brown	Gurney	Pepper
Bunker	Hatch	Radcliffe
Burton	Hayden	Reynolds
Byrd	Hill	Russell
Capper	Hughes	Schwartz
Chandler	Johnson, Calif.	Shipstead
Chaves	Johnson, Colo.	Smathers
Clark, Idaho	Kilgore	Smith
Clark, Mo.	La Follette	Stewart
Connally	Langer	Taft
Danaher	Lee	Thomas, Idaho
Thomas, Okla.	Tydings	Walsh
Thomas, Utah	Vandenberg	Wheeler
Truman	Van Nuys	Wiley
Tunnell	Wallgren	Willis

Mr. HILL. I announce the absence of the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER], because of illness.

I also announce the necessary absence of the Senator from Virginia [Mr. GLASS], the Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. ROSIER], the Senator from Illinois [Mr. LUCAS], the Senator from Mississippi [Mr. BILBO], the Senator from Utah [Mr. MURDOCK], and the Senator from Arkansas [Mr. SPENCER].

The Senator from Montana [Mr. MURRAY] is detained on official business in Montana.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. HOLMAN], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], and the Senator from Maine [Mr. BREWSTER], are necessarily absent.

The Senator from Vermont [Mr. AIKEN] is absent on official business.

The ACTING PRESIDENT pro tempore. Seventy-two Senators having answered to their names, a quorum is present.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. WHEELER. Mr. President, I ask unanimous consent to have inserted in the RECORD a front-page article published in the Boston Herald of Sunday, August 3, entitled "Army Morale Hurt by Sham Training—Bored and Disgusted Selectees Feel Cheated for Lack of Latest Weapons."

The article is by Bill Cunningham. It goes on to say:

This coming week, the Congress of these federated Commonwealths is apparently going to start its ponderous wheels grinding upon a proposition to hold all conscripts already in the service, in for another year and a half, and to make the tenure of service of all yet to come 2½ years, unless, of course, we get in it, whereupon they're in until the arrival of whatever passes for peace.

The idea is, naturally, to give our troops more training.

That's the expression used.

The term is three-quarters false because of the word "more." If the camps from Maine to California, from Seattle to St. Augustine, dared to stand up and speak with the one thundering voice of the concerned draftee, the shout you'd probably hear would be "What training?"

This article starts on the front page of the Boston Herald, and ends up on page 18. It is an examination of the whole defense program; and, coming from the Boston Herald, it is very interesting, because, as everybody knows, the Boston Herald to a large extent has been for the President's program.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

Mr. BARKLEY. Who wrote the article?

Mr. WHEELER. The name of the writer is Bill Cunningham.

Mr. BARKLEY. Is he a Washington correspondent of the Boston Herald?

Mr. WHEELER. I do not know.

Mr. BARKLEY. Does the Senator know who Mr. Cunningham is?

Mr. WHEELER. He is one of the writers on the Herald.

Mr. WALSH. Mr. President, Mr. Cunningham was for years a well-known sports writer on the Boston Post, but within recent months has become a writer on the Boston Herald, and writes for a syndicate of papers. He is a columnist, in other words.

Mr. BARKLEY. I thought it might be well to identify him.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Boston Herald of August 3, 1941]

ARMY MORALE HURT BY SHAM TRAINING—BORED AND DISGUSTED SELECTEES FEEL CHEATED FOR LACK OF LATEST WEAPONS

(By Bill Cunningham)

At current quotations, we have approximately one and three-quarter million men theoretically under arms in this Nation with another three-quarters of a million newly carded and indexed by virtue of the second draft. This coming week, the Congress of these federated Commonwealths, is apparently going to start its ponderous wheels grinding upon a proposition to hold all conscripts already in the service, in for another year and a half, and to make the tenure of service of all yet to come, 2½ years, unless, of course, we "get in it," whereupon they're in until the arrival of whatever passes for peace.

The idea is, naturally, to give our troops "more training."

That's the expression used.

The term is three-quarters false because of the word "more." If the camps from Maine to California, from Seattle to St. Augustine dared to stand up and speak with the one thundering voice of the concerned draftee, the shout you'd probably hear would be, "What training?"

Preparing to fight, if we fight anything, the most powerful, most ruthless, most precisely organized most murderously equipped hardest hitting, and most ingenious destructive force the world has ever seen, we've held a million men in uniform for almost a year, at an expense our great-grandchildren, and theirs, will be staggering under, and, in terms of the thing they're to fight, if they fight anything, they might as well have been so many juveniles on a semiserious dude ranch.

Except for a few specialized units, representing a ridiculous minority, they haven't done any training because they haven't had anything to train with. Where are the guns, the tanks, the grenades, even rifles for the infantry? Have they gone to the British? Are they now going to the Muscovites? Or haven't we made any, for all the taxes and the talk?

There's no finding out from headquarters, for that's a military secret. They won't tell you how many they have at any Army post, either, for that's a legitimate military secret, too. You can always see a few. Especially

down at Fort Benning in Georgia they have quite an array of ugly-looking rolling stock, but that's one place and one unit.

The cold truth of the matter on this draft business up to date is that the administration, either knowing a lot the rest of us didn't, and don't yet, or anxious to audition for the star role in Armagedcon's third act, rushed all these youths into service with nothing for them to do, and almost nothing for them to do it with.

And that's still where the matter remains almost a year later, with a new crop coming up.

My argument isn't against the calling of them, nor even the retaining of them, but it is against citing a situation as definite and menacing, taking a million loyal men, most of them from jobs, and practically all of them from homes, swearing them to fealty, telling them their homeland needs them to guarantee its future physically, and then turning them into grass cutters, ditch diggers, road builders, and bored and disgusted barracks steps loafers, because, although they're willing and anxious, there's nothing anybody can do about it.

When are they going to arm this Army?

When does all this training start?

I'm not speaking for myself. I'm speaking for the soldier. Regardless of what you may read or hear from some official spokesman, the morale in this great citizen army of ours is low. It's not strong. The reason is that it feels it's wasting its time. After a manner of saying, it really feels cheated. It went in to serve. It's ready to serve. There's no rebellion against the general idea. If our Nation is in danger, it wants to be ready. It's not getting ready. It's got nothing to get ready with.

You read a lot about maneuvers, mock war, sham battles; we had one down on Cape Cod this week. It looks serious and professional in the newspaper headlines, with such captions as "Invader cut to pieces" and "Blue army annihilated." That's newspaper stuff. Actually a Boy Scout overnight hike has as much of the European war in it. Practically everything is simulated from the theoretical enemy to physical discomfort.

SIMULATED WEAPONS STILL BEING USED

More than a full year after we started officially talking war, and almost a year after we filled our divisions and flung up our great camps, we have broomsticks and wooden dummies over the shoulders of men who've been in uniform 10 months, stove pipe on saw horses serving as cannon, old broken down trucks simulating tanks. Not in every instance, you understand, but in more places than not.

There are crack National Guard outfits with but four Garand rifles to a company. There are artillery outfits still hearing how by way of blackboard. The officers in most units are going to school. The men work as road crews or sit around whittling.

And we're the people who are talking about fighting Germany, and thanking God for the unexpected resistance of Russia because the item of time is so precious to us.

I may possibly be overdrawing the picture a shade, but it isn't much of a shade. The Army's doing what it can to keep the men occupied undoubtedly but the typical soldier is disgusted and disillusioned. Here's a bona fide letter from Camp Hulen, typical of enough like it to show that the author, unknown personally as he is to your correspondent, is not just a sorehead taking his gripe out on a stranger. It's typical, too, of the way the men from almost all the camps talk when they really let their hair down. Don't take my word for it. Try talking with a few yourself.

HAS "NOTHING TO DO"

But here's the letter. Please ponder it:

"DEAR MR. CUNNINGHAM: I don't suppose many citizens of this great country are especially interested in the forgotten regiment, as we call ourselves, but, as usual, I have nothing to do, so if you don't mind, I'll pass on a few of the collective thoughts of 1,400 disillusioned Bostonians.

"First and biggest joke of the situation is the year of 'intensive training' we were going to receive. I think I can fairly say that in 10 months and 3 days, we have actually done 4 months' work. When I say 4 months, I am speaking of the days we have actually soldiered.

"The rest of the time has been spent in cutting grass, laying roads, doing various sorts of day labor and just plain loafing. Now they're talking about extending the period of 'training' a year. General Marshall has said he can't picture returning thousands of men to civilian life, but he apparently could picture taking the same thousands away from homes and jobs and herding them 2,000 miles south of God's country in a snake-infested, bug-ridden swamp to do nothing they couldn't have done better at home and to learn nothing they couldn't have learned better where they were. And he apparently can picture keeping them here.

"President Roosevelt has said he doesn't want to break up 'this fine fighting force' the Nation now has. Two simple questions will answer the President: (1) What good is a 'fine fighting force' only partially equipped? (We've been in 10 months, and we're still waiting for equipment. What do they plan to train another million men with?) (2) Weren't we learning just as much, and in just as good physical shape, and weren t we certainly off the taxpayers' necks when we were home on the job going to the armory for one drill a week? The answer to that last one is 'Yes.'

"Frankly, I know this is a waste of time writing this way; and if the powers that be knew that I was writing to the press, it would mean a month in the guardhouse, but when you have nothing to do with your time but waste it, you might as well waste it in some definite direction. I'm telling you, whether you believe it or not. I'm writing exactly what the enlisted man of the First Corps Cadets thinks. These aren't just only my words. I have heard them expressed over and over in the endless 'bull sessions,' and this is exactly the way we all feel.

"The news just stated that President Roosevelt is afraid of 'breaking faith with us.' He is breaking faith. He's already broken faith in herding us into an Army without equipment for training and turning us into yard cleaners and loafers instead of what we thought we were going to be—soldiers training intelligently for the defense of our country.

"Every newscast that tells about that law they're considering to give us another year of this sends the morale of this particular regiment crashing to new lows. If they make the fatal mistake of passing that law in Washington, and we are left in Texas to sleep through more of this, open wide the New England guardhouse doors, for, law or not, here we come."

The soldier signs his name, battery, and regiment.

For obvious reasons, I'm not printing it.

READY TO DESERT

I'm not even guaranteeing that he speaks for the mass of his regiment, but he certainly speaks for himself; and that's the way the mind of at least one trooper in a crack National Guard regiment, famous for its tradition and its spirit, runs when it reflects upon the current service. He even concludes with the definite threat of desertion. They shoot a soldier for that in wartime. This must be half-war time, and that seems to mean that the young man, if he means what he says, is desperate to the point of considering the commission of a really serious military crime.

This particular soldier seems to be suggesting that he and his buddies would and could take the trials and tribulations of life in the Texas Bad Lands in stride if they only felt they were really accomplishing the thing they recruited to do. There are others, to what number nobody knows, but we soon, possibly, may learn, who make no such pretensions. They went because they had to, and with no enthusiasm in the project. They feel they've done their job for the agreed-upon length of time, and now they want to be released from it and get home.

There are undoubtedly a few who think it all swell fun and hope it never, never stops; but most of your draft army will be found under the first two classifications. This country is far from being even partially aroused. There's a vast amount of slack between the virtual wartime basis of the administration and the torpor, serenity, befuddlement, or whatever it is, of the general public.

UNITED STATES "CROWN COLONY"

The American public can be aroused. It became so thoroughly aroused in the last war when that German U-boat poked its nose up off the shores of New Jersey and Cape Cod and shelled without provocation or excuse some helpless cabin cruisers and fishing boats that 300,000 angry American males stormed the recruiting offices of New York City in 1 day alone. But nothing such as that has happened yet in this war. Nothing of ours has been attacked without provocation. We haven't been insulted nor belittled as a people.

We've got a lot of theoretical reasons to get ready, it is true, and plenty of tragic examples of those who didn't get ready to reflect upon and to profit from. But people are such that it takes fact, not theory, incidents, not parables, really to bring them out of their preoccupation with personal affairs. Fireside chats, the war dance of partisan columnists, the sympathetic turning of the United States into a Crown colony of Great Britain for all practical and even impractical purposes, and the resounding contributions to the "letters from readers" columns of metropolitan newspapers, written mostly by women who once visited Stratford-on-Avon, or old geezers who can write a great war but who're too feeble even to watch one, won't do it and haven't done it. We're still unconcerned mentally.

NOT MAD AT ANYONE

Ours is a collection of soldiers that isn't mad at anybody nor afraid of anything. Therefore it's a little short of burning zeal to start with. American soldiers can get mad. I have it on the authority of one who's seen them boiling that no breed of human being can be as ruthless, as tough, as really bloodthirsty as the plain, garden variety of American soldier when he is really and truly outraged.

The man who told me was a top sergeant in the Philippines during trouble out there.

"You didn't see American soldiers mad in the World War," he said, and, come to think of it, he's correct. It was more the spirit of adventure over there, a thrilling hide-and-seek game with keen and dangerous fun.

"I've seen 'em really mad," he solemnly insisted "when you come upon a couple of your buddies, who've been ambushed, and who've then been stripped and mutilated with knives in a fashion that turns your stomach even to try to describe; you see red, brother, and you go out to avenge them. There are still a few of us around who saw some of that and know what proceeded to happen. We're not telling even yet, for it's not even pretty remembering. But take my word for it there's nothing tougher in Germany nor anywhere else on earth than an ordinary American soldier when he really gets sore."

But we've got none of that. And have none of it.

We've got a lot of nice kids from a soft kind of living in there trying to play soldier for reasons they don't clearly understand and neither do their folks. We've had a million of them almost a year, and we've got another million coming up. We've spent an entire dynast's ransom on their keep, and we're going to dig for more.

Ask any of them you chance to know, how nearly ready they feel their outfit is to go out and try conclusions with a panzer column. Ask them how many rifles they have, how much work they've had with antitank guns. How much actual shooting they've done and at what.

Some more of those mammoth, "full dress" maneuvers are now starting in the South. They've moved the Forty-third Division out of Blanding, for instance, across lots toward Louisiana to participate. Maybe they've progressed a little further in the maneuver department than they were a couple of months ago when I saw a piece of that performance in Tennessee.

TRAGICALLY COMICAL

Parts of that were really comical, if the elements of tragedy in terms of absolute preparedness hadn't been such a perfect shadow of their amateurism. It had been announced in dead seriousness that this was "it." Here was to be actual war all but the shooting and killing. Here was to be the actual dress rehearsal—European style war under strictest and most taxing combat conditions.

They moved the entire Second Army into the wild Cumberland hill country bringing some from as far north as Michigan, and the problem they gave it made the blood run just a little cooler. One couldn't help feeling that maybe this was the American high command's idea of how Hitler, or whoever, might conceivably try to invade this country, and, that furthermore, that this was what might proceed to happen if he did.

The problem presupposed that "the invader" had punctured the defenses of this hemisphere by blasting his way in through the St. Lawrence waterway, had paralyzed Canada, and had invaded the United States in the vicinity of Chicago. Chicago was considered to be in his hands. Detroit, Cleveland, and all such production centers as Youngstown, Akron, etc., had been bombed to rubble.

TRANSPORT PROBLEM

Transcontinental railway lines had been broken, roads dynamited, bridges blown so the transportation of American forces back and forth was problematical, and now "the invader" was pouring full force straight down the Mississippi River Valley trying to reach New Orleans and cut the Nation in two.

The American defenders had been unable to hold him or even to slow him appreciably until he reached the vicinity of Tennessee. The invader was still pouring down the valley full blast, but the Second Army had been able to maneuver into position, get organized, and prepared to hurl its full strength in the path of the advance.

To complicate the problem, however, it was also presupposed that "the invader" had actually effected a landing on United States soil somewhere over on the sea coast of Georgia, and from that direction his dread panzer units were plowing cross country over secret routes, to attack the Second American Army from the rear, attempting to encircle it in one of the celebrated Nazi rings of steel. That part about "the invader" coming down the Mississippi was entirely simulated. There was no "invader" nor any troops pretending to be one.

The panzer, or motorized, part in the rear, however, was to be the real "McCoy," with the tanks and other motor units from Fort Meade, Md., and Fort Benning, Ga., actually coming cross country and "going into action" as part of their training. Having seen some of those motorized units at Benning, it was that portion of the program that captured my interest. I wanted to see those big babies roll under actual campaign conditions

And there, so the story went, were to be actual campaign conditions, nothing less.

UTTER FARCE

Actually, that entire part of the performance was a farce. The tanks arrived, not under their own power nor secretly but hauled up in broad daylight to the freight depot of a town in the "battle area" on a series of freight trains, like the Ringling Bros. circus. The war had to be held up a couple of days until they could get them unloaded and gassed up.

And then they might as well not have had them, for by Army regulations, or something, they couldn't be driven across private property, which meant farms and fields and streams and such, that tanks are made principally to cross. The only place they could move was along public highways. This, as it chances in those Tennessee hills, is often pretty tough traveling, but this wasn't a job of trying to discover what a tank will take in the way of hills. They already know that.

This was a tactical military problem, of trying to spot the approach of tank columns, combining in a secret advance of menacing proportions and intentions, and of quickly and effectively shifting artillery to knock them to pieces.

Your 10-year-old kid and a few of his friends could have solved that particular problem without previous training. All they'd need for props would be a common, ordinary road map from the nearest Tennessee filling station. If the tanks weren't coming along the road, they were bound to be on the next one, or maybe the other one over there leading in the same general direction. A kid on a hilltop could wave, "Here they come." The kid playing general would then casually move his theoretical artillery to an eminence commanding that particular cow trail and say, "Fire when ready." That would be all there was to it.

Down there they did it a little more simply. They merely sent up a plane. It looked up one road and down the next until it saw the tanks. One tank company tried to make it a little more realistic—with no results. Conceding that it was spotted and that the artillery was going to get it, it tried to turn around and simulate a retreat, but the road was so narrow the drivers found they couldn't pivot the contraptions, so they simply climbed out and down and said, "Aw, shucks."

HAD TO OPEN GATE

More ludicrous still was the episode wherein a file of tanks theoretically became engaged with a bunch of machine-gun nests hidden in the strawstacks of a hay field. Here was one time they got off the high roads, apparently with some farmer's permission. The tanks were supposed to charge into the field and have it out with the machine guns at close range.

But they had to call the battle off temporarily while a guy in the first of the attacking tank file opened his hatch, climbed out and down, and opened the pasture gate so the tanks could get in. They couldn't bust up private property.

And these were "actual war conditions" * * * "getting ready to fight Germany."

None of this is fiction. It's fact, easily verified, and rather sad fact.

What's the point in kidding ourselves?

That's what France did.

Our Navy and our Air Corps may be something else again, but this is the Army, and that's what all the current talking's about. A million half-busy, disgruntled kids in uniform may be a lot of things, but they're certainly not an army fit to grapple with and strangle Nazi mechanized murder. And if it's not to stand ready to stop that, what have we got them together for?

Where are the implements, the instruction, the real training, the true preparedness? I'm asking what the soldiers are asking, and what they've got a right to be asking, for it's they who steeled themselves to make the necessary sacrifice. Hold them if you will, but give them something to work with, to learn with. Deal summarily with every strike that delays the still mythical production. Quit giving away everything we make until our own are at least reasonably well equipped—I'd even say fully equipped.

Either that or turn 'em loose. We'd have no army that way, but we have nothing but a largely unarmed mob that would be slaughtered as it is. We've been fully militarized for practically a year, and we couldn't lick the Boy Scouts of America, granting them license to throw plenty of stones.

The imperial legions of Hitler don't throw stones, and they can't be stopped with quotations from Churchill and United Service Organizations service clubs. Put a million guns in a million pairs of hands. Sharpen the eye and strengthen the spine. Then the term "fine fighting force" will have some body to it, and the United States will have some genuine protection.

If we're going to have an army, let's have one. If we're not, let's quit fooling and let these kids go home. I think we ought to have one, but apparently those who yelled it into being are short a follow-through. This first year hasn't got us out of the kindergarten class.

My country 'tis of thee!

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] to the amendment reported by the committee.

Mr. TAFT. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	Overton
Andrews	Gerry	Pepper
Austin	Gillette	Radcliffe
Bailey	Green	Reynolds
Bankhead	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bone	Hayden	Smathers
Brooks	Hill	Smith
Brown	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Byrd	Kilgore	Thomas, Okla.
Capper	La Follette	Thomas, Utah
Chandler	Langer	Truman
Chavez	Lee	Tunnell
Clark, Idaho	McCarran	Tydings
Clark, Mo.	McFarland	Vandenberg
Connally	McKellar	Van Nuys
Danaher	Maloney	Wallgren
Davis	Mead	Walsh
Downey	Nye	Wheeler
Eastland	O'Daniel	Wiley
Ellender	O'Mahoney	Willis

The ACTING PRESIDENT pro tempore. Seventy-two Senators have answered to their names. A quorum is present.

Mr. GURNEY. Mr. President, in the criticism of those opposing the defense program, we often hear words to the effect that we are being led and even dragged along the road that inevitably leads to war. I am reminded of the Biblical warning that—

The broad and easy road leadeth to destruction, and the narrow road to life everlasting.

The application of that quotation to my position on legislation for defense leads me to believe that the road I have followed is neither easy nor broad. Politically, at least, it is narrow and difficult. I am convinced it is the only possible road to "life everlasting" for this country, the preservation of its representative form of government and its freedoms.

The question of retaining the selectees and National Guard men in the service resolves itself on that of military necessity and whether the necessity exists because our national interests are imperiled.

In General Marshall's testimony in this respect in the hearings before the Committee on Military Affairs he emphasized the fact that his recommendations were dictated by military necessity and that he tried to keep as wide a separation as possible between military necessity and political considerations.

In the narrow road I am traveling I have constantly put behind me the thought of political considerations and kept uppermost in my mind the subject of military necessity.

General Marshall also said that he had no thought of an American expeditionary force in making recommendations for the extension of service of the boys, and I have no reason to doubt the sincerity of this statement.

To quote his own words:

> As a matter of fact, however, the reactions of the press, which have had a great deal to do with public sentiment, distort the report to indicate that I was talking about an American expeditionary force, which was an absurd deduction.

I am at a loss to understand how anyone can interpret the program of defense for this country as necessarily leading along the road of inevitable war or the use of an expeditionary force. Personally, I believe that every step we have taken has been one that will be most likely to prevent this country becoming actively involved in war. The whole program has been, and continues to be, one of building strength, of being prepared for any eventuality, and insofar as possible to anticipate that eventuality and to forestall it.

The lend-lease bill was designed to give us time to become strong. The Selective Service Act was for the purpose of building military strength. The building of bases in outlying points in the oceans was done because we can no longer put up an adequate defense by shore batteries or by the use of bases on islands a mile or so offshore. To defend our country today we must reckon with long-range bombers, submarines, and fast warships.

Now, on the recommendations of the Chief of Staff, we are asked to allow the retention of the selectees for a longer period than the original 12 months. In so proposing we are accused of planning to break a contract with these boys, to the effect that we agreed they would be released after 12 months' service. The Selective Service Act made such a contract, but with a qualifying clause to the effect that if Congress declared that the national interest was imperiled, their services should be continued. No effort was made to disguise this. The only question therefore to be solved is whether, in the opinion of Congress, the national interest actually is imperiled at this time.

That question involves an analysis of things as they are, and particularly a comparison with things as they were when this country found it necessary to create and train a great army.

Why was it necessary to create a great and powerful defensive army? Against what or whom were we to be defended? The obvious answer is that we were preparing ourselves against the most powerful military nation of all time—Nazi Germany and its allies.

Why did we fear this power to such an extent as to cause us to create an army and spend billions of dollars for equipment? Again the obvious answer is that it is impossible to tell what a crazy man or a crazy nation will do when on a rampage.

But if there was little or no danger of some act by Hitler injuring us at that time, then it was useless to spend billions of dollars for munitions or to train millions of soldiers. Yet, few, even among the most rabid opponents of the defense program, will come forward and say that there is no need for a defense program for this country. Therefore if we needed a defensive military force last year, it is obvious that it is even more necessary now, since one needs only to read the news to be convinced that conditions in the world are rapidly getting no better.

I can arrive at no other conclusion than that the national interests are imperiled. They are more imperiled now than they were a year ago. To what extent they are imperiled only God knows, but I am convinced we must be prepared for the worst and extend every possible effort to the end that if any event occurs in the wars now going on—over which we have no control—that definitely imperils our country, we can be prepared to meet such emergency with sufficient military strength to overcome it.

I hope it will never occur. I hate war, as every other decent American hates war; but, in hoping for the best and in hating the institution that destroys the flower of a nation's manhood, I can see no logic in standing idly by, making no effort to prevent it or to face the issues squarely when they arise.

The issue at present is one of building and maintaining our military strength up to the point where an event will not occur because the warmongers of Europe and Asia will not dare to create it. Can we maintain that strength by releasing approximately 20,000 partly trained soldiers this fall, another 60,000 later, and over 140,000 in the late winter and spring? General Marshall says "No."

I do not have the training of a general. I have served in the Army in active service on foreign soil. I do know that a soldier, as well as a civilian, knows so little of military necessity or procedure that he must necessarily put full confidence in the opinion and experience of the commanding general. I have every confidence in the sincerity of General Marshall. I have confidence in his ability to read the actions of a potential enemy and to foretell his intentions. The Chief of Staff has said the release of the selectees would weaken our military strength to the point of disintegration of our Army. That such weakening would be a breach of good faith to our neighbors in the Western Hemisphere is perfectly obvious. It would put us back to the point where we started less than a year ago, making it necessary to create new Army corps and take men from critical points, such as the Philippine Islands and Hawaii, where they constitute a bulwark against possible future advances of Japan.

I believe General Marshall when he says the placing of selectees and guardsmen in these key points was necessary because no other trained men were available. I have no other alternative than to take these things on faith. Because I am not a general or an admiral, to put my judgment against his would be as great folly as to put my judgment against that of a medical specialist.

We must not disintegrate our armed forces in the face of an obvious emergency, and at a time when our national interests are definitely imperiled. The Western Hemisphere lies in the center of a forest fire of war. Who shall say that no spark shall fall on us? Who can say the fire will not jump the fire lines of so-called ocean barriers? Shall we stand idly by with inadequate weapons to fight the fire if it comes? I say definitely not. I believe that every patriotic man in the Army today would answer in the negative if the question were put to him fairly. He would want most sincerely to serve if the necessity exists, and the events going on today definitely show that the necessity does exsit.

This joint resolution, which will retain the selectees and guardsmen for a longer period than 12 months, is designed to be charitable toward those who are needed at home; those with dependents will receive fair consideration for release from active service; those who are dissatisfied for good reason will be heard; undue hardship cases will be released.

The Army will be built up to maximum usable strength, fully trained and equipped, and when that strength is reached, and as others are trained, a like number will be released. This is plain logic, and only by this method can our country be even reasonably safe from involvement in war.

I am convinced that those who want war are practically nonexistent. All are desirous of preventing war, and failing that, at least to keep war as far from our shores as possible. To be weak militarily is to invite attack. To be strong is to discourage the event which has had so much publicity from happening.

Let us not, therefore, tie the hands of those on whom rests the responsibility for protecting us from active warfare. We need a well-trained, well-equipped Army. Let us extend every effort to build and maintain that bulwark against war. Let us not take the sword from the hand of our Chief of Staff and leave this Nation facing potential enemies weakened or unarmed.

The Chief of Staff says—and the Military Affairs Committee of the Senate concurs—that we must keep the armed forces intact so long as the threat of war exists. The facts I have studied, and my confidence in his judgment, lead me to believe this is necessary. Let us have and keep adequate armed forces in Alaska, the Philippines, Hawaii, and the outlying bases of the Atlantic. These are guards against the flames of war now burning in all other continents. Let us have an Army trained and equipped on the mainland so that no enemy can find a loophole in our armor. Let us not expose an Achilles' heel and find ourselves helpless against aggression.

The officers and men of the National Guard, the Reserves, and the selectees are needed now as never before. To lose any part of them now would be a catastrophe. It was catastrophic in the Revolution; it almost disrupted the Union in the Civil War; it was a serious handicap in the Mexican War. To disrupt the Army now might mean the destruction of the freedom that only our representative form of government can give to men to whom freedom is life itself.

Let us not take that chance. The stakes are too high and the gamble too great. Let us play safe. Let us build; let us not destroy or distintegrate.

Mr. President, I say again I hate war. I know what it is, for I have seen it. I hope nothing will happen which will force us to take the final step, and I firmly believe that only by leading from strength can we hope to avoid it.

Mr. MEAD. Mr. President, in the enactment of this measure our people are called upon to make another sacrifice in a very worthy cause, a sacrifice which, in my judgment, will have the support of the majority of the American people. Since the coming of this emergency, we have made many sacrifices in men, money, and material. We have made public and private sacrifices through public and private enterprise and endeavor.

I have before me a bulletin from Britain in which there are listed some 22 American aid and relief organizations, all contributing to the well-being and support of the British war effort. It shows that 1,500,000 men and women in the United States are engaged in war-relief work—canvassing, sewing, knitting, making bandages, collecting packages, and shipping clothing, food, and first-aid equipment to Britain. They include the War Relief Society, Inc., the New York chapter of the American Red Cross, Bundles for Britain, Inc., the British-American Ambulance Corps, the Maple Leaf Fund, and many others.

This combined effort on the part of Government and private enterprise requires an ever-increasing national unity. The greater the degree of national unity the greater and more effective will be our effort.

I wish to commend the leadership of the Senate, our Chief Executive, and those in charge of the O. P. M., the Army and the Navy, and the lend-lease administration for a very excellent and highly efficient job.

But, Mr. President, we require more than national unity. We require international unity and international integrity to insure the complete success of our task.

It is my intention to support the pending measure, as I have supported practically every defense effort since the beginning of this emergency. But in view of the fact that what we have done and what we will do will burden the American people for years to come and entail sacrifices in addition to those already made, greater than we now contemplate, I feel that I should express my opinion and my attitude as to the use of the materials and the equipment which we are providing for the embattled democracies and their conduct in furthering the campaign in which they are presently engaged.

Mr. President, in the debates in the Senate and in the other Chamber, in articles in the press, in broadcasts over the radio, and even in the debates in the House of Commons, the British high command is being severely criticized for the present conduct of the war, for the use to which it is putting our material, and for the lack of initiative in connection with various campaigns in which it has been engaged. I disagree to some extent with this criticism. I feel that in some respects it is exaggerated. But I realize that it has an effect upon our own defense effort. It provides resistance and sets up obstacles to the progress of our efforts in the Senate and in the House to provide the necessary legislation which will give aid to the democracies and define our own course. If we require unity here, we require unity and integrity abroad.

A few days ago, in connection with the consideration of the tax bill in the other Chamber, a number of Members of the House—both those who have opposed and those who have supported the defense effort—took the floor to criticize the use of lend-lease materials being sent to Great Britain. Such criticism seems to crop up whenever legislation of this character is receiving consideration. One Member said he had a letter from a Canadian firm to an American firm, calling attention to the fact that it would be impossible for the American firm to secure rubber materials, but that they could be furnished by the Canadian firm.

Another statement was to the effect that one could buy aluminum without restriction in England, while priorities severely restrict such purchases in America.

Another Member said he had a list of materials easily purchasable in Great Britain, ranging all the way from hardware to textiles, many of which could not be secured in this country.

Another one stated that steel is being exported from Britain to South America and to other countries—the steel that was shipped to England from this country.

Mr. President, this criticism in the Congress is bound to have a derogatory effect upon our defense effort. It must be challenged. If it is true, the practices which prompt it should be corrected. Above all, it must be stopped. The fact that there is more to it than common gossip can be ascertained by reading articles by military writers appearing in the columns of our daily newspapers.

I have before me, Mr. President, an article by Mr. Al Williams, an aviation writer. While I may disagree with him in some of his findings, I am interested to notice that he says:

I challenge—

And he refers to his challenge to Mr. Seversky—

I challenge him to explain why there are hundreds of American-built P–40 fighting planes still uncrated in England. The English say they are no good, that these ships cannot fight the Germans. But they are in crates. If they were here in the United States, thousands of young Americans could be taught to fly our best versions of single-seater fighters.

The article from which I have just quoted appeared in a magazine as late as July 1941.

An article by Mr. Eric Rosenthal, entitled "African Arsenal," states that a revision of our lend-lease policy may be in order at this time because, while we are sending large supplies of materials to Africa, the ever-expanding industrial activity in South Africa and in other African-British possessions indicates that the materials the British need can be furnished from those locations.

This lengthy article—very interesting and illuminative—concludes by saying:

Save in such specialized lines as aircraft engines, automobiles, etc., the armies around the Equator no longer depend on Britain. India, Australia, Palestine, and South Africa are sharing the job between them.

Another article gleaned from one of our daily newspapers states that we have stripped our civil air lines of a great many of their passenger ships, and have sent them to the aid of Britain. Up to the present time they total 120 transport ships.

Then the article concludes by saying that many of these ships are placed in the commercial air-line service of Great Britain. That may not be true.

Another article I have before me, from the Associated Press, states that the United States is building a huge ferry service, graduating 100 pilots a month to convoy bombers from the United States, and another states that the one-thousandth bomber left a few days ago from the Lockheed-Hudson Co. in California.

A consideration of all the bombers and other machines which presumably have left the various air centers of the United States would lead one to believe that the next article, which is from the Christian Science Monitor, has some logic attached to it:

The expanding flow of American aircraft into the British war effort is destined, says the Aircraft Yearbook of 1941, to end German air supremacy within the next few months and make Britain the dominant and perhaps decisive fighter of the skies. * * *

Since July 1940, 7,000 warplanes were constructed, and during the 20 months of the war so far, 3,500 American military planes—once considered a formidable air force alone—have been ordered by the British and delivered.

Mr. President, from the United States News we learn that our war deliveries have been stepped up from September 1940, when 208 planes were delivered to Britain, to an estimated 800 which were delivered in June of 1941.

In an article by Harold Denny, from the New York Times, we find that our goods, our equipment, and our materials are now reaching the Suez in very, very large quantities; they are being augmented by materials shipped there from the colonies of Great Britain. The article states that American war materials of every description are arriving in this theater of war in sufficient volume to promise an appreciable effect. It says:

The dock was already a jungle of crates containing Tomahawk engines, fuselages and wing sections ready to be assembled, motor-trucks, tires, and spare parts for automobiles and airplanes.

From Labor, a periodical published here in the city of Washington, I read an article which refers to the debates in the House of Representatives. The article says, quoting a Member of the House:

It is unthinkable that English exporters should commit such reprehensible acts at the expense of American taxpayers. To resell goods destined for British defense is stooping to a practice beneath the cheapest double-dealing and double-crossing that is capable of being imagined.

Mr. President, this article, which is indicative of the debates which are becoming rather commonplace in the Congress, indicates that something should be done to prevent a recurrence of such incidents. The criticisms are either true or false; but, in the name of national unity, in order to further our defense effort and to cut down resistance, it seems to me something should be done to prevent them.

From the British House of Commons we received not long ago the information that American aircraft are kept, unpacked, in the warehouses for lack of proper equipment.

Mr. President, I think the trip abroad made by Lend-Lease Administrator Harry Hopkins, in whom I have great faith, will result in lessening this criticism. He has done an excellent job as the W. P. A. Administrator. I believe he will do an excellent job as Lend-Lease Administrator. But I would most respectfully suggest to our Lend-Lease Administrator, in view of the fact that he cannot make frequent trips to every combat zone where our help and assistance of a material character is to be given, that he set up an organization, a board, or a commission of experts in this line, so that our goods and other materials may be shipped systematically to places where they could be put to instant use. For example, if the English Government has no particular use for our small fighter planes, they probably would prove very effective at some place in the Pacific; if England does not contemplate the invasion of the continent during the next few months—and that information should be known to those in charge of our lend-lease material—then such material as is now perhaps being shipped there could be shipped to China or to the Philippines or to some other nation where it would be of more immediate use.

But, Mr. President, I make the point that difficulty will be encountered in the consideration of future legislation, such as another lend-lease bill or a tax bill or any other bill which will impose further burdens upon the American people, if this tide of criticism is not subdued, for when it comes from the very inner circles of the House of Commons, then its authenticity must be considered fairly well founded. I would suggest, therefore, that a board be created or a commission be added to the Lend-Lease Administrator's official staff, so that our volume of goods would go forth where it would be effectively and instantly used.

Mr. SCHWARTZ. Mr. President——

Mr. MEAD. I am glad to yield to the Senator from Wyoming.

Mr. SCHWARTZ. Did I understand the Senator correctly to say that he did not know whether the criticisms were true or false? That was the Senator's statement, was it not?

Mr. MEAD. The Senator said that he was not sure; but when the criticisms continue, when they are repeated in the House and the Senate, when they are constantly appearing in the newspapers, and when they are uttered in the House of Commons, the effect is bad upon the unity which we need in this country to carry forward the program which is now under way.

Mr. SCHWARTZ. From the Senator's past experience in public life, as to any highly controverted question, would he not expect there would be criticism? Would he expect that newspaper criticism would not be repeated in the Houses of Congress when it is printed day after day? If we are to put in our time investigating all criticisms, we would never get anywhere on earth.

Mr. MEAD. It seems to me, however, when the criticism becomes so predominant, when it becomes so commonplace as to interfere with the prosecution of the program to which it refers, that something ought to be done about it. I have supported the defense program from start to finish; I favor the program; but I fear its prosecution will be more difficult in the future than has been the case in the past unless this oftrepeated criticism from high authorities is put down. Of course, there is criticism on every important issue and on every important question, but when the criticism becomes so widespread as to jeopardize the work at hand, it is then time to make reasonable effort to stop it, to refute it.

Mr. President, there is other criticism that will have a derogatory effect upon our effort unless some action is taken. At the very beginning of the Russian campaign the Prime Minister made a statement in which, among other things, he said:

Perhaps it may be our turn soon; perhaps it may be our turn now.

He went on to relate, in a very effective and a very patriotic speech, that the time for England to act was at hand.

We were told, morning after morning, by military experts in the American press and by military authorities who use the radio that something was going to happen and happen soon. For instance, in the article from which I read by an Associated Press writer—and the article is several weeks old—we are told that—

Slashing night raids from Norway to Brittany may be Prime Minister Churchill's first answer to Maxim Litvinov's request for an immediate invasion of the German-held European coast line. This is the opinion—

Says the writer—

of officers close to the councils of American Army and American Navy high commands.

I continue to read from the article—

But military experts here say that Britain will not be able to deliver a decisive blow against the so-called invasion coast for the next 12 to 24 months.

She can, however, send powerful and highly mobile raiding parties under cover of darkness and strong bomber support to harass and cripple German garrisons almost at will and at any point north to Narvik and south to the Iberian Peninsula. As evidence, British naval squadrons months ago—

Before the Russian campaign was under way—

raided German positions on Lofoten Island off Norway. They destroyed fortifications, munitions plans, captured the garrison, and returned in their specially built square steel barges with a complement of Norwegians eager to join their comrades in arms on British soil.

Mr. SCHWARTZ. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Wyoming?

Mr. MEAD. I gladly yield.

Mr. SCHWARTZ. Who is the author of the article from which the Senator has read?

Mr. MEAD. The author is Frank I. Weller.

Mr. SCHWARTZ. As a military expert he is lost to fame, so far as I am concerned; but does the Senator think he is better informed than are the British as to what they are doing and what they can do and how they can do it when they are defending the very life of their government? Regardless of any criticism, are not the British doing what, to their mind, is the very best thing they can do?

Mr. MEAD. As I read a moment ago—

At the very beginning of the Russian campaign Prime Minister Churchill, in a speech that electrified the Commons, promised a progressive and ever-expanding and ever-continuing assault upon the enemy.

Mr. PEPPER. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Florida?

Mr. MEAD. I yield for a question.

Mr. PEPPER. Is the Senator going to advert to some comment that is supposed to have been made in our own Military Establishment here at the beginning of the Russian campaign, that it would all be over in a few days?

Mr. MEAD. Mr. President, it is my opinion that a decisive and a continuous campaign on the part of Great Britain now, if it should continue for a few weeks, would run the Russian campaign into the winter stalemate, which we all hope will

happen, and, if that takes place, as it may take place with a little British assistance, then it will give England and America another full year to prepare. It will be the turning point of the war. It will seal the fate of the dictators; and it will give us ample opportunity to provide for our own defense.

Mr. PEPPER. Mr. President, will the Senator yield for another question?

The ACTING PRESIDENT pro tempore. Does the Senator from New York further yield to the Senator from Florida?

Mr. MEAD. Yes.

Mr. PEPPER. Is the Senator leaving out of consideration the fact that a little timely lease-lend aid, or, if not lease-lend aid, supplies of materials from the United States, would render help to the Russians, and, by strengthening their defense, to the rest of the world?

Mr. MEAD. That is probably true.

The ACTING PRESIDENT pro tempore. The time of the Senator from New York on the amendment has expired. Does the Senator desire to use his time on the joint resolution?

Mr. MEAD. I will speak on the joint resolution.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized for half an hour on the joint resolution.

Mr. MEAD. I am mentioning these criticisms which are occurring altogether too frequently. I am mentioning them as one who has never deviated in his support for an adequate defense program and for all-out aid to Britain. I am mentioning them because I believe America, as the arsenal of the democracies, can strike a decisive blow now if our increasing volume of goods is distributed where it will be immediately used, rather than stored or left uncrated or held for an invasion which will not take place for 12 or 24 months. It occurs to me that so far we have accomplished a gigantic job, and that with international unity we can seal the fate of the dictators before the coming of the first snow.

Mr. President, I have here another article. I will say to the distinguished Senator from Wyoming [Mr. SCHWARTZ] that I am not assuming that these military experts are accurate. I am only making the point that I hear their statements every morning on the radio; I read them every day in the newspapers; I am beginning to hear them frequently in the debates; and I visualize the time when the resistance created by them will have an effect upon the program in which we are vitally interested.

This article, by Constantine Brown, is entitled "This Changing World."

He says that a British offensive now will do the trick.

> War material flows from the United States to England easier now because the German air blockade is necessarily relaxed. The Germans are using their airplanes in the west sparingly, because they must be ready to meet British air attacks against the Reich and the occupied territories. Furthermore, American production has been greatly increased and Britain is receiving more material than ever before.
>
> The British Army is said to number 2,500,000. If only half that number are fully trained and equipped for offensive purposes, it should be sufficient for a major operation somewhere on the coast between Norway and Gibraltar. High-ranking officers feel that such a threat to the German rear might compel the Nazis to detach a number of air and mechanized units from the eastern front, thus relieving the pressure. * * *

The article goes on to say:

> It is felt in many quarters that a landing operation in Portugal or Spain, with the objective of pushing on across the Pyrenees, might do the trick. The British operated against Napoleon from Spain, and those operations sounded his death-knell. There is no reason, military strategists say, why the British should not repeat what was done at the beginning of the nineteenth century.

Mr. President, in another article, by Barnet Nover, he says:

> Hitler must be made to fight on two fronts in Europe.

I am not attempting to tell the British high command how to fight this war; but it occurs to me that what I heard from a professor many years ago on the military activities of the city republics of Greece is applicable in this instance. Every time Sparta was attacked by an invading enemy, messengers would be hurried to Athens for men and materials.

Mr. SCHWARTZ. Mr. President, will the Senator yield for one more question?

The ACTING PRESIDENT pro tempore. Does the Senator from New York further yield to the Senator from Wyoming?

Mr. MEAD. Yes; I shall be glad to yield.

Mr. SCHWARTZ. Does not the Senator believe that the great mistake the British are making is that they do not have our columnists and our every-day critics over there telling them how to run their war?

Mr. MEAD. I doubt that, and it does not make a bit of difference to me. My suggestion, which I hope will register, is that, unless this criticism is allayed, the great national unity that we are striving for, the unity of effort in both the House and the Senate that we hope for, will be unfavorably affected, and that will have its effect upon our defense program.

But, as I was relating, Mr. President, finally, after many such calls on the sister city of Athens, which theretofore had taken little action in connection with the peace treaties, a messenger was sent in the other direction, and Sparta was notified that unless Athens had more to say in the future concerning the conduct of the war and the peace proposals, help would not be forthcoming.

We have not any right, nor perhaps have the columnists any right, to tell the British high command how to conduct this war; but I say that from the standpoint of public opinion, the conduct, right or wrong, of the embattled democracies is bound to have some effect upon us and upon our people.

In this article—which, as I said, is from the pen of Barnet Nover—he says:

> Undoubtedly it would be disastrous from the German point of view if the war in the east is indefinitely prolonged—

That is what I hope will happen—

> ultimately becoming a stalemate of the kind which characterized the fighting on the western front in France after the battle of the Marne.
>
> But the only certain way of bringing such a stalemate about is to compel Hitler to divide his forces by making it necessary for him to fight in the west as well as the east.

I do not care where they fight, and, so far as I am concerned, I do not care whether they fight at all; but the point I want to make can be emphasized by the unity that characterized the activities of the American people when the heroic Finnish Army challenged the great might of Russia, or when the embattled Greek Army, fighting for their very lives against the Fascist invaders, electrified the world by reason of their activity and by reason of their unity of effort. The American people probably are disappointed—I do not know—in the effort of Britain; but I know that when charge after charge is made that our goods are not being used, it is bound to have a derogatory effect upon the magnificent effort which I hope this country will make to bring to an end this tragic conflict.

In another article which I have here a military expert writes the story of the Syrian conflict and says it was the end of a tragic one. He goes on to say:

> In comparison with the titanic struggle raging on the eastern front, the war in Syria, now ended, was a negligible affair. The forces involved on both sides amounted to less than a single day's bag of prisoners. * * *

Norway is becoming militarily active and, without any equipment, seems very anxious to expel the invader. That statement is confirmed by press dispatches from neutral sources to the effect that Norway has been placed under martial law. Norway is ready to welcome an invader who will aid in liberating her. I do not say that England is to be expected to invade Norway, but I say that the goods we are furnishing to Great Britain and to the embattled democracies ought to be put to effective use.

In a dispatch from Berne, Switzerland, we have headlines from German newspapers in which they say:

> German newspapers suddenly started jeering at Great Britain today because it had not attempted to invade the continent, and reports from Norway said the Germans were engaged in a 4-day maneuvers there designed to test defenses against an invasion. Today was the twenty-seventh anniversary of the start of the World War. A year ago today Dunkerque had fallen and the Germans were preparing to invade Britain.

Then the article proceeds to relate that the following are headlines which are attracting the attention of the German people:

> Churchill's only diversion for Soviets: Unprecedented chatter offensive! Where's that English invasion?

Says another German paper:

> British air force's "not-stop" offensive collapses bloodily: Shortlived childish illusion.

Mr. President, if there is criticism in this country, in the Commons of Great Britain, in the newspapers of neutral countries, then what I stated in the beginning might become a reality, that we will find resistance growing in connection with the aid program, which is destined to

help Britain more than any other country, and that objection will probably come to a head when we consider the passage of another lend-lease bill. I hope that that resistance will be minimized by the use which will be made of our materials. I hope that resistance will be utterly liquidated by the refutation which will come as a result of the activities of the British high command.

Mr. President, I am in favor of the proposed legislation, and with one or two amendments, as I stated in the beginning, I shall support it. I have not taken the floor heretofore in connection with our defense legislative program, but in view of the fact that we are calling upon the youth of America to make one sacrifice after another; in view of the fact that we are burdening future Americans with a financial burden, in view of the peril at hand, it occurs to me that we, along with Great Britain, can do a real job now by eliminating this criticism. In that we have a responsibility, a responsibility which we cannot escape. We have a right to refer to the responsibility which is Britain's, we can refer to the criticism which we hear over the radio, and read in the newspapers, and listen to in the debates in the Congress, but we can only hope that the British will rise and master the situation, and answer the criticism in their own way. But so far as we are concerned, there should be an end to the storage of equipment on the wharves of England, to the piling of equipment on the docks of the Suez, to the shipping of airplanes which remain for weeks uncrated.

I suggest that the administrative staff of the lend-lease administration be expanded, that military representatives be stationed in the various countries which are the recipients of our aid under the lend-lease law, and that, as a result, we will send forth our materials where they will be used effectively, decisively, and immediately.

Mr. President, if we have assumed a burden of taxing the generations to come, if we have expanded our defense plans and called upon our people to forego their peacetime privileges, if we have launched this great campaign which makes us the arsenal of the democracies of the world, then we should not allow an army in some section of the world to surrender because of lack of materials while we are furnishing another, materials which we know will not be used perhaps for the next 6 months or more.

Perhaps the English high command is conducting the war as it should be conducted, and perhaps there is no logic to the criticism of which we read constantly, and to which we listen constantly. I know that the people of England, the people of Coventry, the people of London, of Londonderry, and of other cities, have proved their heroism, a heroism which will endure forever. The women of England have displayed their bravery on many occasions.

I know the English have a great navy, perhaps the greatest in tonnage in the world, I know that the R. A. F. has written in letters of gold the story of one heroic victory after another, but I do say that if we had close cooperation between the two nations, and if the British were able to supply the Suez country from the ammunition plants of India and of South Africa, then the burden upon American shipping now carrying our goods to the Suez could be relieved, and we could carry American munitions and war materials in some other direction.

If the embattled Chinese Army is in sore need of equipment and we are sending that equipment beyond the Burma Road, some of it could be detoured at that point, so that that army could remain in the field battling for democracy. Our manpower is not necessary, because from fairly authentic figures we find that there are probably as many as 20,000,000 men on the battlefield and in the reserves equipped, adequately or inadequately, now challenging the might of the Axis Powers. It is not manpower they need. It is equipment for which they are sorely pressed.

So, with no thought of giving advice to the British high command, with only a desire to eliminate obstacles in the pathway of the defense program of the future, I think we should by the establishment of an added agency or the expansion of the present agency, see to it that our goods are dispatched to points where they will be of the greatest good insofar as our own national interest is concerned. We are footing the bill, the goods are ours, and we have a right to direct their dispatch to the theater of war, where they will have the greatest immediate effect upon our own national well-being.

Unfortunately, the conspiracy at Vichy, sometimes referred to as the French Government, has become an active ally of the Nazi regime.

Mr. President, regrettably a former friend in the Pacific has now become an active ally of the pro-Nazi government. It occurs to me that, as the result of recent developments, we could make a more effective use of our arsenal by a more systematic distribution of our goods, we could stop the spread of war, we probably could maintain peace in the Pacific by directing some of our goods in that direction.

Mr. President, when the present emergency is over, when the record of this war is written, I believe America, the arsenal of democracy, will be given the credit for stopping the spread of war, for maintaining the democratic principle of government, for thwarting the activities of the dictators. What we do now will act as a preventative, as an insurance against future wars, because the might and the power of America will be taken into consideration before another dictator makes war upon his peaceful neighbors. But to make that arsenal of democracy more effective, more efficient, of more instant good, I believe that our equipment ought to be dispatched systematically and scientifically where it would be used, and where it would be put to an effective and immediate use.

The British Empire has increased its war production in all parts of the world. Volume production is now possible in many of the countries and dominions of the Empire, and by reason of that increasing productivity, and by reason of the continuing shortage of ships, a revision of our plans is now in order. By reason of the spread of the war in the Pacific, and its danger, so far as our national security is concerned, a redivision of this war distribution is reasonable. It will eliminate this criticism, I believe.

Mr. President, I have no criticism to offer of the administration of the lend-lease bill up to the present time. I believe its administration will be perfected in keeping with the results of the survey now being made. But I do hope that a commission or a board will be added so that we will be in constant touch with the needs of every nation which is the legal recipient of our lend-lease aid, and that with our ever-increasing productivity, every one of these nations will be supplied with equipment sufficient to maintain its armies in the field.

It is my judgment that if we take such action we will seal the fate of the dictators, we will shorten this war, with its burdens upon humanity, and that we will prevent its spread to the nations of the Western Hemisphere.

Mr. President, I believe that when Hitler contemplated this war against the civilized nations of the world he considered their ability to produce, he considered the time it would take to prepare their armies, he considered their shipping shortages, he considered everything but the power and the productivity and the leadership of the United States. In a word, Mr. President, he contemplated everything but the men who lead the destinies of our country today. And to make sure that we shorten his war effort, to make sure that no other nation, like Greece, shall be called upon to yield, I believe we ought to revise our plans, expand our lend-lease activity, and provide those who are fighting the fight for democracy with the materials which they so sorely need.

Mr. President, as I said in the beginning, I subscribe to our national-defense program. I voted for the repeal of the neutrality law. I voted for the original lend-lease bill. I believe in an all-out policy of aid to Britain. I subscribe to the principles of the pending measure because I believe we need the finest army in the world—not necessarily the biggest army, but, because of the complexities of modern warfare, we need an army schooled in the art of mechanized warfare.

Mr. President, I am going to support the national-defense effort. I hope I shall be able to continue to give that program my support. But I sincerely believe that the constant and recurring criticism of the use that is being made of our material, and the inactivity that characterizes the present war effort of Great Britain, will have an effect upon the unity we need in America, and will have an effect upon the support we require in the Congress in connection with future lend-lease legislation.

I conclude as I started. I believe in the defense of democracy; I believe in all-out aid to Britain; but I believe that we have the moral right to insist upon the proper use of our precious material.

The ACTING PRESIDENT pro tempore. The time of the Senator from New York has expired.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed a bill (H. R. 5111) authorizing the waiver of the navigation and inspection laws during the national emergency, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H. R. 1359. An act for the relief of Robert Edward Lee; and

H. R. 4671. An act to authorize a plant-protection force for naval shore establishments, and for other purposes.

HOUSE BILL REFERRED

The bill (H. R. 5111) authorizing the waiver of the navigation and inspection laws during the national emergency, was read twice by its title and referred to the Committee on Commerce.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. BROOKS obtained the floor.

Mr. TAFT. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	George	Overton
Andrews	Gerry	Pepper
Austin	Gillette	Radcliffe
Bailey	Green	Reynolds
Bankhead	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Sheppard
Bone	Hayden	Smathers
Brooks	Hill	Smith
Brown	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Byrd	Kilgore	Thomas, Okla.
Capper	La Follette	Thomas, Utah
Chandler	Langer	Truman
Chavez	Lee	Tunnell
Clark, Idaho	McCarran	Tydings
Clark, Mo.	McFarland	Vandenberg
Connally	McKellar	Van Nuys
Danaher	Maloney	Wallgren
Davis	Mead	Walsh
Downey	Nye	Wheeler
Eastland	O'Daniel	Wiley
Ellender	O'Mahoney	Willis

The ACTING PRESIDENT pro tempore. Seventy-two Senators having answered to their names, a quorum is present.

Mr. BROOKS. Mr. President, originally I had not intended to address myself on the floor to the pending joint resolution, but I feel that I should like to express my view as to the amendment known as the Taft amendment. I ask consideration of the Members of the Senate that I be permitted to finish my remarks without interruption, and then I shall be glad to be interrogated.

During the debate on the pending measure we have heard a great deal of discussion about emergency, about peril, about national unity, about morale, and about the will to fight; and it occurs to me that the peril we are in, if we are in peril, is the peril of uncertainty as to what move the administration may make next to get us closer to a shooting participation in Europe's war.

I was glad to hear the Senator from New York [Mr. MEAD] recount the great amount of provisions we have sent to Great Britain; for certainly we have sent her thousands of planes, we have sent her tons upon tons and millions of rounds of ammunition, we have sent her tanks, we have sent her everything we have in the way of materials. When the one-thousandth plane left the Hudson-Lockheed plant to wing its way across the sea to help protect British homes, Lord Halifax said that they already had many of our technicians and they wanted more; and every report states that more and more of our technical workers have been moving to the British Isles to show the British people how to handle and to fly and to repair the great machinery we have been sending them.

On the heels of General Wavell's request and the request of General Auchinleck that we have an expeditionary force, now comes the statement that victory must be won on the European Continent and that it cannot be won without our soldiers. Ordinarily we would accept that request as a sensible and a sane request coming from Great Britain, if we were not shocked by the almost simultaneous demand by our Chief of Staff that we remove all restrictions as to the length of service of our men, that we remove the restrictions as to the places to which they can be sent, and that we remove the restrictions contained in the original measure as to the number of men we might draft into our service, and that all the men serve as one great body, to be disposed of as and when the President may see fit, wherever he may think they might be sent to advantage.

I say to the Members of the Senate that the fact that such requests come on this floor should serve as a resounding warning to the Members of this body that, now that we are beginning to talk about a compromise, we are moving step by step to the day when we will be a shooting participant in this war if we do not now determine upon our policy.

The Congress of the United States is no longer open to the soldiers, to a million men who have been taken from their homes and their work; for their commanding officers have gone among them, even though those men helped to send us here, and have said to them that they are not to communicate with us any longer while we are in the Senate or in the House of Representatives and they are in the service of the country—as they thought, for just 1 year. To me the fact that they found it necessary to say to the soldiers, "You must not express your views any longer" is significant.

On what subject were they expressing their views? I have not heard of any Member of the Senate or of any Member of the other House who has had a letter from a boy who said he was not willing to fight his own country's battles, and help to defend his own home and shores; but they are apprehensive of where they are going to be sent. Why should they not be apprehensive? When we traded our ships to Britain for bases, we took Newfoundland as one with which to protect our shores; then we moved to Greenland; then we moved suddenly to Iceland; now we hear rumors that we are building bases in Ireland, and we hear generals of the Old World crying, "Send your troops to us here." Then we have a representative sitting in the war cabinet of Great Britain, if you please. I remember when we were discussing the lease-lend bill I pointed out at that time that I thought it would lead us directly into the war because it would make the President of the United States the over-all director, and he would be directing where our munitions would go, where our planes would go, where our tanks and our ships and our guns and our bullets would go. Oh, no; we were told that it would not involve us; but now Mr. Hopkins sits in a private meeting of the war cabinet of Great Britain and one of the leading citizens of that country says it is high time we had a seat in the war cabinet because we would soon be bound closer and closer to them in their war effort. That was just before the request came to us to wipe out the restrictions on the length of service of the draftees, to wipe out the restrictions as to where they could be sent, and wipe out the restrictions as to how many might be called in the draft.

There is not a Senator on this floor who thinks that we should have 3,000,000 soldiers to defend the shores of the United States of America, unless we are going to defend our shores by marching into Berlin, unless we are going to defend our land on the shores and in the interior of Africa, unless we are going to send our soldiers to the four corners of the earth; and yet before this body soon will come an appropriation for critical materials for more than 3,270,000 soldiers.

That is why I speak today for the Taft amendment to limit the services of these men to 18 months. I do not believe we should extend it at all except we are in peril. Why are we in peril? We are in peril because of the progress the present administration has made toward war. In every step they take they move first, and then they ask for authority. They moved when they sold or traded destroyers to Britain. Then they asked for the lease-lend bill. They moved when we seized foreign ships.

Mr. LEE. Mr. President, will the Senator yield?

Mr. BROOKS. Not until I finish. I am sorry the Senator did not hear my request when I began. They moved when they took the ships of foreign nations in our ports, and then they asked for authority. They moved when they sent the Army, with bayonets into a plant in this country, to force back to work men who were asking for more than 50 cents an hour while they were building planes not for America, but 90 percent of them to be sent to a foreign land. They moved an army with their bayonets to force men to work when they had no authority to do so, and then came on this floor immediately following and made a request for authority to let them seize whatever they wanted whereaver they wanted, and it was implied we were not backing up our President when on this

floor we asked that a very little amendment be added to the bill saying, "You must not seize property of American citizens unless you give the employer and the employees the right to negotiate." They laughed when we talked about the right to negotiate, and said they were proceeding in the interest of national defense, although 90 percent of the production of that plant has been distributed to another nation. A Senator on the other side, the Senator from New York [Mr. MEAD], this morning read excerpt after excerpt, report after report, that the planes being produced were not in actual use, and he was asking if we might not distribute them a little more equitably to other countries.

Am I saying I do not want Britain to win? God, no. With all my heart, I want Britain to win. Why? Because I think it is to our advantage that Britain should win, and I voted $7,000,000,000 for Great Britain so that no one could say that the Senator from Illinois did not think of the national defense and did not want to help England. I do want to help England, I want to give her the implements of war, but I do not want England to take our men, and I do not want to move another inch closer to England. We have moved into Iceland, which is not a part of the Western Hemisphere, and now it is proposed to extend the service of the draftees. When you vote to extend their service and remove the other restriction, you will find it is to move them into the Cape Verde Islands, into Dakar and elsewhere in Africa.

We said when we passed the other bill it was to keep us out of war, to keep war away from our shores. Pledges were made to that effect, but I say to the Senate again democracy will certainly die if the pledges are not kept by men who ask for the privilege of coming to this floor, who ask for the privilege to occupy the White House, and ask for the privilege of coming to the other House of Congress so that they may tell the people what they are going to do when they are elected. We have all pledged to them we were going to keep them out of war. We cannot keep them out of war by removing the restriction and moving again to the last island, for the next island will be a shooting island.

I say I would not vote for the 18 months' extension unless we are in peril. Why are we in peril? Because the administration can move and then ask for authority. When the men were sent to foreign posts, outposts of America, General Marshall knew that he would have to ask that the law be changed, else he could not bring them back in time. That was in carrying out the policy of the same administration that moved first when it sold the ships and then asked for authority, that moved first when it seized ships of other nations and then asked for authority, that moved first when it seized an American plant, and then asked for authority. We had better start putting on a limitation now.

National defense. We are for national defense; we voted away the future of most of our people for national defense; but they do not want to go into any foreign war. Every poll that has been conducted has revealed that 75 percent or more are against going to war for some other country.

Talk about the dictators. Joe Stalin is one of the dictators of the world. I want Joe Stalin to win not because he is fighting for me; he does not like my country and my kind of government any better since Hitler attacked him than he did before; Stalin is a natural enemy of this kind of government; but I want him to win. He is putting up a good fight, and God grant that he will fight harder, not because I want his form of government to prevail, but because I want the more aggressive power stopped. Russia is fighting for herself and not for me, not for my home, not for America, not for our homes. Great Britain is making a great fight for her own homes, not for ours; but it is to our advantage to aid her as she may need aid, but not to send our soldiers to fight on foreign soil. That is why I say let us limit the term of service of the drafted men; let us keep faith with them as best we can. I was not here to participate in the debate at the time but I remember reading what Senators said on the floor of the Senate when they discussed drafting young American men, and I said from the outset they would never need to draft American boys to defend America; that it was the beginning of the preparation of another A. E. F. I believe it more sincerely today than I ever did before. That is why I ask that this limitation be provided now. Let us limit service to 18 months. Would I extend it for 6 months? Yes. Why? Because of the peril we are in, peril caused by the administration taking steps that caused the Chief of Staff to move the Army to where he cannot bring them back in time, but he can bring them back in 6 months' time, and he can rotate the service. He can train the men well in 18 months. Let us limit their service.

Somebody said a well-governed home is the foundation of all good government, but many of the homes of this country will be torn asunder if these men are kept in the service. They will not be able to make plans for their families. If we proceed with this all-out aid to everybody and then participate in the shooting we will find ourselves right where Sumner Welles said we would be, when he said the other day that after this war, after Germany had been conquered and Hitlerism crushed to the ground, then we would have to set up some instrumentality. An instrumentality for what? Another league of nations. The only thing that could come to my mind when I heard him talking about another league of nations was the story that ends "Tie on your hats, kids; here we go again." We are going right down that line again unless we stop it, and we can stop it on this floor if we serve notice. Why should we not serve notice? We have given them everything we have except our men. Now let us serve notice that we will not give them our men.

The administration has brought about such a situation that we cannot possibly bring our men home in a year and may require 18 months; but we can say we are not going to take the restrictions off as to the number; we are not going to take the restriction off as to the place our men can be sent, and we are going to serve notice now on Europe and the American soldier that 18 months of this kind of service is all they are going to be asked to serve. If we do not do that, then there will be no limit to the service. We cannot keep the enemy from fighting, but if the enemy starts this way our soldiers will serve, but we are not going to disturb everything in America, not only every business, not only our factories and our homes but our minds. We want national unity. Remember, if we want national unity, that 75 percent of the people of the country do not want to go into this war. [Manifestations of applause in the galleries.]

We shall need that 75 percent. The worst thing that can happen to America is to get into a war without 100-percent cooperation; and we shall need all of them behind us when we finally do move, if that time ever comes. But it is our move now; and I say again I am not in favor of extending the service of the men beyond the year, except because of the condition that has been brought about by an administration that moved without authority to move, because of the limitation of the law. Now we will back up our President and back up the people at the same time; but if you give the men another extension of time, I shall see the time when I will rise on this floor and say, "I told you so. There we go again."

I ask you in all sincerity to join now in the Taft amendment, and limit the service of the men to 18 months, and then serve notice that behind that we will have unity; behind that we will have a will to train, and we will have a will to fight if we are fighting for our shores; but there is no will in us to die on the soil of Russia. [Manifestations of applause in the galleries.]

Mr. LEE. Mr. President, I think the Senator from Illinois [Mr. BROOKS] is far too conservative in his statement that only 75 percent of the people of America do not want war. I should put the percentage much higher than that. In fact, I do not know anybody who wants war. I do not believe Hitler wants war. I think if he could get the world without fighting for it, he would rather have it that way. In fact, he has taken a number of countries without fighting at all in a military sense.

I do not want war. I know President Roosevelt does not want war. I do not believe there is a Member of this body who wants war. I do not think any sane man in the United States wants war; and to me it seems simply a waste of words to say that those who agree with the administration's foreign policy want war. Anyone who says that I want war is simply saying an untruth.

Now let us see who has been more responsible for the present critical situation—those who have been unwilling to prepare this country so that she is strong, or those who wanted to make this country strong. To say that the present critical situation is the result of the policy of this administration is the rankest form of demagoguery.

Some months ago France, with her back to the wall, turned, in the voice of Paul Reynaud, and called to the United States for help. Although we were committed to the policy that we wanted to help the Allies stop Hitler, we had nothing with which to help. The Chief of the Air Ministry of France said at that time, "Five hundred airplanes would stop the Germans from entering Paris"; but we did not have the 500 planes. We did not have anything to give France at that time, except our good wishes, with the result that France caved in, and there today is the biggest gap in the line that otherwise would defend America. Not only France as such, but the colonial holdings of France, expose all of the Atlantic. It would be a different story today if we had had military supplies to furnish France at that time. There would have been a strong bulwark of democracy standing there holding, instead of today doing the bidding of Germany.

Now let us see, then, whose policy has been to blame—the policy of those who want to make America strong, or the policy of those who would have America so weak that she could not talk with firmness? Which makes for war—a vacillating policy or one of firmness? Which makes for war—strength or weakness? Weakness invites attack. Only because certain nations were unable to defend themselves were they invaded. It is a rank untruth to say those countries were invaded because of some policy they had followed.

What had Czechoslovakia done to provoke invasion? Nothing, except that she was not big enough to defend herself. Then is the implication of the Senator from Illinois true that we face danger today because of something we have done? What about Austria? Did she do anything? Did Ethiopia offend Italy by any provocative action on her part? Why was Albania invaded? Has she done anything to provoke invasion? Was it because of a policy that was offensive to Nazi Germany that Poland was invaded?

Why are Hitler's legions thundering into Russia today? Can the Senator from Illinois say that Russia's policy and the administration of Russia's policy had offended Germany? On the contrary, up to the time of the invasion Russia had been the tool of Germany, doing everything Germany wanted to have done. To infer that America is faced with danger today because of the policy of this administration certainly does not square with the facts.

Mr BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from Oklahoma yield to the Senator from Kentucky?

Mr. LEE. I yield.

Mr. BARKLEY. The Senator should not overlook the fact that the desire of any nation to be let alone is a mortal offense in the eyes of Hitler.

Mr. LEE. Certainly that seems to be true.

Back in 1902, when Teddy Roosevelt was President of the United States, Germany was trying to get a foothold in the Western Hemisphere. The German squadron was off Venezuela. At that time Germany was crowding the Venezuelan Government for the settlement of certain claims of Germany. Teddy Roosevelt said to the Ambassador from Germany, Herr von Holleben, "Tell your Government to withdraw the German squadron from those waters and to agree to arbitrate the question within 10 days, or I will move the United States Fleet"—which was then gathered under Dewey in West Indian waters—"down by Venezuela."

The Ambassador smiled politely, and 7 days later he came back to see the President, talked about the weather and playing tennis, and rose to go. President Roosevelt said, "Have you informed your Government that I expect them to agree to arbitrate their quarrel with Venezuela?" He said, "No, Mr. President, I thought you surely could not be serious, because the consequence of such a move on your part would be too serious for me to give a name to it." T. R. said to him, "There are 3 days left. Cut 24 hours off that, and tell your government that if that flotilla is not moving by then, I will order Dewey to proceed toward Venezuelan waters." In 12 hours less than the time left to the German Ambassador he had a reply back from his Government, agreeing to arbitrate, and the German flotilla was on its way.

I give those illustrations from history to show how a firm policy will prevent war, whereas a vacillating one invites trouble and invites war.

When we think of all the countries which have been invaded, none of which brought on invasion because of any action it had taken, for anyone to argue today that we are in the present critical situation because of anything we have done seems to me certainly begging the question. It may be because of our lack of doing something. I think it is. I think it is because we have been following the policy of the isolationists for 20 years.

I was in France 10 months during the World War; and, incidentally, the buddy who marched shoulder to shoulder with me over there, Jack McArdle, who lives in Lowell, Mass., is here today, a guest of mine. We were in France, we served then, and we were told that we were fighting a war to end war, that we were fighting to make the world safe for democracy. I say the boys in the World War did just that. Do not let anyone tell you differently. They did make the world safe for democracy. For 20 years the little nations of the world could send their small fleets to trade in any port without fear of some powerful nation invading them, and for 20 years the tourists who visited Compiegne, France, saw there a little boxcar.

Ironically enough, in that same little boxcar Hitler put his heel on the neck of France only a few months ago, and from that day on democracy has not been safe in the world. We made the world safe for democracy, but we did not keep it safe. If there was a failure, it came afterward. If the victory we won there was lost, it was not lost on the battlefields of France, it was lost in the council halls of America, when we turned from following the leadership of men like Woodrow Wilson, who offered us an opportunity to build a brave new world, where we would have a chance to live in freedom and happiness, and we turned to follow the advice of the isolationist, who began to wrap himself around with legal language, saying "I am not my brother's keeper—that is, unless he happens to be on my territory."

We turned from the policy of Woodrow Wilson to one of isolation. We not only allowed our defenses to go down, we deliberately reduced them. We scuttled battleships, until our very weakness began to be tempting to those who were secretly arming all the time. So I say that if any action, or lack or action, on our part has brought us nearer to danger, it has been from following the policy of isolation.

While we were debating the lease-lend bill, the Senator from Illinois raised his eloquent voice, and the statement he made was, "I would make America so strong that no nation would dare attack us." But he did not say how long it would take to do it. He said, "I would sink every ship which any dictator started toward America." He did not say what he would do it with, when it takes 4 years to build a battleship.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. BROOKS. The Senator had better read that speech. He will find the answer to the questions in it. I want the Senator to read what I did say about how I would make America stronger.

Mr. LEE. I yield for the Senator to say so now.

Mr. BROOKS. I said then that I would quit preaching fear, that I would quit changing the rule so often that American business would not know where it was going, that I would keep enough of our own material here to train our own fliers, that I would keep enough of our own ships so that no matter who the dictator was, including Stalin, if he headed this way, we would sink his ships. If the Senator is quoting my speech, to which he has referred, he will find those answers in the speech.

Mr. LEE. I thank the Senator. While the Senator is speaking of fear, about quitting the preaching of fear, I may say that I hold in my hand a copy of the paper called PM. It contains the picture of a woman dressed in a black garb, with a death mask on her face. It is a picture of the woman who practiced and rehearsed her act, according to this article, in the office of the Senator from Montana [Mr. WHEELER], and went over to the gallery of the House of Representatives and undertook to preach fear by standing up and screaming with that horrible thing on her face.

If there has been any preaching of fear, it has not come from this side of the debate.

If the Senator would make America strong with the recipe he has just given us, he did not take into account the time element, he did not take into account the swift-moving modern machinery and the swift-moving military equipment of today. In his speech earlier today, he

said, "If the enemy ever starts this way"—and I might add, and begins to scramble up on our shores, then the Senator would begin to vote for defense measures.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. CHANDLER. The Senator, who is a member of the Committee on Military Affairs, will recall that General Marshall, in answer to a specific question, stated that, in his opinion, the national safety was imperiled, that he could guarantee to the people of the United States that he could adequately defend the United States if he were permitted to keep the present soldiers in the Army of the United States. The Senator from Illinois wants to keep the boys 6 months more, he wants to tell the general that he is willing to let him have another 6 months, perhaps, to get himself in position to defend the United States, but if he has not done it in 6 months, then perhaps he will give another 3, or 2, or 1, or some more time. General Marshall is not a politician. General Marshall is a graduate of the Virginia Military Institute. I hope the Senator from Oklahoma will yield to me while I make this brief statement. General Marshall is not a politician at all. I think probably the President of the United States jumped 25 or 30 men and put General Marshall over them when he named him to be Chief of the Staff of the Army of the United States. He is the first graduate of the Virginia Military Institute in a long time, perhaps the very first, who ever became Chief of Staff of the United States.

In answer to a question the Senator from Oklahoma asked him, General Marshall said that, in his opinion, the national safety is imperiled. It is very easy for a Senator, or someone with no responsibility, to say what he would do if he were President, or what he would if he were Chief of Staff, because he has not the responsibility to defend the United States, the only thing he has to do is to talk. But the Chief of Staff has a job to do.

Mr. BROOKS. Mr. President, will the Senator from Oklahoma yield?

Mr. LEE. I will yield to the Senator when the Senator from Kentucky concludes his statement.

Mr. BROOKS. Mr. President——

The PRESIDING OFFICER. To whom does the Senator from Oklahoma yield?

Mr. LEE. I yield to the Senator from Kentucky until he finishes his statement. Then I will yield to the Senator from Illinois.

Mr. CHANDLER. Mr. President, if I entertained the view which the Senator from Illinois and his associates hold, I would say, "Nothing is going to happen to us. No one is going to attack us. We are in no danger. Send the boys home. Send them home that quick."

I should like to have all the boys go home. I should like to have the cloud removed from myself, because I am very fearful that, if the emergency becomes more grave, the Army authorities will in a few days say that I am of more use to them as a captain in the Army than I am as a Member of the United States Senate doing a lot of talking, as many of us are here today.

Mr. LEE. Mr. President——

Mr. CHANDLER. Now, just a minute. [Laughter.] If I held the view that some other Senators seem to hold, I would stick to it. I will tell what they are doing. They are breaking up the morale of a lot of men in the Army. Many of them want to go home, and I do not blame them for wanting to go home. I have been in Army camps. They are not the nicest places in the world although present ones are streamlined and deluxe camps compared with the camps of 24 years ago. But some of the boys want to go home. In many of the speeches which are being made the speakers do not mean perhaps to encourage the boys to ask to go home, but many of the boys want to go home because they feel something is going to happen. Mr. President, they and all the others of us are up against the most mean, deadly, determined, dread assassin the world has ever known. They are playing "innings," and he plays ball for keeps. What this dictator has done exceeds anything I have ever known.

I have been down among the boys in camps. They do not want the country to get into war, or anything to happen to bring it into war if it can be helped. But how in the world can the Chief of Staff of the United States Army, General Marshall, defend the United States and at the same time send the boys home? I cannot for the life of me understand how he can do that. Some day we may be in danger; some day danger may threaten this country, and if we have the Army we may be able to defend ourselves; but if the men are then at home and they cannot be found, what will we do? General Haslip said:

> If you send this Army home in 3 months or 6 months, you are going to destroy for me a trained division.

Mr. President, what is the use of training the men under such circumstances? We know that some men were trained for fighting in the last war only 6 months, but we do not want to do such a thing over again. This is a machine war. The men must be trained in the use of guns, planes, and mechanized equipment. Our men must be trained for mechanized service when the commander needs to use them, but he cannot use them if they are at home. I do not want it to be necessary for men to go riding around the country on horses to hunt for the men if they are required for service. I do not want men to be obliged to go around the country and blow the bugle to find the boys and get them back into the Army. The enemy may attack us before we can get them back into the Army. But the Senator from Illinois wants to keep them in for only 6 months longer. He would say to General Marshall, "There is no trouble ahead; there is no danger; but if there is, we will give you 6 months' additional time."

Mr. LEE. Mr. President, does the Senator from Kentucky know I am speaking under a time limitation?

Mr. CHANDLER. I am very sorry. [Laughter.] I will obtain the floor in my own right and give the Senator from Oklahoma some of my time. [Laughter.]

Mr. BROOKS. Mr. President——

Mr. LEE. I yield now to the Senator from Illinois.

Mr. CHANDLER. Just a minute. I wish to apologize to the Senator, but I could not stand to hear what was said without making an answer. I stayed away from this debate a week because I did not want to bother my friends in the Senate with a lot of talk. I wish to vote on this question. I wish Senators would quit telling the boys in the Army that there is a chance for them to go home, because they cannot go home. Let them stay long enough to prepare themselves sufficiently for the safety of the country. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. BUNKER in the chair). The Chair admonishes the occupants of the galleries that they are here as guests of the Senate and must abide by the rules of the Senate. No outbursts of approval or disapproval are permitted. If that rule is violated, it will be necessary to order the galleries cleared. There are many visitors outside the galleries who would gladly take the place of those now occupying the galleries.

Mr. CHANDLER. I apologize to the Senator from Oklahoma.

Mr. BROOKS. Mr. President, I merely wish to observe that in view of the statement of the junior Senator from Kentucky that General Marshall has the responsibility, and that we are Senators with no responsibility, I wish to say that I am afraid that if the Congress keeps on giving away its authority we will not have any responsibility. I happen to feel that I do have a responsibility here. I have received many hundreds of letters from the boys in the camps, and I want to represent them, and I want to represent the people of my State. I said I was willing to extend this service 6 months, because I know you can train a soldier in 6 months. I was sent to France with less than 12 months' training, and we did a fairly good job in accounting for ourselves. If that time comes when we have to fight we will find we can train men very rapidly. I do not wish to send the soldiers home. I said we should rotate the soldiers and have an adequate Army at all times. That is exactly what we can have if we extend the period of service 6 months.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. CHANDLER. I did not say the Senator from Illinois did not have any responsibility, but he is not charged with the responsibility of defending the people of the United States. General Marshall had that responsibility. If the Senator from Illinois thinks he has a better plan than General Marshall, I regret to say that I would rather rely on General Marshall than I would on the Senator from Illinois. But what the Senator would do, in effect, if he does not vote to extend the period of service

long enough to permit the general to make an Army, is to send the Army home. That is the practical effect of such action. The boys understand the situation. I do not blame any of the boys for wanting to go home, but I do not think the Senator from Illinois is serving his country by trying to make it plain that the situation is such that the men can go home in a short time. I cannot see it.

Mr. LEE. Mr. President, in answer to the recipe which the Senator from Illinois has given as to how to make this country strong, it is my deliberate opinion that without the aid-to-the-Allies policy of the United States, England would before now have been crushed, the island would have been invaded, and the Nazis would now be knocking at the gates of the Western Hemisphere. Such aid as we have been able to give to the Allies has been the one guarantee of security that is keeping America at peace.

President Roosevelt, as skipper of the Ship of State, has, through the most turbulent period of all history, guided the old Ship of State safely through the disturbed waters of international strife, shunning the flat beach of dishonor on one side and the ragged rocks of war on the other. We are still at peace, and if we are able to escape the blight of war it will be because of the matchless leadership of President Roosevelt, who has led this country courageously in a dangerous period, and whose policy has increased our prestige in the same time. His policy of aid to the Allies, supported by the people of the United States, has made it possible for us to bring our own defense up to its present state.

How can the Senator from Illinois argue by implication that such material as we have sent to the Allies has weakened rather than strengthened the defense of the United States? If there has been one good example where the policy of appeasement fails and firmness leads to peace, I think it could be cited in the case of Japan. If we have been guilty of any appeasement at all it has been with respect to Japan, and today Japan is threatening, and it seems as if that quarter of the world is a hotter spot than anywhere else so far as the United States is concerned, because of our attitude of appeasement.

Appeasement is the sure route to war. The policy of the old man with the umbrella will take us to war, whereas the leadership which prepares this country, at the same time it aids the friends of democracy, and allows them to hold the enemy at bay, while we arm, is the only way I see for America to escape war. That is why I have supported that policy.

Mr. President, the pending amendment is offered by a Senator who opposed the original passage of the draft act. It is being supported in the main by those who were against the draft bill last year. Every argument that has been made here about the breaking of faith and about too long a time of service, is simply a fog and screen to cover up the real opposition, because the opposition here today is almost identically the same that opposed the passage of the lend-lease measure. They opposed the passage of the original draft act. They are against the whole policy. The argument about breaking faith is merely a smoke screen. The same ones who argue that we are breaking faith say that they would support an extension for 6 months. They would be willing to break faith a little, but not all the way.

Mr. President, the opposition goes deeper than that. I hope the amendment will be defeated.

Mr. NYE. Mr. President, one could not listen to the Senator from Oklahoma [Mr. LEE] without assuming that he feels that America is pretty largely responsible for the failure to accomplish a lasting peace following the last war, which he said he, along with others, fought for the purpose of ending war and making the world safe for democracy. He seems to feel very strongly that if we had done our part—whatever that was—following the last war, there would be an entirely different story to tell today. He rather places the responsibility for the present war upon us.

I deny that that is or possibly can be, under any stretch of the imagination, a responsible charge. I think the real responsibility for this war is best revealed in an address made in the House of Commons after England and France had declared war against Germany. The address was made in May of last year, 1940, by David Lloyd George, who during the closing months of the last war was the Prime Minister of Great Britain, and who was more largely responsible than any other single individual at Versailles for the peace that was there dictated.

On the 9th day of May 1940, in answer to charges that had been leveled at him, David Lloyd George rose in his place in the House of Commons and said:

As a fellow journalist, I wish to say a word or two in answer to the very kindly and very friendly observations made about me by my honorable friend the member for Wood Green (Mr. Baxter). I have no reason to quarrel with the tone of his remarks, and I am hoping that he will extend to me some sympathy, because one of the difficulties when you have to write an article at a given date is, as he knows, that it is not always easy to find the necessary matter. I have tried to earn my living exactly as he has, although it has not been as sumptuous a success. I only want to say that I would rather at this moment not go into particular instances, because if I did so I should be guilty of the very deed that the honorable member has admonished me for having done. If I were to go into all the things that have been done during the period between the signature of the Treaty of Versailles and the beginning of this war, the things I should have to point out would show that the faults were by no means all on one side, and I do not think I should be very helpful. He has provoked me to do so—very much so.

The Treaty of Versailles was not carried out by those who dictated it. A good deal of the trouble was due to that fact. We were dealing with governments in Germany which were democratic governments, based on a democratic franchise, with democratic statesmen, and it is because we did not carry out the undertakings we had given to those democratic governments that Hitler came into power. There was a good deal that was done in Germany, more particularly with regard to disarmament. The solid promise that we gave, not merely in the treaty itself but in a document which I took part in drafting, which was signed by M. Clemenceau on our behalf, that if Germany disarmed, we should immediately follow her example, was not carried out, and there is no government that is more responsible for that than the present national government which came into power in 1931. They had their opportunity. America was ready, Germany was ready—it was a time when Herr Bruening was in charge—but we refused to carry out the terms after Germany had been completely disarmed. We had the certificate of the ambassadors to say that disarmament was completed, but in spite of that we did not carry out our part.

The same thing applies to minorities. I repeatedly called attention to it. Mr. Benes, in the conference in Paris—I am sorry to have to go over this at the present moment, but I am not in the habit of failing to reply to attacks—was responsible, first of all, for giving a direct pledge to the conference that if Sudeten Germany were to become part of Czechoslovakia—the same thing applied to the Hungarians and to the Slovakians—the same autonomy would be given to them as in the Swiss Confederation of men of different races under the same flag and forming part of the same Federal Constitution. It was not carried out. The last conference I attended as Prime Minister was at Genoa in 1922, 3 years after the signature of the Treaty of Versailles. I begged that the promises which had then been given to the minorities, to the Hungarians and to the Germans—the same thing applies to Poland and to the Ukrainians—should be carried out. It was not my fault that they were not carried out.

I do not intend to apportion the blame at this particular moment, but ever since the signature of the treaty I did my very best, as Prime Minister, and I did not alter my policy in the least when I became an independent member of the opposition or when I was leader of the Liberal Party. Of course, as an independent member of this house I could not bring the same pressure as I did when I was Prime Minister, but I urged the conquering powers, who were then all-powerful, to exert their authority to compel these countries to carry out the pledge which they had given. I pointed out over and over again that if they did not do so it would end in a great European war and that there would be trouble. My predictions, unfortunately, have turned out to be true, and when the history of the whole of these transactions comes to be written, if the honorable gentleman will take the trouble to read it, he will find that most of this trouble has originated in the fact that the victors in the late war did not carry out solemn pledges which they gave in a treaty which they themselves dictated. They had the opportunity. Germany was prostrate. The creation of this terrible power in Germany, the spirit which is behind it, and what makes it so formidable at the present moment is due to the fact that we did not carry out our pledges. What is the result? Democracy has been swept away in Germany; democracy has been attacked by Germany. That spirit in Germany was created by the fact that the dominating democracies in Europe did not keep faith. We are now confronted with the most terrible answer that has ever been given to those who have broken faith and broken covenants. I do not apologize in the least for the fact that not only when I was Prime Minister but afterward I did my very best to persuade them to carry out the pledges which they had given solemnly, in writing, to the world.

Mr. LEE. Mr. President, will the Senator yield?

Mr. NYE. Before yielding, I submit that a statement of such proportions, by a most responsible member of the British Government, made after Britain had gone into the present war, is deserving of much more consideration than we seem to be inclined to give it as a state-

ment of the causes of the present war. I could not allow to go unchallenged the declaration of the Senator from Oklahoma that the responsibility is in part ours.

I now yield to the Senator from Oklahoma.

Mr. LEE. If by "ours" the Senator means the policy of the isolationists, all right. If the Senator means Americans in general, except to the extent that we followed that policy, I should say that the statement is true in part.

I should like to ask the Senator a question. Having read from the speech of David Lloyd George, I take it he makes it editorially his opinion that the Versailles Treaty is to blame for the present war. If that be true, what was to blame for Germany's march into Belgium in the war beginning in 1914, when there was no Versailles Treaty?

Mr. NYE. I am not going to enter into any discussion upon that score, Mr. President. What we are discussing now is the responsibility—and the Senator from Oklahoma himself raised the question—for the present war. The Senator from Oklahoma rather ascribed the responsibility in part to our own country, to which statement I take very definite exception.

Mr. LEE. The Senator from Oklahoma was referring to the threat of danger which results from our following a policy of isolation and of allowing our own defenses to go down.

If the Senator from North Dakota will indulge me, I should like to say that, in my opinion, the only thing that was the matter with the Versailles Treaty was that it was too ladylike. If we made a mistake then it was because we did not go far enough. If we made a mistake then it was because we did not follow the advice of Gen. Jack Pershing and take the war into the country and into the territory of the enemy. Germany has always been able to fight her wars on the other fellow's territory; and I say to the Members of the Senate that whenever this war is over if the spawning ground of war, Germany, is left intact, there will be a recurrence some time in the future. If Germany, the very incubator of war, is left intact, there will be another war later; because somehow or other the Germans—the Nazis—have a congenital feeling that they are born to dominate. Since 1771 they have had a plan of pan-American domination, and their Geopolitical Institute has on every occasion advanced every possible argument to further that plan. The very argument the Senator from North Dakota now is using, that the Versailles Treaty was unfair, has been the basis of propaganda which cost Germany thousands and thousands of marks to sell to the world. The German Geopolitical Institute said that it would cost them many thousands of marks to pay reparations, and they said "Why not let us default on the reparations, and use that money for propaganda to sell the world on the idea that we are martyrs and that the treaty is unfair?"

I say that the Senator from North Dakota was vaccinated with that same propaganda, and it took.

Mr. NYE. Mr. President, I come back to the reference I attempted to make a few moments ago, namely, the representation by as responsible an English statesman as any who lives today of the responsibility for the present war. But we have gone a long, long way away from David Lloyd George's words spoken in May 1940.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LEE. Mr. President, will the Senator yield once more?

Mr. NYE. I will not yield now, since my time is limited.

Mr. LEE. I desire merely to ask a question.

Mr. NYE. I know that the Senator wants to ask more questions, but another question would take more of my time. I shall insist, Mr. President, upon expanding my remarks here and now, and then I shall be glad to yield to the Senator, either in my time or in his. I make the same statement in connection with the request of the Senator from Kentucky.

Mr. CHANDLER. I desire to ask a question now. I will not argue; I desire simply to ask a question.

Mr. NYE. No; I will not yield to the Senator from Kentucky. Surely the Senator from Kentucky has not a question that I will not be required to answer.

Mr. CHANDLER. No; the Senator from North Dakota could reply by saying either "yes" or "no."

Mr. NYE. No; I prefer to ask the Senator to wait until I finish my argument.

I repeat, Mr. President, that we have gone a long, long way from the words enunciated by David Lloyd George only a year ago. Today we have in our own midst those who are ready to place the responsibility for this war at the door of the United States, when so obviously the cause of this war lies elsewhere. How far we have gone is best revealed by the words of some of those who at the inception of the present war were warning us against involvement in it, but who today have become the arch propagandists of this land in urging the United States to take a larger hand in the war.

In 1939, after the blood had started to flow in Europe, a very eminent American columnist wrote the following words:

> Once again Europe is rolling the loaded dice of destiny. And once again America is asked to play the role of international sucker. The time has come for us to pause and consider. If we must have another Unknown Soldier, let us not ask him to die for an unknown reason. And just what will be accomplished by dying in the mud? He will not increase America's resources; the last war nearly ruined our fertile lands. He will not increase America's wealth; in the last war we loaned our gold and were goldbricked in return. America must learn that her sons abroad will bring monuments to her glory, but her sons at home are a monument to her common sense. The future of American youth is on top of American soil—not underneath European dirt.

I do not know whether the Senate needs the information as to who was the writer of those lines, but if there be some Members of the Senate who do not know, I suggest that a little research will show that Walter Winchell was responsible for that language only 2 years ago.

I repeat, Mr. President, how far we have moved from truth and from the understanding that existed at one time. Today we listen to British statesmen who fill our ears with dire warnings against certain individuals and foreign causes, when the same statesmen only a matter of 2 and 3 years ago were singing the praises of the same causes and the same leaders they condemn today. It was in 1938 that Mr. Churchill was saying:

> I have always said that if Great Britain were defeated in war, I hoped we should find a Hitler to lead us back to our rightful position among the nations.

Those are the words of the same Mr. Churchill who today overlooks no chance to inveigle the United States into a belief that what Britain is fighting is a thing with which Britain would never have anything to do, when only 2 years ago Mr. Churchill was referring to the possible time when Britain would welcome a Hitler of her own.

Today we are told that there must not even be a pause to talk peace because we cannot trust those who are in the leadership on the other side; we are told that they are insincere, that their word is not to be taken for a moment.

But in 1938, Lord Beaverbrook, who today occupies a ranking place in the British war cabinet, was saying:

> We certainly credit Hitler with honesty and sincerity. We believe in his purpose, stated over and over again, to seek an accommodation with us and we accept to the full the implications of the Munich document.

Lord Rothermere, another prominent British statesman, also in 1938 was saying of Hitler:

> There is no man living whose promise given in regard to something of real moment I would sooner take. He is simple, unaffected, and obviously sincere. He is supremely intelligent.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from Montana.

Mr. WHEELER. Let me say that after the war broke out and the British were at war, Lord Lothian, the British Ambassador to this country, made the statement in my presence and in the presence of others—there was nothing secret about it—that they would not trust Hitler, but that they would trust Goering. That statement was made after the war had begun. It should be remembered that Lord Halifax was shooting wild boar with Goering at a time when in the United States some of us, including myself, were denouncing Hitler from one end of the country to the other.

Mr. NYE. That is quite right. I have heard statements concerning that conference.

Mr. CHANDLER. Mr. President, is not the Senator from North Dakota breaking his own rule of not yielding until he has finished his argument?

Mr. NYE. But in 1938, Lord Lothian, in referring to the justification on the part of the German people, wrote the following words:

> We are largely responsible for the situation that confronts us today—

"We" meaning Great Britain.

If another war comes and the history of it is ever written, the dispassionate historian a hundred years hence will not say that Germany alone was responsible for it, even if she strikes the first blow, but that those who mismanaged the world between 1918 and 1937 had a large share of responsibility for it.

Mr. President, I repeat we have come a long, long way from the truths and the facts which were laid down 2 or 3 years ago, and even a year ago, concerning what were the real and vital issues involved in the present European conflict. Today the challenge comes to us to have a larger hand in it than we have already had.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. NYE. I will yield in a moment. I am reminded that there is not a British statesman today who if we were in the shoes of the British and they were in our shoes would accord us a second hearing if we were asking of Great Britain what Great Britain seems to be anticipating from us.

Only a few years ago a very eminent British statesman, in 1934, wrote this:

We must be safe from undue foreign pressure. * * * We cannot confine the safety of our country to the passions or the panic of any foreign nation which may be facing some desperate crisis. * * * All history has proved the peril of being dependent upon a foreign state for home defense instead of upon one's own right arm.

I insist, Mr. President, coming as this particular warning did from Winston Churchill in 1934, that we Americans would do well to take note of the fact that we are being expected now to deliver what Great Britain would never deliver under like circumstances if we were the aggrieved one.

Before yielding to the Senator from Kentucky I want only to say that, in quoting as I have from British statesmen, I am not undertaking to have them speak for me. My respect for this man Hitler is no higher than the respect for him entertained by anyone else in the Senate, but I have recited these quotations again, I repeat, to the end that we may see how far afield we have gone because of the endless steps which have been taken, all of them called steps short of war, steps that were going to keep us out of war, but, inch by inch, foot by foot, yard by yard, we have been moving a little farther by powers extended here and powers granted there until today it is generally conceded that we are perilously close to involvement in the war.

Senators may stand in their places on the floor of the Senate and argue that this whole effort on our part is purely and wholly one of national defense and national defense only; but, Mr. President, across the Atlantic in the British Isles they know that our preparation here is not a defensive preparation. Constant is their representation that the United States is preparing for an offensive war.

I have had for some time an issue of the London Pictorial Magazine, a Sunday publication published in London, which contains an amazing revelation, it seems to me, of what is being expected of America. In the pages of the particular issue of this magazine I find a double-page spread under the heading:

You ask when will the United States declare war? John Walters, our New York correspondent, says within 6 months. America will fight and why.

The big battle of this war is raging at this moment on the streets of America.

This is London's consideration—"the big battle of this war"—and this was while London was being bombed day after day—the big battle of this war, in the view of London, was considered to be on the streets of America.

Featured on this page are six photographs, two groups, three in a group, and there appear in one group the faces of the President, Secretary of War Stimson, and Secretary of the Navy Knox, and then appears the line, "These men are our friends." In the other group appear the face of our friend the Senator from Montana [Mr. WHEELER], of Lindbergh, and my own, and in conjunction with this group appears the line, "These men are our enemies."

So in London there has been a definite drawing, so far as the people of the United States are concerned, as between the friends and enemies of Great Britain.

I shall ask, so far as I can within my time, to read from this article. Then, when my time has expired, if it has expired before I have finished, I shall ask unanimous consent that it may appear in its entirety and in order. The article continues:

It is a battle for the soul of the man in the street and the woman in the home.

It is a battle between those who want America to come into the war now on the side of democracy and those who want to keep out. A battle between Roosevelt and Lindbergh.

The battle is now in its fiercest phase. I have never been one of those to kid you by excited cables every week-end that America is 100 percent in the war.

I have never kidded you about the enormous help already coming from America because, quite frankly, it is not yet coming.

And until this battle of the Yanks is decided it never will come.

But now I can jump off the fence and proclaim this:

"I say that America will go to war with Germany.

"I believe a complete state of war will be reached in stages, starting within the next few days with United States convoys in the Atlantic.

"Whether or not these convoys clash with Nazi naval forces, I believe that American opinion will consolidate into a united demand for an all-out fight with the Axis.

"My prediction is that war will have to be declared within the next 6 months."

Leading military and naval experts in Washington are now saying openly that methods short of war are not enough.

They insist that only an all-out effort by belligerent America can assure success in the battle of the Atlantic and doom Hitler to destruction.

Just like the people of Britain in the years before the war, the people of the United States have evaded a decision whether to fight tooth and nail against totalitarianism or whether to risk becoming encompassed by it.

Now with Germany threatening the Atlantic and South America, and with Japan threatening the Pacific, the United States has made her decision without further procrastination.

Time won't wait even for the world's biggest and richest democracy.

She must decide—or else risk downfall before forces that would be at her throat now were it not for the heroic stand of British people.

PUZZLED

Dozens of letters reaching me from England indicate that the average Briton is more than bewildered by the attitude of the United States toward this war. Nearly all my correspondents express deep gratitude for all Americans have done and are doing to aid Britain in her fight for world civilization.

But they are puzzled and worried by the apparent lack of realization by their American friends of the terrible urgency of the situation.

"Secretary for the Navy Knox recently said: 'This is America's fight,'" writes a man from Birmingham. "Many other Americans have said the same thing. Then why should there be any hesitation in providing Britain with badly needed help?"

A woman writes me from Cheltenham: "My newspaper says that since the war started 20 months ago a total of 3,500 American planes have been exported to Britain.

"Why only 3,500, when I distinctly remember reading during Christmas of 1939 that Britain could expect 20,000 to 30,000 planes annually from America? I know that huge quantities of planes are promised now, but can we be certain they will arrive here soon enough, or will there be more delays and disappointments?"

My reply to all such questions is that they are just what the battle of America is being fought about.

Americans of great political prominence have in private talks confessed to me their deep shame that there has been so much big talk and yet so little accomplished.

The PRESIDING OFFICER. The Chair regrets to inform the Senator from North Dakota that his time on the amendment has expired.

Mr. NYE. Then I shall take my time on the joint resolution.

"If only we had talked less and built more planes and tanks and ships instead, the war might have been ended," said a Southern Senator to me only last Sunday.

"On October 28 last President Roosevelt pledged American aid to Greece. Yet during Greece's brave struggle against the Italians and then against Nazis not a single airplane, gun, or even bullet reached her from America.

"The fact is that the only way we can really fight Hitler is by doing part of the fighting ourselves."

An increasing number of Americans are agreeing with this Senator.

Unless the battle of America has a very definite result all her actions against the Nazis will continue to be delayed by long-winded arguments, by labor and political disputes, by business inefficiency and by paralyzing indecision.

Now let us look at some of the personalities and influences in the battle of America.

First we have President Roosevelt and his realistic Cabinet, who are a riddle to many Britons because of their failure to declare war on Germany without delay.

Roosevelt and his advisers are all for action, even if they don't all favor immediate formal declaration of war.

But in this country the President cannot make such drastic movements without a majority vote in Congress. Otherwise he would

flout the sacred Constitution and risk disgrace and downfall on a charge of being dictator.

The President, therefore, offers advice to the Nation, but he doesn't act unless he feels the majority is supporting him.

Right now Roosevelt is waiting for public opinion to crystallize for or against some definite action against the Axis.

There is no doubt that men and women who only a few months ago regarded war as they would an exciting Hollywood film have become nervous and apprehensive.

BOGEYMEN

But the isolationists and defeatists and pro-Nazis are trying with fanatical zeal to discourage the masses from doing anything about the growing Axis threat to the Western Hemisphere.

Senator WHEELER, Colonel Lindbergh, and Senator NYE, who have been completely duped by Nazi propaganda, are the most insidious of the isolationist campaigners. WHEELER and Lindbergh encourage the American to fear. NYE, who calls the British Empire an "evil force," encourages them to hate.

WHEELER and Lindbergh want Americans to be so scared of Hitler that they won't dare to raise a finger to halt his march of conquest.

NYE wants Americans to hate their elected leaders and Britain their sister democracy.

Few things are so paralyzing to human judgment as hate and fear. Therefore if WHEELER and Lindbergh do succeed in their campaign, the United States will definitely become strictly neutral and cooperate with Hitler's new world order if he wins.

BANDWAGON

Almost as insidious as isolationist propagandists are the bandwagon boys. These are unthinking people who apparently are indifferent to the issues of security and morality involved in this war. They simply want America to be on the winning side, be it Britain or Germany.

When Britain achieves successes the bandwagon boys are enthusiastically pro-British.

When Britain meets with set-backs they become anti-British with equal enthusiasm.

The existence of this small but noisy faction in the United States is largely the reason for bursts of isolationist talk that invariably follow each British reverse. At present the bandwagon group is opposing American participation in the war on Britain's side, for they have been influenced by the defeat of Britain in Greece.

One of the chief reasons for the indecision of the mass of Americans is, I believe, the vagueness of democracies regarding their war aims. You, in Britain, are too busy fighting for your existence to have time to think much about the pattern of the post-war world.

But Americans, made cautious by the belief that their country got a dirty deal after pouring out blood and treasure "to save democracy" in the last war, talk much about war aims.

They would favor intervention much more strongly if they were certain it would, in addition to defending their country's present security, assure security of future generations, also.

And they surprise me by their insistence that the United States, and the British Empire in particular, should share each other's trade and become as nearly as possible a single economic unit.

Too often do I hear criticism that "England wants to remake Europe just as it was after Versailles with its petty nationalisms and countless customs barriers."

I always reply, "No; England wants nations to be independent in Government but interdependent in trade."

If we want Americans' aid to turn the scales against Hitler we must at least assure them that markets of the vast British Empire will, after the war, be open wide to American goods on condition that United States markets are open wide to our goods.

We must be willing to welcome a tremendous growth of American commercial and cultural influence in Canada in particular, probably drawing her closer to the United States than she is to the Motherland.

Experts say that the success of an economic merger between Britain and the United States would depend upon the attainment of a greatly improved standard of living in Britain.

"We cannot abolish tariff barriers with Britain as we could with Canada unless your workers are paid the same high wages as ours," a Columbia University economist told me. "There would be no equality if you British could undersell us in markets of the world and in our own country by underpaying your workers."

Thus a very pleasant war aim of Americans would be the establishment in Britain of living standards comparable to their own.

Friends of Roosevelt say he visualizes a world order of which such Anglo-American economic federation would form the nucleus. Any nation would be welcomed into this federation if it shared the freedom and democracy of America and Britain, and strived to attain a high standard of living for its workers.

If the British Government lost no time in announcing its support of a bold, post-war plan of this nature that would certainly remove from the minds of many Americans the doubts they have.

Pro-British forces in the battle of America are now conducting a terrific offensive, and isolationists who have been taken by surprise at the ferocity of the attack are still a bit groggy.

In a carefully planned blitz campaign a succession of speakers has demanded that a great effort should be made by the United States against the Axis.

Speaker has quickly followed speaker: Secretary of the Navy Knox; Cordell Hull; Conant, of Harvard; War Secretary Stimson; Willkie, Roosevelt's opponent in the Presidency election; and LaGuardia, mayor of New York. And within a few days the greatest blow at isolation will be made in a world-wide radio address by Roosevelt.

Which happened to be the address that was not delivered, I may interpose—

Some think the President may declare a state of national emergency. But isolationists, as they recover from the shock of intervention onslaught, are speedily marshaling all their forces for a desperate counter-offensive, of which you will read much this week.

Speaker after speaker will be hurling invectives at the Roosevelt forces, and every possible argument will be made in an effort to persuade the public to keep away from war or warlike acts, to turn their backs on Britain.

BACKING US

But, as I said earlier, my personal opinion is that the victor in the "battle of America will be Roosevelt.

And many, many facts, given to me in confidence, indicate that the United States, far from retreating, will boldly challenge the Axis with guns as well as words.

Here are some of the facts:

The President and Congress, through the Lease and Lend Act, place immense stakes on British victory.

A vast army is now being trained in offensive warfare.

I desire to place a little added emphasis upon that report:

A vast army is now being trained in offensive warfare.

Naval and warplane construction program is breath-taking in its immensity.

And I have yet to meet the Government official in Washington who doesn't now believe America will fight.

So much for that. While we in the United States may be talking about confining ourselves strictly to defense of our own country against foreign attack, in London it is reported in this London newspaper that the anticipation is that the United States is going to be in the war. They assert that our preparation here is an offensive preparation, not a defensive preparation, and that Government officials in Washington are quite agreed that we are to be in the war.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. WHEELER. I can readily understand that attitude, because I hold in my hand a report which was made by a major in the British Army who was in Washington, and who traveled throughout the United States carrying on propaganda for war. I desire to read one or two paragraphs from his report. It is one of the most interesting communications I have ever seen.

Mr. NYE. Will the Senator yield for just a moment?

Mr. WHEELER. I yield.

Mr. NYE. May I inquire of the Chair how much time I have remaining?

The PRESIDING OFFICER. The Senator has 17 minutes left.

Mr. NYE. I thank the Presiding Officer.

Mr. WHEELER. The British major referred to wrote to a Member of Parliament, who is now, I understand, in the British Cabinet, and stated:

MY DEAR DAVID: I thought you might like the enclosed notes from over here, as the center of the war effort appears to be over here.

Then he gives an analysis of the various Cabinet members; and speaking of Mr. Stimson, he said:

He is a very decent, honest pro-British man.

Then he proceeds to say something further about him which I shall not read into the RECORD. He said again:

Knox is passionately anxious for America to come into the war at once.

At another place he said:

You may be interested in my impressions of the situation here. I have seen Bill Donovan, Purvis, etc., and stayed with Edward and Dorothy 4 days in Washington. The President is the greatest dictator of all times. Everything is in his hands. Clause No. 4 of the lend-lease bill gives the President, and the President alone, complete and absolute power of determination how we shall pay for everything we get from the "States" in the future.

By Edward and Dorothy he means Lord and Lady Halifax. He said further:

My own view is that if America came into the war tomorrow she would find, just as we did, that she has practically nothing with which to make war. Everything is lacking.

Then he calls attention to a conversation which he had in Canada with the Polish Sikorski, and he stated:

In Canada Mackenzie King made a great deal of Sikorski, and I think we shall get all

we want. There is a good deal of acid comment in this country about the Canadian war effort. The President is said to be very critical of Mackenzie King and Bill Donovan (who has just been to Toronto) says that there is more real war effort here than in Canada. Some Americans say, "Why should our boys die when Canadians haven't even got conscription? And, even in Australia, only those who volunteer are sent abroad."

This is a man reporting to his own friends in Parliament, and saying that of course the Secretary of the Navy is passionately for getting us into the war now, and that Secretary Stimson is pro-war. It is well known that other members of the Cabinet are pro-war. So, why should not the British feel we were coming into the war, instead of saying we were carrying on for peace? Of course, the British know better about what is going on in the United States than do some Members of the Congress.

Mr. NYE. I thank the Senator, who brings me directly to the challenge before us at the present time.

Some months ago, after our hates and our fears had been sufficiently worked upon, we found ourselves reaching across the Atlantic and borrowing of the ways of Europe, borrowing in this instance the instrument without which the dictators could not get half way down to first base, if I may use that American expression. We borrowed peacetime conscription for military training.

Mr. WHEELER. Mr. President, will the Senator permit another interruption?

Mr. NYE. I yield.

Mr. WHEELER. The same major whom I have quoted made a statement regarding President Roosevelt. Some have been critical because they say that some have charged the President with wanting to be a dictator. This British major, reporting to his own government, says that President Roosevelt is the greatest dictator of all time. That is what the British are writing home to their own people in England.

Mr. NYE. It may be quite acceptable coming from a Britisher to have that sort of claim laid down, but the Senator from Montana and I would not venture such a statement for fear of what might be the consequence here, even though we believed it to be the policy and the wish of the President to be a dictator. But we did borrow the ways of dictators when we borrowed peacetime conscription. At that time Congress gave the largest possible assurance, as did the administration, that what we were conscripting for was training for defense. We gave the largest assurance on every hand that conscription was going to be for only a year, that when the year of each selectee was completed there would be another to take his place, that the policy would rest with equal weight upon one and all of a certain age, that we would not ask of one boy or group of boys more than we would ask of others. We gave assurance that, excepting only in the eventuality of a declaration by Congress of a national emergency, the boys inducted into the service would be excused at the end of the year.

I insist that in spite of all the undertaking to prove the contrary to be true, if Congress holds these boys, under existing circumstances, for more than 12 months, Congress breaks faith with the finest youth upon the face of the earth.

Mr. President, I am not one of those ready to make any charge as to what may be the state of morale in the camps, in the areas where the draftees are. I do not know. It would appear that a pretty severe censorship has been clamped on so that the boys in the camps may not voice their opinions. But some of them have written. I think I have never read so angry a mail as is presented by several hundred letters I have received from boys in the camps, and from hundreds of their parents and chums who have gone to visit the boys in the camps, and returned home to report their findings.

I shall not undertake to measure the degree of morale which exists in the camps today, but I insist that well might we expect to find a rather low state of morale, in light of the experience which has been the lot of these boys since the day they were inducted into the service.

Many of the early ones went into camps which were wholly unready for them; they got mud baths day and night instead of homes and a reasonable degree of comfort. While they were there they looked back home and observed, as many of them could, their own buddies taken into private industry, defense industries, and paid $100 a week for their services, as many of them are being paid in the Detroit area today. Surely that condition is not destined to find a very warm spot in the hearts of many boys in the camps.

Now, speaking of their morale, why would it not be at least interrupted if they were made to observe from day to day the effort now under way to retain them in the service longer than the year for which we contracted, and, more than that, talk, responsible talk, of tearing down the restrictions which prevent the use of the selectees outside the Western Hemisphere?

This morning every Member of the Senate read, I presume, of disturbances at Fort Knox, where 250 or 300 conscriptees were fired upon, and one killed, and how it was not possible to put them back in their places except as the authorities would turn the water hose upon them. Why the attitude which leads to such consequences?

Mr. President, I ask that there be printed in the RECORD at this point an article published in the Washington Post of today dealing with what happened at Fort Knox, Ky.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THREE HUNDRED AND FIFTY FORT KNOX PRISONERS RIOT; GUARD KILLS ONE

FORT KNOX, KY., August 3.—Col. N. Butler Briscoe, post commander, disclosed today that a soldier had been wounded fatally during a guardhouse riot here Wednesday night and that guards were forced to turn a fire hose on 350 milling prisoners after several rifle shots fired over their heads failed to restore order.

The victim was Pvt. Carl B. McClellan, 19, of Bicknell, Ind. He was struck in the left shoulder by a ricocheting bullet fired by one of the guards, Colonel Briscoe said. He died in the post hospital Thursday afternoon.

The rioting was touched off when a prisoner, using a makeshift ladder, climbed over two wire fences surrounding the guardhouse and escaped, Colonel Briscoe said. Guards discovered the soldier escaping and fired several shots at him but he made a getaway. He was captured Thursday.

At the sound of the shots prisoners rushed out of their barracks into the yard, the colonel reported. They threw rocks from the yard rock pile at guards and officers.

Four of the guards began firing over the heads of the prisoners, and one of the shots glanced off a pillar, striking McClellan, who was serving a short term for a minor offense, the officer said.

When the shots failed to disperse the rioters a fire hose was brought into action and order was restored.

Colonel Briscoe said ballistic tests will be made on the guards' rifles to determine which fired the fatal shot. The man responsible will be tried on a manslaughter charge by a military court, he said.

Mr. NYE. Mr. President, I discount all the causes which might be stated for a lowering of the morale of the camps, but the thing that must smart and burn with the conscriptees is being told that they must be kept in service for longer than a year, being told that the emergency confronting the country is one desperately requiring it, being told that, when they can look across the line to a land engaged actually in this war, conscripting its young men as we do here, but for only 3 months of intensive training, accompanied by a guaranty that when that training is completed they shall see service abroad only when and if they themselves volunteer for it.

Mr. President, I insist it is a challenge to morale when that state of affairs can exist.

Mr. LEE. Mr. President, will the Senator yield?

Mr. NYE. I yield to the Senator from Oklahoma.

Mr. LEE. Does not the Senator feel that the morale of the soldiers, to which the Senator has referred, might be affected by statements from Members of the United States Senate publicly on the floor of the Senate to the effect that the soldiers are being abused by being thus drafted, and that there is no emergency, and that the proposed extension of service is unnecessary?

Mr. NYE. No: I do not think that is having any adverse effect upon their morale whatsoever, if I may conclude rightly from what I read in my mail. There is appreciation expressed in those letters that there are some Members of Congress ready to stand up and say what obviously these boys are not privileged to say.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. NYE. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 8 minutes left.

Mr. NYE. I yield to the Senator from Florida.

Mr. PEPPER. Did I understand the able Senator to say that in Canada the

soldiers had only a period of 4 months' training, and then went home?

Mr. NYE. No; I did not say that. I said that they had a period of 3 or 4 months' compulsory military training, and that upon their discharge they were subject to service abroad only as they volunteered to render service abroad.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. NYE. I yield.

Mr. PEPPER. Is the Senator aware of the fact that he is one of those who has left the impression in this country that in Canada men go into the service in the army for a period of 30 days, or 4 months, and then they are discharged from the army? Is the Senator aware of the fact that Mr. Malcolm MacDonald gave a press interview at the British embassy in Washington in which he clarified that point in this language?

They do not go into the army service for 30 days, but they receive 4 months of intensive training, and that period of 30 days is not in effect now. When they have completed that period of 4 months' training they are kept in the army. They do not go home, but are still assigned to home defense, and they are kept in that for the duration of the war.

So much for the point of how long the Canadian boys stay in service. That service is not voluntary. It is compulsory.

Now on the point of the volunteer. The Senator is correct in the assumption that Canadian boys do not go abroad except they volunteer for foreign service, but I have figures before me which indicate that today Canada, a country of 12,000,000 population, has 100,000 troops already overseas, in addition to 200,000 troops training in Canada for overseas service. As compared to the population in the United States, that would mean that if the United States had abroad and in training for overseas service a number comparable by population, it would have 1,200,000 men overseas, and it would have 2,400,000 men as volunteers for overseas service here being trained for such service.

Mr. NYE. I may suggest to the Senator from Florida that we have not yet, at least, become a British colony or a dominion of the British Empire. [Laughter and manifestations of applause in the galleries.] I may suggest to the Senator from Florida——

Mr. PEPPER. And we have not yet become a German colony either, thank God!

Mr. NYE. I may suggest to the Senator that Canada is today at war, and if the Senator's country and mine were at war, the volunteering for service in Canada would not amount to a row of pins compared with what we would find to be the response of American youth here in our own land. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The Chair cautions the occupants of the galleries that the galleries will be cleared unless the occupants thereof cease demonstrations of approval or disapproval.

Mr. NYE. Mr. President, I wish to say a word in conclusion. I am sorry to have to disagree with some of my colleagues upon the pending amendment. I can see the merit in the statements made by those who have announced an intent to support it. For my own part, in light of what we know or do not know the emergency at the present time to be, I insist that there can be absolutely no compromise on the issue of keeping the conscriptees in the ranks for more than the year contracted for. To me it does not make a particle of difference whether the proposal is for retention in the service for 5 years, or 10 years, or 1 day more than the year which those young men were given assurances would be the extent of requirement of service for them. For that reason I shall oppose the pending amendment, as I oppose, of course, the proposal to extend the service of the conscriptees.

Mr. WHEELER. Mr. President, at present I shall occupy but a moment of the time of the Senate. While I was out of the Chamber, the Senator from Oklahoma [Mr. LEE] made a statement. I have before me a copy of his statement, as follows:

I hold in my hand a copy of the paper called PM. It contains the picture of a woman dressed in a black garb, with a skull on her face which looks like death. It is a picture of a woman who practiced and rehearsed her act, according to this article, in the office of the Senator from Montana [Mr. WHEELER], and went over to the gallery of the House of Representatives and undertook to preach fear by standing up and screaming with that horrible thing on her face.

Mr. President, I am not surprised that the Senator from Oklahoma used that article, notwithstanding the fact that there was not a single word of truth in the article. PM itself, something like 3 weeks after it printed the article, published a statement by one of the secretaries in my office completely explaining the incident. I never saw the woman. I never met her. She was never in my office or in the committee room. The statement published in PM was completely denied by that paper some weeks subsequent to the first publication. But, notwithstanding that fact——

Mr. LEE. Mr. President, will the Senator yield?

Mr. WHEELER. Notwithstanding that fact, the Senator from Oklahoma sees fit to bring the matter up. If I should bring up every letter or every article I see printed detrimental to the Senator from Oklahoma, I am afraid I would not be doing much else for the rest of the session. But I never stoop or resort to that practice, and I do not intend to start doing so now.

Mr. LEE. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. LEE. I may say that I did not know that the article had been retracted. If I had, I should not have presented it. I took as true, so far as the statement published in that newspaper is concerned, that the girl was in the Senator's office and did put the robe on in the Senator's office.

Mr. WHEELER. Let me say that there was not a single, solitary word of truth in that article. It is like many other lies which have been published by PM concerning me in the way of editorials and articles. There has not been a lower, more contemptible propaganda sheet in the United States than PM, one which is advocating almost every day that the country go to war. I am amazed that the Senator from Oklahoma should quote this article as being true without coming to me and asking me about it.

Mr. LEE. I will say to the Senator that, so far as I am concerned, his word is good. If he says the woman was not in his office, so far as I am concerned that is true.

Mr. WHEELER. I never saw the woman. She went to an office down the hall and saw some girl. She had a card to the Senate gallery from the senior Senator from New York [Mr. WAGNER], and one from the junior Senator from New York [Mr. MEAD]. She had a card to the House gallery from Mrs. O'DAY. She asked the girl in my office for a card. We did not give her a card, but some girl in the office introduced her to someone in the House, and he put her in the gallery. That was all there was to it. I knew nothing about it.

Mr. LEE. The article states that the Senator's secretary told her how to fold her robe so that she could get into the gallery without it being observed.

Mr. WHEELER. My secretary never saw her at any time, under any circumstances.

MAJ. GEN. JOHN F. O'RYAN

Mr. CLARK of Idaho. Mr. President, a few days ago the public press announced the appointment as senior adviser to Secretary of War Henry L. Stimson of Maj. Gen. John F. O'Ryan, of New York. I think I have never, on the floor of the Senate or elsewhere, indulged in anything which might be called personalities, or indulged in personal criticism of any man. I do not intend to do so now. However, one of these days—it may be next year, next month, or 5 years from now—the whole lurid picture of the propaganda machine which is striving so mightily to drive us into war will be written. When it is written it will be written in the same manner that it was written at the conclusion of the last war.

So, for the record, and for the information of the Senate, I wish briefly to delineate the stamp of man who has been appointed senior assistant to the Secretary of War.

I understand that General O'Ryan is an outstanding soldier. For that he is entitled only to our thanks and our praise. I do not in any manner whatsoever challenge his patriotism, his Americanism, or the sincerity of his beliefs. Nor do I question his inalienable right to speak his mind.

But, when we have a man of the age of the Secretary of War, and when it is almost common knowledge that he is unable to take active charge of the War Department, there is a fair inference that from now on Gen. John F. O'Ryan will have much to say not only concerning the technical administration of the

War Department, but probably concerning the entire foreign policy of the United States at this critical time. So it behooves us to make a brief record—I shall not consume more than 5 minutes—as to precisely what sort of mind and what sort of convictions General O'Ryan has.

On March 30 last a radio debate was conducted in the city of Washington over the facilities of the Mutual Broadcasting Co. The debate was heard all over the United States. The question then at issue was, Shall we convoy materials to Europe, if necessary? General O'Ryan, Representative FISH, the Senator from Montana [Mr. WHEELER], and Representative BALDWIN were the participants in that debate. The Senator from Montana and Representative FISH were taking the position that convoying was unwise. General O'Ryan and his associate, Representative BALDWIN, were taking the position that convoying should be done at once.

I hold in my hand a printed stenographic transcript of the debate, which, incidentally, I myself heard over the radio. In the running questions of the debate Representative FISH said, addressing General O'Ryan:

Representative FISH. As long as you didn't ask a question, I will ask you one. What is the difference, General, in your mind, and the distinction between Germany as an aggressor and Japan as an aggressor?

General O'RYAN. Different targets, that's all.

Representative FISH. Well, that isn't quite the answer. They are both aggressors, aren't they?

General O'RYAN. Oh, yes.

Representative FISH. And in your mind Japan is equally a pirate with Germany and Soviet Russia as aggressors?

General O'RYAN. I would think so, from all that I have heard about the situation in North China, but I would not apply that to Manchukuo.

Representative FISH. Are you in favor, then, of convoying ships to China and going to war against Japan?

General O'RYAN. No.

Representative FISH. But you are in favor of going to war against Germany.

General O'RYAN. Right.

As long ago as January 1941, General O'Ryan was willing to state publicly, as he stated in the hearings on the lend-lease bill, that he was prepared to go to war with Germany, at a time when the administration, its spokesmen in the Senate, and its spokesmen in the executive branch of the Government were proclaiming neutrality and proclaiming that the lend-lease bill was designed to further neutrality. General O'Ryan, in response to Representative FISH's question as to whether he wanted to go to war now with Germany, said "Right."

Let me read further:

Representative FISH. What is the difference between these two aggressors?

General O'RYAN. Oh, I think there is a very great difference. In the first place, I do not believe that Japan has any intention of making war on us, but I think that Hitler has a very decided ambition to make war upon us after he polishes off those which precede us on his list of victims.

Note this, Mr. President. General O'Ryan wants to go to war against Germany but not against Japan. Now note the question by the Senator from Montana, who interposed at this point:

Senator WHEELER. Let me ask you a question, General. I don't want to be nasty about it, but you have included everybody as being "fifth columnists" and everything else, and so have other people, and Nazi agents, and you say that Japan is an aggressor and that she is also a partner of Germany. The fact is, isn't it, General, that you represented Japan as an agent and registered at the State Department as an agent?

General O'RYAN. That is right. I represented the Japan Economic Federation.

Then the chairman of the meeting, Mr. Ernest K. Lindley, who was acting as guest moderator, said that the Chair would rule that any further debate upon that subject was out of order.

I do not doubt that General O'Ryan's representation of the Japanese Government was honorable. I am not advised whether he received compensation for it. If he did, I am certain that it was legal. I admire his frankness in complying with the law and registering with the Secretary of State as such agent. I do not question his motives; but I do say that in January 1941 he wanted to go to war immediately with Germany, and did not want to go to war with Japan. He placed the two governments in different categories. At that time he was a publicly registered agent in this country of the Government of Japan. That man has now been designated as the senior assistant to the Secretary of War, Henry L. Stimson.

In General O'Ryan's testimony before the House Committee on Foreign Affairs in connection with the lend-lease bill, he said substantially the same thing. On page 636 of the hearings, he said:

I believe that our vital interest in the outcome of the present war has been obscured by some queer thinking and, as well, by propaganda. As an example, for 20 years our people have been deceived by propaganda against war as an institution with the result that they view war as they do sin, that is to say, they are against it.

He bemoaned the fact that the people of the United States had been misled by propaganda against war as an institution, the clear inference being that he believed in it, not as a temporary expedient, but as an institution.

He also said, on page 637:

Looking ahead, it is conceivable that in our own interest we should enter the war now in order to prevent a stalemate, and it seems to me that such action now in support of Great Britain would have the following effects—

He then delineates the effects that entering the war now would have. But way back in 1915, I think it was, this is what General O'Ryan said when he was talking about the boys in the Army. I quote:

The first thing that must be done is to destroy all initiative, and that with the training fits men to be soldiers. The recruit does not know how to carry out orders. His mental state differs from that of the trained soldier who obeys mechanically. We must get our men so that they are machines. We have to have our men trained so that the influence of fear is overpowered by the peril of an uncompromising military system often backed up by a pistol in the hands of an officer. The recruits have got to put their heads into the military noose. They have got to be jacked up. They have got to be bawled out.

At the risk of repetition I wish to say that I do not deny General O'Ryan's sincerity when he said those things, nor do I deny or question his right to hold those views, nor do I impugn in any respect his Americanism, his patriotism, or his standing as a soldier, but I do wish to make a part of this record the background, the fiber, the caliber, and the general stripe of the man who from now on will have much to do with conducting the War Department and our foreign policy.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Ohio [Mr. TAFT].

Mr. WALSH. Mr. President, I should like to make a few inquiries of the Senator from Utah. I am much troubled by a portion of section 3 of the pending measure. I desire to be frank and say that I am not in sympathy with the joint resolution generally, but this section seems to me to be especially objectionable.

I read:

SEC. 3. The Secretary of War may, when not in conflict with the interests of national defense, (1) release from active military service those persons who, in his judgment, would suffer undue hardship if retained on active duty.

I have never before known of any Secretary of War or any Secretary of the Navy having any personal authority to release from the Army or the Navy any soldier or sailor except through regular military channels. That means by application filed in a military way by the enlisted man of the Army or Navy, submitted to his superior officer, and from his superior officer to the next higher officer, until finally it comes to the head of the department for approval or disapproval.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. WALSH. I yield.

Mr. CLARK of Missouri. Of course, that also means that if a man has a "hard-boiled" company commander and has a hardship case he does not get out, but if he does not have a "hard-boiled" commander he stands a good chance of getting out.

Mr. WALSH. That is true.

This language was undoubtedly put in the bill for the purpose of helping selectees who have hardship cases. I do not question that the intent and purpose of those who drafted this provision were commendable. But what constitutes undue hardship? It is a term as broad as the Atlantic Ocean. It opens the door to favoritism, personal, and political, beyond the possibility of contemplation. In one case undue hardship may mean that a selectee thinks he ought to be released from the Army

so as to finish a year at college or go to some graduate school. In another case it may mean that he ought to go home and help support his father and mother. In another case it may mean that he is offered a $5,000 job, and that in the future if he is not released, he will be deprived of the opportunity of occupying an important position in the business world.

To repeat, it seems to me that the language is very loose and open to tremendous possibilities of personal and political favoritism.

What would happen to Members of the Senate and Members of the House of Representatives on the eve of the next election if such a provision should be adopted. They would be confronted with petitions, pleas, and prayers to let Johnnie come home because there is undue hardship in his case—because father has died, because the other children need his aid and support, and for a thousand and one other reasons.

The Navy Department—and I assume also the War Department—can deal with such cases in the regular military way. A man who has enlisted for a certain period may make application showing the reasons for his request. I have had several such cases, as have all of us. The man may say, "When I enlisted in the Navy"—or in the Army—"my father was working and we had a reasonable income. Since that time my father has died, and my mother is alone and has no means of support, and I must go home and help to support her."

In most cases such a boy, whose application for release is made through the regular military channels, would be released if he could make out a satisfactory case. He might come to me, or to any other Senator, to have us emphasize to the Department that he is reliable and dependable, and that his mother really needs his help. Usually an investigation is made.

But there would be an opportunity for any individual or public official to go to the Secretary of War or any representative of the Secretary of War and say, "Here are facts to justify release because of undue hardship." There would be no passing of the record through the regular channels. Probably no written application would be required, and by a stroke of the pen the Secretary of War or someone in his Department might say, "This is an undue-hardship case, and you are allowed to go free." Should not the words "undue hardship" be defined?

Let us treat all alike, rich and poor, uneducated and educated. Once they get into that Department let them abide by the regulations which apply to everyone else, and let us not open the door to develop what may turn out to be a source of scandal.

I do not mean to impute any motives, and in discussing this matter I am not thinking in terms of the present Secretary of War or any other Secretary of War. He may not be Secretary of War for more than 24 hours longer, but, in my opinion, the situation and condition should be remedied. I would oppose this power being given the Secretary of the Navy as well.

As chairman of the Naval Affairs Committee, I have had called to my attention several cases of exemptions, and, in my opinion, on the whole, the Navy Department has pursued a commendable course in limiting its exemptions to those granted for age or for physical defects.

My position is that there ought to be no exemptions of any kind. If a man has bad eyesight, he ought not to be admitted to the Navy or Army because he has my influence as chairman of the Naval Affairs Committee or the influence of any other Member of this body or because he is able to exercise such influence. Such cases have occurred. I am not criticizing them; they will all be exposed some day—the cases of those who have been exempted because of physical defects. One of the difficulties about cases involving physical defects is once a person who has a physical defect is allowed to enter the service the defect would later on become the basis for a pension or compensation, because under recent laws all who enter the service have the same rights as those in the Regular Army and Navy.

A man known to have physical defects such as would deprive him of benefits could formally waive his rights, but if he comes in now he cannot waive them, and several years from now he may say his defects have increased and become more serious, and he will be elegible for compensation and other benefits. Cannot some language be used to modify that power or to restrict it or to let the present law remain or the present means, which are, on the whole, rather satisfactory? A young man who can show a reversal of circumstances, say, a new condition that has arisen since his entrance into the service, can, through regular military channels, secure release.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WALSH. I gladly yield.

Mr. BARKLEY. Is there not a basis for the difference to which the Senator has referred? It has been the law for a long time that anybody volunteering in the Army or Navy who found himself later, by reason of a change over which he had no control, needed at home, could secure a discharge, but both Departments have almost uniformly held that if the condition existed at the time when the boy volunteered he had no right to take advantage of that situation because he knew of it when he went into the Army or the Navy, whereas selectees who are drawn into the Army by the Selective Service Act and who have no opportunity to pass on whether they should go in, for that question is left to a local board, may find that the very conditions that existed at the time they were drawn into the service under a provision such as this would have resulted in their being either deferred or exempted. Does not that situation create a little different background for the treatment of the volunteer and the nonvolunteer in determining whether a condition which has developed since he entered the Army or whether it existed at the time should be the ground for discharge?

Mr. WALSH. It may be so. Let me say that the draftee or selectee has the ruling of his local board that he has no dependents, that he comes within class A or class B or whatever the class may be, and, therefore, should be drafted. What I am urging is that the law for the selectee and his rights be the same as in the case of the enlisted man; that a man through the military channels could call attention to a reversal of his condition of life so that he might be given the release which is sought under this general clause.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. O'MAHONEY. I desire to ask the Senator if language of this kind, inserted in line 14 after the word "who," would meet the point he raises:

> may apply therefor through channels, giving the reasons for such release and who.

So that the clause would read:

> The Secretary of War may, when not in conflict with the interests of national defense, (1) release from active military service those persons who may apply therefor through channels, giving the reasons for such release, and who in the judgment—

And so forth.

Mr. WALSH. That would undoubtedly help relieve the difficulty I have pointed out. I should be glad to confer with the Senator on the language to cover the matter. I should like to have the views of the very able and conscientious Senator from Utah. I say again that, in all probability, as someone suggested, one of the reasons for this amendment was to let married men out when conditions developed in their families which brought about an undue hardship. Of course, we all want to give relief to every really deserving and worthy case, but I cannot understand why it could not be done through regular military channels and not through an act of the Secretary of War—and again I am personal and say any Secretary of War or Navy.

Mr. THOMAS of Utah. I cannot argue with the Senator from Massachusetts because I agree wholeheartedly with everything he has said; but, if I may speak only for myself, instead of for the whole committee, if the suggested amendment should not be interpreted in the way I understand "ordinary channels of the Army" should be interpreted, and in the way in which the Senator from Wyoming [Mr. O'MAHONEY] has suggested to amend his provision, of course, I should be opposed to section 3. I should have no objection at all to the amendment suggested by the Senator from Wyoming, because it is in complete harmony with what were the objectives of the amendment itself. The Senator, I think, should remember, if I may use that word, that the Selective Service Act came into being to take care of a certain group; the National Guard Act came into being to take care of certain others. Now we are amending those two acts. What we wanted to do was to follow the views as to hardship cases which Congress has expressed in the amendments which are now in conference and which will be before us with regard to the 28-year-old men, an express bill in regard to hardship cases there. Since in the National Guard

Act and in the Selective Service Act there were no provisions for the release through the ordinary channels, as in the case of the Regular Army man, and since those acts, especially the National Guard Act, refer both to officers and to men, and since a number of categories—we will put it that way—come into the picture, it would seem essential to have a provision such as section 3.

Mr. WALSH. I approve the Senator's views and appreciate his sympathy with the suggestions I have made. I suggest that he confer between now and tomorrow noon and see if some amendment cannot be prepared which will be acceptable and which may be agreed upon, if desirable.

Mr. THOMAS of Utah. Whenever the Senator from Wyoming suggests an amendment, if I consider it to be a proper one, I will be glad to endorse it.

Mr. WALSH. I should like to give a little more thought to the matter.

Mr. O'MAHONEY. Mr. President, I should be very happy to have the Senator from Utah and the Senator from Massachusetts frame the language which would be acceptable to them. I suggested these words on the spur of the moment, because I felt, as the Senator from Utah has said, that the intent of the measure brought in by the committee was without provision for application through channels, and not to give the Secretary of War the opportunity of reaching down into the Army and saying that he could dismiss persons upon his own motion.

Mr. DANAHER. Mr. President, will the Senator yield to me for a question?

Mr. THOMAS of Utah. I have not the floor, but I will be glad to yield if I may do so.

Mr. WALSH. I have concluded; I yield the floor.

Mr. DANAHER. Mr. President, I should like to ask the Senator from Utah what provision is to be made for releasing conscientious objectors, in view of the plan to keep the combatant forces in continued service?

Mr. THOMAS of Utah. Mr. President, I assume that a conscientious objector who is over 28 years of age, and who is serving not in accordance with the provisions for military training but in accordance with the conscientious-objector provisions in the act itself, will be released. Since no one over 28 years of age will be called again if the conference report is accepted, a conscientious objector over 28 is as much out of the picture as anyone who does service in the Army.

Mr. DANAHER. Are we to understand that conscientious objectors who are under 28, who have been opposed to military service and have been assigned to a camp, are to be continued in camp for the entire period of whatever extension is granted to those in the military services?

Mr. THOMAS of Utah. There is no amendment of the conscientious-objector provision. In fact, the conscientious-objector provision is working very well, as one of the group testified. He said it was working much better than in the last war, and they were quite satisfied, except that they thought if the Government took the men and used them in what might be called a peacetime camp, they ought to be paid, instead of sustaining themselves, as they do under the present arrangement.

Mr. DANAHER. I thank the Senator.

Mr. TAFT obtained the floor.

Mr. JOHNSON of California. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from California?

Mr. TAFT. I yield to the Senator.

Mr. JOHNSON of California. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	Overton
Andrews	Gerry	Pepper
Austin	Gillette	Radcliffe
Bailey	Green	Reynolds
Bankhead	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bone	Hayden	Smathers
Brooks	Hill	Smith
Brown	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Byrd	Kilgore	Thomas, Okla.
Capper	La Follette	Thomas, Utah
Chandler	Langer	Truman
Chavez	Lee	Tunnell
Clark, Idaho	McCarran	Tydings
Clark, Mo.	McFarland	Vandenberg
Connally	McKellar	Van Nuys
Danaher	Maloney	Wallgren
Davis	Mead	Walsh
Downey	Nye	Wheeler
Eastland	O'Daniel	Wiley
Ellender	O'Mahoney	Willis

The ACTING PRESIDENT pro tempore. Seventy-two Senators having answered to their names, a quorum is present. The Senator from Ohio is recognized.

Mr. BARKLEY. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Kentucky?

Mr. TAFT. I yield to the Senator from Kentucky.

Mr. BARKLEY. I had hoped we might vote on the pending amendment today, but apparently that is impossible; and after conferring with the author of the amendment and others on both sides I submit the following unanimous-consent request:

That at not later than 1 o'clock p. m. tomorrow the Senate proceed to vote on the pending Taft amendment, whatever time is occupied before 1 o'clock to be equally divided between the proponents and the opponents of the Taft amendment, the time to be controlled by the Senator from Ohio in favor of his amendment and by the Senator from Utah [Mr. THOMAS] against it; this arrangement not to interfere with the existing arrangement for limitation of debate.

Mr. TAFT. The proposed agreement relates solely to a vote on this one amendment at 1 o'clock tomorrow?

Mr. BARKLEY. The agreement, if entered into, relates solely to the amendment the Senator has offered, which means a vote at 1 o'clock tomorrow.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Kentucky?

Mr. AUSTIN. Mr. President, may the request be stated?

Mr. BARKLEY. I can restate it—that we agree to vote not later than 1 o'clock p. m. tomorrow on the pending Taft amendment, the time up to that hour to be equally divided between the opponents and proponents of the Taft amendment.

Mr. AUSTIN. The time to be under the control of the Senator from Ohio and the Senator from Utah?

Mr. BARKLEY. Under the control of the Senator from Ohio and the Senator from Utah.

Mr AUSTIN. I have no objection.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. BARKLEY. Mr. President, unless some Senator desires to address the Senate now, we will suspend in a very short while, unless the Senator from Ohio wants to proceed.

Mr. TAFT. I prefer to speak tomorrow, since the arrangement has been made.

Mr. BARKLEY. Does any other Senator wish to occupy the time until 5 o'clock?

Mr. LEE. Mr. President, I should like to occupy the floor for a few minutes on the joint resolution.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma has spoken on the amendment. Does he desire now to speak on the joint resolution?

Mr. LEE. I do.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. LEE. Mr. President, there has been some discussion with reference to the draft laws of other countries—Canada, for example. That, in the final analysis, does not guide the United States in her draft laws. Our one concern here is national security.

A number of statements by certain Englishmen have been read and used in the debate. Of course, a clever research man could look through the papers of the United States and find statements from people here to support almost any policy and any attitude. The statements which have been read, in my opinion, do not represent the mass mind of the English people. It is taking a part to prove a point, instead of taking the whole, which is always a fallacious method of arguing. We can take a part of the Scripture and prove nearly anything. We can take the Scripture to prove that stealing is supported by the Bible. In the Scripture it is said:

> Let him that stole, steal.

But the exhortation does not stop there. The next two words are "no more." By taking the part it would be possible to give a misinterpretation of the whole. And that is true of certain statements by English people.

Furthermore, the circumstances have a great deal to do with a man's statement. The statement a man might have made concerning a situation or an individual before a war between two nations began is subject to interpretation by

considering circumstances surrounding the man and the nation at the time the statement was made. Of course, there are some persons whose prejudice seems to overcome their love of America. It seems to me that in the defense effort America is making at this time there have been ample evidences that prejudice on their part against England overshadows their patriotism for America.

Mr. President, Congress would never have passed the Draft Act of 1940 if world conditions had not been such as to make us believe that it was absolutely necessary in the interest of national security. Subsequent developments have justified that action on the part of Congress. Today we must decide whether world conditions are such as would justify us in allowing the present armed forces to melt away by demobilizing the present Army of draftees.

The question of breaking faith with the draftees has been raised by those who opposed the passage of the Draft Act last September, and who are now opposing a continuation of service. The same people were more vigorous even in their opposition last September to the passage of the original Draft Act than they are today, which should indicate that their opposition does not grow out of a belief that Congress is breaking faith, but is to military training itself.

It is very evident, from reading the law which we passed last September, that we contemplated just such a situation as that which confronts us today, because the language of the law itself is:

> Each man * * * shall serve for * * * 12 consecutive months * * * except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended * * * in the interests of national defense.

Let us now read the first sentence of the proposal before us:

> *Resolved*, * * * That the Congress, acting in accordance with the provisions of section 3 (b) of the Selective Training and Service Act of 1940, hereby declares that the national interest is imperiled.

Quoting the identical language, we find in the original law of 1940 the very language of the two measures should make it plain to any fair-minded person that Congress is proposing an extension of the service period, just as it was contemplated at the time the original act was passed, in case a certain condition existed. And what was that condition? The condition was that Congress should declare that the national interest was imperiled.

Therefore, no one can argue that Congress is breaking a contract with the draftees. The argument is merely used to confuse the issues, and to justify the opposition of the same group who opposed the passage of the original act, but whose opposition at that time was based on other grounds, since they could not claim that Congress was breaking faith.

Mr. President, some apparently have the mistaken idea that the primary purpose of the Draft Act was to set up a rotation of training for civilian soldiers. Under normal conditions that would be true. But in this particular case, the emergency was so great that the primary motive was one of immediate national defense. In other words, we not only needed such a reserve of trained soldiers, as would result from a rotation of training, but we needed and still need a strong army actually in uniform and trained to fight in the different branches of service.

In other words, the long-range program of developing a system of civilian training was secondary, while the immediate strength of the armed forces for actual defense at the time was primary.

Therefore for us to argue now whether or not 12 months is long enough to train a soldier is to miss the point entirely so far as the present issue is concerned. If our Army was large enough so that a small percentage could be constantly coming in and going out without diminishing the military strength of the different units, then we could discuss the question whether or not 12 months was sufficient for training. But in our present situation, this is not the case. On the contrary the draftees constitute the larger portion of our trained enlisted strength. Indeed, according to General Marshall, the trainees constitute two-thirds of this trained enlisted strength. Therefore it must be obvious even to the casual observer that we cannot have two-thirds of our Army coming in and going out and at the same time have a strong fighting force ready for immediate action.

Mr. President, it is the immediate threat to the security of America which should be the controlling factor in our deliberations at this time. At one time, no doubt, the individual soldier played a more important part in battle than he does today in the modern, mechanized army, where teamwork is so necessary. Today, when armies move as synchronized units, it takes much longer for the individual soldier to be fitted into his particular unit of service than it did when all he had to learn was how to shoot his rifle.

Today the air force is timed to strike at the proper moment. At the same time the tanks must move forward on schedule. At the same time the artillery must synchronize its fire with the movements of the infantry.

Now, therefore, it takes a much longer period of time for a soldier, even though he has already had 12 months' training, to be geared to one of the military units of the modern army so that he can do his part in the clockwork precision which is necessary for one of the effective fighting units of today.

Consequently, a large number of trained men in reserve units does not mean as much military strength as it would if those same men were actually in service and were actually familiar with the necessary teamwork of the units to which they belonged. In other words, even if the United States had a large reserve of trained soldiers, it would require a matter of months to call those men back into service, assign them to different units, and retrain them in the necessary teamwork in order that their services might be perfectly synchronized with that of the soldiers who are already in those units.

But, Mr. President, the need of the United States is immediate. The question is not, therefore, the wisdom or unwisdom of a long-range policy of rotation of training, but the question is one of immediate military strength.

General Marshall, in testifying before the committee, said:

> It is difficult at this time to determine the exact requirements of the national interest with respect to military personnel. However, in view of the international situation and its rapidly increasing threat to our security, I submit on the very basis of cold logic that the virtual disbandment or immobilization of two-thirds of our trained enlisted strength and three-fourths of our trained officer personnel at this time might well involve a national tragedy.

Mr. President, if by any chance Congress should refuse General Marshall's request for continuation of military service for the draftees, we would be repeating the errors which in 1776, in 1861, and in 1812 caused unnecessary sacrifices and very nearly led to disaster.

The problem of the short enlistment which now troubles General Marshall and threatens to disrupt the whole Army, was the main military trouble which beset General Washington in the Revolutionary War and Lincoln in the Civil War.

General Upton in his book, the Military Policy of the United States, and General Palmer in his book on America in Arms, throw a great deal of light on the danger of short enlistments during a national crisis, such as exists at the present time.

Washington's army was composed of volunteers from the militia of the States, and in the beginning Congress insisted that the Continentals should be enlisted for 1 year instead of for the duration of the war.

I call the particular attention of the Members of the Senate to these quotations:

> Due to this folly—
>
> Says General Palmer—
>
> it was necessary to train a new army each spring. * * * It was Washington's opinion that but for this stupid decision * * * the war would have ended in decisive American victory before the winter of Valley Forge.

Washington expressed himself on the 12-month enlistment in no uncertain terms in a letter to the President of Congress dated August 20, 1780. I quote in part from that letter. General Washington said:

> Had we formed a permanent Army in the beginning, which by the continuance of the same men in service had been capable of discipline, we never should have had to retreat with a handful of men across the Delaware in 1776, trembling for the fate of America, which nothing but the infatuation of the enemy could have saved. We should not have remained all the succeeding winter at their mercy, with sometimes scarcely a sufficient body of men to mount the ordinary guards. * * * We should not have been under the necessity of fighting Brandywine * * * of seeing Philadelphia fall a prey * * * we should not have been at Valley Forge. * * * There is every reason to believe the war has been protracted on this account. * * * The fluctuations of our Army kept alive their (the enemy's) hopes and at every

period of the dissolution of a considerable part of it, they have flattered themselves with some decisive advantages.

Mr. President, we are willing to take the word of General Washington. Those who are arguing against extension of service and at the same time claiming that they are the only champions of peace, are arguing in the face of the words of wisdom which came from the pen of Gen. George Washington.

The same hardships which resulted from short enlistments were repeated even more disastrously in 1861. Let me quote from a dispatch by General Patterson, Commander of the Army of the Shenandoah, on June 28, 1861:

I beg to remind the general in chief that the period of service of nearly all the troops will expire within a month. * * * The new regiments will not be fit for service before September, if then, and meanwhile this whole frontier will be exposed.

Surely, we should learn something from the examples of history. Today, war has spread to new parts of the world almost every month. We must not allow the Army of the United States to melt away.

At best, our Army is by comparison the smallest possible Army that could defend the United States. In round numbers we have an armed force of one and a half million men. How does this compare with the armed force of Germany, which is 8,000,000? The present armed strength of Italy in round numbers is 2,000,000, and that of Japan is 2,000,000. These figures are of the actual men in uniform. These numbers do not include any reserves, but are the actual men in uniform and under arms. Therefore, it seems to me that General Marshall, if anything, is too conservative in his request for an Army of less than 2,000,000 trained soldiers to defend America. I do not mean that I would set my opinion against his. I do not want any more men in service than are absolutely necessary for the defense of our country.

It is true that since the Nazis started their invasion of the vast territory of Russia we are not receiving at the present time as many alarming reports as rapidly as we did during the conquest of the Balkan countries, but let no one be deceived by this apparent lull.

Germany has already conquered much Russian territory and is at present securing her gains. Nazi technicians have been sent into all of these countries to reorganize them under the strong and efficient control of the Nazis.

It is my opinion that just as soon as these gains have been consolidated, the German juggernaut will move on again.

I do not discount for a moment the stubborn resistance which the Russians are putting up in defense of their own country, but let us remember that the territory of Russia is vast, and that the Army of Russia has been placed at 14,000,000, and that the population of Russia is 160,000,000, and that the war equipment and supplies of Russia are great. Therefore, it would be possible for the Nazis to be slowed down in their drive and at the same time be gradually but surely pushing the Russians back, and day after day capturing great supplies of material and great numbers of soldiers.

When one looks at the map and sees how much Russian territory has already been conquered by Germany, one will realize that Germany has added greatly to her resources by the conquest of that territory.

Now, let us compare the world of September 1940 with the world today and determine for ourselves whether or not the danger which threatens America is greater today than it was then.

Since Congress passed the first Draft Act less than a year ago the war has spread to the Balkans, to central Asia, to Russia, to north Africa, to South America, and according to the noon newspapers it has now spread to Siberia.

Furthermore, in the Far East the Axis has made military gains by the establishment of bases in Indo-China.

Japan was at that time on the fence, and both Finland and Turkey were friendly to Great Britain. Today Turkey is neutralized, while both Finland and Japan are active allies of Hitler.

Furthermore, the Vichy Government was still subbornly resisting Hitler's demands for full collaboration, but today the French Government, including the French Colonial Government, is completely under the control of Berlin, and has actively engaged in battle against England while allowing Germany to send Nazi technicians to construct bases in west Africa and Indo-China.

Furthermore, whereas it appeared that Franco and the Spanish Government were maintaining complete neutrality, today Franco is strongly pro-Nazi and has vigorously lashed out at the Allies.

Furthermore, last fall England was the undisputed master of the Mediterranean, but today it is almost a German lake, with the Nazis holding enough of the ports to give them mastery of the Mediterranean with their dive bombers.

Furthermore, today Hitler has a strong military footing in North Africa, as well as control of the West African French colonies through the Vichy Government.

Since Congress first inducted these men into service Hitler has taken control of Rumania and Bulgaria and has conquered Yugoslavia, Greece, and the island of Crete, as well as the Baltic states of Lithuania, Latvia, and Estonia, and, as before mentioned, Turkey has been neutralized.

In the Balkan campaigns Britain lost great quantities of munitions and equipment, in addition to 4,000,000 tons of shipping. During all the time that has elapsed from last September until now, the shipping losses of the Allies have been estimated at 100,000 tons a week. The British Navy is inadequate to perform alone its mission of guarding the British and at the same time keeping open its communication with the Dominions, the colonies, and America.

The British Army has been reorganized and retrained. Its combat efficiency is high, but there still remain serious shortages of all heavy weapons, including artillery and tanks. The one arm which can take the offensive when called upon to do so is the Royal Air Force. British land forces and the British Navy are stretched out to the utmost.

Although we take courage from the war in Russia, yet let us remember that both Japan and Turkey were in strategic positions to pick the winner, and Turkey turned from a policy of friendliness to Great Britain to one of neutrality, if not complete friendliness to Germany. At the same time, Japan, which is in a position to know the facts about the war in Russia, deliberately chose to begin a military offensive. This change of policy coming from the two nations in the best position to know the facts about the Russian campaign would indicate that Germany is winning that war.

If this be true, then it will be only a matter of time until large bodies of seasoned German troops can be withdrawn from the eastern front ready for an attempted invasion of the British Isles.

Furthermore, the destruction of shipping by the Axis in the Battle of the Atlantic has been greater than the combined capacity of England and America to replace it.

Furthermore, Japan's new position in Indo-China, with possibly further advances into Thailand, has greatly increased the threat to the Philippine Islands.

If Hitler conquers Russia, he will then be in control of the Siberian territory, and almost within shouting distance of Alaska.

Since September 1940, Germany has conquered and occupied a total of 325,000 square miles of territory. She has increased her Army from 220 divisions to 260 divisions. An additional 40 divisions are now in training, making an over-all army actually in uniform and under arms of 300 divisions. At least 20, and possibly 30 of these, are armored divisions. Most of the men are not only trained but seasoned soldiers with actual experience in battle.

Since September a year ago Germany had subdued 6 additional independent nations with populations totaling more than 50,000,000 people, and has added greatly to her supplies of wheat, oil, minerals, and other necessary raw materials. She has captured mammoth amounts of war equipment. She has intensified her propaganda campaign in the Western Hemisphere, particularly in South America. She has taken over and is operating munition plants in all the occupied territory. She has stripped the French of all their equipment, which amounts to a vast reserve of planes, tanks, guns, ammunition, and other military ordnance.

Therefore, in the light of these facts, which are incontrovertible, can anyone doubt that greater danger threatens America today than threatened us in September 1940? If we were justified in passing the original Draft Act—and I believe we were—we are even more justified in continuing these men in service. We cannot afford to speculate on the security of America. If we err, it should be on the side of national security.

I could not imagine anything that would so discourage the Allies and en-

courage the Axis as failure to pass this bill thereby allowing the armed forces of the United States to melt away.

Neither could I think of anything that would be more damaging to the prestige of our Nation abroad, and particularly in South America, than to weaken our armed forces by mustering out at this time two-thirds of our trained enlisted strength and three-fourths of our trained officer personnel.

I could not imagine anything that would go further to encourage Japan in her present policy of aggression toward the United States than failure to keep our armed forces intact.

Weakness invites attack. Therefore I believe that the policy of keeping America strong in order that she may act with firmness will go a long way toward keeping us out of war.

OHIO RIVER BRIDGE, MAUCKPORT, IND.

Mr. BARKLEY. Mr. President, there is on the calendar House bill 4052, Calendar No. 606, which extends the time for commencing and completing the construction of a bridge across the Ohio River at Mauckport, Ind. On the other side of the Ohio River is Brandenburg, Ky. The time for beginning the construction of the bridge expires on August 7. Therefore, it is very important to have the bill enacted to extend the time for beginning the construction. I, therefore, ask unanimous consent for the present consideration of House bill 4052.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 4052) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.

The PRESIDING OFFICER. Is there objection to present consideration of the bill?

There being no objection, the bill (H. R. 4052) was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. THOMAS of Utah. Mr. President, I have had revised the three amendments which already have been printed; and I ask that they be printed and lie on the table until called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AUSTIN. Mr. President, will the Senator from Utah indicate what are the changes?

Mr. THOMAS of Utah. The first change in the first amendment is to insert a proviso in regard to a concurrent resolution. The revised amendment reads as follows:

Provided further, That the authority conferred by this section shall not be exercised after a date specified in a concurrent resolution hereafter passed by the Congress.

Mr. AUSTIN. That is the old text in lines 9 to 11; is it not?

Mr. THOMAS of Utah. No; it is slightly modified in conformity with the suggestion made by the Senator from Colorado.

The second amendment is to comply with the suggestion made by the Senator from Massachusetts [Mr. WALSH] in regard to the authority granted to the Secretary of War to release hardship cases.

The third change is to strike out section 8 of the joint resolution and not to replace it by anything.

Mr. AUSTIN. That will leave unchanged the date of June 30, 1942, which is in Public Resolution No. 96?

Mr. THOMAS of Utah. Unchanged; just as it is.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. PEPPER. May I have the attention of the able Senator from Utah and the able Senator from Alabama [Mr. HILL]? I received the other day a disquieting report or suggestion which led me to entertain some doubt as to whether the insurance benefits for the present selectees are as generous and as wide in their coverage as those enjoyed by the men who were drafted into service during the World War. If the scope is not so wide, I think the committee would desire to look into the matter and determine whether the men being taken into the Army at the present time receive every coverage in the way of insurance benefits that was received by the soldiers who served during the World War; and I have received some information which led me to doubt whether that is true.

Mr. THOMAS of Utah. Mr. President, if I may reply to the Senator from Florida, I think the present insurance benefits are just as generous as those which were in effect during the World War. In the World War the insurance benefits were placed upon a voluntary basis, and I think the benefits offered then are offered now to the selectees in case they want them. It is a matter of individual preference so far as insurance is concerned.

Mr. PEPPER. The fact that my information came indirectly from the insurance section of the Veterans' Administration leads me to have some doubt in regard to the matter. That is the reason why I desire to have an explanation.

Mr. HILL. Mr. President, I share the understanding expressed by the Senator from Utah. I shall be delighted to check the matter before the Senate meets tomorrow at noon. My understanding is that the benefits are just as wide as were those which applied to the men selected in the World War.

Mr. PEPPER. I am sure that is the intention.

Mr. HILL. Certainly.

Mr. THOMAS of Utah. Mr. President, a reading of the law may answer the question. On page 2 of the Selective Service Act, paragraph (d) reads as follows:

(d) With respect to the men inducted for training and service under this act, there shall be paid, allowed, and extended the same pay, allowances, pensions, disability, and death compensation and other benefits as are provided by law in the case of other enlisted men of like grades and length of service of that component of the land or naval forces to which they are assigned, and after transfer to a reserve component of the land or naval forces as provided in subsection (c) there shall be paid, allowed, and extended with respect to them the same benefits as are provided by law in like cases with respect to other members of such reserve component. Men in such training and service and men who have been so transferred to reserve components shall have an opportunity to qualify for promotion.

In addition to that, of course, in both the National Guard Act and the Selective Service Act there are other benefits, such as reemployment, which were not contemplated or thought of or included in the act of 1917.

Mr. PEPPER. I shall appreciate it if the Senator will have his assistant check the matter, so that, while we are dealing with this question, if by inadvertence anything was omitted we may consider correcting it.

Mr. THOMAS of Utah. I should like to say that the comparison here is not with the selectee or the draftee of 1917, but with members of the Army as it stands today.

Mr. PEPPER. I knew that; but I meant to make the inquiry relative to the standards now as compared to the standards in 1917 and 1918. If there is any reason for us to be less generous, well and good; but we will check the technicalities of the matter.

Mr. AUSTIN. Mr. President, I ask that there be printed in the RECORD at this point the text of the three amendments offered by the Senator from Utah, and the text of the original amendments.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

REVISED AMENDMENTS

In lieu of the proviso in lines 9 to 11, inclusive, on page 3, insert a colon and the following: "*Provided*, That the extension of the period of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense: *Provided further*, That the authority conferred by this section shall not be exercised after a date specified in a concurrent resolution hereafter passed by the Congress."

On page 3, strike out lines 12 to 23, inclusive, and insert in lieu thereof the following:

"SEC. 3. The Secretary of War may, when not in conflict with the interests of national defense, release from active military service those persons who apply therefor through the regular military channels and state their reasons for such release, and who, in the judgment of the Secretary of War, would suffer undue hardship if retained on active military service: *Provided*, That any person so released under this section who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect, which shall be in the same form and have the same force and effect as a certificate issued under the

provisions of section 8 of the Selective Training and Service Act of 1940."

On page 5, strike out lines 5 to 9, inclusive (being sec. 8).

ORIGINAL AMENDMENTS

In lieu of the proviso in lines 9 to 11, inclusive, on page 3, insert a colon and the following: "*Provided*, That the extension of the period of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense."

On page 3, line 13, strike out "(1)."

On page 3, line 15, beginning with the comma strike through the word "service" in line 20.

On page 3, line 23, before the period insert ", which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of the Selective Training and Service Act of 1940."

On page 5, strike out lines 5 to 9, inclusive (being sec. 8), and in lieu thereof insert the following:

"SEC. 8. Section 1 of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940, is hereby amended by striking out 'June 30, 1942,' and inserting in lieu thereof 'May 15, 1945.'"

EDNA GLADNEY AND THE MOTION PICTURE, BLOSSOMS IN THE DUST

Mr. CONNALLY. Mr. President, a few nights ago I witnessed a very interesting motion picture. I am not an addict, but occasionally I go to see motion pictures. This was a picture of a very unusually humanitarian type, in that the whole subject of the picture was the unselfish work of a great Texas woman in establishing a Texas children's home and aid society at Fort Worth, Tex.

In that connection I ask unanimous consent to have printed in the RECORD a brief statement of my observations and views on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CONNALLY

I should like to call to the attention of my colleagues the commendable work being accomplished by the motion-picture industry in recognizing the humanitarian efforts of Americans whose accomplishments have not been accorded public recognition. We are now mindful of the manner in which that kindly priest, Father Edward Flanagan, of Nebraska, single-handedly founded an empire of love for the young, unwanted boy. Father Flanagan's work, his courage, his great sacrifice were known but to few of our American millions, and it remained for the screen to tell this humane story to the world.

Once again this medium acquaints our citizens with another personage whose heart and sense of duty have made contributions to our civilization. For nearly 30 years this simple, courageous woman has devoted her energies to those dear little bits of humanity who come into the world unwanted. Out of her great love for children she established the Texas Children's Home and Aid Society, at Fort Worth, an institution which has made happier thousands of childless homes, and which has turned out thousands of fine, healthy, sterling citizens. It took much love, much courage, much hard work, and much of every form of human devotion to accomplish the truly great work that has been the achievement of that gracious Texas lady, Edna Gladney. It is with pride that I call the Nation's attention to the commendable work of Edna Gladney and to the Metro-Goldwyn-Mayer motion picture, Blossoms in the Dust, which will serve as a monument to her work and as an inspiration to our people.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. BUNKER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MCKELLAR, from the Committee on Appropriations:

Howard R. Staub, of Connecticut, to be Work Projects administrator for Connecticut; and

From the Committee on Post Offices and Post Roads:

Sundry postmasters.

THE ARMY—GEN. ADNA R. CHAFFEE

Mr. HILL. Mr. President, from the Committee on Military Affairs, I report favorably sundry routine Army nominations, and ask unanimous consent that they may be considered at this time.

The PRESIDING OFFICER. Is there objection to the present consideration of the nominations? The Chair hears none.

Mr. CHANDLER. Mr. President, there is one nomination on the list just reported by the Senator from Alabama which I desire to join my colleague [Mr. BARKLEY] in calling to the attention of the Senate—a promotion for Gen. Adna R. Chaffee, who was formerly the commander at Fort Knox and is the father of the motorized units of the Army of the United States.

General Chaffee has been in the hospital in Boston for a considerable time and is quite ill. He is one of the great Army officers this country has produced. He gets a much-deserved promotion, and with it, I am quite certain, goes the gratitude of a grateful nation for the fine services he has performed.

I am sure my colleague will desire to join me in approving the promotion for this highly meritorious soldier of the Republic.

Mr. BARKLEY. Yes, Mr. President; and I think I also may say that General Chaffee is the son of another very distinguished American Army officer, Gen. Adna R. Chaffee, Sr.

Mr. CHANDLER. His father was Chief of Staff.

Mr. BARKLEY. He was Chief of Staff in 1905, distinguished himself in active service in Cuba during the Spanish-American War, and was later in command of the division of the Philippines.

The PRESIDING OFFICER. Without objection, the Army nominations are confirmed en bloc; and, without objection, the President will be notified.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

FEDERAL BOARD FOR VOCATIONAL EDUCATION

The legislative clerk read the nomination of Robert Watt, of Massachusetts, to be a member of the Federal Board for Vocational Education, representing the interests of labor, for the 3-year term beginning July 17, 1941.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en block.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

DEATH OF SENATOR LUMPKIN, OF SOUTH CAROLINA

Mr. BARKLEY. I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed legislative session.

Mr. SMITH. Mr. President, I deeply regret that the Senate was in recess when my colleague, the late Senator Lumpkin, died. If the Senate had been in session, the proper respect to his memory could have been observed. Senators did not know him as well as I and other South Carolinians did. In his death the Senate certainly lost a very capable and able Member.

The Presiding Officer has heretofore appointed a committee to attend the funeral of Senator Lumpkin, composed of the Senator from New Mexico [Mr. HATCH], the Senator from Wisconsin [Mr. WILEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Mississippi [Mr. EASTLAND], the Senator from New Mexico [Mr. CHAVEZ], and myself.

In view of the circumstances, over which we had no control, I send to the desk a resolution and ask for its adoption.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 153) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. ALVA M. LUMPKIN, late a Senator from the State of South Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representa-

tives, and transmit a copy thereof to the family of the deceased.

Mr. BARKLEY. Mr. President, it was not our privilege to serve with the late Senator Lumpkin for more than a few days; but during his short sojourn as a Member of the Senate, I think he endeared himself to the entire membership by his personality, his friendliness, his affability, and his desire to cooperate with his colleagues during the brief time for which he was appointed.

I recall that the last time I talked with Senator Lumpkin he was about to leave for South Carolina to be present when his father-in-law was to be operated on, and I did not know the Senator was ill until I heard of his death.

I desire to express my regret, and my sympathy with the Senator from South Carolina [Mr. SMITH], with the people of South Carolina, and with the family of Senator Lumpkin for his untimely end.

Mr. PEPPER. Mr. President, let me add a word of concurrence in the sentiments which have just been uttered in tribute to the late Senator Lumpkin.

I think I can sum up the appreciation we have for Senator Lumpkin, notwithstanding our short friendship with him, by saying that he impressed those who were privileged to serve with him here as possessing the qualities which are expressed in the highest compliment that could be paid to one in the State whence he came, and the South which his name has illustriously honored: He was a gentleman and a scholar.

Mr. CONNALLY. Mr. President, it was my privilege to know Senator Lumpkin for 15 or 20 years in certain relationships that brought us together. I have also known him in South Carolina, and have been at his home. I desire to say a brief word of appreciation of his many splendid qualities.

He was a very distinguished lawyer and a very fine citizen. His home life was beautiful, and exemplified all the nobler and finer characteristics of the family circle. I very deeply regret that his service here was of such short duration, and feel that even had his tenure of office extended only to the brief period for which he was originally appointed he would have endeared himself to all the Members of the Senate, and, insofar as the possibilities afforded opportunity, he would have distinguished himself in the Senate.

Mr. SMITH. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate do now take a recess until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, August 5, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 4 (legislative day of July 28), 1941:

SOCIAL SECURITY BOARD

George E. Bigge, of Rhode Island, to be a member of the Social Security Board for a term expiring August 13, 1947 (reappointment).

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Col. Frayne Baker, Infantry, National Guard of the United States, to be brigadier general in the Army of the United States, under the provisions of sections 37, 38, and 111, National Defense Act, as amended, respectively, by the acts of Congress approved June 15, 1933, and June 19, 1935.

APPOINTMENT TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

To be colonel

Lt. Col. Joseph Leonard Stromme, Air Corps.

NOTE.—The date of rank is omitted, as the death or other unforeseen change in status of a senior officer might require a change in the date of rank and necessitate the renomination of this officer.

APPOINTMENTS IN THE REGULAR ARMY

Brig. Gen. Adna Romanza Chaffee, United States Army (temporary major general, Army of the United States), to be major general, Regular Army, with rank from July 1, 1941, vice Maj. Gen. Campbell B. Hodges, United States Army, retired June 30, 1941.

To be second lieutenant, Field Artillery, with rank from July 1, 1941

Second Lt. Edwin Herbert Garrison, Field Artillery Reserve.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO QUARTERMASTER CORPS

Maj. Ralph Eugene Ireland, Cavalry (temporary lieutenant colonel, Army of the United States), with rank from July 1, 1939.

TO CHEMICAL WARFARE SERVICE

Capt. Milton Taylor Hankins, Signal Corps (temporary major, Army of the United States), with rank from August 1, 1935.

TO CAVALRY

Lt. Col. Charles William Walton, Chemical Warfare Service, with rank from August 9, 1940.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be colonel with rank from July 28, 1941

Lt. Col. Charles Augustus French, Coast Artillery Corps (temporary colonel, Army of the United States).

To be colonels with rank from August 1, 1941

Lt. Col. John Albert Hoag, Field Artillery (temporary colonel, Army of the United States).

Lt. Col. Oscar Andrew Eastwold, Chemical Warfare Service (temporary colonel, Army of the United States).

Lt. Col. Earl Herbert Metzger, Coast Artillery Corps (temporary colonel, Army of the United States).

Lt. Col. Max Stanley Murray, Infantry (temporary colonel, Army of the United States), subject to the examination required by law.

Lt. Col. Matthew John Gunner, Infantry (temporary colonel, Army of the United States).

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be major generals

Brig. Gen. Charles Henry White (colonel, Infantry), Army of the United States.

Brig. Gen. John Porter Lucas (colonel, Field Artillery), Army of the United States.

Brig. Gen. Oscar Wolverton Griswold (colonel, Infantry), Army of the United States.

Brig. Gen. Simon Bolivar Buckner, Jr., United States Army.

Brig. Gen. Charles Tillman Harris, Jr. (colonel, Ordnance Department), Assistant to the Chief of Ordnance.

Brig. Gen. Davenport Johnson (lieutenant colonel, Air Corps; temporary colonel, Air Corps), assistant to the Chief of the Air Corps.

To be brigadier generals

Col. Homer Ray Oldfield, Coast Artillery Corps.

Col. George Ralph Meyer, Coast Artillery Corps.

Col. Jesse Amos Ladd, Infantry.

Col. Albert Eger Brown (lieutenant colonel, Infantry), Army of the United States.

Col. Alexander McCarrell Patch, Jr. (lieutenant colonel, Infantry), Army of the United States.

Lt. Col. Mark Wayne Clark Infantry.

Col. Orlando Ward (lieutenant colonel, Field Artillery), Army of the United States.

Col. George Edward Stratemeyer (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Lt. Col. Muir Stephen Fairchild (major, Air Corps; temporary lieutenant colonel, Air Corps), Army of the United States.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 4 (legislative day of July 28), 1941:

FEDERAL BOARD FOR VOCATIONAL EDUCATION

Robert Watt to be a member of the Federal Board for Vocational Education.

POSTMASTERS

COLORADO

William B. Sweezy, Fort Lyon.
James H. Parker, Julesburg.

KANSAS

Evelyn M. Gucker, Little River.
Thomas Lee Gibson, Oskaloosa.

MASSACHUSETTS

Ann Elizabeth Cox, Lynnfield Center.
Florence S. Roddan, Randolph.
George A. Morin, Spencer.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE MAJOR GENERALS

Charles Henry White
John Porter Lucas
Oscar Wolverton Griswold
Simon Bolivar Buckner, Jr.
Charles Tillman Harris, Jr.
Davenport Johnson

TO BE BRIGADIER GENERALS

Homer Ray Oldfield
George Ralph Meyer
Jesse Amos Ladd
Albert Eger Brown
Alexander McCarrell Patch, Jr.
Mark Wayne Clark
Orlando Ward
George Edward Stratemeyer
Muir Stephen Fairchild
Frayne Baker

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY

TO BE MAJORS

Joseph Edward Barzynski, Jr.
Albert Joseph Shower

TO BE COLONEL

Joseph Leonard Stromme

APPOINTMENTS IN THE REGULAR ARMY

TO BE MAJOR GENERAL

Adna Ramanza Chaffee

TO BE A SECOND LIEUTENANT, FIELD ARTILLERY

Edwin Herbert Garrison

APPOINTMENTS BY TRANSFER, IN THE REGULAR ARMY

Maj. Ralph Eugene Ireland to Quartermaster Corps.

Capt. Milton Taylor Hankins to Chemical Warfare Service.

Lt. Col. Charles William Walton to Cavalry.

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONELS

Charles Augustus French, Coast Artillery Corps.

John Albert Hoag, Field Artillery.

Oscar Andrew Eastwold, Chemical Warfare Service.

Earl Herbert Metzger, Coast Artillery Corps.

Max Stanley Murray, Infantry.

Matthew John Gunner, Infantry.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 4, 1941

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty and ever-blessed God, we have entered upon this new week with its problems and perplexities, its duties and responsibilities, conscious of our own weakness, but gloriously assured of Thy power, for Thou art faithful in all Thy promises.

We fervently pray that these Thy servants who have been entrusted with leadership in the affairs of government, may be plenteously endued with that divine wisdom which shall open the way toward a happier and more abundant life for all mankind.

Grant that we may come to the close of each day with a conscience that is peaceful and a heart that is happy, having found our joy and satisfaction in ministering unto the needs of humanity and in seeking Thy glory.

In the name of the Christ, who went about doing good, we pray. Amen.

The Journal of the proceedings of Friday, August 1, 1941, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on August 1, 1941, the President approved and signed bills of the House of the following titles:

H. R. 1073. An act to amend the Classification Act of 1923, as amended;

H. R. 1855. An act for the relief of Laura McStay; and

H. R. 3802. An act for the relief of Louis A. Schwan.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, without amendment, a bill of the House of the following title:

H. R. 3625. An act to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.

THE LATE HENRY FREDERICK NIEDRINGHAUS

The SPEAKER. The Chair recognizes the gentleman from Missouri.

Mr. COCHRAN. Mr. Speaker, it is really a sad duty for me to speak on this occasion. I rise on behalf of the Representatives from the State of Missouri.

Yesterday I received a telegram advising me of the death of Henry Frederick Niedringhaus, a former Member of this body. While we sat on opposite sides of the aisle, a very close personal friendship existed between us. I had known Mr. Niedringhaus many years prior to his election to Congress; in fact, during my younger days we lived in the same block. He was elected to three terms in this House, ending his service in 1933.

You have often heard the expression, "He was a gentleman." No one that I ever came in contact with in my lifetime impressed me more from that standpoint than Henry Niedringhaus, and I am sure every Member of this body who had the pleasure to serve with him will agree with that statement. His outstanding personality was visible the moment one engaged in conversation with him. He had a genial disposition and was extremely courteous. At all times there was nothing but kindness in his conversation. I recall on one occasion he was rather exercised because a friend took what he felt was an advantage of him, the action being directly in contrast to a promise that had been made. It had to do with politics within his own party. He was not, as one might expect, bitter in denouncing that individual, but he was extremely hurt that a friend would think so little of a promise. I am convinced that Henry Niedringhaus never violated a pledge or broke a promise in his lifetime. He was at all times very serious in considering legislation and knew not what political expediency meant.

There was another side to Mr. Niedringhaus that greatly appealed to me. That was his broad views. Race, creed, or color meant nothing to him. Mr. Niedringhaus was chairman of the board of governors of the Shriners' Hospital for Crippled Children, located in St. Louis. From all over the country little children came to this hospital for treatment. He told me one time of a member of the board offering an objection to his selection of a very outstanding surgeon to serve, I think, as head of the medical staff. In referring to this matter he said:

> I ended that argument immediately by stating that if the question of the surgeon's religion was ever mentioned again I would resign chairmanship of the board, and it was never mentioned.

I merely mention this to show how broad his views were.

Mr. Niedringhaus was honored by being elected imperial potentate of the Shriners, which, I understand, is the highest office one can attain in that outstanding organization, and the term is limited to 1 year. He told me that during that term he traveled nearly 75,000 miles, initiating classes and making addresses to Shriners throughout the United States.

Mr. Niedringhaus died at the age of 76. He was born in the city of St. Louis and educated in the public schools and Smith Academy, which at that time was part of the Washington University.

The illness that eventually caused his death originated during his service in this House. He suffered a heart attack that progressed and he was practically inactive during the last 10 years of his life.

There was never a time that I was in St. Louis that I did not visit him at his home before leaving. He looked forward to my visits with a great deal of pleasure because he always wanted to know about individual friends with whom he had served in this House. That he was remembered was exemplified by the fact that only last week two Members of this body asked me about him.

We have lost an outstanding American citizen, and I a very close personal friend. He will be missed by my city because no worthy civic undertaking ever failed to receive his support. His charitable activities could not be excelled.

I am sure every Member of the House on both sides of the aisle joins with me in expressing deepest sympathy to his beloved and devoted wife, as well as his daughter, son, his wife, and the grandchildren.

TAX ON COIN-OPERATED PHONOGRAPHS

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, there is some idea among the manufacturers of phonographs and records that they may be placed in the category of paying a double tax. At the present time they are under section 545, which applies a 10-percent excise tax upon their products. The committee then placed a $25 tax upon coin-operated machines, gambling machines, and other such devices. I took the matter up with the Treasury Department and they inform me that the manufacturers of coin-operated phonographs and phonograph records are classed as manufacturing-vending machines and will come under the 10-percent excise tax upon their products, and that they are not liable for the $25 tax that is placed on gambling devices and operating machines of that kind.

In order to avoid ambiguity I wish to make certain that it is the intention of the Ways and Means Committee, the Treasury Department, and also the Congress that such phonographs are not classified so as to be taxed under part IX of the tax bill now before the House.

ADDITIONAL COPIES OF HEARINGS ON AMENDMENT OF THE BANKRUPTCY ACT

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably, without amendment (Rept. No. 1118), a privileged resolution (H. Res. 285), providing for the printing of 1,000 additional copies of the hearings held before a special subcommittee of the Committee on the Judiciary on the bill (H. R. 4394) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts

amendatory thereof and supplementary thereto; and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on the Judiciary of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use 1,000 additional copies of the hearings held before a special subcommittee of said committee during the current session, on the bill (H. R. 4394) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a letter from a constituent on the subject of taxation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. EATON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise my remarks, and to extend them by inserting therein a letter from Mr. Sumner Welles, and a statement from the British Embassy.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EATON. Mr. Speaker, during the debate on the tax bill several of my distinguished colleagues made reference to a report that the British are selling American steel to South America in competition with us. I took this matter up some weeks ago with Mr. Sumner Welles in response to an inquiry from a constituent. The Acting Secretary of State has replied. I am putting his reply in the Appendix of the RECORD today and also a release from the British Embassy which covers the whole situation. In my judgment, this false accusation is nothing more nor less than a very mean type of pro-Hitler propaganda. Under the terms of the lend-lease bill any country receiving American lend-lease materials is expressly forbidden to transfer such materials to any other country except by permission of the President of the United States. I commend to the consideration of the House the statement of Mr. Secretary Welles and that of the British Embassy.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a few short quotations from Secretary Hull.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by Mr. Hassler, president, to the Pan American Society, at the statue of Simon Bolivar in Central Park, New York, together with a letter from the President of the United States, which was read on that occasion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RUSSELL. Mr. Speaker, for the benefit of my colleague from Georgia [Mr. PACE], I may say that I have received a number of telegrams together with a petition with reference to the penalty on wheat. I want to read this petition:

We, the undersigned wheat producers in Taylor County, urgently request that you use your influence to maintain the 49-cent penalty on excess wheat. To reduce this penalty would be a discrimination against the large majority of wheat producers who favored wheat-marketing quotas in the referendum on May 31, and planted within their acreage allotments. The few wheat producers who are clamoring to have this penalty set aside or reduced are the same bunch that overplant from year to year and thumb a ride on the large majority of farmers who reduce their acreage to maintain a fair price for their products. This same bunch of noncooperators are now asking Congress to reduce their fare to one-third so they can continue to thumb a ride on the A. A. A.

Mr. Speaker, this petition is signed by 16 producers.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. DIES. Mr. Speaker, I ask unanimous consent to insert in the RECORD a statement of J. Edgar Hoover as it appears in the Washington Post this morning.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. DIES]?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief letter to my constituents.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. EDWIN ARTHUR HALL]?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial appearing in the Washington Times-Herald last Friday.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

(Mr. BURDICK asked and was given permission to extend his own remarks in the RECORD.)

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. WORLEY]?

There was no objection.

THE HOME OWNERS' LOAN CORPORATION OF OHIO

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. YOUNG]?

There was no objection.

Mr. YOUNG. Mr. Speaker, the Home Owners' Loan Corporation of Ohio, under orders said to be direct from John H. Fahey, Chairman of the Federal Home Loan Bank Board, is now engaged in making general rent increases in Ohio on all properties managed by that corporation. Arbitrary increases charging tenants 15 percent more than they have been paying have been put into effect on properties owned or managed by the Home Owners' Loan Corporation. This arbitrary, grasping, greedy procedure on the part of the Federal Home Loan Bank Board, headed by Chairman Fahey, is very objectionable. It practically amounts to extortion in some instances. It is the exercise of bad judgment, and the Federal Home Loan Bank Board is setting a bad example, and people whom I represent who have to pay rent are being outrageously treated. This is the same Chairman Fahey who, it is stated, seeks to decentralize the H. O. L. C. by moving the administrative offices from Washington to a building at No. 2 Park Avenue, New York City, to get away from congestion. Can you feature that.

At a time when President Roosevelt sends a strong message to Congress for price control of rents and commodities and against permitting arbitrary increases, it comes with poor grace that high administrative officials such as Chairman Fahey order an arbitrary increase in rent. They should immediately restore the former rental rate. Furthermore, I am reliably informed that practically all officials and employees of the Home Owners' Loan Corporation in Ohio objected strenuously to this order for increase, but their proper objections were overridden by Chairman Fahey and his group. I call upon Chairman Fahey to rescind and withdraw this proposed 15-percent rent increase and follow the judgment of Ohio H. O. L. C. officials and let well enough alone.

PRICE CONTROL LEGISLATION

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. COFFEE]?

There was no objection.

Mr. COFFEE of Nebraska. Mr. Speaker, this price-control legislation that has just been introduced is a serious threat to our system of free enterprise. It would place in the hands of a Government bureau, presumably Mr. Henderson's, the power to establish a controlled economy in this country.

If this bill passes, it will be the forerunner of other bills that will inevitably follow to shackle industry, labor, and agriculture under a system of regimentation similar to that of Nazi Germany.

Mr. Speaker, free enterprise and the profit system cannot exist in the same nation with a controlled economy. The philosophies of these two systems are incompatible. We must choose between them. A controlled economy will result in national socialism. I am much more fearful of national socialism than I am of inflation. Higher prices are inevitable in order to sustain the debt structure now being piled up in this country.

EXTENSION OF REMARKS

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Milwaukee Journal dated August 3, 1941, entitled "Avoiding Ghost Towns."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. WASIELEWSKI]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Vermont [Mr. PLUMLEY]?

There was no objection.

[Mr. PLUMLEY addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include copy of a letter written to the chairman of the Ways and Means Committee by John Benson, president of the American Association of Advertising Agencies.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. YOUNGDAHL]?

There was no objection.

Mr. YOUNGDAHL. Mr. Spcaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from William H. Ziegler, a constituent in my district.

The SPFAKER. Is there objection to the request of the gentleman from Minnesota [Mr. YOUNGDAHL]?

There was no objection.

(Mr. JOHNSON of California asked and was given permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include a brief statement from the Evening Star.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. JOHNS]?

There was no objection.

[Mr. JOHNS addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. DOMENGEAUX. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from Bishop Jules B. Jeanmard, of the diocese of Lafayette, La.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. DOMENGEAUX]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. WICKERSHAM]?

There was no objection.

[Mr. WICKERSHAM addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF DRAFT PERIOD

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, it is 2 weeks ago today that Gen. George C. Marshall, the Chief of Staff of the United States Army, appeared before the Committee on Military Affairs in behalf of the draft-extension bill. I have been knocking about these diggings for about 8 or 9 years and have become rather immune to astonishment, but, frankly, I was astonished at the statement that was made in the committee that morning. I shall read it to you, for it was made in response to a question from the chairman as to whether or not the Chief of Staff had appeared in September 1940 favoring a 3-year service period. General Marshall's answer was:

> No, sir. I said 18 months. I regard it as a minimum. Then I went on to say I would be willing to compromise on 15 months, then I added, "But we must have at least 12 months." So I went from a cold military proposition to a plain garden variety of political consideration. That is almost my exact language.

Let me say to you that I believe that is a rather refreshing and candid admission, coming from the No. 1 soldier of the United States of America.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a press release of a speech I made Saturday night.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

REXFORD GUY TUGWELL

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, I have been terribly shocked by the administration's appointment of Rexford Guy Tugwell to be Governor of Puerto Rico. I have here extracts from documents that indicate clearly his communistic trend. I am thoroughly disgusted with the waste of nearly $100,000,000 of relief funds in an attempt to develop communistic projects in Puerto Rico. In these troubled times, the President should forego his desire to cater to that Communist group; he should not attempt to promote such activities at a time when we need unity so badly.

[Here the gavel fell.]

VERBOTEN—THE PRESIDENT SEEKS CONTROL OF NEWSPAPERS AND CONGRESSIONAL RECORD

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, "the shamrock is forbidden to grow on Irish ground," and, if Roosevelt and his commissars have their way, free speech will soon be forbidden in these United States. The people will no longer hear from their Congressmen, and statesmen will not send out cards inquiring as to whether the people would like to be shot in Russia, in China, or just defend America.

The property-seizure bill, S. 1579, slipped through the Senate—when it gets through Congress—and the ways have all been greased for its final passage—and the new war materials list of the Export Control Office would put it within the power of the President to prohibit the publication of newspapers like the Chicago Tribune, which has done so much to keep us out of war, if he declared he found it necessary to seize their supply of pulp or newsprint.

Congressmen would just be out of luck, for the President might reduce the size of the CONGRESSIONAL RECORD, make it impossible for Congressmen to frank out their speeches in opposition to his policies, all on the theory that paper, ink, and machinery necessary for the printing was needed so that we might send aid to Joe Stalin and his Communists, to Great Britain, and any other nation the President might designate.

It would seem as though it was about time for the Republican minority to indulge in a little vigorous, vociferous, effective opposition. It might at least let the country know what is happening, for, if it does not, it may sleep along until it discovers there are to be no more elections.

Newspapers, too, if they want to continue in business, might well disclose what is happening.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the joint tax-returns provision.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter written to the Secretary of State by the gentleman from Washington [Mr. MAGNUSON], the Chairman of the Alaskan International Highway Commission, with respect to the construction of the highway to Alaska.

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, a short time ago Madam Perkins addressed to me a letter asking me to take out of the RECORD some of my statements. She also addressed a letter to you to know what I was going to do about it. I answered Madam Perkins at quite some length, and I asked her about 8 or 10 questions. Inasmuch as Madam Perkins asked me to reply to her letter, which I did, and I placed my answer in the RECORD, I should like to know if Madam Perkins would not like to answer some of the questions I asked her in my letter. I am calling publicly for Madam Perkins to make some answer.

[Here the gavel fell.]

INTERSTATE COMPACT TO CONSERVE OIL AND GAS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 343)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

I transmit herewith a certified copy of an agreement, executed by the Governors of the States of Oklahoma, Texas, Kansas, Colorado, New Mexico, Illinois, Michigan, Arkansas, Louisiana, New York, and Pennsylvania, to extend for 2 years, commencing September 1, 1941, the Interstate Compact to Conserve Oil and Gas. The original of this agreement, in accordance with a provision contained therein, has been deposited in the archives of the State Department.

The original compact between the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, was first executed in February 1935 and received the consent of the Congress in August 1935. Since that time the original compact, with the consent of the Congress, has been twice extended and renewed for 2-year periods, the last extension period expiring September 1, 1941.

It is interesting to note that the original compact, first ratified by 6 States, has now been ratified by 11 of the States. The increasing membership in this compact is particularly heartening in view of the need for the conservation of these resources.

I hope that the Congress will, by appropriate legislation, sanction this extension agreement, as required by article I, section 10, of the Constitution of the United States.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *August 2, 1941.*

ANTON WAYTASHEK — VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 342)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, a bill (H. R. 3607) for the relief of Anton Waytashek.

It is the purpose of the bill to pay to Anton Waytashek, of Pierz, Minn., the sum of $2,500 for the loss by his minor son, Gerald Waytashek, of an eye due to the explosion on October 13, 1940, of a cartridge which had been left in a field near the Waytashek home, presumably by the Army in connection with the maneuvers of the Fourth Army in the vicinity of Little Falls, Minn., during July and August 1940.

It appears that some time in the summer of 1940 Gerald Waytashek's older brother picked up a cartridge in the field near his home in the vicinity of Little Falls, Minn. The ammunition was a military cartridge, and it is assumed that it was dropped by Army personnel, owing to the fact that immediately prior to this occurrence Army maneuvers were held in this locality. On October 13, 1940, Gerald's older brother attempted to fire the shell in a rifle. Finding that the cartridge did not fit the rifle, he fastened the shell in a vise and struck it with a punch and hammer. The cartridge exploded and a fragment struck Gerald, who was standing near by. As a result of the accident, Gerald's right eye was removed. The purpose of the bill is to award compensation for the injury thus caused.

While the boy is entitled to sympathy and commiseration for the permanent injury that he has sustained as a result of this lamentable accident, this circumstance does not form the basis of any legal or moral obligation on the part of the Government to recompense him for his irretrievable loss. The accident was not the result of negligence on the part of any Government employee. Obviously, it was due to the fact that Gerald's older brother, although knowing the explosive character of the cartridge, struck it with a hammer.

In the light of the circumstances I am constrained to return the bill without my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *August 2, 1941.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the message and the bill will be referred to the Committee on Claims and ordered to be printed.

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

The Clerk called the first bill on the Consent Calendar (H. R. 1595) to authorize the addition of certain lands to the Plumas National Forest, Calif.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CHANGING THE TIME OF APPOINTMENT OF PRESIDENTIAL ELECTORS AND THE ELECTION OF SENATORS AND REPRESENTATIVES IN CONGRESS

The Clerk called the next bill, H. R. 145, to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT OR NEAR DUBUQUE, IOWA

The Clerk called the next bill, H. R. 2811, to extend the times for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., under authority of the act approved July 18, 1939, as amended, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INTER-AMERICAN HIGHWAY

The Clerk called the next bill, S. 1544, to provide for cooperation with Central American republics in the construction of the Inter-American Highway.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RENTAL QUARTERS OF CERTAIN NAVAL OFFICERS IN THE CANAL ZONE

The Clerk called the next bill, S. 874, relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

RINCON BAND OF MISSION INDIANS

The Clerk called the next bill, H. R. 4983, to reserve a certain part of the

public land in California for the benefit of the Rincon Band of Mission Indians.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the similar Senate bill (S. 1626) may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That, subject to all valid existing rights and claims, the following-described lands of the United States be, and the same are hereby, withdrawn from entry, sale, or other disposition and set aside as an addition to the Rincon Indian Reservation in California: The north half, excepting that portion included in the Pauma Rancho, southeast quarter, north half southwest quarter, southeast quarter southwest quarter section 25, northwest quarter southwest quarter, south half southwest quarter, southwest quarter southeast quarter section 27, west half, northwest quarter northeast quarter, south half northeast quarter section 34, township 10 south, range 1 west San Bernardino meridian: *Provided*, That until otherwise directed by Congress none of said lands shall be allotted in severalty or shall be subject to taxation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The similar House bill was laid on the table.

ROADS ON INDIAN RESERVATIONS

The Clerk called the next bill, H. R. 4937, to amend an act entitled "An act to authorize an appropriation for roads in Indian reservations."

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROGERS of Oklahoma. Mr. Speaker, will the gentleman withhold that a moment?

Mr. WOLCOTT. I withhold it for a moment, Mr. Speaker.

Mr. ROGERS of Oklahoma. Does the gentleman have some objection to the bill?

Mr. WOLCOTT. Yes; I made a statement when the bill was called, either on July 7 or July 21, I have forgotten which.

Mr. ROGERS of Oklahoma. Yes; I read the gentleman's statement in the RECORD, but I thought perhaps the gentleman had studied the bill further and would feel differently about it. It seemed from the gentleman's statement that he thought this was encroaching on the legislation of the Committee on Roads.

Mr. WOLCOTT. No; I did not particularly object to it because of any jurisdictional question, but up to the present time we have centered the discussion and consideration of road legislation in the Roads Committee. Of course, it is absolutely necessary to put such legislation somewhere. If each one of the committees having jurisdiction over these places where highways are constructed takes it upon themselves to authorize appropriations for highways, then the whole matter will be thrown into chaos. The Indian Affairs Committee, for example, in this bill is asking an authorization to build roads and trails in Indian reservations and the Public Lands Committee may do the same thing with respect to public lands.

Mr. ROGERS of Oklahoma. This is strictly an Indian proposition.

Mr. WOLCOTT. And the same thing is true of the Department of the Interior with respect to public parks, and so forth, all the way down the line.

Mr. ROGERS of Oklahoma. But this has nothing to do with anything except roads contiguous to an Indian reservation or on a reservation.

Mr. WOLCOTT. It does not seem to make much difference whether they are contiguous or within a reservation, the Roads Committee have had this matter up on several occasions and always have considered in their deliberations authorizations for such roads.

Mr. ROGERS of Oklahoma. They have not covered this point, I believe, and the Secretary indicates that he is very anxious to have the legislation passed.

Mr. WOLCOTT. When the Roads Committee has before it a highway measure I am sure they will be mighty glad to give consideration to including these roads.

Mr. ROGERS of Oklahoma. This is strictly an Indian proposition.

Mr. WOLCOTT. The authorizations for Indian trails in the Highway Act of 1921, as amended, are strictly on Indian reservations.

Mr. ROGERS of Oklahoma. Of course, I did not refer this bill. The bill was referred to our committee and if the Parliamentarian had thought it should go to the Roads Committee I am sure it would have gone there.

Mr. WOLCOTT. We have had a terrible time with Indian trails and roads. Every time a bill is reported out from the Committee on Roads, we are constantly asked to pare them down and in conferences we have had to discuss the idea of whether we would add to or cut down authorizations for Indian trails, and sometimes whether we did or not would control the passage of the bill. So I think the subject is properly one for the Roads Committee to discuss in connection with the highway bill.

Mr. ROGERS of Oklahoma. Of course, I have understood always that anything that pertained to Indians would be under the Committee on Indian Affairs. What would be the difference if we had road legislation under consideration that affected the Indians?

Mr. WOLCOTT. I made a statement along that line, that if each of the departments that has roads in its jurisdiction would see fit to make separate authorizations, the whole question of highway construction would be thrown into chaos.

Mr. ROGERS of Oklahoma. The Indian matters are concentrated in the Indian Committee.

Mr. WOLCOTT. I know, but heretofore we have considered the building of roads in Indian reservations as something to be done in conjunction with the highway program.

The SPEAKER. Is there objection to the request of the gentleman from Michigan that the bill be passed over without prejudice?

There was no objection.

TOLL BRIDGE ACROSS MISSOURI RIVER, OMAHA, NEBR.

The Clerk called the bill (H. R. 4642) authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

SETTING ASIDE CERTAIN LANDS IN OKLAHOMA

The Clerk called the bill (H. R. 5095) to set aside certain lands in Oklahoma for the Cheyenne-Arapaho Tribes of Indians.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title to the following-described lands is hereby vested in the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma; and said lands shall be subject to all provisions of existing law applicable generally to Indian reservations:

In township 14 north, range 20 west of the Indian meridian; the southwest quarter and northeast quarter of section 29; southeast quarter of section 30; northeast quarter of section 31; and all of section 32.

In township 18 north, range 13 west of the Indian meridian; the north half and southwest quarter of section 5; all of section 6; in township 19 north, range 18 west of the Indian meridian; southwest quarter of section 20, except those portions thereof situated below an elevation of one thousand six hundred and forty-two feet above mean sea level; all of section 29, except lot 3, south half southeast quarter, northwest quarter southeast quarter, and except also all those portions of lots 1, 2, 4, 5, and 6 and northeast quarter northeast quarter and west half northwest quarter and southwest quarter northwest quarter and southwest quarter situated below an elevation of one thousand six hundred and forty-two feet above mean sea level; southeast quarter and south half northeast quarter of section 30, except those portions thereof situated below an elevation of one thousand six hundred and forty-two feet above mean sea level; east half of section 31, except those portions thereof lying below an elevation of one thousand six hundred and forty-two feet above mean sea level. All of section 32 except the northeast quarter and north half southeast quarter and a strip one hundred feet wide in the south half northwest quarter, being fifty feet on each side of the following-described center line;

Beginning at a point on the west boundary of said section two thousand four hundred and ninety feet south of the northwest corner thereof, thence easterly parallel to the latitudinal quarter section line two thousand six hundred and forty-three feet to the meridinal quarter section line, and except also that part of the north half of the northwest quarter situated below an elevation of one thousand six hundred and forty-two feet above mean sea level.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

REEMPLOYMENT OF PERSONS RETIRED UNDER CIVIL SERVICE

The Clerk called the bill (S. 881) to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act.

The SPEAKER. Is there objection?

Mr. ALLEN of Louisiana, Mr. WALTER, and Mr. ZIMMERMAN objected, and the bill was stricken from the calendar.

APPOINTMENT OF ASSISTANT OR DEPUTY HEADS OF CERTAIN BUREAUS UNDER CIVIL SERVICE

The Clerk called the bill (H. R. 3488) to provide that assistant or deputy heads of certain bureaus in the Department of the Interior shall be appointed under the civil-service laws, and for other purposes.

The SPEAKER. Is there objection?

Mr. SCHULTE and Mr. ZIMMERMAN objected.

The SPEAKER. This requires three objections. Only two have been made, the Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter assistant or deputy commissioners of the General Land Office and Bureau of Indian Affairs, in the Department of the Interior, shall be appointed by the Secretary of the Interior, subject to the civil-service laws and the Classification Act of 1923, as amended. Appointments to these positions shall be considered as made under the authority of section 169 of the Revised Statutes, as amended (5 U. S. C., sec. 43). Assistant and deputy commissioners so appointed shall be authorized to sign such letters, papers, and documents and to perform such other duties as may be directed by the commissioner of their respective bureaus. The Secretary may designate for each of the aforementioned bureaus an assistant or deputy commissioner, who shall be authorized to perform the duties of the commissioner in case of the death, resignation, absence, or sickness of the commissioner.

SEC. 2. All provisions of law inconsistent with this act are hereby repealed to the extent of such inconsistency.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AUTHORIZING CENSUS DIRECTOR TO FURNISH CERTAIN INFORMATION

The Clerk called House Joint Resolution 213, authorizing the Director of the Census to furnish certain information for national-defense purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

Mr. MOSER. Mr. Speaker, will the gentleman withhold that request?

Mr. WOLCOTT. Certainly. I reserve the right to object.

Mr. MOSER. Mr. Speaker, this joint resolution has been presented in this instance because the Office of Production Management wants to ascertain what strategic minerals are available for national defense, and that information has been withheld by the Bureau of the Census. We authorized the expenditure of $8,000,000 to build the Census Building. We next authorized $8,000,000 to be expended for the purpose of taking a census on housing. Then we authorized $45,000,000 to take the decennial census. Then we allow the Census Bureau to lock up the information and call it confidential information. For a considerable period of time it has been the practice of the Census Bureau to refuse information which has been gathered on these matters and here is an instance where the Office of Production Management is especially interested. Mr. Stettinius made an official request for the information and when it was refused this resolution was presented. I trust the gentleman will find it possible to let the joint resolution pass.

Mr. MARTIN of Massachusetts. Does not the gentleman from Pennsylvania think this is a privilege that most of the Members of the House would not want to have given to them? The gentleman will find that everybody in his district will be writing to him and asking him if he will not go over to the Census Bureau and obtain information about some individual in his district.

Mr. MOSER. In all my experience, I may say that the only question that has ever been presented to me as a Member of Congress has been to ascertain from the Census Bureau what the age record has shown.

Mr. MARTIN of Massachusetts. For instance, in this last census they gathered up information about how much mortgage a man had on his property and other things that there might be a lot of curiosity about, but which a Member of Congress, for his own good, ought not be able to get.

Mr. MOSER. The gentleman refers, of course, to the attitude of the questionnaire in the census schedule to which the gentleman from New York [Mr. REED] objected very strenuously and appeared before the Census Committee. I believe the gentleman from New York is here now.

Mr. MARTIN of Massachusetts. I think if the gentleman insists upon calling it up now I would be obliged to object. Perhaps if the gentleman will let it go over we can iron it out.

Mr. MOSER. The gentleman from New York [Mr. REED] objected to the Census Bureau obtaining information that was not authorized by the Congress. I believe the gentleman from New York [Mr. REED] will bear me out that that was his sole objection to the statistics gathered by the Bureau of the Census.

Mr. MARTIN of Massachusetts. I think the Members ought to know what this legislation means.

Mr. MOSER. Of course, if the gentleman wishes to object that is his privilege. Under the circumstances, I shall be constrained to object to the gentleman's request to pass it over.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

Mr. MOSER. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. MARTIN of Massachusetts. Mr. Speaker, I object.

BOARD OF REGENTS, SMITHSONIAN INSTITUTION

The Clerk called the next business, House Joint Resolution 195, providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur on August 6, 1941, by reason of the expiration of the term of Frederic A. Delano, of the city of Washington, be filled by the reappointment of the present incumbent for the statutory term of 6 years.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEMORIAL TO RAINBOW (FORTY-SECOND) DIVISION, AMERICAN EXPEDITIONARY FORCES

The Clerk called the next bill, H. R. 3261, to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, there are only two other divisions which served in the A. E. F. that I have more respect for than I do the Rainbow, or Forty-second Division. I really think that a suitable memorial in honor of the dead of the Forty-second Division should be placed somewhere in the district. I rise to correct an overzealous and inadvertent statement made in the report, in which it is stated that the Rainbow Division was the first to go over the top in actual combat. I think the record should be corrected in that respect, inasmuch as it was quite well known that the division which won the war, the First Division, was the one which first went over the top in active combat.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to grant permission to the Rainbow (Forty-second) Division Veterans Association, American Expeditionary Forces, for the erection on public grounds of the United States in the District of Columbia, other than those of the Capitol, the Library of Congress, and the White House, of a suitable memorial in honor of the dead of the Rainbow (Forty-second) Division: *Provided*, That the site chosen and the design of the memorial shall have the approval of the National Commission of Fine Arts and that the United States shall be put to no expense in or by the erection of the said memorial: *Provided further*, That unless within 5 years from the date of approval of this legislation funds are made available in an amount which, in the judgment of the Secretary of the Interior, is sufficient to insure the completion of the memorial, including the preparation of the site and the erection of the pedestal, and the erection of the memorial is begun, the authorization hereby granted is revoked.

With the following committee amendment:

Page 2, line 5, strike out the words "That unless" and all of lines 6, 7, 8, 9, 10, and 11 and the words "granted is revoked" in line 12, and insert "That evidence of funds in an amount which, in the judgment of the Secretary of the Interior, is sufficient to insure the completion of the memorial, including the preparation and landscape treatment of the site, the erection of the pedestal, and the erection of the memorial, must be made available prior to the issuance of a permit for the construction of the memorial: *And provided further*, That unless the erection of the

memorial is begun within 5 years from the date of the approval of this act, the authorization hereby granted is revoked."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNIVERSARY OF REV. HENRY MELCHIOR MUHLENBERG

The Clerk called the next business, House Joint Resolution 208, providing for the representation of the Government and people of the United States in the observance of the two-hundredth anniversary of the coming of Rev. Henry Melchior Muhlenberg to the American Colonies.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MOSER. Mr. Speaker, reserving the right to object, this joint resolution comes from the Committee on the Library. The gentleman from Ohio [Mr. SECREST] is necessarily not present at the moment. This joint resolution has already passed the Senate. Several items in the joint resolution as it passed the Senate have been stricken out by the committee.

Mr. COLE of New York. Can the gentleman advise the House how much money will be involved?

Mr. MOSER. Nothing at all. Muhlenberg College has gone on record as not wanting anything, seeking only recognition by the Congress of the event and soliciting attendance of Members in recognition of the Muhlenbergs; among whom was numbered the first Speaker of the first House of Representatives; and there is no money at all authorized to be spent.

Mr. COLE of New York. I know Muhlenberg College does not want any money, but how much money does this commission of 15 members expect to draw?

Mr. MOSER. It was originally planned that they should have an appropriation, and after discussion with the Speaker before the joint resolution was rewritten, the total amount was stricken out and there is absolutely no provision to carry an appropriation for a single cent.

Mr. COLE of New York. Then we can have assurance that this Muhlenberg Commission will not cost the Government anything?

Mr. MOSER. The gentleman has my assurance that I will oppose any appropriation that would be sought hereunder, because there is no authorization whatever for it. Each Member of Congress, with pride of membership sufficient to inspire desire to attend in recognition of the first Speaker, his father and his distinguished brothers, does so at his own expense.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. WALTER. I am quite certain there is no possibility of anybody coming before the Congress at some future date seeking an appropriation. This celebration will be confined to local people. It certainly ought to be encouraged in every way possible in view of the fact that one of the sons of the Reverend Muhlenberg was the first Speaker of the House of Representatives.

Mr. COLE of New York. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that Senate Joint Resolution 40, a similar resolution which has passed the Senate, may be considered in lieu of House Joint Resolution 208.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Whereas Muhlenberg College will hold celebrations during the year 1942 commemorating the two hundredth anniversary of the arrival in the American colonies of Henry Melchoir Muhlenberg, patriarch of the Lutheran Church in America; and

Whereas the said Henry Melchoir Muhlenberg was prominently identified with the early days of the Commonwealth of Pennsylvania, having been active for many years in the Ministerium of Pennsylvania, mother synod of the Lutheran Church in America; and

Whereas the said Henry Melchior Muhlenberg was the father of Frederick Augustus Muhlenberg, first Speaker of the House of Representatives, and of Gen. John Peter Gabriel Muhlenberg, a friend of George Washington and a member of his staff, famous for his action in having thrown off his clerical gown while delivering a sermon at Woodstock, Va., disclosing himself dressed in the uniform of an officer of the Continental Army and making a remark to the effect that there was a time to pray and a time to fight; and

Whereas it is appropriate that the Government and the people of the United States should join with Muhlenberg College in the celebrations commemorating the two-hundredth anniversary of the arrival in the American colonies of one so closely identified with the early days of the Republic: Therefore be it

Resolved, etc., That the Government and people of the United States unite with Muhlenberg College in a fitting and appropriate observance of the two-hundredth anniversary of the arrival in the American colonies of Henry Melchior Muhlenberg.

SEC. 2. There is hereby established a commission to be known as the United States Muhlenberg Bicentennial Commission (hereinafter referred to as the Commission) to be composed of 15 commissioners, as follows: The President of the United States and four persons to be appointed by him, the President of the Senate and four Members of the Senate to be appointed by said President of the Senate, and the Speaker of the House of Representatives and four Members of the House to be appointed by said Speaker.

SEC. 3. The commission, on behalf of the United States, shall cooperate with representatives of Muhlenberg College and extend appropriate courtesies to the delegates of foreign universities and other foreign learned bodies or individuals attending the celebrations commemorating such anniversary.

SEC. 4. The members of the commission shall serve without compensation and shall select a chairman from among their number, but the President of the United States shall be designated as the honorary chairman of the commission.

SEC. 5. Any vacancies occurring in the membership of the commission shall be filled in the same manner in which original appointments to such commission are made.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House resolution (H. J. Res. 208) was laid on the table.

CONVEYANCE OF CERTAIN LANDS TO KEMMERER, WYO.

The Clerk called the next bill, H. R. 4932, authorizing the conveyance of certain lands to the town of Kemmerer, Wyo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to the town of Kemmerer, Wyo., for water-reservoir purposes, the following-described lands: Lots 1, 2, 3, and 5, the southeast quarter northwest quarter, the east half northeast quarter southwest quarter, and the southwest quarter southeast quarter section 26, in township 23 north, range 117 west, sixth principal meridian, Wyoming, aggregating one hundred and twenty-six and sixty-six one-hundredths acres, more or less; and for water pipe line purpose, the following-described tract of land situated in lot 14 and southeast quarter northwest quarter section 1, township 21 north, range 116 west, sixth principal meridian: Beginning at a point on the north boundary line of tract 74, thence corner numbered 1 bears east nine hundred and six and five-tenths feet; thence north two degrees fifty-nine minutes west two thousand two hundred and fourteen and nine-tenths feet; thence south thirty-one degrees and twenty-one minutes west three hundred and twenty-nine and three-tenths feet; thence east thirty-nine and one-tenth feet; thence south thirty degrees twenty-one minutes east three hundred and twelve and two-tenths feet; thence south two degrees fifty-nine minutes east two thousand two hundred and twenty-four and nine-tenths feet; thence west thirty-four and one-tenth feet to point of beginning, containing one and ninety-two one-hundredths acres, more or less, upon condition that the town shall make payment for the lands at its appraised price therefor by the Secretary of the Interior, but at no less than $1.25 per acre, within 6 months from the approval of this act: *Provided*, That there shall be reserved to the United States all oil, gas, coal, or other mineral deposits in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That the grant herein is made subject to any and all valid existing rights or claims, and that the lands hereby granted shall be used by the town of Kemmerer, Wyo., only for water-reservoir and water pipe line purposes, and if said lands or any part thereof shall be abandoned for such use, said lands or such parts shall revert to the United States; and the Secretary of the Interior is hereby authorized and empowered to declare a forfeiture of the grant if at any time he shall determine that the town has for more than 1 year abandoned the lands for the use herein indicated, and such order of the Secretary shall be final and conclusive, and thereupon and thereby the lands shall be restored to the public domain and free from the operation of this act.

With the following committee amendments:

Page 1, line 5, after the word "lands", strike out the colon and insert a comma and the following: "subject to the right of the United States, its successors or assigns, to use such lands without compensation, for the construction, operation, and maintenance of dams, dikes, reservoirs, canals, wasteways, laterals, ditches, or other works whatsoever, including without limitation by reason of this enumeration, conduits, telephone, telegraph, and electric transmission lines and substations and power structures and roadways:"

Page 2, line 8, strike out the word "south" and insert in lieu thereof the word "north."

Page 2, line 10, strike out the words "thirty-nine and one-tenth feet" and insert in lieu thereof the words "thirty-eight and seven-tenths feet."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO PUNISH SABOTAGE AGAINST MATERIALS INTENDED FOR EXPORT

The Clerk called the next bill, H. R. 1054, to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of title IV of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes", approved June 15, 1917 (40 Stat. 221; U. S. C., title 18, sec. 381), as amended, is hereby further amended to read as follows:

"SECTION 1. Whoever, with intent to prevent, interfere with, or obstruct or attempt to prevent, interfere with, or obstruct the exportation to foreign countries of articles from the United States shall willfully injure or destroy any article intended for exportation for the use of any government of a foreign country with which the United States is at peace or any place where any such article may be, or is being, produced, manufactured, repaired, stored, mined, extracted, distributed, loaded, unloaded, or transported, together with all machinery and appliances therein contained, shall be punished by imprisonment for not more than 20 years and may, in the discretion of the court, be fined not more than $10,000, if such offense is effected by the use of fire or explosives, and by imprisonment for not more than 10 years and a fine of not more than $10,000, if such offense is effected without the use of fire or explosives."

With the following committee amendment:

Page 2, line 9, after the word "place", insert ", building, vehicle, vessel or conveyance."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITION OF LANDS TO SEQUOIA NATIONAL FOREST, CALIF.

The Clerk called the next bill, H. R. 4975, to add certain lands to the Sequoia National Forest, Calif.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, subject to existing valid claims, the following-described lands be, and the same are hereby, added to the Sequoia National Forest, Calif., and made subject to all laws and regulations relating to said national forest:

Southwest quarter southwest quarter section 7; section 16 and section 17; east half northeast quarter, southwest quarter northeast quarter, southeast quarter northwest quarter, east half southeast quarter section 18; east half northwest quarter, northwest quarter northwest quarter, northeast quarter section 20; northwest quarter northwest quarter section 21; and tract numbered 48 in the southeast quarter section 26, all in township 21 south, range 31 east, of the Mount Diablo meridian in California.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF CERTAIN PUBLIC LANDS IN ALASKA TO NORTH PACIFIC UNION CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS

The Clerk called the next bill, H. R. 4347, to authorize the sale of certain public lands in Alaska to the North Pacific Union Conference Association of Seventh-Day Adventists.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the North Pacific Union Conference Association of Seventh-Day Adventists is hereby authorized for a period of 1 year from and after the effective date of this act to purchase, and the Secretary of the Interior is hereby authorized and directed to convey to the association for use as a mission site, the following-described public lands in Alaska: Beginning at corner numbered 1, identical with corner numbered 4, amended United States Survey Numbered 63, latitude fifty-seven degrees thirty-five minutes north, longitude one hundred and fifty-seven degrees thirty-five minutes west, approximate. From said initial point south nine degrees thirty minutes east, eleven and seventy one-hundredths chains, to corner numbered 3, amended survey numbered 63; thence south eighty degrees thirty minutes west, two and thirty-nine one-hundredths chains, along line 2-3, amended survey numbered 63 to corner numbered 3, United States Survey Numbered 504; thence south five degrees forty-five minutes east, thirteen and fifty one-hundredths chains, to corner numbered 4, survey numbered 504; thence continuing south five degrees forty-five minutes east, six and fifty one-hundredths chains, to a point; thence north eighty-four degrees fifteen minutes east, thirteen and sixty-four one hundredths chains, to a point; thence north five degrees forty-five minutes west, thirty-two and sixty-one one-hundredths chains, to a point on south boundary of United States School Reserve, created by Executive Order No. 7079, June 17, 1935; thence south eighty degrees thirty minutes west, along south boundary of said school reserve, twelve and four one-hundredths chains to the point of beginning, containing forty-one and fifty one-hundredths acres.

SEC. 2. That the conveyance shall be made upon the payment by the said organization for the land at its reasonable appraised price, not less than $1.25 per acre, to be fixed by the Secretary of the Interior, and upon the submission by it of satisfactory proof that it is qualified to own and hold real estate in Alaska: *Provided*, That the conveyance hereby authorized shall not include any land needed for public purposes or covered by a valid existing right initiated under the public-land laws: *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CESSION BY STATES OF NORTH CAROLINA AND TENNESSEE OF EXCLUSIVE JURISDICTION OVER LANDS EMBRACED WITHIN GREAT SMOKY MOUNTAINS NATIONAL PARK

The Clerk called the next bill, H. R. 2320, to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE HONOLULU PLANTATION CO.

The Clerk called the next bill, S. 1345, to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AUTHORIZING TRANSFER OF HAWAIIAN LANDS BETWEEN SECRETARY OF WAR AND GOVERNOR OF HAWAII

The Clerk called the next bill, S. 1346, to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, T. H., in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to convey to the Territory of Hawaii all right, title, and interest of the United States in and to that portion of the military reservation known as Hickam Field, island of Oahu, T. H., containing about ninety-seven and thirteen one-hundredths acres, described in subsection (a) of this act, in consideration of the Governor of Hawaii having transferred to the United States five tracts of land containing about seven hundred and fifty and four hundred and ninety-five one-thousandths acres in the Hawaiian Islands described in subsection (b) of this act:

(a) Beginning at an iron pin marking the most easterly corner of Hickam Field Military Reservation, said point is located thirteen thousand six hundred and twenty-one and twenty-six one-hundredths feet south and three thousand two hundred and seventy-two and fifty one-hundredths feet west from United States Coast and Geodetic Survey triangulation station "Salt Lake"; thence from said point of beginning by azimuths (measured clockwise from true south) and

distances as follows: Fifteen degrees twenty-six minutes thirty seconds, one hundred and seventy-four and fifty one-hundredths feet to a pipe; thence fifty-seven degrees fifty-three minutes and no seconds, six hundred and forty and thirty one-hundredths feet along Kaihikapu Pond to concrete post; thence sixty degrees forty-three minutes thirty seconds, eight hundred and thirty-six and sixty one-hundredths feet along the same to pipe; thence sixty-four degrees thirty-eight minutes thirty seconds, one hundred and ninety and ten one-hundredths feet along the same to pipe; thence sixty-six degrees forty-one minutes and no seconds, three hundred and forty-one and ninety one-hundredths feet along the same to pipe; thence three hundred and forty-six degrees twelve minutes and no seconds, fifty-two and twenty one-hundredths feet along the same to pipe; thence two hundred and eighty-four degrees twenty-four minutes and no seconds, one hundred and fifty-four and seventy one-hundredths feet along the same to pipe; thence two degrees three minutes and no seconds, two hundred and sixteen and ninety one-hundredths feet along the same to pipe; thence eight degrees twelve minutes and no seconds, one hundred and eighty-seven and forty one-hundredths feet along the same to pipe; thence thirteen degrees thirty-four minutes thirty seconds, two hundred and sixty-one and sixty one-hundredths feet along the same to pipe; thence eleven degrees twenty-nine minutes thirty seconds, one hundred and eighty-four and ten one-hundredths feet along the same to pipe; thence sixteen degrees seven minutes thirty seconds, two hundred and twelve and ten one-hundredths feet along the same to pipe; thence one hundred and sixty-nine degrees nineteen minutes twenty-four seconds, four thousand two hundred and forty-three and thirty-five one-hundredths feet along the remainder of Hickam Field Military Reservation to the boundary of Land Court Application 1074; thence two hundred and seventy degrees no minutes and no seconds, one thousand and forty-nine and fifteen one-hundredths feet along Land Court Application 1074 to a spike; thence three hundred and forty-six degrees forty-five minutes and no seconds, one thousand five hundred and seventy-seven and thirty one-hundredths feet along John Rodgers Airport to iron pin; thence two hundred and seventy-five degrees thirty-five minutes and no seconds, six hundred and seventy-four and no one-hundredths feet along the same to a point; thence two hundred and ninety-nine degrees thirty-one minutes and no seconds, six hundred and eighteen and forty one-hundredths feet along the same to the point of beginning, containing an area of ninety-seven and thirteen one-hundredths acres.

(b) (1) Mana Airport, Mana, Waimea, Kauai (being portion of the Government (Crown) land of Waimea):

Beginning at a pipe at the northeast corner of this tract of land and about one hundred twenty feet west of a drainage canal (twenty feet wide), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Nohili" being four thousand seven hundred fifty-five and fifty one-hundredths feet south and one thousand nine hundred fifty-five and fifty one-hundredths feet east, as shown on Government Survey Registered Map 2679, and running by azimuths measured clockwise from true south: Twelve degrees and no minutes, five hundred thirty feet along Government land; thence twenty-six degrees and no minutes, nine hundred feet along same; thence six degrees and no minutes, one thousand two hundred feet along same to a pipe; thence ten degrees thirty-four minutes and no seconds, nine hundred fifty-six and sixty one-hundredths feet along same; thence twenty-five degrees and no minutes, eight hundred fifty feet along same; thence one degree and no minutes, six hundred seventy feet along same; thence thirteen degrees and no minutes, two hundred ninety-four and eighty-five one-hundredths feet along same; thence one hundred six degrees eighteen minutes and twenty seconds, three hundred twenty-six and eight one-hundredths feet along the same to a pipe; thence one hundred one degrees twenty-eight minutes and thirty seconds, one hundred twenty and fifty one-hundredths feet along cemetery to a pipe; thence seven degrees twenty-eight minutes and thirty seconds, one hundred eighty-six and twenty one-hundredths feet along cemetery to a pipe; thence two hundred eighty-two degrees fifty-eight minutes and thirty seconds, ninety-one and twenty one-hundredths feet along cemetery to a pipe; thence two hundred eighty-six degrees eighteen minutes and twenty seconds, three hundred thirty-seven and thirty-nine one-hundredths feet along Government land to a pipe; thence thirteen degrees and no minutes, two hundred fifteen and ninety-six one-hundredths feet along same to a pipe; thence three hundred thirty-three degrees and no minutes, six hundred sixty feet along same to a pipe; thence three hundred fifty-seven degrees and no minutes, five hundred fifty feet along same to a pipe; thence seventeen degrees and no minutes, nine hundred fifty feet along same to a pipe; thence twenty-two degrees forty minutes and no seconds, one thousand one hundred thirty feet along same to a pipe; thence eleven degrees and no minutes, one thousand seven hundred thirty feet along same to a pipe; thence twenty-two degrees and no minutes, six hundred seventy feet along same to a pipe; thence three hundred forty-one degrees and no minutes, one thousand six hundred eighty feet along same to a pipe; thence twenty-five degrees ten minutes and no seconds, six hundred thirty feet along same to a pipe; thence eighty degrees and no minutes, five hundred forty feet along same to the seashore at highwater mark, passing over a pipe at four hundred eighty feet; thence along the seashore at highwater mark in a general northerly direction to the southwest corner of Mana Park (Executive Order 148), the direct azimuths and distances between points at seashore being: One hundred sixty-two degrees twenty minutes and no seconds, three thousand three hundred feet; thence one hundred seventy-four degrees and no minutes, one thousand eight hundred feet; thence one hundred ninety degrees forty minutes and no seconds, two thousand nine hundred forty seven and forty one-hundredths feet; thence one hundred eighty-six degrees thirty minutes and thirty seconds, two thousand four hundred sixty-one and ten one-hundredths feet; thence two hundred degrees and no minutes, two thousand feet; thence one hundred sixty degrees and no minutes, one thousand feet to the southwest corner of Mana Park (Executive Order 148); thence two hundred sixty-six degrees forty-two minutes and no seconds, one thousand two hundred ninety-one and ninety one-hundredths feet along Mana Park (Executive Order 148) to a pipe, passing over a pipe at ninety feet; thence two hundred sixty-six degrees forty-two minutes and no seconds, one thousand two hundred eighty-eight and ten one-hundredths feet along Government land to the point of beginning. Containing an area of five hundred forty-eight and fifty-seven one-hundredths acres.

(2) Molokai Airport Military Reservation, Palaau, Molokai (being portions of the Government (Crown) land of Palaau):

Beginning at the west corner of this parcel of land and on the south side of Keoneiele Avenue, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Middle Hill" being two thousand five hundred and thirty-nine and twenty-nine one-hundredths feet north and fourteen thousand one hundred and seventy-two and sixty-eight one-hundredths feet west, as shown on Government Survey Registered Map 1288, and running by azimuths measured clockwise from true south: Two hundred and seventy-nine degrees fifty-five minutes and thirty seconds, seven hundred and six and nine one-hundredths feet along the south side of Keoneiele Avenue; thence sixty degrees twenty-five minutes and no seconds, five hundred and twenty-nine and nine one-hundredths feet along the remainder of Molokai Airport; thence one hundred and forty-eight degrees twenty-five minutes and no seconds, four hundred and forty-nine and forty-nine one-hundredths feet along same to the point of beginning. Containing an area of two and seven hundred and twenty-eight one-thousands acres.

(3) Upolu Point Airport, Upolu Point, North Kohala, Hawaii (being a portion of the Government land of Opihipau):

Beginning at the northeast corner of this piece of land, and the northwest corner of part 2 of Presidential Executive Order Numbered 7893, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Puu o Nale" being twenty-two thousand nine hundred and eighty-two and eighty-seven one-hundredths feet north and six thousand three hundred and seventy-eight and seventy-nine one-hundredths feet west; thence running by azimuths measured clockwise from true south: Three hundred and forty-seven degrees thirty minutes and no seconds, two hundred feet along part 2 of Presidential Executive Order Numbered 7893; thence two hundred and fifty-seven degrees thirty minutes and no seconds, four hundred and ninety-four and thirty-three one-hundredths feet along same; thence three hundred and twenty-two degrees fifteen minutes and no seconds, fifty-five and twenty-eight one-hundredths feet along lot 11 of land court application 1120; thence seventy-seven degrees thirty minutes and no seconds, five hundred and sixty-seven and ninety-one one-hundredths feet along the remainder of Upolu Airport; thence one hundred and sixty-seven degrees thirty minutes and no seconds, two hundred and fifty feet along same; thence two hundred and fifty-seven degrees thirty minutes and no seconds, fifty feet along same to the point of beginning. Containing an area of eight hundred and sixty-eight one-thousandths acre.

(4) Hilo Airport Military Reservation, Waiakea, Hilo City, South Hilo, Hawaii (being portion of the Government (Crown) land of Waiakea):

Beginning at the northeast corner of this parcel of land and on the east boundary of the Hilo Airport, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Halai" being one thousand two hundred seventeen feet north and fifteen thousand five hundred eight and fifty-three one-hundredths feet east, as shown on Government Survey Registered Map 2540, and running by azimuths measured clockwise from true south: Three hundred sixty degrees and no minutes, five hundred ninety-nine and seventy-four one-hundredths feet along the west side of a fifty-foot road; thence ninety degrees and no minutes, one thousand two hundred eighty-two and fifty one-hundredths feet along the Hawaii National Guard Rifle Range (Governor's Executive Order 286); thence one hundred seventy-two degrees fifty-five minutes and no seconds, one hundred sixty and seventy-five one-hundredths feet along Hilo Airport; thence two hundred twenty degrees forty-five minutes and no seconds, five hundred eighty-one and nine one-hundredths feet along same; thence two hundred seventy degrees and no minutes, nine hundred twenty-three and one one-hundredth feet along same to the point of beginning. Containing an area of

fifteen and ninety-eight one-hundredths acres.

(5) Kalae Military Reservation, known as "Morse Field", Kamaoa, Kau, Hawaii (being a portion of the Government land of Kamaoa, set aside for the use of the Hawaiian Homes Commission (sec. 1662, Revised Laws of Hawaii, 1935), and returned to the Commissioner of Public Lands by the Hawaiian Homes Commission by its resolution numbered 65, dated November 16, 1939, for the purpose of which this Executive order is issued):

Beginning at point "B" on the east boundary of Kalae Lighthouse Reservation, said Point "B" marked by a drilled hole in solid rock is situated seven hundred and twenty-four and seventy-two one-hundredths feet south, and one hundred and seventy-four and forty-one one-hundredths feet east of United States Coast and Geodetic Survey Triangulation Station "Ka Lae"; thence from the said point of beginning by azimuths (measured clockwise from true south) and distances as follows: One hundred and seventy-four degrees forty-nine minutes and no seconds, one thousand and twenty-eight feet along Kalae Lighthouse Reservation; thence one hundred and thirty-four degrees seventeen minutes and no seconds, five hundred and ninety-nine feet along the same to point "A" marked by a drilled hole in the center of a square cut in solid rock; thence one hundred and thirty-four degrees seventeen minutes and no seconds, seventy-one and thirty-eight one hundredths feet along the same to a point marking the southwest corner of existing Kalae Military Reservation; thence two hundred and seventy degrees and no minutes, three thousand two hundred and eleven and five one-hundredths feet along the south boundary of Kalae Military Reservation to a one-inch pipe in concrete; thence two hundred and twenty-eight degrees four minutes and no seconds, one thousand seven hundred and seventy and twenty-two one hundredths feet along the same to a one-inch pipe in concrete; thence two hundred and sixty-five degrees forty-seven minutes and no seconds, one thousand two hundred and seventy-three and fifty-three one-hundredths feet along the same to a one-inch pipe in concrete; thence two hundred and three degrees and no minutes, one thousand one hundred and thirty-seven feet along the same to a one-inch pipe in concrete; thence two hundred and fifty-nine degrees forty-three minutes and no seconds, one thousand eight hundred and seventy-two feet along the same to a one-inch pipe in concrete marking the southeast corner of existing Kalae Military Reservation; thence three hundred and sixty degrees and no minutes, five hundred and seventy feet to a point on the seacoast at high-water line; thence along the seacoast at high-water line in a southwesterly direction to a point at the southeast corner of Kalae Lighthouse Reservation, the direct azimuth and distance is: Sixty-four degrees eight minutes and six seconds, eight thousand three hundred and forty-one and sixty one-hundredths feet; thence one hundred and seventy-four degrees forty-nine minutes and no seconds, sixty feet along Kalae Lighthouse Reservation to the point of beginning. Containing an area of one hundred and eighty-two and thirty-eight one-hundredths acres, more or less.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 61 OF NATIONAL DEFENSE ACT OF JUNE 3, 1916

The Clerk called the next bill, S. 173, to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard, which was granted to the States by the amendment made to such section by the act of October 21, 1940.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, the title of this bill belies what the bill itself proposes to do. I have no objection to the bill, but the bill provides that no State or Territory shall maintain troops, and so forth; and the phrase "no State or Territory" is used throughout the bill. The title of the bill includes the possession of Puerto Rico and the Canal Zone. Puerto Rico is not a Territory, and the Canal Zone is not a Territory.

The Senate is in error in its report in stating that the purposes of the bill is to extend to Puerto Rico and the Canal Zone permission to organize defense units. The bill, as I read it, does nothing of the kind. The War Department is opposed to that. I would have no particular objection to doing so.

Unless the title of the bill is to be changed to exempt Puerto Rico and the Canal Zone from the bill then, of course, the words "Puerto Rico and the Canal Zone" should be added to the bill. I do not know how the committee would suggest the bill be amended, but in view of the committee report and the intention of the bill as expressed in the title, I might suggest to the committee that they accept an amendment to add to the bill "Puerto Rico and the Canal Zone" if they want to include them within the purview of the bill, because the committee print does not include Puerto Rico and the Canal Zone. It includes only the Territories of Alaska and Hawaii.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. ANDREWS. I believe it would be well to hear from the Delegate from Hawaii.

Mr. WOLCOTT. Mr. Speaker, I yield to the gentleman from Hawaii.

Mr. KING. The gentleman's explanation is correct. The title does extend the legislation to four units while the bill itself extends it only to the Territories of Alaska and Hawaii. As this bill was introduced in the Senate at the special desire of Puerto Rico to establish a home guard, I would like to accept an amendment that would extend the privilege of establishing a home guard to Puerto Rico and the Canal Zone, in addition to the States and Territories, rather than amending the title and leaving them out. They were particularly desirous of establishing a home guard. Has the gentleman an amendment to offer which will do that?

Mr. WOLCOTT. I have not the amendment ready. I wonder if this bill could be passed over temporarily in order that we may agree upon some amendment, and we will take it up after the call of the calendar?

Mr. Speaker, I ask unanimous consent that this bill be passed over for the time being and placed at the foot of the calendar for today.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

BANKING HOUSE ON MILITARY RESERVATION AT HICKAM FIELD, HAWAII

The Clerk called the next bill, H. R. 586, to authorize maintenance and use of a banking house upon the United States military reservation at Hickam Field, Oahu, Hawaii.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, this bill authorizes the construction and operation of a private bank in Hawaii, naming the particular banking organization. May I inquire from the Delegate from Hawaii how this particular banking organization was selected?

Mr. KING. If the gentleman will yield, the section in which this bank is going to operate is right next to Pearl Harbor, where the other large bank of Honolulu has a branch. It was more or less by mutual agreement and understanding that this national bank would have the privilege of erecting a branch on the military reservation at Hickam Field. Incidentally, it is a national bank and thus is an authorized depository of Federal funds.

Mr. COLE of New York. There is no discrimination among the banking interests of Hawaii as to which bank shall operate this particular branch?

Mr. KING. No. Within 3 miles or less there is a branch of the other largest bank in Hawaii serving the Pearl Harbor vicinity.

Mr. WOLCOTT. Do the laws of the Territory of Hawaii provide for the establishment of branch banks?

Mr. KING. Yes; they do, with certain limitations.

Mr. SCHULTE. Mr. Speaker, reserving the right to object, would other banking institutions have the same privilege?

Mr. KING. I just explained that the other large banking institution in Honolulu had a branch at Pearl Harbor, not far from here and it was more or less by mutual agreement that the Bishop First National Bank, which is a national bank and a depository for Federal funds, be extended the opportunity of operating a branch on Hickam Field. There is no controversy at all.

Mr. SCHULTE. There is no controversy between the bankers over there?

Mr. KING. No.

Mr. SCHULTE. That this might give one a privileged status against another?

Mr. KING. No.

Mr. SCHULTE. They are agreed?

Mr. KING. They are agreed.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, That Bishop National Bank of Hawaii, at Honolulu, a national banking association organized and existing under the laws of the United States relative to national banks be, and it is hereby, authorized, upon the completion of the erection of the building authorized to be erected by said bank under the provisions of a revocable license issued by the Secretary

of War on the United States military reservation at Hickam Field, Oahu, Hawaii, to maintain, alter, improve, and use the same, under such regulations and conditions and for such term or terms as the Secretary of War may from time to time prescribe, for the purpose of conducting therein a general banking business authorized under and by the charter of the bank and the laws of the United States relative to national banks.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHMENT OF NATIONAL CEMETERY AT HONOLULU, T. H.

The Clerk called the next bill, H. R. 588, to authorize an appropriation for the purpose of establishing a national cemetery at Honolulu, T. H.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, could the gentleman from Hawaii [Mr. KING] inform me as to how much the annual upkeep of such a cemetery would be?

Mr. KING. Mr. Speaker, I am not able to give the gentleman the correct information, but the maintenance of a small cemetery would not be very costly, comprising merely the wages of the gardener and the people who keep the grounds in condition. There is a bureau in the War Department charged with the responsibility of caring for the national cemeteries throughout the United States. We have never had one in Hawaii, and this bill merely authorizes the establishment of a national cemetery over there to serve about 10,500 veterans living in the Territory of Hawaii who under ordinary circumstances would be entitled to burial in a national cemetery.

It provides also, I may say, for a committee amendment that would make the land available without cost to the Government; so the initial cost would be merely the landscaping and the preparation of the ground. The maintenance cost might be as low as $5,000 per year thereafter.

Mr. KEAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000 to establish a national cemetery at Honolulu, T. H.

With the following committee amendment:

Page 1, after line 6, change the period to a colon and insert the following: "*Provided*, That a suitable location for such a cemetery, acceptable to the War Department, shall be made available without cost to the United States Government."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARMY MAIL CLERKS

The Clerk called the next bill, H. R. 4769, authorizing the designation of Army mail clerks and assistant Army mail clerks.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That enlisted men of the United States Army may, upon selection by the Secretary of War, be designated by the Post Office Department as "Army mail clerks" and "assistant Army mail clerks," who shall be authorized to receive and open all pouches and sacks of mail addressed to leased defense bases, Army posts, and military reservations, to make proper delivery of such mail, to receive matter for transmission in the mails, to receipt for registered matter (keeping an accurate record thereof), to keep and have for sale an adequate supply of postage stamps, to make up and dispatch mails, and other postal duties as may be authorized by the Postmaster General, all in accordance with such rules and regulations as may be prescribed by the commanding Army officer at the base, post, or reservation. Each Army mail clerk and assistant Army mail clerk shall take the oath of office prescribed for employees of the Postal Service and shall give bond to the United States in such sum as the Postmaster General may deem sufficient for the faithful performance of his duties as such mail clerk, and shall be amenable in all respects to Army discipline, except that, as to their duties as such clerks, the commanding officer at the base, post, or reservation at which they are stationed shall require them to be governed by the Postal Laws and Regulations of the United States. Whenever necessity arises therefor, any assistant mail clerk may be required by such commanding officer to perform the duties of mail clerk. Compensation for services shall be paid by the War Department in addition to that paid them in the grade to which they are assigned, such sum in the case of mail clerks not to exceed $500 per annum, and in the case of assistant mail clerks not to exceed $300 per annum, as may be determined and allowed by the War Department.

With the following committee amendments:

Page 1, line 7, strike out "leased defense bases."

Line 8, strike out "and" and, after "reservations", insert "and defense bases, owned or leased."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISCLAIMERS IN PATENTS

The Clerk called the next bill, H. R. 5258, to simplify the practice in cases where a patent is or may be in part valid and in part invalid.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4917 of the Revised Statutes (U. S. C., title 35, sec. 65), be amended to read as follows:

"Whenever, without any fraudulent or deceptive intention, a patentee has claimed more than that of which he was the original or first inventor or discoverer, his patent shall be valid for all that part which is truly and justly his own, provided the same is a material or substantial part of the thing patented; and any such patentee, his heirs, or assigns, whether of the whole or any sectional interest therein, may, on payment of the fee required by law, make disclaimer from such patent of any claim or claims of the patent as he shall not choose to hold by virtue of the patent or assignment, stating therein the extent of his interest in such patent. Such disclaimer shall be in writing, attested by one or more witnesses, and recorded in the Patent Office; and it shall thereafter be considered as part of the original specification to the extent of the interest possessed by the claimant and by those claiming under him after the record thereof."

SEC. 2. That section 4922 of the Revised Statutes (U. S. C., title 35, sec. 71), be amended to read as follows:

"Whenever, without any intent to defraud or to mislead the public, a patentee has claimed more than that of which he was the first inventor, his patent shall be valid for that part which is truly and justly his own provided the same is a material or a substantial part of the thing patented; and in any action which involves the validity of the patent the same may be adjudged invalid as to certain of its claims and such adjudication shall not affect the validity of the remainder of its claims: *Provided, however*, That after a claim or claims shall have been adjudicated invalid by decisions of courts in different circuits which are not subjected to review, no further action shall be based on said claim or claims."

SEC. 3. This act shall take effect on approval and apply to all patents heretofore issued except as to any patent which had prior to the enactment of this act become invalid because of improper disclaimer or because of unreasonable neglect or delay in filing a disclaimer.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREE BRIDGE ACROSS ST. CROIX RIVER AT HUDSON, WIS.

The Clerk called the next bill, H. R. 4314, authorizing the States of Minnesota and Wisconsin, jointly or separately, to acquire bridges now existing or to construct, maintain, and operate a free highway bridge across the St. Croix River, also known as Lake St. Croix, at or near Hudson, Wis.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. YOUNGDAHL. Mr. Speaker, will the gentleman withhold his request?

Mr. SCHULTE. I am delighted to withhold it.

Mr. YOUNGDAHL. Will the gentleman advise me what the reason is for asking that the bill be passed over without prejudice?

Mr. SCHULTE. Only to look into it further. I feel that this bill may have a far-reaching effect, and I want to look into it more thoroughly.

Mr. YOUNGDAHL. The bill provides for a free bridge in place of a toll bridge.

Mr. SCHULTE. And the gentleman from Indiana would like to look into it just a bit further.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

BRIDGE ACROSS SARASOTA PASS, AND ACROSS LONGBOAT PASS, COUNTY OF MANATEE, FLA.

The Clerk called the next bill, H. R. 4993, to extend the time for commencing

the construction of a bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, I should like to have the attention of both the gentleman from Florida [Mr. PETERSON], who introduced the bill, and the gentleman from Alabama [Mr. PATRICK], if he is on the floor, since he is the one who reported this bill from the Committee on Interstate and Foreign Commerce.

This bill authorizes the construction of another toll bridge. Two or three weeks ago a very unfortunate experience was had by the War Department in some of its maneuvers, when Army trucks and other vehicles were denied access to a toll bridge and were refused passage until a toll was paid. I wonder if the Committee on Interstate and Foreign Commerce has given any consideration to the subject in order that there may be some uniformity in regard to these bills in the future.

Mr. PETERSON of Florida. I am not in a position to speak for the Committee on Interstate and Foreign Commerce, but I can speak with reference to these particular bridges. These are small bridges on outlying keys. The corporation that is building them is virtually a public corporation. Under the terms of the original act, they had to file a certificate showing that it was quasi public in nature. One of the bridges has been begun. They are getting a permit from the War Department. There was some delay in getting the permit, and they anticipate some delay in getting materials now on account of priorities.

Mr. COLE of New York. The gentleman will have no objection to an amendment to the effect that no toll will be charged by the owners of this bridge for any military vehicles?

Mr. PETERSON of Florida. I would welcome such an amendment, and would have no objection to it, in such form as the gentleman may propose. I should be glad to see the House adopt such an amendment.

Mr. COLE of New York. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across Sarasota Pass and across Longboat Pass connecting up the south end of Anna Maria Key with the north end of Longboat Key, in the county of Manatee, State of Florida, authorized to be built by Bradenton Co., by an act of Congress approved June 6, 1940, are hereby extended 1 and 3 years, respectively, from date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 9, strike out "from date of approval hereof" and insert "from June 6, 1941."

The committee amendment was agreed to.

Mr. COLE of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: On page 2, after line 2, insert a new section as follows:

"SEC. 3. No toll or other charge shall be levied for any military vehicle owned by the United States Government."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to extend the times for commencing and completing the construction of a bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida."

FREE BRIDGE ACROSS THE SUSQUEHANNA RIVER, LUZERNE COUNTY, PA.

The Clerk called the next bill, H. R. 4994, granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at Bridge Street in Plymouth Borough, between Plymouth and Hanover Townships, in the county of Luzerne, and in the Commonwealth of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Susquehanna River, at a point suitable to the interests of navigation, at Bridge Street in Plymouth Borough and between Plymouth and Hanover Townships, Luzerne County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act, excepting that the times for commencing and completing the construction shall be 2 and 4 years from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPENSATION FOR DISABILITY OR DEATH RESULTING FROM INJURIES TO PERSONS EMPLOYED AT MILITARY, AIR, AND NAVAL BASES ACQUIRED BY THE UNITED STATES FROM FOREIGN COUNTRIES

The Clerk called the next bill, S. 1642, to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That except as herein modified, the provisions of the act entitled "Longshoremen's and Harbor Workers' Compensation Act," approved March 4, 1927 (44 Stat. 1424), as amended, and as the same may be amended hereafter, shall apply in respect to the injury or death of any employee engaged in any employment at any military, air, or naval base acquired after January 1, 1940, by the United States from any foreign government, irrespective of the place where the injury or death occurs.

SEC. 2. That the minimum limit on weekly compensation for disability, established by section 6 (b), and the minimum limit on the average weekly wages on which death benefits are to be computed, established by section 9 (e), of the Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927 (44 Stat. 1424), as amended, shall not apply in computing compensation and death benefits under this act.

SEC. 3. (a) The United States Employees' Compensation Commission is authorized to extend compensation districts established under the Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927 (44 Stat. 1424), or to establish new compensation districts, to include any area to which this act applies; and to assign to each such district one or more deputy commissioners, as the Commission may deem necessary.

(b) Judicial proceedings provided under sections 18 and 21 of the Longshoremen's and Harbor Workers' Compensation Act in respect to a compensation order made pursuant to this act shall be instituted in the United States district court of the judicial district wherein is located the office of the deputy commissioner whose compensation order is involved if his office is located in a judicial district, and if not so located, such judicial proceedings shall be instituted in the judicial district nearest the base at which the injury or death occurs.

SEC. 4. This act shall not apply in respect to the injury or death of (1) an employee subject to the provisions of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916 (39 Stat. 742), as amended; (2) an employee engaged in agriculture, domestic service, or any employment that is casual and not in the usual course of the trade, business, or profession of the employer; and (3) a master or member of a crew of any vessel.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That, except as herein modified, the provisions of the act entitled 'Longshoremen's and Harbor Workers' Compensation Act,' approved March 4, 1927 (44 Stat. 1424), as amended, and as the same may be amended hereafter, shall apply in respect to the injury or death of any employee engaged in any employment at any military, air, or naval base acquired after January 1, 1940, by the United States from any foreign government or any lands occupied or used by the United States for military or naval purposes in any Territory or possession outside the continental United States, including Alaska, Guantanamo, and the Philippine Islands, but excluding the Canal Zone, irrespective of the place where the injury or death occurs.

"SEC. 2. (a) That the minimum limit on weekly compensation for disability, established by section 6 (b), and the minimum limit on the average weekly wages on which death benefits are to be computed, established by section 9 (e), of the Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927 (44 Stat. 1424), as amended, shall not apply in computing compensation and death benefits under this act.

"(b) Compensation for permanent total or permanent partial disability under section 8 (c) (21) of the Longshoremen's and Harbor Workers' Compensation Act, or for death under this act to aliens and nonnationals of the United States not residents of the United States or Canada shall be in the same amount as provided for residents, except that dependents in any foreign country shall

be limited to surviving wife and child or children, or if there be no surviving wife or child or children, to surviving father or mother whom the employee has supported, either wholly or in part, for the period of 1 year immediately prior to the date of the injury, and except that the United States Employees' Compensation Commission may, at its option or upon the application of the insurance carrier, shall commute all future installments of compensation to be paid to such aliens or nonnationals of the United States by paying or causing to be paid to them one-half of the commuted amount of such future installments of compensation as determined by the Commission.

"SEC. 3. (a) The United States Employees' Compensation Commission is authorized to extend compensation districts established under the Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927 (44 Stat. 1424), or to establish new compensation districts, to include any area to which this act applies, and to assign to each such district one or more deputy commissioners, as the Commission may deem necessary.

"(b) Judicial proceedings provided under sections 18 and 21 of the Longshoremen's and Harbor Workers' Compensation Act in respect to a compensation order made pursuant to this act shall be instituted in the United States district court of the judicial district wherein is located the office of the deputy commissioner whose compensation order is involved if his office is located in a judicial district, and if not so located such judicial proceedings shall be instituted in the judicial district nearest the base at which the injury or death occurs.

"SEC. 4. This act shall not apply in respect to the injury or death of (1) an employee subject to the provisions of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916 (39 Stat. 742), as amended; (2) an employee engaged in agriculture, domestic service, or any employment that is casual and not in the usual course of the trade, business, or profession of the employer; and (3) a master or member of a crew of any vessel.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and on lands occupied or used by the United States for military or naval purposes outside the continental limits of the United States, including Alaska, Guantanamo, and the Philippine Islands, but excluding the Canal Zone, and for other purposes."

CONFIRMATION OF CERTAIN RIGHT OF PURCHASE LEASES, ETC., TERRITORY OF HAWAII

The clerk called the next bill, H. R. 4520, to ratify and confirm certain right of purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian organic act, and the laws of the Territory of Hawaii.

Mr. SCHULTE. Mr. Speaker, reserving the right to object, I wonder if the author of this bill will explain the measure.

Mr. KING. Mr. Speaker, this bill seeks to ratify some homestead agreements that were issued over a period of years in Hawaii and which the Attorney General of Hawaii has now said were incorrectly executed. They were executed in good faith by the then Land Commissioner and passed by the then Attorney General, and are now occupied by various applicants, but are technically held illegally. This bill has the approval of the Territorial legislature, the Governor of Hawaii, and the Department of the Interior.

Mr. SCHULTE. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That no right of purchase lease, special homestead agreement, cash freehold agreement, certificate of occupation, homestead lease, or patent issued on or before the 25th day of November 1940, under or in purported compliance with section 73 of the Hawaiian organic act or the laws of Hawaii, relating to public lands, shall be held invalid or void for or on account of (a) failure to publish a notice of the sale, drawing, or allotment of the lands described in such lease, agreement, certificate, or patent, for the period required by section 73 of the Hawaiian organic act, as amended by the Act of May 27, 1910, Thirty-sixth Statutes at Large 444, or to determine the persons entitled to take said lands by drawing or lot, if in either of such cases, said lands were opened for sale, settlement, or occupation by public notice in compliance with the statutes in effect prior to said Act of May 27, 1910; (b) if said lands were opened for sale, settlement, or occupation by any of the following methods, to wit: Right of purchase lease, special homestead agreement, cash freehold agreement, or certificate of occupation, the fact that said lands were not opened for sale, settlement, or occupation by the particular method followed in issuing such lease, agreement, or certificate, or homestead lease or patent based thereon; (c) the inclusion in one lease, agreement, certificate, or patent of detached or noncontiguous parcels of land, or two or more parcels of land originally offered as separate homesteads or lots.

SEC. 2. Such right of purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents are hereby ratified and confirmed to the extent hereinbefore set forth and, to the extent so ratified and confirmed, shall be deemed and held to be perfect and valid from the day of the date thereof for all purposes, including the issuance of homestead leases or patents based thereon; all questions or disputes that may arise in relation to said lands or the titles thereof shall be decided and determined accordingly.

SEC. 3. This act shall take effect upon its approval.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MONONGAHELA RIVER NEAR ELIZABETH, ALLEGHENY COUNTY, PA.

The Clerk called the next bill, H. R. 5122, to extend the times for commencing and completing the construction of a bridge across the Monongahela River, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania, by an act of Congress, approved May 27, 1940, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 1, strike "from the date of approval of this act" and insert "from May 27, 1941."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE BETWEEN DAUPHIN ISLAND AND THE MAINLAND NEAR CEDAR POINT, ALA.

The Clerk called the next bill, H. R. 5128, extending the dates for the beginning and completion of construction by Alabama Bridge Commission, an agency of the State of Alabama, of a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama.

Mr. COLE of New York. Mr. Speaker, reserving the right to object, this is another bill with respect to a toll bridge, and I wonder if the gentleman from Alabama, the author of the bill, would have any objection to an amendment similar to the one just adopted, to the effect that this toll bridge will not charge any toll or fee for any military vehicle owned and operated by the United States Government.

Mr. PATRICK. Mr. Speaker, there is no objection to that provision.

Mr. HOLMES. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

BRIDGE ACROSS MISSOURI RIVER NEAR DECATUR, NEBR.

The Clerk called the next bill, H. R. 5247, to revive and reenact the act entitled "An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.," approved June 8, 1940.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. STEFAN. Mr. Speaker, will the gentleman withhold that request and reserve the right to object?

Mr. SCHULTE. I will be glad to, Mr. Speaker.

Mr. STEFAN. Will the gentleman explain why he wants this bill to go over without prejudice? The people out there

are anxious to construct this bridge and I hope the gentleman will let the bill go through.

Mr. SCHULTE. I withdraw my reservation of objection, Mr. Speaker.

Mr. GORE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

BRYCE CANYON NATIONAL PARK, UTAH

The Clerk called the next bill, H. R. 2300, to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the tract of land located in sections 17, 19, 20, and 22, township 36 south, range 3 west, Salt Lake meridian, described in section 1 of the act approved February 17, 1931 (46 Stat. 1166), and also described in the proclamation of the President dated May 4, 1931 (47 Stat. 2455), issued pursuant thereto, be, and the same is hereby, corrected to read as follows: "east half, northeast quarter northwest quarter, east half northwest quarter northwest quarter, north half southeast quarter northwest quarter, south half northeast quarter southwest quarter, north half south half southeast quarter northwest quarter and north half southeast quarter southwest quarter section 17, south half south half section 19, south half northwest quarter section 20, west half, west half east half and northeast quarter northeast quarter section 22."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OLYMPIC NATIONAL PARK

The Clerk called the bill (H. R. 4336) to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act of the Legislature of the State of Washington, approved March 8, 1941 (chapter 51 of the Laws of 1941 of the State of Washington), ceding to the United States exclusive jurisdiction over and within all the territory included on March 8, 1941, in that tract of land in the State of Washington, set aside for the purposes of a national park and known as the Olympic National Park, are hereby accepted. Subject to the reservations made by the State in the act of cession, the United States hereby assumes sole and exclusive jurisdiction over such territory.

SEC. 2. The park shall constitute a part of the United States judicial district for the western district of Washington, and the district court of the United States in and for said district shall have jurisdiction over all offenses committed within the boundaries of the park. All fugitives from justice taking refuge in the park shall be subject to the same laws as refugees from justice found in the State of Washington.

SEC. 3. All hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park, nor shall any fish be taken out of any of the waters of the park, except at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within the park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the waters in the park. Possession within the park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this act, or the rules and regulations, with reference to the management and care of the park, or for the protection of the property therein, for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within the park, or for the protection of the animals, birds, and fish in the park, or who shall within the park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than $500 or imprisonment not exceeding 6 months, or both, and be adjudged to pay all the costs of the proceedings.

SEC. 4. All guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of the park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior shall be forfeited to the United States and may be seized by the officers in the park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this act, and upon conviction under this act of such person or persons using said guns, traps, nets, seins, fishing tackle, teams, horses or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court.

SEC. 5. Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the United States District Court for the Western District of Washington shall appoint a park commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this act prescribed for the government of the park and for the protection of the animals, birds, and fish in the park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of the commissioner to the United States District Court for the Western District of Washington; and the district court shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court.

SEC. 6. The park commissioner shall also have power to issue process, as hereinbefore provided, for the arrest of any person charged with the commission within the park of any criminal offense not covered by the provisions of section 3 of this act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged, for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Western District of Washington, and certify a transcript of the record of his proceedings and the testimony in such case to the said district court, which court shall have jurisdiction of the case. The park commissioner shall have authority to grant bail in all cases according to the laws of the United States.

SEC. 7. The park commissioner shall be paid an annual salary as appropriated for by Congress.

SEC. 8. All fees, costs, and expenses arising in cases under this act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

SEC. 9. All fees, fines, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Washington.

SEC. 10. The Secretary of the Interior shall notify in writing the Governor of the State of Washington of the passage and approval of this act, and of the fact that the United States assumes police jurisdiction over the park. Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Olympic National Park, the provisions of sections 2 to 9, inclusive, shall apply to such lands.

With the following committee amendments:

Page 1, line 7, strike out the word "that" and insert in lieu thereof the word "the."

Page 4, line 17, strike out the misspelled word "seins" and insert in lieu thereof the word "seines."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

CORONADO INTERNATIONAL MEMORIAL

The Clerk called the bill (S. 752) to provide for the establishment of the Coronado International Memorial, in the State of Arizona.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of permanently commemorating the explorations of Francisco Vásquez de Coronado, the President of the United States is authorized to

declare, by proclamation, any lands within the following-described area, subject to all valid existing rights, to be established as the "Coronado International Memorial":

Gila and Salt River meridian: Township 24 south, range 20 east, section 10, south half southwest quarter, south half southeast quarter; section 11, south half southwest quarter; section 13, southwest quarter northwest quarter, south half; section 14, northwest quarter, south half, northwest quarter northeast quarter, south half northeast quarter; section 15, all; section 22, all; section 23, all; section 24, all; township 24 south, range 21 east, section 17, south half southwest quarter; section 18, southwest quarter, south half southeast quarter; section 19, all; section 20, west half; aggregating approximately two thousand eight hundred and eighty acres: *Provided*, That said proclamation shall not be issued until the President of the United States shall have been advised through official channels that the Government of Mexico has established, or provided for the establishment of, an area of similar type and size adjoining the area described herein.

SEC. 2. The National Park Service, under the direction of the Secretary of the Interior, shall promote and regulate the use of the Coronado International Memorial for the benefit and enjoyment of the people of the United States. Insofar as applicable and not in conflict with this act, the act of August 25, 1916 (39 Stat. 535), providing for the establishment of a National Park Service, as amended and supplemented, shall govern the promotion and regulation of the designated memorial area: *Provided*, That nothing in this act shall be construed to authorize any recreational or other development by the National Park Service within the 60-foot strip north of the international boundary between the United States and Mexico withdrawn by proclamation of the President dated May 27, 1907 (35 Stat., part II, p. 2136), unless such development has received the prior approval of the Secretary of State.

SEC. 3. The Secretary of the Interior, under such regulations as shall be prescribed by him, which regulations shall be substantially similar to those now in effect, shall permit—

(a) Grazing of livestock within the memorial area to the extent now permitted within the said area when such grazing will not interfere with recreational development authorized by this act; and

(b) Prospecting and mining within the memorial area, when not inconsistent with the public uses thereof. Rights to minerals in the area shall not extend to the lands containing such minerals, but the Secretary of the Interior shall grant rights to use so much of the surface of the lands as may be required for all purposes reasonably incident to the mining and removal of the minerals.

SEC. 4. In the administration of the memorial area the Secretary shall not permit the construction of fences except (a) along the international boundary, (b) beside memorial roads or approach roads, and (c) around memorial areas within which improvements have been located by the National Park Service: *Provided*, That any roads constructed within the memorial area by the National Park Service shall include necessary cattle underpasses properly located for the passage of cattle across such roads: *And provided further*, That the right to the exclusive beneficial consumptive use for stock-watering purposes of any water heretofore developed or used for such purposes within the memorial area shall remain in the present holders thereof, their heirs, assigns, successors, and administrators, so long as such water continues to be used exclusively for such purposes: *And provided further*, That nothing in this act shall be construed to alter or affect any water right in the State of Arizona or the jurisdiction of said State over its waters: *And provided further*, That neither roads nor public campgrounds shall be constructed by the National Park Service within the south half southwest quarter of said section 10.

SEC. 5. Upon submission of title satisfactory to him, the Secretary of the Interior, on behalf of the United States, may accept lands and interests in lands which are within the memorial area but are not in Federal ownership and which are offered to the United States without cost.

Mr. MURDOCK. Mr. Speaker, it seems appropriate to say a few words concerning the bill just called up to establish the Coronado International Memorial. In the Southwest, we have for the past 3 years been celebrating in various ways the four-hundredth anniversary of the coming of the Spaniards, but, by the passage of this measure, we will have something permanent to be a constant reminder of the venturous expedition which brought white men for the first time into the southwestern corner of our country. It is called an international monument because Mexico will set aside an equal area of land adjoining ours along the border at that point where historians say Coronado crossed from Mexico into what is now Arizona.

All that we are doing is highly educational, although varied in its nature. During the year 1939, a preliminary step was taken throughout Arizona in celebrating the four-hundredth anniversary of the coming of the first white man into Arizona. He was the forerunner of Coronado—a humble Franciscan priest, Frey Marcos de Niza. The members of this great order, which has played so prominent a part in the Spanish phase of our western history, celebrated the occasion in 1939 in an appropriate manner, and the State of Arizona commemorated it by designing the auto license plates for 1939 in such a way as to show that Frey Marcos entered our State 400 years before.

In 1940 a more elaborate celebration took place, not only in Arizona but especially in New Mexico. This partook of the nature of pageants and historical expeditions and demonstrations which showed up the brilliant panorama of the conquistadores as they carried the red and yellow colors of old Spain across the colorful expanses of the desert country. However, in all this last year there was nothing material built to last through the years, although that was the original intent. And, while the year 1940 was the chief anniversary, the fact that Coronado remained in what is now New Mexico about a year of his expedition before venturing on into what is now Kansas, led the people of the Sunflower State to postpone their celebrations until the year 1941. Thus we see that throughout 1939, 1940, and 1941 these celebrations have been held throughout the Southwest.

I very well recall that it was July 5, 1939, that we passed a bill authorizing an appropriation for this celebration. The day before its enactment I had celebrated our Nation's birthday down in Virginia at Jamestown, and had been inspired by a study of the ivy-covered walls of the old church at that historic point. It is not surprising, then, that on July 5, with my mind influenced by the historic memories of Jamestown and some recent recollections of viewing the famous rock at Plymouth on which the Mayflower voyagers landed in 1620, I felt that we ought to have similar suitable markers indicating the point of entrance of the men of Spain who first came to this section of our country. That is why I was anxious then to have authorization for the building of a monument, enduring as the hills, which would be there for all time to come as a reminder. Accordingly, the authorization for $10,000 was included in that bill on July 5, 1939.

Let us see the implications of the measure before us today. This will bring about cooperation with our neighbor, Mexico, and also better feeling and understanding. The Mexican people are very proud of their race and culture and of their eventful past. They understand even better than we do that our North American culture is an admixture of Anglo-Saxon and Spanish elements. We got something from Mexico City as well as from Jamestown and Plymouth.

In fact, Mr. Speaker, after we have completed the calendar today, we shall take up a great tax bill, and there is likely to be a legislative battle over joint versus separate income-tax returns for husbands and wives. Now, it comes rather natural for the citizens of Arizona to take one view of this question, because we have the law of communal property which is a part of our Spanish heritage. There are many other things, however, part and parcel of our present-day life in the Southwest which are more Spanish than Anglo-Saxon in origin, and the establishment of this international monument in connection with the Republic of Mexico will emphasize this relationship.

Rest assured, Mr. Speaker, the Republic of Mexico has already acted in accordance with the provisions of this bill, and the full development of this international project awaits our action. Nothing that we could do will emphasize more the kinship of some of our mutual historical antecedents, laws, and institutions than will this international monument. No other way would cement friendly feelings between us and Mexico or do more to promote the neighborliness which we would like to foster with the Latin American countries. Trade and commerce are quite material things, but cultural kinship and the friendly spirit are intangible values which this measure will promote and perpetuate.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

USE OF PUBLIC LANDS AS PUBLIC AVIATION FIELDS

The Clerk called the bill (S. 1480) to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended, is amended by striking out the

words "not to exceed 640 acres in area" and inserting in lieu thereof the words "not to exceed 2,560 acres in area."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISLE ROYALE NATIONAL PARK

The Clerk called the bill (H. R. 4386) to provide for the addition of certain lands to the Isle Royale National Park in the State of Michigan, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to valid existing rights the following-described lands, in addition to the lands established as the Isle Royale National Park pursuant to the act of March 3, 1931 (46 Stat. 1514), are hereby made a part of the park:

Passage Island, containing approximately one hundred and eighty-two acres, located in sections 3, 4, and 9, township 67 north, range 32 west, in Keweenaw County, Michigan: *Provided*, That the Secretary of the Treasury shall retain control and jurisdiction over the following portions of the island for lighthouse and boathouse purposes:

(a) All that part of Passage Island lying south of a true east and west line located four hundred and twenty-five feet true north of the center of the Passage Island Light containing approximately six and five-tenths acres.

(b) Beginning at the center of Passage Island Light, thence north thirty-three degrees fifty-two minutes east three thousand five hundred and fifteen feet to a point from which this description shall begin to measure, being the southwest corner of said boathouse site; thence north two hundred feet to a point being the northwest corner of said site; thence east one hundred and seventy-five feet more or less to the harbor shore; thence southeasterly following the harbor shore to a point on the shore being a point on the south boundary of the boathouse site; thence two hundred feet more or less west to the point of beginning, containing approximately seventy-eight one-hundredths acre.

(c) A right-of-way between the sites described in the preceding subparagraphs, to be defined by the Secretary of the Treasury within a reasonable length of time after the approval of this act.

SEC. 2. The Siskiwit Island Bird Reservation is hereby abolished and shall hereafter be a part of the Isle Royale National Park.

SEC. 3. The boundaries of the Isle Royale National Park are hereby extended to include any submerged lands within 4½ miles of the shore line of Isle Royale and the immediately surrounding islands, and the Secretary of the Interior is hereby authorized, in his discretion, to acquire title by donation to any such lands not now owned by the United States, the title to be satisfactory to him.

SEC. 4. All federally owned lands within the boundaries of the Isle Royale National Park are hereby made a part of the park: *Provided*, That the Secretary of the Treasury shall retain control and jurisdiction, for lighthouse purposes, over Menagerie Island, located in township 64 north, range 35 west, and an unsurveyed island known as Rock of Ages, situated in approximate sections 7 and 18, township 63 north, range 39 west, and also shall retain the right to maintain existing floating and shore aids to navigation and to establish and maintain additional aids to navigation within the established park area when so required by general navigation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

CESSION OF EXCLUSIVE JURISDICTION, ISLE ROYALE NATIONAL PARK

The Clerk called the bill (H. R. 3014) to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act of the Legislature of the State of Michigan, approved February 27, 1939, ceding to the United States exclusive jurisdiction over and within all the territory that is now or may hereafter be included in that area in the State of Michigan set aside and dedicated for park purposes by the United States as the Isle Royale National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such lands, saving, however, to the State of Michigan the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to said State the right to tax persons and corporations their franchises and property on the lands included in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county in which they reside. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Michigan.

SEC. 2. That said park shall constitute a part of the United States judicial district for the western district of Michigan, and the district court of the United States in and for said district shall have jurisdiction over all offenses committed within the boundaries of the said park.

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park, nor shall any fish be taken out of any of the waters of the said park, except at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the waters in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this act, or the rules and regulations, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than $500 or imprisonment not exceeding 6 months, or both, and be adjudged to pay all the costs of the proceedings.

SEC. 4. That all guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this act, and upon conviction under this act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court.

SEC. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of Michigan shall appoint a commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of Michigan; and the United States district court in the aforementioned district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to the said United States district court.

SEC. 6. That the park commissioner provided for in this act shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall commit such person for further appropriate action, and certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case: *Provided*, That the

said commissioner may grant bail in all cases according to the laws of the United States.

SEC. 7. That the park commissioner provided for in this act shall be paid an annual salary, as appropriated for by Congress.

SEC. 8. That all fees, costs, and expenses arising in cases under this act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

SEC. 9. That all fees, fines, and costs and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Michigan.

SEC. 10. That the Secretary of the Interior shall notify in writing the Governor of the State of Michigan of the passage and approval of this act, and of the fact that the United States assumes police jurisdiction over said park as specified in said act of the State of Michigan.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

FISH CULTURAL STATION, SPEARFISH, S. DAK.

The Clerk called the bill (H. R. 5397) to provide for the protection of the fish-cultural station at Spearfish, S. Dak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to acquire by gift or purchase such water rights, land, and interests therein, at or in the vicinity of the fish-cultural station at Spearfish, S. Dak., as may be deemed necessary for the protection of the station against further loss and damage occasioned by the drying of springs or contamination of water supply by freshets, and for its efficient operation. The Secretary may expend for such protection, acquisition, operation, and development such sums as Congress has heretofore made or may hereafter make available for the Spearfish fish-cultural station and appropriations therefor are hereby authorized: *Provided*, That the Federal funds expended for the acquisition of additional land, interests therein, and water rights shall not exceed $25,000: *Provided further*, That the donor or vendor of land shall furnish, free of all expenses to the Government, all requisite abstracts, official certifications, and evidences of title that the Attorney General may deem necessary.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

TITLE OF CERTAIN LAND IN MARQUETTE, MICH.

The Clerk called the next business, House Joint Resolution 221, to declare abandoned the title of the city of Marquette, Mich., to certain land in the county of Marquette, and to vest control of such land in the Secretary of the Treasury for Coast Guard purposes.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the title of the city of Marquette, Mich., in and to the following described tract of land included in the grant from the United States to said city for public-park purposes, pursuant to section 2 of the Act of July 12, 1886 (24 Stat. 144), having been abandoned by said city, shall be and is hereby revested in the United States:

"All that certain piece or parcel of land located in section 1, township 48 north, range 25 west, in the town of Marquette, Marquette County, Mich., being a parcel forty feet square, which is centered north one degree thirty minutes east forty feet from the northernmost corner of a parcel reserved by the United States of America for lighthouse purposes under the terms of an Act of Congress, approved July 12, 1886 (24 Stat. 144), and described as beginning at a point, an iron pin, recently established as the west corner of said parcel and located two thousand five hundred and seventy-five feet north and nine hundred and forty-five feet east of the quarter corner between sections 1 and 2, township 48 north, range 25 west, and running thence north sixty-six degrees thirty-three minutes east one hundred and ninety feet to the north corner, an iron bolt leaded in bare rock and located two thousand six hundred and fifty and five-tenths feet north and one thousand one hundred and nineteen and three-tenths feet east of the quarter corner between sections 1 and 2, township 48 north, range 25 west, thence south twenty-three degrees twenty-seven minutes east two hundred and twenty feet to a point in the lake cove, thence south sixty-six degrees thirty-three minutes west one hundred and ninety feet to the south corner an iron pin located two thousand three hundred and seventy-three and two-tenths feet north and one thousand and thirty-two and five-tenths feet east of the quarter corner between sections 1 and 2, township 48 north, range 25 west, thence north twenty-three degrees twenty-seven minutes west two hundred and twenty feet to the place of beginning, the said forty-foot-square parcel being further particularly described as beginning at a point located north one degree thirty minutes, east twenty feet from the most northerly corner of the parcel of land reserved by the United States of America, as above described, and running thence south eighty-eight degrees thirty minutes east twenty feet, thence north one degree thirty minutes east forty feet, thence north eighty-eight degrees thirty minutes west forty feet, thence south one degree thirty minutes west forty feet, and thence south eighty-eight degrees thirty minutes east twenty feet to the place of beginning."

SEC. 2. The grant to the city of Marquette of the land described in section 2 of the Act of July 12, 1886, is hereby confirmed and ratified, subject to the provisions and conditions contained in said section, except that portion thereof revested in the United States pursuant to this Act, which tract shall be and is hereby placed under the jurisdiction and control of the Department of the Treasury for Coast Guard purposes.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILITARY UNITS IN ALASKA, PUERTO RICO, AND THE CANAL ZONE

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to return to the bill (S. 173) to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as bill, as follows:

Be it enacted, etc., That section 61 of the National Defense Act of June 3, 1916, is amended to read as follows:

"SEC. 61. No State or Territory shall maintain troops in time of peace other than as authorized in accordance with the organization prescribed under this act: *Provided*, That nothing contained in this act shall be construed as limiting the rights of the States and Territories in the use of the National Guard within their respective borders in time of peace: *Provided further*, That nothing contained in this act shall prevent the organization and maintenance of State or Territorial police or constabulary: *Provided further*, That under such regulations as the Secretary of War may prescribe for discipline in training, the organization by and maintenance within any State or Territory of such military forces other than National Guard as may be provided by the laws of such State or Territory is hereby authorized while any part of the National Guard of the State or Territory concerned is in active Federal service: *Provided further*, That such forces shall not be called, ordered, or in any manner drafted, as such, into the military services of the United States; however, no person shall, by reason of his membership in any such unit, be exempted from military service under any Federal law: *And provided further*, That the Secretary of War, in his discretion and under regulations determined by him, is authorized to issue, from time to time, for the use of such military units, to any State or Territory, upon requisition of the Governor thereof, such arms and equipment as may be in possession of and can be spared by the War Department."

Mr. KING. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendments offered by Mr. KING: Page 1, line 5, after the word "Territory", insert the words "or Puerto Rico or the Canal Zone."

Page 2, line 3, after the word "Territories", insert the words "or Puerto Rico or the Canal Zone."

Page 2, line 10, after the word "Territory", insert the words "or Puerto Rico or the Canal Zone."

Page 2, line 14, after the word "Territory", insert the words "or Puerto Rico or the Canal Zone."

Page 2, line 23, after the word "Territory", insert the words "or Puerto Rico or the Canal Zone."

The amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR DECATUR, NEBR.

Mr. GORE. Mr. Speaker, I ask unanimous consent to return to Calendar No. 252, for the immediate consideration of the bill (H. R. 5247) to revive and reenact the act entitled "An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.," approved June 8, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act approved June 8, 1940, authorizing the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr., is hereby revived and reenacted.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 6, after the word "reenacted", insert "*Provided*, That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within 1 year and completed within 3 years from the date of approval hereof."

The committee amendment was agreed to.

Mr. COLE of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: On page 2, after line 2, insert a new section, as follows:

"SEC. 2. No toll or other charge shall be levied against any military vehicle owned by the United States Government."

Mr. COLE of New York. Mr. Speaker, this is a very unusual bill, in that it revives and reenacts a bill which was passed by the Congress last year, and, as far as I know, is still alive. However, its reenactment will do no harm. The amendment I have offered I hope will be agreeable to the author of the bill and make it conform to the other toll-bridge bills.

Mr. STEFAN. Will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. STEFAN. It is very agreeable to me, and I am sure to those who are interested in the construction of the bridge.

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. COLE].

The amendment was agreed to.

The SPEAKER. Without objection the figure "2" in line 3 will be changed to the figure "3."

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENSIONS FOR SPANISH-AMERICAN WAR VETERANS

Mr. SMITH of Washington. Mr. Speaker, by direction of the Committee on Pensions, I call up the bill (H. R. 1782) to provide Spanish War veterans wartime pension rates for service-connected disability or death of certain veterans of the Spanish-American War recognized by veterans regulations as "veterans of any war," and for other purposes, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Veterans Regulation No. 1 (a), as amended (U. S. C., 1934 ed., title 38, ch. 12, appendix), is further amended by adding to paragraph 1 of part II the following subparagraph:

"(d) Any veteran or the dependents of any deceased veteran who served in the military or naval service of the United States between August 13, 1898, and July 4, 1902, both dates inclusive, and who left the continental United States under orders for military or naval service in Guam, Cuba, or Puerto Rico between such dates who is otherwise entitled to pension under the provisions of part II of this regulation based upon such service shall be entitled to receive the rate of pension provided in part I of this regulation."

With the following committee amendment:

Page 2, in line 6, after the word "regulation", insert "and amendments thereto, and subject to the conditions and limitations prescribed therefor,."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS AND SAILORS, ETC.

Mr. SMITH of Washington. Mr. Speaker, by direction of the Committee on Pensions, I call up the bill (H. R. 2310) to amend section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers, and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes", approved May 1, 1926, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes," approved May 1, 1926 (Public, No. 166, 69th Cong., 1st sess.), wherein for pension purposes the marriage date is defined as September 1, 1922, be, and the same is hereby, amended by striking out the date "September 1, 1922" and inserting in lieu thereof the date "January 1, 1938."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENSIONS FOR CHILDREN OF VETERANS

Mr. SMITH of Washington. Mr. Speaker, by direction of the Committee on Pensions, I call up the bill (H. R. 2096) to provide that pensions otherwise payable for a child of a deceased veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall continue until the child reaches the age of 21 where he is attending accredited school, and for other purposes, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That pension otherwise payable to or for a child of a deceased veteran of the War with Spain, including the Boxer Rebellion and the Philippine Insurrection, under the laws reenacted by Public Law No. 269, Seventy-fourth Congress, approved August 13, 1935, shall be continued after such child becomes 16 years of age and until such child marries or becomes 18 years of age, except that payment of pension shall be further continued after the age of 18 years and until completion of education or training (but not after such child reaches the age of 21 years) to or for any unmarried child who is or may hereafter be pursuing a course of instruction at any school, college, academy, seminary, technical institute, or university, particularly designated by him and approved by the Administrator, which shall have agreed to report to the Administrator the termination of attendance of such child, and if any such institution of learning fails to make such report promptly the approval shall be withdrawn: *Provided*, That in case a minor child is insane, idiotic, or otherwise mentally or physically helpless the pension shall continue until marriage or death, but only during the period of such disability.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPANISH WAR VETERANS

Mr. SMITH of Washington. Mr. Speaker, by direction of the Committee on Pensions, I call up the bill (H. R. 5339) granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, effective on the first day of the month next following the date of enactment of this act, the rates of death compensation provided for the dependents of World War veterans by section of Public Law No. 198, Seventy-sixth Congress, July 19, 1939 (U. S. C., title 38, sec. 472b), subject to the limitation contained in the last sentence of the second paragraph of said section 5, as amended by this act, shall be payable as death pension to the dependents of veterans of the Spanish-American War, including the Philippine Insurrection and Boxer Rebellion, entitled to death pension under the provisions of paragraph IV, part I of Veterans Regulation No. 1 (a), as amended, and to the dependents of veterans entitled to death pension under the provisions of paragraph I (c), part II of Veterans Regulation No. 1 (a), as amended, where the veteran's death resulted from an injury received in line of duty in actual combat in a military expedition or military occupation.

SEC. 2. Effective on the first day of the month next following the date of enactment of this act, the last sentence of the second paragraph of section 5 of Public Law No. 198, Seventy-sixth Congress, July 19, 1939 (U. S. C., title 38, sec. 472b), is hereby amended to read as follows: "The amount of compensation herein authorized shall be paid in the event the monthly payment of compensation under Veterans Regulation No. 1 (g), and the monthly payment of yearly renewable term or automatic insurance, or national service life insurance does not aggregate or exceed the amount of compensation herein authorized: *Provided*, That persons entitled to pension or compensation on account of the death, disability, or service of more than one person, if otherwise entitled, shall be paid the increased rates provided by this section."

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

Mr. MICHENER. Mr. Speaker, as a Spanish-American War veteran, I have been intensely interested in the enactment of the four bills which have just passed the House.

It is a tribute to these veterans, to the integrity of the committee reporting the bills, and to the justice of the bills, that this important legislation should pass the House unanimously. The printed committee reports are very complete and all the details of these bills are fully explained. I join with other Members in the hope that the Senate will report and pass these bills at the earliest opportunity.

Mr. ROBSION of Kentucky. Mr. Speaker, I was very glad to be present today and help to pass H. R. 2310, H. R. 2096, H. R. 1782, and H. R. 5339 for the benefit of the veterans who served in the Spanish-American War, the Philippine Insurrection, Cuba, Puerto Rico, and Guam, between August 13, 1898, and July 2, 1902, and the widows and orphans of these veterans. I especially appreciate this action on the part of the House at this time. The Congress has appropriated and given contractual authority for the national defense in the past 18 months for approximately $55,000,000,000 and it is most gratifying to me to know that the House of Representatives has not forgotten those gallant men who loyally and heroically defended our country during some period of time between August 13, 1898, and July 4, 1902, and their dependents. The widow of a Spanish-American War veteran must have married the veteran prior to September 1, 1922, in order to be eligible for pension. H. R. 2310 moves up the marriage date to January 1, 1938.

H. R. 1782 greatly benefits the veterans and the dependents of deceased veterans who served in the military or naval forces of the United States between August 13, 1898, and July 4, 1902.

H. R. 5339 grants pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection.

H. R. 2096 likewise benefits the veterans and their dependents who served for a period between August 13, 1898, and July 4, 1902.

We may need loyal and patriotic Americans soon again to defend this country. The action taken in the House today and if ratified by the Senate and approved by the President will be most encouraging indeed to those who are called up to serve our country again. Let us indulge the hope the President will get behind these just and salutary measures so that we may have action in the Senate in the very near future and the veterans and their dependents coming within the scope of this legislation may receive the benefits provided therein for them.

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including an address I made before the General Welfare Federation of America on July 12, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOEHNE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including correspondence between the President of the United States and the chairman of the Committee on Ways and Means.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REVENUE BILL—1941

Mr. DOUGHTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5417) to provide revenue, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5417) to provide revenue, and for other purposes, with Mr. COLE of Maryland in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. General debate has been concluded. The bill is now open for amendment.

Mr. COOPER. Mr. Chairman, at the request of the committee and by the direction of the Committee on Ways and Means, I offer a committee amendment.

The Clerk read as follows:

Committee amendment to H. R. 5417: Page 62, line 24, after the quotation marks, insert "(a) Manufacturers' tax.—"

Page 63, line 3, strike out the quotation marks.

Page 63, after line 3, insert the following new subsection:

"(b) Floor-stocks tax: On matches subject to tax under subsection (a) which, on the effective date of part IV of title V of the Revenue Act of 1941, are held and intended for sale, or for disposition in connection with the sale of other articles, there shall be levied, assessed, collected, and paid a floor-stocks tax at the rate of 2 cents per thousand matches. The tax shall not apply to matches in retail stocks held at the place where intended to be sold or disposed of. The tax shall not apply to matches held for sale by the manufacturer, producer, or importer thereof, nor to fancy wooden matches or wooden matches having a stained, dyed, or colored stick or stem."

Mr. COOPER. Mr. Chairman, this committee amendment imposes a floor-stocks tax on matches which are held by retailers and wholesalers. The tax does not, however, apply to matches held by any person in his retail stock at the place of retail sale.

Mr. COFFEE of Washington. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield.

Mr. COFFEE of Washington. Mr. Chairman, I have a letter from the Pacific Match Co., of Tacoma, Wash., in which this comment is made:

Newspaper items here advised a change in tax on matches, in that matches will be taxed 2 cents per thousand on all floor stocks except in retailers' hands.

These people seem to be concerned I may say to the gentleman from Tennessee as to whether or not this tax will benefit the chain stores. They are particularly worried about stocks in the hands of such concerns as the A. & P. and others. They make this further statement:

I am inclined to think there is a lot of meaning to the above, and our complaint, of course, is personal because most of the buying units are controlled in the East and, of course, are served by the eastern companies, practically all of them by the Diamond Match Co., who controls 80 percent of the industry through its subsidiaries.

Their concern, I may say to the gentleman from Tennessee, is that this amendment offered by the committee may seem to be beneficial to the large companies and have a direct detrimental effect upon retailers as contradistinguished from chain stores.

Mr. COOPER. Mr. Chairman, I may say in reply to the gentleman from Washington that I think he is mistaken, because the tax will apply to all matches in warehouses or in the hands of wholesalers or jobbers, and treats all of them exactly alike. In other words, a chain-store organization that has a large supply of matches in its warehouse will be taxed just like all the others who have stocks in warehouse.

Mr. COFFEE of Washington. I appreciate the reassurance the gentleman has given.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. ROBSION of Kentucky. Mr. Chairman, I was on my feet seeking recognition. I ask that the vote be set aside that I may be heard. Time for debate on the amendment had not expired.

The CHAIRMAN. Without objection, the proceedings by which the amendment was agreed to will be vacated.

There was no objection.

Mr. ROBSION of Kentucky. Mr. Chairman, I rise in opposition to the amendment for the purpose of asking a question.

Will the gentleman inform the House whether this amendment applies to all matches of all types?

Mr. COOPER. This amendment applies to matches included in the bill upon which a 2-cents-per-thousand tax is levied.

Mr. ROBSION of Kentucky. What amount of money does the committee expect this tax will raise?

Mr. COOPER. The gentleman means the amendment or the tax item in the bill?

Mr. ROBSION of Kentucky. The amendment.

Mr. COOPER. My recollection is that the amendment will raise something like $100,000. The main purpose of the amendment, however, is to prevent disruption of the trade and in the interest of fairness and equity to all concerned.

Mr. ROBSION of Kentucky. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, I offer another committee amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. COOPER: Page 63, strike out lines 5 and 6 and insert:

"Sections 3465 and 3466 of the Internal Revenue Code are amended to read as follows:".

Page 64, line 16, strike out the quotation mark.

Page 64, after line 16, insert the following:

"SEC. 3466. Exemption from tax.

"(a) No tax shall be imposed under section 3465 upon any payment received for services or facilities furnished to the United States or to any State or Territory, or political subdivision thereof, or the District of Columbia.

"(b) No tax shall be imposed under section 3465 (a) (1) and (2) upon any payment received from any person for services or facilities utilized in the collection of news for the public press or radio broadcasting, or in the dissemination of news through the public press or by means of radio broadcasting, if the charge for such services or facilities is billed in writing to such person. Section 3465 (a) (3) shall not be construed as imposing a tax on services and facilities described in section 3465 (a) (1) or (2) which are exempt from tax under this subsection.

"(c) The right to exemption under this section shall be evidenced in such manner as the Commissioner with the approval of the Secretary may by regulation prescribe."

Mr. COOPER. Mr. Chairman, this committee amendment subjects newspapers and radio broadcasters to the monthly local telephone bill tax. It does not remove the exemption of existing law from the tax on toll calls or the tax on leased wires and similar facilities. In other words, under the provisions of this bill a tax is imposed on local telephone bills. By inadvertence this provision was not made applicable to local newspapers and radio-broadcasting stations.

This simply means that on the telephone bill for the local service to a newspaper office a tax will be imposed the same as on the telephone bill for your residence or mine or anybody else's.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I would like to know what amount of money this amendment will likely raise?

Mr. COOPER. There is no separate estimate for this amendment for the reason that the whole amount was estimated on the provision of the bill originally. This committee amendment simply takes care of an inadvertence.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. COOPER].

The committee amendment was agreed to.

Mr. COOPER. Mr. Chairman, I offer another committee amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. COOPER: Page 86, strike out paragraphs (1), (2), and (3) of the schedule and insert in lieu thereof the following:

"(1) Not more than 100 square feet, $1.

"(2) More than 100 and not more than 200 square feet, $2.

"(3) More than 200 and not more than 300 square feet, $3.

"(4) More than 300 and not more than 400 square feet, $5.

"(5) More than 400 and not more than 600 square feet, $8.

"(6) More than 600 square feet, $11."

Mr. COOPER. Mr. Chairman, this committee amendment revises the rate schedule of the billboard tax. It provides a $1 rate instead of a $5 rate for billboards of not more than 100 square feet; a $2 rate instead of a $5 rate on billboards of 100 and not more than 200 square feet, a $3 rate instead of a $5 rate on billboards more than 200 and not more than 300 square feet, and a $5 rate instead of an $8 rate on billboards more than 300 and not more than 400 square feet. In other respects it is the same as the schedule reported in the bill.

Mr. TREADWAY. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Massachusetts.

Mr. TREADWAY. I would like to make two inquiries of the gentleman. I understand the changes the committee has agreed on are based on the fact we do not want to tax billboard posters more than they receive for the space they sell. That question was involved, and this amendment corrects that?

Mr. COOPER. Yes; the distinguished gentleman from Massachusetts will recall that it was brought to the attention of the committee that the $5 tax provided in the bill should be graduated downward so as to take care of the smaller-sized billboards in a fairer and more equitable manner. That is what this amendment does.

Mr. TREADWAY. That is my understanding, but I wished it to be clearly understood. The other inquiry I desire to make of the gentleman from Tennessee is this: I believe the question came up in our committee in reference to space donated by the billboard people for Government and patriotic purposes. I understand the drafting service was unable to prepare a suitable amendment for the committee to suggest at this time, but it is understood the question is to come before the other body when the bill is over there, and by that time the drafting service expects to correct that situation?

Mr. COOPER. The gentleman is correct. Considerable interest was expressed by the distinguished gentleman from Massachusetts and other members of the committee with respect to space on billboards donated to the Government, advertising the recruiting campaign for men for service in the Army, Navy, Marine Corps, and other activities of that kind. An effort was made to work out some provision to meet this situation, but it was reported to the committee this morning that the drafting service had not been able to completely work out such a provision. It is understood they will continue their efforts, and if something along that line can be worked out it will be submitted to the committee in the other body.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The other day when this matter was up it was stated by a member of the Ways and Means Committee that an amendment would be offered which would be reasonably satisfactory to the billboard advertisers. Is this amendment reasonably satisfactory to the billboard advertisers?

Mr. COOPER. Well, unfortunately I am not prepared to assure the gentleman on that point. I think it does improve the situation. Certainly it goes much further from the viewpoint of fairness and equity in that it begins with a signboard of 100 square feet, leaving a $1 a year tax on that, and graduates on up according to the size of the billboard, and the tax is increased according to the space of the billboard.

Mr. ROBSION of Kentucky. I understood that.

[Here the gavel fell.]

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. ROBSION]?

There was no objection.

Mr. ROBSION of Kentucky. The telegrams and letters I have received complain about this tax because of its discrimination against the billboard people and in favor of other advertising methods. Does it really discriminate against other advertising methods or not?

Mr. COOPER. That is a matter of opinion.

Mr. ROBSION of Kentucky. What is the gentleman's opinion?

Mr. COOPER. When you levy a tax on one item in a certain field and do not cover other items in the same field, there is some justification for the claim there is a degree of discrimination. In other words, a billboard advertises certain things and space in a newspaper advertises certain things. The bill proposes a tax on the billboard but not on the newspaper.

Mr. ROBSION of Kentucky. Do the newspapers pay a tax, or do other forms of advertising?

Mr. COOPER. They do not pay a specific tax of this type.

Mr. ROBSION of Kentucky. I know they do not pay a specific tax, but do they pay a tax that is comparable to this other tax?

Mr. COOPER. No; not exactly like it.

[Here the gavel fell.]

Mr. MARTIN J. KENNEDY. Mr. Chairman, I rise in opposition to the committee amendment because I am opposed, not to the reduction in the rate proposed on billboards, but to the principle of placing any form of tax on advertising.

The bill contains the following language:

PART XI—OUTDOOR ADVERTISING

SEC. 3269. Tax on outdoor advertising.

(a) TAX: Every person who engages in business as a lessor of billboards for outdoor advertising shall pay with respect to each billboard maintained or controlled by him for use in such business a special tax at the following rates:

* * * * * *

(c) Definitions: As used in this section—

(1) The term "billboard" means any outdoor structure or device primarily designed for the display of advertising matter, and

includes so-called sign space on the exterior of a building the use of which is controlled by a person engaged in business as lessor of billboards for outdoor advertising.

(2) The term "lessor" means any person who maintains or controls the use of billboards and, for compensation, displays advertising matter thereon for another person or permits the display of advertising matter thereon by another person.

By the very language of the bill the Ways and Means Committee has excluded more outdoor boards than they have included for taxation. The only boards that will be subject to tax are those boards which are owned or controlled by one "who engaged in business as a lessor of billboards." There are five times as many outside this classification as there are within the classification.

If we are going to adopt the policy of taxing outdoor advertising to raise revenue then let us apply the formula so as, to include all forms of outdoor advertising, and not limit the tax to boards of the advertising companies.

As you know, this section of the tax bill was added by the Ways and Means Committee at the last minute, and no hearings were had on the merits of this section. I am sure that a public hearing would disclose the fallacy of this form of taxation, and undoubtedly the whole section would have been stricken from the bill.

Industrial and business success in the United States is based on mass production. That is the American method. Mass production of standard merchandise to be sold at a fair price. Advertising; all forms of advertising—are a factor in the distribution of these goods. That is advertising's function—to economically distribute and dispose of the Nation's products by creating a mass desire on the part of the buying public to acquire standardized products at a fair price. Mass production; mass distribution based on the stimulus derived from advertising to keep turning over the merchants' products and to keep our factories running—that is the American way.

It obviously follows that it is unwise and unsound to tax the factor that stimulates industrial activity. The sound procedure is to tax the results of business, rather than the means of doing business.

Therefore it is unsound in principle to tax advertising, because by doing so, you retard and cripple industrial activity on a Nation-wide scale. All economists admit the truth of the above principle. That feature of the revenue bill is unwise in principle and should be modified and changed.

Moreover, the bill as drawn is palpably unfair and discriminatory, as it applies to various classes of advertising, which violates the fundamental rule of an excise tax—that it should be uniform and apply equally to all classes affected. The proposal, as drawn, taxes billboards and radio—but does not tax newspaper or magazine advertising at all. These two media constitute a much larger field of advertising, and if the wise economic theory is to be violated—of course, all media should be taxed equally, because otherwise the effect of the law, by its discriminatory features, will be to create an unfair differential of the advertiser's dollar in favor of newspaper and magazine advertising, with the obvious ultimate results of defeating the very purpose of the bill because it will drive the advertisers to use almost exclusively the untaxed media. This result is inevitable in a field of business activity which is so highly competitive. The section should be amended by taxing all media equally—or the section should be eliminated in its entirety.

All billboards should be taxed—or none. The proposal, as drawn, does not include more than about 10 percent of the billboards in the United States. In principle, all should be taxed or none—otherwise the application of the law is unfair and creates an injustice. This should be remedied by amending the bill to tax every sign and billboard in the United States, or by eliminating the section entirely.

Mr. SHANLEY. Will the gentleman yield?

Mr. MARTIN J. KENNEDY. I yield to the gentleman from Connecticut.

Mr. SHANLEY. I thank the gentleman for yielding and giving me the opportunity of asking him a question. I know that he has made a thorough study of the entire subject of advertising and I know that he must feel the tremendous burden this places on the industry as a whole. Is it not a fact also, that this burden falls just as hard on those advertising companies who have displays on properties of common carriers, concerning the incidents of which tax there is a sharp constitutional doubt?

Mr. MARTIN J. KENNEDY. The gentleman is absolutely right, and I agree with his views.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Tennessee [Mr. COOPER].

The committee amendment was agreed to.

Mr. COOPER. Mr. Chairman, this completes the committee amendments.

Mr. BUCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BUCK: On page 13, beginning in line 5, strike out all of section 111

Mr. BUCK. Mr. Chairman, since I went into this subject rather fully the other day, I do not feel it necessary to develop the entire line of thought that was then presented to the committee. I can only state that the amendment is offered because 10 members of the committee voted against the proposal, and 5, all who were present the day the report was filed, signed the dissenting report. Those of us who did so feel that it is inequitable and unfair and creates a new discrimination.

Husband and wife may be one in theory, but the manner in which they have obtained the property they own may be entirely different. Each may have had separate estates before marriage, and they are entitled to the income from those separate estates and to have it reported separately instead of having it added together to make a fictitious sum which is neither the income of the husband nor the income of the wife.

Section 111 received no discussion whatever in the public hearings of the committee. The printed record of the hearings discloses that the committee listened to the protests of 110 representatives of the tobacco industry, 73 representatives of the gasoline industry, 8 from the musical-instruments industry, 8 from the carbonated beverages industry, and 9 representatives of candy manufacturers, as well as 7 representatives of the liquor distillers and 10 of the beer brewers, yet not one woman or one woman's organization was extended the courtesy or the opportunity of voicing their opinion on this proposition or speaking in defense of their rights as individuals or in defense of the American home.

It has been suggested that only 175,000 families will be affected by this tax. These figures are based on the 1938 income-tax returns. They do not take into consideration the increase in the surtax rates which is made in this bill. They do not take into consideration any of the other factors. It is safe to say that instead of 175,000 families being affected by the proposal to file mandatory joint returns, there will be several million families affected, and affected adversely. In certain States the enactment of such a law as this will necessarily result in property readjustments. In all States it will affect a certain percentage of those who are now the chief producers of revenue for the United States Government.

It is to me an iniquitous proposal chiefly for the reason that it affects adversely the rights of women for which they have struggled for years and years in order to become legally separate entities. Once upon a time, at least in the common-law States, when a woman married all her personal possessions became those of her husband. She was his chattel. Many States, such as Michigan, found it necessary to enact what are known as married women's laws in order to overcome that principle of law which then existed. If we adopt this section, we are now taking a retroactive step creating discrimination and inequity.

[Here the gavel fell.]

The CHAIRMAN. Under the agreement of the House entered into on Friday debate on this amendment is limited to 2 hours, 1 hour to be controlled by the gentleman from North Carolina [Mr. DOUGHTON] and 1 hour to be controlled by the gentleman from Massachusetts [Mr. TREADWAY].

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. WEST].

Mr. WEST. Mr. Chairman, it is generally conceded the Ways and Means Committee is the most important committee in the House. It has been my honor and pleasure to serve on this great committee for more than 2 years. During this period of service I have found each and every member to be entirely sincere and honest in his efforts to perform his full duty without regard to political effect and largely with no thought of party politics. I have also discovered the membership is human, not divine; hence they at times commit errors and make mistakes. It is almost impossible to see the other fellow's problem as you

see your own; to see and understand a stranger's troubles as those of a constituent and friend.

The membership of the Ways and Means Committee being but humans have committed some grievous errors and mistakes in reporting and recommending this tax bill in its present form. There are several items in the bill imposing taxes on various articles and persons on which no hearings were held. We set out to raise a certain amount of money, and when, after the hearings were completed, it was discovered the items discussed would not produce the estimated needed revenue, the committee without hearings, in its wisdom and understanding reached up into thin air, pulled down and placed in the bill items of taxation which will produce approximately $350,000,000. I refer specifically to the proposed tax on billboard advertising, gross sales of net time by radio broadcasters, and the mandatory joint-tax returns.

Personally, it appears to me that orderly procedure in the House should require a point of order to lie against any item in a tax bill when it is brought to the attention of the House membership that such item is reported without hearings having been held thereon.

Let me illustrate: The bill as reported imposed a tax of $5 on each and every billboard advertising, gross sales of net tain circumstances. No hearings were held and few if any members of the committee knew anything of the billboard advertising business. People in the business were given no opportunity to explain how such a tax would wreck and ruin this industry. After the bill was reported and the industry for the first time learned of the committee's action it pointed out to some of the committee membership how utterly unfair the action had been. A tax of $5 per year was to be imposed on billboards that were under lease contract for $4.80 per year gross. I am glad to state that when this was called to the attention of the committee a meeting was held and it was agreed to rewrite the proposed billboard tax, in conformity with the rule adopted for the consideration of the bill, so the proposed tax will not be confiscatory, and this industry driven out of business.

The radio broadcasters did not receive such reasonable consideration. The committee proposes and recommends what in effect is a gross sales tax on this industry. If the proposal becomes a law, a broadcaster may operate at a heavy loss and yet be compelled to pay an enormous tax. Not only that, while we seek to collect this unfair and discriminatory tax from broadcasters, some of their competitors are not taxed, and are in fact subsidized by the Government in the amount of nearly $80,000,000 per year.

So far as I have been able to ascertain few members of the committee really have any conception of the amount of damage that may be done by the imposition of the proposed mandatory joint returns. It may be well to, by a loosely drawn clause in a tax bill, wipe out many of the rights that have been given to women at the end of centuries of struggle, but to this I cannot agree. They are entitled to their day in court; they are humans and certainly entitled to consideration. There is much misconception as to community property laws, and its effect. An explanation might not be out of order.

Under the Texas Constitution and laws controlling the relationship of husband and wife and their respective rights of property, the wife owns a full one-half of all community property and income. Her ownership vests immediately upon the acquisition of the property by the marital partnership, continues throughout the marital relationship, is not subject to forfeiture or divesture; upon dissolution of the marriage relation by divorce is segregated and allotted to her; and at her death passes to her heirs, devisees, and legatees in the same manner as her other property. Her ownership is not a mere expectancy but full and unconditional present title.

Such statutory control over, and power of disposition of, community property and income as is conferred upon the husband and wife respectively by the constitution and laws of Texas are mere statutory delegations of agency powers over the assets of the marital partnership. Such control is a matter which is quite distinct from an owner's ordinary and incidental right to control and dispose of his own property. Under the laws of Texas, an owner of an interest in community property may have certain statutory and revocable powers of control and disposal and also, at the same time, such irrevocable powers of control and disposal as every owner of property incidentally enjoys in common-law States.

Creditors of the wife have a right to resort to community property to enforce payment of certain debts of the wife.

The husband's obligation to support the wife is based chiefly but not entirely upon their common property and common earnings and if he fails to furnish such support as the common property and common earnings enable him to furnish, the wife may bind him and the common property for her support.

Debts contracted by the wife for her support are enforcible against the entire community property and not merely against her share of the common property. The common property is a common fund for the common support of both husband and wife. Such support is one of the aims of the common partnership.

In a great variety of cases the wife may sue or be sued respecting the community property during the existence of the community, and in all such cases, either alone or joined by her husband, is a proper party to a suit involving community property.

Upon the dissolution of the community the wife's portion of community property is inheritable by her heirs or devisable by her.

Certain items of community property are expressly declared by statute to be immune from seizure for the husband's debts and torts. None of the community property is subject to debts of the husband, contracted in fraud of the wife.

The husband, while acting in good faith as the managing partner, may expend those portions of the community property which are under his power of control and disposal. He may not expend them in fraud of her rights, nor in violation of his marital obligations to her. In proper case the wife may sue him or any stranger to restrain wrongful action by him or to establish and recover her interest in such property.

The wife has the right to subject all community property to her debts for necessaries and the right to subject those portions of community property over which she has power of control and disposal to all her debts. The husband's obligation to support her rests not only upon his social duty but also upon her assumed contributions to the marital partnership. She has the legal right to be supported out of the community and to support herself out of it if necessary.

The wife may sue or be sued with respect, not only to those portions of the community property which are put under her exclusive control but also with respect to any other portion of the community property, and in case of the husband's abandonment of her, his imprisonment, insanity, or other delinquency or incapacity, she becomes the managing partner of the marital enterprise.

On dissolution of the marriage relationship by the death of the wife, her interest—one-half—in community property descends to her heirs or passes by her will but subject to community debts and expenses of administration. If the marriage be dissolved by divorce she takes her net half of the community property directly. In connection with divorce proceedings, she can protect her interests by suit and injunction. By law the husband is forbidden to defraud her. The community property at her death or divorce is subject to her debts and to administration.

Whether the wife or the husband survives, the wife owns at all times her full net one-half of the community estate. If she survives him she may liquidate the assets of the community partnership as any other surviving partner. She may qualify as survivor and administer as such unless and until she remarries. She may apply for letters of administration in the usual way. In any event, she must account to the heirs, devisees, legatees, and legal representatives of the husband for his net one-half of the community estate.

The wife is the absolute owner of a full net one-half of community property and must be allotted that interest, in case of divorce, whether the divorce be granted at her instance or at the instance of the husband, and whether or not she has been guilty of adultery, cruel treatment, or other misconduct, subject only to the general equitable powers of the court.

The entire community property is liable for the wife's debts arising before marriage, for her debts after marriage for necessaries for herself and children, for her taxes, whether income or ad valorem, and that portion of the community property which is then under her control, and her separate property is subject to all her valid debts. Because a net one-half of the community income is hers, she alone is liable for the tax on

it, and she alone can be compelled to pay the tax on it. The husband cannot lawfully be taxed on her income, but the entire community property can be seized for the tax of either husband or wife.

It has always been my understanding that the sole and only purpose of a tax bill is to raise revenue. When we lose that objective and wander off into the field of punitive, class, and discriminatory taxes, invade State rights, void State constitutions, repeal State laws, and impose unconstitutional taxes we have headed our Government for wreck and ruin. All these things we are seeking to do in this bill. For these reasons it is my opinion the motion seeking to strike out section 111 of the bill should be adopted.

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. KNUTSON.]

Mr. KNUTSON. Mr. Chairman, I can well understand the position taken by those Representatives who come from the community-property States, but I cannot for the life of me reconcile the position taken by those who come from non-community-property States, because in voting to strike out this amendment they, in effect, vote to maintain a gross inequality in our present tax system. In other words, the Representatives from non-community-property States who vote to strike out section 111 will vote to continue the present order under which their constituents have to pay a heavier tax than do those people who come from community-property States and make joint returns. I wish the Republicans here could go into an executive session so I could talk frankly to them. That, however, cannot be, so I shall have to do the best I can, with all of these new dealers listening in. You know we have had a lot to say in the last few years about rubber-stamp Congressmen. We have accused the other side, times without number, of being nothing but rubber stamps. I call attention to Secretary Morgenthau's letter to the President, dated July 31. In paragraph 1, referring to mandatory joint returns, the paragraph ends up with this language:

> Therefore, in this important respect the pending bill is inconsistent with the Treasury's suggestions.

That is one. Then, read paragraph 2, under the head of excess-profits taxes, and we find this language at the end of it:

> Therefore in another important respect, the pending bill is inconsistent with the Treasury's announced purpose.

Then we have the President's letter to the committee, a most unusual thing. I cannot recall in all of the years that I have been a Member of this House. and that is for a quarter of a century, where a President of the United States has assumed to advise Congress on pending legislation; and this body, regardless of what side of the aisle you occupy, may be proud that the committee very properly rebuked that attempt on the part of the Chief Executive to intrude himself on our prerogatives.

Mr. Chairman, this mandatory joint return is going to bring $325,000,000 alone to the Treasury. If section 111 is eliminated, we will have to turn elsewhere for that $325,000,000, and I do not think I am violating any confidence when I tell this Committee that the Ways and Means Committee held an informal meeting this morning to consider the whole matter, including several other things, and the majority announced if this bill be recommitted to the Committee on Ways and Means, that it will vote to adopt the Treasury Department's recommendation in respect to surtaxes on personal incomes. Let us see what you are going to get if you vote out the compulsory joint return. I will give you the case of a married man with no dependents. On an income of $2,500 the committee proposal would levy a tax of $38.50, while the Treasury proposal, which we will have to adopt if you folks run loco this afternoon, is $71.50. On a $5,000 income the committee proposes to levy $308, while the Treasury request is $506, or nearly twice as much. On a $10,000 income—and countrymen, lend me your ears—the committee proposes to levy a tax of $1,166, but the Treasury would impose a tax of $1,628. On a $25,000 income the difference is only about $300, and it gets closer and closer as you go higher. So, if you knock this section 111 out, you are going to soak the little fellow who has an income of a few thousand dollars, and you are going to hear from the folks back home in the next campaign. I would not ask for anything better, if I wanted to go to Congress, than to have my Congressman vote to remove this section and permit the inequality that now exists to continue. I would not ask anything better than that kind of an issue, and I would make a monkey out of him long before the votes were counted. It is all right if the Democrats want to vote to maintain this inequality. That is all right with me, because it is not the first time that they have voted for an inequality, but the Republican Party has always stood for a square deal, and I call upon you Republicans today to live up to the traditions of the great party to which you belong.

I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back 2 minutes.

Mr. DOUGHTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, I regret very much that I find myself in disagreement with the able chairman of the Committee on Ways and Means. I realize the difficulty the committee has had and how impossible it is to write a tax bill that is acceptable to all of us. However, I am opposed to that part of the the bill requiring joint returns by husband and wife, may I say not because of the many ridiculous references I have heard regarding divorce in connection therewith, for it is my opinion that most marriages are built upon a much firmer foundation than tax returns; but rather because I do consider it a discrimination that should not exist. Whether a woman is married or unmarried should not be the basis upon which her tax bill is computed. The principle, as I see it, is all wrong. Most women are willing to pay a just tax on their income, but they are not willing to be penalized because they happen to be married.

Another reason I am opposed to it is that at this time many women will be called upon to assume added responsibilities caused by the defense program, and they will be obliged to work in order to make up the deficit caused by their husbands being called to the service. Surely they should not be made the victims of a joint income-tax return because of their patriotism in accepting the burden of protecting their family.

When you consider the great difference this provision would make to husband and wife whose joint income is absolutely necessary for the proper maintenance of the family no fair-minded person can justify it. It would be just as logical to penalize brother and sister living together whose joint income provides the family maintenance.

Mr. Chairman, I sincerely hope that we will adopt this amendment and not penalize my sex because we happen to want to be married.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Chairman, it has been intimated by some of the proponents of section 111—the mandatory joint income-tax provision in the bill now under consideration—that the opposition of California, through its representatives in Congress, to this provision is based on a monetary consideration.

Mr. Chairman, there is by far a higher principle involved in this section than the creation of an additional $323,000,000 in revenue. In my judgment, section 111 deals a severe blow at women's rights, by creating an inequality which prohibits a married woman living with her husband from filing a separate income-tax return.

California has been a community-property State since it was admitted into the Union on September 9, 1850. California granted full suffrage to women in 1911—at which time I was a Member of the State senate—and was one of the first of the 15 States that had granted women suffrage before the Federal amendment was adopted in 1919. California was one of the very first States to pass a widows and orphan's pension, and California was one of the first, if not the first to pass a women's minimum-wage law.

Mr. Chairman, California is proud of her long history granting to her women their rightful place in the social, economic, and political structure of that great State. Denying women the right to make separate return in their income tax is discriminatory, and a backward step, and takes from them advantages they have fought for down through the years, and justly won.

My friends, may I say in a spirit of good will, do not turn the clock back by writing section 111 into this bill.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BOEHNE].

Mr. BOEHNE. Mr. Chairman, this morning there appeared on the desk of every Member of Congress a 6-page

brochure giving 20 reasons for opposing mandatory joint income-tax returns by a committee of six Representatives, self-appointed or otherwise.

This committee indicates that public indignation is high against this proposal. I would substitute the word "private" indignation for "public" indignation. It is true that the pressure on members of the Ways and Means Committee to eliminate this proposal has been terrific, but it has been directed by that handful of people who, for many years, have had an advantage which millions of other people have not had, an advantage that means dollars and cents to their already swollen pockets. Every one of us knows that when an advantage is taken away the squeal becomes more shrill, and it is liable to drown out the groans of those who have not been as fortunate in material goods. Those squeals then become sirens of indignation here in Congress.

The committee also states that the increase in taxes imposed by this joint return will have the same effect upon family budgets as heavy wage and salary cuts, but the committee fails to indicate that these wage and salary cuts have been in existence for these many years, where the husband was the sole breadwinner of the family.

On page 2 of the circular letter this question is asked:

> Is a tax, which is unfair and unjust, less so merely because it is limited to the families whose incomes are over $333 per month?

The answer is, of course, "No," but the question of ability to pay is the decisive factor in the consideration of this proposal. At the same time we are confronted by that bugaboo that these families are bound to be included in subsequent tax legislation. That is the rankest type of subterfuge, because those who signed that statement know full well that one Congress cannot legislate for another Congress and that if each Member of Congress will do his duty he will view situations as they are and not how they might be.

Then we are given the shop-worn argument that this proposal constitutes a penalty upon marriage and a premium upon divorce. This, of course, is the argument of those clerics who not having found, or having found, being afraid, to place their protestations upon economic grounds, reach into the sphere of religion and church in order to convince those whose job it is to legislate on a tax bill. I merely repeat what I said the other day that if a husband and wife seek sanctuary in the divorce courts of our country because of the imposition of any tax, or if couples who would be contemplating marriage might decide that the financial cost is too great, and this might lead to a state of association which would not be wholesome, then I insist, marriage vows mean nothing to them. This argument is sheer nonsense. We are likewise told, and now I am quoting from the brochure:

> In the United States divorce apparently is not looked upon with the same disfavor as in England and some other countries.

What a pitiful indictment against the morality of the American people. What a field this presents for all churches in general to work in. What a shame and disgrace it is upon the institution of the family, which many churches have been telling us are the very cornerstones of society.

It seems that much has been said about the rights of women being endangered by this proposal. To me that is not an argument, but it might be classed as political pap. This proposal does not invade the rights of a married woman; it treats her exactly in the same manner as her husband for Federal tax purposes. It merely regards the family as the taxable unit instead of the individuals who make it up. It does not, as the brochure states, abrogate the right of women to complete and separate control of the income from their property. It will, however, make that income subject to taxation in the proper way, namely, through the family budget.

Finally, we are confronted with the argument that the Supreme Court would very likely hold this proposal to be unconstitutional. I have never subscribed to the theory that we should forget the Constitution when laws are being written. After all, when that document is misinterpreted, and the laws under it misdirected, there is no reason on earth for us to continue our republican form of government. It is interesting to know, however, that a very distinguished Member of Congress, who is a constitutional lawyer in his own right, said privately the other day that after having read the argument on the constitutionality of this proposal in the committee report, he was convinced beyond a shadow of a doubt that this proposal came completely within the Constitution of the United States.

The last thing that I want to remind you is that this proposal seeks to place everyone on an equality, so that every man and woman be required to pay their proper share of the income taxes of this country, that the 94.23 percent of the American people may be placed on the same plane, which the 5.77 percent of the American people have been enjoying. The problem is now placed in your hands. If this proposal should be defeated, it will simply mean that we will have to add three hundred millions of dollars on the 94 percent of the American people who are groaning under the burden that they are now carrying. As long as this inequity exists I do not want to be a party to raising income taxes to even higher levels on those least able to pay.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

UNCLE SAM DRAFTS $13,000,000,000 TAX FOR HEMISPHERE DEFENSE

Mr. ANGELL. Mr. Chairman, by this tax bill Uncle Sam is drafting $13,000,000,000 for hemisphere defense, the greatest number of tax dollars ever demanded of the American people in our history. We cannot provide for all-out national defense without taxing the people to pay for it. The Federal Government has only two sources of income, taxes and borrowing, and money borrowed must eventually be paid from tax dollars, unless we resort to inflation or repudiation. With a tax debt of one hundred billions staring us in the face, every loyal American citizen owes it to his country to do everything within his power to avoid the catastrophe which will overtake America if inflation or repudiation is resorted to.

GAG RULE UN-AMERICAN

Mr. Chairman, I voted against the rule which made this tax bill, H. R. 5417, in order. It is a gag rule. I did this for two reasons: First, as a matter of principle, I am opposed to gag rules; secondly, I am opposed to the rule because it will deny me and every other Representative from calling up the inequitable provisions in the bill, of which there are many, discussing their merits and demerits and having the right to vote for their elimination, and giving the majority the right to rule. By its terms it prohibits the representatives of the people—Members of Congress—from taking any part in the determination of what taxes shall be included in this bill. Under it we are mere rubber stamps. We are restricted to the sole power of voting the bill up or down. This is un-American and should not be tolerated. Under this bill the members of the Ways and Means Committee are the only Representatives in the House who are accorded the right to determine what taxes shall be levied by the bill. It is not only government by a minority but by a select group of 25 members. This, too, is un-American and not in accordance with sound principles of a representative form of government, such as we are supposed to have. I have great respect and admiration for the members of the Ways and Means Committee. But I have a responsibility to the people of my district.

Mr. Chairman, I have received hundreds of letters and telegrams from constituents in my district opposing various provisions of this tax bill, but under this procedure I am powerless as their Representative in the Congress to have a voice in determining whether these features shall remain in the bill or be stricken out. I am even denied the right to make a motion to eliminate an objectionable tax. I must take the bill or leave it as it is dished up to me by the 25 gentlemen constituting the Ways and Means Committee.

TAX ON MARRIAGE—MANDATORY JOINT RETURN BY HUSBAND AND WIFE UNSOUND

By reason of the great pressure exerted upon the committee, it did yield on one point to avoid defeat of the rule and changed the rule to permit a separate vote on the obnoxious feature of requiring a joint return for a married couple living together. I am opposed to this provision of the bill and urge my colleagues to vote to eliminate it from the bill. The unfairness of this star chamber gag-rule procedure is shown by the attempt to penalize marriage by requiring joint returns. No women or women's organizations were heard by the committee on this proposal, yet 110 representatives of the tobacco industry

were heard on the tobacco tax. Heretofore American lawmakers have looked with tender solicitude upon the American family and the marriage compact. We have framed our laws to protect the family and encourage marriage and minimize divorces and keep the family circle intact. Down through our history women and women's organizations have struggled to free women from the ancient concepts which placed women in subjection to men in social, economic, and political life. America has freed women. American women have been given the right to vote, hold public office, own their separate property, retain their citizenship even though married to aliens, and to have equality of employment. By this law we propose to take the first backward step and penalize the woman who marries. We are now seeking by this law to discourage marriage, to offer inducements to husbands and wives to live apart. Is it sound public policy to frame our laws on such a basis? Rather should we not soften the tax burden on those who marry and maintain homes and rear their children with father and mother under one roof? While it is true we do not condone divorces for financial reasons, neither do we condone theft, but we do not pass laws to encourage either. Is it sound public policy to tax married couples less if they live apart and break up the home? This provision visiting upon a man and woman because they have entered into the marriage relation and are living together, a tax much larger than that imposed upon married couples living apart or other units of our population living together under similar conditions, is unsound. It is not only a deterrent against the consummation of the marriage contract but will result in disturbing the status of marriage as an American institution. We know in a good many of the countries of the Old World the marriage relation is being relegated to the past. In America the family is the foundation stone of our social structure, and anything that tends to weaken it should be discarded.

Leaving aside, however, the moral and social issue, it is an unjust discrimination on taxpayers who are married and living together. There is no sound reason, in my judgment, why the tax burden should be increased on two people who happen to be married and living under the same roof, while others, such as a father and children, who live together with the same responsibilities but unmarried, may escape the added burden.

My information is that, while about 80 percent of the families of the United States earned less than $2,000 a year in 1935, about 15,000,000 families earned from $1,250 to $5,000 a year. By forcing even the small incidental earnings of women into a joint return, the incomes of millions of American families in the low-income brackets will exceed the $2,000 exemption allowed for husband and wife and $400 for each dependent, and will subject them to an income tax, although their combined incomes are barely sufficient to maintain the family. They already are heavily taxed by indirect and hidden taxes on the necessities of life, which consume their entire pay check. Even this added burden might be justified as a matter of national defense if all citizens similarly situated were equally taxed, but this tax will only fall on those who are married and living together, and not on the others in the same circumstances and with the same income.

Mr. Chairman, my concern is not for income taxpayers who fall within the larger brackets and who will pay a larger tax by reason of this provision, they are well able to protect themselves, but I am concerned with the imposition of a larger tax on the large group of American citizens whose net incomes are small and who are married and living together, and particularly the women, and not taxing others similiarly situated except for the marriage status. It is entirely in keeping with equity to tax this group if all others similarly situated are taxed, but it is unfair to tax this group merely because they are married and to leave untaxed large groups of our citizens who are similarly situated and have like incomes but are unmarried, or, if married, are not living with their spouses. This proposed law penalizes our citizens for entering into the marriage relation, or penalizes a married couple for living together. Furthermore, it places an unjust discrimination upon women who marry and live with their husbands. There is no sound reason why the rights of women built up through the years should now be overthrown and a penalty placed upon the right of married women to own their own property by imposing a tax, if they marry, in excess of that paid by others who refrain from marrying. Any law which erects a barrier in the way of marriages is against public policy. It also places a premium on divorces and marital separations. The enactment of this law seeks to place an annual tax of $329,000,000 a year upon the institution of marriage. Two hundred and seventy-five million would come from non-community-property States. Why penalize the people of these States in an attempt to reach taxpayers in community-property States? Equitable tax laws can be enacted to reach taxpayers in community-property States to correct any inequalities now existing.

Mr. Chairman, I am not opposed to the provision making mandatory the filing of a joint return by a married couple living together by reason of any special condition existing in my own State of Oregon. In 1938 the total number of individual income-tax returns filed in Oregon was 53,584, of which 1,609 only received a possible tax advantage by filing separate returns. This leaves 51,975 who received no such advantage. There were only 3 percent receiving advantage against 97 percent receiving none. Furthermore, my State is not a community-property State. My opposition is based on the more fundamental ground that the law is not only inequitable, unjust, and discriminatory upon a portion of our taxpayers, but it is against sound public policy and is unsound from a social and moral standpoint, depriving women particularly, through discrimination, of rights to which they are entitled. There is no sound reason why women who are married and living with their husbands should pay larger taxes than married women living apart from their husbands, or unmarried women who receive the same income.

There is serious doubt, at least, as to the constitutionality of the joint-return mandate. Time will not permit its discussion here. I do call attention to *Hoeper* v. *Tax Commission* (284 U. S. 206), where the Supreme Court said:

> Since then, in law and in fact, the wife's income is in the fullest degree her separate property and in no sense that of her husband, the question presented is whether the State has power by an income-tax law to measure his tax, not by his own income but, in part, by that of another. To the problem thus stated, what was said in *Knowlton* v. *Moore* (178 U. S. 41, 77) is apposite:
>
> "It may be doubted by some, aside from express constitutional restrictions, whether the taxation by Congress of the property of one person, accompanied with an arbitrary provision that the rate of tax shall be fixed with reference to the sum of the property of another, thus bringing about the profound inequality which we have noticed, would not transcend the limitations arising from those fundamental conceptions of free government which underlie all constitutional systems."
>
> We have no doubt that, because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income.

AMERICAN PRODUCTION OF STRATEGIC MINERALS HIT

Mr. Chairman, I understand that this bill eliminates the excess-profits tax exemption formerly accorded to producers of tungsten, quicksilver, manganese, platinum, antimony, chromite, and tin in the United States. These are strategic minerals which are necessary for the prosecution of our national defense. The supply is very limited and we have heretofore, by legislation, encouraged the producers of these strategic minerals to increase our production in the United States. By the elimination of this provision of our tax law, it will remove one of the most important incentives that our miners have for producing these strategic minerals in this national emergency. The production of these minerals in the United States is much more expensive than that in foreign countries where coolie and other cheap labor can be obtained and our local producers cannot successfully meet such competition. We should build up our own supplies of these essential raw materials so that in times of emergency, such as that facing us, we shall not be compelled to rely on foreign sources. We must have manganese in the manufacture of steel; we are equally dependent upon quicksilver and chromite. Quicksilver is an important ingredient in much of our defense equipment. In my own State of Oregon, the elimination of the excess-profits tax exemption for strategic-mineral producers will hinder the production of many thousands of dollars' worth of quicksilver alone. One producer recently said:

> If exemptions from excess-profits tax are eliminated, we will be compelled to change our policy in mining. We will not be interested in opening up any new properties or

in developing any new discoveries, or in doing additional outside exploration. The profits the Government might derive by cutting out the taxes is a mere bagatelle in comparison with the injury to the industry they are offending. It will have a depressing effect on the production of quicksilver.

Mr. Chairman, I trust that this provision of the tax bill will be stricken so it will permit the producers of these strategic materials to continue under the provisions of the law as it presently exists.

IS UNCLE SAM FACING BANKRUPTCY?

Mr. Chairman, the consideration of this tax bill must necessarily call up in review our whole fiscal policy. Those of us who have had to do with the problem of national defense and also the equally important problem of solving unemployment and putting our ship of state on an even keel are greatly concerned over the swelling national debt and our present necessity of greatly increasing it to provide for all-out national defense. We now see looming up ahead a national debt of $100,000,000,000, which will require in round numbers $3,000,000,000 a year in interest alone, without any provision for amortization. This interest charge is in excess of the total cost of government a few years back. It is now estimated that the expenditures for this coming fiscal year will be $22,000,000,000. Revenue from the present law is estimated to amount to nine billion four hundred million for the fiscal year 1942. The pending bill, if enacted as it now stands, will, according to estimates, raise an additional amount of $3,529,200,000 for a full year of operations, which, together with the revenues under the existing law, will aggregate substantially $13,000,000,000. This is equivalent to about 60 percent of the cost of government estimated for the year 1942, covering both normal and national-defense expenditures. We have already appropriated for emergency defense $43,000,000,000, and some additional seven billions are under contemplation. During the 10 years ending in 1932 the total United States Government expenses averaged less than four billions annually. Our concern is not so much over the cost of our national defense as it is over the fact that our ordinary expenses of government are now twice what they were a few years ago and are continuing to increase. We have been running wild down hill, without brakes, in the wildest orgy of public spending ever experienced in this country or any other country on earth. As one instance only, the Government departments used for franking in 1928, $6,000,000, and in 1940, $39,000,000, an increase of 650 percent. Similar extravagances are taking place in hundreds of bureaus and agencies. In the last 8 years we have spent as much as it cost to run the Government during the first 131 years of our history, which covers the time from the administration of George Washington through the administration of Woodrow Wilson, and including the World War. It is of interest to note the receipts and expenditures and the deficit for each of these years, as shown by the following table:

Fiscal record, 1934–41, inclusive[1]

	Expenditures	Receipts	Deficits	Public debt
Fiscal year—				
1934	$6,011,000,000	$3,116,000,000	$2,895,000,000	27,053,000,000
1935	7,010,000,000	3,800,000,000	3,210,000,000	28,701,000,000
1936	8,666,000,000	4,116,000,000	4,550,000,000	33,778,000,000
1937	8,177,000,000	5,023,000,000	3,148,000,000	36,425,000,000
1938	7,239,000,000	5,856,000,000	1,384,000,000	37,165,000,000
1939	8,707,000,000	5,165,000,000	3,542,000,000	40,440,000,000
1940	8,998,000,000	5,387,000,000	3,611,000,000	42,968,000,000
1941	12,710,000,000	7,607,000,000	5,103,000,000	48,961,000,000
Total	67,518,000,000	40,075,000,000	27,443,000,000	

[1] Figures from 1934 through 1940 taken from the 1942 Budget. Figures for 1941 taken from Treasury press release of July 2, 1941.

It should be noted that of the sixty-seven and one-half billions expended during these years, only five billions represent extraordinary outlays for national defense, since the emergency program was begun last year. We have upped the debt limitation to sixty-five billions and it is certain that next year this limitation will have to be increased, probably to one-hundred billions before the defense program is completed, irrespective as to whether or not we join in the war as a belligerent.

All loyal American agree that we must proceed with full speed ahead, regardless of cost, with full defense for our own country. We know that it will of necessity increase the national debt. The purpose of this tax bill we are now considering is to secure as many tax dollars as possible as we proceed with the program to help in financing this immense task with which we are confronted.

Mr. Chairman, while we must appropriate and spend and tax and go in debt, to provide for national defense, we should not overlook the fact that the salvation of this country will depend upon our Government being able eventually to plug the holes in our Treasury so that the immense amount of funds now being wasted and recklessly spent can be stopped. The mere fact that the ordinary expenses of government are now twice what they were prior to this orgy of spending should convince us that we must curtail on useless governmental expenditures and eliminate overlapping bureaus and myriads of high-salaried employees. I still believe the philosophy of government announced by President Franklin D. Roosevelt March 10, 1933, in his message to the Congress, is sound advice, notwithstanding the administration proceeded to discard the program almost immediately upon its announcement. In this message the President said:

A like necessity exists with respect to the finances of the Government itself which requires equally courageous, frank, and prompt action.

For 3 long years the Federal Government has been on the road toward bankruptcy.

For the fiscal year 1931 the deficit was $462,000,000.

For the fiscal year 1932 it was $2,472,000,000.

For the fiscal year 1933 it will probably exceed $1,200,000,000.

For the fiscal year 1934, based on the appropriation bills passed by the last Congress and the estimated revenues, the deficit will probably exceed $1,000,000,000 unless immediate action is taken.

Thus we shall have piled up an accumulated deficit of $5,000,000,000.

With the utmost seriousness I point out to the Congress the profound effect of this fact upon our national economy. It has contributed to the recent collapse of our banking structure. It has accentuated the stagnation of the economic life of our people. It has added to the ranks of the unemployed. Our Government's house is not in order and, for many reasons, no effective action has been taken to restore it to order.

Upon the unimpaired credit of the United States Government rests the safety of deposits, the security of insurance policies, the activity of industrial enterprises, the value of our agricultural products, and the availability of employment. The credit of the United States Government definitely affects these fundamental human values. It, therefore, becomes our first concern to make secure the foundation. National recovery depends upon it.

Too often in recent history liberal governments have been wrecked on rocks of loose fiscal policy. We must avoid this danger.

The President was right when on October 19, 1932, he said:

The credit of the family depends chiefly upon whether that family is living within its income. And that is equally true of the Nation. If the Nation is living within its income, its credit is good.

If government lives beyond its income for a year or two, it can usually borrow temporarily at reasonable rates. But if, like a spendthrift, it throws discretion to the winds and is willing to make no sacrifice at all in spending; if it extends its taxing to the limit of the people's power to pay and continue to pile up deficits, then it is on the road to bankruptcy.

Mr. Chairman, if the President was so much disturbed and concerned over the soundness of our financial structure in 1933, as expressed in this message when we had an accumulated deficit of some $5,000,000,000, and a total annual Government expense of approximately $4,000,000,000, how much more should we today be aroused over an accumulated deficit of $50,000,000,000, with sixty-five billions in sight for the next year and leading toward a one-hundred-billion national debt, and a total expense for the fiscal year of 1942 alone of twenty-two billions. Governor Eccles sounded a warning we should heed when he said:

The avoidance of inflation is as essential for the preservation of our political and economic system as the defense effort itself.

We are heading directly into the storms of inflation. We of this generation are not paying the bills of this generation but are passing them along for future generations to pay or repudiate.

I join with my colleagues in urging that steps be taken immediately, as proposed by Secretary of the Treasury Morgenthau so that the ordinary expenses of the Government be curtailed and useless and expensive frills and bureaus be

abandoned. The Secretary said $1,000,000,000 could be saved in this field alone.

Evidence coming to our committees in the House and the disclosures made by individual Members who have examined into expenditures for our national-defense program clearly disclose that immense sums appropriated for national defense are being wasted. We owe it to American citizens whom we are compelling to sacrifice in order to provide tax dollars with which to meet the mounting expense of government and national defense, to see that every dollar expended brings to us a full dollar in value. Our colleague, the gentleman from Michigan [Mr. ENGEL], alone has uncovered the wasting of over $200,000,000 in the building of our cantonments costing some $800,000,000. The tax dollars are running like water down the rat holes of inefficiency, graft, and waste. As the President predicted in 1933, this "liberal Government is being wrecked on the rocks of loose fiscal policy."

TAXES PAID WITH SWEAT OF LABOR

Mr. Chairman, I am voting for this tax measure knowing full well it will place a heavy burden upon every American family in direct, indirect, or hidden taxes. I know, too, that taxes are paid by the sweat of every man who labors. I know, too, that many American families are without the necessities of life. I know, too, that 5,000,000 of our people are still unemployed. According to testimony given before the Ways and Means Committee by Mr. Alfred C. Frodel, there are at least 126 different indirect or hidden taxes on a single pair of shoes, as follows:

Nine taxes paid by the rancher;

Sixteen taxes paid by the transportation companies;

Twelve taxes paid by the findings producers;

Fifteen taxes paid by the packer;

Fourteen taxes paid by the tanner;

Fourteen taxes paid by the findings manufacturers (shoe laces, rubber heels, counters, etc.);

Fourteen taxes paid by the shoe manufacturer;

Sixteen taxes paid by the shoe wholesaler; and

Sixteen taxes paid by the shoe retailer.

So these 126 different taxes on your pair of shoes keep moving right down the line from the rancher who pays 9 different taxes, when finally your shoe retailer offers you a pair of shoes with 126 different taxes and you, as the purchaser of a pair of shoes, pay most of these taxes. Is this soaking the rich? If taxes were lower, your shoes would be cheaper or you would get a better pair of shoes.

The farmers, producers, processors, handlers, manufacturers, wholesalers, retailers, and your landlord pay your taxes to the tax collectors, then these taxes are shifted on or paid by you, the wage earners. How? Because these taxes are included in your rent bill and in the price of everything you buy.

Mr. Frodel shows that the following taxes are placed on the following necessities of life:

Seventy-eight different taxes on a quart of milk (the taxes just about represent the cream on a bottle of milk).

One hundred and forty-eight different taxes on overalls.

One hundred and ninety-one different taxes on a fence.

One hundred and forty-two different taxes on a plow.

One hundred and twenty-five different taxes on a new dress.

One hundred and five different taxes on a suit of clothes.

One hundred and sixty-two different taxes on a bottle of magnesia.

Seventy-one different taxes paid by manufacturers of drugs and allied industries.

One hundred and fifty-four different taxes on a cake of soap.

Two hundred and one different taxes on a gallon of gasoline (which tax equals a $10 bill to each living person).

Thus it is seen that the man who works pays the tax collector. Indeed, it is true that taxes are paid in the sweat of every man who labors. Research experts of the Northwestern National Life Insurance Co. have found that a man supporting a wife and two children, earning $80 a month, who does not own his own home, pays indirect or hidden taxes of approximately $10.29 a month, or $123.48 a year, made up as follows:

Eighty dollars monthly pay, less monthly hidden or indirect taxes of $10.29

[Even the person on relief pays taxes]

Item	Cost per month	Percent of taxes found in cost	Amount of tax in dollars
Food	$27	7.8	$2.11
Shelter	18	26.1	4.70
Clothing	9	9.5	.86
Fuel and light	6	9.7	.58
Transportation (streetcar)	4	11.2	.45
Recreation	2	10.3	.21
Insurance	2	3.5	.07
Sundries and miscellaneous	12	10.9	1.31
Total	80	12.9	10.29
Annually	960	12.9	123.48

Mr. Chairman, the whole tax structure now existing in the United States covering Federal, State and local taxation is so complicated, overlapping, and unscientific that the Congress should cause a complete study to be made of the entire framework of taxation and enact legislation that will provide for an equitable distribution of taxes based on the ability to pay, avoiding overlapping and duplication so far as possible, so as to provide ample revenues for the various units of government, without drying up the sources of tax revenue and wrecking our economy. With this end in view I have introduced H. R. 5196, and commend it to the consideration of my colleagues in connection with this whole tax problem. The power to tax is the power to destroy. Let us take heed lest we destroy our own democracy through reckless spending and waste.

A few years ago a survey showed two-thirds of our American families had on an average only $69 income per month to support an entire family. In 1913 only 8.2 percent of the total national income was required for Federal, State, and local taxes, and in 1939 it had increased to 28.8 percent and the per capita public debt has now increased to $369. The ever-increasing load of taxes is shown by the following table:

Government expenditures and national income, fiscal years 1913 and 1923–39

Year	National income in billions of dollars	Governmental expenditures			
		Amounts in millions of dollars	Percent of national income		
			All governmental expenditures	Federal	State and local
1913	35.4	2,919	8.2	2.0	6.3
1923	64.6	8,850	13.7	4.7	9.0
1924	69.3	9,395	13.6	4.1	9.5
1925	71.7	9,869	13.8	3.9	9.9
1926	75.3	10,113	13.4	3.7	9.7
1927	75.8	10,453	13.8	3.6	10.2
1928	77.2	10,972	14.2	3.6	10.6
1929	80.9	11,611	14.4	3.7	10.7
1930	75.9	11,943	15.7	4.2	11.6
1931	61.7	12,390	20.1	5.8	14.3
1932	47.2	13,129	27.8	9.4	18.4
1933	41.3	11,284	27.3	9.2	18.1
1934	46.6	13,604	29.2	12.8	16.4
1935	53.7	15,011	28.0	12.9	15.0
1936	61.0	17,009	27.9	14.1	13.8
1937	68.6	17,187	25.1	12.2	12.8
1938	68.0	17,050	25.1	11.1	14.0
1939	66.3	19,100	28.8	13.8	15.0

Our tax burden will continue to mount skyward. This tax bill is only a beginning.

Mr. Chairman, we must provide for national defense, and we must vote taxes to pay the bill. I believe the American people are willing to be taxed for national defense if the money is honestly expended for defending America and is not spent in prosecuting wars of intervention in foreign lands beyond the Americas.

KEEP TAX DOLLARS FIGHTING AT HOME

Mr. Chairman, the appropriations, authorization, and recommendations for national defense have now reached 50 billions of dollars. The American people have not complained of this expense for national defense of our own country and financial aid to Britain. The American people, however, are opposed to using their resources for our fighting in foreign wars. The great majority of the American people are opposed to the United States entering the war now raging overseas as a belligerent. A recent poll under the direction of President Hutchins, of Chicago University, showed 74.7 percent of our people opposing our entry into the war. By a ratio of 12 to 5 it showed our people believed the Congress and not the President should decide whether the United States should take action likely to start a shooting war. President Roosevelt himself promised the American people, October 23, 1940, in speaking in Philadelphia:

We are arming ourselves, not for any purposes of conquest or intervention in foreign disputes. I repeat that I stand on the platform of our party: "We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas except in case of attack."

The President, in a message to the Congress July 10, 1940, solemnly told us:

That we are opposed to war is known not only to every American but to every government in the world. We will not use our arms in a war of aggression; we will not send our men to take part in European wars.

On October 30, 1940, in Boston, the President gave this further assurance to the American fathers and mothers:

> And while I am talking to you fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, and again, and again, your boys are not going to be sent into any foreign wars.

Relying upon the will of the American people and the solemn assurance of our President, we in the Congress voted these huge sums and are now voting for these billions of new taxes for national defense—not for intervention, not for foreign wars, not for sending "our men to take part in European wars," but solely for the defense of America.

Mr. Chairman, in common with my colleagues in the Congress, I want to see the Axis Powers defeated in their ruthless attempt to subjugate the Old World. I want to see aggression defeated and freedom enthroned. To that end we have given and are continuing to give all aid possible to Britain without engaging as a belligerent in the war. We must not forget, however, we have our own Western Hemisphere to defend. We must not do anything that will hinder us in keeping America first in all our efforts for national defense. We must keep faith with the American fathers and mothers and these American boys drafted into the service. Their President promised them that they would not be sent out in a war of intervention, that they would not be sent into any foreign war, that they would not be sent, in the Army, naval, and air forces, to fight in foreign lands outside the Americas, except in case of attack. We also promised them when they were drafted that they were called for training for 1 year only, at the expiration of which they would be permitted to return home to continue their schooling or to resume their various occupations. We must not break our word to them. Else their faith in the integrity of their Government they have been called to defend will be shattered. After their discharge, they will continue to be enrolled in the Reserves, subject to call by the President any time. Now, however, notwithstanding these pledges accepted by these men in uniform, in good faith, it is proposed to repudiate these solemn pledges and force these boys into unlimited service in the Regular Army. It is also proposed by a bill now pending in the Senate that notwithstanding the provisions of any other law, the President may—

> employ all members and units of the Army of the United States * * * in such manner and in such places, either within or beyond the limits of the Western Hemisphere, as he shall deem necessary in the interest of defense.

This will permit putting American troops in European battlefields, sending them to fight on foreign lands outside the Americas.

Mr. Chairman, the Congress has remained continuously in session since the war emergency arose. I favor it keeping in session until all danger of involvement in the war is over. The Congress alone has power to declare war and to raise and equip an army. If it becomes necessary to send our forces beyond the Americas the Congress can enact the legislation when the need arises. We should not provoke attack by sending them now in foreign lands unless we want to invite war.

If these bills become law the pledges made to these American boys by our President and the American people will be thrown out the window; they become scraps of paper, our solemn promises like the edicts of the dictators of the Old World, become empty words, only made to be broken. Let us shoot straight with these young Americans in uniforms so that they will not lose their respect for their Government. Let us continue to maintain here in America one Government that holds its word sacred and inviolate.

The soldiers are denied the right to express their own opinions on the program to retain them in the service after the expiration of the year of their enlistment, as promised by the existing law. However, one committee of a company at Fort Meade sent this message to a Senator:

> We believe that such forced reenlistment breaks faith with the people of the United States and the soldiers who have willingly given 1 year of their lives to their country. We gave up good positions in civilian life to serve our country 1 year.

The enlistments were staggered and the selectees will be mustered out in the same fashion. The approximately 600,000 draftees now in service entered the Army in this fashion:

November	13,806
December	5,521
January	73,633
February	90,238
March	153,159
April	123,207
May	56,896
June	79,522

We want to maintain our Army to its full strength and also keep faith with the draftees. If provision were made for voluntary reenlistment it is believed a sufficient number would remain in service to maintain the morale as well as the efficiency of the Army. If forced to remain against their will and in violation of the pledge made to them, the morale of the Army is bound to be placed in jeopardy.

General Marshall has already announced that the men 28 years of age and over should be released in any event. We have already lowered the draft age to 28 years. We can keep our Army up to full efficiency and also keep our pledge to the draftees.

Mr. Chairman, I am not willing to spend this tax money for intervention or for sending our boys overseas to fight in foreign lands beyond the Americas, or in any way to violate the solemn pledges made by our President and the Congress that our boys shall not be sent outside the Americas to fight in foreign wars except in case of attack.

I have faith in America; I know you, my colleagues, have a like faith in America. It is still the greatest country on earth. Any sacrifice we can make is not too much to preserve it. We must, one and all, be willing to tax ourselves, to work, to sacrifice, to fight, and, if necessary, offer our lives on the field of battle in the Americas to defend America. Notwithstanding its faults, America still offers more of liberty and hope than any of the nations of the world.

In these tragic days facing the world, with false prophets and propaganda abroad in our land, we must keep our feet on the ground and our eyes on the stars and, as did our fathers of old, with firm reliance on the protection of Divine Providence, renew our faith and devotion to our country and pledge anew our lives and our fortunes to the one end of defending and preserving our America against all foes, foreign and domestic.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. HANCOCK].

Mr. HANCOCK. Mr. Chairman, the provision making joint income-tax returns compulsory for man and wife is the only controversial item in the entire tax bill on which we are permitted to have a separate vote. In other respects we must swallow the bill whole, except for minor committee amendments, or have no tax bill at all.

The thoughtful people of this country are worried about the danger of financial collapse. We do not know how big a debt we may safely incur or how heavy a tax burden our people can carry, but we do know there are limits. Increased expenditures are essential if our armed defenses are to be made adequate and increased revenues must be obtained if national bankruptcy is to be avoided. In these critical times, waste, inefficiency, and graft in government and unconscionable profits and lack of cooperation on the part of industry and labor are little short of treason.

Much as I dislike many of the provisions of this bill, I feel I must vote for it. I cannot justify myself in voting for large national-defense appropriations and against the only bill of the session to raise at least a part of the funds required. I will vote for it in the hope that as a result of Senate amendments and conference many of its inequalities will be corrected.

The Ways and Means Committee has worked long and diligently on this arduous task. We owe them our gratitude and our sympathy for their labors. The unfairness of singling out such common business and household articles as business machines, electrical appliances, washing machines, refrigerators, luggage, photographic apparatus, and so forth, for substantial excise taxes, while tens of thousands of other articles no more essential are not taxed, must be apparent to our taxing authorities, and as our tax problem grows more acute, they must come closer to the conclusion that a moderate manufacturers' sales tax on everything except the simple necessities of life, with a high tax on luxuries, is the only fair and satisfactory solution. There will be less public resistance to a small tax on many articles than to a large tax on a few and it will produce far more revenue.

The proposed mandatory joint-income-tax return for husband and wife is the most indefensible provision in the bill.

abandoned. The Secretary said $1,000,000,000 could be saved in this field alone.

Evidence coming to our committees in the House and the disclosures made by individual Members who have examined into expenditures for our national-defense program clearly disclose that immense sums appropriated for national defense are being wasted. We owe it to American citizens whom we are compelling to sacrifice in order to provide tax dollars with which to meet the mounting expense of government and national defense, to see that every dollar expended brings to us a full dollar in value. Our colleague, the gentleman from Michigan [Mr. ENGEL], alone has uncovered the wasting of over $200,000,000 in the building of our cantonments costing some $800,000,000. The tax dollars are running like water down the rat holes of inefficiency, graft, and waste. As the President predicted in 1933, this "liberal Government is being wrecked on the rocks of loose fiscal policy."

TAXES PAID WITH SWEAT OF LABOR

Mr. Chairman, I am voting for this tax measure knowing full well it will place a heavy burden upon every American family in direct, indirect, or hidden taxes. I know, too, that taxes are paid by the sweat of every man who labors. I know, too, that many American families are without the necessities of life. I know, too, that 5,000,000 of our people are still unemployed. According to testimony given before the Ways and Means Committee by Mr. Alfred C. Frodel, there are at least 126 different indirect or hidden taxes on a single pair of shoes, as follows:

Nine taxes paid by the rancher;

Sixteen taxes paid by the transportation companies;

Twelve taxes paid by the findings producers;

Fifteen taxes paid by the packer;

Fourteen taxes paid by the tanner;

Fourteen taxes paid by the findings manufacturers (shoe laces, rubber heels, counters, etc.);

Fourteen taxes paid by the shoe manufacturer;

Sixteen taxes paid by the shoe wholesaler; and

Sixteen taxes paid by the shoe retailer.

So these 126 different taxes on your pair of shoes keep moving right down the line from the rancher who pays 9 different taxes, when finally your shoe retailer offers you a pair of shoes with 126 different taxes and you, as the purchaser of a pair of shoes, pay most of these taxes. Is this soaking the rich? If taxes were lower, your shoes would be cheaper or you would get a better pair of shoes.

The farmers, producers, processors, handlers, manufacturers, wholesalers, retailers, and your landlord pay your taxes to the tax collectors, then these taxes are shifted on or paid by you, the wage earners. How? Because these taxes are included in your rent bill and in the price of everything you buy.

Mr. Frodel shows that the following taxes are placed on the following necessities of life:

Seventy-eight different taxes on a quart of milk (the taxes just about represent the cream on a bottle of milk).

One hundred and forty-eight different taxes on overalls.

One hundred and ninety-one different taxes on a fence.

One hundred and forty-two different taxes on a plow.

One hundred and twenty-five different taxes on a new dress.

One hundred and five different taxes on a suit of clothes.

One hundred and sixty-two different taxes on a bottle of magnesia.

Seventy-one different taxes paid by manufacturers of drugs and allied industries.

One hundred and fifty-four different taxes on a cake of soap.

Two hundred and one different taxes on a gallon of gasoline (which tax equals a $10 bill to each living person).

Thus it is seen that the man who works pays the tax collector. Indeed, it is true that taxes are paid in the sweat of every man who labors. Research experts of the Northwestern National Life Insurance Co. have found that a man supporting a wife and two children, earning $80 a month, who does not own his own home, pays indirect or hidden taxes of approximately $10.29 a month, or $123.48 a year, made up as follows:

Eighty dollars monthly pay, less monthly hidden or indirect taxes of $10.29

[Even the person on relief pays taxes]

Item	Cost per month	Percent of taxes found in cost	Amount of tax in dollars
Food	$27	7.8	$2.11
Shelter	18	26.1	4.70
Clothing	9	9.5	.86
Fuel and light	6	9.7	.58
Transportation (streetcar)	4	11.2	.45
Recreation	2	10.3	.21
Insurance	2	3.5	.07
Sundries and miscellaneous	12	10.9	1.31
Total	80	12.9	10.29
Annually	960	12.9	123.48

Mr. Chairman, the whole tax structure now existing in the United States covering Federal, State and local taxation is so complicated, overlapping, and unscientific that the Congress should cause a complete study to be made of the entire framework of taxation and enact legislation that will provide for an equitable distribution of taxes based on the ability to pay, avoiding overlapping and duplication so far as possible, so as to provide ample revenues for the various units of government, without drying up the sources of tax revenue and wrecking our economy. With this end in view I have introduced H. R. 5196, and commend it to the consideration of my colleagues in connection with this whole tax problem. The power to tax is the power to destroy. Let us take heed lest we destroy our own democracy through reckless spending and waste.

A few years ago a survey showed two-thirds of our American families had on an average only $69 income per month to support an entire family. In 1913 only 8.2 percent of the total national income was required for Federal, State, and local taxes, and in 1939 it had increased to 28.8 percent and the per capita public debt has now increased to $369. The ever-increasing load of taxes is shown by the following table:

Government expenditures and national income, fiscal years 1913 and 1923–39

Year	National income in billions of dollars	Governmental expenditures			
		Amounts in millions of dollars	Percent of national income		
			All governmental expenditures	Federal	State and local
1913	35.4	2,919	8.2	2.0	6.3
1923	64.6	8,850	13.7	4.7	9.0
1924	69.3	9,395	13.6	4.1	9.5
1925	71.7	9,869	13.8	3.9	9.9
1926	75.3	10,113	13.4	3.7	9.7
1927	75.8	10,453	13.8	3.6	10.2
1928	77.2	10,972	14.2	3.6	10.6
1929	80.9	11,611	14.4	3.7	10.7
1930	75.9	11,943	15.7	4.2	11.6
1931	61.7	12,390	20.1	5.8	14.3
1932	47.2	13,129	27.8	9.4	18.4
1933	41.3	11,284	27.3	9.2	18.1
1934	46.6	13,604	29.2	12.8	16.4
1935	53.7	15,011	28.0	12.9	15.0
1936	61.0	17,009	27.9	14.1	13.8
1937	68.6	17,187	25.1	12.2	12.8
1938	68.0	17,050	25.1	11.1	14.0
1939	66.3	19,100	28.8	13.8	15.0

Our tax burden will continue to mount skyward. This tax bill is only a beginning.

Mr. Chairman, we must provide for national defense, and we must vote taxes to pay the bill. I believe the American people are willing to be taxed for national defense if the money is honestly expended for defending America and is not spent in prosecuting wars of intervention in foreign lands beyond the Americas.

KEEP TAX DOLLARS FIGHTING AT HOME

Mr. Chairman, the appropriations, authorization, and recommendations for national defense have now reached 50 billions of dollars. The American people have not complained of this expense for national defense of our own country and financial aid to Britain. The American people, however, are opposed to using their resources for our fighting in foreign wars. The great majority of the American people are opposed to the United States entering the war now raging overseas as a belligerent. A recent poll under the direction of President Hutchins, of Chicago University, showed 74.7 percent of our people opposing our entry into the war. By a ratio of 12 to 5 it showed our people believed the Congress and not the President should decide whether the United States should take action likely to start a shooting war. President Roosevelt himself promised the American people, October 23, 1940, in speaking in Philadelphia:

We are arming ourselves, not for any purposes of conquest or intervention in foreign disputes. I repeat that I stand on the platform of our party: "We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas except in case of attack."

The President, in a message to the Congress July 10, 1940, solemnly told us:

That we are opposed to war is known not only to every American but to every government in the world. We will not use our arms in a war of aggression; we will not send our men to take part in European wars.

On October 30, 1940, in Boston, the President gave this further assurance to the American fathers and mothers:

> And while I am talking to you fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, and again, and again, your boys are not going to be sent into any foreign wars.

Relying upon the will of the American people and the solemn assurance of our President, we in the Congress voted these huge sums and are now voting for these billions of new taxes for national defense—not for intervention, not for foreign wars, not for sending "our men to take part in European wars," but solely for the defense of America.

Mr. Chairman, in common with my colleagues in the Congress, I want to see the Axis Powers defeated in their ruthless attempt to subjugate the Old World. I want to see aggression defeated and freedom enthroned. To that end we have given and are continuing to give all aid possible to Britain without engaging as a belligerent in the war. We must not forget, however, we have our own Western Hemisphere to defend. We must not do anything that will hinder us in keeping America first in all our efforts for national defense. We must keep faith with the American fathers and mothers and these American boys drafted into the service. Their President promised them that they would not be sent out in a war of intervention, that they would not be sent into any foreign war, that they would not be sent, in the Army, naval, and air forces, to fight in foreign lands outside the Americas, except in case of attack. We also promised them when they were drafted that they were called for training for 1 year only, at the expiration of which they would be permitted to return home to continue their schooling or to resume their various occupations. We must not break our word to them. Else their faith in the integrity of their Government they have been called to defend will be shattered. After their discharge, they will continue to be enrolled in the Reserves, suoject to call by the President any time. Now, however, notwithstanding these pledges accepted by these men in uniform, in good faith, it is proposed to repudiate these solemn pledges and force these boys into unlimited service in the Regular Army. It is also proposed by a bill now pending in the Senate that notwithstanding the provisions of any other law, the President may—

> employ all members and units of the Army of the United States * * * in such manner and in such places, either within or beyond the limits of the Western Hemisphere, as he shall deem necessary in the interest of defense.

This will permit putting American troops in European battlefields, sending them to fight on foreign lands outside the Americas.

Mr. Chairman, the Congress has remained continuously in session since the war emergency arose. I favor it keeping in session until all danger of involvement in the war is over. The Congress alone has power to declare war and to raise and equip an army. If it becomes necessary to send our forces beyond the Americas the Congress can enact the legislation when the need arises. We should not provoke attack by sending them now in foreign lands unless we want to invite war.

If these bills become law the pledges made to these American boys by our President and the American people will be thrown out the window; they become scraps of paper, our solemn promises like the edicts of the dictators of the Old World, become empty words, only made to be broken. Let us shoot straight with these young Americans in uniforms so that they will not lose their respect for their Government. Let us continue to maintain here in America one Government that holds its word sacred and inviolate.

The soldiers are denied the right to express their own opinions on the program to retain them in the service after the expiration of the year of their enlistment, as promised by the existing law. However, one committee of a company at Fort Meade sent this message to a Senator:

> We believe that such forced reenlistment breaks faith with the people of the United States and the soldiers who have willingly given 1 year of their lives to their country. We gave up good positions in civilian life to serve our country 1 year.

The enlistments were staggered and the selectees will be mustered out in the same fashion. The approximately 600,000 draftees now in service entered the Army in this fashion:

November	13,806
December	5,521
January	73,633
February	90,238
March	153,159
April	123,207
May	56,896
June	79,522

We want to maintain our Army to its full strength and also keep faith with the draftees. If provision were made for voluntary reenlistment it is believed a sufficient number would remain in service to maintain the morale as well as the efficiency of the Army. If forced to remain against their will and in violation of the pledge made to them, the morale of the Army is bound to be placed in jeopardy.

General Marshall has already announced that the men 28 years of age and over should be released in any event. We have already lowered the draft age to 28 years. We can keep our Army up to full efficiency and also keep our pledge to the draftees.

Mr. Chairman, I am not willing to spend this tax money for intervention or for sending our boys overseas to fight in foreign lands beyond the Americas, or in any way to violate the solemn pledges made by our President and the Congress that our boys shall not be sent outside the Americas to fight in foreign wars except in case of attack.

I have faith in America; I know you, my colleagues, have a like faith in America. It is still the greatest country on earth. Any sacrifice we can make is not too much to preserve it. We must, one and all, be willing to tax ourselves, to work, to sacrifice, to fight, and, if necessary, offer our lives on the field of battle in the Americas to defend America. Notwithstanding its faults, America still offers more of liberty and hope than any of the nations of the world.

In these tragic days facing the world, with false prophets and propaganda abroad in our land, we must keep our feet on the ground and our eyes on the stars and, as did our fathers of old, with firm reliance on the protection of Divine Providence, renew our faith and devotion to our country and pledge anew our lives and our fortunes to the one end of defending and preserving our America against all foes, foreign and domestic.

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. HANCOCK].

Mr. HANCOCK. Mr. Chairman, the provision making joint income-tax returns compulsory for man and wife is the only controversial item in the entire tax bill on which we are permitted to have a separate vote. In other respects we must swallow the bill whole, except for minor committee amendments, or have no tax bill at all.

The thoughtful people of this country are worried about the danger of financial collapse. We do not know how big a debt we may safely incur or how heavy a tax burden our people can carry, but we do know there are limits. Increased expenditures are essential if our armed defenses are to be made adequate and increased revenues must be obtained if national bankruptcy is to be avoided. In these critical times, waste, inefficiency, and graft in government and unconscionable profits and lack of cooperation on the part of industry and labor are little short of treason.

Much as I dislike many of the provisions of this bill, I feel I must vote for it. I cannot justify myself in voting for large national-defense appropriations and against the only bill of the session to raise at least a part of the funds required. I will vote for it in the hope that as a result of Senate amendments and conference many of its inequalities will be corrected.

The Ways and Means Committee has worked long and diligently on this arduous task. We owe them our gratitude and our sympathy for their labors. The unfairness of singling out such common business and household articles as business machines, electrical appliances, washing machines, refrigerators, luggage, photographic apparatus, and so forth, for substantial excise taxes, while tens of thousands of other articles no more essential are not taxed, must be apparent to our taxing authorities, and as our tax problem grows more acute, they must come closer to the conclusion that a moderate manufacturers' sales tax on everything except the simple necessities of life, with a high tax on luxuries, is the only fair and satisfactory solution. There will be less public resistance to a small tax on many articles than to a large tax on a few and it will produce far more revenue.

The proposed mandatory joint-income-tax return for husband and wife is the most indefensible provision in the bill.

Under it a man and woman with incomes of their own, earned or otherwise, will upon marriage be subjected to higher taxes than as single individuals, because for tax purposes they will be required to add their incomes together and pay the surtax rate on their combined incomes. Each spouse will have to pay the rate reached by adding the income of the other to his or her own. In tens of thousands of cases they will pay higher taxes and higher rates of tax than two crusty old bachelors living on inherited wealth, with no dependents whatever, whose combined income equals theirs. It is clearly a discriminatory provision against married couples and a penalty on matrimony. It cannot be justified.

In a social sense the family is a unit, but individual property rights are firmly established in this country. We have progressed a long way from the time when the husband owned his wife's property, income, and services, and in addition received a dowry upon marriage. The proposed provision is a long step backward.

The proponents of this obnoxious section say they are shooting at wealthy men who have turned over to their wives substantial amounts of income-bearing securities in order to obtain lower surtax rates. I have no doubt that has been done many times, but the men who did so paid large gift taxes for the privilege of dividing their incomes with their wives. If, in spite of that fact, the Ways and Means Committee wishes to tax the joint incomes in such cases, let them amend the law by providing that for income-tax purposes the income from gifts from one spouse to another must be treated as the income of the donor.

It is also pointed out that under the present law a married man earning the entire family income pays a larger tax than the combined taxes of a husband and wife whose aggregate personal incomes are the same as his. Such a man can file a joint return and if the disparity just mentioned is regarded as an injustice, I suggest that the exemption given in joint returns be increased and that it be reduced in individual returns whether filed by married or unmarried persons. Greater credit might also be given for earned income.

I am sure that the tax experts can work out a formula along these lines which will greatly increase revenue from income taxes without discriminating against married individuals.

The provision as it now stands is unfair, unwise, and contrary to the soumd public policy of encouraging and promoting family life in America. It ought to be stricken from the bill.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. LEONARD W. HALL].

Mr. LEONARD W. HALL. Mr. Chairman, I urge the membership of the House to reject the mandatory joint-return proposal and to reject it by a decisive vote.

The debates on the subject in the last few days have not removed the charge that this proposed "wedding ring tax" is rank discrimination, and also fundamentally, thoroughly unsound.

My position is already known, and I shall simply highlight the inherent objections to the proposal. On July 17, when the matter was still before the Ways and Means Committee, I addressed a formal letter to Chairman DOUGHTON urging the elimination of the item. I argued then—and the debates here since have fortified my position—that the joint-return proposal has no proper place in our tax scheme.

1. IT WOULD BE A PENALTY TAX

Under the proposal a husband and wife would be required to file a joint return, and because the tax brackets are progressive, the commingling of the income of both spouses would subject them to a higher tax than they would pay if they were not married. Obviously, the fact of marriage here has the effect of forcing each spouse to pay a greater tax than if they were single individuals.

This proposal, then, takes advantage of the marriage status as a revenue source And that is why, rightly enough, it has been called a tax on marriage. Without the marriage status the higher tax is absent; with it, it is present. Therefore it becomes a penalty tax.

2. IT WOULD PUT MARRIED PERSONS IN A CLASS APART

The penalty in this case springs from inequality. Either spouse while thoroughly independent of the other for every purpose of property ownership and management in most of our States, for Federal tax purposes would be put in a special, a new category. We will have a new income-tax class, the marriage income-tax class, or what not. Even income-tax statistical methods will have to be changed in order to conform to the new set-up. Surely no one will advance the idea that at the time the income-tax amendment was adopted we would ever develop the income-tax law to the point where, in order to gain additional revenue, we would set up the sort of fictitious status inherent in this proposal. If we can put husbands and wives in a special tax status, then we can, perhaps, also put common-type industries in special tax categories, and so forth.

3. IT WOULD STIMULATE THE STATES TO FOLLOW SUIT

Disagreeable as it may be to have the contemplation, we are now only at the threshold of greater and greater taxes. The prodigious sums being expended today will be progressively increased; and should, unhappily, we be forced into the present war, the burdens of expenditures and the taxes that would sustain them will mount to even more huge figures. It would be a bit naive to expect that in the general situation before us, State taxes will remain at their present levels. The pressure for additional revenue will be as well on the States, counties, and municipalities. New sources, new tax fields, will be searched out, and imaginatively so, too. I think it follows that the precedent established by Federal law, if the joint-return proposal is adopted, would be quickly availed of in many States, even though its adoption might force reappraisal of their present separate property-tax laws. The refusal of the new and easy dollar that would be available to the States under the joint-return proposal would come hard. Were the States to follow suit, some very unfortunate results might easily be expected. Obviously, too, here also would there be extensive litigation resulting, not to mention the condition of discrimination that would result where certain States adopted the joint return and others did not, giving to the latter the very attractive opportunity to invite new residents into their States, with their chambers of commerce beckoning new residents to "Come into our State; no tax on marriage."

4. IT WOULD PROVOKE EXTENSIVE ANTAGONISMS AND LITIGATION

I have found little doubt among my colleagues that if the joint-return proposal is enacted into law it will be bitterly assailed in the courts. There is certainly a strong possibility, if not probability, that the Supreme Court would hold the joint-return provision unconstitutional.

The committee is aware of the case of *Hoeper* v. *Tax Commission* (284 U. S. 206 (1931)), where the point involved was the legality of a Wisconsin tax statute which, as I see it, posed substantially the issue contained in the presently proposed joint income-tax-return proposal.

The Supreme Court held the Wisconsin statute unconstitutional, and the following is a short quotation from Mr. Justice Roberts, who delivered the opinion of the Court:

> We have no doubt that, because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income.

In the case of *Helvering v. City Bank Co.* (296 U. S. 85) an analogous question was presented. The Supreme Court ratified the reasoning in the Hoeper case and said:

> There are, however, limits to the power of Congress to create a fictitious status under the guise of supposed necessity. Thus it has been held that an act creating a conclusive presumption that a gift made within 2 years prior to death was made by the donor in contemplation of death, and requiring the value of the gift to be included in computing the estate of the decedent subject to transfer tax, is so grossly unreasonable as to violate the due process clause of the fifth amendment. In the same category falls a statute seeking to tax the separate income of a wife as income of her husband.

Surely there is the reasoning here by the Supreme Court that a State may not gage a tax on one spouse by adding to it the income of the other. Here is an index of how a Federal law to the same import would be viewed:

The Ways and Means Committee had available to it, I know, expert counsel on the question of the legality of the joint-return proposal and is aware of the many other cases bearing on the question. But I submit that there is no certainty that the Supreme Court would sustain the provision. To legislate the provision in the light of its possible unconstitutionality, in the face of the harassments and antagonisms it will provoke, and without any real confidence that the Government

will in the end get the three-hundred-million-odd-dollar revenue expected, would to my mind be most injudicious.

5. IT IS HOSTILE TO OUR DEMOCRATIC CONCEPTS

In the Hoeper case, referred to, Justice Roberts found that under the laws of the State of Wisconsin—and they are substantially the same in many, many other States—women have the same rights as men in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects; that the wife's real estate and its rents, issues, and profits are her sole and separate property as if she were unmarried and are not subject to the disposal of her husband; and that the individual earnings of every married woman are her separate property and are not subject to his control or liable for his debts.

And the Court said:

It may be doubted by some, aside from express constitutional restrictions, whether the taxation by Congress of the property of one person, accompanied with an arbitrary provision that the rate of tax shall be fixed with reference to the sum of the property of another, thus bringing about the profound inequality which we have noticed, would not transcend the limitations arising from those fundamental conceptions of free government which underlie all constitutional systems.

We have no doubt that, because of the fundmental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income.

The progress, the benefits, mentioned by Mr. Justice Roberts, are part of our growth as a Nation.

They are part, really, of our system, of our free government, of our democratic philosophy.

The joint-return proposal, no matter what the legalistic answer to its correctness, is thoroughly repugnant to our system. It is strained, unnatural, and thoroughly out of keeping with the intent of the income-tax policy.

Were I to seek to summarize my entire view of the proposal in one word, I would characterize it as simply unjust. That tells the whole story.

No open hearings were held by the Ways and Means Committee on the proposal. Neither the people nor the tax authorities of the various States had any opportunity of representing their views, to state the effects and repercussions it might have on their own personal situations or systems.

I feel that the Ways and Means Committee may feel it was driven to the joint return because of the inexorable necessity of finding revenue for the defense program. I cannot believe but that it would have been glad to find another tax source. It is appreciated that the committee has been most painstaking in its study of the general tax proposal. Personally, I am keenly conscious of the tremendous labors it spent on the subject; and while people generally may not appreciate this, it is, nevertheless, a fact that we all know here.

As I have pointed out, I am convinced that this item should be stricken, and I realize that, if this is done, the Ways and Means Committee will have to resume its struggle to find the needed $300,000,000. But the implications of the proposal are so serious, so broad, as thoroughly to justify this request. In any event, deferment of the item would be indicated until such future time that the committee is in a position to invite public expression of views.

Taxes, when once legislated, are rarely lifted or softened. The joint-return proposal, however, is not simply a tax. It is a radical departure in policy; it would create a new principle in taxation; it would establish a new tax class. It is vitally essential that the principles underlying our tax structure be correct and just. If we set into our tax structure this stone of the joint return, I am afraid—unless the Supreme Court voids the law—that it will be long years before it is taken out. And antagonisms and consequences will be brought into play that will be with us for a long time.

Mr. TREADWAY. Mr. Chairman, I yield 6 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, I take advantage of this opportunity to speak for a moment in the matter of my own and what I am sure is other Members' appreciation of the work which the Ways and Means Committee has done in its long preparation of this tax bill. It was a most arduous task and a rather thankless one, on the whole, because no matter what they bring us we are going to think it is wrong somewhere. Everybody is going to criticize both them and the Congress if we pass it, and, of course, we will pass it.

But I am particularly glad to have the opportunity to express my own appreciation of the work of these committee members and my own deep regard for the chairman. I know that you share with me for him a very warm affection.

I think the committee must have had a rather distressing time facing the realities of the situation today. It perhaps has brought home to them the tremendous expenditures that have been ours during the past few years, for the time has come when we have to pay the piper. We have to find a way to pay him. We have to dig deep into everybody's pocket. We have to find every conceivable way of getting money to make good these bills that we owe.

Those of us who sit on the minority side of the aisle have for many years tried to bring a little more sanity into expenditures. We are so glad that now you are going to want that sanity, too, and we hope it may make for great cooperation between the two sides of the aisle, that we may all use a great deal better judgment in what we appropriate and the way we control its expenditure. I congratulate you.

I take very seriously my responsibility here in the House, particularly toward the future, for, as you know, beyond everything else they have to do in the world women are concerned with the future. It is up to us to see to it that there are children, that they have education, that they are cared for, that we hold for them a world where they can live decently.

I am impersonal about it all because this section cannot affect me in any way. But because I feel very strongly on the subject I am supporting the amendment to eliminate the section from the bill. I am happy that it is being given an opportunity to eliminate itself, for it attacks the very fountain and root of American life, which is the family. We believe in the family. When other Members say this section does not jeopardize the family I beg to differ with them. England is held up to us at this juncture. If you go into the English experience you will note that over there they had to resort to taxing bachelors because marriage did not go so well with this sort of tax.

Many of you have been judges, many of you have perhaps sat in divorce courts and rendered judgment, many others of you have been lawyers in divorce cases. You cannot sidestep that whole side of this question quite as lightly, gentlemen, as you do. I assure you that it is very, very serious. Have you no realization of the gallantry with which the men and women of this country are keeping roofs over the heads of their children and trying to make them look and feel like homes? And do you think this is not going to be something in the nature of a last straw to a great many? I assure you you cannot sidestep this so lightly. Nor can you sidestep the problem that is immediately created in a time when traditions of every kind are being thrown on the ash heap. What are traditions worth today? Very little. God did not make marriage. He made men and women and man made the marriage tradition. As we are still men and women, are you so certain that marriage is going to be so safe? It seems to me a very serious thing for us to contemplate penalizing the great fundamental institution that makes us what we are, a great Nation.

I would ask you to think very seriously of these matters. Nor can you quite sidestep as lightly as other speakers have done the fact that it does take woman out of the place she has earned after many, many, long, long years. Mr. Chairman, in Ohio it was not until the last of the eighties that a woman had the right to her property. You are jeopardizing this right whether you see it or not. My regret is that some of you whom I love very deeply and whom I have admired for a great many years seem to have a blind spot in this regard. But I hope very much you will permit the clouds to roll away and the vision of the realities of human life to touch you and make you conscious that if we do not take this section out of this tax law we do jeopardize the homes of America.

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. DISNEY].

Mr. DISNEY. Mr. Chairman, pay day is at hand. This is pay day. Nobody likes pay day except those who are getting paid. Congress is called upon now to pay the bills it has incurred. It refused to cut

down nondefense items by a billion dollars, as the Treasury recommended, and is now confronted with the question: "Where are you going to get the money?" This item concerning joint returns by husband and wife involves $323,000,000, which about 95 percent of the taxpayers have carried for the other 5 percent. It is proposed by the amendment that the 95 percent still carry the load. That is the sole issue involved in this amendment, but an additional issue haunts you like Banquo's ghost, and it immediately presents itself, "To what source are you going to go for the money—you who have the power and the responsibility to take $323,000,000 out of this bill in favor of a small class and place the burden on the larger class?"

The trail inevitably leads back to page 17 of the committee report. If you will look at it, it means that a man with a $10,000 income shall pay $1,166 under the terms of this bill and the man and wife who splits it pay $880. Look at column A of this table and you will find that in order to take up the slack you will be compelled to put an annual tax of $1,628 on the man of the $10,000 income instead of $1,166. You have an opportunity to impose a greater load on 95 percent of the other taxpayers in order to perpetuate the 5 percent in enjoyment of a privileged tax status, or to forever put the ban of illegality on the now legal tax avoidance of millions in taxes by those most able to pay.

At the very last moment the President throws a pot shot into the whole procedure by a letter addressed to the chairman of the committee, and the House leadership is actively working, all dead set to defeat the bill itself. It is an onerous task to present a bill on the floor under these circumstances. Mr. Chairman, it looks like somebody sold the President a bill of goods. You will, of course, read the President's letter, and you ought, by all means, to read it, and to read the reply of the gentleman from North Carolina [Mr. DOUGHTON].

You will observe by reading the President's letter, with the letter from the Treasury, that the Treasury letter discusses only two subjects—mandatory joint returns and excess profits. The President's letter includes a third—lowering the exemptions and broadening the base. Since the real issue in dispute is mandatory joint returns by the husband and wife, evidently the inclusion in the President's letter of the other two subjects was not necessary, because the first subject, excess-profits taxes, has been repeatedly disposed of by the committee, and the Treasury itself opposed the broadening of the base and the lowering of the exemptions in unmistakable language on pages 56 and 57 of the hearings of this bill, at which point Assistant Secretary of the Treasury Sullivan very frankly and positively rejected the proposal, stating among other things, that married taxpayers making as little at $38.46 a week are required to file a return and unmarried taxpayers making $15.38 per week must file a tax return, under present law. I voted to broaden the base, but the matter is not an issue here in any form.

If you will look at pages 62, 63, and 64 of the report, you will find that in 1933 and 1934, Dr. Roswell McGill, representing the Treasury, recommended joint returns.

In 1937, the President submitted a letter from the Secretary of the Treasury which says, in part:

> Splitting income two ways, between husband and wife, reduces income taxes and leaves the family income intact.

Then about the community-property law:

> This is another major cause of revenue loss, which is unjustifiable because obtained at the expense of taxpayers in the 40 States which do not have community-property laws. A New York resident with a salary of $100,000 pays about $32,525 Federal income tax; a Californian with the same salary may cause one-half to be reported by his wife and the Federal income taxes payable by the two will be only $18,626. The total loss of revenue due to this unjustifiable discrimination against the residents of 40 States runs into the millions.

The President suggests that substantial relief should be granted to earned income of husband and wife. Chairman DOUGHTON's letter, to my mind, disposes of this issue in this language:

> I would be surprised if anyone would be in favor of penalizing the family in which the husband is the sole breadwinner in favor of the family where the wife also draws a salary, yet this is exactly what the Treasury qualification (suggested by the President) would have accomplished if we had permitted it to be incorporated in our bill.

Gifts, both tax paid and tax free, since 1932 have amounted to probably seven and one-half billion dollars. Many, probably most of these gifts, were family transfers, whereby husband and wife legally avoided surtaxes, and let the other people take the burden. The ratio is about 5 percent of the one and 95 percent of the other.

If the President and the House leadership had displayed as much interest and energy in cutting nondefense appropriations as the House leadership has displayed in defeating this proposal for joint returns between husband and wife, the cutting of a billion dollars from nondefense appropriations would have been automatic. It would have been done with no difficulty whatever; however, that was not done either by the President or by the House leadership. As a consequence, the nondefense expenditures go merrily on without a voice being raised either in the House organization or by the President toward rectifying the situation.

Since the bill has met up with such unexpected enemies, any Member is justified in forming his own judgment as to final vote on this bill as a whole. Mine will be a protest vote against such procedure and such indifference to the taxpayers as has been manifested.

Mr. TREADWAY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. LELAND M. FORD].

Mr. LELAND M. FORD. Mr. Chairman, I would like to make a few remarks in connection with the proposed joint income-tax returns under the new tax bill. I do this for the purpose of clearing the minds of some Congressmen, who may feel that certain States, particularly California, have recently adopted the community-property law in order to evade and avoid the income tax under the income-tax law. This is not true.

I would like to go into the historical development of this community-property law and show how it came into being in California, and also in the other States of the South and West. Certain sections of the United States, particularly the North and East, were developed and settled by the Anglo-Saxons, and, in the absence of other law, the English law applied. Certain other sections, namely, the South and West, were developed and settled by the Spanish, whose laws prevailed under the same conditions. The Southern and Western States of this country, particularly, including the States of Texas, New Mexico, Arizona, Nevada, California, Washington, and Idaho, have had the community-property law since the time of their respective admissions into the Union, and further than this, they have had it since the time of their original colonization.

This community-property law comes from Spain, where, before marriage, the woman, as to property, was on an equality with the man, and all property after marriage belonged one-half to the man and one-half to the woman. This law was in force in Mexico as a result of the Spanish settlement, and after Mexico revolted from Spain in 1822, the law still continued in force. Then, in California, in the year 1848, which was the time of the American occupation, and during the time that California was a republic, and following the Guadalupe Hidalgo Treaty of Peace in 1848, and ever since that time, everything acquired by husband and wife after marriage was and is community property, owned jointly by husband and wife, namely, one-half thereof owned by the wife and one-half thereof owned by the husband.

This law, emanating from Spain, originally was in outstanding contrast with the laws of England. Therefore, it may be seen that these States have not adopted any laws for the purpose of evasion of the income-tax law, but that the community-property law has been in vogue in California and these other States since they were admitted into the Union, and that that law has obtained from the time of their respective colonization. This law, in these States, is as much a part of their traditions and customs as the laws of the States having used as their basis the common law of England. It might be said that this law, in California and in these southern and western States, went with the land.

Were this joint income-tax return, as proposed, allowed to stand or allowed to be enacted, this House would be violating the elemental rights of husbands and wives as they existed at the time of the admission of California and these other States into the Union. To me, it means the encroachment of the Federal Government upon the laws of these States and it would have the effect of destroying their laws, together with the property rights of our people. These States were admitted into the Union, and accepted with these laws, and I think their laws

should be respected now, as they have been since each was admitted. Something might be said—but I am not going to great length on this point—as to the difference between the old Spanish grant water laws and riparian rights. There is just as much difference in these laws as there was in those other laws, and this difference is brought out by the granting of the waters of the Los Angeles River, at the dedication of the city of Los Angeles in 1763. It may now be seen that these States have not enacted any laws for the avoidance of taxes.

Both a man and a woman, even though married, are still individuals. One of the features of the income-tax law in general, and I believe it is so worded, refers to individual income-tax returns. If this is true, why then should either the man or the woman lose their individual identity and be discriminated against in that respect, and, as a matter of fact, lose part of their individual liberty under the Constitution of the United States?

How far can they go in this matter of making joint returns? Where will it stop? If a man and his wife can be forced to make a joint return, what assurance have we that if there are children in the family—sons and daughters with an earning capacity—that later on these may not be forced to join in and make a joint return? Then, too, if this could be done, what assurance have we that whole branches of families may not be forced to make joint returns? I believe this is unconstitutional, both with respect to this manner of forcing individuals to join together, and with respect to the destruction of our State laws, which have been the law of the land since the colonization of these respective States.

I believe that this certainly is discrimination against these individuals. Many of these individuals have separate property, obtained by inheritance or descent. That is entirely proper, and where this is the case these properties are so designated on our records as separate properties. Inasmuch as they are do you not think it is a violation of the laws of the land and the rights of the individual to say that they are joint, and that a joint return must be made?

This whole thing seems to me to bear much of the evidence of a "squeeze play," to squeeze more taxes out of the taxpayers, even though certain groups have to be discriminated against. I again say that I think this is unconstitutional and is an invasion of States' rights. If this is not discrimination, what, then, is it?

The statement has been made that if this is knocked out the surtax on other taxpayers will be raised. I see no reason for this, and further, I see no reason why every individual in the United States, regardless of what his income may be, should not pay his pro rata of the taxes. As things are now going, we have two classes of people in the United States, one which pays income taxes and one which does not. If this continues I think that practical observation will disclose that wherever a condition like this exists, there will be a constant clamor on the part of those who do not pay taxes to spend money and receive benefits and take it out of the hides of those who do pay taxes. I also believe that this is one of the reasons why many of the billions have been spent by this Government, as there is a demand by this group who do not pay taxes to get benefits from the persons who do. I believe if everybody in the United States paid taxes, everyone then would become tax-cost conscious. This would be a good thing for every unit of government, because then our people would be more careful, first, of the things they asked for, and secondly, as to how the money was spent, and it would thus encourage an interest in government that apparently, at this time, is not as keen as it ought to be. This interest certainly is necessary for the continuation of a republican form of government such as we have.

Under our laws all of our people are supposed to be equal, all voters are supposed to be equal, and all votes count, whether you are President of the United States or whether you are an indigent pauper. All people receive the benefit of the good things that our Government has and gives to them. If a republican form of government is to exist, then the people who receive these benefits have a duty, and that duty is to share in the responsibilities and liabilities of citizenship. I do not believe there is any question as to this.

The question has been raised as to where to get the additional three hundred and four millions that might be lost by reason of cutting out this joint-return item. No less an authority than the Secretary of the Treasury, Mr. Morgenthau, has publicly made the statement that a billion dollars could be cut from our expenses. Why is this not a good suggestion? Another answer to this query is, that if three hundred and four additional millions are needed, not to get it by the violation of the rights of these respective States and individuals, but to get it in a proper manner.

Another very important thing is, that it does put a penalty on the married or family state. This penalty might be manifested in two ways, first, in the feeling that people could not afford to marry on account of income-tax returns, and secondly, through the separation of families, through encouraging divorce in families where they found themselves no longer able to continue to pay taxes and live in the married state. I believe that this strikes fundamentally at our civilization and I think we might just as well meet this fairly and squarely, head on, and that we should not put any penalty on this family state. After all, it is the family that carries on, perpetuates the race, the state, and civilization. It is not the single state that does this. If we did not have the family state, one of two things would happen. The race would die out and the country would be lost; or you would do as they do in Russia, recognize illegitimate children or have children become the property of the state. I hope the Members of this Congress have not become so communistically minded that they would ever think of such procedure as a communistic marriage state, or that they would adopt the philosophy under the procedure of which children would become state children.

I hope, also, that this Congress will demonstrate that it cannot be dominated by the racketeering leadership of the C. I. O. in their demands for this joint-income tax. Of course, many of us who know the background, not of the men themselves, but of the communistic leadership dominating these men, expect this communistic leadership to come out and support the philosophy of communism, whereby the family would be destroyed. If family life can be destroyed in this country, then this is along the line of what is known as party-line procedure, and the subversive interests wishing this would be well pleased and they could write back to the leadership in foreign countries that they had done well.

Every real Democrat and every real Republican should assert himself and see that this encroachment of communism is stopped dead in its tracks, here and now.

One only has to read what has happened to family life in Russia if he wants to see what demoralization can take place. Therefore I urgently request this Congress not to place that penalty on the family state in this country, and not to go along with the philosophy of illegitimate, or state children. I would far rather see a premium attached to the family life, because I believe that with a sound family life, we will have a better civilization and a far better country.

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, because the State of Wisconsin endeavored to incorporate in its law some years ago in substance the same provision that is sought to be incorporated in this bill, and because the Supreme Court of the United States invalidated that Wisconsin statute in the case of Hoeper against the Tax Commission, and because the committee in its report on page 22, in my opinion, very definitely misstates the decision of the United States Supreme Court, I have asked this opportunity to present just exactly what the United States Supreme Court said.

The committee in its report states:

> But even if the Hoeper case be taken at its face value, the provisions of the bill do not come within its scope. The motivating factor for the decision in that case was the provision that each person whose income was included within the tax computation was liable for the entire tax. It has been pointed out that the legislation here under consideration does not make the spouses jointly and severally liable for the entire tax unless they so elect. Each person is required to pay a tax only upon his own income and not upon the income of any other person. The net effect is merely that the amount of the tax which he is required to pay is conditioned by the fact that he lives in an economic unit which has other income accruing to it.
>
> For these reasons it is concluded that it is within the power of Congress to make the suggested changes in the Internal Revenue Code.

I submit that this conclusion of the committee is an unfair statement as to the reasons which motivated the Supreme Court to render the decision it did. Let me quote from the opinion of the Supreme Court, which I have before me. The Supreme Court set forth in great detail the status of married women in the State of Wisconsin, which is exactly the status of a single person. I do not have the time to go into it. It would be well to read the opinion of the Supreme Court. It follows with this language:

Since then in law and in fact the wife's income is in the fullest degree her separate property, and in no sense that of her husband, the question presented is whether the State has power by an income-tax law to measure his tax not by his own income but in part by that of another. That question, and that alone, is the question which was decided in the Hoeper case. This is what the court said in its determination:

We have no doubt that because of the fundamental concepticns which underlie our system any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another, is contrary to due process of law as guaranteed by the fourteenth amendment. That which is in fact not the taxpayer's income cannot be made such by calling it income.

The entire decision, in my judgment, is determinative of the issue here. The decision by Justice Roberts follows:

Mr. Justice Roberts delivered the opinion of the court.

Appellant, a resident of Marathon County, Wis., married in the year 1927. Subsequent to his marriage he was in receipt of income taxable to him under the income-tax statute of the State. His wife, during the same period, received taxable income, composed of a salary, interest, and dividends, and a share of the profits of a partnership with which her husband had no connection. The assessor of incomes assessed against the appellant a tax computed on the combined total of his and his wife's incomes as shown by separate returns, treating the aggregate as his income. The amount so ascertained and assessed exceeded the sum of the taxes which would have been due had their taxable incomes been separately assessed. The authority for the assessor's procedure is found in the following sections of the act:

Section 71.05 (2) (d): " * * * In computing taxes and the amount of taxes payable by persons residing together as members of a family, the income of the wife and the income of each child under 18 years of age shall be added to that of the husband or father, or if he be not living, to that of the head of the family and assesed to him except as hereinafter provided. The taxes levied shall be payable by such husband or head of the family, but if not paid by him may be enforced against any person whose income is included within the tax computation."

Section 71.09 (4) (c): "Married persons living together as husband and wife may make separate returns or join in a single joint return. In either case the tax shall be computed on the combined average taxable income. The exemptions provided for in subsection (2) of section 71.05 shall be allowed but once and divided equally and the amount of tax due shall be paid by each in the proportion that the average income of each bears to the combined average income."

Appellant paid the tax under protest, and after complying with requisite conditions precedent, instituted proceedings to recover so much thereof as was in excess of the tax computed on his own separate income. He asserted that the statute as applied to him violates the fourteenth amendment. The Supreme Court of Wisconsin overruled this contention and affirmed a judgment for appellees. The question is whether the State law as interpreted and applied deprives the taxpayer of due process and of the equal protection of the law. The appellant says that what the State has done is to assess and collect from him a tax based in part upon the income received by his wife, and that such exaction is arbitrary and discriminatory, and consequently violative of the constitutional guaranties.

At common law the wife's property, owned at the date of marriage or in any manner acquired thereafter, is the property of her husband. Her earnings and income are his; he may dispose of them at will, and he is liable for her debts. Were the status of a married woman in Wisconsin that which she had at common law, the statutory attribution of her income to her husband for income tax would, no doubt, be justifiable. But her spouse's ownership and control of her property have been abolished by the laws of the State. Women are declared to have the same rights as men in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects Under the title "Property Rights of Married Women" it is enacted that a wife's real estate and its rents, issues, and profits shall be her sole and separate property as if she were unmarried, and shall not be subject to the disposal of her husband; and this is true of her personal property as well, whether owned at the date of marriage or subsequently acquired. She may convey, devise, or bequeath her property, real and personal, as if she were unmarried, and her husband has no right of disposal thereof, nor is it liable for his debts. Either spouse may convey his or her property to the other or create a lien thereon in favor of the other. The individual earnings of every married woman, except those accruing from labor performed for her husband, or in his employ or payable by him, are her separate property, and are not subject to his control or liable for his debts. She may sue in her own name and have all the remedies of an unmarried woman in regard to her separate property or business and to recover her earnings, and is liable to suit and to the rendition of a judgment, which may be enforced against her separate property as if she were unmarried.

Since, then, in law and in fact, the wife's income is in the fullest degree her separate property and in no sense that of her husband, the question presented is whether the state has power by an income-tax law to measure his tax, not by his own income but, in part, by that of another. To the problem thus stated, what was said in *Knowlton* v. *Moore* (178 U. S 41, 77) is apposite:

"It may be doubted by some, aside from express constitutional restrictions, whether the taxation by Congress of the property of one person, accompanied with an arbitrary provision that the rate of tax shall be fixed with reference to the sum of the property of another, thus bringing about the profound inequality which we have noticed, would not transcend the limitations arising from those fundamental conceptions of free government which underlie all constitutional systems."

We have no doubt that, because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income. Compare *Nichols* v. *Coolidge* (274 U.S. 531, 540).

It is incorrect to say that the provision of the Wisconsin income-tax statute retains or reestablishes what was formerly an incident of the marriage relation. Wisconsin has not made the property of the wife that of her husband, nor has it made the income from her property the income of her husband. Nor has it established joint ownership. The effort to tax B for A's property or income does not make B the owner of that property or income, and whether the State has power to effect such a change of ownership in a particular case is wholly irrelevant when no such effort has been made. Under the law of Wisconsin the income of the wife does not at any moment or to any extent become the property of the husband. He never has any title to it, or controls any part of it. That income remains hers until the tax is paid, and what is left continues to be hers after that payment. The State merely levies a tax upon it. What Wisconsin has done is to tax as a joint income that which under its law is owned separately and thus to secure a higher tax than would be the sum of the taxes on the separate incomes.

The court below assigned two reasons which it thought removed the constitutional objections to the application of the statute in the instant case. It cited and followed the *Income Tax Cases* (148 Wis. 456; 134 N. W. 673; 135 N. W. 164), where the statute here in question was sustained on the ground that the provisions under attack are necessary to prevent frauds and evasions of the tax by married persons, and stated that the decision of this Court in *Schlesinger* v. *Wisconsin* (270 U. S. 230), was not inconsistent with the views expressed by the Supreme Court of Wisconsin in its earlier decision. To this we cannot agree. In the Schlesinger case this court held invalid a statute which, for purposes of inheritance tax, classified all gifts inter vivos, effective within 6 years of death, as gifts made in contemplation of death. To the argument of the necessity for such classification to prevent frauds and evasions, it was answered, page 240:

"That is to say, 'A' may be required to submit to an exactment forbidden by the Constitution if this seems necessary in order to enable the State readily to collect lawful charges against 'B.' Rights guaranteed by the Federal Constitution are not to be so lightly treated; they are superior to this supposed necessity. The State is forbidden to deny due process of law or the equal protection of the laws for any purpose whatsoever."

The claimed necessity cannot justify the otherwise unconstitutional exaction.

The second reason assigned as a justification for the imposition of the tax is that it is a regulation of marriage. It is said that the marital relation has always been a matter of concern to the state, and has properly been the subject of legislation which classified it as a distinct subject of regulation. It is suggested that a difference of treatment of married as compared with single persons in the amount of tax imposed may be due to the greater and different privileges enjoyed by the former, and, if so, the discrimination would have a reasonable basis, and constitute permissible classification. This view overlooks several important considerations. In the first place, as is pointed out above, the state has, except in its purely social aspects, taken from the marriage status all the elements which differentiate it from that of the single person. In property, business and economic relations they are the same. It can hardly be claimed that a mere difference in social relations so alters the taxable status of one receiving income as to justify a different measure for the tax.

Again, it is clear that the law is a revenue measure, and not one imposing regulatory taxes. It levies a tax on "every person residing within the State" and defines the word "person" as including "natural persons, fiduciaries, and corporations," and "corporations"

as including "corporations, joint-stock companies, associations, or comman-law trusts." It lays graduated taxes on the incomes of natural persons and corporations at different rates. It is comprehensive in its provisions regarding gross income and allowable deductions and exemptions, and is in most respects the analog of the Federal income tax acts in force since 1916. It is obvious that the act does not purport to regulate the status or relationships of any person, natural or artificial. Arbitrary and discriminatory provisions contained in it cannot be justified by calling them special regulations of the persons or relationships which are the object of the discrimination. The present case does not fall within the principle that where the legislature, in prohibiting a traffic or transaction as being against the policy of the State, makes a classification, reasonable in itself, its power so to do is not to be denied simply because some innocent article comes within the proscribed class. *Purity Extract Co.* v. *Lynch*, 226 U. S. 192, 204. Taxing one person for the property of another is a different matter. There is no room for the suggestion that qua the appellant and those similarly situated the act is a reasonable regulation, rather than a tax law.

Neither of the reasons advanced in support of the validity of the statute as applied to the appellant justifies the resulting discrimination. The exaction is arbitrary and is a denial of due process.

The judgment must be reversed and the cause remanded for further proceedings not inconsistent with this opinion.

Reversed.

That is the decision and because of that decision I shall vote for the motion to strike this out of the bill.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 3 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, it is very significant that the churches of all denominations, so far as I can find out, are opposed to the compulsory joint-income-tax return. This provision penalizes matrimony and gives a premium to divorce and separation as divorce settlements are approbated. Every woman with whom I have talked or of whom I have heard is opposed to this provision in the belief that it is a step backward insofar as the rights of women are concerned; that it penalizes matrimony and family life. Hitherto, tax laws in the United States have been designed to encourage matrimony and to protect family life.

I am going to point out, Mr. Chairman, a comparison of the present law and the hardship that will be worked under the proposed joint-income-tax return. Take a mechanic who has a wife and a minor child and earns $2,600. This income would all be exempt with the $2,000 exemption and the $200 earned-income credit. If the wife makes $800 this also would be exempt. If the junior or minor earned somehow or other $700 a year, this also would be exempt. Under the compusory joint return, the husband's position would be as follows: His $2,600 would be exempt because of the $2,000 exemption for married persons and the $200 earned-income credit, and the $400 exemption for minor dependents: But, under the joint-return provision, the wife's net income would no longer be tax-exempt but would be considered as a part of the husband's income for tax purposes; hence the husband would have to pay $132 income tax on his wife's income. Furthermore, the junior's $700 income would have to be included in the father's return, also adding $115.50 to the father's tax bill, a total of $247.

By including the compulsory joint return, the husband is subjected to a threeway increase in his tax burden; because:

(a) The proposed revenue law will abolish the present surtax exemption and require the payment of the surtax on all taxable income.

(b) By sharply increasing the surtax rate, with the result that even the lowest bracket of taxable income will be subject to a tax of 16.5 cents on every dollar—above the husband's exemption of $2,000 for himself and wife, plus $200 earned income credit, and $400 for each minor or dependent—as compared to a corresponding rate of 4.4 cents on each dollar of taxable income; and

(c) By greatly increasing the husband's taxable income through adding to his income that of the wife and minor children—no matter whether these incomes are derived from an inheritance left to the wife or child by the thrift and savings of her father or other relative—or whether she herself is helping to augment the family income to keep a son or daughter in school by taking summer boarders, raising chickens clerking in a store, or by sewing, washing, or cleaning.

As the proposed measure would bring 17,500,000 families—and not a mere 250,000, as has been claimed—under the joint income-tax provision, no less than 8,000,000 of whom never have paid any income taxes, and would not now but for the compulsory joint return, it is no wonder that this proposal arouses the indignation of husbands—heads of homes and families—who see in this joint income-tax return a direct move to penalize the efforts of wives who are working to help families to get out of debt, to educate their children, to pay hospital or doctor bills, or to pay for a home.

ONLY A SMALL PERCENTAGE OF THE HUSBANDS AFFECTED ARE IN THE CLASS EARNING $5,000 AND OVER

Out of the 17,500,000 husbands who will be affected by the compulsory joint return, the Statistical Abstract of the United States for 1940, published by the United States Bureau of the Census, shows that according to the latest figures, only 944,750 families in the United States had incomes of $5,000 or over in 1935–36. In other words, this group represents only 2.71 percent of the families in the United States at the present time—whereas the compulsory joint return would tax approximately 50 percent of all families in the United States.

Out of the 17,500,000 families who will be obliged to pay Federal income taxes under the proposed law, only 5 percent have incomes of $5,000 or more, while 95 percent of the families who will have to pay income taxes earn less than $5,000 a year.

Mr. TREADWAY. Mr. Chairman, I yield 6 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, one of my distinguished colleagues stated that five members of the Ways and Means Committee had filed with the committee's report a statement expressing their views against the provision requiring mandatory joint returns by husband and wife. Our colleague, the gentleman from Pennsylvania [Mr. JARRETT], was of the same opinion as those who signed and would have signed except for the fact that he had been called back to his home to attend a funeral when the report was being prepared. It seems that regardless of what approach one might take in presenting his views on this very important matter he is confronted with the fact that the principal argument in favor of mandatory joint returns is one based on the desire to secure additional revenue and on the one that because of the law in community-property States some inequalities exist. I have maintained in the committee and on the floor of this House that these two arguments really do not have a place in this controversy. To me it is no argument to say "we need the money." Neither is it an argument in opposition to the claim that the proposition is in violation of the Constitution to say that the measure should be passed because there are some inequalities between the laws of different States. My contention is that the proposal is in conflict with the Constitution and that the fact that there are some inequalities in favor of those who live in the eight community-property States does not answer this constitutional objection. There are many differences between the tax laws of the different States besides the differences in the community-property States. These differences should be corrected in a lawful manner. Taxation is not the lawful manner. If you cannot correct these inequalities by law, you surely cannot correct them by taxation. Let me repeat, if you cannot correct them by law, it is not right to attempt to correct them by taxation.

The gentleman from Massachusetts [Mr. TREADWAY] has had a bill before the Congress for several years attempting to correct these complaints that are made against community-property States. If this should be corrected, it ought to be corrected on its merits. We ought to take the matter up in the House sometime and take 2 or 3 days and thresh the proposition out and see if we can do something about it. I am not speaking today for the 8 community-property States, but, rather, I speak for the 40 States that do not have community-property laws. I like the law as it is for husband and wife have the option of filing single returns or joint returns, as they might wish. Not to be personal but my wife and I have always filed joint returns. The figures show that a very large majority of married couples have done the same. No doubt they will continue to do it.

I am in favor of this motion. For more than a hundred years it was impossible for Congress to levy a Federal income tax. It was necessary to amend the Constitution before this could be done. In 1913 the sixteenth amendment to the Constitution was adopted. There was a provision in the Constitution giving Congress the right to "lay and collect taxes," but Congress could not lay and

collect income taxes until the sixteenth amendment was adopted. One of my distinguished colleagues a few days ago made an argument to the effect that Congress had a right to classify taxes, and thereby do what is attempted in this bill, because Congress had the right "to lay and collect taxes." But as I have already pointed out Congress did not have the right to lay an income tax for more than a century after the Congress had been levying taxes under the provision of the Constitution that he mentioned. We cannot touch this proposition under the general provision of the Constitution to levy taxes.

What does the sixteenth amendment say? Let me read it to you:

> Congress shall have power to levy and collect taxes on incomes from whatever source derived.

From this it must inevitably follow that when Congress would pass laws making this amendment effective that these taxes should be levied according to the provisions of the Constitution requiring them to be levied in a general way and to be uniform in their application. That means that all persons earning the same incomes should pay the same tax. A single man earning the same as a single woman should pay the same. Likewise, a married woman and a married man should pay the same. A should pay the same as B, regardless of sex. A should pay the same as B, regardless of location, if they earned the same income. If A, a woman, and B, a man, are earning the same and decide to go into partnership, their incomes should remain their separate property and taxable separately. If they should marry and continue to earn the same amounts, or any amounts, their respective incomes should be their own property and taxable separately. We can pass a law permitting them to file joint returns, but we cannot compel them to do so and thereby increase both their taxes. The Supreme Court has decided that matter in the Wisconsin case, which is a case directly in point. That is the case of *Hoeper* v. *Tax Commission* (284 U. S. 206). This is a case directly in point and is the only case decided by the Supreme Court on this point, and this case has never been modified or reversed. One of our colleagues made the claim that Congress could, by way of classifying taxes, levy a different tax on lawyers and doctors, and so forth. But he surely would not contend that Congress could levy a different kind of income tax on lawyers and doctors. We have to levy the same tax on the same incomes, whoever earns those incomes.

The other day when I was discussing this subject I used a crude but convenient illustration. Let me use it again. I hold up my wide open hand. Here are five fingers. Let them represent five different persons—you do not know which are males or which are females, nor the age, nor color, nor residence of any of them. Each earns the same income. Each must pay the same income tax. Because Congress levies the tax on the income and not on the person. If two of these go into partnership with the incomes remaining the same they would still be liable for the tax for the tax is on the income and not on the person. And, likewise, if two of them should go into the partnership we call marriage with the same income, then they should pay the same tax as before because the tax is on the income and not on the persons nor on the new social relationship resulting from the marriage. If the Congress desires to grant exemptions to two people who assume the great and natural relationship of establishing a home it can do so. It can do so on the some principle that is employed in fixing rates. Congress can say that persons with an income of $10,000 should pay a tax of a certain amount. Likewise Congress can say that persons earning $10,000 shall pay a certain amount which is the same as all others earning that amount, but if they are married they shall be granted an exemption which must be the same to all married persons. But Congress cannot pass a law that in effect says that if A and B marry that A must pay a part of B's taxes.

Therefore, Mr. Chairman, my position is that the source of all of the powers of Congress to levy income taxes comes from the sixteenth amendment. And that Congress must levy these taxes on the income without regard to the social, physical, or marital relationship of the individual, and that when two people marry and continue to earn the same income they cannot be taxed more for entering into that relationship unless the income is increased. Congress has the power to levy income taxes on incomes but not on people. I hope we will adopt the amendment under consideration. The Ways and Means Committee by a vote of 15 to 10 put this provision in the bill. The matter was not thoroughly considered by the committee. I opposed it then for the same reasons I oppose it today. I think we will make a mistake to fly in the face of the positive decision of the Supreme Court rendered when the Court was free and unfettered. I think that justice as well as common sense would dictate such a course. I hope this amendment carries. [Applause.]

Mr. DOUGHTON. Mr. Chairman, I yield 6 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, so far as simple equity, fairness, and fact are concerned everybody knows that the income that is derived by a family unit, that is, a real family unit, is spent and enjoyed by that family unit as a whole. I cannot understand how this proposition can be understood as an attack upon the institution of community property, in which I believe most earnestly. As I said in the House the other day, I believe that at least half of everything possessed by a husband belongs to his wife; certainly, that is the way our family operates. I think that should be a matter of general law in the United States. But when it comes to a question of fair and just levying of necessary taxes by the Federal Government in a time when you have to get all the revenue you can get, and get it therefore in the fairest way you possibly can, it seems to me under circumstances of that kind that it is obviously unjust to favor people in the upper-income brackets who derive a tax advantage from the fact that they are married, and then impose a burden on people in the lower group of income receivers, which is what you are in all probability going to get if you do not keep this provision in the bill.

As the committee report states, no married couple with an income of less than $4,000 can possibly be affected by this provision, for the following reason: The married couple has an exemption of $2,000, and the first bracket of taxable surtax income is $2,000. Therefore, until the total income of that family gets above $4,000 it does not make any difference how a husband and wife make their return—the tax will be just the same.

As further proof that this is a situation that affects only the relatively well-to-do people, it is true that in the State of California, a community-property State, only 10.9 percent of all the returns in that State were separate returns, and all the rest were joint returns, for the obvious reason that to the 90 percent of the income-tax payers it did not make any difference. To only 10 percent of the people of our State who made income-tax returns—to only 57,000 people, to be exact, does this tax advantage from separate returns accrue. To protect that group's advantage it is, in effect, proposed by this amendment to place an additional burden on many times that number of much poorer folk.

What are you going to do? Are you going to say that the upper income-receiving people can divide their income around as they please, whether they are in a community-property State or whether they are not, and, as a result of their doing that, then vote to lower the exemption perhaps to $1,500 for married couples?

Someone has pointed to husbands and wives that are having something of a struggle to keep roofs over their children's heads and there are many such in our country. That is precisely what I am thinking about when I say this provision ought to stay in the bill instead of putting into the income-tax group those earning between $2,000 a year and $1,500 a year. People with $4,000 a year income may not always have an easy time but they are not the families that have no roofs.

The family has been referred to, as, of course, I knew it would be. All I have to say about that is that it seems to me that if it is necessary for us to give a tax advantage to people to induce them to get married, it is a pretty poor way to protect a family. My idea of the ties that bind a family together are very different from that.

One speaker the other day—I have forgotten who it was—gave some figures and showed how many dollars it would cost some young people to get married if each of them had a $10,000 income. If two young people are contemplating marriage and if they are going to figure out on a dollars-and-cents basis how much it is going to cost them to get married, and if that would discourage them, I believe

it would be wise for them not to enter into that great institution, in which I certainly believe because my own experience in it has been the happiest thing in all my life. Furthermore I doubt mighty seriously how much it will add to the number of little children in our country if a marriage does take place under circumstances of this kind.

I feel that if we were in a position where we could reduce taxes, if we were in a different kind of a period in our country's history, if we were talking about a reduction of taxes, there might be both wisdom and justice in imposing a community property arrangement throughout the whole United States. We are in precisely the opposite situation today.

Everybody knows that this provision for separate returns constitutes a tax loophole, and not only in community-property States. The fact that in a community-property State the husband and wife can divide their salary income, which is the only difference between community-property States and other States in this regard, accounts for a very small percentage of the tax leakage due to this situation. In the State of New York there were 53,000 separate returns filed against 57,000 in the State of California, almost the same number. Why is this true? It is true because the wealthy people in the State of New York divided their property between husband and wife regardless of whose it was, and that is, it seems to me, a partial answer to the constitutional question raised by the gentleman from Wisconsin. For if, as he suggests, you cannot by law cause income of one person to be associated with income of another person for tax purposes—then how can a law be justified that permits this very thing to be done for purposes of reducing taxes? In the State of New York and every other State in the Union a small percentage of the wealthier people are taking advantage of this privilege in order not to share the burden which in justice and equity they should share for the support of the United States today. And if they do assume it they can possibly save some of the taxes on the poorer people of the Nation who, as I showed from figures I gave the last time I spoke in the House, are up to this very good hour paying a larger percentage of their income in taxes—considering all sorts of taxes—than are some of the people who get incomes as high as $5,000 and $6,000 per year. I hope this amendment will not prevail.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, I do not know whether I am violating any confidence or not, but after the hearings on this bill were closed and the members of the Ways and Means Committee were meeting in executive session, someone raised the question of how much more money we could get if we compelled husbands and wives to file joint returns. After carefully weighing the problem, an expert who was in attendance upon the committee and in whom the committee reposes great confidence ventured the opinion that a bill so drawn would yield approximately a gross of $287,200,000. Whereupon somebody made the motion, "I move we stand for joint returns," and, with but superficial consideration of the hardships it would impose, the motion was passed. Then from all over the country arose a storm of protest. In the face of this fast-developing opposition those who had voted for the motion did just what lawyers do who have taken a case—they set about thinking up arguments to justify the position they had taken.

The point I want to make is this. There was no adequate investigation of this question. Though hundreds of witnesses appeared before our committee during the time we were holding public hearings, no one of them seriously suggested that the committee make provision for mandatory joint returns by husbands and wives. Because so little was said during the course of the hearing no one realized the dangers that lay ahead. So nobody presented himself to our committee and no one was invited by the committee to discuss this momentous subject during the 4 long months we considered this bill. It was just decided upon and that was all there was to it. The arguments which you now hear in defense of the action the committee took are arguments which have been hastily devised by the members who voted for the motion in order to defend the position they had assumed. So in defending themselves after having taken action without adequate investigation, they are doing what all politicians and all lawyers who are in charge of litigation in court do. They looked for a scapegoat and they found that scapegoat in the community-property States, at least they thought they had found the thing with which they could arouse your prejudice in favor of retaining in the bill this iniquitous and ill-considered provision.

I now want to tell you people who come from States other than those in which the community-property system is in effect, that if you vote to retain this provision in the bill in order to compel those who live in community-property States to pay more taxes, you will be socking yourself right on the nose and will be hitting at those in the non-community-property States more than those living in the States at which this provision is directed. If anybody should want to bite off his own nose to spite his own face I know of no way that a resident of a noncommunity State could more effectively accomplish that end than to take his stand for compulsory joint returns by the members of the matrimonial partnership.

And I say that for this reason. This is going to raise $329,000,000, according to the revised estimate more than they would get if we continue to adhere to the present system, but I want to impress upon you that $275,000,000 of that $329,000,000 will be collected in the non-community-property States.

We are winding up the consideration of the 1941 and 1942 revenue bill, a bill which is supposed to produce $13,000,000,000. According to the estimates of experts the inclusion of the mandatory joint-return system will increase the community-property States tax responsibility $54,000,000, which is, after all, only four-tenths of 1 percent of the larger sum. So when our friends of the opposition say we ought to adopt this provision because we are going to make the people in the eight community-property States pay more, just bear in mind that they are talking about only four-tenths of 1 percent of the revenue that this year's bill will produce. They are making a mountain out of a molehill.

Then they tell you also that this is a provision only affecting the rich. Ah, I wish it were so easily disposed of. It is a principle that is involved here. It is the principle of compelling people to commingle their incomes for tax purposes. If you write that principle into the law and the courts hold it is constitutional, which I do not believe they will, you will have the principle on the statutes books to be expanded and extended. In the end you will find the exemptions will be lower, as the President has recommended and as the editorial writers are advocating, and then you are going to find that it is soon reaching down among the poorer people, because, after all, it is from the poorer people that we get the bulk of the revenue. When more revenue is needed—and another tax bill is already in the offing—the temptation to lower the bases will become increasingly alluring. If the emergency continues many months longer the move to lower the exemptions will become irresistible.

Do not let the camel stick his nose under the flap of our tent. Drive him from the threshhold while there is still time. Defeat this iniquitous proposal!

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. MCKEOUGH.]

Mr. MCKEOUGH. Mr. Chairman, there are just one or two features that have been touched upon in this debate so far that I think deserve some answer. The gentleman from California [Mr. GEARHART], who just preceded me, indicated there is a principle involved in this matter. With that conclusion I am in hearty accord. The principle involved is one of equity and justice for the benefit of 95 percent of the individual taxpayers of the country to correct an injustice accruing to the benefit of approximately 5 percent since 1913, when the original Federal income-tax law became the law of this land.

In passing may I remind the House that because there was no gift tax from 1913 to 1932, with the single exception of the year 1924, over $7,000,000,000 in income-producing securities were transferred by one spouse to another in order that they might avoid legally the payment of their just tax to their Federal Government. That is the practice we seek to correct, and I, therefore, do not share the conclusion of the gentleman from California, who now seeks to have compulsory joint returns removed from this tax bill and thus continue the present injustice.

One other argument that has been presented in the speeches, and one that is presented with an absence of logic or reason, but one that is constantly offered, is that compulsory joint returns will interfere with the sacred state of matrimony. Out of curiosity, I have looked up the vital statistics published by the Bureau of the Census for the eight community-propert. States that are making the attack on the work of the committee to determine what the divorce rate is in those individual States.

For the year 1932, which is the last that the Bureau of Publications was in a position to give, it shows that for the whole United States there were 163 divorces for every 1,000 marriages. For the State of Arizona there were 111; for the State of California, 327; for the State of Idaho, 528; for the State of Louisiana, 73; for the State of Nevada, 563; New Mexico, 78; Texas, 354; Washington, 215. Those are the 8 community-property States that want to strike out the compulsory joint return of husband and wife which the Ways and Means Committee included in this bill. The average of those States per 1,000 marriages was 281-plus divorces as against 163 for the entire United States for that year. These statistics most eloquently "explode" the false issue of divorce which has been raised by those who are opposed to compulsory joint returns. In passing may I state that for the year 1935 in England and Wales, where they have had compulsory joint returns for husband and wife for the past 19 years, there were only 12 divorces for each 1,000 marriages for that year. Of course we all know that California has what is known throughout the Nation as a very "hot spot." I think they call it Hollywood, which is one of the community-property States. Incidentally, California has 2 Members on the Committee on Ways and Means, 1 on the majority side and 1 on the minority side, and when they tell you that the community-property States, on the question of compulsory joint return for Federal income taxes, were not given attention by the committee, they are all too modest. In addition, the distinguished gentleman from Texas, another community-property State, who is also a member of the Ways and Means Committee and for whom I have a very high regard and affection [Mr. WEST], was most articulate and aggressive in the interest of the community-property States. That is the issue, the voters of the Nation want to correct a principle. Let us vote to keep the compulsory joint-return provision in the bill; let us have the joint returns and correct an inequity that has been in our Federal tax structure all too long.

Mr. TREADWAY. Mr. Chairman, I yield 7 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, this situation reminds me of an incident up in New York State, where a lawyer was defending a man of questionable conduct. Finally the judge leaned over and said to him, "Counsel, can you point out any provision of law that would warrant this court in discharging this man?" And the counsel replied promptly, "Yes, Your Honor, I can cite you to a chink in the common law that has been worn smooth by the scoundrels that have slipped through it." Mr. Chairman, for years a certain group in this country has been escaping their just proportion of taxes. They have been enjoying all the privileges of a free government, not only because of no gift tax to pay, but because they could transfer their property and thus escape their burden of taxation. Remember at this time we are in what is called an emergency, and this is supposed to be the greatest of all the emergencies that we have had in the last few years. We are told that the clouds of war are hovering low, and that this Nation must hasten to prepare to defend itself, and the citizens of this country are called upon to sacrifice, to the end that we may preserve all that we hold dear under our Constitution and our free government. The President in his letter to the gentleman from North Carolina [Mr. DOUGHTON] said that everybody would be willing to chip in to meet this great emergency. Is not this the time for these people who have been escaping a just burden of taxation to chip in, and not throw the whole burden on the rest of the people? I admit that I have received quite a few letters, and the headings of the letters were from some private yacht or from a castle or letters bearing a coat of arms, pointing out the injustice and saying that they would have to get a divorce if this joint return were kept in the bill. I say that is all folderol. As has been pointed out, England has had joint returns on her books for 20 years, and not only there are the divorces less, as pointed out by the gentleman from Illinois [Mr. MCKEOUGH] and as the records show, but yesterday I had a check-up to see about this terrible decrease in the birth rate that might occur. The birth rate in England in 1935 was over 7 points higher than it was in the United States. So, these claims are mere drivel. We better face the facts as they are.

When they say that this provision had no hearing in the committee, I point out that the Secretaries of the Treasury have been trying to stop this loophole, this escape from taxation, for years. The Ways and Means Committee had before it Mr. Leon Henderson, and I assume that he would not have spoken as he did unless it had the approval of the President. He was urging joint returns. The eloquent gentleman from California [Mr. VOORHIS] appeared before the committee and presented it, and the Secretary of the Treasury endorsed the principle of joint returns. Why should we now turn back, when there is an opportunity to correct this abuse, and especially in a time of great emergency? You must realize that we have right now a $50,000,000,000 defense item, and how are you going to meet it? Are you going to throw the entire load over onto the 94 percent and let these people escape as they have escaped for years? That is not just. That is not fair. That is not the American way. Not at all. I believe that this House, when you have thoroughly thought it out, certainly after you have read the hearings, where the arguments are unanswerable in favor of joint returns, keeping in mind that this bill right now will raise only $1,900,000,000 in the fiscal year 1942, $1,125,000,000 of which will go for paying interest on the national debt, what is there left for defense? It will take 2 full years of this bill to pay for what we are giving away to foreign nations, to say nothing about the appropriation bills that are coming up to pass out billions more to foreign nations. I think it is about time for this Congress to act and to act independently on this great question.

I am going to say one thing more: There is no man here who does not know that it is true. Within the last 3 days word has come down through this little fringe of tax dodgers, speaking through certain political organizations on both sides, "You will not get any contributions for your next campaign unless you wipe out this amendment." Gentlemen, let us be Americans today and not partisans. Let us vote for the United States of America and see that every person shares his full burden of this defense.

What does this mandatory joint return mean as reported in the proposed tax bill?

Answer. It requires husbands and wives living together to file a joint return if their aggregate gross income is $2,000 or over and to compute the tax on the aggregate income.

How is the liability fixed?

Answer. The liability for the tax may be joint and several or, at the election of either spouse, may be apportioned between them.

How is the apportionment of the tax liability made?

Answer. It is according to the ratio of the taxes which each spouse would have been required to pay had they filed separate returns.

What are the purposes of requiring mandatory joint returns by husband and wife?

Answer. (1) To prevent husbands and wives from transferring property between each other to escape taxation.

(2) To prevent husbands and wives, living in community-property States, from making separate returns to avoid their just burden of Federal taxation.

How does the law operate where mandatory joint returns are not required?

Answer. As an illustration, two families, each having the same income, viz: $10,000 a year; one family would pay $286 more than the other.

What effect will mandatory joint returns have on a family whose net income does not exceed $4,000?

Answer. There will be no increase in the tax. If there is one dependent the income would have to exceed $4,400 before the joint return will result in an increase in tax, and the net income would have to be increased by $400 for every additional dependent.

Have mandatory joint returns been tried elsewhere?

Answer. Great Britain has used mandatory joint returns for 20 years.

Have mandatory joint returns increased divorces in Great Britain?

Answer. Divorce rate in England and Wales in 1935 was 12 divorces for each 1,000 marriages; in the United States

during 1935 the divorces were 164 for each 1,000 marriages.

Do mandatory joint returns invade the rights of married women?

Answer. No; it treats the married woman exactly in the same manner as her husband for Federal tax purposes.

Do mandatory joint returns invade the married women's property rights?

Answer. Her property rights are in no way invaded.

Has the use of joint returns decreased the birth rate in England where the method of joint returns has been in operation for 20 years?

Answer. No; the birth rate in England in 1935 was 17.4 per 1,000; the birth rate in the United States in 1935 was 10.4 per 1,000.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, I shall vote for the joint mandatory income-tax return. I cannot understand why we should waste 2 hours discussing this question. The only question I can see which should be taking our time and attention is the fight we should be making against the German war machine. The kind of income tax we vote is of little significance compared to the preservation of our Government and our economic system. It takes money to defeat that war machine, and it is the paramount issue before civilization today. The joint return will raise more money, taking it from those who have the ability to pay. I bitterly regret that this pending tax bill favors some who have the ability to pay and will escape just taxation, but that is no reason for further extending the inequities.

I have always favored legislation giving women entire independence and economic and political equality. I do not believe that a mandatory joint return will affect that status. Those who can contribute money to the great world cause today should rejoice in the ability to participate. Our young men are surrendering freedom of action. Why should others complain?

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Chairman, were it not for the fundamental nature of this provision I would not presume to disagree with the distinguished committee which has spent so many hours and days and weeks bringing out a bill which is so necessary for the defense of our country. But I say the greatest misrepresentation that could have been made on this floor today is that those of us who come from the old line community-property States have brought about that system for the purpose of evading Federal taxation. Nothing could be further from the truth. Throughout the eighteenth century we had the community-property system. In 1803 when Louisiana became a part of this country we had the community-property system. In 1812 when we were admitted to the Union we had it, and we have had it since then. I think it is a liberal, progressive, and enlightened system, because it recognizes not only the sanctity of marriage but the sanctity of the component individuals who make up the union of marriage. The wife retains her separate property which she brings into the community and she lives as an integral part of the community through the marital relationship. This proposal strikes at the very roots of this system and for us is a return to medievalism.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ROBSION of Kentucky. Mr. Chairman, I shall vote in favor of the motion of the gentleman from California to strike out section 111, providing for the mandatory joint income-tax return of husband and wife. Every Member of the House takes an oath to support the Constitution of the United States. I believe this provision in the tax bill before us, under the decisions of the Supreme Court, is unconstitutional. In my opinion, no Member of Congress should ever vote for a measure that he honestly believes is unconstitutional.

Furthermore, this provision is a backward step in our economic and social life. The home is the great foundation stone as many of us believe for our religious, social, political, and economic life. For more than a century the Nation and the several States have been enacting laws to bulwark and strengthen the homes of this country. Every State has enacted homestead and other exemptions in order to encourage and protect the homes and families of the Nation and the Federal Government and the States have provided exemptions in tax returns for the benefit of the families. Under the common law the wife was little more than a chattel. With certain limitations the husband could inflict corporeal punishment on the wife. He became the owner of her personal property, and in many instances controlled her real estate. On her marriage she gave up her separate or individual estate and property. The women of this Nation have made a long and successful fight to free themselves from such slavery, and the husband can no longer chastise his wife as he did under the common law, and in practically all of the States she owns and controls all of her property, both real and personal. The wife's property is no longer subject to the debts of her husband. She is now a voter and can seek and be elected to public office. This emancipation of the women of America is in keeping with the enlightenment of our twentieth century civilization.

Section 111, providing for mandatory joint returns of income for Federal taxes, violates all of these principles and is a throw-back for more than 100 years. Under this provision the wife is compelled to pool her income with that of her husband for the purpose of income taxes and likewise the husband is compelled to pool his income with the income of his wife. The purpose of this is to place the income under the higher brackets and to increase the taxes on the husband and wife. In other words, it would force them to pay a greater income than they would be required to pay if each one filed a return for his or her own income and it would make the wife liable for the taxes of the husband and the husband liable for the taxes of his wife and, of course, would destroy her right to her own individual property and income as provided in the laws of practically all of the States. In other words, this would place a penalty upon matrimony and the creation of a home by the husband and wife. It is in direct contravention with the policy that we have been building up in the Nation and the States for many years, that is, to encourage rather than discourage matrimony and the creation of homes. Congress and the States have always recognized that the man with a family, and his wife, because of their children and other obligations, have greater burdens to bear than the average single person. Section 111 places upon them greater burdens in the way of paying taxes on their income than is placed upon single persons with same income. I would not have you understand I favor the husband and the wife with incomes escaping their just proportion of taxes. They should pay their just and reasonable portion of taxes, but I do object to their being penalized because they have entered into this most desirable relationship and have brought forth children and are building homes and the Nation. We have no right to pass a law that will take a part of the income of one person to pay the taxes of another person, for this is not equal protection or equal justice under law and in my opinion is in direct violation of amendment No. 16 of the Constitution of the United States. This provision does not affect me or any member of my family personally. There is only one income in my family.

Section 111 should be stricken and the bill should be amended so as to make it constitutional and so as not to take away the rights of American women who have or may have incomes. American women have fought hard to secure their social, political, and economic freedom and I am unwilling to take any of these freedoms from them for taxes or any other purpose. This bill could be amended so as to require that the husband and wife pay their just share of taxes on their income as compared with other taxpayers of the Nation with like income. This could be done without taking away the just rights of married women and without violating the Constitution of the United States.

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. REES of Kansas. Mr. Chairman, I believe the joint returns for husband and wife should remain in the bill. It should be understood this provision does not affect the income tax of any family

where the net joint earnings are as much as $4,000 or less. It does not materially increase the tax on incomes except where they net several thousand dollars per year.

As a matter of fact we are advised that less than 6 percent of the tax returns filed last year were separate reports. The other 94 were joint reports. In the State of Kansas, out of 30,000 returns filed, only 3.3 percent were filed separately. I mention this to show that only a few in the high-income brackets are affected. It certainly is a group upon which there will be no particular hardship, and who under these trying times, should be willing to contribute a little more to help carry the tax load.

Mr. Chairman, if this provision is taken out of the bill, it will mean a decrease in taxes on those who are able to pay, and don't forget it will likewise mean an increase of $330,000,000, that will have to be collected somewhere else. Furthermore, quite an amount of the added income is the result of the huge Government expenditures. I do think this section could well be amended to allow separate returns where it can be shown definitely that separate incomes are accrued or earned by the individual effort of the husband or wife, as the case may be. If we adopt this amendment, then they can divide their incomes in order to save the additional taxes.

Mr. Chairman, it seems rather strange the Rules Committee of the House would permit this section to be amended and not allow one of the other approximately 100 provisions of the bill go untouched. To say such method is unfair is putting it mild.

Mr. Chairman, if we are going to talk about inequalities, then examine the bill and you will find plenty of them. Of course, whether we like them or not, there is nothing we can do about them. Let me call your attention to one or two items on the point of inequality. This bill provides an extra flat tax on a yacht worth several thousand dollars, on every limousine with its private chauffeur, on every high-priced car, and $5 on every automobile of every kind and description, including the old or new car of every farmer, the laborer, and the car that is needed to carry the high-school boys and girls to and from schoool. And do not forget it will take thousands of additional inspectors and employees to see that the law is enforced. This bill makes every school boy and girl who is learning to play the violin or the flute in the school orchestra or the horn or the bass drum in the town band pay 10 percent extra on such instrument. These are only examples of many items in the bill. They are mentioned merely because so much has been said about the "inequity" of the provision in question.

Mr. Chairman, I do not believe for a minute the taxpayers in your State or my State, when they understand the situation, will complain because husbands and wives are asked to include their incomes on a joint return, when they understand it will not increase their taxes unless their joint net earnings are more than $4,000 a year. I am sure if you have had complaints about this matter they did not come from farmers, who are now bearing more than their share of the load, nor from the laboring man or the clerk in the store, or Mr. Average Citizen, as you and I know him. If you insist on this amendment, then be fair and let us go on down the line and examine the other provisions of the bill.

Mr. Chairman, I do not believe the comparatively few taxpayers whose taxes you choose to reduce this afternoon will, in view of the emergency and under the extraordinary circumstances, find fault with the payment of this tax.

Mr. Chairman, there are many features in this bill that do not suit me. But there is nothing I can do about them. I do trust that in view of the condition of the Federal Treasury, and considering the tremendous burden that is being imposed on our people, and considering that even more taxes will have to be raised to partially take care of the ever-mounting expenditures of our Government, I hope you will not knock out the provision in question and ask the already overtaxed citizens to make up the additional $330,000,000.

Mr. TREADWAY. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I waited rather patiently for 3 days to discuss this issue. I cannot do it in 4 minutes.

I note that some people have been able to rise above principle and vote for this simply because it would bring extra taxes. Some seem to have admitted this. I cannot agree with that.

Would you not like to give your daughter money when she married and keep it entirely from her husband's knowledge if she desired? Under this bill she must disclose and merge it with her husband's affairs. I am unwilling to place her in that position if it would cause disturbance in her marital relation and tend to jeopardize her financial status.

I am glad the gentlewoman from Ohio [Mrs. BOLTON] courageously discussed the so-called moral side. They quote conditions in England and France. I had not supposed that the situation in those nations was on a higher moral plane than ours. I had thought they could carry on separate establishments with less criticism than we could. To illustrate, and I have no time for argument—

"Wot ees zees 'Golden Wedding' you speak of?" she asked. "We do not have eet een France."

"That," said the bishop, "means that this woman and I have lived together for 50 years."

"Ah, zat ees beautiful" the girl breathed. "So now you are getting married, no?"

Certainly we are not going to say that our morals are below the morals of those countries, but money is a very tender point. Women today who can make their own living hesitate about getting married. Why not force them to marry by way of a tax? Under this bill you will note that you have to make a sworn return and declare under oath whether you are living together or not. Many married people can live very happily in separate establishments no doubt.

He said: "I have been getting along splendidly for 3 years with my wife."

"Have you, indeed?"

"Yes."

"What is the matter now?"

"She came back."

Mr. Chairman, these may be slightly illustrative. I did have a speech I thought of some importance, as I had received valuable suggestions from many who have written me their opinions.

Many a woman would say, "What I have is mine, it don't belong to my husband; it never did; why should I disclose it to him?"

And so with the husband. A happy married life does not demand that. The question of money does separate many. You may call it "twaddle," if you will, but you cannot make people love each other by this bill.

We favor marriage. We give a married couple $2,000 exemption. But we now turn on them and soak them good by this bill.

I care and know little about your community-property laws. They may be vicious—I rather think they are. We are thinking of the status of women as a principle. It may be all right if they are happily married and willing to disclose and share property with their husband, but I do not want to see them forced to do so by legislation. Our women are independent persons, and I must recognize their full rights as such.

It may be a good thing to have no joint return, and make everybody file separate returns. If we want to save taxes on our salary by having our wives' property losses deducted we can now and do make joint returns. Would we not get more revenue by compulsory separate returns? Why do we not examine these figures? Perhaps it would be better to recognize husband and wife as separate people and force everybody to file separate returns. I do believe greater revenue would be obtained and violation of principle complained of avoided.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. ALLEN].

COMPULSORY JOINT INCOME-TAX RETURNS

Mr. ALLEN of Louisiana. Mr. Chairman, the Ways and Means Committee has worked hard and long on this great tax bill and deserves much credit. The bill is the biggest tax bill in our history. It is the result of several months of work. The sums involved in the bill are staggering, but we have heard the demand from all parts of the country to render aid to England, and it takes a lot of money to do the things we are doing. I shall, therefore, vote for the bill because it seems necessary.

I rise in opposition, however, to section 111 which requires husbands and wives to file a joint income-tax return. I shall support the motion by the gentleman from California [Mr. BUCK] to strike this section from the bill. It seems to me that this matter may be considered from two aspects. First, the question of policy and, next, the question of power. As a matter of policy, is it good for Congress to do that? Then does Congress

have the power to do it? I shall probably not have time to go into the latter.

LOUISIANA LEGAL HISTORY

Louisiana has had three flags to fly over it—the Spanish, French, and United States flags. Louisiana, as you know, was purchased from France in 1803 and it remained a territory until 1812 at which time it was admitted to the Union. Prior to its admission, the Code Napoleon, found in the colony, had been adopted by the territorial legislature as the law of the land, and this became the Code of 1808. Students of legal history know that the Code Napoleon had a connection with the Roman law of the time of Emperor Justinian. When Louisiana was admitted to the Union in 1812, the Congress and President Jefferson knew that the the basic law of Louisiana was the French law, as set forth in the Civil Code. We were accepted into the Union under that system. That was 129 years ago and 105 years before we had our income-tax law.

I hold in my hand a copy of the Civil Code of Louisiana. Much of it is similar to the Code Napoleon. In fact, many of the articles still bear the old number.

CHARGE OF TAX EVASION

Mr. Chairman, I regret that speaker after speaker has taken the floor on this bill and many of them undertake to make it appear that people from community-property States are tax evaders. You propose in this bill to strike down our basic law—the Civil Code. Are we to be called tax evaders because we operate under a legal system contrary to most of the other States? You charge that the community-property States have an advantage. That is open to debate. Our system of law may have some advantages, but it might have some things that you in the common-law States might not like. In fact, some States that formerly had the community-property system abandoned it when common-law citizens moved in. But, be that as it may, it cannot with honesty be said that we are tax evaders in the community-property States merely because we operate under a system unlike yours. Certainly we did not create the so-called advantage, and the law was not adopted 133 years ago with any such thought.

INVASION OF STATE'S RIGHTS

The question, therefore, of any so-called advantage is really not material to the issue. The real issue is, Can Congress practically strike with nullity the very basic laws which were the foundation of our admission into the Union? Can Congress go into a sovereign State and strike down our legal system. Is it legally possible and is it morally right? Under our system of law, marriage is a contract, a partnership. The two spouses own in equal parts the products of their labor. As stated a moment ago, that fact was known to the President and Congress in 1812 when we came in. The rights embodied in our legal system might be considered as a sort of reservation of rights. Can this Congress now 133 years later deny those rights? I want to remind you from the common-law States who are minded to assist in this invasion of States' rights that you would do well to proceed with caution because that same exercise of Federal power might rise up to haunt you.

PENALTY ON MARRIAGE

I am not impressed, Mr. Chairman, with the argument that the mandatory joint return would lead to divorces, immorality, and so forth. I subscribe to the view that marriage is sacred and cannot and will not be placed on a dollar basis. But I do accept the argument that it will place a penalty on marriage, and there seems little doubt about that. The very fact that the combined incomes of husband and wife are added together so as to put the aggregate in the higher surtax bracket is proof that it does penalize marriage. The tax on the family unit is much higher than it would be on the same two people not married. The purpose of providing exemptions in income-tax laws has always been to promote marriage, to encourage home building, to induce people to assume the responsibilities of home life. The home is the earliest institution and it was divinely established, too. That divine institution should not be penalized. This bill does exactly that.

ECONOMIC AND FINANCIAL FREEDOM OF WOMEN

Moreover, Mr. Chairman, this move would go far to deprive American womanhood of the economic and financial freedom it has won over scores of years. Women in America long ago won the right to vote, and Congress and the various State legislatures have from time to time unshackled women until today they are no longer chattels and slaves but are the proud coworkers with men, freely handling their own financial affairs, and competing with men in the arts, sciences, and learned professions. Who would take this backward step? Who would relegate woman to the position she occupied many decades ago? A distinguished gentleman undertook to warn the Members awhile ago that to vote to strike this section out of the bill would bring down the wrath of voters on their heads. I want to say in reply to that that the women of America want this blot on womanhood stricken from this bill and I want to remind you that the women do about half the voting and they do all of the cooking and any group that does half the voting and all the cooking is a pretty good group to stick to.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 1 minute to the gentleman from Nevada [Mr. SCRUGHAM].

Mr. SCRUGHAM. Mr. Chairman, I hold no brief for dodgers of taxes, wherever their residence, but I rise to protest against the proposed requirement of a compulsory joint income return for husband and wife. Such a requirement will be contrary to the American concept of equal rights and privileges. Under existing law the husband and wife are separate entities. It has taken centuries to change the medieval concept that the husband and wife are one, and that one being the husband, with the wife a chattel. The preposterous assumption that a man and wife are one only for income-tax purposes has no place on the statute books of this enlightened Republic. To require a woman to report her income as being the income of her husband is a flat denial of the independent status of womankind.

In the past it has clearly been the intent of Congress not to penalize the development of American family life, and there is no reason to now change its policy.

There is nothing new in this theory of the joint return. It was originally proposed as a constitutional method of invading the statutory rights of the so-called community-property States and has been repeatedly rejected. It is arbitrary and contrary to principles of our free Republic. I also have another marked objection to this proposed law which I desire to place on record.

The Second Revenue Act of 1940, approved October 8, 1940, carries the following section which is now the law:

SEC. 731. Corporations engaged in mining of strategic metals in the case of any domestic corporation engaged in the mining of tungsten, quicksilver, manganese, platinum, antimony, chromite, or tin, the portion of the adjusted excess profits net income attributable to such mining in the United States shall be exempt from the tax imposed by this subchapter. The tax on the remaining portion of such adjusted excess profits net income shall be an amount which bears the same ratio to the tax computed without regard to this section as such remaining portion bears to the entire adjusted excess-profits net income.

It is fully recognized by all of the agencies of our Federal Government that the strategic metals named in the above-quoted law are absolutely necessary to the defense of this country in the present emergency and that without them our position becomes grave, indeed. The above section of the law was passed by the Congress and approved by the President for the express purpose of developing and bringing into production every possible domestic source of these metals.

The defense agencies of our Government have urged the mining men of the United States to seek and produce the vitally needed metals in large quantities, and in responding to the request of their Federal Government, literally hundreds of these men have made heavy commitments. One operation alone has expended $5,000,000, and another $3,500,000, and so forth.

It must be emphasized and realized that these properties are uneconomic except at the present time, and that they cannot produce at the end of the emergency when cheap foreign metals will again fulfill the normal demand. Furthermore, to take more than the 30 percent of normal and surtax will make impossible the return of the many millions of dollars of investments during the short life that may be anticipated for these properties. These mines and mills, many of which are just going into production, have no record of prior earnings and an excess-profits tax credit of 8 percent on invested capital will be totally inadequate in view of the high risk encountered and the short life to be expected.

The elimination of this exemption from the excess-profits tax will actually

result in loss of revenue to the Government instead of increased revenues, because the throttling of incentive to seek and develop the marginal ores will kill productive enterprise. In relying on the present law producers are venturing large amounts in prospecting and consequently are taking risks of large losses. There are two particularly strong reasons why the Committee on Ways and Means, the Congress, and the executive branch of the Federal Government should not eliminate this well-considered exemption:

First. It is acting in bad faith with those who have gone ahead with the development of these metals under the appeal and encouragement previously given.

Second. It will result in the utter discouragement of any further development of ore bodies or recovery processes for these metals.

Again, it is repeated that the elimination of this exemption will not bring additional revenue but that it will result in heavily decreased revenues and its effect on our defense program will be disastrous.

The declared objective of the present excess-profit tax law is the prevention of war millionaires and of profiteering at the expense of the national-defense program. Congress adopted this objective in 1940 and again in March of this year. The primary function of the law is to tax excess profits at very high rates. It is essential that the tax apply only to true excess profits. As a necessary corollary, normal profits should remain subject only to the rates of a normal tax system.

The translation of this policy into a specific revenue statute is not easy. Yardsticks for measuring "normal" profits are difficult to devise. Nevertheless, the higher the rates of tax, the more imperative it is that fair standards be selected and applied. This problem of selection is seriously complicated by the fact that business enterprises vary so greatly with respect to their organization and their methods of financing and operation. Every enterprise involves fluctuating profits, recurring losses, and varying factors of risk.

The present law prescribes two principal methods of determining the allowance for normal profits: (1) Ninety-five percent of the average earnings for the 4 years, 1936–39, or (2) an 8 percent return upon invested capital. We believe the general plan is sound and fair. However, the application to the mining industry of the highly technical provisions of the present law produces unfair and unintended results in many cases.

The following outlines the more important facts which are particularly significant:

(1) Mining is a peculiarly hazardous industry—relying upon extraordinary profits for an occasional "hit" to offset the losses of frequent "misses."

(2) Many mines are "marginal" producers, and metal prices are widely fluctuating. For example, during the base period years, many mines were shut down or were operated at only partial capacity.

(3) Many mines were recently discovered—and many more, it is to be hoped, are awaiting discovery. In such cases, of course, their earning record (if any) is inadequate.

(4) The limited "invested capital" of a mine in full production usually bears no relation to the normal earning capacity of the enterprise and is insignificant compared to the true value of the property after it is brought into full production.

(5) The defense program is dependent upon the success of the mining industry, which, in turn, is dependent upon continued exploration, discovery, and development.

(6) With reasonably stable prices which the industry is assisting the Government to maintain, increased production results merely in earlier realization of profits and exhaustion of capital. If profit per unit does not increase, there can be no true excess profits.

(7) Average earnings: In general, the years 1936–39 were not representative of normal earnings in the mining industry. Some mines, because of low prices or low demand, were shut down during the whole or a substantial part of this period, or were operating at very low capacity. Others may have had profits in 1936 and 1937, but losses or small profits in 1938 and 1939. In such a period, the average earnings credit as computed under the present law does not fairly represent normal profits. Unless such mines have adequate amounts of invested capital as computed under the present law, they may have much, if not all, of their normal profits subjected to an excess-profits tax.

The invested capital allowance presents serious problems for the mining industry. The essential difficulty is that, in many instances, the invested capital allowance is not commensurate with the real value of the mine. Certainly the invested capital should not be limited to the cost of the undeveloped property. Many mines were discovered and developed after years of prospecting and labor, but without the investment of substantial amounts of capital. If the ore body has been developed or discovered during or after the base period, there will be no adequate earnings record. Even for a mine previously discovered or developed, adverse conditions may have resulted in wholly inadequate base-period earnings. In the absence of either invested capital or prior earnings, substantially all the profits of such mining enterprises will be subject to excess-profits tax, unless the special relief provisions, which are limited in application and often inadequate, can be applied.

Limitations in present provisions: The provisions in the present law dealing with the treatment of abnormalities are not general in character; in fact, they are so phrased and limited that it is the exception abnormality that can be relieved under these provisions, because of the strictness of their terms. They fail to give relief not only in cases of unanticipated abnormality but in many cases where hardship due to abnormality can be anticipated. The effect of the act is unreasonable as regards what hardships are relieved against and what hardships are not, and in many cases the tax result will be out of line with the common-sense business view that the worst kind of abnormality is the one that penalizes one competitor and does not penalize another.

(a) No kind of abnormality of invested capital is relieved against.

(b) In the case of abnormalities of income for the current taxable year no relief is provided for except with reference to an item which can be attributable in whole or in part to some other than the current taxable year.

The vast field of other income abnormalities which are peculiar to the current taxable year is left wholly unrelieved. One of them is the case where income has been substantially increased merely by improving executive management or by going into a different kind of business; for instance improvement starting in the year 1940 and culminating 2 or 3 years later in sound business results having nothing to do with profiteering or anything connected with the war situation. The only place in the law where any special treatment of abnormalities of income in the taxable period is dealt with is section 721; even as to income which is attributable to some earlier or some later year, no relief at all is to be given unless a comparison with a 4-year test period shows that the abnormal item in the taxable period is more than 125 percent of the average amount of the gross income of the same class during the test period. This depends entirely on how the word "class" is construed, and at best puts an unreasonable limitation on the amount of the relief.

Suppose the taxpayer has an unusual item of income for services in the current taxable year, with no taint of profiteering or of war activity. Even though attributable to another year, it cannot be shifted or adjusted if the bureau holds, in determining the average amount of the gross income of the same class during the 4-year test period, that certain other items of income abnormally received during those test years are of the same class. Also, if the income of that class in the current taxable year, is, say, $125,000, and the average amount of gross income of the same class for the test period is, say, $100,000, the corporation gets no relief whatever for the $25,000 excess. In other words, this $25,000 of income is treated in this law as if it deserved to be considered excess, when it plainly is not excess income.

(c) The only other provisions for the relief of abnormalities are those dealing with base-period income for purposes of the income credit. Any relief along this line must be found either in section 711 (b), (1), (H), (I), (J), and (K), or in section 722.

In the provision concerning abnormal deductions in section 711 (b), (1), (J), there are the same difficulties as to the application of the term class and the same difficulties growing out of the 125-percent figure.

Suppose a corporation had to pay a fee of $25,000 in one of the base-period years for attorneys' fees in resisting an unfounded Government claim for windfall taxes. That would seem to be abnormal, but if the Government should hold that the class is attorneys' fees, and the company from year to year has paid

attorneys' fees averaging $20,000 a year any relief is denied here. Furthermore, if the taxpayer is otherwise entitled to relief under section 711 (b) (1) (H) (I) or (J), he does not get the relief unless the taxpayer establishes that the abnormality is not due to "an increase in the gross income of the taxpayer" in its base period, or a decrease in the amount of some other deduction in its base period, and is not due to a change at any time in the type, manner, or operation, size or condition of the business (subdivision (k) (ii)).

If the taxpayer gets by all these obstacles, it is still denied the relief by subdivision (K) (iii) unless the abnormal deduction item in the base-period year is less than the amount of the deductions of such class for the current taxable year. That is, suppose the amount paid for attorneys' fees in defending against a windfall tax claim was $30,000, and the average for attorneys' fees in the test period was $20,000, the taxpayer might get an adjustment to the extent of $5,000, but if, because of business expansion and war conditions, its attorneys' fees in the current taxable year had been as much as $30,000, section 721 does him no good.

To make this relief depend upon the peculiar conditions of the current taxable year—presumably a year influenced by war conditions—must result in the failure of any relief, in many cases which ought to have it.

(b) We come finally to the long and involved section 722, entitled "Adjustment of abnormal base period net income." It covers an extremely narrow class because it does not apply at all except to cases where the taxpayer has changed the character of the business and cases where there was interruption of operations due to the occurrence of abnormal events. In other words, no taxpayer that did not change the character of its business before 1940 or did not interrupt its operation can look to 722 for any relief whatever.

Even the taxpayer whose abnormalities are due to one or the other of the foregoing causes gets no relief except it establishes the fact showing that it is outside the following limitations:

(A) Genuine abnormalities no matter how unreasonable the results, cannot be considered under section 722 if they belong to the following most frequently met with instances of abnormality: High prices of materials, labor, capital, or any other agent of production, low-selling price of the product of the taxpayer or low physical volume of sale owing to low demand of such product or for the output of the taxpayer.

(B) Even though a taxpayer suffered abnormal losses of very large sums in the first 3 taxable years, it gets no relief at all if its excess-profits net income (as computed under sec. 722) showed a reasonably good result. That is, under section 722 (b) (4), the average base period net income under section 722 can never be adjusted to a lower point than can its last taxable year in the base period. The insertion of this limitation will prevent relief under section 722, without any logical reason at all, in a considerable number of cases.

(C) There is no relief at all unless the tax computed without reference to section 722 exceeds 6 percent of the taxpayer's normal tax net income for such year.

(D) No relief under section 722 is possible except to the extent that the application of the section would result in a diminution of the excess-profits tax otherwise payable by more than 10 percent.

The fact that a great many words in the law have been devoted to the provisions about treatment of abnormalities does not mean that the provisions are broad in their effect. On the contrary, most of the words have been devoted to cutting down the area of application. The unusual cases are the ones that are relieved, the usual ones are the ones that are left unrelieved by the existing provision.

Mr. DOUGHTON. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. THOMAS F. FORD].

Mr. THOMAS F. FORD. Mr. Chairman, first let me say that I fully appreciate the arduous work the committee has put on this bill, and I realize the difficulties encountered. Faced with the necessity of raising revenues of an unprecedented total, doubtless many members of the committee accepted provisions which they ordinarily would oppose.

With the closed rule, which I opposed, there is little we can do except to express our opinion. There is, however, one provision of the bill which we can demolish today, and that is the section providing for joint returns of income tax in those States where separate returns are the law. The people of my State think they have a right to continue to regard a man as a human being and a woman as another human being. They do not think a woman should lose her right to economic independence as this provides. They question the constitutionality of the provision and insist that if a State has any rights at all, it has the right to determine such a tax policy as this.

I am strongly opposed to the levying of a uniform use tax on automobiles. It seems to me ridiculous that a workman, owning a $50 jallopy, used primarily to go to and from his work, should pay the same use tax as that levied on the $5,000 limousine. If those cars valued at less than $300 were exempt, there would be some justice. Also I think that owners of cars valued in excess of $1,000 should pay on a valuation basis. I am as much opposed to a use or unit tax on automobiles as I am to a poll tax on individual voters.

The idea of taxing radio and billboard advertising and exempting magazines and newspapers, both of which already enjoy a substantial subsidy amounting to some $129,000,000 per year in the way of postage rates, seems to me unjust.

If I may, I would like to ask the committee if a tax on newspapers and magazines was proposed; on what ground it was eliminated; and just what argument was presented to justify the exemption?

This was partially answered by one member of the committee, who stated that newspapers and magazines, as a source of revenue, had not been reached.

Mr. TREADWAY. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, we have heard a great deal this afternoon about the question of striking section 111 from the bill. It has been referred to as a discrimination against women, against married couples, and in other similarly ridiculous terms. I contend there is no discrimination in section 111, either real or implied, insofar as women are concerned. In fact, there is no mention of either skirts or breeches in the bill, so you may just as well forget that and get down to brass tacks.

We hear a lot of talk about chivalry and about placing women in bondage, and that the section seeks to make mere chattels of women, but I have not heard anybody say anything about misplaced chivalry or the abject submission on the part of some women who have permitted themselves to be used by tax evaders in order to get into the lower-income tax brackets. That is something you cannot explain or get away from. In my State and every other State the problem we seek to correct exists, the same thing is true. Every legalistic scheme possible was employed to get away from the higher brackets to get down into the lower brackets in order to take advantage of the lower tax rate. The abuse is in full bloom in the community property States, particularly expensive to the Government. We do not hear any objection to section 111 from the 94 percent throughout the Nation or from about 97½ percent in my State who are already and without compulsion making joint returns. They have no fears.

This objection, Mr. Chairman, comes from a select few in Michigan and in every State. The howl is most pronounced from the direction of California, Texas, and the community-property States. Who are they who oppose the joint return? Based on my mail—and I think the same is true generally—those listed in Who's Who are opposed to it, not those who till the soil, not those who mine coal, not those who make the steel, not those who are in the military camps today—but the select and privileged few, that element referred to by the gentleman from Illinois [Mr. MCKEOUGH] that in the past few years transferred billions of dollars of securities into the hands of their wives in order to get away from the payment of their just share of taxation.

I say to you if you strike section 111 from this bill, your vote will haunt you at election time, and that is not any bugaboo. That is, as a matter of fact, a truth. Insofar as I am concerned, this question is not dead regardless of how it goes here today, because, sooner or later, this committee is going to have to bring before this House a bill that will restore the $323,000,000, which it is intended by the minority to kick out. If you do that, here is about the way it will hit the average person.

Under this bill the community-property States taxpayer with an income of $10,000 is expected to pay $880. In my

State the same income-tax payer is expected to pay $1,166. If you strike section 111 from the bill, you better be prepared at the same time to assume an increased tax burden, and you will be called upon in all probability to pay $1,628. If you want to do that for the love of the community-property States, if you want to do that for the select few of your State, which in numbers runs from about 2½ to 5 percent of the total of taxpayers, if you want to confirm the special privilege enjoyed in the non-community-property States, then by all means vote to kick section 111 out of the bill and prepare yourselves to pay the difference, because that is exactly what is going to happen.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, we hear a great deal in reference to discrimination in assessing taxes. In my opinion, the provision requiring husband and wife to make a joint return is not discrimination. Those who claim it is discrimination must admit it affects less than 5 percent of those who make income-tax returns because it is my understanding that over 95 percent of married couples make joint returns.

Here you have a provision, if inserted in the bill, will require husband and wife to pool their income and make a joint return, while under the provisions of existing law it is possible for a husband to reduce his taxes by presenting as a gift to his wife part of his holdings and then the wife and husband would make individual returns which would not be subject to as much surtaxes as a joint return would be. It is true at the time the gift was made, if subsequent to 1932, the gift tax was paid. It is likewise true that some wives inherited money, other than from their husbands, or a business, but I am informed that that class is less than 1 percent. Prior to 1932, with the exception of 1924, there were no gift taxes, and, therefore, when the spouse transferred money to one another, no gift tax was paid.

We have heard much about ability to pay in assessing taxes. That is just exactly what you are doing with the provision under discussion, assessing those who have ability to pay. On the other hand, if the motion to strike this provision from the bill prevails, the measure will be over $329,000,000 below the amount that we seek to raise. We must find other ways to raise this money if you strike this section out, and I predict that in the end the great majority of this amount will be secured through excise taxes. Now, what are excise taxes? Nothing but a hidden sales tax, and where less than 5 percent of income-tax payers are affected by the joint-return provision, 100 percent of income-tax payers, including that class whose income is not sufficient to require them to pay any income tax, will be directly affected by the additional excise taxes. There are hundreds of thousands who cannot shoulder this burden. They only have an income now that is but a mere pittance.

Nine hundred million dollars more in revenue will be raised by the new excise or sales taxes as provided for in this bill over the amount raised by existing law, which is $2,535,184,000. You expect under this bill to raise $3,435,184,000 in excise or sales taxes, with, as I say, all the people, regardless of how rich or how poor, contributing toward that amount. I have never been for an outright sales tax, and I hope that the condition of this country will never warrant the Congress in imposing a sales tax because, in my opinion, if there is discrimination a sales tax would discriminate against those who do not have the ability to pay, including those with less than a $1,000 yearly income. It would be at their expense that we would raise the revenue and the benefits would accrue to those who have the ability to pay.

The way I figure it out is that I will be required to pay approximately three and one-half or four times as much in taxes next year as I paid for the year 1940, with no increase in income. I make no complaint, because if it is necessary for me to give 20 or 25 percent of my income to the Government, I am perfectly willing to do so, if the balance of 80 or 75 percent will continue to be worth 100 cents on the dollar.

I cannot conceive how anyone would want inflation, and that is what we are headed for if we do not pay part of the national-defense bill as we spend. To saddle this entire amount upon the public debt spells inflation.

I am sorry to hear the chairman of the committee say that we will have another tax bill next year. If it is on the way, why not do the job now and not wait until next year? If we do, and we will also pass legislation providing price control, then inflation is out of the picture entirely.

Let us think now of the 95 percent of our taxpayers who will be affected by the defeat of this proposal. It is just one more effort to close up a loophole in our tax laws through which a small group have escaped paying a just tax. Their country by dire necessity needs this financial help now. It is their country that protects their holdings, and they should cheerfully contribute and ask no special privileges.

The gentleman from New York [Mr. REED] stated a moment ago word has come in the last few days to both sides of the aisle that if this provision carries, look for no compaign contributions. If there is one Member who is influenced by such a threat, then I say that Member is not fit to be among us. I cannot conceive that such a statement will have any bearing on any vote; at least, I hope it will not. I ask, would they rather contribute to a political party than to their country that is in need?

I sincerely hope that the motion to strike this proposal from the bill is defeated.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, I have heard Members get exercised here because, they say, this will have a tendency to decrease the birth rate in America. Everybody who has ever studied the situation in this country knows that the stork will come down the chimney right when the wolf is nosing around the front door. The group this tax should come from, the group that you hear making a big outcry in connection with this matter, is not as a rule the childbearing group. So you can disregard that argument. One Member stated that God never instituted marriage, but God made man and woman, and man and woman instituted marriage. The Book of Faith of the overwhelming majority of this group gives a divine plan and initiation of the marriage bond. The status contemplated in this part of the bill is not a fiction but a fact.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Chairman, I yield 9 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Chairman, I assume we are getting toward the conclusion of the consideration of this motion. It is a tremendously important thing that we are about to vote on. In the first place, the Ways and Means Committee has done a great deal of work on this bill and I agree that the Members of the House ought to stand by the members of that committee if they can in good conscience and sound judgment do so.

There are two or three things that are important and I want to talk about them in a conversational way. Before I do that, may I suggest to the distinguished gentleman from Illinois that possibly some of those divorces that have been granted out around Reno might be traced pretty nearly back to his own State, but we will not talk about that.

If this provision in the bill does not have constitutional support, the quicker that is determined and the provision eliminated, and the Ways and Means Committee goes to work finding revenue from a source that will stand up, the better it will be for everybody. That is a clear-cut proposition. Everybody will agree with that I believe.

Now, let us see about that. I agree with one of the gentlemen who spoke today that these constitutional questions should in the first instance be determined by the House itself.

We may not look exclusively to the determinations of the Supreme Court as conclusive in determining our own responsibility and duty under the Constitution because it is within the power of the Houses of Congress in instances to do a violence to the Constitution which is beyond the restraining and corrective power of the court. As to such a violation, we answer alone to our conscience and to the people. However, as to this sort of matter we must operate in addition to that restraint within the limitations already fixed by the Supreme Court.

Nobody will attempt to controvert that. This question, this identical question has been directly before the Supreme Court and the Supreme Court as definitely as it has ever announced its judgment declared that this sort of a tax arrangement cannot stand up. That is what we

are up against as a practical legislative proposition. Not only do we have this decision of the Supreme Court, but the decision rests on reasons that are sound and compelling and within the understanding of us all. Nobody has been able to challenge, or at least I do not believe so, the soundness of the reasoning of the majority of the Supreme Court on the question which arose in the Hoeper case, from which I quoted extensively last Friday and upon which the Supreme Court based its conclusion that what is here proposed is unconstitutional. Even the opinion by Mr. Justice Holmes in that case, and I refer to the dissenting opinion, sustains the position taken here by those who claim this provision is not constitutional. Mr. Justice Holmes held that the States fix the status of husband and wife and the Supreme Court should recognize that fixation as binding. The majority of the Court held that even the State of Wisconsin, which had the constitutional power to fix the marital status, could not go as far as it is here proposed to have the Congress go, which has no powers whatever to fix the marital or the property status or any other relationship incident thereto.

Justice Holmes held, and I assume those of the Court who agreed with him held, that the determination of the status,—the marital relationship—was a matter that was in the governmental jurisdiction and power of the States, and that the State in passing the law, the constitutionality of which was before the court, had in its passage to that degree fixed the marital status, and it was therefore the duty of the Supreme Court to follow the determination of the State. I want to emphasize this point because considerable attention has been centered upon the fact that Justice Holmes and the now Chief Justice dissented.

That dissenting opinion, held that the action of the State in this fixation was within its power, its exclusive power, and was binding upon the Supreme Court. That is exactly the contention of the opponents of this provision. I realize this is an unusual way to examine an opinion by the Supreme Court but point has been made as to this dissent, and I am taking the liberty of pointing out that it was a dissent against the power of the Supreme Court, equally applicable of course to the Congress, to disregard the finality of the State's action in fixing the status of husband and wife, as that status may be considered in relationship to income tax.

Thus we have the majority of the Court holding squarely against the constitutionality of the power here attempted to be exercised even when a State which has the power to fix the marital status attempts it, and the minority declaring the finality of State action fixing the marital status, and so forth. This section 111 therefore is contrary to the reasoning of Mr. Justice Holmes as to the finality of State action and is contrary to the clear-cut opinion of the Supreme Court that even a State possessing this power could not do what it is here proposed to have the Congress do.

Let us see where we go from there. There is no question—and none of the gentlemen who have appeared heretofore have questioned—that States have fixed an independent - marital - relationship status. They have fixed a status of woman and a status of man as independent with reference to the property they own and the obligations they owe to the Federal Government, as if they were not married and had no relationship at all with each other. Nobody is going to controvert that, and I assume it will not be controverted that in so doing the States were operating within their own exclusive governmental powers and their action was final and binding upon all governmental agencies, including the Congress and the courts, subject, of course, to certain restrictive constitutional provisions not applicable here.

That brings us face to face with this concrete, definite proposition: Should the Committee on Ways and Means, in the first instance, and the House, in the second instance, disregard that fact, that determinative fact? Should we attempt under these circumstances arbitrarily to put these two legally separate, independent persons together in their tax returns, thereby forcing them into a higher bracket by the mandate of Congress? It seems to me the question answers itself. We operate under constitutional limitations which cannot be removed by recitation of the percentage of the people affected or the need for more money. It cannot be done; that is the point, however much we might be willing to do it. The Supreme Court has held we cannot do it, and reason determines that we cannot do it. It seems to me every consideration should prevent us from doing this very thing.

We could not put John Smith and Bill Brown together in one tax return in order to make John Smith and Bill Brown pay more money into the Treasury than they otherwise would pay. It could not stand up. It has been knocked down by the Supreme Court. We can just as well put John Smith and Bill Brown together and compel them to make a joint return as we can compel the woman and the man because they are married to make a joint return. Insofar as anything Congress can do about it, the Supreme Court has held their individual status for tax purposes to be the same.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Michigan.

Mr. DINGELL. Do they not put John Smith and Bill Brown together in a partnership under the tax laws?

Mr. SUMNERS of Texas. I would like not to go too far afield if my friend will excuse me. I regret to oppose this great committee. We all make mistakes in our committees. This committee, so the Supreme Court in the Hoeper case says, has made a mistake by incorporating the provisions of 111 in this bill.

Under the Supreme Court decision they could just as well say that the farmers in a community or any other group of people that they feel they could put together should make a joint return and, therefore, make them pay more money. True, the man and woman are husband and wife, but they are independent for the purposes of income taxation. They are just as independent, insofar as the necessity and opportunities and obligations to make these returns are concerned, as if they had never known each other. There is no recognition anywhere in our law that the husband and wife as to their separate incomes sustain any sort of relationship such as that in a partnership, a corporation, or in a voluntary association.

We love our friend, the chairman of this committee. I regret to have to differ with him. We have great appreciation for what the members of his committee have done. If the position of the opponents of section 111 is sound we are doing no disservice either to the committtee or the country by asking for its elimination now. The contrary is true.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Is it not the gentleman's opinion that if the committee is correct in its assumption of power to tax the family as a unit by compelling the consolidation of returns, it might just as well have gone a step further and included in the consolidated return the income of adult children who are living under the same roof as a part of the family?

Mr. SUMNERS of Texas. I went further than that in my statement.

Mr. KERR. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from North Carolina.

Mr. KERR. Will the gentleman concede that by making a joint return the husband and wife get on a different level of taxes than if a single return is made?

Mr. SUMNERS of Texas. Probably that is so.

Mr. KERR. If the gentleman admits that, how can you do that under section 8 of the Constitution, which states that all taxes must be uniform?

Mr. SUMNERS of Texas. I cannot discuss that great question in the minute remaining.

Mr. DISNEY. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to my friend from Oklahoma.

Mr. DISNEY. May I inquire if the distinguished gentleman has any suggestion as to how this whole situation may be cured?

Mr. SUMNERS of Texas. No; I have not.

Mr. DISNEY. The gentleman has not?

Mr. SUMNERS of Texas. No; I cannot profess to know, as the gentleman knows, how to do it.

Mr. DISNEY. I remember that before when the gentleman appeared against the resolution of the gentleman from Massachusetts [Mr. TREADWAY] to do away with the community property preference, he suggested that Congress should not do it, that it should prepare a statute that was all-inclusive. I wonder what the gentleman meant by that?

Mr. SUMNERS of Texas. I regret there is not time to go into that matter now nor any other. What I have had

time to say here is more or less supplementary to what the committee permitted me to say last Friday, which appears at page 6644 of the RECORD of August 1.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Chairman, of course we all listen with great interest to the distinguished gentleman from Texas [Mr. SUMNERS], who is chairman of the Judiciary Committee, and yet as I sat there I marveled that in his state of single blessedness he should know so much about the complications of the marital status.

Let me say to the gentlemen from the community-property States that they have suggested several times that their constituents have been accused of tax evasion in an unfriendly manner. The fact is that all during the committee meetings and during the hearings the proposition advanced was that under the community-property law there was opportunity for legal avoidance and we tried to stress that. As I stated the other day, Thomas Adams, the great expert, said that there were two methods of getting away from taxes. One was illegal evasion and the other was legal avoidance. I thought that was a very clever differentiation, and under the community-property law there is ample opportunity for legal avoidance.

Mr. Chairman, I know that speeches are not going to change anybody's mind as to how he is going to vote on the amendment that has been offered. I imagine it will be an exhibition of about as clear independence of thought in the shape the matter now is as any vote that was ever taken on this floor.

Mr. Chairman, taxation has been a troublesome problem ever since the dawn of civilization. The citizen who asked the Saviour, "What shall we render unto Caesar?" presented a tax problem. And now in these later days, amidst the complications and growing responsibilities of modern civilization, and their attendant vast expenditures, our citizenry, as in days of old, repeat the inquiry, "What shall we render unto Caesar?"

The primary purpose of levying the additional taxes in this bill is to partially defray the cost of national defense. No one member of the committee is in entire agreement as to all the provisions of the bill. It is in a sense a compromise of conflicting opinions as between the committee, the Treasury experts, and the associates of the Joint Internal Revenue Committee.

It contains but one drastic change, when considered in connection with previous tax policies. I refer, of course, to the subject under discussion, mandatory joint returns.

In my humble opinion, in view of previous decisions, the courts will probably hold that such a policy is within the realm of "reasonable classification."

Mr. Chairman, throughout the length and breadth of our beloved country there has come from the press, the pulpit, and the political rostrum a clarion cry for unity.

What a splendid opportunity presents itself at this moment to aid in effectuating that unity. An opportunity for the Congress and for the folks we represent.

Let all married men say to their wives, "Fair lady, dost thou realize that in making separate tax returns we have profited mightily thereby for lo, these many years? And now, forsooth, Uncle Sam desireth to put his house in order and guard it against those who would destroy it. Let us all join hands, husbands and wives, of both community property and noncommunity States and declare that we will help him. You, fair lady, will lose none of the rights and privileges that you have so assiduously sought and so rightfully deserved. Your status is forever assured and is as determinate as the position of the pole star."

If I thought the adoption of this policy would in the slightest degree restrict or hamper the way of life of our American women, or their liberty and pursuit of happiness, I would not thus beseech thee.

Therefore, I pray thee, join with me in this endeavor to stimulate this spirit of unity which has contributed so materially and is so necessary to the maintenance of this great Republic.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from New York yields back 2 minutes.

Mr. TREADWAY. Mr. Chairman, I yield the 2 minutes I have remaining to the gentleman from North Carolina.

Mr. DOUGHTON. Mr. Chairman, I yield myself the remainder of the time and I ask unanimous consent to revise and extend my own remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DISNEY. Mr. Chairman, will the gentleman from North Carolina yield for one question?

Mr. DOUGHTON. I yield to the gentleman.

Mr. DISNEY. I desire to inquire of the chairman of the committee if he can see any reason why the law should give the family the right to exemptions as a unit and not fix upon the family, the husband and wife, the responsibility of taxpaying as a unit.

Mr. DOUGHTON. I regret that that great constitutional question was not propounded to the gentleman from Texas [Mr. SUMNERS]. I can, of course, see no justification for treating married couples one way for purposes of the exemption and another for tax purposes. I would like for someone to answer that. If they cannot combine them for tax purposes, how can they combine them for exemption purposes? When it is to their advantage there is no constitutional question raised, but when it is not to their advantage, of course, the constitutional right is brought up then and that interferes with their conscience or their judgment as to the constitutionality of the proposed provision in the bill.

The pending motion to strike out mandatory joint income-tax returns in the bill presents no personal issue, no committee issue, nor does it constitute a party issue. This is truly a national issue which affects every citizen and especially every Federal taxpayer in the country. In simple terms, it is this:

Should all Federal taxpayers be placed upon a plane of equality, regardless of the State or place of their residence? Should 95 percent of the taxpayers be required to pay higher taxes because the law permits the other 5 percent, who are more able to pay taxes than the 95 percent, to enjoy a special subsidy?

As to the community-property States, around which there has revolved so much discussion, even in those States only a very small minority or less than 14 percent get any advantage from the discriminatory provisions of the present law, while the other 86 percent, even in the community-property States, must pay higher taxes because of special benefits received by the few.

How Representatives in Congress from those community-property States can give preferential consideration to the 14 percent, when in so doing they must place heavier burdens on the 86 percent, is beyond my comprehension. This, of course, is for them to reconcile with their own consciences and the people whom they represent. But what about the 96 percent of the people in the non-community-property States who get no advantage under the present law but who must pay additional taxes on account of the benefits that accrue to the 4 percent, who are more able to pay taxes than the other 96 percent?

The issue is clear, but unfortunately not well understood by the entire country. It has been greatly beclouded by the most widespread and selfish propaganda I have ever known in connection with the consideration of any tax bill.

To my colleagues of the non-community-property States: Can we be responsible for continuing a policy or a provision of law which compels us on our salaries or other taxpayers similarly situated, under similar conditions, to pay $286 per annum more for the support of our Government than those living in the community-property States? How can we vote to condone such a glaring inequity and injustice to the people whom we represent? They may not all know or fully understand its effect now, but they certainly will as the result of the wide publicity now being given to this subject. If we do not close this stupendous loophole and stop this legal tax avoidance, then how can we justify imposing still heavier taxes or increasing present taxes to the amount of $329,000,000 to make up the amount of revenue which will be lost if the pending motion is adopted? Everyone must recognize that this is one of the most glaring loopholes which has ever been permitted under our tax law.

No question is ever settled until it is finally settled right. If, by any chance, the pending motion should be adopted today, the battle will not be ended but will continue with increased fury. If the motion to strike this provision from the bill prevails, I believe that, like Banquo's ghost, the problem will continue to haunt us until the righteous wrath and indignation of the intelligent people of this Nation compel the removal of this injustice.

Truth crushed to earth must rise again more powerful than ever.

Do not think for a moment that if you adopt this motion you will not have to face the direct issue of raising this amount from some other source.

There is no way by which we can avoid the responsibility for the three and one-half billion dollars in revenue to be raised by the bill. If this three hundred million is lost by the elimination of the joint-return provision, it must be made up somewhere else. It may come back to us in the form of increased income-tax rates, or in the excise-tax group, which increases were so strenuously opposed by the President, or in all of these types of taxes. It may fall upon automobiles, upon gasoline, or any one of the other commodities already heavily taxed.

These are the facts which must be in our minds as we approach this important vote. We must weigh them carefully and take the responsibility for our action. I feel certain that if this is done the motion will be defeated and the joint-return provision will remain in our bill.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. KNUTSON. Is not a vote to eliminate section 111 in effect a vote to increase taxes in the lower brackets?

Mr. DOUGHTON. Undoubtedly. The people in the lower brackets are not affected by the joint-return provision unless they have a net income of more than $4,000.

Mr. Chairman, my friend, the gentleman from Ohio [Mr. JENKINS], raised the Bible and waved it in my face, and in return I ask him to read the Saviour's Sermon on the Mount where he says:

> Lay not up for yourselves treasures upon earth, where moth and rust doth corrupt, and where thieves break through and steal.
>
> But lay up for yourselves treasures in heaven, where neither moth nor rust doth corrupt, and where thieves do not break through nor steal.
>
> For where your treasure is, there will your heart be also.

My friends, in this great controversy, in this great issue of national significance, it seems to me, and I regret to think it, much less to express it, that many people throughout this country have a working agreement between their consciences and their pocketbooks, and if that condition should become Nation-wide, then where is the foundation upon which our national security rests? The issue here today is one of integrity, one of fair dealing, one of fair play in matters of taxation, and that is the issue that will confront us and must confront us, when we approach the settlement of this great question. Defeat the joint-return provision today, and it may be that the taxes on automobiles and on gasoline and the personal income taxes will have to be increased. This question will come back to haunt you like Banquo's ghost, and it will not be settled until it is settled right.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. BUCK].

The question was taken; and there were (on a division demanded by Mr. BUCK) ayes 179 and noes 135.

Mr. DOUGHTON. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed Mr. BUCK and Mr. DOUGHTON to act as tellers.

The Committee again divided and the tellers reported there were ayes 197 and noes 139.

So the amendment was agreed to.

The CHAIRMAN. Under the rule the Committee will rise.

Accordingly the Committee rose and the Speaker having resumed the chair, Mr. COLE of Maryland, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 5417 and pursuant to House Resolution 280 he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. DOUGHTON. Mr. Speaker, I demand a separate vote on the Buck amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en grosse.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. BUCK: On page 13, beginning in line 5, strike out all of section 111.

The SPEAKER. The question is on agreeing to the amendment.

Mr. DOUGHTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 242, nays 160, not voting 30, as follows:

[Roll No. 98]

YEAS—242

Allen, Ill.	Byron	Dondero
Allen, La.	Camp	Douglas
Anderson, Calif.	Cannon, Fla.	Downs
Anderson, N. Mex.	Capozzoli	Dworshak
Andresen, August H.	Carter	Eaton
Andrews	Chapman	Elliott, Calif.
Angell	Chenoweth	Elston
Arends	Chiperfield	Engel
Baldwin	Clason	Englebright
Barry	Clevenger	Fellows
Bates, Mass.	Cluett	Fenton
Baumhart	Coffee, Nebr.	Fish
Beckworth	Coffee, Wash.	Fitzgerald
Beiter	Cole, Md.	Flannery
Bell	Cooley	Ford, Leland M.
Bender	Copeland	Ford, Thomas F.
Bennett	Costello	Gale
Bishop	Cravens	Gamble
Blackney	Crawford	Gavagan
Bloom	Crosser	Gearhart
Boggs	Culkin	Gerlach
Boland	Cullen	Gifford
Bolton	Cunningham	Gillie
Boykin	Curtis	Gossett
Bradley, Mich.	Day	Graham
Brooks	Delaney	Grant, Ind.
Brown, Ohio	Dewey	Green
Buck	Dickstein	Guyer, Kans.
Buckley, N. Y.	Dies	Hall, Leonard W.
Butler	Dirksen	Halleck
	Ditter	Hancock
	Domengeaux	
Harness	Ludlow	Satterfield
Harrington	Lynch	Schaefer, Ill.
Harris, Va.	McCormack	Schuetz
Hart	McGranery	Scrugham
Hartley	McGregor	Secrest
Healey	McLaughlin	Shanley
Hébert	McLean	Shannon
Heffernan	Maciejewski	Sheppard
Heidinger	Maciora	Sheridan
Hess	Magnuson	Simpson
Hill, Wash.	Mahon	Smith, Maine
Hinshaw	Mansfield	Smith, Ohio
Hobbs	Martin, Iowa	Smith, Va.
Holmes	Martin, Mass.	Smith, Wash.
Howell	Mason	Smith, W. Va.
Hunter	Meyer, Md.	Somers, N. Y.
Imhoff	Mills, La.	South
Izac	Moser	Stearns, N. H.
Jackson	Murdock	Stratton
Jarman	Norrell	Sumner, Ill.
Jarrett	Norton	Sumners, Tex.
Jenkins, Ohio	O'Brien, Mich.	Sutphin
Jennings	O'Brien, N. Y.	Sweeney
Johns	O'Leary	Taber
Johnson, Calif	O'Toole	Talle
Johnson, Ill.	Pace	Tenerowicz
Johnson, Luther A.	Paddock	Thomas, Tex.
Johnson, Lyndon B.	Patman	Thomason
Johnson, W. Va.	Patton	Tibbott
Jones	Peterson, Fla.	Tinkham
Jonkman	Pheiffer, William T.	Tolan
Kean	Pittenger	Traynor
Keefe	Plauché	Van Zandt
Kefauver	Ploeser	Vorys, Ohio
Kelley, Pa.	Plumley	Wadsworth
Kelly, Ill.	Poage	Walter
Kennedy, Michael J.	Powers	Welch
Keogh	Ramspeck	Wene
Kilburn	Randolph	West
Kilday	Reece, Tenn.	Wheat
Kinzer	Reed, Ill.	Wigglesworth
Kleberg	Robsion, Ky.	Wilson
Kopplemann	Rockefeller	Winter
Kramer	Rodgers, Pa.	Wolcott
Kunkel	Rogers, Mass.	Wolfenden, Pa.
Lanham	Rolph	Wolverton, N. J.
Lea	Russell	Woodrum, Va.
Leavy	Sacks	Worley
	Sanders	Wright
	Sasscer	Young
		Youngdahl

NAYS—160

Andersen, H. Carl	Fulmer	Mott
Arnold	Gathings	Mundt
Barnes	Gehrmann	Murray
Beam	Geyer, Calif.	Myers, Pa.
Bland	Gibson	Nelson
Boehne	Gilchrist	Nichols
Bonner	Gore	Oliver
Boren	Granger	Patrick
Bradley, Pa.	Gwynne	Pearson
Brown, Ga.	Haines	Peterson, Ga.
Bryson	Hall, Edwin Arthur	Pfeifer, Joseph L.
Bulwinkle	Hare	Pierce
Burdick	Harris, Ark.	Priest
Burgin	Harter	Rabaut
Byrne	Hendricks	Ramsay
Canfield	Hill, Colo.	Rankin, Miss.
Cannon, Mo.	Hoffman	Reed, N. Y.
Carlson	Holbrock	Rees, Kans.
Casey, Mass.	Hook	Rich
Clark	Hope	Richards
Claypool	Houston	Rivers
Cochran	Hull	Rizley
Cole, N. Y.	Jacobsen	Robertson, N. Dak
Colmer	Jensen	Robertson, Va.
Connery	Johnson, Ind.	Rogers, Okla.
Cooper	Johnson, Okla.	Sabath
Courtney	Kee	Sauthoff
Cox	Kennedy, Martin J.	Scanlon
Creal	Kerr	Schulte
Crowther	Kirwan	Shafer, Mich.
D'Alesandro	Knutson	Short
Davis, Ohio	Kocialkowski	Sikes
Davis, Tenn.	Lambertson	Smith, Conn.
Dingell	Larrabee	Smith, Pa.
Disney	LeCompte	Snyder
Doughton	Lesinski	Sparkman
Drewry	Lewis	Springer
Duncan	McArdle	Starnes, Ala.
Durham	McGehee	Steagall
Eberharter	McIntyre	Stefan
Edmiston	McKeough	Stevenson
Eliot, Mass.	McMillan	Sullivan
Ellis	Manasco	Tarver
Faddis	Marcantonio	Taylor
Fitzpatrick	May	Terry
Flannagan	Merritt	Thill
Fogarty	Michener	Thom
Folger	Mills, Ark.	Treadway
Forand	Monroney	Vincent, Ky.
Ford, Miss.		

Vinson, Ga.	Weaver	Wickersham
Voorhis, Calif.	Weiss	Williams
Ward	Whelchel	Woodruff, Mich.
Wasielewski	Whittington	Zimmerman

NOT VOTING—30

Barden	Grant, Ala.	Osmers
Bates, Ky.	Gregory	Rankin, Mont.
Buckler, Minn.	Jenks, N. H.	Robinson, Utah
Burch	Landis	Romjue
Cartwright	Maas	Rutherford
Case, S. Dak.	Mitchell	Scott
Celler	O'Connor	Spence
Collins	O'Day	Thomas, N. J.
Doxey	O'Hara	Vreeland
Flaherty	O'Neal	White

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. O'Neal for, with Mr. Robinson of Utah against.

General pairs:

Mr. Doxey with Mr. Vreeland.
Mr. Burch with Mr. Landis.
Mr. Spence with Mr. Scott.
Mr. Grant of Alabama with Mr. Case of South Dakota.
Mr. Collins with Mr. Rutherford.
Mr. Barden with Mr. O'Hara.
Mr. Cartwright with Mr. Jenks of New Hampshire.
Mr. Gregory with Mr. Osmers.
Mr. Romjue with Mr. Thomas of New Jersey.
Mr. Mitchell with Mr. Maas.
Mr. Bates of Kentucky with Miss Rankin of Montana.
Mr. White with Mr. Buckler of Minnesota.
Mr. Celler with Mr. Flaherty.
Mr. O'Connor with Mrs. O'Day.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. CROWTHER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CROWTHER. I am.

The SPEAKER. The Clerk will report the motion of the gentleman from New York.

The Clerk read as follows:

Mr. CROWTHER moves to recommit the bill H. R. 5417 to the Committee on Ways and Means with instructions to report the same back to the House with amendments designed to raise the amount of revenue lost by the elimination of section 111.

Mr. DOUGHTON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. DOUGHTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. COOPER and Mr. MARTIN of Massachusetts rose.

The SPEAKER. The Chair will recognize first the gentleman from Tennessee, [Mr. COOPER]. He was first on his feet.

Mr. COOPER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER. The vote now to be taken is on the final passage of the bill. Is that correct?

The SPEAKER. The gentleman is correct.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. That was the inquiry I wanted to propound, Mr. Speaker.

The question was taken; and there were—yeas 370, nays 29, not voting 33, as follows:

[Roll No. 99]

YEAS—370

Allen, Ill.	Cullen	Hill, Colo.
Allen, La.	Cunningham	Hill, Wash.
Andersen, H. Carl	Curtis	Hinshaw
Anderson, Calif.	D'Alesandro	Hobbs
Anderson, N. Mex.	Davis, Ohio	Hoffman
Andresen, August H.	Davis, Tenn.	Holbrook
Andrews	Day	Holmes
Angell	Delaney	Hope
Arends	Dewey	Houston
Arnold	Dickstein	Howell
Baldwin	Dies	Hunter
Barnes	Ditter	Imhoff
Barry	Domengeaux	Izac
Bates, Mass.	Dondero	Jacobsen
Baumhart	Doughton	Jarman
Beam	Douglas	Jarrett
Beckworth	Downs	Jenkins, Ohio
Beiter	Durham	Jennings
Bell	Dworshak	Jensen
Bender	Eaton	Johns
Bennett	Eberharter	Johnson, Calif.
Blackney	Edmiston	Johnson, Ill.
Bland	Elliot, Mass.	Johnson, Luther A.
Bloom	Elliott, Calif.	Johnson, Lyndon B.
Boehne	Ellis	Johnson, Okla.
Boggs	Elston	Johnson, W. Va.
Boland	Engel	Jones
Bolton	Englebright	Jonkman
Bonner	Faddis	Kean
Boykin	Fellows	Kee
Bradley, Mich.	Fenton	Keefe
Bradley, Pa.	Fitzgerald	Kefauver
Brooks	Fitzpatrick	Kelley, Pa.
Brown, Ga.	Flannagan	Kelly, Ill.
Brown, Ohio	Flannery	Kennedy, Martin J.
Bryson	Fogarty	Kennedy, Michael J.
Buck	Folger	Keogh
Buckley, N. Y.	Forand	Kerr
Bulwinkle	Ford, Leland M.	Kilburn
Burgin	Ford, Miss.	Kilday
Butler	Ford, Thomas F.	Kinzer
Byrne	Fulmer	Kirwan
Byron	Gale	Kleberg
Camp	Gamble	Kocialkowski
Cannon, Fla.	Gathings	Kopplemann
Cannon, Mo.	Gavagan	Kramer
Capozzoli	Gearhart	Kunkel
Carlson	Gerlach	Lanham
Carter	Gibson	Larrabee
Casey, Mass.	Gifford	Lea
Chapman	Gilchrist	Leavy
Chenoweth	Gore	LeCompte
Chiperfield	Gossett	Lesinski
Clark	Graham	Lewis
Clason	Granger	Ludlow
Claypool	Grant, Ind.	Lynch
Clevenger	Green	McArdle
Cluett	Guyer, Kans.	McCormack
Cochran	Gwynne	McGehee
Coffee, Nebr.	Haines	McGranery
Coffee, Wash.	Hall, Leonard W.	McIntyre
Cole, Md.	Halleck	McLaughlin
Cole, N. Y.	Hancock	McLean
Colmer	Hare	McMillan
Connery	Harness	Maciejewski
Cooley	Harrington	Maciora
Cooper	Harris, Ark.	Magnuson
Copeland	Harris, Va.	Mahon
Costello	Hart	Manasco
Courtney	Harter	Mansfield
Cox	Hartley	Martin, Iowa
Cravens	Healey	Martin, Mass.
Crawford	Hébert	Mason
Creal	Heffernan	May
Crosser	Hendricks	Merritt
Culkin	Hess	Meyer, Md.
Michener	Risley	Sumners, Tex.
Mills, La.	Robertson, N. Dak.	Sutphin
Monroney	Robertson, Va.	Sweeney
Moser	Rockefeller	Taber
Mott	Rodgers, Pa.	Talle
Mundt	Rogers, Mass.	Tarver
Murdock	Rogers, Okla.	Taylor
Myers, Pa.	Rolph	Tenerowicz
Nelson	Russell	Terry
Nichols	Sabath	Thill
Norrell	Sacks	Thom
Norton	Sanders	Thomas, Tex
O'Brien, Mich.	Sasscer	Thomason
O'Brien, N. Y.	Satterfield	Tibbott
O'Leary	Scanlon	Tolan
Oliver	Schaefer, Ill.	Traynor
O'Toole	Schiffler	Treadway
Pace	Schulte	Van Zandt
Paddock	Scrugham	Vincent, Ky.
Patman	Secrest	Vinson, Ga.
Patrick	Shafer, Mich.	Voorhis, Calif.
Patton	Shanley	Vorys, Ohio
Pearson	Shannon	Wadsworth
Peterson, Fla.	Sheppard	Walter
Peterson, Ga.	Sheridan	Ward
Pfeifer, Joseph L.	Short	Wasielewski
Pheiffer, William T.	Sikes	Weaver
Pierce	Simpson	Weiss
Plauché	Smith, Conn.	Welch
Ploeser	Smith, Maine	Wene
Plumley	Smith, Ohio	West
Poage	Smith, Pa.	Wheat
Powers	Smith, Va.	Whelchel
Priest	Smith, Wash.	Whittington
Rabaut	Smith, W. Va.	Wickersham
Ramsay	Somers, N. Y.	Wigglesworth
Ramspeck	South	Williams
Randolph	Sparkman	Winter
Rankin, Miss.	Starnes, Ala.	Wolcott
Reece, Tenn.	Steagall	Wolfenden, Pa.
Reed, Ill.	Stearns, N. H.	Wolverton, N. J.
Rees, Kans.	Stefan	Woodruff, Mich.
Rich	Stevenson	Woodrum, Va.
Richards	Stratton	Worley
Rivers	Sullivan	Wright
	Sumner, Ill.	Young
		Youngdahl
		Zimmerman

NAYS—29

Bishop	Hall, Edwin Arthur	Marcantonio
Burdick	Heidinger	Mills, Ark.
Canfield	Hook	Murray
Crowther	Hull	Pittenger
Dingell	Johnson, Ind.	Reed, N. Y.
Dirksen	Knutson	Robsion, Ky.
Disney	Lambertson	Sauthoff
Gehrmann	McGregor	Springer
Geyer, Calif.	McKeough	Tinkham
Gillie		Wilson

NOT VOTING—33

Barden	Flaherty	O'Neal
Bates, Ky.	Grant, Ala.	Osmers
Boren	Gregory	Rankin, Mont.
Buckler, Minn.	Jackson	Robinson, Utah
Burch	Jenks, N. H.	Romjue
Cartwright	Landis	Rutherford
Case, S. Dak.	Maas	Scott
Celler	Mitchell	Spence
Collins	O'Connor	Thomas, N. J.
Doxey	O'Day	Vreeland
Fish	O'Hara	White

So the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. Vreeland for, with Miss Rankin of Montana against.
Mr. O'Neal for, with Mr. Celler against.

Until further notice:

Mr. Doxey with Mr. Fish.
Mr. Burch with Mr. Landis.
Mr. Spence with Mr. Scott.
Mr. Grant of Alabama with Mr. Case of South Dakota.
Mr. Collins with Mr. Rutherford.
Mr. Barden with Mr. O'Hara.
Mr. Cartwright with Mr. Jenks of New Hampshire.
Mr. Gregory with Mr. Osmers.
Mr. Romjue with Mr. Thomas of New Jersey.
Mr. Mitchell with Mr. Maas.
Mr. White with Mr. Buckler of Minnesota.
Mr. Bates of Kentucky with Mr. Flaherty.
Mr. O'Connor with Mrs. O'Day.
Mr. Robinson of Utah with Mr. Jackson.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent that in enrolling the bill just passed the Clerk of the House be authorized to make changes in the section numbers and cross references thereto made necessary by the striking out of section 111.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the bill may have 5 legislative days in which to extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HILL of Washington. Mr. Speaker, my colleague, the gentleman from Washington [Mr. JACKSON], is unavoidably absent. Had he been present he would have voted for the so-called Buck amendment and would have voted for the bill.

EXTENSION OF ENLISTMENTS IN THE NAVY

Mr. SABATH, from the Committee on Rules, presented the following report on the bill S. 353 (H. Res. 284) to provide for the extension of enlistments in the Navy (Rept. No. 1121), which was read, and referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 353, a bill to provide for the extension of enlistments in the Navy. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

REQUISITIONING OF PROPERTY REQUIRED FOR DEFENSE OF THE UNITED STATES

Mr. SABATH, from the Committee on Rules, presented the following report (H. Res. 287) on the bill S. 1579 to authorize the President of the United States to requisition property required for the defense of the United States (Rept. No. 1122), which was read, and referred to the House Calendar and ordered printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Military Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

EXTENSION OF REMARKS

Mr. McARDLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from President Wilson, a letter from former Secretary of the Treasury, Mr. McAdoo, and a letter from Mr. Livingston Farrand of the American Red Cross.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to embrace therein a letter written by my colleague, the gentleman from Texas [Mr. KLEBERG], to the Department of Agriculture.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein certain pertinent paragraphs.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today in the Committee of the Whole and to include as a part thereof the majority opinion in the case of Hoeper against the Wisconsin Tax Commission.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. TINKHAM. Mr. Speaker, with unanimous consent I desire to extend in the Appendix of the RECORD a recent editorial from the Saturday Evening Post.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on three separate and distinct subjects and in two of those to include newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Michigan, [Mr. HOFFMAN]?

There was no objection.

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two short editorials.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. McGRANERY]?

There was no objection.

(Mr. O'BRIEN of Michigan asked and was given permission to extend his own remarks in the RECORD.)

PUNISHMENT OF PERSONS TRANSPORTING STOLEN CATTLE

Mr. WALTERS submitted a conference report and statement on the bill S. 1261, to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 1359. An act for the relief of Robert Edward Lee; and

H. R. 4671. An act to authorize a plant-protection force for naval shore establishments, and for other purposes.

THE LATE ALVA M. LUMPKIN

Mr. BRYSON. Mr. Speaker, I offer the following resolution, and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 288), as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. ALVA M. LUMPKIN, a Senator of the United States from the State of South Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That as a further mark of respect to the memory of the deceased the House do now adjourn.

The resolution was agreed to

ADJOURNMENT

Accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Tuesday, August 5, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, August 5, 1941. Business to be considered: Hearings on H. R. 5343, daylight-saving time.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Tuesday, August 5, 1941, in the caucus room for consideration of House Resolution 209.

COMMITTEE ON THE JUDICIARY

The hearing scheduled for Wednesday, August 6, 1941, on H. R. 5234 has been postponed.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, August 6, 1941, at 10:30 a. m., for the consideration of H. R. 5261, H. R. 5359, S. 1151, and Calendar Wednesday bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

809. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 17, 1941,

submitting a report, together with accompanying papers and an illustration, on Sault Ste. Marie Power Plant, Michigan, prepared in collaboration with the Federal Power Commission (H. Doc. No. 339); to the Committee on Rivers and Harbors, and ordered to be printed, with an illustration.

810. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 4, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of Delaware River between Philadelphia and the sea, with a view to modification of anchorages, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 11, 1941 (H. Doc. No. 340); to the Committee on Rivers and Harbors, and ordered to be printed, with two illustrations.

811. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 5, 1941, submitting a report, together with accompanying papers, and an illustration, on reexamination of Columbia and Lower Willamette Rivers below Vancouver, Wash., and Portland, Oreg., with a view to improving the old mouth of the Cowlitz River, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted November 29, 1939 (H. Doc. No. 341); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

812. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 5, 1941, submitting a report, together with accompanying papers, on reexamination of St. Croix River, Minn., and Wis., with a view to improvement in the vicinity of Stillwater, Minn., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 16, 1939; to the Committee on Rivers and Harbors.

813. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 5, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of Delaware River and tributaries, New York, Pennsylvania, New Jersey, and Delaware, authorized by the Flood Control Acts approved June 22, 1936, and August 28, 1937, and the act approved March 3, 1936, and review of reports on Lehigh River, Pa., requested by resolution of the Committee on Flood Control, House of Representatives, adopted March 19, 1937; to the Committee on Flood Control.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JARMAN: Committee on Printing. House Resolution 285. Resolution authorizing the Committee on the Judiciary of the House of Representatives to have printed additional copies of the hearings held before a subcommittee of said committee on the bill (H. R. 4394) to amend the Bankruptcy Act and acts amendatory thereof; without amendment (Rept. No. 1118). Referred to the House Calendar.

Mr. ROBINSON of Utah: Committee on the Territories. H. R. 4795. A bill to amend the Hawaiian Homes Commission Act of 1920, as amended, by amending sections 203 (4), 208 (3), 209, 213, 215, 220, and 222 thereof and by adding thereto a new section to be numbered section 225, all relating to the powers, duties, and functions of the Hawaiian Homes Commission; with amendment (Rept. No. 1119). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 1579. An act to authorize the President of the United States to requisition property required for the defense of the United States; with amendment (Rept. No. 1120). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 284. Resolution providing for the consideration of S. 353, a bill to provide for the extension of enlistments in the Navy; without amendment (Rept. No. 1121). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 287. Resolution providing for the consideration of S. 1579, to authorize the President of the United States to requisition property required for the defense of the United States; without amendment (Rept. No. 1122). Referred to the House Calendar.

Mr. SUMNERS of Texas: Committee of conference on the disagreeing votes of the two Houses. S. 1261. An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes (Rept. No. 1123). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GATHINGS:

H. R. 5480. A bill to provide pay for officers in accordance with the rank and grade in which they were inducted and served in the land forces; to the Committee on Military Affairs.

By Mr. VAN ZANDT:

H. R. 5481. A bill to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle judicial district of Pennsylvania; to the Committee on the Judiciary.

By Mr. VINSON of Georgia:

H. R. 5482. A bill to expedite shipbuilding, and for other purposes; to the Committee on Naval Affairs.

H. R. 5483. A bill to establish additional commissioned warrant officer grades in the Navy and Marine Corps, and for other purposes; to the Committee on Naval Affairs.

By Mr. DIMOND:

H. R. 5484. A bill for the relief of the Tlingit and Haida Indians of Alaska; to the Committee on Indian Affairs.

By Mr. O'BRIEN of Michigan:

H. R. 5485. A bill reclassifying the salaries of supervisors of the Postal Service, readjusting their salaries and compensation on an equitable basis; to the Committee on the Post Office and Post Roads.

By Mr. RANDOLPH:

H. R. 5486. A bill to provide for means of egress for buildings in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. CONNERY:

H. R. 5487. A bill to promote the efficiency of the United States Navy; to the Committee on Naval Affairs.

By Mr. DINGELL:

H. R. 5488. A bill to equalize the tax burdens of husbands and wives in non-community-property States with those living in the community-property States; to the Committee on Ways and Means.

By Mr. MAGNUSON:

H. R. 5489. A bill to amend sections 116, 118, 126, 128, and 135 of the Judicial Code, as amended, to divide the ninth judicial circuit of the United States, and to create an eleventh judicial circuit; to the Committee on the Judiciary.

By Mr. PIERCE:

H. R. 5490. A bill to authorize the Secretary of the Interior to quit-claim to the States of Oregon and California, respectively, all the right, title, and interest of the United States in and to the lands of Goose Lake in Oregon and California; to the Committee on the Public Lands.

By Mr. COLE of Maryland:

H. J. Res. 228. Joint resolution consenting to an interstate oil compact to conserve oil and gas; to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON of Florida:

H. Con. Res. 50. Concurrent resolution expressing the opinion of Congress as to the prosecution of defense construction projects under the Work Projects Administration; to the Committee on Appropriations.

By Mr. PATTON:

H. Res. 286. Resolution for the service of a notary public (Truman Ward); to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Illinois:

H. R. 5491. A bill for the relief of Myrtle Murphy; to the Committee on Claims.

H. R. 5492. A bill for the relief of Lucille O. Geiken; to the Committee on Claims.

By Mr. CONNERY:

H. R. 5493. A bill for the relief of Peter Paul Bik; to the Committee on Naval Affairs.

By Mr. HARRIS of Arkansas:

H. R. 5494. A bill for the relief of R. H. Beggs; to the Committee on Claims.

By Mr. HEALEY:

H. R. 5495. A bill for the relief of John A. Lane; to the Committee on Military Affairs.

By Mr. TINKHAM:

H. R. 5496. A bill for the relief of Cecile McLaughlin; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1725. By Mr. CONNERY: Petition of the Lynn Fish and Game Protective Association, of Lynn, Mass., protesting against the passage of legislation preventing the use of game-bird feathers in the manufacturing of fishing flies or lures; to the Committee on Agriculture.

1726. By Mr. HARRINGTON: Petition of Mrs. W. S. Green and other citizens, of Sioux City, Iowa, supporting Senate bill 860; to the Committee on Military Affairs.

1727. By Mr. JARRETT: Petition of Mr. and Mrs. J. A. Hunter and other residents of West Middlesex, Pa., urging passage of Senate bill 860; to the Committee on Military Affairs.

1728. Also, petition of J. P. Hoffman and other residents of West Middlesex, Pa., urging passage of Senate bill 860; to the Committee on Military Affairs.

1729. Also, petition of Blanche Smith and other residents of Sharpsville, Pa., and Sharon, Pa.; to the Committee on Military Affairs.

1730. By Mr. KRAMER: Petition of the California Elks Association in convention assembled at Santa Cruz, Calif., petitioning the Congress of the United States and the Legislature of the State of California to enact such laws as may be necessary to outlaw the Communist Party as a political party in this State and Nation and to prohibit it from appearing upon any ballot in this State or in the United States of America; to the Committee on the Judiciary.

1731. By the SPEAKER: Petition of the Cooperative Committee of Muncie, Ind., petitioning consideration of their resolution with reference to Federal taxation; to the Committee on Ways and Means.

1732. Also, petition of the Washington State Federation of Labor, Seattle, Wash., petitioning consideration of their resolution with reference to the Columbia power administration and labor; to the Committee on Rivers and Harbors.

1733. Also, petition of the city of Dearborn, Dearborn, Mich., petitioning consideration of their resolution with reference to compensation for those selected under the present acts of Congress for military service; to the Committee on Military Affairs.

1734. Also, petition of the America First Committee, of Lombard, Ill., petitioning consideration of their resolution with reference to our participation in the war; to the Committee on Military Affairs.

1735. Also, petition of the National Maritime Union of America, New York, N. Y., petitioning consideration of their resolution with reference to legislation relative to seamen; to the Committee on the Merchant Marine and Fisheries.

SENATE

TUESDAY, AUGUST 5, 1941

(Legislative day of Monday, July 28, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, who madest man a little lower than the angels, crowning him with glory and honor, and setting him over the works of Thy hand: Bless us, we beseech Thee, with a sense of Thy presence and companionship, that we may walk in Thy paths as children of light, worthy of the image we bear and of the glory and honor that Thou hast bestowed upon us. Kindle Thy thoughts within our hearts, that they may be found always acceptable in Thy sight. Bless our handiwork, that it may be patterned after the works of Thy hands, O Lord, and make us living channels of Thy grace, ever ready to share with others the blessings which Thou hast bestowed upon us. Reform whatever is amiss in the temper and disposition of our souls, and regenerate us more and more by Thy Holy Spirit, till we all come, in the unity of the faith and of the knowledge of Thy Son, unto a perfect man, unto the measure of the stature of the fullness of Christ, in whose name we offer this our imperfect prayer. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, August 4, 1941, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore (Mr. MCKELLAR). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	George	Radcliffe
Andrews	Gerry	Reynolds
Austin	Gillette	Rosier
Bailey	Green	Russell
Bankhead	Guffey	Schwartz
Barbour	Gurney	Shipstead
Barkley	Hatch	Smathers
Bone	Hayden	Smith
Brewster	Hill	Stewart
Bridges	Hughes	Taft
Brooks	Johnson, Calif.	Thomas, Idaho
Brown	Johnson, Colo.	Thomas, Okla.
Bunker	Kilgore	Thomas, Utah
Burton	La Follette	Tobey
Byrd	Langer	Truman
Capper	Lee	Tunnell
Chandler	McCarran	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Van Nuys
Clark, Mo.	Maloney	Wallgren
Connally	Mead	Walsh
Danaher	Nye	Wheeler
Davis	O'Daniel	White
Downey	O'Mahoney	Wiley
Eastland	Overton	Willis
Ellender	Pepper	

Mr. HILL. I announce the absence of the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER] because of illness.

The Senator from Montana [Mr. MURRAY] is detained on official business in Montana.

The Senator from Mississippi [Mr. BILBO], the Senator from Virginia [Mr. GLASS], the Senator from Iowa [Mr. HERRING], the Senator from Illinois [Mr. LUCAS], the Senator from Utah [Mr. MURDOCK], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], the Senator from Oregon [Mr. HOLMAN], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Vermont [Mr. AIKEN] is absent on official business.

The ACTING PRESIDENT pro tempore. Seventy-seven Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Alva M. Lumpkin, late a Senator from the State of South Carolina.

The message announced that the House had passed without amendment the following bills and joint resolution of the Senate:

S. 752. An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona;

S. 1346. An act to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, T. H., in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands;

S. 1480. An act to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended;

S. 1626. An act to reserve a certain part of the public land in California for the benefit of the Rincon Band of Mission Indians; and

S. J. Res. 40. Joint resolution providing for the representation of the Government and people of the United States in the observance of the two-hundredth anniversary of the coming of Dr. Henry Melchior Muhlenberg to the American colonies.

The message also announced that the House had passed a bill (H. R. 5417) to provide revenue, and for other purposes, in which it requested the concurrence of the Senate.

EXECUTIVE COMMUNICATIONS

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

VESSELS FOR THE COAST GUARD

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use (with an accompanying paper); to the Committee on Commerce.

PAYMENT OF CONFLICTING CLAIMS AGAINST THE UNITED STATES

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the orderly payment of conflicting claims and demands against the United States, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Acting President pro tempore or presented by a Senator and referred as indicated:

By the ACTING PRESIDENT pro tempore:

The petition of W. J. Mitchell, of Picayune, Miss., praying for the enactment of the bill (S. 1735) to amend the Rural Electrification Act of 1936, as amended, by providing for loans by the Reconstruction Finance Corporation in aggregate amount not to exceed $100,000,000 in each fiscal year commencing with the fiscal year 1942; by prescribing the rate of interest and maturity of loans made under said act; and by authorizing the extension of the maturities of and the reduction of interest rates on loans heretofore made; to the Committee on Agriculture and Forestry.

A letter in the nature of a memorial from F. A. Barnard, of La Porte, Ind., remonstrating against the enactment of legislation to retain draft selectees in the military service for more than 1 year, and also against the sending of such selectees to Europe, Africa, or the Orient; to the Committee on Foreign Relations.

Petitions of sundry citizens of the States of Florida and Pennsylvania, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

The petition of members of the Friendship Class of the Presbyterian Sunday School of Fort Scott, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

HOUSE BILL REFERRED

The bill (H. R. 5417) to provide revenue, and for other purposes, was read twice by its title and referred to the Committee on Finance.

AMENDMENT TO TAX BILL—CORPORATIONS ENGAGED IN MINING STRATEGIC METALS

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 5417) to provide revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

FUNERAL EXPENSES OF THE LATE SENATOR LUMPKIN

Mr. SMITH submitted the following resolution (S. Res. 154), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Presiding Officer of the Senate in arranging for and attending the funeral of Hon. ALVA M. LUMPKIN, late a Senator from the State of South Carolina, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

Mr. TAFT. Mr. President, the amendment I have offered is on all the desks, so I do not think it is necessary that it be read. I should like permission to modify it on line 9 of page 1 by striking out the word "discharged" and inserting the words "released to reserve components", so that the men whose service and training have expired shall be released to reserve components. There is no technical discharge. The use of the word "discharged" was a mistake.

Mr. President, I wish to say first that I hope the Senate will believe that this amendment is offered in the utmost good faith, because I am confident that this length of extension will completely meet the needs for an efficient Army and that it goes as far as we can go and keep our obligations to the draftees. I do not need to say that if the amendment is adopted I propose to vote for the joint resolution. I am only concerned that we shall keep our obligation to the draftees, and I think it is our obligation not to extend their service 1 day beyond the time that is absolutely necessary to provide an efficient Army for the defense of the United States.

The joint resolution which we are considering proposes, in its present form, the indefinite extension of the time of the draftees, of the National Guard, of the Reserve officers, and of the Regular Army, both those who have enlisted for 1 year and those who have enlisted for 3 years. I understand that an amendment is to be offered which will provide that no man's term may be extended more than 18 months in addition to what he already has contracted for. If that amendment is offered, as I understand, the joint resolution will provide that the Army may hold the National Guard and the Reserve officers for 2½ years from the time they entered the service, that it may hold the draftees for 2½ years from the time they were inducted, and that it may say to any man who has enlisted in the Regular Army that his enlistment shall be for 18 months longer than the term for which he contracted with the United States Government. All this, of course, is in time of peace, because in time of war I take it that the term of all draftees and National Guard and soldiers would be indefinitely extended for the duration of the war.

The amendment which I offer varies from that proposal in these respects: In the first place, it eliminates sections 1 and 2 of the joint resolution, and eliminates the declaration of national peril. After all, that is not an essential part of the joint resolution. We may extend the draftees' terms by law if we choose to do so; and, of course, the declaration of national peril has nothing to do with the National Guard or the Reserve or the Regular Army, because there is nothing in Public Resolution No. 96 relating to the National Guard with reference to national peril.

General Marshall has asked for an army of 1,727,000 men. He says that is enough; so we may go on the basis that if we provide an army of 1,727,000 men we shall meet the requirements of General Marshall.

My amendment does not extend the term of service of the Regular Army at all. In that respect it varies substantially from the pending joint resolution, because it seems to me that if a man deliberately volunteered for 1 year—and the Army took 18,000 men on a 1-year enlistment at our request—it is certainly a breach of contract with such a man to extend his term 18 months.

The Navy is in exactly the same situation. Our Naval Affairs Committee refused to extend the service of men who enlisted in the Navy for fixed terms; and I see no reason why we should treat the Army on any different basis. Many of those men may reenlist. There is no reason to suppose that with proper treatment and persuasion practically all of them will not reenlist; but when a man enlisted for 1 year, particularly because he wanted to get his year's service out of the way and through, when he entered into that contract with the Government I think the Government ought to keep the contract with him. I know of one man who had a particular job set for him at the end of that time, and he went in probably a year earlier than he would have gone in under the draft for the purpose of performing his duty to his country, and he entered into a contract with the Government.

So far as the National Guard is concerned, my amendment extends the time of members of the National Guard for 12 months, so that they will be in the service for 24 months altogether. I do not think our obligation to them is the same as it is to the draftees, because they volunteered. They knew they were a reserve in time of peace as well as in time of war. The National Guard provides the skeleton of the Army. I think nearly two-thirds of the divisions are National Guard divisions. We cannot return those divisions to the States without breaking up the Army. The amendment contemplates that they shall be held for another year, so that the first ones will not be dismissed until October 1942, most of them about January 1943; and the amendment suggests that the Regular Army be built up to take the place of those National Guard divisions. A year and a half is plenty of time in which to build up the Regular Army.

I know some men who think the National Guard ought to be simply incorporated in the Regular Army. That is a possible alternative; but certainly they should not be maintained in their present status of uncertainty as to whether they are temporary or full-time soldiers.

It seems to me the plan suggested by my amendment is a reasonable one. Let us increase the Regular Army so as gradually to take over the National Guard divisions.

Finally, the amendment provides that the draftees' time shall be extended from 12 to 18 months. It seems to me the principle of rotation in training could be met by extending the time to 16 months but the Army have always said they wanted the men for 18 months for adequate training. The able Senator from Utah [Mr. THOMAS] says that when the men are fully trained the Army do not want them any longer; they want to turn them back to civil life and train other men, so I have expanded the 16 months to 18 months.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. TAFT. Because of the shortness of time, I prefer not to yield until I finish.

The ACTING PRESIDENT pro tempore. The Senator from Ohio declines to yield.

Mr. TAFT. As a matter of fact, it is fairly obvious that in many cases the training can be done in less than 18 months. I do not know whether Senators have read the testimony of General

Reckord before the House committee, but his testimony, in general, is to this effect:

In the same way, these men would go out a year from the time they came in, and you would have units all over the country disrupted all the time, instead of a situation which would be brought about if you had broader legislation where you could keep some men maybe 13 months, some maybe 14 months, instead of 12 months. But they would be released in groups at the end of certain training periods.

Mr. CLASON. That would not take more than 1 or 2 months additional in all fairness to these individuals.

General RECKORD. I think 3 months, probably, at the outside.

He is the major general in command at Fort Meade. I read further:

Mr. CLASON. Then if the legislation provided that the men should limit their service to 12 months, but that in the discretion of the Chief of Staff or the President, or anybody else, if it were deemed advisable that any individual or group should remain in for a period not exceeding 3 months longer, that might be done, that would cover the difficulty, would it not?

General RECKORD. I would have to know the whole picture before I could say yes. But some such arrangement as that is what I believe the Chief of Staff has in his mind.

* * * * *

Mr. BROOKS. What is your belief? Do you think it should be longer than 12 months or less than 12 months in order to train them properly?

General RECKORD. I think you can do a pretty good job in 12 months, Mr. Congressman, but we must learn to cope with certain difficulties. We must learn how to cooperate with the armored forces and with the air, and work as a team with all of the different arms and branches. For that I should say 18 months probably would be the minimum.

Mr. BROOKS. You think it should be 18 months; in other words, that would represent the additional period?

General RECKORD. I think so.

So it seems perfectly clear that the Army itself feels that it can train a man certainly in 18 months. The 18-month provision meets every requirement of training anyone has suggested as being necessary.

It is said that the period of training is all that is necessary and that the men should be released at the end of that period. General Marshall stated in the hearing before our committee that he wanted to release them as soon as he could after 12 months. The Senator from Utah says that the plan is to release them as soon as their training is completed. If that is the intention, why should we not say so? It is our obligation, it is not the Army's obligation. It is our obligation to these boys not to extend their time any longer than is necessary, and if the Army policy is to dismiss them as soon as they are trained, and the Army says 18 months is the requisite period of training, then it seems to me it is our obligation to provide that they shall be released at the end of 18 months. There are millions of registrants. Why should 800,000 boys bear the entire burden? Why should we not go through with the principle of rotation the Selective Service Act established? So far as I know, no reason has been offered to show that with a turn-over period of 18 months the Army could not be kept absolutely and completely efficient.

Under the plan I propose, no one would be dismissed from the Army or could be dismissed from the Army until April 1942, 9 months from today. The Army has plenty of time to make arrangements for taking in 50,000 others when 50,000 are dismissed during that month. If we take them only at the rate of 50,000 a month, in an army of 1,700,000, it means that the number of new men in each unit would be very small. They could be fed into existing units, and their training would be that much more rapid, because if we have an army which is well trained, a regiment which is well trained, and we put into it 20 percent of new men, such men, at the end of 6 months, will have learned practically all the other men have previously learned.

We want to maintain the morale of the Army. I say that the morale of these boys will be maintained under any plan which can be explained to them and which they feel is reasonable. The Army treats these boys as if they were machines. It is suggested that because someone has suggested that they were called in for a year and, therefore, should be kept in the service for only a year, that is breaking down their morale. These boys have more sense than that. They knew the service was to be for a year, but if they can be shown any reason why the time should be 6 months longer, they will be ready to accept it. But if it is made 30 months, 2½ years, so far as they are concerned, looking ahead today, that is practically an enlistment for life. I say we would injure the morale of the Army more by that kind of action, particularly when there is the feeling that they have a definite obligation from their Government to let them go. We would injure their morale more than we possibly could by selecting a few for discharge at the end of each month and putting others in their places.

There is nothing in the argument that the Army is to be disintegrated. We are to have a tremendous Army, I think larger than we need, but, in any event, we will have it up to April of next year, and if after that we let 50,000 go every month and replace them with 50,000 new boys, there will be no disintegration of the Army; the Army will not fade away.

It is an exaggeration to say that if we do not pass the pending joint resolution the Army will fade away. It is true that if we fail to pass the measure the National Guard will have to leave the service before the time when we can properly let them leave it. There is that much to the charge. But if the term is extended 6 months and the Army has until next spring to make all its arrangements for replacing the men, then I say there is absolutely no foundation whatever for the charge that anyone in favor of the amendment is for action which would disintegrate the Army or hurt the morale of the Army.

On the other hand, it would encourage the boys to enable them to know when they could go. It would eliminate the fear they all have that they are in the Army for life. They know the war in Europe may continue for 5 years, and, so far as anything in the pending joint resolution is concerned, unless we add the amendment I propose, they may stay for another 2½ years; and that is far away. They may feel that at that time Congress may extend it further, for another 2½ years.

The plan of the original Selective Service Act was to provide more men. The plan I suggest would provide a reserve. General Marshall's plan does not provide a reserve. He proposes to keep the whole 1,700,000 men until they are trained. He does not suggest anywhere in his testimony that he is going to let any of them go. He is concerned in building up this particular Army, and in his testimony he has practically dismissed the idea of creating a reserve. The plan I suggest would tend to build up a reserve in 1942, when there would be a reserve of well-trained men who would be available in case of any attack on the United States.

As I see it, our obligation is not to extend the service of these boys one moment beyond the time that is absolutely essential for the maintenance of an efficient Army. Personally, I do not think it is necessary to go as far as 18 months. I think 16 months would meet all the requirements of proper rotation, and leave in the Army a sufficient number of trained men so that the Army would be a fully trained Army of the United States. Certainly I see no justification for going beyond the period of training of 18 months.

Mr. President, I desire to have printed as a part of my remarks a table showing the manner in which this particular amendment would work out, a table similar to that which appears on page 207 of the hearings, except that it is adjusted to 18 months instead of to 16 months. I ask that it be printed as a part of my remarks.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

PLAN FOR UNITED STATES ARMY POLICY DURING THE CONTINUANCE OF THE EUROPEAN WAR

The plan is based on—

1. Having at all times under arms 1,418,000 officers and men, of whom none shall have less than 9 months' training.

2. On releasing the draftees at the earliest period consistent with the maintenance of such a force.

3. On building up the Regular Army until it shall consist of a number of men equal to the present combined strength of the Regular Army and the National Guard, and gradually releasing the National Guard as that is accomplished.

The tables given below indicates that—

1. To accomplish these purposes it will be necessary after January 1, 1942, to have at times 1,868,000 officers and men under arms, and to provide housing and equipment for that number of men.

2. Draftees can be released 18 months after their induction without interfering with this plan.

3. On April 1, 1943, there would be in service a Regular Army of 793,000 officers and men; Reserve officers numbering 58,000; 450,000 draftees or more, with more than 9

months' training; 450,000 draftees with less than 9 months' training; and a trained Reserve of 600,000 men, which would be augmented thereafter at the rate of 50,000 men a month, as they were released from the armed service.

	Regular Army	National Guard	Reserve officers	Draftees				Total
				Over 9 months	Over 6 months	Over 3 months	Under 3 months	
July 1, 1941	510,000	283,000	58,000	0	19,000	318,000	230,000	1,418,000
Oct. 1, 1941	510,000	283,000	58,000	19,000	318,000	230,000	150,000	1,568,000
Jan. 1, 1942	510,000	283,000	58,000	337,000	230,000	150,000	150,000	1,718,000
Apr. 1, 1942	510,000	283,000	58,000	567,000	150,000	150,000	150,000	1,868,000
July 1, 1942	585,000	208,000	58,000	567,000	150,000	150,000	150,000	1,868,000
Oct. 1, 1942	660,000	133,000	58,000	492,000	150,000	150,000	150,000	1,793,000
Jan. 1, 1943	735,000	58,000	58,000	450,000	150,000	150,000	150,000	1,751,000
Apr. 1, 1943	793,000	0	58,000	450,000	150,000	150,000	150,000	1,751,000

Beginning February 1, 1942, draftees would be released at the rate of 50,000 a month for 3 months, 75,000 a month for 5 months, and at the rate of 50,000 a month thereafter. Fifty thousand new men would be inducted each month.

Inducted	Number	Release	Period of service
			Months
November 1940	13,806	April 1942	17
December 1940	5,521	....do	16
January 1941	73,633	April and May 1942.	16
February 1941	90,238	May, June, and July 1942.	17
March 1941	153,109	July, August, and September 1942.	18
April 1941	123,207	September and October 1942.	18
May 1941	56,896	October and November 1942.	18
June 1941	50,000	December 1942	18
July 1941	50,000	January 1943	18

Mr. TAFT. I now yield to the Senator from Colorado.

Mr. JOHNSON of Colorado. I should like to ask the Senator from Ohio whether he does not understand that Public, No. 96 provides for an automatic extension of 12 months for men who are in the reserve components. In other words, I presume the Senator understands that after a selective-service soldier has served 12 months in the Army, he automatically pass into a reserve component. Does the Senator understand it that way?

Mr. TAFT. I so understand.

Mr. JOHNSON of Colorado. Then, under Public, No. 96, it is provided that the President may call him out for another year of service, up until 1942, for 12 months' service, so that the selective-service soldiers could be retained in the Army, by the two processes, until June 30, 1942. Is not that correct?

Mr. TAFT. I do not think that is absolutely definite; no. Under the Selective Training Act it is provided that—

> Each such man, after the completion of his period of training and service * * * shall be transferred to a reserve component of the land or naval forces of the United States; and, until he attains the age of 45 * * * or until he is discharged * * * he shall be * * * subject to such additional training and service as may now or hereafter be prescribed by law.

Whether it can be said that Public, No. 96, which was passed before the Selective Service Act, is a prescription by law within the terms of the Selective Service Act, I think is a somewhat doubtful question. Of course, if that be so, then there is no use in our passing the pending measure at all, because the President could dismiss these men at the end of 12 months and immediately call them back to service, and he would not need to go to Congress. I think he must have felt that it was a doubtful question whether he could call these men back as a reserve the moment the 12 months were up.

Mr. JOHNSON of Colorado. Mr. President, of course, I am not an attorney, and I could not discuss intelligently such a technical question, but Public, No. 96 reads very plainly. It provides:

> That during the period ending June 30, 1942, the President be, and is hereby, authorized from time to time to order into the active military service of the United States for a period of 12 consecutive months each, any or all members and units of any or all reserve components of the Army of the United States. * * *

Then the measure makes an exception of members of the National Guard under the age of 18 years. It seems to me that provision clearly gives the President authority to continue these men in service after they have finished their 1 year, and up until June 30, 1942.

The Senator from Ohio in his amendment, section 2, says:

> The period of service of any member of any Reserve component—

He then provides to extend the period 24 months longer. I am very certain that these selective-service soldiers pass into the reserve component, and then the Senator from Ohio would extend their obligation for 24 months in section 2 of his proposed amendment. So that as a matter of fact if his amendment is agreed to a selective-service soldier would serve 12 months under the original law and would serve 24 months under the amendment of the Senator from Ohio, in addition to the extra 6 months provided in the first section of his amendment.

Mr. TAFT. Mr. President, I think it is perfectly clear that the President does not consider that he has the right to call out the draftees again as a reserve component without further authority from Congress, and I think he would be subject to tremendous criticism if he should do so. I understand that method was considered, but it was thought to be too circuitous, and I think it was also thought to be uncertain under the selective-service law whether the draftees could be recalled without further action by Congress. I do not think that my amendment increases the President's power to extend the time of the draftees. The draftees' service today continues for 1 year, and under this particular provision of my amendment their service may be extended for 6 months longer. If they are then released they are part of the Reserve for 10 years. I say that I do not think the President can, and I certainly do not think the President would undertake without further law to recall those men to any further term of service.

Mr. JOHNSON of Colorado. The Senator's amendment gives the President further authority.

Mr. TAFT. No; I do not think it does.

Mr. JOHNSON of Colorado. As a matter of fact, section 2 of the Senator's amendment directly amends Public, No. 96, and instead of making the limitation June 30, 1942, the Senator provides a limitation of 24 months.

Mr. TAFT. I do not think Public, No. 96 does authorize the President to recall the draftees. Therefore, since section 2 applies only to men called into service under Public, No. 96, I do not think the amendment in any way increases the President's power to call out any draftees for additional service.

Mr. JOHNSON of Colorado. I can hardly follow the Senator's reasoning. If section 2 of the Senator's proposed amendment is agreed to, certainly Congress will have spoken. The Senator says that the only difficulty with Public, No. 96, is that Congress would be required specifically to amend the law. I think the Senator's amendment would amend the law.

Mr. TAFT. My amendment would extend the period of service only of those who are called out under Public, No. 96, and if Public, No. 96, does not authorize the calling out of the men then section 2 does not apply. I say again that if Public, No. 96 authorizes the calling out of the draftees the moment their 12 months' period of service is concluded, then we do not need to consider the pending measure. The President then is simply "passing the buck" to the Congress, because he may continue these men in service for a period of 24 months under the interpretation of the Senator from Colorado. If the Senator's interpretation is correct, therefore, I say that the measure now pending before the Senate is completely unnecessary.

The ACTING PRESIDENT pro tempore. The time of the Senator from Ohio has expired. The Senator from Utah [Mr. THOMAS] is recognized, under the agreement.

Mr. THOMAS of Utah. Mr. President, because of the manner in which the debate has been carried on, and since we are operating under two unanimous consent agreements, and since no one at all has spoken against the Taft amendment as such, I deem it to be not out of order and not to be asking too much that in the few minutes which are left I be not interrupted, so that I may give what I think is the Military Affairs Committee's reasons for not reporting the Taft amendment.

I think all Members of the Senate should know that the Senator from Ohio [Mr. TAFT] appeared during the committee hearings and offered his amendment there. The amendment was ex-

plained by the Senator from Ohio. The committee considered the amendment, and the committee in its judgment decided not to report the Taft amendment. Therefore the consideration which the committee heretofore has given was seriously given. The action which the committee took might be described as being affirmative. It knew exactly what it was doing, and it had reasons for not accepting the Taft amendment as a substitute for the amendment which it was going to offer.

There is no doubt in anyone's mind, I think, after the earnest presentation made by the Senator from Ohio, that the committee and the Senator from Ohio see eye to eye in that the real problem at the present time is that of readiness to serve, and to keep our Army in such condition as that it may be ready to serve under any eventuality.

Mr. President, the Taft amendment does not take into consideration the wording of the Selective Service Act with respect to extension of time of service in case Congress should declare that the national interest is imperiled. The Taft amendment is in reality a substitute for the whole theory of the Selective Service Act as Congress passed it. It would change paragraph (b) of the act, by merely declaring:

> Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 18 consecutive months unless sooner discharged.

The amendment is clear-cut. It would leave the act exactly as it is, but it would change the period of service from 12 to 18 months.

Mr. President, there can be no discussion, therefore, about any difference of opinion as between the Taft amendment and the committee amendment in regard to what might be termed a violation of a contract, because there would be a change, and the promise would be broken to the extent of 6 months in any event. According to the Taft amendment, the releases would begin in April 1942, at the rate of approximately 50,000 each month. According to the committee amendment the releases would come when they would be to the best advantage of the soldier, the selectee, the member of the National Guard, or the member of the reserve component, when he had finished his training, so that he could be properly released and take his place in the reserve component of the Army.

There is a slight discrepancy as to time, which we need not point out. We know the theory of the Taft amendment, and we accept the theory without pointing out the difficulty.

Section 2 presents a real difficulty so far as the Taft amendment is concerned. The discussion of the Senator from Ohio was entirely in regard to the National Guard and the National Guard officers. Public Law No. 96, which called the National Guard into training for 12 months, also called into training all the reserve components of the Army of the United States. So far as the officer personnel is concerned, the National Guard represents a very much smaller number than do the other reserve components. At the time the Selective Service Act was passed, the Army of the United States contained approximately 14,000 Regular officers, from 15,000 to 18,000 National Guard officers, and 120,000 Reserve officers.

The Taft amendment would increase by 100 percent the period of service of all National Guard officers and all reserve component officers. Sixty or seventy percent of the Reserve officers have not as yet been called. If the Taft amendment should become law, their period of service would become 2 years instead of a year, as under the present act.

The Taft amendment would not change the number of selectees who would be in training at a given time if the National Guard and the Regular Army should remain as they are.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I ask that I be not interrupted, because of the fact that no one else has yet spoken against the Taft amendment since it was presented. All the argument has been on one side.

Assuming the maximum under the Taft amendment, and assuming that the Regular Army should be expanded to 800,000 as the Taft amendment suggests, which, incidentally, is twice as large as the Regular Army is today, and 200,000 more than the Chief of Staff says he expects the Regular Army to be under his scheme of training, if the National Guard should remain the same number, 280,000, the Taft amendment would make possible an army of 1,980,000, which would be 200,000 larger than even the Chief of Staff contemplates or wants. Therefore, it cannot be said that the Taft amendment would cut down the service, as to time, of the reserve components already in the Regular Army, or the service as to numbers in the Army of the United States. In fact, it would make the number larger. The Army would be 200,000 larger than it would be under the amendment which the committee intends to offer.

Mr. President, the aim for training under the committee amendment remains exactly the same as it is under the act. The aim for training under the Taft amendment would change the philosophy of the act. The aim of the committee amendment is to make the Army flexible and to bring about releases at a time when they would be to the advantage of the soldier and the Army and to make the turn-over in training flexible without in any way interfering with the efficiency of the Army or the efficiency of the personnel in the Army.

The Taft amendment would make stronger that element in the law which has proved itself to be the most unsatisfactory, in that it would make the term of service definite and order the release at a given time, whether it would be to the advantage of the Army, the unit in which the soldier is training, or the soldier himself.

Under the terms of the committee amendment, and under the scheme of the Army, if it should be carried out, the aim and objective would be to have an Army of 1,700,000 ready to serve at any time, and ready to meet any eventuality. The scheme is to bring about, through enlistment, a Regular Army of 640,000. The Taft amendment suggests a Regular Army of 800,000. The scheme is to use about 250,000 of the National Guard.

I am not in agreement with the statement of the Senator from Ohio that the National Guard should be released and that its place should be taken by the Regular Army. The National Guard has a function in the United States. It has had a function for many years. It is our second line of defense. It also has a duty and responsibility to the respective States which it serves, quite as well as a duty to the Nation. Taking into consideration our whole Federal system and the way in which our Government operates under the Federal system, I think that to do away with the National Guard because it may become ineffective, because it may be released in such a way that its units may not be maintained, or because we build up a national Army private by private, captain by captain, and unit by unit, so that the State need of the National Guard comes to an end, would not result in as fine an Army as we have today under the National Defense Act of 1920.

The scheme is to use probably in the neighborhood of 800,000 or 900,000 selectees. The reason for the committee amendment changing the number is merely in order that there may be flexibility and that release, training, and preservation of the various units may be properly adjusted.

The Taft amendment in regard to reserve components would increase by 100 percent the liability to serve of all the Reserve officers of the United States not yet called into service.

Mr. President, with regard to the officer personnel of the Reserve, it is greatly to the advantage of the Army of the United States that we recognize the complexity of the Army, and not put all the Reserve officers into one class and give to them a simple term of 2 years. Take for example, the Medical units, the Dental units, the professional units of various kinds: Their training can to the advantage of the United States, to the advantage of the Army, to the advantage of the men themselves, to the advantage of the respective doctors, be reduced, because the military training essential to training a doctor is quite different from the military training essential to training an officer of the line in the combatant service of the United States. The military training essential for a staff officer is quite different from the military training essential for an officer of the line.

The committee amendment recognizes the complexity of the Army. It seeks to provide the elasticity which the Chief of Staff says is essential, and which circumstances as they are today prove is essential. If it were not essential, the Chief of Staff, the Secretary of War, and the President of the United States never would have recommended a consideration of the amendment to the law which is now before the Senate.

If Senators would see this problem as a whole, as it affects the Army of the United States, as it affects the selectees, the members of the reserve components—whether they be National Guard officers or reserve officers—and as it affects the Regular Army, I think they would recognize that an orderly type of amendment drawn up so as to be consistent with the regular laws as they are now established and with the habits which have been formed in the several months during which we have now been operating under those laws, and so as to retain those acts in all their details as completely as possible, would be to the advantage of all.

Take, for example, one simple little illustration: The question comes to my mind whether especially under Public Resolution No. 96, all the rights which are given to the National Guard and reserve components in regard to employment will be maintained; whether the men to be called into the service if the Taft amendment becomes a substitute for the committee amendment will be protected in every detail.

Mr. President, I trust the Senate will observe in the fullest degree the theory in regard to the Army of the United States, the theory laid down in regard to the Selective Training and Service Act, the theory in regard to the reserve components, the Officers' Reserve Corps, and the National Guard, and will consider and adopt the amendments which the Committee on Military Affairs have drawn up so as to be consistent with the acts as they are, and consistent with the circumstances which we now confront.

If the Taft amendment is voted down, the committee will offer its substitute for section 2. As Senators know after the discussion of the last day or two, the committee has decided to put a limit to the training, so that the basis of the charge which was made against the committee amendment in the beginning—which I do not accept as being justified, but, at the same time, which caused so much misunderstanding—will be done away with. If the Taft amendment is defeated, the committee amendment will be presented to the Senate for its consideration and approval.

Mr. President, I ask that the action of the Committee on Military Affairs be sustained, and that the Taft amendment be rejected; and since it was decided that we should vote at 1 o'clock, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Chandler	Hatch
Andrews	Chavez	Hayden
Austin	Clark, Idaho	Hill
Bailey	Clark, Mo	Hughes
Bankhead	Connally	Johnson, Calif.
Barbour	Danaher	Johnson, Colo.
Barkley	Davis	Kilgore
Bone	Downey	La Follette
Brewster	Eastland	Langer
Bridges	Ellender	Lee
Brooks	George	McCarran
Brown	Gerry	McFarland
Bunker	Gillette	McKellar
Burton	Green	Maloney
Byrd	Guffey	Mead
Capper	Gurney	Nye
O'Daniel	Smathers	Tydings
O'Mahoney	Smith	Vandenberg
Overton	Stewart	Van Nuys
Pepper	Taft	Wallgren
Radcliffe	Thomas, Idaho	Walsh
Reynolds	Thomas, Okla	Wheeler
Rosier	Thomas, Utah	White
Russell	Tobey	Wiley
Schwartz	Truman	Willis
Shipstead	Tunnell	

The ACTING PRESIDENT pro tempore. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. TAFT. Mr. President, in order to meet the objection of the Senator from Colorado [Mr. JOHNSON], I desire to modify my amendment by inserting, on page 2, in line 7, after "1940", the words "except reserve components created by the Selective Training and Service Act of 1940." Section 2 was never intended to apply to them. I doubt if it does. In order to make it perfectly clear, however, I so modify the amendment.

Mr. President, I ask for the yeas and nays on the modified amendment.

Mr. TYDINGS. Mr. President——

The ACTING PRESIDENT pro tempore. The yeas and nays are asked for. Is the demand sufficiently seconded?

The yeas and nays were ordered.

Mr. TYDINGS. Mr. President——

The ACTING PRESIDENT pro tempore. Before the roll is called, the Chair thinks it proper that there be printed in the RECORD the amendment of the Senator from Ohio, as modified. Without objection, that will be done.

The amendment of Mr. TAFT, as modified, is as follows:

Strike out sections 1 and 2 and insert in lieu thereof the following:

"SECTION 1. Subsection (b) of section 3 of the Selective Training and Service Act of 1940 is amended to read as follows:

"'(b) Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 18 consecutive months unless sooner discharged. It is the intent of Congress that except in case of a declaration of war, or unless Congress shall otherwise provide by law, men inducted under this act shall be released to reserve components beginning in April 1942 at the rate of approximately 50,000 each month, to be replaced at the same rate by new selectees.'

"SEC. 2. The period of service of any member of any reserve component of the military forces of the United States heretofore or hereafter ordered into the active military service of the United States, under authority of Public Resolution No. 96, approved August 27, 1940, except reserve components created by the Selective Training and Service Act of 1940, shall be a period of 24 consecutive months, except in case of a declaration of war or unless Congress shall otherwise provide by law.

"SEC. 3. The authorized number of enlisted men in the Regular Army is hereby increased to 800,000, so that there may be no reduction in the number of men under arms because of the termination of the service of those ordered into active service under Public Resolution No. 96, approved August 27, 1940. Opportunity to enlist in the Regular Army shall be given to men completing their period of service under sections 2 and 3, before the completion of such service."

Mr. TYDINGS. Mr. President——

The ACTING PRESIDENT pro tempore. The hour of 1 o'clock having arrived——

Mr. TYDINGS. Mr. President, I think we still have a minute before 1 o'clock, and I should like to read a brief letter, sent to me in response to a telegram I addressed to General Marshall, which throws some light on this matter. I do not want to discuss it. I simply want to read it.

The ACTING PRESIDENT pro tempore. The Senator from Utah [Mr. THOMAS] has control of the time.

Mr. THOMAS of Utah. I have no objection.

The ACTING PRESIDENT pro tempore. Without objection, the telegram will be read.

Mr. TAFT. Mr. President, I object. The hour of 1 o'clock has arrived.

Mr. TYDINGS. It is not yet 1 o'clock.

The ACTING PRESIDENT pro tempore. The hour of 1 o'clock having arrived, the question is on agreeing to the amendment of the Senator from Ohio [Mr. TAFT], as modified, to the amendment reported by the committee in the nature of a substitute. On that question the yeas and nays have been demanded and ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BANKHEAD (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. MCNARY]. I transfer that pair to the senior Senator from Arkansas [Mrs. CARAWAY], and will vote. I vote "nay."

Mr. STEWART (when his name was called). I have a general pair with the junior Senator from Oregon [Mr. HOLMAN], who is absent. I understand, however, if he were present, he would vote as I intend to vote. I am, therefore, at liberty to vote and vote "nay."

The roll call was concluded.

Mr. HILL. I announce the absence of the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER], because of illness.

The Senator from Montana [Mr. MURRAY] is detained on official business in Montana.

The Senator from Mississippi [Mr. BILBO], the Senator from Virginia [Mr. GLASS], the Senator from Iowa [Mr. HERRING], the Senator from Illinois [Mr. LUCAS], the Senator from Utah [Mr. MURDOCK], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

I am advised that, if present and voting, the Senators from Arkansas [Mrs. CARAWAY and Mr. SPENCER], the Senator from Virginia [Mr. GLASS], and the Senator from Illinois [Mr. LUCAS] would vote "nay."

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], the Senator from Oregon [Mr. HOLMAN], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Vermont [Mr. AIKEN] is absent on official business.

Mr. AUSTIN. I announce the following pairs on this question:

The Senator from Vermont [Mr. AIKEN], who would vote "yea," with the Senator from Illinois [Mr. LUCAS], who would vote "nay";

The Senator from Massachusetts [Mr. LODGE], who would vote "yea," with the Senator from Virginia [Mr. GLASS], who would vote "nay"; and

The Senator from Kansas [Mr. REED], who would vote "yea," with the Senator from Minnesota [Mr. BALL], who would vote "nay."

The Senator from Nebraska [Mr. BUTLER] has a general pair with the Senator from Iowa [Mr. HERRING].

Mr. VANDENBERG. I announce that the senior Senator from Oregon [Mr. MCNARY], who is unavoidably absent, would vote "yea" if he were present.

The result was announced—yeas 27, nays 50, as follows:

YEAS—27

Bone	Davis	Thomas, Idaho
Brewster	Downey	Tobey
Brooks	Gillette	Tunnell
Brown	La Follette	Vandenberg
Capper	Maloney	Walsh
Chavez	McCarran	Wheeler
Clark, Idaho	Reynolds	White
Clark, Mo.	Shipstead	Wiley
Danaher	Taft	Willis

NAYS—50

Adams	Green	O'Mahoney
Andrews	Guffey	Overton
Austin	Gurney	Pepper
Bailey	Hatch	Radcliffe
Bankhead	Hayden	Rosier
Barbour	Hill	Russell
Barkley	Hughes	Schwartz
Bridges	Johnson, Calif.	Smathers
Bunker	Johnson, Colo.	Smith
Burton	Kilgore	Stewart
Byrd	Langer	Thomas, Okla.
Chandler	Lee	Thomas, Utah
Connally	McFarland	Truman
Eastland	McKellar	Tydings
Ellender	Mead	Van Nuys
George	Nye	Wallgren
Gerry	O'Daniel	

NOT VOTING—18

Aiken	Glass	Murdock
Ball	Herring	Murray
Bilbo	Holman	Norris
Bulow	Lodge	Reed
Butler	Lucas	Spencer
Caraway	McNary	Wagner

So Mr. TAFT's amendment to the committee amendment was rejected.

Mr. TYDINGS. Mr. President, the following letter, which I shall read, was sent to me in reply to a telegram I sent to General Marshall concerning how the law would be administered as to men who were over 28 years of age:

DEAR SENATOR TYDINGS: Provided the pending legislation for the release of selective-service trainees who are 28 years of age or older becomes law, the War Department intends to give enlisted men of the National Guard who are at least 28 years old the same consideration. There is obviously some difference between the selectee who entered the Army as an individual and the National Guard man who was inducted as a member of a unit. There is the matter, for instance, of providing a suitable replacement for the key National Guard noncommissioned officer before he can be released. This may take longer than is necessary to transfer to the Reserve a selectee in the grade of private. However, as nearly as the situation within the National Guard permits, there will be, in releasing men who are 28 years of age or older, no distinction between selective-service trainees and members of the National Guard.

I hope that this explanation will be satisfactory to you. If not, will you please let me know wherein the proposed War Department policy in regard to these matters is not clear or not satisfactory.

Faithfully yours,

WILLIAM BYRDEN,
Deputy Chief of Staff.

I should like to add that I had previously sent General Marshall a telegram asking about those over 28 years of age who were draftees, and who had gone into the service, not as National Guard men but as draftees under the Selective Service Act. His reply in both cases was in line with the letter I have just read, and, I think, shows that General Marshall wants to eliminate all the men over 28 years of age just as rapidly as the national-defense exigencies will permit him to do so.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. THOMAS of Utah. Mr. President, at this time, in order that it may become the pending motion, I offer a committee amendment to page 3, line 9, and ask that it be read.

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from Utah to the amendment reported by the committee, in the nature of a substitute, will be stated.

The LEGISLATIVE CLERK. In lieu of the proviso, in lines 9 to 11, inclusive, on page 3, it is proposed to insert a colon and the following:

Provided, That the extension of the period of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense: *Provided further*, That the authority conferred by this section shall not be exercised after a date specified in a concurrent resolution hereafter passed by the Congress.

Mr. VANDENBERG obtained the floor.

Mr. BURTON. Mr. President, will the Senator yield to me?

Mr. VANDENBERG. I yield to the Senator from Ohio.

Mr. BURTON. I desire to take this opportunity to offer an amendment to the amendment which has just been read by striking out, in line 6, the word "eighteen", and substituting for it the word "twelve."

The ACTING PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from Ohio to the amendment offered by the Senator from Utah to the committee amendment in the nature of a substitute.

The LEGISLATIVE CLERK. In line 6 of the amendment offered by Mr. THOMAS of Utah it is proposed to strike out the word "eighteen" and insert the word "twelve", so as to read:

Shall not, without his consent, exceed 12 months—

And so forth.

Mr. MALONEY. Mr. President, will the Senator from Michigan yield to me for a moment?

Mr. VANDENBERG. I yield to the Senator from Connecticut.

Mr. MALONEY. I have on the desk an amendment which is, in effect, an amendment to the amendment offered by the Senator from Utah which would change the word "eighteen" to "eight." I am wondering if that amendment is displaced by the amendment just offered by the junior Senator from Ohio [Mr. BURTON].

The ACTING PRESIDENT pro tempore. The Senator from Connecticut has not yet offered his amendment. Therefore, the amendment of the Senator from Ohio is the pending question.

Mr. MALONEY. I understand that; but is it still in order for me to offer my amendment?

The ACTING PRESIDENT pro tempore. It will be when the amendment of the Senator from Ohio [Mr. BURTON] shall have been disposed of.

Mr. MALONEY. I thank the Senator from Michigan.

RIVER AND HARBOR IMPROVEMENTS FOR FLOOD CONTROL—CONFERENCE REPORT

Mr. OVERTON. Mr. President, will the Senator from Michigan yield to me in order that I may present a conference report which I think can be disposed of in a few minutes?

The ACTING PRESIDENT pro tempore. Does the Senator from Michigan yield for that purpose?

Mr. VANDENBERG. I yield.

Mr. OVERTON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendments numbered 1, 2, 3, and 4: That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

Amendments numbered 7 and 8: That the House recede from its disagreement to the amendments of the Senate numbered 7 and 8, and agree to the same.

Amendments numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27: That the House recede from its disagreement to the amendments of the Senate numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27, and agree to the same

Amendment numbered 28: That the House recede from its disagreement to the amend-

ment of the Senate numbered 28, and agree to the same.

Amendments numbered 30, 31, 32, 33, and 34: That the House recede from its disagreement to the amendments of the Senate numbered 30, 31, 32, 33, and 34, and agree to the same.

Amendments numbered 36 and 37: That the House recede from its disagreement to the amendments of the Senate numbered 36 and 37, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In said Senate amendment, strike out the words "House Document Numbered 328" and insert in lieu thereof the words "Senate Document Numbered 93"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In said Senate amendment, strike out the words "House Document Numbered 329" and insert in lieu thereof the words "Senate Document Numbered 94"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In said Senate amendment, line 11, after the word "without" insert the following "preventing or"; after the word "diversion", line 11, of said Senate amendment add the letter "s", † make it read "diversions"; and after the word "Atchafalaya", line 12, of said Senate amendment insert the following "River and the Atchafalaya"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In the said Senate amendment, strike out the following "and Upper Saint Johns River and its tributaries,"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In the said Senate amendment, strike out the figures "$600,000" and insert in lieu thereof the figures "$500,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In the said Senate amendment in the last line, after the word "sums", insert the following: ", not to exceed $5,000,000,"; and the Senate agree to the same.

JOHN H. OVERTON,
HATTIE W. CARAWAY,
BENNETT CHAMP CLARK,
HIRAM W. JOHNSON,
J. W. BAILEY,
Managers on the part of the Senate.

WILLIAM WHITTINGTON,
ROBERT T. SECREST,
HARRY L. ENGLEBRIGHT,
Managers on the part of the House.

Mr. OVERTON. I ask for the immediate consideration of the conference report.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none. The question is on agreeing to the conference report.

Mr. OVERTON. Mr. President, in this connection I desire to say that the bill as agreed upon in conference is practically the same bill that passed the Senate. All the Senate amendments were concurred in by the House conferees, and in a few instances certain modifications were made which were not material. For the most part, they were in the nature of perfecting amendments. Therefore, the bill is practically in the form in which it was passed by the Senate.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. VANDENBERG. Mr. President, I desire to make a brief statement regarding the situation which now confronts the Senate, following the defeat of the Taft substitute. I shall appreciate it if, for the sake of cogency, I may be permitted to proceed to my very brief conclusion without interruption.

Mr. President, I cannot deny that "the national interest is imperiled," as asserted in the preamble to the pending joint resolution; but I am definitely of the opinion that it is often "imperiled" more from within than from without. Therefore, I wish to state for the RECORD why I shall vote against the pending joint resolution, now that the thoroughly reasonable so-called Taft substitute has been rejected.

That substitute went even further than I think it is necessary or wise to go. But we cannot always please ourselves, each one of us, in respect to legislative details. I supported it as the nearest available expression of my general viewpoint. It would have clearly saved General Marshall's Army from any threat of the general disintegration which he eloquently fears; yet it also would have saved what is provably a needless expansion of executive, military authority at the present time.

I cannot escape the conclusion that the wise course, the democratic course, now is to defeat the joint resolution. The inevitable result of that defeat would be, within a week, a new and better and more realistic bill from the Senate Military Affairs Committee and from the War Department and from the Commander in Chief.

Mr. President, I agree that the pending measure is a critical one. Anything related to the national defense is critical when the world is in flames and when ruthless, ugly conquest is on the march. It is critical if we fail to mobilize a maximum defense against any external threat to the Americas. It is just as critical if we fail internally to organize this defense effectively; or, if we needlessly go too far toward participation in a shooting war, which the American heart and soul demand that we shall avoid; or—and this is important—if we demoralize our internal life and economy so abruptly that it weakens our own sinews and our own morale. Peril, I repeat, may be internal as well as external.

I agree that the pending measure is critical. It certainly is critical when our Commander in Chief, through his Chief of Staff, flung to us the blunt though illy sustained warning that we would face a national tragedy—those were his words—if draftees, guardsmen, and Reservists were not held indefinitely in the armed service beyond their 1-year contracts, and released to service anywhere on this earth. Happily, that alarming thesis is now substantially toned down. But whether we like it or not, we cannot ignore such a challenge from such a source, and I do not propose to do so.

On the other hand, the pending measure is critical because the extent of this ominous peril, which the joint resolution proclaims, will be largely measured by whatever developments are forced upon us from abroad, or by whatever developments are contemplated by the President and his advisers in respect to our foreign policy—whether it is to be a policy which still clings to the preelection commitments of both major political parties to keep us out of a shooting war—whether it is to be a policy which still reasserts the lend-lease pledge that lend-lease is a formula which seeks the constructive preservation of our peace—or whether it is to be a policy reflecting the impatient belligerence of unrepudiated Cabinet spokesmen whose trigger fingers itch for action.

Meanwhile, Mr. President, the pending measure is critical because it can fatefully control the social, the economic, and the physical lives of millions of American young men to whom we owe an obligation which is second only to our obligation, and theirs, to the impregnable defense of our common country. Whether we like it or not, this democracy dare not ignore their rights. They are not allowed to speak for themselves. They are told it would transgress Army discipline. Their commanding officers are free to say that 80 percent of them are ready to accept this new sacrifice—and the Senate committee's hearings are full of this vicarious approval. But their own mouths are closed to say otherwise—although my files disclose that large groups of them have taken the risk of hotly saying otherwise—and the anomoly is that if anything like 80 percent of them are willing, no repugnant compulsion is necessary to retain them. I agree that we cannot run an army by internal referendum. But since we cannot, the greater is our responsibility to be as vigilant as possible in behalf of those in uniform who must defend democracy with their lives, yet who, of necessity, may enjoy so little of it, at the moment, themselves.

It is our responsibility to see to it that they are not held one needless hour beyond the national necessity—and I think I can prove that the pending joint resolution violates this equity. I agree that we are not "breaking a contract" in the strict, legalistic sense of the word. The 1-year limitation did have an escape clause, and that precise clause is scrupulously invoked by the pending joint resolution. Yet there can be no doubt, Mr. President, that 99 percent of these men thought their induction was for 1 year of training. This may be just one more of those many crimes committed in the agate type at the bottom of a contract.

There can be no doubt that the boys were officially encouraged to believe that their induction was for 1 year—and 1 year only—of training. The very arrangement which we made, in the original draft legislation, for the ultimate restoration of their civilian jobs, was implicit with this expectation, because thousands of employers granted leaves of absence for 1 year. Indeed, it is unreasonable to expect employers to do much more than that, as a practical proposition. Therefore these young men have a very real personal stake in what we are doing.

Let me say again that this is not a conclusive reason why the term of service should not be extended if an imperiled national security requires it; but it is a conclusive reason why the extension should be held to the minimum required by present circumstances, and that, I shall undertake to prove, is not the case in the pending joint resolution.

I should like to say, in passing, Mr. President, that while there can be no business as usual and no life as usual when the Republic girds itself for battle, we had best take care, as a matter of enlightened selfishness and self-preservation, that our dislocations are no more violent than the necessities from time to time require. For example, there is no escape from priorities in respect to raw materials. There is no escape from certain unavoidable curtailments in nondefense industrial production. There is probably no escape from effective all-out price controls. There certainly is no escape from utterly burdensome new taxes. These are the prices we must pay for the program we have embraced and the prices will become infinitely greater if, as, and when we are drawn into a shooting war. But these transitions should be carefully and prudently cushioned so far as possible at every turn of the road. Otherwise we shall court disaster, that internal peril of which I have spoken. Otherwise, priorities, curtailments, price controls, and new taxes, the four horsemen who ride the domestic scene along with the four freedoms, can do more internal damage to America in the next 6 months than any external aggressor is calculated ever to do.

It is in this same spirit of prudence against needless dislocations in the life of the Nation that I speak against needless dislocations in the lives of millions of American young men whose careers are the ultimate stake in the action we are about to take. I cannot escape the conviction that the pending joint resolution is guilty of this vice. Let us see.

Mr. President, I have the greatest respect for General Marshall. His military opinion is entitled to paramount consultation. My own military opinion is worth nothing. Yet I have a legislative responsibility in this situation. I must register my legislative judgment. I must weigh the evidence. That is what I have sought conscientiously to do, and I am driven to certain conclusions which deny the indispensability of the program which General Marshall recommends. Indeed, he has in part denied them himself.

First he asked for an unlimited Army, with unlimited tenure of service, and with the authority to send it anywhere on earth. We were told that nothing less would protect America. It had to be that or nothing. That was the supreme test.

Then the demand for world-wide service was withdrawn. The request would have been rejected by a Congress which still refuses to sanction a second A. E. F. I confess that I cannot forget, however, that the request was made. It was a significant request. It was a sinister request. It was an ominous request. I fear it was a prophetic request. It suggested a use of this Army far beyond the boundaries of action which the American people would approve. Perhaps it was a preview of things to come as planned by our leadership. But the important thing to me, aside from the inherent warning in the request, is the fact that it was withdrawn. It ceased to be indispensable. Obviously there are certain latitudes in the general's demands.

So, secondly, the indispensable program came to be an unlimited Army with unlimited tenure, the request for the authority to take it anywhere on earth having been temporarily withdrawn. Anything less than an unlimited Army with unlimited tenure would be a national tragedy. That was General Marshall's precise phrase. The program simply had to be to save the Republic. But it collided with the cold, hard fact that we were being asked to let the President keep draftees and guardsmen and reservists in service perhaps for the remainder of their lives; and it became an impossibility to defend any such thesis on the basis of a presently imperiled national security. It did not make sense. Instead of being indispensable it became indefensible.

And thus there was another change in the indispensable formula with the approval of the War Department and General Marshall and the Commander in Chief. Unlimited tenure was abandoned. The indispensable program was altered again. Unlimited tenure was abandoned, I repeat. Now the indispensable program is a tenure of 30 months. Now we have quite a different program from that which was originally essential to prevent a national tragedy.

Mr. President, I cannot escape the conviction that this sort of swift change in the assessment of our indispensabilities by our own highest military authorities entitles me to think for myself in determining whether the last program is any more sacrosanct than the first. Frankly, I do not think it is.

Why 30 months of training for draftees, when the maximum that General Marshall asked when the draft law was passed was 18 months? No one ever heard of any longer period being suggested. I have just voted reluctantly to let the Army have these draftees 18 months, and since the bulk of them were not inducted until January 1941 and thereafter, this means uninterrupted service until July 1942 and thereafter. Is not that far enough to look ahead? Is it sane, in the midst of a world influx, to attempt to look further into the future? May we not ultimately revise the schedule if necessity requires? Is there anything in our defensive position which demands decision now respecting a problem which does not present itself until 1 year hence? Must we cross all these bridges before we can even see them? Why must we say now that the draftees must be held to July 1943 and thereafter? Why pretend that a national tragedy is involved in taking one step at a time, in providing for 1942, this year, in waiting for the events of 1942 to determine what 1943 requires? Why call it a national tragedy to give General Marshall the maximum training tenure which he himself asked? No, Mr. President; I cannot go along with any such philosophy.

Another thing. Why say that 1-year conscripts and 1-year guardsmen are so indispensable as to require their involuntary impressment for 30 months, because the Army cannot afford to lose their experience, when, as recently as last June 24, the War Department was telling the Army to reject the voluntary reenlistment of as many as possible of 3-year Regulars, the best trained, the most experienced troops of all? How can we explain to a 1-year conscript that he must remain two and one-half times longer than he thought he bargained for, when, at the same time, we are explaining to a 3-year Regular that he is not wanted, because just as soon as a soldier is wholly trained and wholly competent, his retention, unless he has special aptitudes, offers little benefit to the Army, and his voluntary reenlistment should be discouraged? That is what the War Department said on June 24 last. Yet 4 weeks later, under the whip and spur of an alleged August 1st deadline, which was really no deadline at all, we are told that the national emergency is so grave and the need for trained troops is so pressing that we must break what most draftees and guardsmen thought was a 1-year pledge, and we are asked to hold them in the service indefinitely.

Mr. President, it is this sort of thing which makes it so difficult for me to follow the logic of the present demand. It is this sort of thing which gives me the conviction that the pending measure is not the only answer available to our present needs. In order to acquit myself of any possible charge that I am unwilling to give the Army additional latitude, I have voted for the Taft substitute which would have given General Marshall all that he ever asked—and more—when he was defining his training requirements. But beyond that I will not go—in the absence of convincing proofs to the contrary. I prefer to defeat the pending measure and thus to hasten a swift, realistic reassessment of the whole problem by the War Department, by the Commander in Chief, and by the Senate Committee on Military Affairs. To do otherwise, so far as I am concerned, is to launch the country needlessly upon an era of involuntary militarism at a moment when our White House is obviously G. H. Q. to the whole world; and to create the tools—if I may borrow Mr. Churchill's words—which would too handily implement a second A. E. F. to which I continue to be unalterably

opposed, and which, I hasten to add, General Marshall says he does not now contemplate.

The Congress has not been told, except in alarming generalities, of the need even for such an extension of service as the Taft substitute would have provided. Relatively our danger—yes and intrepid Britain's danger—should be less today, rather than more, than it was 1 year ago, and I fervently hope this is so. But I cannot shut eyes to the fact that Congress sits largely in the dark in respect to these things. We are pretty much confined to those sources of information upon which the late Will Rogers relied when he said, "All I know is what I read in the newspapers." We did not know about the destroyer deal until it was consummated. We did not know that we had moved to Greenland until the move was over. We did not know that we had taken Iceland until Iceland had been taken. The country, like Congress, is notified only after the fact. Perhaps this sort of secrecy is often a military necessity. The strategy of war—even the strategy of defense—cannot always be an open book. But if Mr. Churchill is right when he tells the British Parliament that "the United States is advancing in rising wrath and conviction to the very verge of war," it makes a very great deal of difference in the proper answer to the pending problem. If he is right, the American Congress is entitled to the specific facts from its own premier, and not by proxy.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The time of the Senator on the amendment has expired.

Mr. VANDENBERG. I will take time on the joint resolution.

So far as my observations go, the American people are not themselves "advancing to the very verge of war." They are well-nigh unitedly supporting aid to Britain short of war; but I believe they are more determined than ever to keep out of a shooting war unless they are attacked. Mr. Churchill can have his "tools," and we are straining more than ever to provide them. But we are not, as a country, on Mr. Churchill's "verge." If our Government is, that is for our Government to say. The President exclusively controls our foreign contacts short of a formal declaration of war, limited only by occasional acts of Congress such as the pending measure. Insofar as we are still the masters of our own war fate it is largely in his hands. He knows better than anyone else if we are going to war. He and he alone can effectively orient Mr. Churchill's "verge." It is no disrespect to him; it is no reflection on his purposes and faiths; it is simply a last, lingering attachment to the process of democracy when I say that in such circumstances the Congress of the United States should keep to itself whatever legitimate authority still remains to it in respect to war, defense, and national peril.

That is my final reason—and it would suffice all by itself—for opposing a present extension of the Draft Act beyond any present necessities and beyond anybody's present capacity to lift the dark veil that screens the future. Congress will still be here in 1942—we hope. It will not hesitate to meet a new emergency if unhappily one should arise. In facing our jeopardies let us meet the perils, but let us not multiply them.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. BURTON] to the amendment offered by the Senator from Utah [Mr. THOMAS] on behalf of the committee.

Mr. MALONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MALONEY. I inquire whether it would be in order for me to offer an amendment to the amendment offered by the Senator from Ohio?

The PRESIDING OFFICER. Such an amendment would be in the third degree and would be out of order.

Mr. MALONEY. I should like to inquire if such an amendment would be in order if I should obtain the permission of the Senator who offered the original amendment?

The PRESIDING OFFICER. Such an amendment could be offered by unanimous consent.

Mr. MALONEY. Mr. President, I ask unanimous consent to offer an amendment to the amendment offered by the Senator from Ohio.

Mr. BURTON. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BURTON. Mr. President, the question before the Senate is really the heart of the entire discussion. It is the question of the length of the additional service to be authorized by the pending measure. Therefore it will require only a moment to explain the precise issue.

The Senate has just voted down the Taft amendment. Thereby, in substance, we have declined to extend the term of service by 6 months, making a total period of service of 18 months. I believe that the vote on the Taft amendment reflects confidence in General Marshall, who has frankly stated that he felt that an extension of 6 months, making a total service of 18 months, would not be a practical extension from the military standpoint, because he would not have sufficient time within which to complete the training, make substitutions of units, and release the men from service.

We now come to the issue before the Senate, as to how long a time shall be allowed. There is a grave responsibility upon the Senate, because the testimony of General Marshall stops at the 6-month point. We do not find in the record testimony by General Marshall to the effect that any period longer than an additional 6 months would be impracticable from a military standpoint. Therefore it seems to me that before it adopts the committee amendment or the amendment of the Senator from Utah [Mr. THOMAS] the Senate should pause, because that amendment jumps the period by a full 12 months beyond the 6 months. Before the Senate adopts a period of additional service of 18 months it should look clearly to the situation. General Marshall having testified against 6 months, it is my suggestion that we allow an additional 6 months, which would mean 1 year additional service. That would mean a duplication of the full period of service which was provided in the first instance. Therefore it seems to me that from a military standpoint, and from the standpoint of the record, such a period would certainly give an opportunity to the general and his staff to meet the military needs of the situation.

Turning to the other side of the picture, the amendment of the Senator from Utah fixes a period of an additional 18 months, or a total period of two and a half years. By introducing that amendment to the original joint resolution the theory of an indefinite service has been abandoned; but by fixing the period at 2½ years the amendment does not really take advantage of the opportunity that is open to the Senate by such abandonment. If we are to cut short the period from infinity, we should at least bring it within the range of view of the soldier, so that he may derive whatever inspiration comes from seeing the termination of his service at some point down the road where he can recognize it. It seems to me that a service of two and a half years, or an additional period of service of 18 months, would put the termination out of sight, over the hill. It would result in a failure to obtain any advantage to the Army spirit from cutting short the period. Consequently my amendment is offered not merely as a direct compromise between the Taft amendment, calling for 6 months' additional service, and the Thomas amendment, calling for 18 months' additional service. It is offered because, to my mind, it provides the best solution in that it provides a period against which there is no testimony from the standpoint of its military validity, and which is close enough so that the soldier may have the benefit of seeing an end to his service.

It is clear to me that whatever action we take, if it is to extend the time at all, should extend it to a period which is long enough to avoid military objection, and yet short enough so that the end may be in sight of the soldier himself. For that reason I believe that we should adopt the amendment to reduce the extended period to 12 months, making a total period of service of 2 years at the most.

Senators who just voted for the Taft amendment should support my amendment because it cuts down the indefinite period to a period much shorter than that contemplated by the Thomas amendment; and Senators who voted against the Taft amendment should adopt this change for the reason that only by making the period reasonably short can we obtain the real advantage of eliminating the indefinite period and bringing it within range of the soldier.

The ideal period is one which is long enough to be feasible from the military standpoint, and short enough to be recognized by the soldier. I think that an additional term of 12 months, or a total of 2 years, would meet this requirement.

Mr. MALONEY. Mr. President, I regret that the parliamentary situation denies me the opportunity to offer now an amendment which I had earlier submitted to the Senate. For that reason I take the floor briefly in support of the amendment which has been offered by the able junior Senator from Ohio [Mr. BURTON].

As I do so I desire to explain my position. I think that the additional 12 months' period of time is longer than is necessary. When I offered my amendment, which proposed to extend the Selective Service Act for a period of 8 months, I had taken into account the testimony of General Marshall and other military authorities, and had allowed 2 months longer than they had asked for when the Selective Training and Service Act was under consideration.

But what I desire particularly to say, Mr. President, being aware of the amendments which will be offered, and aware that certain perfecting amendments will be adopted, is that in spite of the defeat of the so-called Taft amendment, I intend to support the pending joint resolution. I am not among those who believe that we break faith with the soldiers by extending the time. I am among those who believe that there is a serious national emergency. I am among those who believe that the Nation is imperiled and, in view of the fact that the Government is spending so many billions of dollars in the national-defense program, I do not know how any Senator can seriously maintain that there is not such a peril.

I believe, however, that it is unwise to extend the period of time under the Selective Service Act longer than the military authorities told us was necessary for a complete and proper training. I have believed, and now believe, that it is extremely important to the national defense and the morale of our people, and the country's welfare, that we call in order, all the young men properly eligible for service under the law, rather than call a few for an unnecessarily long period of time.

For these reasons I hope that the amendment proposed by the junior Senator from Ohio will be adopted. On the basis of the information given to us by the outstanding military authorities it allows enough training time. I desire, however, to emphasize the point that because I believe the need is great, and because I do not believe we break faith, I shall support the joint resolution on the final vote.

Mr. ANDREWS. Mr. President, I realize that we have spent much time on the pending measure, but I feel it my duty to speak in behalf of the amendment offered by the Senator in charge of the joint resolution, the Senator from Utah [Mr. THOMAS], and in behalf of the joint resolution itself when it shall come to a final vote.

There should be no serious controversy over the proposed extension of the time of service of our selectees, volunteers, National Guard men, and Reserves.

Section 3 (b) of the Selective Training and Service Act of 1940 provides that:

> Each man inducted under the provisions of subsection (2) shall serve for a training and service period of 12 consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

Section 1 of Senate Joint Resolution 95, now before the Senate, declares that "the national interest is imperiled," and authorizes the President to extend the period of service of selectees, members and units of the reserve components of the Army of the United States, the National Guard, and retired personnel and enlisted men of the Regular Army, for such period of time as may be provided in the joint resolution.

I disagree with those who say that there will be a breach of faith with the enrollees, National Guard men, and Reserves who have heretofore entered the service if the Congress now determines that our national interest is imperiled, for several reasons: First, that when they entered they understood that their period of service was conditioned upon the contingency that our Nation might soon become imperiled.

Second, the unsettled world conditions have grown worse. It is clearly beside the point for anyone to argue seriously that the term of service should not be extended because of some fancied idea that it would be a breach of contract upon the part of Congress.

Third, most of the selectees who were inducted into the service will not have had sufficient training within 1 year to make them fit for the necessarily highly technical military services which Congress and the executive department had in mind.

Fourth, everyone knows that when the selectees reached their hastily built camps there were not available sufficient uniforms, equipment, living quarters, and the various essential mechanical instruments of war, to afford them the proper training within 1 year. One of the principal causes for this total lack of equipment can be attributed directly to strikes, such as that at the Allis-Chalmers plant in Milwaukee, because of which scores of essential parts used in mechanized war instruments were delayed for 3 months. We all know the underlying cause of that delay.

It is observed that the arguments against extension of service come from practically the same source, with the same theories used against the original Selective Service Act of 1940. The CONGRESSIONAL RECORD further shows that the opponents of selective service at that time argued repeatedly that the volunteer system would furnish an ample supply of trained manpower to operate all our military and naval units, and that any selective-service policy was un-American in principle, and that therefore there was no necessity for the Selective Service Act.

To show that voluntary service is not fair or democratic, particularly in times of national distress, when we were debating the original Selective Service Act, some of us asked the War Department to furnish a list of the States, with their population and the number of volunteers from each State for the 6 months prior to July 1, 1940. Without any attempt to make an odious comparison, we then called attention to enlistment statistics.

I present as a part of my remarks figures turned in by recruiting officers showing that the enlistments were as follows.

For example, North Carolina enrolled volunteers during the 6 months prior to the Selective Service Act to the extent of 4.5 men per thousand of her population. Most of the States which appear low on the list are represented by Senators who have opposed selective service and who favor the volunteer system. While North Carolina and Kentucky showed an enlistment of nearly 5 per thousand, the percentage drops in Minnesota to eight-tenths of a person per thousand. Nearly one-fourth of the population of North Carolina like other Southern States are Negroes, who seldom volunteer. Montana, the home of Senator Wheeler, is away down on the list. The list of States that stand first in voluntary enlistment come in this order: North Carolina, Kentucky, South Carolina, Texas, Georgia, Tennessee, West Virginia, Wyoming, Virginia, Oklahoma, Alabama, and so on. So it will be seen who was enlisting in the service of the United States. I shall ask to place this table I hold in my hand in the RECORD as part of my remarks so that it may be reviewed again. There are not enough of volunteers in the Southern States and States like them to defend the United States in times such as these; and it is time that we understood that it is the duty of every State to furnish its quota of men who may have to go to the front line. Any other system would be unfair and undemocratic. It speaks for itself; it needs no argument. Selective Service Act answered that question.

I now ask that the tables to which reference has been made by me be printed in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Percentage of enlistments, by States, for the months of January to June 1940, calculated on the basis of the male population over 21 years of age (1930 census)

State	Percent	Men per 1,000
North Carolina	0.0045	4½
Kentucky	0.00422	4⅛
South Carolina	.0042	4⅛
Texas	.004	4
Georgia	.00386	3⅞
Tennessee	.0037	3⅞
West Virginia	.0034	3⅜
Wyoming	.0033	3⅜
Virginia	.0033	3⅜
Oklahoma	.0033	3⅜
Alabama	.00325	3⅜
Colorado	.003	3
Pennsylvania	.0026	2⅝
New Mexico	.0026	2⅝
Florida	.00257	2⅝
Idaho	.00248	2⅜
Oregon	.0024	2⅜
Maine	.00238	2⅜
Mississippi	.00224	2⅜
Arkansas	.00216	2⅛
Vermont	.0021	2⅛
Arizona	.00203	2
Louisiana	.00191	1⅞
Washington	.0019	1⅞
Utah	.0018	1¾
Kansas	.0017(	1¾

Percentage of enlistments, by States, for the months of January to June 1940, calculated on the basis of the male population over 21 years of age (1930 census)—Continued

State	Percent	Men per 1,000
Rhode Island	.0017	1¾0
New Hampshire	.0017	1¾0
Montana	.00163	1⅝0
Nebraska	.00162	1⅝0
Massachusetts	.00153	1½0
South Dakota	.0015	1½0
Indiana	.00144	1⅓0
Delaware	.00142	1⅓0
California	.0014	1⅓0
Maryland	.0014	1⅓0
Wisconsin	.0013	1¼0
Connecticut	.0013	1¼0
New York	.0013	1¼0
District of Columbia	.00114	1⅛0
Illinois	.0012	1⅛0
Nevada	.00119	1⅛0
Missouri	.0011	1⅛0
North Dakota	.0011	1⅛0
New Jersey	.0011	1⅛0
Iowa	.00094	9⅓0
Ohio	.00093	9⅓0
Minnesota	.00084	8⅓0
Michigan	.0008	8⅓0

NOTE.—The fractions indicate the number of men enlisted per thousand men.

The following table shows enlistments for the 6 months of January through June 1940, under present Army voluntary system.

	Population	Number of enlistments
Alabama	2,646,248	2,168
Arizona	435,573	314
Arkansas	1,854,482	1,071
California	5,677,251	2,847
Colorado	1,035,791	978
Connecticut	1,606,903	636
Delaware	238,380	108
District of Columbia	486,869	184
Florida	1,468,211	1,129
Georgia	2,908,506	2,823
Idaho	445,032	338
Illinois	7,630,654	2,784
Indiana	3,238,503	1,470
Iowa	2,470,939	726
Kansas	1,880,999	1,022
Kentucky	2,614,589	3,053
Louisiana	2,101,593	1,086
Maine	797,423	582
Maryland	1,631,526	704
Massachusetts	4,249,614	1,974
Michigan	4,842,325	1,254
Minnesota	2,563,953	671
Mississippi	2,009,821	1,157
Missouri	3,629,367	1,266
Montana	537,606	294
Nebraska	1,377,963	680
Nevada	91,058	45
New Hampshire	465,293	255
New Jersey	4,041,334	1,434
New Mexico	423,317	301
New York	12,588,066	5,471
North Carolina	3,170,276	3,442
North Dakota	680,845	215
Ohio	6,646,697	1,956
Oklahoma	2,396,040	2,261
Oregon	953,786	801
Pennsylvania	9,631,350	7,411
Rhode Island	687,497	351
South Carolina	1,738,765	1,763
South Dakota	692,849	313
Tennessee	2,616,556	2,620
Texas	5,824,715	6,648
Utah	507,847	254
Vermont	359,611	240
Virginia	2,421,851	2,169
Washington	1,563,396	1,034
West Virginia	1,729,205	1,618
Wisconsin	2,939,006	1,169
Wyoming	225,565	256
Hawaii	368,336	74
Panama Canal Zone	39,467	22
Philippines (1935 census)	13,099,405	29
Puerto Rico	1,543,913	188
United States Army posts		898
Alaska	59,278	22
Total		74,579

Mr. ANDREWS. Mr. President, the records show that the recruiting method everywhere, except in certain States, cannot be depended upon to provide the men needed for our defense-training programs for which appropriations have already been made.

A very noticeable feature of the enlistment or lack of enlistment of volunteers in certain sections of the country is the indifference on the part of foreign-born persons and those of foreign-born parents immigrating to America from Italy, Russia, and Germany. Commentators, in explaining this, say it may be due to fright caused by threats from Berlin, Rome, and Moscow. It was stated, with much evidence of truth, that Hitler, Mussolini, and Stalin had obtained a mailing list of influential immigrants in the United States from their respective countries and were keeping them supplied with threats that, if they did not exert themselves against the United States getting into this war, their people back home would be made to suffer the consequences. They are sometimes, perhaps wrongly, called "fifth columnists" and are said to constitute a large part of the audience at meetings called to oppose the present administration's preparedness program.

A few months ago, when the appropriation for the Civilian Conservation Corps was under consideration by the Senate, it will be recalled that the senior Senator from Georgia [Mr. GEORGE] offered an amendment which would have authorized voluntary military training in all C. C. C. camps. Those of us who favored that course met defeat on the same grounds which were given to oppose selective service and on the same argument now being used in an effort to defeat the extension of time of the service of the selectees.

In the past few decades we have learned the important lesson that, if our democracy is to be perpetuated, it will have to adopt such means of providing for defense as will enable us effectively to cope with the aggressors. In that we have no choice. The dictators and sponsors of international aggression have foresworn the destruction of the democratic way of life as we have it and know it in America. We challenge that threat, whether it comes from Mussolini, Stalin, or Hitler.

Experience has taught many useful lessons, and among them that discipline in the Army, which calls for regular hours for recreation and training along with regular, well-prescribed, and wholesome food, with constant supervision of the best physicians of our time, has brought to our soldiers strength of muscle and clearness of brain to a degree which could never have been reached without it. The records show that more than three out of four registrants were underweight, and that a large proportion of those accepted soon increased in weight, strength, and vigor; and constantly brushing up as they do against other selectees from every walk of life, they nearly always take a new outlook on life itself and come out of the service much improved not only in body but in mind and in spirit.

It is my observation that any American who is not willing to undergo military training for at least 1 or 2 years, so that during his active life he will be ready to do his part to meet any threatened aggression upon our country, would not be worth very much either as a citizen or a soldier.

I invite my colleagues to read a short but very interesting article which appeared in the October 1940 issue of the Educational Record, a magazine published by the American Council on Education. The article in question was written by Prof. John Erskine, of Columbia University, who during the World War was chairman of the Army Education Commission and who organized and directed the American Expeditionary Force University at Beaune, France. Professor Erskine is an authority on matters pertaining to the Army and to education. In his article entitled "Train Conscripts for War and for Peace," he recommends that every youth spend at least a year in the service of his country, the first half given over to physical development and military science and the second half to educational courses and general study, observing—and I quote:

> The practical studies in trades or professions offered under Army discipline would teach habits of application at the moment when young men most need to learn them.
>
> The average student in college not only wastes the greater part of his time but is extremely careless in his diet and is far below the proper physical state. Army life provides for every soldier a finer system of physical training than even athletes in college usually submit themselves to.

I am heartily in favor of a college education for everyone, but at the same time I cannot help agreeing with the statement of Professor Erskine.

He who desires to command and lead must first learn to obey and follow; and those of us who have had training under military leaders, either in military schools or in the Army, know the advantages that military training gives. A man who is a good soldier is nearly always a good citizen after he leaves the service and returns to civilian life. I cannot see how any young man will be injured in any way, physically, morally, or spiritually, by devoting a year or two to service in the Army or Navy of his country, for, in reality, he is giving nothing. He is acquiring, instead, the basic elements that make for good citizenship.

II. RELIGION

The dictator nations today are almost entirely abandoning all morals as we have known them. At no time in the history of civilization has there been such a sinister and savage attack on religion as we are now witnessing.

I shudder to think of the innocent persons of all religious faiths who were executed in Russia only because they believed in the right to worship their God in their own way. But if the status of religion in Russia can be said to be bad, then present Nazi German religious conditions are even worse, and, indeed, horrible.

Think of the trumped-up charges of immorality filed against members of the church. No diabolical mind except Adolf Hitler's could think of more horrible means of striking at the German Catholic Church. We cannot close our eyes to the tortures which even today are suffered by Protestant clergymen who are kept in cells and suffer un-

speakable indignities because of their refusal to admit that Hitler is God.

Long before the founding of this Government our forebears adhered to our religious teachings as the right way of living, not only in the sense of church attendance but in the sense of high morality that religion teaches. Day by day we more and more realize that the existing Nazi Germany is always a challenge and a menace to the American way of life.

I fervently hope the time will never come when we Americans will have thrust upon us such blasphemous doctrines as are found in Nazi Germany today. For example, Hitler's right-hand man, Goebbels, stated a few years ago:

> Our leader (Hitler) becomes the intermediary between his people and the throne of God. * * * Everything which our leader utters is religion in the highest sense, in its deepest and most hidden meaning.

A little later a well-known Nazi professor stated:

> The history of Christianity is a history of lies and swindles, murder and crime, oppression and violence.

One of the great shocks about this statement is that such an assertion could be made by the spokesmen of a great nation in this advanced age of boasted culture and refinement.

When the peace policies of Roosevelt and Woodrow Wilson are compared, it will be observed that both were for peace but President Roosevelt the greater advocate of peace

In February 1916, it appeared that Congress was about to adopt a resolution warning Americans to stay off Allied merchantmen. These merchantmen were armed, and there was a fear that the torpedoing of such ships by German U-boats, with loss of American lives, would get America into the war.

Senator Gore, of Oklahoma, offered the warning resolution in the Senate, and Representative McLemore, of Texas, offered the warning resolution in the House.

However, President Wilson insisted that Congress not adopt the resolution. He argued that the Americans had a clear right to travel the Atlantic even on armed belligerent liners.

President Wilson called the Democratic leaders of the House and Senate to the White House for a conference, and urged that the resolution not be adopted, even though the leaders informed the President that Congress was in favor of the resolution by a two-to-one vote.

On February 24, President Wilson sent a public letter to Senator Stone, Chairman of the Foreign Relations Committee of the Senate, in which he stated:

> I shall do everything in my power to keep the United States out of war. * * * I cannot consent to any abridgement of the rights of American citizens. * * * To forbid our people to exercise their rights for fear we might be called upon to vindicate them would be a deep humiliation indeed. If in this instance we allowed expediency to take the place of principle, the door would inevitably be opened to still further concessions. Once accept a single statement of rights, and many other humiliations would follow.

Needless to say, on March 3, 1916, the Senate voted down the warning resolution indirectly; and the House on March 7 voted to table the resolution.

In his message to Congress at the opening of the special session this year, President Roosevelt departed sharply from the viewpoint of the late President Wilson.

President Roosevelt made four recommendations to Congress, aside from the recommendation to repeal the Neutrality Act: First, he recommended that Americans be prevented from traveling on the belligerent vessels or in danger areas. Second, that American merchant ships, so far as possible, be barred from danger zones. Third, that foreign purchasers be required to take title in this country for goods purchased for belligerents. Fourth, that belligerents be prevented from obtaining war credits in the United States.

Thus, at the very outset, President Roosevelt has recommended certain things be done by Congress which would prevent our being dragged into war as in 1917.

III. PRESIDENTIAL PROMISES

Much has been said about alleged broken Presidential promises in debating this resolution and practically every other measure coming before this body which might have some bearing, directly or indirectly, on the present state of emergency. In recent years we have learned that no nation can rely upon the written treaties of dictators who boldly violate them at will. This necessarily forces us to watch carefully the ever-changing international situation, so that we shall not find ourselves clinging to outmoded policies which may seriously menace our security.

Conditions change in this rapidly moving world, and we must prepare ourselves for each threat or fall by the wayside. President Roosevelt should be heartily commended instead of condemned for the realistic point of view he has taken in this time of danger. Nowhere have I seen this more cogently and truthfully stated than in the able editorial of the Washington Evening Star of July 29, 1941, as follows:

[From the Washington Evening Star of July 29, 1941]

It might be pointed out in this connection that the President a year ago said the defense program was going to be superimposed on our existing industrial establishment. It has proved impossible to do that, but none of his opponents is accusing Mr. Roosevelt of bad faith on that score. And they are not doing so, obviously enough, because the national interest would have been harmed rather than helped if the President had not abandoned that assurance.

But this, surely, is a curious situation. In the one case, of necessity, the President has abandoned a promise and no point is made of it. In the other he has kept his promise—for we are not fighting in any foreign war—and yet he is harassed at every turn by those who vociferously proclaim that he is violating or is going to violate his other pledges to the people.

The net result of this extraordinary campaign has been to impair public confidence in the President, despite the fact that the things he actually has done—again to be distinguished from what his opponents said he was doing—have been in the national interest and have received the overwhelming endorsement of public opinion.

There can be no reasonable doubt that everything the President has done has contributed to the strengthening of our national defense. Nor can it reasonably be doubted that he must continue to take defensive, or even offensive-defensive, steps in the future That these measures may result in war cannot be denied. But the same thing would be true—and probably more so—of a do-nothing policy on his part.

It should be recognized that the President, by force of circumstances beyond his control, is obliged to deal with a fluid and highly dangerous international situation. For 2 years he has kept this country out of war, and to accuse him of deliberately seeking to involve the United States in war is not only patently false but exceedingly harmful from a domestic standpoint. In the interests of national security, the President's critics, who have so often changed their own position, would do well to abandon their efforts to indict him at every supposed opportunity on the basis of statements made a year ago, and to collaborate with him in trying to guard against the threat of hostilities arising out of the turbulent world situation as it exists today.

In spite of what has been said to the contrary, most of the people of this great Nation heartily endorse and stand by the President they overwhelmingly reelected last year.

The Gallup polls are very informative on this point. On July 19 this poll asked for an answer to the question:

> So far as you are personally concerned, do you think President Roosevelt has gone too far in his policies of helping Britain or not far enough?

Persons listed in Who's Who voted as follows:

	Percent
Too far	16
About right	53
Not far enough	31

Add 31 and 53 together, and we have 84 percent that either endorse the President or say he ought to have gone farther.

The names were taken from Who's Who, comprising persons who are supposed to be better informed on the conditions of the world, or their names never would have been placed in Who's Who. They are the leading men of the country. The general public voted as follows:

That the President has gone too far, 23 percent.

About right, 55 percent.

Not far enough, 22 percent. Add 22 percent to 55 percent, and we have 77 percent who either endorse the present policy of the President or think he should have gone farther.

A few days ago we were shown on the floor of the Senate the result of the Gallup poll on the question:

> If you were asked to vote today on the question of the United States entering the war now against Germany and Italy, how would you vote—to go into the war now or to stay out of the war?

Of course, the poll showed a large percent against war.

If that question were submitted to the 96 Members of the Senate today, they would all vote "no," in my judgment. I would. It may never be necessary to go to war, but we should be ready so that we will not have to go to war. No small man undertakes to fight a giant when he has a look at him and understands what would happen.

The vote among the general public showed that 21 percent were in favor of going to war, and 79 percent in favor of staying out. Those figures were read on the floor of the Senate recently with considerable emphasis. It is absolutely puerile to submit such a question to the Members of the Senate or of the Congress, or to the public at large.

The PRESIDING OFFICER (Mr. BUNKER in the chair). The Senator's time on the amendment has expired.

Mr. ANDREWS. I have 30 minutes on the bill, and I will now speak on the bill.

Do we need any more evidence that the people as a whole are heartily behind the present administration? Let us forget the smokescreens and half-truths so glibly cast about by the apparently well-financed and extremely vociferous opposition to the views of the majority of our citizenry. Let us stick to the facts.

IV. PASSIVE DEFENSE AND APPEASEMENT

Much has been said about what is termed a "negotiated peace." If we are to adopt such a policy, the question arises, A negotiated peace with whom? What responsible authority is there at this time either in Nazi Germany, or Fascist Italy, or even Communist Russia, with whom any self-respecting responsible nation could negotiate peace terms which would have any dignity or decent significance?

Persons who apparently have become spokesmen for that group have also taken the astounding position that the best interests of America and the other self-governing nations of the world will be best served if neither England nor Germany wins. Nazi Germany heartily approves these spokesmen.

The dominating figure in Europe today, and perhaps in Asia soon, has made a record which classes him as the greatest international bandit of all time. He is a traitor to truth and confidence among men and nations without a peer in all history. A brief reference to only a few records among many will demonstrate that fact.

As late as 1933 Hitler stated:

> As long as I am Chancellor there will be no war save in the event of an invasion of our territory from without.

Whoever attacked Germany from without? Was it Czechoslovakia? Was it Austria? Was it Poland, Holland, or any of 10 other small nations of Europe whose only offense against Nazi Germany was that they were small, self-governing, peace-loving nations, inhabited by free people who desired to be left alone?

In May of 1935 Hitler was asked by one of our foreign correspondents the direct question:

> Are there no territorial questions about which you would go to war?

Hitler answered:

> None. We have renounced solemnly all such purposes. The Germany of national socialism will never destroy itself and betray humanity by violating a pact it voluntarily signs.

Most of the pacts were voluntarily signed except those which Hitler has imposed on other nations of free people.

Only a year later, in March 1936, Hitler sent German troops into the neutralized zones of the Rhineland, and thus repudiated the solemn treaty of Locarno.

Possibly the real idea of Adolf Hitler regarding treaties is best described by Herman Rauschning, who states in his famous book The Revolution of Nihilism, and I quote:

> Hitler had told me that morning what was his view of the value of treaties. He was ready, he said, to sign anything. He was ready to guarantee any frontier and to conclude a nonaggression pact with anyone. It was a simpleton's idea not to avail oneself of expedients of this sort, because the day might come when some formal agreement would have to be broken. Every pact sworn to was broken or became out of date sooner or later. Anyone who was so fussy that he had to consult his conscience about whether he could keep to a pact, whatever the pact and whatever the situation, was a fool. Why not please other people and ease one's own position by signing pacts, if the other people thought that got them anywhere or settled anything? He could conclude any treaty in good faith, and yet be ready to break it in cold blood the next day, if that was in the interest of the future of Germany.

In view of these expressed ideals of Hitler, it is easy to understand why Germany could guarantee the frontiers of Austria and then invade Austria; guarantee the frontiers of Czechoslovakia and then invade Czechoslovakia; sign a nonaggression pact with Russia, and then invade Russia; invade and crush six other small nations of Europe without notice or warning.

At the outbreak of the present war Hitler said:

> I will not war against women and children. I have ordered my air force to restrict itself to attacks on military objectives.

It was only a few days thereafter that word filtered into the United States of the horrible bombing attacks on Polish open cities, where helpless women and children by the thousands were slaughtered like animals. Is residential London a military objective, where more women and children have been murdered than British soldiers in service?

How can we see the facts and fail to understand that there is no compromise that we can enter into with the dictators of Europe? They seek the total destruction of our liberties and the enslavement of our people. They have pledged themselves to that purpose. Nazi Germany and her allies have foresworn our destruction, and they have been bold enough to dare us to defend ourselves even on this side of the Atlantic. They have their "fifth column," and would see to that, and it has long since been operating, not only in every one of the 21 American republics but right here in the United States, and the pity of it all is that they are receiving encouragement from American citizens every time it is insinuated that our President is breaking his promises and is trying to lead us into war. This is exactly as Hitler would have it. Last November the sovereign voters of the country, in our American way, elected Franklin D. Roosevelt President of the United States, and no one else should assume to direct the destiny of our people in this great crisis other than our own constituted authority.

CONCLUSION

The forces of might as against right, which have swept over nearly all of continental Europe, and which even now are poised and ready to leap the Atlantic to the Western Hemisphere, must be stopped. They cannot be stopped by idle words or wishful thinking. They can be stopped by a united nation, acting immediately and fearlessly, and with the full cooperation of a people who believe in inalienable right of the individual to live, to worship, to think, to listen, and to read, without some self-appointed superior force determining the exercise of these rights.

The smoke screens of antipathy toward the President that have been laid by some of the opponents of this bill must not overshadow the essential fact that our Nation now faces a grave emergency. We must be prepared, and that preparation must be a total one. Our soldiers must be well and properly trained, and they cannot be trained within the short time allotted under the original act.

In times of emergency we must prepare for the worst and never on any assumption that we may not have to fight; otherwise we are defeated before we start if the worst comes to worst.

I believe I have answered the question of breach of faith—there is no breach of faith toward our soldiers by extending the act.

Is there anyone today who will say that military discipline is harmful to our youth? In voting on this measure we should remember the tremendous benefits our youth will receive from military training which builds the body, the mind, and respect for authority.

Voluntary service might be all right if all States followed the lead of the Southern States which last year headed the list of voluntary enlistments. The only fair method of securing a representative Army composed of all fit persons, regardless of whether rich or poor, is the method we are adopting—selective service for the period of the emergency, which will be terminated by Congress.

To those who oppose extension of the act on the alleged ground of violating or destroying individual rights, I would simply say this: In this day and age when we are opposed by one of the most ruthless military powers since the days of Attila the Hun, we must gear our national economy and our manhood to a system of total defense. By so doing we do not destroy the rights of individuals—we preserve them. No individual lives in a world alone. He lives in close relationship with his fellow men, and all the rights and privileges he possesses are based on their relationship to the rights of others.

It is my earnest hope and desire that our young men will never be obliged to fight, but I do insist that if they are ever required to fight to preserve our way of life they should first be trained so that they can adequately defend our country against a military might now attempting by devious means to force us back into the ideas and customs of the

Middle Ages; which if successful in its plan for world conquest would make the United States a vassal state to a ruthless conqueror.

Mr. THOMAS of Utah. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	George	Radcliffe
Andrews	Gerry	Reynolds
Austin	Gillette	Rosier
Bailey	Green	Russell
Bankhead	Guffey	Schwartz
Barbour	Gurney	Shipstead
Barkley	Hatch	Smathers
Bone	Hayden	Smith
Brewster	Hill	Stewart
Bridges	Hughes	Taft
Brooks	Johnson, Calif.	Thomas, Idaho
Brown	Johnson, Colo.	Thomas, Okla.
Bunker	Kilgore	Thomas, Utah
Burton	La Follette	Tobey
Byrd	Langer	Truman
Capper	Lee	Tunnell
Chandler	McCarran	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Van Nuys
Clark, Mo.	Maloney	Wallgren
Connally	Mead	Walsh
Danaher	Nye	Wheeler
Davis	O'Daniel	White
Downey	O'Mahoney	Wiley
Eastland	Overton	Willis
Ellender	Pepper	

The ACTING PRESIDENT pro tempore. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. THOMAS of Utah. Mr. President, I am looking around the Senate Chamber because I was wondering if some Senator wanted me to yield.

Mr. BARKLEY. Mr. President, the Senator from Utah is laboring under a misapprehension. He does not have control of the time now. He had it only up to the 1 o'clock vote. We are now back to the 30-minute limitation under which we operated under the agreement entered into yesterday.

Mr. THOMAS of Utah. Mr. President, I understood that some Senator wanted to speak on the joint resolution.

Mr. President, the amendment which is before us, the amendment of the Senator from Ohio [Mr. BURTON] provides in theory for an acceptance of the committee amendment and merely seeks to change the extension of the term of service from 18 months to 12 months. In the Taft amendment there was an extension of the time of service by 6 months. The Senator from Connecticut [Mr. MALONEY] offered an amendment suggesting that the term of service be extended 8 months. The committee recommends 18 months. The Senator from Ohio suggests 12 months.

When the theory of the joint resolution was changed in committee due to the fact that some persons thought that men were to be kept in the Army forever and that there was no limitation at all under the original act, I, of course, did not sympathize with that idea, because I know that since George Washington's time no soldier has ever stayed in the Army forever, and that with all the regulations and rules it would be utterly impossible to do so. Besides, forever is a very long time. The indefinite notion need not necessarily involve a long time. It may be a very short time, and the theory of the joint resolution was based quite as much on the short-time idea as upon the long-time idea. But the committee felt that the theory should be changed. Therefore the amendment which is before us was suggested.

Mr. President, we have had a number of expressions, practically all of them suggesting an extension of time. Therefore, so far as the Senate is concerned, the great majority of Senators have already voted in favor of an extension of time. That question has now gone by the board. Eighteen months was selected after inquiry among the representatives of the Army. They were asked to state the very outside probable limit under any circumstances that anyone could conceive a man from the reserve components or from the selectees being kept in the Army. The outside figure was 30 months. To be sure, that was an arbitrary selection. The selection might have been 12 months. It would still be just as arbitrary, because we cannot see into the future.

Under the circumstances, in view of the fact that there has been an expression with regard to a 6 months' extension proposal, which has been voted down; in view of the fact that 8 months has been suggested; and in view of the fact that there is a great difference of opinion—although to my mind there is no great issue at stake as between the committee amendment providing for 18 months and the amendment of the Senator from Ohio [Mr. BURTON] providing for 12 months—I suggest that we settle this question by a voice vote on the amendment of the Senator from Ohio. We shall soon discover whether or not sentiment in the Senate has crystallized around the 12-month period.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. THOMAS of Utah. I yield.

Mr. PEPPER. I ask the able Senator how the committee interprets the legal effect of the proviso in lines 9, 10, and 11 on page 3, relative to the concurrent resolution of the Congress terminating the authority conferred on the President as to the time of service of the persons involved. Does it mean, for example, that at the expiration of the 12-month period of a selectee the President could make an order extending the man's service for a definite number of months or days, and that such an order would stand even though a concurrent resolution were passed prior to the expiration of the extended date. In other words, is the legal effect of the concurrent resolution to terminate the power of the President to fix an extended period, allowing all extended periods that may have been fixed to go on to their designated termination? Or would the concurrent resolution immediately terminate the power of the Government to retain the man in service?

Mr. THOMAS of Utah. Let me ask to what the Senator is referring?

Mr. PEPPER. I am referring to the language on page 3 in the committee amendment.

Mr. THOMAS of Utah. The original committee amendment?

Mr. PEPPER. Yes. The language to which I refer is the proviso appearing in lines 9, 10, and 11 on page 3, and reading as follows:

Provided, That the authority hereby conferred may be revoked at any time by concurrent resolution of the Congress.

Mr. THOMAS of Utah. As previously explained, the authority which is revoked is the authority which is conferred. The authority which is conferred is the authority bestowed upon the President by section 2.

Mr. PEPPER. Mr. President, will the Senator yield for a further question?

Mr. THOMAS of Utah. I yield.

Mr. PEPPER. Does that mean, for example, that prior to the expiration of the period of a year of any selectee in service the President may by Executive order extend the term of service of such selectee for an indefinite period?

Mr. THOMAS of Utah. Is the Senator referring to an individual selectee?

Mr. PEPPER. Does the committee contemplate that the order would apply to an individual selectee or to a class? It seems to me that under the language of the joint resolution it might be either way.

Mr. THOMAS of Utah. That is true—as to any or as to all. In administering the amendment as it is written the President would take into consideration the various needs of the service.

Mr. PEPPER. I know that; but if I correctly understand the effect of this language the President might issue an Executive order at any time prior to the expiration of a selectee's period of service of a year under the original act, and extend that selectee's service for a period of years to exceed the maximum period that is now the subject of consideration.

Mr. THOMAS of Utah. I think there is no doubt about that.

Mr. PEPPER. Suppose that the period of service added to the original period of 12 months were an additional 12 months. Immediately prior to the expiration of the first 12 months the President could make an order extending the service of a class of selectees for an additional 12 months and 25 days. If Congress were to pass a concurrent resolution within a week after the publication and effective date of such an order, the term of service of the persons affected by that order would not be touched.

Mr. THOMAS of Utah. I think the term of service would be terminated. The authority to extend is one thing. Service under the extension is another thing. The point which the Senator is making probably is that if the authority were revoked the individual soldier would go on and serve under the President's order, which was made by virtue of his authority, regardless of the concurrent resolution.

Mr. PEPPER. The Senator has already answered the question, and the language indicates that the Senator is correct.

The proviso is:

Provided, That the authority hereby conferred may be revoked at any time by concurrent resolution of the Congress.

That language indicates that it was the purpose of the proviso to terminate the exercise of the authority; that is, that in such event the President could not any longer assert the right to extend the service. But I was curious to know whether such a concurrent resolution would have the effect of terminating any extensions which might have been ordered; and the Senator from Utah now thinks that those who might have had their service extended by such an Executive order would have their service terminated by the passage of a concurrent resolution by the Congress.

Mr. THOMAS of Utah. Mr. President, of course, I think that all things done in the administration of the Army are done in an orderly way. The whole spirit of the joint resolution is to take into consideration three factors: First of all, the national need; second, the interest of the soldier; third, the interest of the Army—to take those factors into consideration in practical administration, with Presidential discretion in the administration, which would not even be affected by revoking authority to perform a definite act.

Of course, the Senator from Florida is asking questions which reach into the realm of the unknown to such an extent that I cannot answer definitely with regard to a particular man in authority.

Mr. PEPPER. Mr. President, will the Senator yield in order to permit me to put a definite question?

Mr. THOMAS of Utah. Yes; I am glad to yield.

Mr. PEPPER. Let us assume that there are two classes of selectees, class A and class B. The President might issue an Executive order extending the service of the men in class A. Now we may change the hypothesis a little and assume that pretty soon thereafter the other class would have its 12 months about to elapse. The President might extend the service of the men in that class, class B. A little later another class might come in and the President might, by Executive order, extend the time of service of the men in that class. Let us suppose that at that period Congress should pass a concurrent resolution. If class C were to come in under the normal 12 months of service—something which is not affected by section 2, as I understand—the President could not extend the service of that class, could he, because by this provision his power to extend the period of service would have been terminated by the passage of the concurrent resolution?

Mr. THOMAS of Utah. I think there is no doubt about that.

Mr. PEPPER. If that is the meaning and effect of the provision, it would mean that even if Congress were to pass a concurrent resolution, the actual service of the selectee affected would not be shortened by the passage of the concurrent resolution. It would simply mean that the President could issue no more Executive orders extending the service of the selectees.

Mr. THOMAS of Utah. I think, from a legal standpoint, the answer would have to be "Yes." But from a practical standpoint I do not think that would be the correct answer at all.

Mr. PEPPER. Does the Senator from Utah mean that he thinks the President might be persuaded by the evident intent of Congress, and therefore exercise the other power which he has, and release them from the service?

Mr. THOMAS of Utah. I certainly do.

Mr. PEPPER. That is a matter of opinion.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. BARKLEY. When the Senator from Utah has concluded, I will take the floor in my own right; but before I take my seat I should like to say this: I do not understand clearly what the Senator from Utah indicated a moment ago in his comment on the pending amendment. I understood the Senator to say there is no difference in principle between 12 months and 18 months. There may be no difference in principle, but there may be a good deal of difference in policy between 12 and 18 months. Did I understand the Senator in charge of the bill to indicate that he accepts the 12-month amendment?

Mr. THOMAS of Utah. Mr. President, that understanding is hardly correct. I deem it to be my duty to stand with the committee amendment as it is, and I will so vote. My explanation was merely by way of telling the Senate exactly what happened. When we went from an indefinite theory to a definite theory we asked the question, "What is the outside limit under a definite arrangement whereby the Army can administer these various acts without interfering with the national defense?" There was a difference of opinion in the answer, but since the outside figure was given at 18 months, that was accepted and put in the amendment. The difference between 12 months and 18 months is a difference of so many months.

Mr. BARKLEY. It is the same difference as that between 6 months and 12 months. We have already voted on the question whether we would reduce it to 6 months; and there is no more difference between 6 months and 12 months than there is between 12 months and 18 months. It is the same difference. It seems to me, to be perfectly frank about it, that the Committee on Military Affairs brought in the joint resolution with an indefinite power to keep these men in the service, subject, of course, to congressional resolution declaring that the emergency is over.

Now there has been brought in, in lieu of that, an 18 months' provision with the same proviso that, of course, it can be terminated by congressional resolution, or, of course, the President can let them out without such a resolution if the emergency should end before the termination of the 18 months.

Now an amendment is offered reducing that period to 12 months, and the Senator from Utah stated there was no great amount of difference in principle between 12 and 18 months. I concede that as a matter of principle there may not be a great difference; but as a matter of policy and wisdom there may be a tremendous amount of difference between 12 months and 18 months. I have somewhat different conclusions on the question of policy; and I only desire to understand exactly what the Senator meant by what he said awhile ago, because a good many Members were confused as to his meaning and his intention. I want briefly to discuss the matter in my own right when the Senator from Utah has concluded.

Mr. THOMAS of Utah. May I say that I am sorry there is confusion. I tried to make the point as simple as I could by saying that we have gotten to the place at which, from a parliamentary standpoint, the vote will be simply on the number of months which will be specified in the amendment, and that, therefore, so far as that matter is concerned the question before the Senate is simply that of expressing its will on that single point.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. BARKLEY. I appreciate that; but the Senator from Utah, as the representative of the Committee on Military Affairs, did not indicate very clearly what were his own views as to whether it should be 12 months or 18 months.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BARKLEY. In a very few minutes I am going to express my views about it, and the Senator can do as he wishes.

I yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, I rise only to comment on the pending proposition. I am not a member of the Military Affairs Committee; I have not had the privilege of listening to the testimony. I should like to know which is the better plan, the 12 months' plan or the 18 months' plan. There is a decided difference between keeping the men 12 months or 18 months; and all of us, I think, without exception, would like to have the men released at the earliest possible moment. I do not think there is any question about that. Will the Senator discuss that point?

Mr. BARKLEY. Yes. I had not intended to discuss the matter until the Senator from Utah had concluded.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky is recognized in his own right.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HILL. I think it is only fair to us and fair to the RECORD, having in mind that the discussion may come up again, to say that the War Department did not feel that there should be any limit in terms of months. The War Department felt that subsection (b) of section 3 would be brought into play when Congress should declare the national interest imperiled. Such a declaration would give to the Chief Executive the power to continue in service the selectees and guardsmen and others now in the service, and the War Department certainly did not want to be put in the position in the future of necessarily having to ask for any further action by Congress or any further extension, or of

having it said it could get along all right and in a satisfactory manner if we fixed a period of 18 months or any other period of months. The War Department felt, and made it very clear, that, in its opinion, the term should be indefinite, depending upon the duration of the imperilment of the national interest, and that imperilment can be declared at an end, as we know, under the provisions of the joint resolution, whenever the Congress shall so declare by concurrent resolution.

Mr. BARKLEY. Mr. President, as I have said, I had not decided whether I would offer any suggestion at all about the pending joint resolution, but I do desire to call attention to one or two things——

Mr. SCHWARTZ. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Wyoming?

Mr. BARKLEY. In a moment.

Mr. SCHWARTZ. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Kentucky declines to yield.

Mr. BARKLEY. No; I will yield in a moment; but I want to finish this sentence before I do yield. There are one or two things which impress me in connection with this matter which I wish to discuss, and I hope I will not even consume the 30 minutes allowed me on the measure. I now yield to the Senator from Wyoming.

Mr. SCHWARTZ. Mr. President, I want to make this observation, that the amendment now pending with the 18 months' limitation was prepared by about 10 members of the Military Affairs Committee, all we could get, and by representatives of the War Department. We worked on it for half a day; the committee was unanimous on the 18 months' limitation, and it was the War Department's view that such a limitation would afford a proper period during which new selectees could come in and other selectees go out, except as they could leave the service earlier under other provisions of the joint resolution. That was the idea of the War Department as to how to organize a proper army for defense; that is the committee's voice; and that is what the committee has done. To my mind it is an important matter. I think that ordinarily when a committee prepares a report and submits it to the Senate of the United States, the Senate is entitled to know what the report is and what the committee felt, so that Senators who have not had opportunity to read the record and study the provision may know that the committee did make certain recommendations and bring in a certain amendment, which was given serious and careful consideration. Therefore no member of the committee should say that it is not a matter of very great importance.

Mr. HILL. Mr. President, will the Senator from Kentucky yield for a moment?

Mr. BARKLEY. I yield.

Mr. HILL. For the sake of the RECORD, and in order to keep the RECORD clear, I want to emphasize that the 18 months' limitation was suggested by the committee and not by the War Department. The War Department, I think, felt its contention was correct but, for the time being, acceded to the 18 months' limitation. The War Department, however, all the way through, adhered to its suggestion that there be no limitation. So the 18 months' limitation, as the distinguished Senator from Wyoming has said, was a limitation suggested by the committee.

Mr. SCHWARTZ. And accepted by the War Department, which said it could not go further.

Mr. BARKLEY. Mr. President, I am not a member of the Military Affairs Committee, and, therefore, do not know what occurred in the committee. I have read the hearings which were conducted by the committee on the joint resolution and as I have read the hearings and tried to understand them and to appreciate the solemn responsibility of the representatives of the Army in bringing before the committee and before the Congress their views with reference to this matter, I was greatly impressed with the showing made by General Marshall and other generals, as I was by the suggestion of the President in his message, regarding this proposed legislation. The Committee on Military Affairs was undoubtedly impressed by the showing made, because they brought before the Senate a measure providing, in the exact language of the Selective Service Act, the conditions under which the time for the service of the selectees might be extended.

During the debate the committee, undoubtedly in good faith undertaking to accommodate its action to the views of some Members of the Senate, took official action and brought in the amendment providing the 18-month limitation. That was not an amendment suggested by the War Department, it was suggested by the committee.

As I understand, General Marshall, the Secretary of War and other representatives of the War Department said they could operate under the 18 months' limitation, not that they desired it, not that they recommended it, but that they could operate under it, and, in order to meet some of the objections that have been raised—I think erroneously—that the pending joint resolution would keep selectees in the Army forever, the committee brought in its recommendation and the amendment providing an 18 months' limitation. It may not be, and I grant it is not a matter of fundamental principle whether the limitation be 18 months or 12 months it is a matter of policy; but it seems to me to be an important matter of policy.

I am for the recommendation of the committee, that is, I will vote for it, inasmuch as it is recommended by the committee, but my own preference was the joint resolution as it was originally reported unanimously, with the exception of one vote, by the Committee on Military Affairs. We all know that if and when—probably I should strike out the word "if," for we all assume the emergency will end some day—we all know that when the emergency terminates there is not enough power in Christendom to keep the Congress from releasing these boys from the Army and sending them back home, no matter whether there shall be an indefinite extension or a limited extension. The President himself would do it without any action of Congress whenever he terminates the emergency. Nobody can tell when the emergency will end. It has been growing, in my judgment, in intensity and in tenseness practically every day since we passed the Selective Service Act in 1940.

I shall not discuss that question, for everyone who reads the newspapers and is familiar with what is going on knows that in Europe and Asia and in Africa and all over the world, not even excepting the Americas, the seriousness of the emergency which involves the people of the United States and involves our interests and our independence has increased. We may undertake to delude ourselves into the belief that it does not amount to very much, anyway, that we will be able to take care of ourselves by creating an unbeatable Army on our shores; but, with nearly all Europe under the heel of the one man, who has created the emergency, who has brought about this catastrophe in the affairs of the world, we do not know how soon his heel may encompass the rest of Europe and of Asia. We are praying to Almighty God that it will not happen but we cannot foresee that far into the future; we do not know. I think, regardless of anybody's attitude toward the sort of government prevailing in Russia, the overwhelming majority of the American people hope that Russia will defeat the present effort of Hitler to overrun it. Men may argue all they please about the differences between Stalin and Hitler, I think Hitler today constitutes the most overwhelming danger and menace to the freedom of men throughout the world that has ever existed, not even excepting Napoleon. That does not mean that I endorse what happens in Russia or what has happened since the Russian Revolution in 1917. Of course I do not. I traveled for months in Russia 10 years ago, with two or three of my colleagues and others, and, regardless of what anybody may say about the Russian people, I do not believe that any fair-minded man can go through that country without having a profound sympathy for the great masses of the common people in Russia. For a thousand years they were denied the right of education, and when the World War came on 85 percent of them could neither read nor write, because the government of Russia did not desire the education of their people, lest they might learn something about self-government and democracy, and thereby demand the right to participate in it.

When they started out, they had a vague, fantastic notion that they would socialize or communize the world; and the fundamental difference between Stalin and Trotsky was over that question. Trotsky, as I understand the matter, was a world revolutionist, while Stalin took the position that the Russian Government owed its first duty to the Russian people, to consolidate their power and their industry and their agriculture and educate the people. By 1930 the percentage of illiteracy in Russia had

declined from 85 percent of all the people to 40 percent of all the people. Education was made compulsory.

Certainly nobody will contend, I assume, that it is not good for the people to be educated; and the fight between Trotsky and Stalin revolved around the question whether they should undertake to revolutionize the world or should concentrate on Russia. Stalin won, and Trotsky had to leave the country.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Idaho?

Mr. BARKLEY. I am speaking under a limitation of time, but I will yield.

Mr. CLARK of Idaho. The Senator, of course, remembers that Hitler took half of Poland, and that Stalin took the other half. Does the Senator from Kentucky propose to help Stalin keep his half and take the other half away from Hitler?

Mr. BARKLEY. No; I am not proposing to help Stalin keep his half or take anybody else's half; but if Stalin and Hitler together took all of Poland it would not be half as much as the Senator from Idaho the other day advocated that we take from South America and North America. [Laughter.]

Mr. CLARK of Idaho. Mr. President, will the Senator permit one further slight interruption?

Mr. BARKLEY. Yes; I shall be glad to yield.

Mr. CLARK of Idaho. Stalin who, the Senator from Kentucky says, also undertook probably the greatest unprovoked aggression against Finland, and took a very substantial slice of Finland, after killing a number of Finns. Does the Senator propose to aid Stalin in the retention of that conquest?

Mr. BARKLEY. No; I do not propose to aid Stalin in the perpetuation of that conquest, and I am not assuming that anything we do would perpetuate it; but what I am undertaking to say is that as a world menace against democracy and the liberty of people everywhere in the world I fear Stalin less than I fear Hitler, and I think that is why the overwhelming majority of the American people now sympathize with Russia as against Germany in the present aggression against the Russian people.

But be that as it may, Mr. President, I do not think we can afford to blind ourselves to the fact that Hitler and all that he means and all that he represents and all that he is now seeking to dominate constitute a greater menace to American democracy and the right of our people to a free life than does any other force or influence in the world; and as we look across the Pacific Ocean and see Japan crawling out toward the south like a dragon, and thereby menacing every interest we have in the Pacific, we cannot feel very comfortable over the world situation. So I feel that at this time nobody can foresee the extent of this emergency, or how long it will last, or what the ultimate result and consequences may be. It is because of that fact that I favored the joint resolution of the Committee on Military Affairs when it was reported, and it is because of that fact that I favor the 18 months' period over the 12 months' period.

I join with all my colleagues here in regretting that we have to deal with this subject at all. I am not free from the emotions that actuate the heart of a father whose son is in the Army. I myself occupy that position. My only son is in the Army, and, of course, I do not want to keep him there any longer than it is necessary. I do not want any other father to have to keep his son in the Army longer than it is necessary; but I think we underestimate the stamina and the attitude of these young men when we say they are not willing to perform their duty as long as and to the extent required by the safety of their Government and their institutions.

Somebody says, "If you want to fight, why don't you Senators go and fight?" Well, if we all went, it would not have any appreciable effect on the result. [Laughter.]

I do not share the view of anybody that we are breaking a contract with these boys. Aside from the power of the Government to do what is necessary, not only with respect to the selectees but with respect to the National Guard and the Regular Army, in order that it may preserve itself and its liberties and its integrity—which it may do in time of war and even in time of an emergency that threatens war—I do not believe it can be fairly contended that we are violating any contract with the selectees. Every lawyer in this Chamber knows—and there are many very able and excellent lawyers here—that if you and I enter into a contract for 1 year, just between the two of us, by which I am to perform certain duties or you are to perform certain duties, and in that contract there is a provision which you have signed that at the end of the 1 year I have the right to renew it, if I exercise that right at the end of the year I have not violated the contract between you and me. That is puttting the matter on the basis of an individual contract between two men. If you bind yourself that at the end of the year I may renew the contract for another year, or indefinitely, and the time arrives and I exercise the right, I have not violated any contract with you, but, on the contrary, I have exercised my rights under the contract.

I grant that in one sense this was not a voluntary contract between the Federal Government and the selectees, and in another sense it was and is, because we all know that in order to enjoy what we call civilized society every man who enters civilized society must give up something of his natural rights in order that he may enjoy a greater right and a greater privilege—the right of orderly government and orderly society, which can come about only as a result of orderly government.

The language of the joint resolution as brought in by the committee, and I believe as it still remains with the committee amendment in it, copies precisely the provision in the Selective Training and Service Act of last year that if and when Congress declares that the national safety is imperiled, the President may extend the service of these men.

I shall not enter into an argument with any Senator who disagrees with me about the national interest being imperiled. I believe it is imperiled. I think the American people believe it is. I think the majority of Senators believe it is. If that be true, there will always be the right, under the pending measure, even by concurrent resolution, to terminate the emergency which the peril creates. It seems to me that the 18 months' period is a fairer period than the shorter period of 6 months or even 12 months.

It seems to me there is another element which enters into the calculation, and it is an element which disturbs and worries me. I should be distressed if the world were to come to the conclusion that, while we are willing to do what is necessary to protect ourselves and defend our Nation and ward off every enemy, we are willing to do it only in a grudging and niggardly fashion. Certainly there is nothing which could more completely encourage those against whom we are preparing ourselves; and we all know who they are. We are not in any doubt about it. If it had not been for the madness and machinations and brutality and aggressions of one man—one man—we would not have been required even to pass a selective service act, we would not have been required to appropriate forty or fifty billion dollars in order to protect ourselves; we would not be building a two-ocean navy. If it had not been for the machinations and the mad ambitions of that one man, in all probability Congress would have completed its work long ago and the Members of Congress would have gone home, and we would not be required to remain here. That is an unimportant matter, of course; but we all know that what we have been doing in the last 2 years has been due to one man alone in the world.

I do not want that one man, or those who speak for him, or represent him or sympathize with him, to get the impression that while we are willing to do what we have to do in order to protect ourselves from him, we are doing it in a niggardly, grudging fashion. It may be that if it were to come to the test, after all, we would have done so little, or have done it so grudgingly and in such a niggardly fashion, that we would not be ready to meet the test when it comes, if it comes to the people of the United States.

For the reasons I have given, Mr. President, I shall vote against the amendment offered by the junior Senator from Ohio [Mr. BURTON], much as I respect and admire him and his sincerity, and I shall vote against a similar amendment if offered by any other Senator, on either side of the Chamber.

I do not know that other Senators are actuated by these feelings of mine, but I am actuated by what to me is an overwhelming feeling of distress concerning the world situation, concerning our part in it in Europe and in Asia. I am concerned over what may happen in America, to the north and to the south of us, regardless of any of our boastings as to what we may do or can do if the aggressor in Europe and the aggressor in Asia and the aggressor in Africa accomplish

their purposes and their designs. I should rather do a little more than is necessary to protect ourselves from them than to find that in the end we have done less than was necessary to preserve ourselves against them.

I hope, therefore, that the pending amendment will be rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 173. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940; and

S. 1642. An act to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 586. An act to authorize maintenance and use of a banking house upon the United States military reservation at Hickam Field, Oahu, T. H.;

H. R. 588. An act to authorize an appropriation for the purpose of establishing a national cemetery at Honolulu, T. H.;

H. R. 1054. An act to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917;

H. R. 1782. An act to provide Spanish War veterans wartime pension rates for service-connected disability or death of certain veterans of the Spanish-American War recognized by veterans regulations as "veterans of any war," and for other purposes;

H. R. 2096. An act to provide that pensions otherwise payable for a child of a deceased veterans of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall continue until the child reaches the age of 21 where he is attending accredited school, and for other purposes;

H. R. 2300. An act to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931;

H. R. 2310. An act to amend section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes," approved May 1, 1926;

H. R. 3014. An act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes;

H. R. 3261. An act to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces;

H. R. 3488. An act to provide that assistant or deputy heads of certain bureaus in the Department of the Interior shall be appointed under the civil-service laws, and for other purposes;

H. R. 4336. An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes;

H. R. 4347. An act to authorize the sale of certain public lands in Alaska to the North Pacific Union Conference Association of Seventh-Day Adventists;

H. R. 4386. An act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes;

H. R. 4520. An act to ratify and confirm certain right of purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian Organic Act and the laws of the Territory of Hawaii;

H. R. 4769. An act authorizing the designation of Army mail clerks and assistant Army mail clerks;

H. R. 4932. An act authorizing the conveyance of certain lands to the town of Kemmerer, Wyo.;

H. R. 4975. An act to add certain lands to the Sequoia National Forest, Calif.;

H. R. 4993. An act to extend the times for commencing and completing the construction of a bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida;

H. R. 4994. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at Bridge Street in Plymouth Borough, between Plymouth and Hanover Townships, in the county of Luzerne, and in the Commonwealth of Pennsylvania;

H. R. 5095. An act to set aside certain lands in Oklahoma for the Cheyenne-Arapaho Tribes of Indians;

H. R. 5122. An act to extend the times for commencing and completing the construction of a bridge across the Monongahela River, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania;

H. R. 5247. An act to revive and reenact the act entitled "An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.," approved June 8, 1940;

H. R. 5258. An act to simplify the practice in cases where a patent is or may be in part valid and in part invalid;

H. R. 5339. An act granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection;

H. R. 5397. An act to provide for the protection of the fish-cultural station at Spearfish, S. Dak.;

H. J. Res. 195. Joint resolution providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 221. Joint resolution to declare abandoned the title of the city of Marquette, Mich., to certain land in the county of Marquette, and to vest control of such land in the Secretary of the Treasury for Coast Guard purposes.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED OR PLACED ON THE CALENDAR

The following bills and joint resolutions were severally read twice by their titles and referred or ordered to be placed on the calendar, as indicated:

H. R. 586. An act to authorize maintenance and use of a banking house upon the United States military reservation at Hickam Field, Oahu, Hawaii; and

H R. 588. An act to authorize an appropriation for the purpose of establishing a national cemetery at Honolulu, T. H.; to the Committee on Military Affairs.

H. R. 1054. An act to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

H. R. 1782. An act to provide Spanish War veterans wartime pension rates for service-connected disability or death of certain veterans of the Spanish-American War recognized by veterans regulations as "veterans of any war," and for other purposes;

H. R. 2096. An act to provide that pensions otherwise payable for a child of a deceased veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall continue until the child reaches the age of 21 where he is attending accredited school, and for other purposes; and

H. R. 2310. An act to amend section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes," approved May 1, 1926; to the Committee on Pensions.

H. R. 2300. An act to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931;

H. R. 3014. An act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes;

H. R. 4336. An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes;

H. R. 4347. An act to authorize the sale of certain public lands in Alaska to the North Pacific Union Conference Association of Seventh Day Adventists;

H. R. 4386. An act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes;

H. R. 4932. An act authorizing the conveyance of certain lands to the town of Kemmerer, Wyo.; and

H. R. 4975. An act to add certain lands to the Sequoia National Forest, Calif.; to the Committee on Public Lands and Surveys.

H. R. 3488. An act to provide that assistant or deputy heads of certain bureaus in the Department of the Interior shall be appointed under the civil-service laws, and for other purposes; to the Committee on Civil Service.

H. R. 4520. An act to ratify and confirm certain right of purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian

Organic Act and the laws of the Territory of Hawaii; to the Committee on Territories and Insular Affairs.

H. R. 4769. An act authorizing the designation of Army mail clerks and assistant Army mail clerks;

H. R. 5122. An act to extend the times for commencing and completing the construction of a bridge across the Monongahela River, between the Boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; and

H. R. 5339. An act granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection; to the calendar.

H. R. 5095. An act to set aside certain lands in Oklahoma for the Cheyenne-Arapaho Tribes of Indians; to the Committee on Indian Affairs.

H. R. 5258. An act to simplify the practice in cases where a patent is or may be in part valid and in part invalid; to the Committee on Patents.

H. R. 3261. An act to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces; and

H. J. Res. 195. Joint resolution providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; to the Committee on the Library.

H. R. 4993. An act to extend the times for commencing and completing the construction of a bridge across Sarasota Pass and across Longboat Pass, county of Manatee, State of Florida;

H. R. 4994. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Susquehanna River at Bridge Street in Plymouth Borough, between Plymouth and Hanover Townships, in the county of Luzerne, and in the Commonwealth of Pennsylvania;

H. R. 5247. An act to revive and reenact the act entitled "An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.," approved June 8, 1940;

H. R. 5397. An act to provide for the protection of the fish-cultural station as Spearfish, S. Dak.; and

H. J. Res. 221. Joint resolution to declare abandoned the title of the city of Marquette, Mich., to certain land in the county of Marquette, and to vest control of such land in the Secretary of the Treasury for Coast Guard purposes; to the Committee on Commerce.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. O'DANIEL. Mr. President, in opening my remarks, I wish to say it was not my intention to occupy the floor of this great deliberative body so soon after becoming junior United States Senator from Texas, but in view of the serious conditions confronting our Nation today, and the fact that a highly important bill comes before the Senate today for action, I cannot conscientiously fail to express my sincere views and convictions with reference to the pending legislation.

I intend to speak in my natural terms as a Texas businessman, which I trust the Members of the Senate will find no difficulty in properly construing. It is natural for me to speak in those terms. I have never been able to speak in an unnatural manner, but I have never had any trouble being understood, except when it was not the desire of those listening to understand me.

Mr. President, I do not claim to know everything about what our Government needs. In my service in the United States Senate, I expect to consult with those who have been here long enough to know what it is all about. I expect to study and to work at this job. I expect to do everything in my power to cooperate with the membership of this body in accomplishing useful legislation. I do not feel that the United States Senate is under any obligation whatever to accept my idea as to what should be done or what should not be done. I have no disposition to tell any other Member of the Senate how he shall vote, but I shall always be glad and willing to accept the counsel and advice of the Members of the Senate on any measure pending before this body.

With this open admission on my part of the fact that I am not standing before my colleagues today as one who claims to know everything about the United States Government, there are a few things which I believe I do know about our Government. They are a few of the fundamental things which I was taught as a boy, which with life's experience I have realized are important.

I do not believe it takes a lawyer to understand the Constitution of the United States. About the only time a real big lawyer is needed to deal with the Constitution is when one is seeking to make it mean what it does not mean. The Constitution of the United States provides that the power of government shall be divided into three separate divisions: the executive, the legislative, and the judicial. And, if I read the Constitution of the United States correctly, and I think I do, it so divides the duty of each of these departments of government that they cannot be misunderstood, and I fail to find in the Constitution of the United States any authority to legislate granted to any body except to the Congress of the United States.

The Constitution provides that the Chief Executive shall have the authority to recommend legislation, but when that recommendation reaches the Congress it is to determine what shall be done about it. So long as I occupy a position in the United States Senate, I shall use my own judgment in determining such questions.

When I was a candidate for the Senate in Texas, a great many people were very much concerned to know whether, if I were elected to the Senate, I would cooperate with and support the President. They had me so busy in Texas with the legislature that I was able to campaign for the Senate but 11 days. However, during those 11 days I said in every speech I made that as Governor of the State of Texas I had cooperated with the President of the United States 100 percent in the national-defense program. I said that if I were elected to the Senate I would continue to cooperate with the President in everything which the Chief Executive was called upon to do, under the law, in handling the national-defense program. There is one thing I wish to make clear and emphatic today. The Constitution of the United States places upon the Chief Executive the responsibility of commanding the armed forces of this Nation, and of protecting this Nation against foreign aggression from any source; the Constitution gives to the Congress authority to further extend by law the power of the Chief Executive in handling any great problem of national defense. My position is, that so long as the President is acting within the limits of the Constitution of the United States, and so long as he is acting within the limits of the laws which the Congress of the United States has passed, whether I like the laws or do not like them, whether I like what the President does or do not like what he does, he may be assured that, so far as I am concerned, he will have 100-percent support from me.

Those who framed the Constitution of the United States realized that in hours of great national emergency it would be necessary for the President to exercise vast power. He was granted vast power, and the Congress has, by law, further enlarged this power, and it is not for me to say how, where, or when he shall act. It is my job as an American citizen and as a Member of the United States Senate, when he decides what he wants to do, to try to help him get the job done, and that is what I shall do.

On the other hand, when any measure comes before the United States Senate which seeks to expand the power which has been granted to the Chief Executive, or when any legislation comes before the United States Senate affecting any other great vital problem, I shall not be concerned about whether the proposed legislation does or does not carry the blessings of the President; I shall be concerned with answering as best I can whether or not in my own judgment, after I have secured all the facts I can secure, such legislation is desirable. I did not come to the United States Senate to be a "yes" man or a rubber stamp for anybody.

Mr. President, when there is talk about cooperation, some folks are inclined to forget the first syllable of that word and remember only the last syllable. They forget the "co" and think much about the "operation." In my race for the Senate, about all the "big wigs" of the national administration were sent down to Texas for the one, sole purpose of "operating" on me. Well, that is all right. We had a great fight; the battle is over, and, so far as I am concerned, I shall try to do just one job here in the United States Senate, and that is, to give to the President of the United States 100 percent support in aiding him to do his job, and I shall try to give the people 100 percent service in doing my job, and I will let the politics of the case take care of itself in the future.

Mr. President, I am Irish by blood and by nature. I have always enjoyed a good scrap, and I guess I always will. Down in Texas during the recent campaign, after my opponents had exhausted their vocabulary in calling me names, and after the promises of Federal jobs and Federal appropriations had given out, the

cry of horror went up over the State for fear that Texas would send to the United States Senate a hillbilly musician, a radio crooner, or a flour salesman, who might perchance lower the dignity of this great deliberative body.

I do like hillbilly music. I also like popular music, church songs, and grand opera; but, unfortunately, I do not play or sing any kind of music. When I want music I hire musicians to do the playing and singing. I like the great rank and file of the common people, because I have found by experience that all they want is honesty in government, with no special favors. In my business career, long before I entered the office of Governor, it was necessary for me to deal with men of affairs, with big businessmen; it was necessary for me to get right down to cases and discuss the facts of the situation. This I have always tried to do, and I have tried to do it in such a manner as would give due consideration to the opinion of others and in the end reach logical conclusions. I hope and believe that my service in the United States Senate will be conducted along similar lines.

Since I have pleaded guilty to liking music, I presume I had as well plead guilty to using the radio. But it seems to me there are some other people in the United States who have occasionally resorted to the radio as a means of communicating with the rank and file of the people, so I have no apology to offer for having used this method of communication myself. I want to say frankly that I intend to continue to like hillbilly music and to use the radio to talk to the people of this Nation.

Mr. President, it seems to me that in the great national emergency which we face at this time we should all be concerned to see that our national-defense program moves forward as rapidly as possible. I am perfectly willing to admit that I do not have the facts before me sufficiently well to enable me to know just what progress we are making in our national-defense program; but coming here, as I do, fresh from the rank and file of the people, I do want to say to the Senate that there is a general feeling throughout the country that we are not making as rapid progress in our national-defense program as we would like to make, as we should make, and as we can make.

The Congress of the United States has declared for a policy of full aid to England and to the other nations who are now fighting for democracy. The Congress has declared for the building of a national defense strong enough to guarantee that under all conditions this Nation shall be protected against those who would seek to destroy our democracy and to destroy democracy throughout the world. Even if I did not believe in this program, I would support it now, because the Congress has acted; it is now the law of the land; it is now in the hands of the Chief Executive; and I feel that it is my responsibility to devote all my efforts to pushing this program to a successful conclusion. But I want to say that personally and individually I am 100 percent for the program. I am for fighting dictatorship of every form and every character. I am against dictatorship and dictatorial methods, whether they be employed by the Government of Italy, Russia, Germany, or by some particular class, group, or individual in America. I believe in the fundamental principles of democratic government, and I believe that the maintenance of the American way of life is worth spending all the money and, if necessary, all the lives that are necessary to defend it.

It is my hope that we may pass safely through this emergency, and that we may prepare a national defense so strong that we will not be attacked. It is my hope that we may see the democracies of the world win this war without the necessity of the United States actively entering the war. But I say that, so far as I am concerned, I am for protecting and preserving our American form of democracy, regardless of the cost. If it necessitates war, then let us have war. As the President of the United States is the Commander in Chief of the Army and the Navy, and as he is charged with the responsibility of conducting our foreign affairs, I want the world to know now that he will have 100-percent support from the junior Senator from Texas in performing the difficult task which he now has before him.

Mr. President, there is another thing I want to say in this connection. If in order to make a success of our national-defense program and to defend the ideals of democracy throughout the world, it becomes necessary for us to expend to the absolute limit our economic resources and to send to the battlefields our boys; if, when it is all over, the fight has been won and democracy has been preserved not only throughout the world but throughout the United States, then I believe with all my heart that the sacrifice will have been justified. But, on the other hand, if we at this time in this great emergency allow ourselves to be swept off of our feet and permit the socialistic elements in this country to utilize the emergency of national defense as a means of socializing our whole American system of business and if, in the end, we find that we have fought a war to preserve democracy and have at the same time destroyed the very ideals we have been fighting for and have regimented the business of this country and put it under the absolute domination and control of governmental bureaus for the next century, then I shall feel that the battle has been lost.

The great emergency which faces the Nation today can be met in one way, and only one, and that is by a realization of the fact that in America all men are equal, that in America all are entitled to equal protection of the law and, that none is entitled to special privilege. These principles of government I believe in and these principles of government shall control my official life. The subject now under discussion, as I understand it, is whether the Congress of the United States shall deliberately and dictatorially force the boys in training to remain longer than the 12 months originally determined.

I oppose extending the period 18 months or 6 months or 1 day. I believe in honor and honesty and integrity, and when our great Government breaks faith with our soldier boys, we are abandoning democracy and following the path of the dictator.

I care not what constitutional lawyers may say about there being no such agreement or understanding with the boys, I have visited the boys in the ranks and I know what they think the agreement was. I hope our great Government has not resorted to the old stock-selling tactics of putting the "whereases" and "wherefores" in fine print on the back of the contract. I am discussing the spirit of the law; and every Member of this body knows what the deal was.

More than a million boys, the finest we have, arranged their affairs for 12 months' leave, and they did so because they had faith in Uncle Sam. Shall we destroy their faith in America? Approximately 15,000,000 more boys are subject to draft. Why not let them in to do their bit, and rotate the service as originally planned?

Those already in do not have enough equipment with which to train. They have to take turn about at certain types of guns and other equipment. Instead of passing laws to force the boys to remain in training beyond 12 months, the Congress should repeal some of the silly laws it has already passed, so that our honest laboring men and industrialists may put our factories into 100-percent production and provide our Army with all the guns, ammunition, tanks, air bombers, and other mechanical equipment which the boys need.

It is not necessary for the Congress to adopt this high-handed policy. The same end can be accomplished without sacrificing the honor and integrity of our Government. We can change the rule now so that all who go in after a certain date will be inducted for the duration of the emergency. That might be a disappointment to future selectees, but it would not constitute a broken promise. If those already in have proven themselves to be good soldiers, instead of breaking faith with them and penalizing them for their merits, why not be honorable with them? Why not tell them they have developed into good soldiers, and offer a substantial monthly bonus to all who will volunteer to remain in training, and release those who want to go home? Under the present critical conditions, a good soldier is worth more than a United States Senator. We cannot legislate victory; we must fight for it. A good soldier is worth more than a communistic labor leader. Congress has passed laws permitting many communistic labor leaders to reap millions of dollars. Why not pay the good soldiers a fair salary? Should we "fudge" on the soldier boys because they cannot strike and because they cannot vote?

If our Nation is in dire danger—and I believe it is—why not offer all the boys, when their 12 months' time is up, a substantial monthly bonus for the duration of the emergency, and see how many will remain in training? That is not only the honorable thing to do, but it is the business thing to do. Let us get off the double standard and be absolutely fair

with the boys in khaki. Let us be fair with the only people in America who can keep our defense bonds from becoming worthless.

I am wondering whether those Senators who are trying to make it compulsory for our boys to remain in training longer than the agreed time of 12 months simply because our President recommended it tried to help our President work out a better plan, or did they merely say "Yes, sir"? I believe he is constantly seeking better plans; and other Senators know as well as I do that he does not hesitate to change his mind when he hears of a better plan. I understand that only recently he abandoned his approval of the silly idea of making husband and wife file a joint income-tax return, which proves that he is willing to abandon original ideas when better ones are advanced. Why not kill this extended-service measure and work out something that will be absolutely fair to our soldier boys and keep the Congress from placing a blemish on our democratic way of life? It is my honest opinion that a greater mistake could not be made than to break faith with our boys who are now in training for the safety and protection of our Nation and our people.

I feel satisfied that Senators want to do what is fair and right; but coming fresh from the ranks of the common citizen and fresh from visits to most of the camps and training centers in Texas, I know what the people think and want. I am sure that the Congress would make another serious blunder if it should enact legislation arbitrarily extending the draft beyond the 12 months' time originally understood. Please do not do it.

Mr. TUNNELL. Mr. President, I did not intend to say anything in this discussion. However, I think perhaps the time has arrived when it is desirable that I should do so.

I find this language in subsection (b) on page 2 of the original Draft Act:

> Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

I voted for the Taft amendment because I believe that whether or not the language of the act is clear to the American people, it was not clear to the boys. I think the boys of the draft army believed that they were to be discharged at the end of 12 months, and they had some reason so to believe.

I read from the testimony of General Marshall at page 341 of the hearings before the Senate Military Affairs Committee on compulsory military training and service.

Representative WADSWORTH asked him:

> How long do you think it should be?

General Marshall said in reply:

> Well, if we were allowed to set the figure, we would say 18 months. I am willing to compromise on 15 months, but it certainly must be at least a year. There is so much lost time in getting the men in and getting the men out that when you say a year you only have them for about 11 months. There is so much training to be done that a year appears to be too short a time, especially at present.

General Marshall was referring to the period of service of draftees and he said that it should be 18 months. The pending joint resolution proposes an extension of 18 months beyond the year which he said seemed to be too short a time under present conditions. Instead of a period of 12 months, under the terms of the joint resolution he will have a period of 30 months unless it is amended.

The other evening I had occasion to talk to a very intelligent trainee, one of the drafted boys, who is a college graduate. I will not state his name because I told him I did not want to know his name. He did not know my name, and does not yet know it. He told me that the boys feel very much discouraged because they do not understand whether the Nation is actually imperiled or not. He said that he believes that is the general feeling of the boys with whom he is associated in the camp in which he is located. There are about 20,000 men in the camp. He said, "I would walk home, crawl home, or get home any way I could if I thought no emergency existed." He said, "We do not know."

The situation is that the boys in the camps are not being told the facts. There is not enough fairness between ourselves and the boys in the camps. They have been discouraged from even taking the matter up with their representatives. We have been told that General Marshall stated—and I saw such a statement in the newspapers—that the boys who dared to express their opinions would be punished in the Army way.

Under such conditions, with more than 600,000 men now being drafted, I fear that we are taking a chance on having 600,000 men dissatisfied, and thinking that they have not been properly treated. Those boys are likely to be citizens of the United States for a longer period than you and I will be. For that reason I think that we are running a great risk of having a dissatisfied element in America.

That condition will not be confined to the boys who are now in camps. If there is to be universal training, millions of other boys will be given training. I do not believe that we can say that we can confine the dissatisfaction even to the mothers and sweethearts of those boys, or to their families. By an excessive extension of the time, away beyond what General Marshall has said would be necessary, are we not running the risk of spreading a feeling of dissatisfaction throughout the land?

There are those who say that a door was left open for just this thing. I concede that there is a door. I think I can go further and say that there must be an emergency. Our leader has told us this afternoon that there is an emergency, and I think there must be. The testimony of the Army officers and the statements of the President and of General Marshall, the Chief of Staff, are to the effect that there is an emergency. I think even our friends on the other side of the Chamber admit that there is an emergency.

Yesterday we were told that the emergency was caused by the present administration. I certainly was shocked to hear that statement. I have the greatest respect for the Senator from Illinois [Mr. BROOKS], personally and in every other way; but I cannot quite follow him because it seems to me that his prescription for safety in America is so similar to that of the President of the United States. If the President is not attempting to make this Nation strong, I do not know who is doing so. At a time when Senators on the other side of the Chamber were voting almost unanimously against increases in armament, increases in airplanes, and increases in ships, the President of the United States was pointing out that an emergency was approaching. I believe that it was, and that an emergency exists at this time. At any rate, I do not think that most of us are in position to contradict the President and the heads of the Army when they tell us that an emergency really exists.

My thought has been, and still is, that the time which has been fixed is perhaps too long; and on that question I am taking the language of General Marshall himself. There is no hint in his testimony that the period should be 30 months or anything like it; and it seems it would be dangerous to leave the period indefinite. So far as the original joint resolution is concerned, until the amendment was offered—and I do not think it has yet been made a part of the joint resolution—the period of service was absolutely indefinite; it might have been for life so far as I could judge or learn from those in charge of the joint resolution.

Under those conditions I desire to say to the Senator from Kentucky that I am just as anxious as he is that we support the administration. I resent the attempt to say that the President of the United States or his administration is responsible for this emergency. I do not think that there has been step after step to lead us into or toward war; and I am not so sure but that we should already have been in the war if the steps which are referred to had not been taken.

We are told we are not getting information in advance. I cannot quite see that it would have been advisable for the President to have announced that he was intending that the United States take over Iceland. Had such an announcement been made, I believe it would have been disclosing information, coming as it would from the President of the United States or someone close to him, which it would have been dangerous to disclose. I think it might have resulted in a loss not only of Iceland—and I think that is an important consideration—but it might have resulted in a loss of thousands of American lives. If it was a mistake to take Iceland, if the Congress of the United States believes it to have been a mistake, it can either hand Iceland back to those who had Iceland at that time, or perhaps, it might persuade Mr. Hitler to take it; and I think he would have taken it had it not been for the action of the administration.

I cannot quite see the logic of the contention that each military secret should be disclosed before an event happens.

The theory seems to be that the President of the United States should announce just what is to take place. This could never be the policy of a successful military commander. If the United States is to adopt the policy of announcing to the people of the United States what is to be done, as is suggested, then there is no earthly way to prevent those outside the United States from getting the information; there is no earthly way to prevent the information being carried directly to those we are opposing by our policy.

But it is said that the President should have announced that he was going to trade destroyers for bases, and that he should have asked permission of the Congress of the United States. Certainly both with reference to Iceland and with reference to the destroyer transaction the occasion would long have passed before such consent could have been obtained from Congress.

In what way has the President caused the emergency? He says there is an emergency, and his opponents in the Chamber say that he is the cause of the emergency. I can hardly think that he is the cause of Hitler, and I can hardly think there is any other cause for the condition which prevails except the revolution that is represented by Mr. Hitler. I do not think, as does the Senator from Kentucky, that the death of Mr. Hitler would end this revolution. I am of the opinion that the United States is confronted by a more serious proposition than Hitler alone. I think it is a movement which is antidemocratic and which is being spread throughout the world by force and will continue to be spread by force so long as possible.

When we come to consider the immediate problem as to whether there shall be any extension of the term of service, I have heard the statement made in this Chamber, as have you, Mr. President, that an extension of 1 day or 1 month or 1 year would be the same in its implications. I hear, on the other hand, some say, "Oh, well, just leave it to the War Department and let them determine how long the period shall be." I cannot quite forget that it was General Marshall who said that we should have at least 18 months in which to train men for the Army, but that he could get along with 12; and that it was General Marshall who sent these boys to the four corners of our territory in such a way as made it impossible to train the boys and bring them back within a year, for on page 4 of the testimony with reference to Senate Joint Resolutions 92 and 93 General Marshall, in reply to the Senator from Vermont [Mr. AUSTIN], said:

> Senator AUSTIN, exactly the opposite has been the case. I have been personally responsible for the assignments to foreign service.

So, I am of the opinion that the Congress of the United States is not interfering with the military situation in a detrimental way when it takes the very language of the Chief of Staff and says, "You are welcome to keep these boys for a longer period." I voted for the 6-month period, because that would have given the total of 18 months which General Marshall named as the outside period.

I understand, of course, that the theory of training under the Selective Service Act may have changed. It may be that the Army has determined that it must have a large standing Army. I shall not say that that is wrong; I shall not say that the Chief of Staff does not know what he is talking about, for I think he does, but, at the same time, he has told us that at the time he made the statements he was trying to get the bill through.

I do not know what the Army or whoever may happen to be Chief of Staff at a given time may think; I do not know who he may be or what he may think when the period arrives when these boys will have to be brought home under the law at the expiration of 30 months. But I believe a reasonable retention of the boys could not be considered to be an obstruction to the plans of the Army. I do not know. It seems to me that, as I say, when we take the language itself of the Chief of Staff we are not going outside of what is reasonable.

I perhaps have said more than is necessary without coming to the point of what I think about the extension. I think we are running the risk of being considered as breaking faith with the boys. I think we are running the risk of not being able to train the necessary number of young men for the Army. I think we shall lack the equipment for training the necessary numbers if we are to hold the present men in the Army for 30 months. I believe, from the statements of this record, that that is the case.

But the President of the United States, and the Chief of Staff, and others who know, or should know, say there is an emergency, there is a necessity for extension; and I believe that perhaps, if there is such a necessity, it is largely because the boys have been sent where they should not have been sent, or perhaps it was the fault of Congress itself when it passed the bill. I do not know. There is something wrong somewhere, because Congress gave to the Chief of Staff what he asked for when the bill was passed.

But I do not know that it greatly matters. We may call each other names and make faces; but if there is an emergency, if there is a necessity for war purposes of extending the draft for a reasonable time—I do not know what the reasonable time is, and I imagine men will disagree as to that—I think it should be done; and I intend to vote for the joint resolution. I hope there will be sufficient limitations so that the boys will not feel, now or in the future, that we have broken faith with them. I know, as do many of us in the North and on the border line, something about the effect for years on political life of having in a community a body of men who feel that they are bound to support a particular political party, or that they are prejudiced against a particular political party. I suggest that the boys may have that feeling, and they may have a right to have it in the future, if the developments of the next 6 or 12 months show that the emergency was not so pressing as we now think it is. I do not see why we should forever carry the dislike and the opposition of a large numbers of our boys who are now called upon to make the personal sacrifice.

If we have to extend their term off service, I am willing to extend it. I am willing to run the risk of being accused of having broken faith to that extent if, because of the existence of a national emergency, it has to be done; but I think we should be careful about the degree to which we extend the period. I think it is important. It is not entirely a matter of our willingness to sacrifice the boys. A time is coming when the people of the Nation will have a voice in this matter. A time is coming when the people of the Nation will say, unless there is a war, that the boys must be released, whatever language we put in the joint resolution. A time is coming when the people of the United States will say to those who are candidates for Congress in either branch that the boys shall not be kept in the Army for an unlimited period or for an unreasonable period.

The ACTING PRESIDENT pro tempore. The time of the Senator from Delaware has expired.

Mr. LEE. Mr. President, I am a member of the Military Affairs Committee. We brought into the Senate a joint resolution which I thought was a clean, straightforward measure which fulfilled the request of the War Department. It did not have a time limitation on service, for the very obvious reason that no one could tell when the emergency would terminate. If some man is able to set a date when the national interest will no longer be imperiled, we can fix a date for the demobilization of the men called into service. Yet, after we have brought in the joint resolution, and after discussing the matter with our colleagues who were not on the committee, some of us very reluctantly agreed to go along on a limitation of 18 additional months.

I say that more as a confession than anything else. In a sense, that was appeasement in order to get a few more votes. I joined in it because it appealed to me that the unanimity of support which we might gain by it would be worth the sacrifice we might make in the type of legislation.

From the high feeling in this debate it is very evident that if we put a time limit of, say, 12 months on the joint resolution, instead of putting it on the basis of the duration of the emergency, as we should have done in the first place, 12 months from now we shall be back here, splitting the country wide open again with another bitter debate, when we should have unity. In the interest of unity, I confess that I agreed to go along on an 18-month limitation. Then I found, instead of 18 months, that the same ones were coming in and saying, "Let us make it 12 months."

Then we had a suggestion of 6 months. Then another Senator suggested 8 months. How can our military men build an army with Congress putting on the books limiting legislation such as that? I would not vote for the pending measure; I would not have voted for the first one, had I not believed from the bottom of my heart that everything America holds dear was threatened. I

would not vote for it at all if I did not believe the very liberty of this country was at stake. I could not be persuaded by any manner or means to vote to take American boys and men and put them in a training camp.

I have personally gone, so far as I could, to those Senators with whom I agreed to go along on an 18 months' limitation, and have withdrawn my agreement. I shall vote for the joint resolution to draft men, as recommended by the War Department, for the duration of the emergency. I cannot square it with my conscience to vote for it at all unless there is an emergency, and if there is an emergency, then can anyone tell when it will end? If we cannot tell when it will end, how can we put a date limit on it? If there is not an emergency, we are doing wrong in having these boys in camp at all.

I am against war; and anyone who says I want the country to go to war speaks with a crooked tongue. I have voted for every defense measure, because I believed the one way to keep our country out of war was to make ourselves so strong that we could whip any challenger; and in the light of the facts of today, that is the one way this country or any country can stay out of war. I could not imagine anything which would be a greater invitation to a war than for us to be demobilizing our Army, with the confusion and weakness which would follow. Every military man who testified before our committee said it would greatly weaken us, and that that weakness would be an invitation to attack, or would at least increase the possibilities of attack; but by holding the Army together and making it strong we would increase our chances of staying out of war.

Let us see what George Washington said about short enlistments. He stated in a letter:

> Had we formed a permanent Army in the beginning, which by the continuance of the same men in service had been capable of discipline, we never should have had to retreat with a handful of men across the Delaware in 1776, trembling for the fate of America, which nothing but the infatuation of the enemy could have saved. We should not have remained all the succeeding winter at their mercy, with sometimes scarcely a sufficient body of men to mount the ordinary guards.

This was Gen. George Washington speaking, saying what would have happened if the enlistments in his army had not been short. He continued:

> We should not have been under the necessity of fighting Brandywine.

That was the judgment of Gen. George Washington. In other words, because Congress then did not have the courage to vote as they should have voted, men spilled their blood and lost their lives at the Battle of Brandywine, because they did not have a strong enough Army. Further General Washington said:

> We should not have been at Valley Forge.

The bloodstained snows of Valley Forge should cry out to every man who contemplates voting a time limit when the Nation faces an emergency.

I say the time has come to choose in America whether one is for America, whether he is for liberty. If liberty is not challenged, then we should throw this measure out, and if anyone can convince me that it is not, I will vote against the whole joint resolution.

Further, George Washington said:

> There is every reason to believe the war has been protracted on this account.

That is, on account of short enlistments. Is that convincing from Gen. George Washington? You who assume to be the champions of peace, trying to make of those of us who would build a strong defense warmongers, to use your own language, listen to the words of Gen. George Washington. He said it would not have been necessary to fight Brandywine if at that time there had been a permanent army. He said Valley Forge would have been unnecessary if there had been a permanent army. He said the war was protracted because of the short enlistments.

I quote General Washington further:

> The fluctuations of our Army kept alive their (the enemy's) hopes and at every period of the dissolution of a considerable part of it, they have flattered themselves with some decisive advantages.

I cannot imagine anything which would send the hopes of Adolf Hitler skyrocketing higher than for us to defeat the purpose behind the measure before us, which is to make America strong, and thereby make it possible to keep out of war.

Listen to the words of the generals of the Army. Either they know what they are talking about or we should get them out of their present positions.

When General Marshall was before the Committee on Military Affairs I asked him:

> Do you believe that our chances of staying out of war will be increased by the increased strength of our Military Establishment?

General MARSHALL. I am strongly of that belief, sir. I know that every effort is being made right now by the most skillful propaganda agencies ever developed in the history of the world to take advantage of all of our deficiencies, of our debates in regard to them, and of our delays in perfecting our defense. Organized propaganda against us is one of our most serious considerations, Senator. It is rather difficult to talk about it, because there are diplomatic considerations. One of our most serious problems is the tremendous propaganda service all over Latin America, organized by countries that are not only our enemies but the enemies of Latin America as well. This propaganda takes notice of everything that occurs in this country, magnifies it, distorts it, twists it to develop in the minds of those people a feeling that we are not only ineffective but that we are completely torn apart by dissensions. This propaganda is carried out in a most skillful way, but, nevertheless, in a very open way and on a tremendous scale.

Senator LEE. Then the confusion and weakness that would follow our failure to follow your recommendation in continuing the selectees would be seized upon immediately by the propaganda agents, the Axis agents in this country, in your opinion, and that would increase America's chances of war?

General MARSHALL. Yes, sir; I think failure to authorize the extension of those now in the service would be a fundamental and tragic error. It is difficult to prophesy in these days, but the release of these men at this particular time would defeat the effectiveness of a large portion of the vast amounts of money that have been appropriated. You would lose face immeasurably in the minds of other peoples who should be associated with us. Not only can our failure to take action be magnified and distorted, but those who know what is required for the development of an effective military force would feel that half of their campaign had been won. Each step we have taken toward providing for our defense, each deliberate move we have made in that direction in time of peace, such as the Selective Training and Service Act, such as ordering into the Federal service of the National Guard, has had a profound effect on nations that are hostile to our purposes. We must not forfeit that advantage. We must not sacrifice the tremendous strides that we have made.

Senator LEE. In your opinion, if we fail to extend the time of the draftees, would it weaken America's prestige abroad?

General MARSHALL. Most decidedly, sir.

Senator LEE. And thereby increase the chances of war?

General MARSHALL. I think so, Senator.

Senator LEE. General Marshall, when you came before us in the first instance and asked for legislation drafting men to the military service, you prefaced your statement with the remark, I believe, that a grave danger confronted this country. Is that not true?

General MARSHALL. That is correct, sir.

Senator LEE. In your opinion, is that danger greater or less today?

General MARSHALL. Far greater, sir.

Senator LEE. If there was justification for drafting men in the first instance, there is even greater justification for continuing them in the service at the present time; is that not true?

General MARSHALL. Yes, sir; in my opinion, that is correct.

I now read from the statement of Maj. Gen. Milton A. Reckord:

Senator LEE. General, do you feel that the security of America is threatened at the present time?

General RECKORD. I do, Senator I think a very serious emergency exists.

Senator LEE. Do you think there is real danger to America's security from a military standpoint?

General RECKORD. I think there is so much danger that because of that fact we should leave nothing undone that will enable the War Department to strengthen the military defenses of the United States.

Senator LEE. If Hitler should crush Russia, do you think that would greatly increase the present danger?

General RECKORD. I do; yes, sir; very materially.

Senator LEE. Then you do not agree with those who say that because of the two oceans we are in no danger from a military standpoint?

General RECKORD. No, sir; I never have agreed with that.

Senator LEE. You think the danger to America's security is greater now than when we first enacted the draft law?

General RECKORD. Much greater now; yes, sir.

Senator LEE. Therefore, you think Congress would be justified in declaring that such an emergency exists?

General RECKORD. I most certainly do; yes, sir.

Senator LEE. Then, contrary to what we hear on the radio and on the floor of the Senate and other places, you are a military man who believes that the United States is in danger of military attack?

General RECKORD. Yes, sir; I am; and I make that statement not only as a military man but as a so-called civilian soldier, if you please.

Senator LEE. Thank you.

I read next from the statement of Maj. Gen. William H. Haskell:

Senator LEE. Do you feel, general, that if Hitler should crush Russia the United States would be in danger, from a military standpoint?

General HASKELL. I certainly do.

Senator LEE. Then all of the talk about the impossibility of invasion and security of America on account of the two oceans does not appeal to you as a sound argument?

General HASKELL. No, it does not.

Next I read from the testimony of Maj. Gen. John F. Williams, as follows:

Senator LEE. Do you believe that failure to extend this service on the part of Congress, failure on the part of Congress to extend this service would weaken the United States militarily?

General WILLIAMS. Obviously; of course.

Senator LEE. Do you think that weakness would invite attack or be an invitation for attack?

General WILLIAMS. Well, I do not know whether it would be an invitation. It would make an attack very much easier.

Senator LEE. Would it increase the possibility?

General WILLIAMS. I think so, certainly. In these units scheduled to go home in September, are involved practically all of the coast-defense regiments we have.

Senator LEE. Do you agree with these other military men that the United States is in grave danger, from a military standpoint?

General WILLIAMS. Absolutely; yes, sir.

Mr. President, some of the argument during the course of this debate has revolved around the question of mere rotation of service, or whether we could establish a system of rotation of service. In my opinion, that is not the question at all. The primary question is one of national emergency, and whether our national interest is imperiled. If that is established, if that is agreed to, then the rotation of service, being secondary, must not interfere with the strength of the Army. In other words, if the men rotated constitute, let us say, 10 percent of our Army, they no doubt could be rotated without affecting the great military strength of the Army, but when, according to the words of General Marshall, the rotation involves two-thirds of the enlisted strength of the Army of the United States and three-fourths of the officer personnel, it does not mean that we are taking something from the edge and the fringe of the Army; it means that we are going into the heart of the Army and thereby destroying the strength of the Army.

It is very well to make the argument that these men go into a reserve pool and that thereupon a strong reserve would be established, were it not for the fact that modern wars move so rapidly, and were it not for the fact that wars are different today from what they previously have been, because now they are mechanized. Back in the days of the squirrel rifle all a soldier had to know was how to use his rifle. Soldiers then scarcely knew how to move in ranks with precision. Such movement was not necessary. But now, when whole panzer units must move on the split second, when the air force must be coordinated with the land force, and when the artillery must operate in complete teamwork in connection with the tanks, it requires more time to take a soldier out of the reserve pool and gear him to such an organization. Today it is difficult to synchronize a soldier, no matter if he has had 12 months' training, with one of the modern mechanized armored units and make him effective. Therefore, the argument is one of national strength, and not merely one of rotation of service.

Furthermore, we have said that the situation is more grave than it was when we passed the original law. Let us look at the world today, and look at it as it was in September 1940, and compare the two situations and see what has happened. It is true that we are not getting such alarming reports from the Russian campaign. We are not getting reports as rapidly as previously. But remember, Russia is a vast country; Russia contains a great number of people, has large quantities of equipment, and it is entirely possible that Germany could be winning her war in that vast country without our obtaining the reports. Has it not been customary for Hitler to refuse to make reports until his job is done? If one looks at a map he will see a vast amount of territory in Russia which Germany has already conquered. I do not discount the stubborn resistance of the Russians fighting for their own country, but I call attention to the fact that since we passed the Draft Act in September 1940—hear these figures, Senators—Hitler has conquered 325,000 square miles of territory, Hitler has conquered nations with populations of 50,000,000. Hitler has conquered six independent nations. Hitler has made a successful drive down through the Balkan countries, and today the Mediterranean is to all intents and purposes a German lake, with Hitler controlling enough bases and ports so that he practically controls the Mediterranean.

In addition, since we passed the Draft Act Hitler has landed troops in North Africa. In addition, the Vichy Government, which at that time was stubbornly resisting Hitler, has gone overboard entirely, and today is doing the bidding of Berlin.

In addition, Hitler has conquered vast oil resources, vast mineral and wheat resources, and a vast amount of war machinery which England lost in the Balkans.

In addition, Hitler has conquered the Baltic States of Estonia and Lithuania, and much of the territory of Russia.

In addition, when we passed the Draft Act in 1940 Germany had 220 divisions. She had only 12 armored divisions. Today she has 260 divisions actually under arms, with 20, and possibly 30, armored divisions, and she has another 40 divisions in training, making a total of 300 divisions which Hitler has in his control.

The reason why there is a lull in the news from Russia is because the Nazi technicians are merely securing the gains. Hitler has followed the same pattern every time. When he conquers a territory he sends in his technicians. They keep quiet until they have secured the gains. In the meantime the Nazi serpent is coiling for another strike; and as soon as he has the back door secured behind him he will be ready to move into Spain and Portugal, and down into West Africa, the statement of the Vichy Government notwithstanding.

If General Marshall has erred it has been on the side of being conservative. He asked for an army of one and a half million. How does that compare with 8,000,000 Nazi soldiers, 2,000,000 Italian soldiers, and 2,000,000 Japanese soldiers? With an army of a million and a half, we propose to defend the Western Hemisphere. If the Monroe Doctrine is to be defended there is only one power to defend it, and that is the United States. Yet we propose to do it with an army of one and a half million. I am not asking for more if the military men think that is enough; but we are arguing and splitting the country wide open when we should be united on whether or not we will hold together what we have.

I say that the emergency has increased from the time we passed the first draft act. The war has spread from Europe down through the Balkan countries, into the Baltic states, into Syria, and into north Africa. It has now spread to Siberia and South America, and over to the Orient, where Japan has moved south to Indochina. Yet there are those who say, with a bland expression on their faces, "What are the facts? Give us the facts. What is the emergency?" When anyone asks me that question I can think of so many things that I cannot say anything. It flabbergasts me, because the answer is so obvious. The whole world is falling, and yet we are asked, "What is the danger?"

Mr. President, I am convinced that there is great danger, and that the danger is greater than it was when we passed the first Draft Act. I am further convinced that the soldiers will not remain in service a single day longer than the necessity for their being in service exists. The idea of intelligent men indicating that they do not believe the men would be turned loose, when Congress holds the power to release them, and when the President could release them. The pressure of the people at home would demand it.

We must trust somebody. When a soldier goes to war he must trust every soldier behind him. He must trust his corporal, his sergeant, his lieutenant, his captain, and his general. When he is ordered to battle he must put his faith somewhere. Why can we not trust the commanding general in a national emergency? Some persons are so afraid they are going to relinquish temporarily some of their liberties that they will "mess around" and lose them all, as the people of several other countries have done.

France could not trust anybody on the eve of her fall. France could not trust an army general. France could not trust any civilian leader, and she changed leaders time after time. Where is France today? Groveling in the dust. Laval said that when Petain agreed to collaboration with Germany he had to choose between life and death, and he chose life. It would have been more consistent with the facts if Laval had said that Petain had to choose between slavery or resistance, and he chose slavery.

How does that compare with the words of the great American, Patrick Henry, whom some are afraid to quote in the face of the sneering isolationists for fear they might be called warmongers? Patrick Henry said, "Give me liberty or give me death." He was not afraid to make his choice. America is not afraid to make her choice.

How does the craven statement of Petain compare with the immortal statement of the King of little Greece? When Hitler sent him word demanding collaboration, he sent back an immortal statement. He said, "The disgrace is too great for so small a country. The blood of too many Britons is in the soil of Greece for Greece to forget."

The ACTING PRESIDENT pro tempore. The time of the Senator from Oklahoma has expired.

Mr. WALSH. Mr. President, the request that Congress rescind the 12-month limit on the training period of the Army draftees under the Selective Service Act raises grave questions.

No words can obscure the fact that the men who have been drafted and inducted into the Army and their families they left behind relied upon the promise that after 12 months in camp they would be returned to their homes and their place in civil life. This promise was implicit in the congressional debate preceding the enactment of the selective-service bill last summer, and this promise was the natural inference from the explicit language of the bill, and this promise was extended by the President when he presided over the drawing of the first draft numbers.

The only contingency as these young men and their families understood it was in the event the United States went to war, and with respect to that contingency the country was repeatedly told that our national-defense program was designated to insure avoidance of war, and that war would not seek us if we made ourselves strong, and that we should not, in any event, seek it.

It is now possible, by legalistic hair splitting, to twist the terms of the Government's contract with the young men now in the training camps or on garrison duty, to avoid the 12-month limitation. But in my judgment to do so would be a grievous breach of faith. It cannot, in good conscience, be justified.

Congress and our leaders, and the Army's General Staff, knew as well a year ago as now, that you cannot take men out of civil life and within the space of 12 months transform them into highly trained soldiers, skilled in the techniques of modern warfare.

It was plain a year ago as it is now, that the national-defense program upon which we were embarked would necessitate the maintenance under arms of upward of a million or more soldiers at the very minimum; and what is now being said about the disruption of our Army if the present draftees are demobilized could better have been said with equal truth and more candor a year ago.

The fact is that the Selective Service Act was put through Congress last year under false pretenses that are now unmasked. Last year it was a bill for training of a large number of civilian Reserve soldiers for a limited period. Now we see it as a measure for conscripting a large standing army.

The Selective Service Act is not, as promised, a measure for universal or semiuniversal military training. It is not, as promised, a measure for evenly distributing the responsibilities of citizenship or the burdens of national defense and the hardships and risk of life itself.

It turns out to be a lottery whereby 1 man out of 100 is snatched from his home and family and put into uniform and into camp for conversion into a professional soldier and for service in his country, perhaps in foreign lands, not for a few months, but for years to come—no one knows how many years.

I favored a year ago, and I favor now, the recruitment of an army of professional soldiers in the same way that the Navy is recruited—by volunteer enlistment, and upon terms and conditions as respects housing and sustenance and pay and protection as will attract into the service volunteer men who desire to make it a career. The operation of the modern fighting war machine requires skilled and highly technical knowledge. This is the job of men who make it a life work. If decent pay is given them such as is given much less skilled workmen in the navy yards and arsenals, we will have no trouble with getting volunteers.

ATTEMPTED JUSTIFICATION

In the attempted justification of the request now made to Congress for an indefinite extension of the term of service of men now in uniform, it is said that the national emergency is infinitely greater and our national interests far more imperiled than a year ago. This is asserted notwithstanding the obvious fact that we are in a far stronger position today to resist possible attack than we were a year ago. We have gone a long way during the past year with respect to our Navy, our production of planes and other weapons of war, our munitions and supplies, military and naval bases, and all the other elements of national defense.

If our national safety is to depend on the character and extent of preparedness and national defenses, then surely we are safer today than we were a year ago. If we accept the premise that our own safety and the security of the Western Hemisphere is linked with British sea power and the survival of Britain in the present war, then the situation is less perilous today than a year ago.

A year ago France had fallen, the British were at Dunkerque, invasion of England was imminent, and gravest apprehensions were entertained as to Britain's ability to hold out against such seemingly overwhelming odds. It is a very different picture today, for Germany in addition to her war plans of a year ago is engaged in a desperate war against a new enemy, namely, Russia.

It seems to me that the contention that our own peril today is infinitely greater than a year ago must imply on the part of those who so affirm, that we are nearer to actual involvement in the European war today than a year ago. I fear that that is true, but it is true in my judgment, only because of the course which we have pursued. Our foreign policy to date labeled to be one to keep us out of war has actually operated to lead us day by day into the war.

I have supported and shall continue to support every measure for the strengthening of our defenses at home. I shall support every request from the President for appropriations of funds and for the grants of extraordinary authority. But when it comes a question of war and peace and human lives, I am constrained to follow the dictates of my own conscience.

UNFAIR TO YOUTHS

I am more firmly than ever of the conviction that the American people do not want war; that they do not want conscription for military service—indefinite as to numbers, indefinite as to the duration of the service, indefinite as to objectives. The young men heretofore or hereafter conscripted for military service have no knowledge of how long they will be required to serve or where they will be sent.

It is unfair, and indefensible to impose all the sacrifice and burdens of the present situation upon those who happen to be of a particular age and in a strong and healthy physical condition. These youths, after a limited training to prepare them for service in an expanded army, are entitled, in a democracy like ours, to the possession and enjoyment of a normal life like all other Americans enjoy.

DO NOT FAVOR A. E. F.

We know that the American people do not favor an American Expeditionary Force. We know that Congress does not favor it. We have had in the past the most explicit promises that there would be none. Yet, we are now faced with the fact that American troops are being dispatched to distant stations in foreign lands under the plea that they are advanced bases for hemisphere defense; we are told that the Army's general staff desires the repeal of provision in the Selective Service Act which forbids the sending of draftees outside the Western Hemisphere.

We are not told whether we are planning for an army of defense or for an army of aggression.

There have been broad hints that the only reason that repeal of this Western Hemisphere limitation is not contained in the pending bill is because of the foreknowledge on the part of its sponsors, that Congress is overwhelmingly against its repeal, overwhelmingly against throwing wide open the doors to the dispatch of an expeditionary force to Europe or to the Far East.

If the Army's present plan is to build up its strength with this objective in mind, I am unwilling to support such a program. I think that it is preposterous to claim that an expeditionary force is an essential element to the defense of America.

So far as I am able to learn, and notwithstanding the provocative acts of our Government in extending aid to belligerents in the European war, there has not been any justification for any attack upon

or invasion of this country by Hitler and his allies. Even if he has the disposition to do so, I am convinced, as are nearly all the military and naval experts, that direct invasion is impossible.

WILL SUPPORT DEFINITE PERIOD AMENDMENT

I am willing to support a measure—the Taft amendment—which extends the term of military service of the selectees and National Guard and other Reserve forces for a reasonable, fixed, and short definite period of time. I am willing to do so because I recognize the difficulties that confront the War Department in the event of the rapid discharge of the large numbers of men now in training at the expiration of their 12-month term. But, in view of the promises made to the selectees, I am unwilling to vote for any measure that would keep them in the Army for an indefinite and uncertain period.

DRAFT ARMY A MISTAKE

All last winter reports coming indirectly from Army officials were that we would be in the war not later than April 1. From week to week the assertion has been made that we were rapidly approaching the time when we would be in the war, and yet no plan has been presented for the recruitment of military force through a broad plan of voluntary training. On the contrary, it appears to have been discouraged.

My conception of the defense needs of this country is the building up and the encouragement of voluntary enlistments. I contend that the type of men that the Army needs and the Navy needs can be obtained far better through volunteer recruitment than by compulsion. A draft army in a democracy like ours must be of very necessity an army drawn suddenly from civilian life and pledged to but a few months of service. We will be safe and secure in our defense only when we build up our Army on a volunteer basis, where the enlisted personnel will be willing to give all the years of their active life to military service upon terms and conditions that make the Army a career. Modern warfare demands the type of service that is equal and akin to that of the skilled mechanics in civil life. Soldiers today must be as well trained and devote their life to the military service just as a truck driver, a machinist, a toolmaker, or any other mechanic must do. This means that they must be paid accordingly. They must be given an inducement, train themselves, and be able to live a normal life and support their families by receiving substantial pay approaching, if not equaling that of the mechanics in the arsenals and navy yards of the country. We should begin to build up such an organization now. We should have commenced, as I then argued, our defense plans a year ago in this manner. We will never have a well-trained modern army with mechanized equipment until this is done.

The alternative to this is a draft army, changing from month to month, year to year, underpaid for the service to be rendered, and which will never give the country the fighting, striking force that the country needs.

PROPONENTS CONTENTIONS

The proponents of this bill, in an effort to sustain the contention that the American peril today is greater than a year ago, cite figures as to the expansion in the rated strength of the German military machine during the past year.

It seems to me that such an argument completely overlooks the basic proposition that the defense of America in final analysis, rests on sea power and air power. If we are to deal with this bill on the basis of the greater or lesser peril to America today, let us realize, as I stated earlier, that our own Navy is immensely stronger today than a year ago—that our air force, as it stands today is stronger than it was when we were debating this conscription bill a year ago.

Are we to suppose that we are to build an American Army to match the German Army, soldier by soldier, division by division? And if so, is not the conclusion irresistible that the proponents of such a program envision an American expeditionary force to the European theater of war?

The proponents of this bill have said in substance that failure to extend without limit the 12-month training would result in the demobilization of two-thirds of our armed forces as they stand today.

As I read the facts, it does not warrant such an assumption. I am not dealing now with the question of the National Guard, which was called to active duty for a period of 1 year, and which may be continued on active duty as the emergency requires. I am not dealing now with the question of the Reserve officers who, by taking a Reserve commission obligated themselves to respond to their country's call for active service for whatever period of time might be necessary.

I am dealing with the question of the young men who were conscripted under the Selective Service Act, and who were inducted into the Army with the express understanding that their period of training was limited to 12 months. What do we find with respect to the demobilization of the Army which it is contended will occur if a limited number of these young men are allowed month by month to return to their homes at the expiration of the 12-month training period?

I quote from a newspaper editorial which contains the figures about the number of draftees whose year will expire month by month.

THE "TWO-THIRDS" ARGUMENT

Untrue Picture

We quote from the President's July 21 message to Congress:

"I need scarcely emphasize the fact that if and when an organized and integrated company, battalion, regiment, or division is compelled to send two-thirds of its members home, those who return to civil life, if called to the colors later on, would have to go through a new period of organization and integration before the new unit to which they were assigned could be depended on for service."

This is the main point brought forth to date by the President and Chief of Staff Marshall in their pleas for power to scrap the 1-year limit on active service for draftees, National Guards and reservists. The implication is that the Army is threatened with suddenly disappearance of two-thirds of its officers and men on a single day—which would indeed be a calamity.

But the picture is not an accurate one. The fact is that the approximately 600,000 draftees now in service entered the Army in this fashion:

November	13,806
December	5,521
January	73,633
February	90,238
March	153,159
April	123,207
May	56,896
June	79,522

Therefore, the largest number of draftees who will leave the Army in any month up to next July under the present law will be 153,159, scheduled to go home next March. That will be a shade over 10 percent of our present Army. It will not be anywhere near the 66⅔ percent envisioned by Messrs. Roosevelt and Marshall as quitting on 1 day.

We'd recommend a little more frankness on this point.

We think, too, that a compromise could be arranged. Terms could be extended in enough cases to prevent more than 100,000 men leaving the Army and being replaced by 100,000 novices in any 1 month. We do not see how this could discommode the Army or imperil the Nation; and it would build up the reserve at a rapid rate.

We do not believe, though, that the administration is interested in compromise. We believe its object is to freeze the present contingents into the Army indefinitely, lift the 900,000 lid off the number of draftees usable at one time, and build a huge Army to send to Europe to lick Hitler.

It is absurd to charge that the Army will be disrupted if as many as fifty or seventy-five thousand, at the most and then not till March next, out of a million and a half are released in any given period of 30 days. Especially is this so when, without any change in the existing law, we have provided for the calling up of additional men, month by month, to take the places of those whose terms of service have expired.

I have said that in my judgment the proponents were not candid and straightforward with the American people when Congress was prevailed upon to enact the Selective Service Act a year ago. I have said that it was put through in the guise of a plan for limited military training of great numbers of our citizens, whereas now it appears it was put through for the purpose of recruiting a large draft Army. But if we were not candid a year ago, then let us be so today when we discuss the resolution now presented.

And I submit that the proponents of this resolution are overstating the extreme peril to which they assert the country is now exposed. And, second, that they exaggerate the disaster that they assert will overtake the Army if the present trainees are allowed to return home at the end of their terms of service. In what I have said I have sought to show why, in my judgment, neither of these proposals was the fact. This is so, unless this resolution and the arguments that are advanced for it concealed the secret design to recruit and maintain a standing draft Army greatly in excess of any that has yet been authorized by the Congress, or, indeed, a greater Army than yet publicly proposed.

And if the standing Army of three or four million men is the secret design that

lies behind this resolution, then the question arises, Why such an army unless we are preparing an American Expeditionary force for fighting in Europe or the Far East?

Bear in mind that we are being asked here to repeal the existing limit on the number of men that may be conscripted and inducted into the Army. If we adopt this resolution, there is no limit on the size of the Army.

I know that it will be said that the size of the Army will still remain within the control of Congress because the size of the Army will be controlled by the size of the appropriations, and the Congress determines the appropriations.

But every Senator in this Chamber knows how little substance there is to that argument. We, today, are honoring every request from the President to the Congress to appropriate for national defense. We shall continue to do so. We are appropriating billions of dollars for defense with the widest latitude as to how the money is to be expended. If Congress adopts this joint resolution, are we not surely paving the way for a request for a supplementary appropriation to provide the funds for doubling the size of the Army, and will it not then be said that this is in accordance with the policy that Congress affirmed in the present amendments to the Selective Service Act.

CONSTRUCTION OF ROADS NEEDED FOR NATIONAL DEFENSE—VETO

Mr. HAYDEN. Mr. President, I should like to inquire from the majority leader how much longer he expects to keep the Senate in session this afternoon?

Mr. BARKLEY. Not much longer. It is obvious that we cannot vote today on the pending amendment. I have been trying to work out an arrangement by which we might vote on the pending amendment at an early hour tomorrow, but I have been unable to complete it. Therefore, I shall make no further effort along that line.

Mr. HAYDEN. Mr. President, by direction of the Committee on Post Offices and Post Roads, which met this afternoon with a quorum present, it was unanimously agreed that the recommendation be made to the Senate that Senate bill 1580 be passed notwithstanding the objections of the President. That is a privileged matter. The thought I had in mind was to make a motion to that effect now, so that it would be the pending business and we might take it up and dispose of it immediately after convening tomorrow.

I move that the Senate proceed to the reconsideration of Senate bill 1580, a bill providing for the immediate construction of roads urgently needed for the national defense, the objections of the President of the United States to the contrary notwithstanding.

Mr. AUSTIN. Mr. President, I merely wish to have the RECORD show that at an earlier hour the Senator from Arizona spoke to me about this matter in order to ascertain the position of the minority with respect to proceeding with it. I wish to thank him for his kindness and consideration to us, for I know that he is not required to ask our views regarding the procedure. However, he frankly stated that he did not care to attempt to coerce us in any way.

I have tried to confer with a number of Senators of the minority and ascertain what their attitude is toward proceeding at once. I found that a number of them objected to proceeding, and I reported that if the matter came up upon request for unanimous consent I should feel bound to object.

As the matter stands, the Senator from Arizona has not made a request, but has made a motion. I desire to thank him for putting the matter in such form that those who desire to consider it overnight will have an opportunity to do so before they are obliged to vote on the question.

Mr. HAYDEN. I thank the Senator from Vermont.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Arizona [Mr. HAYDEN] that the Senate proceed to the reconsideration of Senate bill 1580, the so-called road bill, the objections of the President to the contrary notwithstanding. The motion is a privileged one.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky will state it.

Mr. BARKLEY. I understand that the procedure on the motion, which is privileged, will not interfere with the pending order of business, and that automatically, as soon as the road bill is disposed of, the pending business will be resumed.

The ACTING PRESIDENT pro tempore. The consideration of the road bill merely suspends the consideration of the pending measure. It does not supersede it.

Mr. VANDENBERG. Mr. President, am I to understand the Senator from Arizona also to say that he does not intend to proceed with the road bill until tomorrow?

Mr. HAYDEN. The Senator is correct. It is approaching 5 o'clock, and it has been suggested that we ought not to proceed until tomorrow; but I wanted to make the bill the unfinished business, so that it will be called up immediately after 12 o'clock tomorrow and disposed of.

Mr. VANDENBERG. I wanted to be sure that there would be time for some Senators to speak from the President's point of view.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The question before the Senate is, Shall the road bill, Senate bill 1580, pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. BARKLEY. Mr. President, it is not desired to proceed further this afternoon; and therefore I shall presently move that the Senate proceed to the consideration of executive business.

DEFERMENT UNDER SELECTIVE SERVICE ACT—CONFERENCE REPORT

Mr. REYNOLDS. Mr. President, on July 28 I presented a report from the Committee on Military Affairs pertaining to the Selective Service Act, and relating particularly to age groups. I now ask unanimous consent to withdraw that report and to present another one in lieu thereof.

The ACTING PRESIDENT pro tempore. Is there objection to the withdrawal of the first report? The Chair hears none. The report is withdrawn. The clerk will read the report now presented by the Senator from North Carolina.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 5 (b) (1) of the Selective Training and Service Act of 1940, as amended, is hereby amended by inserting before the colon the following: ', or any enlisted man who has been or is hereafter honorably discharged from the Regular Army or the Coast Guard for the convenience of the Government within six months prior to the completion of his regular three-year period of enlistment'.

"SEC. 2. Section 5 (e) of the Selective Training and Service Act of 1940 is amended by adding '(1)' after '(e)', and by adding at the end thereof the following: 'Rules and regulations issued pursuant to this subsection shall include provisions requiring that there be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those men who have been classified by such local board.

"'(2) Anything in this Act to the contrary notwithstanding, there shall be deferred from training and service under this Act in the land and naval forces of the United States until Congress shall declare otherwise, the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) have attained the twenty-eighth anniversary of the day of their birth: *Provided*, That any of such men may after volunteering for induction be inducted pursuant and subject to the provisions of section 3 (a) of this Act: *Provided further*, That the Secretary of War shall, as soon as practicable and when not in conflict with the interests of national defense, release from active training and service under section 3 (b) of this Act, and transfer to a reserve component of the land forces for the same period and with the same rights, duties, and liabilities, as any other person transferred to a reserve component of the land forces under the provisions of section 3 (c) of this Act, regardless of his period of training and service, any person who has heretofore been inducted into the land forces under this Act, who requests such release, and who had attained the twenty-

eighth anniversary of the day of his birth on or prior to July 1, 1941, and prior to such induction: *Provided further*, That any person so released under this paragraph who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of this Act.'"

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows:

In lieu of the amended title proposed by the House, amend the title so as to read:

"An Act providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, and for other purposes."

And the House agree to the same.

R. R. REYNOLDS,
ELBERT D. THOMAS,
LISTER HILL,
H. H. SCHWARTZ,
WARREN R. AUSTIN,
CHAN GURNEY,
Managers on the part of the Senate.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
FOREST A. HARNESS,
L. C. ARENDS,
Managers on the part of the House.

Mr. REYNOLDS. I ask unanimous consent for the immediate consideration of the report.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from North Carolina?

Mr. ADAMS. Mr. President, I wish to make an inquiry of the Senator from North Carolina. As I understand, the Senate bill gave to the President authority to release selectees who are over 28, while the House bill in and of itself released them. Am I correct as to that?

Mr. REYNOLDS. Mr. President, my recollection is that we agreed upon and filed a report to the effect that if a selectee became 28 years of age on or before July 1, 1941, in order to be immediately relieved from active duty it was necessary for him to make a request to that effect of the Secretary of War.

Mr. ADAMS. Did not the Senate bill originally merely give to the President authority to release those who were over 28?

Mr. REYNOLDS. That is my recollection.

Mr. ADAMS. Have the Senate conferees accepted the House version and receded from the Senate position, so that if the present conference report is adopted those who are over 28 will be released as a matter of law, and not as a matter of Presidential discretion?

Mr. REYNOLDS. Yes; that is true.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Calendar.

WORK PROJECTS ADMINISTRATION

The legislative clerk read the nomination of Howard R. Staub, of Connecticut, to be Work Projects Administrator for Connecticut.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

Is there a request that the President be notified?

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified of the confirmation of all nominations acted on today.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 52 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, August 6, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate, August 5 (legislative day of July 28), 1941:

WORK PROJECTS ADMINISTRATION

Howard R. Staub, to be Work Projects Administrator for Connecticut.

POSTMASTERS

ARKANSAS

Clyde P. Harman, Crawfordsville.
James W. Byrd, Smackover.

CALIFORNIA

Harvey H. Washburn, Hanford.
Berniece W. Harris, North Hollywood.
Minetta Vickers, Rialto.

FLORIDA

Robert C. Fleming, Chipley.
Vivian M. Sanborn, Fellsmere.
Myrthel I. Blackwell, Millville.

GEORGIA

James Emory Houston, Blakely.

INDIANA

Lucille E. Hoffman, Dyer.
James M. Totten, Southport.

KANSAS

Halcie M. Brundage, Brownell.

MICHIGAN

Agnes McKerring, Flushing.
Margaret A. Lake, Novi.

MINNESOTA

Paul B. Sanderson, Baudette.
William Louis Taffe, Beardsley.
Florence E. Evensen, Bigfork.
John P. Ebert, Brewster.
Elizabeth Wright, Cromwell.
Benedict H. Mushel, Foley.
Edwin T. Silver, Granite Falls.
John Henry Michaelson, Kettle River.
Winifred E. DeVilliers, Lanesboro.
Paul S. Norelius, Lindstrom.
Edward N. Dumas, Long Lake.
Ole E. Nelson, Marietta.
Rosaline D. Neary, Northome.
Ruth E. Wittwer, Remer.
Charles C. Baxter, Walnut Grove.
Martin S. Stubstad, Zumbrota.

MISSOURI

Jesse H. Parson, Otterville.

NEW HAMPSHIRE

Harold D. Foss, Rochester.

NEW YORK

Alfred C. Hall, Argyle.
John Joseph Shortell, Olean.
Donald A. Dailey, Rochester.

SOUTH CAROLINA

Henry S. Covington, Bennettsville.
Richard M. Smith, Bishopville.
Alsie W. Golding, Drayton.

SOUTH DAKOTA

Bernard F. Moran, Woonsocket.

VIRGINIA

John L. Whitworth, Pocahontas.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 5, 1941

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou who art unchanging in Thy love and goodness, we thank Thee for visions of the true, the beautiful, and the good urging us on, and for tasks calling us to an investment of our noblest manhood.

Inspire us with more of that courageous faith which will lead us to labor for the coming of that blessed day when men everywhere shall call Thee Father and and greet each other with that friendly name of brother.

We pray that Thou wilt bless these Thy servants, granting unto them grace to fulfill all their duties with pure and steadfast devotion. Guide them in the ways of wisdom and righteousness and may they be abundantly enriched with the tokens of Thine everlasting favor through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 4052. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.

The message also announced that the Senate had adopted the following resolution (S. Res. 153):

IN THE SENATE OF THE UNITED STATES,

August 4 (legislative day, July 28), 1941.

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. ALVA M. LUMPKIN, late a Senator from the State of South Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now take a recess until 12 o'clock meridian tomorrow.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House:

AUGUST 1, 1941.

The SPEAKER,
House of Representatives,
Washington, D. C.

SIR: I desire to be temporarily absent from my office, and hereby designate Mr. H. Newlin Megill, an official in my office, to sign any and all papers and do all other acts for me which he would be authorized to do by virtue of this designation and of clause 4, rule III, of the House.

Respectfully yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

PERMISSION TO ADDRESS THE HOUSE

Mr. THOM. Mr. Speaker, I ask unanimous consent that at the conclusion of the remarks of the gentleman from Alabama [Mr. PATRICK] this afternoon I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. TRAYNOR. Mr Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Sunday Star of Wilmington, Del.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. DOWNS. Mr Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Chamber of Commerce of Norwalk, Conn.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

ARMS PRIORITIES FOR RUSSIA

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. ANDERSON of California addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a resolution recently adopted by the California Elks Association.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a report of the first conference of the Inter-American Bar Association held in Habana last March. I have an estimate from the Public Printer which shows that this will take two and two-thirds pages at a cost of $102.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

WHEAT QUOTAS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. McGREGOR addressed the House. His remarks appear in the Appendix of the RECORD.]

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, if the administration does not watch its step, without the consent of the C. I. O., I am going to become one of its spokesmen. The morning press tells us that Joe Stalin, our bloody friend Joe, has been granted priorities on a lot of this material. In the Fourth Michigan Congressional District it is throwing our American workmen out of jobs. I notice 175,000 persons have been thrown out of work in the silk industry. I do not like that. The C. I. O. does not like it. We are going to get together and kick on that thing now pretty quick, and I hope that when the test comes the American workingman will be given a little consideration. I am speaking as a friend of labor this morning. I am speaking against this administration which, by recent orders, is destroying jobs by putting industrial plants out of business.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. DICKSTEIN asked and was given permission to extend his own remarks in the RECORD.

AMERICAN CITIZENS IN JAPAN

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I am glad to note that the Secretary of State is going to send a ship to Japan to pick up some of our citizens stranded there. I received a cable yesterday from one of my constituents, an American who went to Japan on legitimate business, with an American passport and a Japanese transit visa to Shanghai, and he informs me that he has been refused both passage to Shanghai and passage home. His cable reads:

> Have Japanese transit visa to Shanghai. Am refused passage either to Shanghai or going home for but one reason, because possess American passport. Saw American consul, also telegraphed American Ambassador and State Department, but no results. According to news reports here, Japanese citizens in States moving freely; believe we entitled same treatment. Would appreciate you as Congressman, should take up this matter with the proper authorities because am in tremendous trouble; have very important business in Shanghai.

These American citizens are being molested and pushed around in Japan without any justification. And I believe that Japan should be given to understand in no uncertain terms that we will not stand for such treatment of our nationals.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day and following any other special orders heretofore entered, I may be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial from the Story City Herald, of Story City, Iowa.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the American Federation of Labor Weekly News Service.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EDWIN S. SMITH

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I would like to call the attention of the House to an editorial in the American Federation of Labor Weekly News Service with reference to Mr. Edwin S. Smith, of the National Labor Relations Board. I hope everyone will read this editorial. This is a part of it:

> Mr. Smith has lent aid and comfort to the Communists. The peak point of his career was the decision turning over hundreds of

faithful American Federation of Labor members to the clutches of Harry Bridges in the notorious west coast longshoremen's case, which has since been reversed by the N. L. R. B. over Mr. Smith's vehement objections.

In his recent public speeches Mr. Smith has been even more direct and frank. He has protested discrimination against Communists in national-defense plants and he has upheld Communist strikes in key plants.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that I may be allowed to extend my remarks in the RECORD and to include therein excerpts from some letters I have received.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that following the last special order that has been entered today, the address of the gentleman from New York [Mr. MARTIN J. KENNEDY], I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein an article from the Seattle Post Intelligencer upon the work done in magnesium at the State College of Washington.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unonimous consent to extend my own remarks in the RECORD and to include therein a statement by Paul J. Raver, Bonneville Power Administrator.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

THE GASOLINE SITUATION IN THE UNITED STATES AND CANADA

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, last night I spent about 45 minutes syphoning gasoline out of my automobile tank for one of the visiting firemen who, because of high hotel prices and the high cost of living here, had to wend his way back home. I was interested in reading in this morning's paper that all Americans can buy gasoline at any time of the day or night, and even on Sundays, if they happen to be in Canada. At the same time I would like to make this observation. When the Rivers and Harbors Committee was in Canada a week ago last Monday, they discovered that the Parliament of Canada is not now in session. They are out fishing while we are here sweating blood. Of course, I can understand this, in a way, because they have no Franklin Roosevelt to keep their eyes on them.

[Here the gavel fell.]

ANNISTON ORDNANCE DEPOT

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Speaker, this time has been asked in order that I may avail myself of the proud privilege of calling attention of the House to a world's record that was established in Alabama in the construction of a defense project. At the Anniston Ordnance Depot last Tuesday eight complete igloos were built in 1 day. A world's record. A wonderful achievement of the contractors, John Hodgson and Will Dunn, and their organizations and employees. Too much credit cannot be given them. They are efficient. They are working enthusiastically in cordial cooperation with other patriotic Americans everywhere in an all-out effort to win the safety of the United States through adequate defense preparations.

I do not know the names of the architect-engineers of the War Department who may have earned our approbation in this regard. I am satisfied there are several. I would like so much to give them credit. But I do know the names of the Alabama architect-engineers, J. B. Converse & Co., Inc., of Mobile, and A. C. Polk, of Birmingham. Whether their names be known or unknown, it gives me pleasure to thank them for their excellent work. Especially should we thank the resident engineers, Converse and Polk, for their cooperation with the contractors.

Each igloo will hold 250,000 pounds of powder. They are of reinforced concrete. Never before had so many been completed in 1 day.

It seems to me an enheartening record, worthy of congratulation and gratitude from everyone who has at heart the success of our national effort for peace through adequate, timely defense preparation. [Applause.]

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative business and other matters on the Speaker's table, and other special orders, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that in connection with my remarks today I be permitted to include a cablegram which I received from Japan in connection therewith. I shall eliminate the name of the person, for safety of the American.

The SPEAKER. Is there objection?

There was no objection.

HOUSING AND OFFICE SITUATION IN WASHINGTON

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I know that we are all very much impressed with the message given to us by the gentleman from Alabama [Mr. HOBBS]. The powder situation in Alabama is apparently under control, but here in Washington the housing and office shortage is becoming increasingly worse. Our various Government departments are running wild all over the city, even to the point of taking hotels and apartment houses for office space. I make the suggestion to the Members of the House and also to the Members of the other body that we each give up one of our office rooms, and thereby make available more than 500 rooms which could be immediately occupied by some of the Government departments at no cost to the Government. It would save millions for the taxpayers and help relieve the terrible problem created by the shortage of office facilities. Unless we take some action at once to solve the problem, it will be almost impossible for the employees to function efficiently or for the departments to do their required job for national defense.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I think the suggestion of the gentleman from New York [Mr. MARTIN J. KENNEDY] is worth considering. However, the gentleman might have gone a little further. There is a very serious housing situation in Washington. Why not have all Members of Congress take up their abode in their offices, thereby releasing the rooms they are now occupying in the hotels and apartment houses?

RUSSIA AND THE UNITED STATES

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, it seems to me that this is a cockeyed world. We have sold arms and ammunition to Finland and permitted them to forego their debt to us for a few years. Now Mr. Harry Hopkins was over in Russia, and he says that we are going to give them, out of the $7,000,000,000 that we have appropriated for the President to give away to those countries, as he sees fit, all of the arms and ammunition, guns, ships, TNT, dynamite, airplanes, and tanks in order that they may fight Finland. What are we coming to? Where is the American taxpayer going to get off on this? He is between the devil and the deep sea. You are putting him there. Where are we headed? I say for bankruptcy, communism, if not revolution in America. Why cannot we get down to

common sense. I want to keep the country out of war.

The SPEAKER. The time of the gentleman has expired.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

THE PRESIDENT'S FOREIGN POLICY

Mr. SABATH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, answering the gentleman from Pennsylvania [Mr. RICH], who is against war the same as I and nearly all other Members of the House, it is for that reason the President is trying not only to keep his word; and he is going to keep it, if it is possible, in every way. That is the reason he is doing all he can and we are doing all we can to aid Great Britain and Russia and China to dispose of Hitler and Hitlerism so that we can be protected and safeguarded from being attacked by Hitler and at the same time save our boys from going abroad. That is the underlying reason.

[Here the gavel fell.]

AUTHORIZATIONS FOR RESERVOIRS, LEVEES, AND FLOOD WALLS FOR FLOOD CONTROL

Mr. WHITTINGTON. Mr. Speaker, I call up the conference report on the bill (H. R. 4911) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the conference report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendments numbered 1, 2, 3, and 4: That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

Amendments numbered 7 and 8: That the House recede from its disagreement to the amendments of the Senate numbered 7 and 8, and agree to the same.

Amendments numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27: That the House recede from its disagreement to the amendments of the Senate numbered 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27, and agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same.

Amendments numbered 30, 31, 32, 33, and 34: That the House recede from its disagreement to the amendments of the Senate numbered 30, 31, 32, 33, and 34, and agree to the same.

Amendments numbered 36 and 37: That the House recede from its disagreement to the amendments of the Senate numbered 36 and 37, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In said Senate amendment, strike out the words "House Document Numbered 328" and insert in lieu thereof the words "Senate Document Numbered 93"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In said Senate amendment, strike out the words "House Document Numbered 329" and insert in lieu thereof the words "Senate Document Numbered 94"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In said Senate amendment, line 11, after the word "without", insert the following: "preventing or"; after the word "diversion", line 11 of said Senate amendment, add the letter "s", to make it read "diversions"; and after the word "Atchafalaya", line 12 of said Senate amendment, insert the following: "River and the Atchafalaya"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In the said Senate amendment, strike out the following: "and Upper Saint Johns River and its tributaries"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In the said Senate amendment, strike out the figures "$600,000" and insert in lieu thereof the figures "$500,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In the said Senate amendment in the last line, after the word "sums", insert the following: ", not to exceed $5,000,000,"; and the Senate agree to the same.

WILLIAM WHITTINGTON,
ROBERT T. SECREST,
HARRY L. ENGLEBRIGHT,
Managers on the Part of the House.

JOHN H. OVERTON,
HATTIE W. CARAWAY,
BENNETT CHAMP CLARK,
HIRAM W. JOHNSON,
J. W. BAILEY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911), entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes," submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendments

Amendment No. 1: This amendment of the Senate modifies section 2 of the bill to provide that formal notification to the local interests of the requirements of local cooperation shall be given in writing by the War Department 5 years before the provision for automatic expiration of authorization becomes operative.

Amendment No. 2: This amendment authorizes the project for local flood protection on Cayuga Creek at Lancaster, N. Y., at an estimated cost of $575,000.

Amendment No. 3: This amendment modifies the existing project for the Susquehanna River Basin in southern New York and eastern Pennsylvania to include and authorize the Stillwater Reservoir on the Lackawanna River, Pa., at an estimated cost of $2,420,000.

Amendment No. 4: This amendment authorizes the project for local flood protection on the Neuse River in the vicinity of Goldsboro, N. C., at an estimated cost of $40,000.

Amendment No. 5: This amendment of the Senate authorizes the project for the improvement of Bayou Teche and the Vermilion River, La., at an estimated cost of $1,390,000. The amendment adopted by the Senate refers to House Document No. 328, Seventy-seventh Congress, first session, as containing the recommendations of the Chief of Engineers. Subsequent to the passage of the bill by the Senate it was found that the report of the Chief of Engineers will be printed in Senate Document No. 93, Seventy-seventh Congress, first session. Modification of the amendment agreed to by the conferees provides for correction of the document number cited in the bill.

Amendment No. 6: This amendment of the Senate authorizes the project for the improvement of the Mermentau River, La., at an estimated cost of $970,000. The amendment adopted by the Senate refers to House Document No. 329, Seventy-seventh Congress, first session, as containing the recommendations of the Chief of Engineers. Subsequent to the passage of the bill by the Senate it was found that the report of the Chief of Engineers will be printed in Senate Document No. 94, Seventy-seventh Congress, first session. Modification of the amendment agreed to by the conferees provides for correction of the document number cited in the bill.

Amendments Nos. 7 and 8: These amendments of the Senate insert additional wording for clarification of the bill.

Amendment No. 9: Amendment No. 9 by the Senate provides that the protection contemplated in the House bill, for the Red River backwater area, may, at the discretion of the Chief of Engineers after further investigation, be extended to a larger area, at a total cost not to exceed $14,000,000, without jeopardizing the safety and integrity of the main Mississippi River levees and without jeopardizing the diversion contemplated in the adopted project through the Atchafalaya Basin. The modification of phraseology of the last two lines of this amendment, as agreed to by the conferees and set forth in the report herewith, is a clarification of the intent of the amendment as passed by the Senate.

Amendment No. 10: This amendment of the Senate provides for the inclusion of improvements for Bayous Rapides, Boeuf and Cocodrie, La., in the development of the authorized project for the alluvial valley of the Mississippi River at an estimated cost of $2,600,000.

Amendment No. 11: This amendment changes the designation of subsection (f) of the House bill to subsection (g) of the bill passed by the Senate.

Amendment No. 12: The Senate amendment No. 12 adds a new subsection (h) under the lower Mississippi River to provide that any officer of the Corps of Engineers who has served or shall serve 4 years as president of the Mississippi River Commission and who has been or shall subsequently be retired shall, from the date of

such retirement, receive the rank, pay, and allowances of a retired major general.

Amendment No. 13: This amendment modifies the existing project for the Bayou Bodcau Reservoir, La., to include and authorize channel improvements below the reservoir on Bayou Bodcau, Red Chute and Loggy Bayou at an estimated cost of $198,000.

Amendment No. 14: Amendment No. 14 of the Senate adds to the bill the reference to House Document No. 290, Seventy-seventh Congress, first session, which contains the recommendations of the Chief of Engineers regarding the modification of the Norfork Reservoir project. This document number was not available when the bill was before the House.

Amendment No. 15: Senate amendment No. 15 authorizes the project for local flood protection on the Licking River at Salyersville, Ky., at an estimated cost of $174,000.

Amendment No. 16: Amendment No. 16 inserts a provision in the bill to facilitate the fulfillment by the local interests of the requirements of local cooperation for the project authorized in the bill for flood protection in the vicinity of Sioux City, Iowa, and along the Missouri River between Sioux City, Iowa, and Kansas City, Mo.

Amendment No. 17: The Senate Amendment No. 17 eliminates from the House bill the authority for the inclusion of the Liberty Bend Cut-off in the existing project for flood protection of the Kansas Citys, Kans. and Mo.

Amendment No. 18: This amendment of the Senate authorizes the project for local flood protection on the Yaquina River in the Mill Four District, Oreg., at an estimated cost of $72,000.

Amendment No. 19: This amendment authorizes the project for local flood protection on Birch Creek in the vicinity of Pilot Rock, Oreg., at an estimated cost of $34,000.

Amendments Nos. 20, 21, 22, 23, 24, 25, 26, and 27: These amendments in section 4 of the bill incorporate therein certain amendments suggested by the President in his message of July 3, 1941, House Document No. 301, Seventy-seventh Congress, first session, affecting the procedure for preliminary examinations and surveys and review reports for flood control.

Amendments Nos. 28, 30, 31, and 32: These amendments of the Senate provide authority for examinations and surveys of certain streams not included in the bill passed by the House.

Amendment No. 29: The Senate amendment adds to the bill authority for examinations and surveys on the Kissimmee and Upper St. Johns River and their tributaries in Florida. The modifications agreed to by the conferees eliminates the duplication in authorization which is contained in the bill passed by the Senate.

Amendment No. 33: The Senate amendment No. 33 makes applicable to flood-control projects throughout the United States the provisions in existing law for the Mississippi River project which provide for the payment to States of 25 percent of the money received and deposited in the Treasury of the United States on account of the leasing of lands acquired by the United States for flood-control purposes.

Amendment No. 34: This amendment changes the designation of section 7 of the bill passed by the House to section 8 of the bill passed by the Senate.

Amendment No. 35: This amendment by the Senate adds to the bill a new section 9, which increases to $600,000 the authority for allotments in any one fiscal year for removing accumulated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof when, in the opinion of the Chief of Engineers, such work is advisable in the interest of flood control. The modification agreed to by the conferees reduces from $600,000 to $500,000 the authorization made available annually by the bill. The amendment as modified retains the limitation in existing law that not more than $25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year.

Amendment No. 36: This amendment changes the designation of section 8 of the House bill to section 10 of the Senate bill.

Amendment No. 37: This amendment raises to $275,000,000 (increase of $15,000,000) the authorization provided by the bill in order that sufficient authority may be available to cover the additional improvements included in the bill by the Senate amendments.

Amendment No. 38: The Senate amendment adds a recommendation of the President made in his letter of July 3, 1941. This amendment applies to the authority of the Department of Agriculture in carrying out works of improvement for flood control. The modifications in the amendment agreed to by the conferees limits to $5,000,000 the authority provided by the amendment.

WILLIAM M. WHITTINGTON,
ROBERT T. SECREST,
HARRY L. ENGLEBRIGHT,
Managers on the part of the House.

Mr. WHITTINGTON. Mr. Speaker, I yield myself 5 minutes.

Mr. ENGLEBRIGHT. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. ENGLEBRIGHT. I am sure the gentleman in his statement will explain to the House the various changes made and the additional projects that have been set in the bill on the part of the Senate.

Mr. WHITTINGTON. The suggestion of the gentleman is in order. I think the House is entitled to the information suggested by the gentleman.

The bill under consideration, when it passed the House, unanimously, authorized the construction of projects recommended by the Chief of Engineers, aggregating $254,890,000. After the bill was passed by the House it was corsidered by the Committee on Commerce of the Senate. There were added to the bill in the Senate projects aggregating $12,879,000, all of which are approved by the Chief of Engineers. There has been eliminated from the bill as it passed the House one project, at the Kansas Citys, Kans.-Mo.

Mr. Speaker, after this bill passed the House on June 20, 1941, the President of the United States sent a message to Congress dated July 3, 1941, and submitted recommendations respecting four provisions of the bill and proposed three amendments to the bill with relation to restriction of new construction to defense projects, with respect to examinations and surveys, in addition to existing provisions of law upon the initiation of the War Department, and with respect to limiting the funds for the Agricultural Department to works not authorized in connection with soil conservation appropriations. The fourth proposal by the President was in connection with elimination of the flood protection works at Chattanooga, Tenn.

The President was kind enough in his message to say that, on the whole, the House Committee on Flood Control is to be complimented for its work in preparing the bill and in making forward-looking provisions for multiple-use development, and for guarantees of local cooperation.

The President suggested in the message that the project for Chattanooga, Tenn., should be placed under the jurisdiction of the Tennessee Valley Authority. The Committee on Flood Control gave careful consideration to that matter. It is our view that the Tennessee Valley Authority is really without jurisdiction and that the project should be constructed by the Corps of Engineers. The President of the United States yielded after he submitted this recommendation to the Congress, when such Members of the other body, as the senior Senator from Nebraska, Senator NORRIS, and others called his attention to the fact that the project was primarily a flood-control project, consisting of levees and flood walls and was not a dam or a project that should be under the supervision of the Tennessee Valley Authority.

The President made a second recommendation. In that recommendation he advised the Congress that no money should be authorized during the national emergency unless the President shall find that the project is of importance and value in the national defense.

Mr. WILSON. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. In just a moment I will yield. I should like to make a connected statement, please.

The Committee on Flood Control had anticipated that matter and the bill as it passed the House contained a provision that had not been contained in previous bills, and I quote from section 3 of the bill—

and shall be prosecuted as speedily as may be consistent with budgetary requirements—

That is from section 3 of the bill as it passed the House. The said recommendation of the President transmitted to the Congress after we had passed the bill unanimously, was not approved by the Commerce Committee and is not embraced in the bill.

It is fair to say that it was not approved and is not the bill, for two reasons, among others. In the first place, the Congress of the United States felt that it ought not abdicate absolutely to the Executive with respect to projects that are in aid of national defense; that it was for both the Executive and the Congress to pass upon that question, and the value of projects for national defense.

The SPEAKER. The gentleman has consumed 5 minutes.

Mr. WHITTINGTON. Mr. Speaker, I yield myself 3 additional minutes.

Secondly, for the past few years there have been two bills submitted by the Committee on Appropriations for the War Department. One of those bills deals with civil functions including rivers and harbors and flood control. If the President of the United States is not satisfied with the appropriations he can veto the bill.

There is another reason why this suggested amendment is not contained in the bill. It is because the debates show that the Congress during the present session, because of national defense, has

followed the recommendations of the Budget with respect to appropriations, for flood control.

There was a second amendment with respect to preliminary examinations and surveys, and, with an amendment satisfactory to the reclamation States of the West, that amendment is embraced in the bill.

A third amendment was suggested by the President. It related to the authorization of $5,000,000 for works of improvement by the Department of Agriculture. The President suggested that the authorization in the pending bill should not be used on works of improvement which the Department was otherwise authorized to undertake. The President's amendment further eliminated the ceiling of $5,000,000 contained in the bill as it passed the House. The bill as agreed to in conference adopts the President's proposal that the money be expended on works which the Department of Agriculture is not otherwise authorized to undertake. Congress makes appropriations for soil-conservation works in large amounts. It was the President's view that the funds authorized in the flood-control bill should not be used for the same type of work. The President recommended that such additional sums be authorized for the works by the Department of Agriculture as may be necessary. The bill as it passed the House provided $5,000,000 for the purpose. A definite ceiling was fixed. It has been the policy in flood-control legislation to fix the amounts authorized to be expended for all projects. The conferees followed the recommendations of the President substantially with respect to the duplication of soil-conservation work by the Department of Agriculture, but stipulated that the amount of the authorization should not exceed the $5,000,000 as it passed in the House.

There was objection in the other body to that part of the second amendment proposed by the President to section 4 of the bill authorizing the Chief of Enginers to request the Department of the Interior to participate in the investigations. This part of the proposed recommendation respecting examination and surveys was objected to as shown by the debates in the other body by Senators who represented the arid States of the West on the ground that the rights of the State with respect to the allocation of waters might be violated. As a matter of fact, by Executive order the reports on examinations and surveys are reviewed by the Federal Power Commission, by the Federal Security Agency, and by the Department of the Interior. It is believed that the reviews can be made by Executive order without legislation, and hence the Senate amended the amendment to section 4 proposed by the President, and the conferees concurred in the amendment to section 4 as proposed by the Senate.

The President, therefore, withdrew one of his recommendations. This had to do with eliminating the Chattanooga project from the bill. He agreed that he was in error. He acknowledged that the Chief of Engineers should construct the project.

The other three recommendations of the President are covered by amendments agreed to in conference, by provisions of the bill, or by Executive order, or are provided for in the budget. As was stated by the Committee on Flood Control in its report, a backlog of public-works projects is essential following the national emergency. It is understood that during the national emergency there will be a reasonable reduction in flood-control improvements. The bill as it passed the House gave regard to budgetary requirements. It was understood that appropriations would be made upon the recommendations of the Budget during the national emergency and while national defense was uppermost. The bill as it passed the House and as it is agreed to in the conference follows the recommendation of the President to provide a backlog of public works following the national-defense program, the national emergency, and existing wars in Europe and in the Orient. There is a responsibility on Congress to limit ordinary appropriations. There is a responsibility on the Executive. The conference report safeguards the responsibilities of both the legislative and the executive branches of the Government. The President will submit his recommendations. Congress approved his recommendations for flood control during the current session. If Congress does not approve and if Congress exceeds the amounts that the Chief Executive believes should be appropriated during the emergency, under separate bills for the War Department the President can protect his executive rights by vetoing the bill. I repeat, therefore, that the President's recommendation with respect to the initiation of national-defense flood-control projects is substantially embraced in the pending bill.

The amendments to the bill in the Senate covered projects along the Susquehanna River, in Pennsylvania, along the Neuse River in North Carolina, projects in Louisiana, in Kentucky, in the Ohio Valley, and in Oregon approved by the Chief of Engineers. The bill when it left the House authorized appropriations aggregating $260,000,000. As agreed to in conference, the amount is $275,000,000. The conferees reduced the authorization passed by the Senate of $600,000 annually for cleaning and clearing streams to $500,000.

Section 7 proposed by the Senate and agreed to by the House is a constructive provision. It provides that in all reservoirs constructed by the Federal Government, lands may be leased where practicable, and that 25 percent of the rentals on the lands leased shall be expended for the benefit of the public schools and public roads of the county or counties in which the property is situated.

The amendments of the Senate covered projects on which reports were submitted by the Chief of Engineers following hearings before the House Committee on Flood Control and following the passage of the bill by the House on June 20, 1941. The conference report undertakes to embody the features of recommendation of the President as to the work of soil conservation.

Mr. WILSON rose.

Mr. WHITTINGTON. I may say one thing further. The report, as I have indicated, reduces the authorization for cleaning and clearing from $600,000, as proposed by the Senate, to $500,000, as agreed to in conference.

This is a unanimous report and I believe should be promptly adopted by the House.

I now yield to the gentleman from Indiana.

Mr. WILSON. The gentleman stated in his remarks that on July 3 the President suggested that they eliminate all projects which were not pertinent to national defense. I appeared before the Senate Commerce Committee trying to get them to eliminate Shoals Dam in the east fork of the White River, which will cost a minimum of $14,000,000 and which affects my district. I opposed it because it is not necessary for national defense.

Mr. WHITTINGTON. And that project will not be constructed, and is not included in the authorization, if that answers the gentleman's question because the gentleman will recall I also appeared before the Senate Committee on Commerce and called attention to the fact that projects not wanted or opposed would not be constructed because there are over $200,000,000 of projects elsewhere in the Ohio Basin which are badly needed and wanted, that have been approved by the Chief of Engineers, and are eligible for construction. The project the gentleman speaks of will not be constructed. Only $45,000,000 for the entire Ohio Basin is authorized. It is the intent of the bill that the project opposed by the gentleman is not included in the authorization.

Mr. CARLSON. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Kansas.

Mr. CARLSON. Do I understand from amendment No. 33 that the Federal law as it exists at the present time is broadened so that every State in the United where flood-control projects are undertaken will receive 25 percent of the funds received for leased lands in reservoir sites?

Mr. WHITTINGTON. The gentleman is quite correct. In other words where there are reservoir projects, the law provides that the Chief of Engineers may lease the lands in the reservoir sites, where they can be farmed and that 25 percent of the rentals are to be used for the benefit of the public schools and roads in the counties in which the lands are located.

Mr. CARLSON. Would it go to the State or would it go to the county?

Mr. WHITTINGTON. The funds will ultimately go to the local jurisdiction, whether it be a county or a district.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. COCHRAN. Somebody has been sending word to Missouri that the committees of the House and Senate were considering 30 dam projects in the State of Missouri. There is nothing of that

character in this report is there? The gentleman has many times assured me there is nothing to this statement, but I would like to know if there has been any change?

Mr. WHITTINGTON. There has been no change whatever of the description mentioned in the bill as it passed the House.

Mr. COCHRAN. The only thing that can affect Missouri is that provision with reference to the North Fork Dam; and that is not in Missouri but in Arkansas.

Mr. WHITTINGTON. That is not involved, because no change was made in the bill in the Senate.

Mr. COCHRAN. In reference to projects authorized in this bill, the money will not be appropriated until a later date; in other words, the money we have appropriated for the present fiscal year has all been allocated. Is that right?

Mr. WHITTINGTON. The gentleman is correct.

Mr. COCHRAN. Then none of the authorizations here will be active during the present fiscal year unless additional money is provided.

Mr. WHITTINGTON. The gentleman is correct.

The bill is so worded that neither the Congress nor the Executive yields control over the purse strings.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. RANKIN of Mississippi. This conference report does not disturb any provision that was approved by both the House and Senate, as I understand it.

Mr. WHITTINGTON. No; except as modified.

Mr. RANKIN of Mississippi. Especially with reference to the Mobile River and the Tombigbee River.

Mr. WHITTINGTON. No change was made respecting those rivers in the Senate or conference report.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. BROOKS. The Senate adopted a slight modification of the Bayou Bodcau project in the bill. Is that in the conference report?

Mr. WHITTINGTON. That was agreed to in the conference report.

Mr. DUNCAN. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. DUNCAN. I wanted to ask the chairman with reference to amendment 16, page 24, dealing with the so-called Liberty cut-off on the Missouri River, the Kansas City project.

Mr. WHITTINGTON. No; amendment 17, on page 25, affects the Liberty cut-off.

Mr. DUNCAN. That provision I believe was taken out of the bill but was agreed to in conference. Is that correct?

Mr. WHITTINGTON. The gentleman is correct.

Mr. LEWIS. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. LEWIS. I did not quite understand the statement made by the gentleman in regard to an amendment dealing with reclamation. Was that amendment approved in the Senate?

Mr. WHITTINGTON. One of the amendments proposed by the President of the United States would have given the Secretary of the Interior some control with respect to examinations and surveys with relation to reclamation projects. That was opposed, as I have stated. It was defeated in the Senate and it is not in the conference report. The amendment agreed to in conference is satisfactory to the reclamation States of the West, as I have previously stated.

Mr. LEWIS. It is not in the bill now.

Mr. WHITTINGTON. It is not, for the amendment proposed by the President was modified on the floor of the Senate and, as modified, is approved by the conference report.

Does the gentleman from California [Mr. ENGLEBRIGHT] desire time?

Mr. ENGLEBRIGHT. No; but I wish the gentleman would yield 5 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WHITTINGTON. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. WILSON].

The SPEAKER. The gentleman from Indiana is recognized for 5 minutes.

Mr. WILSON. Mr. Speaker, I know my constituents will appreciate the assurance given by the gentleman from Mississippi [Mr. WHITTINGTON], chairman of the Committee on Flood Control, that this project known as the Shoals Dam on the East Fork of the White River will not be built. I think I should explain why I have been so persistent in getting this assurance.

The building of this Shoals Dam would flood most of the good bottom land in four counties of my district. This bottom land supports much of our local government. The tax burden would necessarily be shifted to the ridge farmers, and they already are bearing all of the tax load they possibly can bear. Right now these farmers are very uncertain as to what the future holds for them. They hesitate to build barns, to build fences, to improve their land, not knowing what day the Government may come in and take it over. Some of you know the limestone industry has been more or less in the red for several years, which makes our Government and retail businessmen depend all the more on the farmers.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. WILSON. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I am sure the gentleman will recall that during the debate and during the hearings before the Commerce Committee, at which the chief of engineers was present, it was definitely stated that the gentleman's project would not be constructed under the terms of this bill.

Mr. WILSON. I thank the gentleman. I did not read that in the hearings before the Commerce Committee of the Senate, but I am glad it is there. It so happens that this project is one of a number of projects contained in the authorization known as the Ohio River Basin, therefore there is no place where you can put your finger on this particular project.

This bill authorizes $45,000,000 for this basin. Therefore, if the money is appropriated for the entire basin we will have the word of the committees left to assure us that this project will not be built as long as my people do not want it. I hope in the near future to get a substitute project, of many small dams in the tributaries which is the only way I can see of permanently disposing of this nightmare lurking in the minds of my people.

Mr. WHITTINGTON. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ENGLEBRIGHT].

Mr. ENGLEBRIGHT. Mr. Speaker, the additions that have been made by the Senate to the flood-control bill as it passed the House involve projects that have already been approved by the Chief of Engineers and are projects that would have been included in the bill by the House committee had the reports and data been available at that time. The other changes that have been made are technical and with the exception of the additions made by the Senate, the projects remain the same as in the House bill.

Mr. Speaker, I urge the adoption of the report and sincerely hope the House will act favorably on it.

Mr. WHITTINGTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Is there anything in this bill that has been amended by the Senate and in conference which authorizes the construction of the so-called South Channel project across Harsens Island in the St. Clair flats in the St. Clair River?

Mr. WHITTINGTON. There is no change made by the Senate to the bill in that respect.

Mr. Speaker, I yield such time as he may desire to the gentleman from Kansas [Mr. GUYER].

Mr. GUYER of Kansas. Mr. Speaker, I merely want to protest against the elimination of what is known as the Liberty Bend project at Kansas City, which leaves the city in great danger of flood.

The House wisely voted to keep the Liberty Bend project in as a part of a well-planned coordinate plan to control the floods that always have threatened greater Kansas City. Upon this plan the two cities of Kansas City, Mo., and Kansas City, Kans., happily united after the deliberate approval of the Army Engineers.

But in the other body this imperative and necessary step for adequate flood control for the two Kansas Citys and vicinity was eliminated. Against this short-sighted policy I wish to protest as strongly as I can, for, in my opinion, it sabotages to a material degree the other work already completed.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

SELECTIVE TRAINING AND SERVICE ACT AMENDMENTS

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, and I ask unanimous consent that the statement may be read in lieu of the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service act of 1940, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 5 (b) (1) of the Selective Training and Service Act of 1940, as amended, is hereby amended by inserting before the colon the following: ', or any enlisted man who has been or is hereafter honorably discharged from the Regular Army or the Coast Guard for the convenience of the Government within six months prior to the completion of his regular three-year period of enlistment'.

"SEC. 2. Section 5 (e) of the Selective Training and Service Act of 1940 is amended by adding '(1)' after '(e)', and by adding at the end thereof the following: 'Rules and regulations issued pursuant to this subsection shall include provisions requiring that there be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those men who have been classified by such local board.

"'(2) Anything in this Act to the contrary notwithstanding, there shall be deferred from training and service under this Act in the land and naval forces of the United States until Congress shall declare otherwise, the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted into the land or naval forces for such training and service, and (3) have attained the twenty-eighth anniversary of the day of their birth: *Provided*, That any of such men may after volunteering for induction be inducted pursuant and subject to the provisions of section 3 (a) of this Act: *Provided further*, That the Secretary of War shall, as soon as practicable and when not in conflict with the interests of national defense, release from active training and service under section 3 (b) of this Act, and transfer to a reserve component of the land forces for the same period and with the same rights, duties, and liabilities, as any other person transferred to a reserve component of the land forces under the provisions of section 3 (c) of this Act, regardless of his period of training and service, any person who has heretofore been inducted into the land forces under this Act, who requests such release, and who had attained the twenty-eighth anniversary of the day of his birth on or prior to July 1, 1941, and prior to such induction: *Provided further*, That any person so released under this paragraph who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of this Act.'"

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows: In lieu of the amended title proposed by the House, amend the title so as to read: "An Act providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, and for other purposes."

And the House agree to the same.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
FOREST A. HARNESS,
L. C. ARENDS,
Managers on the part of the House.

R. R. REYNOLDS,
ELBERT D. THOMAS,
LISTER HILL,
H. H. SCHWARTZ,
WARREN R. AUSTIN,
CHAN GURNEY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Senate bill

Section 1 of the Senate bill authorized the President, under such rules and regulations as he might prescribe, to provide for the deferment from training and service under the Selective Training and Service Act of 1940 of men who were liable therefor, had not been inducted into the land or naval forces, and who had attained the age of 28, on the first day of July 1941, or on the first day of July of any subsequent year.

Section 2 of the Senate bill extended the authority of the President under section 9 of such act to take over and operate certain plants in order to expedite the defense program. The extended authority was to apply (1) to any plant equipped for the manufacture of any articles or materials which may be required for the national defense or which may be useful in connection therewith, and (2) to any plant which, in the opinion of the Secretary of War or the Secretary of the Navy, is capable of being readily transformed into a plant equipped for the manufacture of any such articles or materials. The exercise of this extended authority was limited, however, to time of war in which the United States was engaged, or during the unlimited national emergency proclaimed by the President on May 27, 1941. In addition, in each case, the President was required to make a finding, after investigation, that the national-defense program would be impeded or delayed by an existing or threatened failure of production at the plant as a result of a strike, threatened strike, lockout, or other cause, that the exercise of the added authority was necessary in the public interest, and that where the existing or threatened failure of production was due primarily to a labor dispute there had been a failure to use existing Government conciliation and mediation facilities, or that the dispute had not been settled despite the use of such facilities. It was also provided that any plant with respect to which the extended authority of the President had been exercised would be returned to its owners whenever the President determined that the plant would be privately operated in a manner consistent with the needs of the national defense.

Section 3 of the Senate bill contained a declaration that complete cooperation between Government, management and labor is necessary, that strikes or lockouts in industries that impede or delay the national defense effort are contrary to sound public policy, and that strikes or lockouts in such industries in which either side refused to recognize arbitration and mediation and abide by the decisions thereof are condemned.

Section 4 of the Senate bill contained a further declaration that such complete cooperation can best be achieved by the wholehearted acceptance of the principles of collective bargaining, and the recognition of the rights of employees to designate representatives of their own choosing for collective bargaining purposes without interference through unfair or oppressive labor practices.

House amendment

The House amendment contained no provisions corresponding to sections 2, 3, and 4 of the Senate bill.

The deferment provision of the House amendment applied to the same persons as section 1 of the Senate bill, but deferment was made mandatory until Congress declared otherwise instead of being left to the President's discretion.

The House amendment also provided for publicity with respect to the classification of registrants under the Selective Training and Service Act of 1940. A list of all the men classified by each local board was required to be posted in a conspicuous place at the board's office, together with a brief statement of the reasons for each classification. Further publicity was also required with the President determining the manner of publication of such lists.

The House amendment also provided for a peacetime exemption from liability to serve under such act in the case of men discharged from the Regular Army for the convenience of the Government within 90 days before the completion of a 3-year enlistment period.

Conference report

The first section of the conference report extends the peacetime exemption from liability to serve under the Selective Training and Service Act of 1940 to men honorably discharged from the Regular Army or the Coast Guard for the convenience of the Government within 6 months of the completion of their 3-year enlistment period.

Section 2 of the conference report provides that rules and regulations providing for deferments include provisions requiring that there be posted in a conspicuous place at the office of each local board a list setting forth the names and classifications of those men who have been classified by such local board.

Section 2 of the conference report also provides that there shall be deferred from training and service until Congress shall declare otherwise, the men who, on the 1st day of July 1941, or on the 1st day of July of any subsequent year, (1) are liable for such training and service, (2) have not been inducted, and (3) have attained the twenty-eighth anniversary of the date of their birth. Such men are permitted to volunteer, however, and be inducted as volunteers subject to existing provisions of law relating thereto.

Section 2 of the conference report also provides for the release by the Secretary of War, as soon as practicable and when not in conflict with the interests of the national defense, of the men who have heretofore been inducted into the land forces under the Selective Training and Service Act of 1940, who had attained the 28th anniversary of the day of their birth on or prior to July 1, 1941,

and prior to their induction, and who request such release. Any person so released is to be transferred to a reserve component of the land forces for the same period and with the same rights, duties and liabilities as any other person transferred to a reserve component of the land forces under section 3 (c) of such act, and any person so released who, in the judgment of those in authority over him, has served satisfactorily is entitled to receive a certificate as provided in section 8 of such act.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
FOREST A. HARNESS,
L. C. ARENDS,
Managers on the part of the House.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. HARNESS].

Mr. HARNESS. Mr. Speaker, this conference report comes back by unanimous agreement of all conferees. The so-called Connally amendment, which we voted down here so decisively last week, has been completely eliminated from the report.

The conferees, however, did accept a proposal of the Senate conferees which dealt with a certain group of draftees between the ages of 28 and 36 now in the service. I am in hearty agreement with that proposal, but it does not go quite far enough to suit me. In other words, we have in the service now about 125,000 selectees between the ages of 28 and 36. This proposal of the Senate conferees directs the Secretary of War to discharge these men from the service as soon as practicable.

It also provides that as soon as these men are discharged from the service they go into a reserve component of the Army. However, by another provision of the report, all men between the ages of 28 and 36 who have not yet been inducted are deferred until the Congress shall declare otherwise. Now, as soon as these 125,000 men who have already been inducted under the act are discharged, they go into the reserve and may be called by the Chief Executive as a reserve component at any time the President deems it necessary; yet all the other men in the country within the age limits of 28 and 36 cannot be inducted into the service except by an act of Congress. Therefore I contend that this is a discrimination against this small group of men who happened to have been inducted under the Selective Service Act. I had hoped they might agree in the conference that this group of men would be dealt with the same as all the other men in the same age group, but they did not see fit to accept my proposal to do so. We did the best we could and took what we could get. The conference report, I believe, except in the particular mentioned, is satisfactory and I hope it will be adopted.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, will the gentleman yield for a question?

Mr. HARNESS. I yield to the gentleman from New York.

Mr. WILLIAM T. PHEIFFER. The gentleman will perhaps recall that I worked very strongly for the so-called Elston amendment when this bill was first before the House; consequently, I see eye to eye with him on the justice of releasing the men between 28 and 36.

The question arises under this conference report as to the fate of the men who after July 1, 1941, but before their induction, become 28 years of age. To be specific, I have an exact case in my district of a young man who will be 28 years of age on the 12th day of this month. He is scheduled for induction, according to his local draft board, on the 26th day of this month. What will be his status? Will the War Department apply this rule to a case of that sort and defer him, or will he have to be inducted and subsequently released and put in the reserve component?

Mr. HARNESS. No; the provision in this conference report automatically defers every man who is 28 years of age or over on the 1st day of July of this year, and they cannot be called until the Congress declares otherwise.

Mr. WILLIAM T. PHEIFFER. But my man was not 28 on the 1st day of July. He will not be 28 until August 12.

Mr. HARNESS. Then he is subject to the draft. The age dead-line date is July 1, 1941.

Mr. WILLIAM T. PHEIFFER. It occurs to me that some provision should be made for those cases, however, where they become 28 before they are actually inducted, because obviously they go into a service from which men in that age group are being rapidly weeded out; yet by virtue of the fact that a few weeks after July 1 they pass their twenty-eighth birthday they are required to serve.

Mr. HARNESS. I believe those in charge of the Selective Service Act will do their utmost to carry out the intent and spirit of the act and eliminate hardships wherever possible.

Mr. WILLIAM T. PHEIFFER. I am hoping that is the spirit of the conference report.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the gentleman from Indiana has made a very fair statement of the result of the conference. All I desire to say with respect to those men who are in the service and who were inducted under the provisions of the Selective Service and Training Act and are now over 28 years of age is that they go back into the Reserve, as he has stated, and may be subject to call at any time in the future unless the Congress declares otherwise.

As to those who are 28 years of age now, none of them are being inducted into the service, and those who were registered and were over 28 on the last day of registration are being deferred and not inducted.

The committee of conference had nothing left to consider, by virtue of a couple of votes of this House, except the deferment of men under the Selective Service and Training Act.

May I state on my own behalf that I undertook in the very beginning to separate the provisions relating to labor legislation—that is, to strike legislation—from the Selective Service and Training Act? I was unable to do it. The House has eliminated it all.

This bill has made two trips through the House, and I do not believe the time of the House ought to be consumed by further discussion of this bill.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield for a question?

Mr. MAY. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Assuming a draftee was less than 28 when he was taken into the service, and some time in this coming year he becomes 28, does this amendment reach him?

Mr. MAY. If he becomes 28 on the 1st day of next July, he is then subject to discharge, or if he is over 28 he may be discharged on his own request if and when the Secretary of War determines that his discharge will not impair in any way the national defense or the service.

Mr. ROBSION of Kentucky. That is the case about which the gentleman is speaking, where he goes in before he is 28?

Mr. MAY. Yes.

Mr. ROBSION of Kentucky. Then he may be discharged after he is 28?

Mr. MAY. On his own request, if he is 28 years of age and if his discharge will not impair the strength of the Army.

Mr. ROBSION of Kentucky. I thank the gentleman.

Mr. MAY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL CLERK FOR THE MAJORITY LEADER

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 289), as follows:

Resolved, That until otherwise authorized by law there shall be paid out of the contingent fund of the House of Representatives the sum of $2,000 per annum, payable monthly, as compensation to an additional clerk for the majority leader, to be appointed by the majority leader.

The resolution was agreed to.

PENNSYLVANIA TURNPIKE

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, many Members of this House have believed in building our highway system to a place where it would not only take care of our civil needs but would fit into the defense picture. I have believed for many years in having superhighways. I have checked the revenue figures on the Pennsylvania Turnpike to see whether that road was amortizing over each 30-day period the amount which has been placed into its construction. I have received the figures

for July. The road brought in $390,000 and it took but $180,000 to amortize the construction cost and keep the road operating for that period. Mr. Speaker, this indicates clearly that it pays to extend such highway construction. People will support modern, safe, and high-speed travel arteries.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

FRED WEYBRET, JR., AND OTHERS

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1852) for the relief of Fred Weybret, Jr., and others, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. McGEHEE, WEISS, and WINTER.

EXTENSION OF REMARKS

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an editorial from the Saturday Evening Post.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therewith certain tables.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ARENDS. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. Evidently, a quorum is not present.

Mr. SABATH. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 100]

Anderson, N. Mex.	Douglas	Kramer
Baldwin	Doxey	Landis
Bates, Ky.	Flaherty	McArdle
Beiter	Fulmer	McGranery
Bland	Gale	Maas
Boren	Geyer, Calif.	Maciejewski
Buck	Grant, Ala.	Magnuson
Buckler, Minn.	Harrington	Merritt
Byrne	Harris, Va.	Mitchell
Byron	Hook	Nichols
Cartwright	Houston	O'Connor
Case, S. Dak.	Izac	O'Day
Celler	Jackson	O'Hara
Collins	Jenks, N. H.	O'Neal
Connery	Johnson, Okla.	Pfeifer, Joseph L.
Crosser	Johnson, W. Va.	Plumley
Rankin, Mont.	Sacks	Somers, N. Y.
Reece, Tenn.	Sasscer	Spence
Robertson, N. Dak.	Scott	Thomas, N. J.
Robinson, Utah	Scrugham	Vreeland
Romjue	Shafer, Mich.	Wheat
Rutherford	Sheridan	White
	Smith, Pa.	

The SPEAKER. On this roll call 364 Members have answered to their names, a quorum.

On motion of Mr. SABATH, further proceedings under the call were dispensed with.

PROPERTY-REQUISITION BILL

Mr. SABATH. Mr. Speaker, I call up House Resolution 287.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Military Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SABATH. Mr. Speaker, I take it for granted that the gentleman from New York [Mr. FISH] desires some time on the rule.

Mr. FISH. The gentleman as usual is correct.

Mr. SABATH. Mr. Speaker, this rule makes in order the bill (S. 1579), the so-called property-requisition bill. The matter is not new to you gentlemen. It has been before us in various forms and I am pleased and wish to congratulate the Military Affairs Committee upon the fact that they have finally agreed on a bill that we can all support.

The rule provides for 2 hours of general debate and is an open rule giving the Members the right and privilege of offering amendments, debate the amendments, and then have a vote on such amendments. I myself am pleased with the action of the committee on yesterday because the question of appraisal and payment for property that might be taken under this bill has been adjusted in a manner that I feel will be just to the Government as well as to those whose property may be requisitioned.

After several hours the Military Affairs Committee, in conjunction with some of the members of the Rules Committee, agreed on this amendment which I feel should satisfy all those who were fearful that the owners of small properties that might be taken over, might not receive fair compensation for such property or for such damage as they might sustain. They have agreed on this amendment which should satisfy everyone and which will be offered by the chairman of the Military Affairs Committee:

Whenever the President shall requisition and take over any article or material pursuant to the provisions of this act, the owner thereof shall be paid as compensation therefor such sum as the President shall determine to be fair and just. If any such owner is unwilling to accept, as full and complete compensation for such article or material, the sum so determined by the President, such owner shall be paid 50 percent of the sum so determined by the President and shall be entitled to sue the United States for such additional sum as, when added to the sum already received by such owner, such owner may consider fair and just compensation for such article or material, in the manner provided by section 41 (20) and 250, title 28, of the Code of Laws of the United States of America.

Of course, the bill refers to "the President," and if he could pass on all questions as to what would be fair and just compensation I would be happy and contended, but, unfortunately, it will be the Army officers who will have this duty to perform and those of us who have been here for a rather long period of time fully appreciate how unfair some of these military officers are with the smaller fellows when they have any business to transact with the War Department. However, I hope in this case justice will be done and it will not be necessary for the President, through the War Department, to requisition any property. I feel that the country must recognize that we must do all in our power to properly provide for America such defense as will preclude any danger to us.

Mr. Speaker, I regret exceedingly the attacks that are being made from day to day upon the administration and against Russia. Why many of these men make these charges and unfair attacks I do not know. If they knew the conditions, and were familiar with what is transpiring, and had the interest of America at heart—and I know they are honest and have the interest of America at heart—I know they would not take this attitude; but they make these charges from time to time because they want to criticize something or somebody. Instead of continuously criticizing Russia, they should applaud and approve of her splendid defense of her country. Russia is not at this time fighting for bolshevism. Those people are fighting for their homes that have been theirs for centuries. They are fighting for their land and for their country. Because at this time they happen to have a form of government that we do not approve is no reason why we should take an unfriendly attitude.

We should leave to the Russian people the kind of government they want, because I firmly believe that shortly they will have a democratic form of government that will give the great people of Russia the liberty, freedom, and justice that they have sought for centuries. Today, I repeat, they are not fighting for bolshevism, but for their land and for their homes. I hold in my hand a release which I have just received from the Slavonic Committee for Democracy, of New York, carrying an article by Col. Andrew Kalpaschnikoff, who holds the degree of Doctor of International Law from the Sorbonne of the University of Paris. An American citizen of long

standing, he was as a diplomat, attached to the Russian Imperial Embassy in Washington. During the great World War he was a colonel with the Siberian troops, wounded in action and awarded the Cross of St. George and other decorations in the field. A prisoner of Trotsky, Colonel Kalpaschnikoff was imprisoned in the fortress of St. Peter and St. Paul, sentenced to death by the "reds," escaped and arrived in the United States. He is the author of several books of note on Russia, is intensely and actively pro-Allies and takes a major interest in all-out aid to Great Britain, Russia, and other nations fighting the Nazi menace. Certainly he is not a Bolshevist nor a friend of Stalin. I shall not include in my remarks his complete article, but extracts therefrom, which I quote:

Adolf Hitler's mechanized blitzkrieg is doomed to failure.

First, because the Nazi troops are not fighting the Communists, the "reds"—they are fighting a determined Russian people—a people who for more than 500 years have in times of national emergency, rallied to the defense of their land and their homes.

Second, because "General Mud" of the Russian roads and "Admiral Flood" of the Russian rivers, aided by Russia's old men and women and children, will halt and immobilize the German invaders and their modern war machines long enough to give the regular troops of Russia time to defeat and capture Hitler's marauding murderers.

Such always has been the fate of all enemies who have violated Russia's soil with the object of conquest.

* * * * *

The Russians fighting today are the same Russians, in spirit and purpose, as those who followed Alexander Nevsky, Russian national hero and saint (1220–1263), the same heroes of the Battle of Kulikov (1380), and of the Battle of Borodino, an engagement in which two of my uncles were killed.

Russia's soldiers, at this time so erroneously called the "red" army by some newspapers, now are the national Slavonic defenders. They hear not the voice of Karl Marx; their real ideal is the soil, their soil.

The strength of the Russian soil, a strength which electrifies the people of Russia and creates in them a supersentiment and emotionalism, is dismissed too lightly by many of the desk strategists of the press. Every Russian is ready and willing to fight and die for Matouschka Zemlia—Mother Earth.

There is something comforting, profound, inspiring, and touching to every Russian in that warm, black soil which many Russians, on their knees, have kissed. Mother Earth gives to the Russian peasant not only the sentiment of true worship but an almost supernatural power which enables him to accomplish deeds seemingly impossible for the everyday man.

The serfs of the old days in Russia would say to their landed proprietors: "True, our work, even our physical bodies, belong to and are controlled by you; but the earth is ours."

Hundreds of thousands of brave Russians today are giving their lives for Mother Earth, for a basic ideal that is spreading all through the Slavonic lands of Europe, far beyond the frontiers of Russia proper—a basic ideal that carries with it all the magnificent elements of strong, vital liberty—liberty as expressed in our own American civilization.

Russia's fight for independence and liberty for her future generations must create an invincible barrier against Axis totalitarianism; such a force must lead the world to permanent peace of the people, by the people, for the people.

Josef Stalin? He may still be sitting in the Kremlin giving orders for the defense of Russia but he is just a pawn in the hands of historic destiny.

* * * * *

Many people ask me:

"When is the Soviet government going to be overthrown? Why not organize, or at least sympathize with, a plot engineered by immigrants and amateur politicians?"

To the latter suggestion my answer is "No."

Let the victorious Russian people, who are fighting for their lands and their very existence, take care of themselves. They have recaptured their ideals and they realize once more that the soil of Russia is sacred. Surely they know their problems better than do we, sitting here in America. They know where the path of liberty lies; they are marching triumphantly to their real destiny, the free destiny of Russia, a destiny which cannot long be a bedfellow of communism.

When Hitler began his attack on Russia, throwing his so-called invulnerable panzer divisions against the Russian peasants, I had the temerity to say, "They shall not pass!"

This was on the second day of the Nazi-Russian war, when alleged authorities on Russia were exerting themselves over the American radio and in the American press to explain to the American public how quickly these poor Russians would be gobbled up

* * * * *

How disgusted I was to turn on my radio and to learn from some commentator that it would be a matter of a week or 8 days. God made the world in 7 days; Hitler will not conquer the Slavs in 7 days, weeks, months, or centuries.

Let us forget for the moment the pathetic examples of Norway, Denmark, Holland, Belgium, Poland, and France, swallowed by Hitler in 36 days, and examine what these "worthless, despised Russian peasants" have done to Hitler.

The Russian Army still is intact. Russian aviators still are bombing Germans and German positions. The Nazis are complaining openly that the Russians have too much courage and too many strategic tricks.

True, Russian casualties are heavy. Probably wounded and dead Russians outnumber daily more than the other belligerents fighting Hitler have lost in the whole war.

Yet, the peasant soldiers of the plains of Russia have given two magnificent examples to the world, examples that will remain shining beacons in the history of civilization. They have created a front called the perpetual Verdun and they have started a partisan war which obliterates and overshadows even the noble exploits of General Kutuzov in the campaign of 1812.

The strong spirit of liberation of the Russians has not stopped in the plains of the mother country. Here and there one sees items in the newspapers showing that parachutists are being dropped by the Russian Army in Bulgaria, Yugoslavia, and everywhere in the Slavonic countries. Except regarding the parachutists who have been dropped in Rumania to destroy the oil fields supplying the German Army, one hears little about the activities of the Russian parachutists in other sections. They seem to melt in the pot but their indomitable spirit, their machine guns, and the Slavonic sympathizers who are concealing them from the German authorities daily are being better organized. Soon the tremendous Russian-Slav network will spread all over the occupied countries, ready to touch a spark to the Balkan powder keg where all the Slavonic brothers are waiting, ready to rise against the Nazi oppressors.

When, in the middle of the dark night in some remote Serbian village, a fatigued parachutist knocks on the door of a humble cottage, his Slavonic friends do not ask him if he has a pass from the Communists; they shelter him without question because they feel that he is a Slav brother who, through his heroic deed, is bringing to them the first inkling of a hope that is growing more and more in the hearts of all Slavs and all civilized people who pray for the victory of democracy.

Let us, then, once and for all, consider the great qualities of the Russians and appraise them at a just value; call the Russian soldiers not "reds" but the "V" knights of a coming victory of righteousness over vicious plunder and murder; call them the torch bearers of all free people of the world, Russian soldiers fighting for freedom and liberty against the unscrupulous and despotic invaders, fighting for democracy, the democracy that makes America the land of the free.

Mr. Speaker, this liberty-loving soldier, statesman, and Slavic patriot, knows the Russian people and he has no love for Stalin. He clearly states that it is for the best interest of the world to give such aid and assistance to Russia, not to help communism, but to help the democracies of the world. I feel that Russia is performing a great service for the world by fighting Hitler and Hitlerism, saving Great Britain and saving us from being obliged to fight Hitler and Hitlerism. I believe that by the defeat of Hitler by Great Britain, with the aid of Russia and the other countries, we will be saved in being forced to defend our freedom and our liberty.

Therefore, I hope that in the future, instead of offending a people fighting against Hitlerism, that we will applaud their brave, courageous, and honest efforts in behalf of the democracies of the world.

Oh, I appreciate that some will criticize my remarks when I urge, in the interest of Great Britain, to whom we have pledged our aid, that we should desist in assailing and attacking a country that is doing even more than we are to aid Great Britain in its struggle. Yes; I appreciate there will be some who will say we are trying to help Stalin and bolshevism. These statements may appeal to some and may be even applauded by some former pacifists and appeasers, but all honest, intelligent Americans will recognize the great services that this, to some, despised country, Russia, is rendering to Great Britain and the democracies of the world. In that connection, I am going to ask these attackers, assailants, and appeasers, would you, if attacked by a strong, unscrupulous, and well-armed assailant, refuse the aid of a man, it matters not whom he might be, who came to your rescue? Surely not. You would appreciate his help and assistance and be grateful to him.

Mr. Speaker, I have an extract here from an editorial appearing in the Christian Science Monitor of July 25, 1941, which I wish to insert at this point. It reads:

Too long has the effort been made to win isolationists over by talking in terms of self-interest. The self-interest exists; but there is a higher and entirely valid argument of international good citizenship. This does not mean meddling or crusading or being an international busybody, but it does mean throwing the Nation's weight decisively on the side of the greater right in a contest which will determine not only geography but

international morality or immorality for a generation to come.

I feel that if this extract from the editorial were digested by the Members of the House they would come to the conclusion that the administration and we are pursuing the right course, the only course that we can follow in giving such aid and assistance as is possible to Russia. I am satisfied that if proper aid is given to Russia that it will be much to our advantage, and I do not mean by that that we should donate to them to the extent that we have to Great Britain. Please remember that all Russia has asked or sought was the privilege of buying and paying for machinery, tools, and items which they need in their defense and again, I repeat, not for bolshevism, but for the defense of their country, their lands, and their homes.

Mr. Speaker, in March 1938 I called attention to Hitler's plan and program, namely, to take Austria, Sudetenland, Czechoslovakia, the Polish Corridor, Danzig, Poland, Rumania, other adjoining countries, and the Ukraine, and that with the discord in France he might defeat that country, and, if successful there, might try to bring about the defeat of Great Britain. I further pointed out that if he accomplished his aims he would be in position to attack the Americas. Unfortunately he has occupied most of these countries and was on the verge of bringing about the dismemberment of Great Britain had it not been for our aid, and, even with our aid, there was a question as to how long Great Britain could resist. It was for that reason that at that time I urged the cessation of attacks upon Russia and urged more friendly commercial relations with that country, knowing full well that Russia and the leaders of the Slavic nations would not permit Hitler to control all the Slavic countries. It should be remembered that Russia was ready to come to the defense of the Czechoslovak Republic, and would have done so if it had not been for the great appeaser, Chamberlain, and the unfortunate refusal of the then Nazi-influenced Polish Government, which was swayed by Hitler, in refusing to permit the Russian Army passage through that country, for which refusal, unfortunately, poor Poland has paid dearly.

Mr. Speaker, I know the Slavic peoples of Europe. I know they have fought for centuries for their freedom and their liberty and, because temporarily the largest branch of the Slavic people, Russia, has a government which is not to our liking and, especially to the liking of the special capitalistic groups, it does not signify that if given an opportunity that they will not have a real democratic form of government, the same as advocated and fought for originally by Masaryk, Paderewski, and yes, by Kerensky. Knowing these facts, I again, 4 months ago, urged that we should not deny a continuation of our friendly commercial relationship with Russia. I was then attacked by Father Coughlin's publication Social Justice, but I felt I was doing my country a duty and was advising a course to be pursued, not especially in the interest of Russia but, in the first place, in the interest of my own country. I am just as much opposed to communism and some of the acts of the Communists as anyone in this House, but I know that gradually, within the last year and a half, a change has taken place in that great country and that change is for more freedom and a better life.

I was at all times satisfied, even if Stalin was obliged to yield to Hitler, that he was not desirous of doing so, but was compelled to do so by reason of the fact that Russia at that time was not prepared to resist or defend itself against the most powerful Nazi mechanized army and air force, and what he has done any man who had the interest of his country at heart would have done to gain time and to prepare, and this he has succeeded in doing. The Nazis, Fascists, and appeasers continuously assail and attack him and his cause, and some say that he has double-crossed the loving and God-fearing Adolf Hitler. Please understand, I am not defending his cause, but it is manifestly unfair to assail and attack him and indirectly approve of Hitler's murderous and atrocious activities and forgetting his inhuman treatment of thousands of men, women, and children, including Jews, Catholics, and Protestants who have been thrown into concentration camps, penitentiaries, and jails because they persisted in worshiping God. I wish that the membership would read the unbiased reports on the activities of this greatest blood-thirsty tyrant, Hitler. In the last few months I have read many articles about Russia and Stalin, about nazi-ism, fascism, and Hitler, and I feel if you gentlemen digested these unbiased reports of outstanding disinterested Americans of the inhuman Nazi and Fascist barbaric treatment of the subjugated peoples of the occupied countries such as Poland, Holland, and all the other countries, you, like myself, would advocate that we owe it not only to our country but to humanity to put an end to the ambition of this inhuman vulture for conquest and control of the world, and would continue to stand by the President in his effort to give all possible aid to Great Britain, Russia, and China. We must not be overconfident because of the herculean efforts on the part of Great Britain and Russia but our duty is to continue to aid them in crushing the scourge of humanity.

Ladies and gentlemen of the House, you must have read lately of the extent of the Nazi and Fascist activities in Central American countries, including Mexico, and if all the facts were known to you, the resolution and the bill now before you would pass without any opposition. In this connection I desire to call to your attention the reported talk of Dr. Hermann Rauschning with Hitler, who was for years in the inner circle of Hitler and who became the president of the senate of Danzig. I quote partly from his talk with Hitler, which has never been denied:

HITLER SAID, ACCORDING TO HERMANN RAUSCHNING, IN HIS PUBLICATION, THE VOICE OF DESTRUCTION

Generals! Pshaw; generals! I do not follow them. They obey my orders because generals want to fight on the field of honor like knights of old, but I will use all methods that will carry out my plans, and my troops will suddenly appear in the streets of their capitals.

My troops will appear in the streets of their capitals suddenly, and they will be fully uniformed and armed, and no one will stop them.

Speaking of South America, Hitler said:

"We shall create a new Germany there. We shall find everything we need there. There," he exclaimed, was "a corrupt mestizo state," which, by revolution could—this was in 1933—be transformed into a German dominion in a few years.

"Besides, we have a right to that continent, for the Fuggers and Welsers have possessions there. The time has passed for us to give place to Spain and Portugal.

"With the United States," Hitler asserted confidentially, "the Latin Americans are fed up; they know they are being exploited by them, and had nothing to expect from them for the development of their country.

"Our congratulations, my dear von P." (who was present), he said, "we have a more difficult task than the original ones, and for this reason have more difficult weapons.

"We shall make them a gift; our philosophy," said Hitler, "if ever there was a place where democracy is senseless and suicidal, it is in South America. They must be enabled to throw both their liberalism and their democracy overboard.

"But we must send our people out to them," said Hitler, and when he says something like that it is jotted down on the cuff as an order. "Our youth must learn to colonize. * * * Audacious youth is what we want. They need not go into the jungle, either, to clear the ground. What we want is our people in good (South American) society.

"Both my dear von P.," Hitler interrupted impatiently. "We require two movements abroad, a loyal and a revolutionary one. Do you think that so difficult? I think we have proven that we are capable of it. We should not be here otherwise."

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman.

Mr. KEEFE. I have listened attentively to the gentleman's remarks, and I would like to ask him this question: Do I understand that you are attempting to justify the passage of the bill now before the House on the ground that it is necessary to furnish additional help to Russia?

Mr. SABATH. I am trying to justify the passage of the bill, because it will aid our Government in obtaining the necessary implements and machinery, if need be, for our defense, and in view of the fact that Russia and Great Britain are fighting our fight, trying to bring about the defeat of nazi-ism and Hitlerism, that has been recognized by all students and historians that there is a danger and aim on the part of Hitler if he should defeat Great Britain, the next step would be to attack the Americas, not only South America but our country, and if you are not satisfied I will ask you to read the report by Hermann Rauschning and what Hitler said to him, and what he said to von Papen, and what he said to others that America is next, after he will have defeated Great Britain. Therefore, I am in favor of giving Great Britain or any other country, it matters not which it is, all the aid we can give to save being forced to fight him, as long as we can give them that aid which will bring about his defeat and

thus save us the necessity of protecting ourselves against his outrageous and criminal efforts to dominate the world.

Mr. KEEFE. Will the gentleman yield further?

Mr. SABATH. Yes; I yield.

Mr. KEEFE. Do I understand the statement the gentleman has just made is intended to be an answer to my question?

Mr. SABATH. Why, of course. If the gentleman does not understand me, I am sorry, but he is an intelligent man. Of course, I know from what State he comes, but that is not the state of his mind. But I appreciate his reason for asking me to yield to him and I hope I have made it clear. Yes; I say to you that in view of the fact that Russia is aiding Great Britain and we are aiding Great Britain, we should also aid those who are aiding Great Britain.

So that the gentleman from Wisconsin and all may understand, as I have stated, we have not only pledged ourselves but have voted to give all possible aid to Great Britain to enable it to combat Hitler. Whether the Nazis, Fascists, and pacifists in this country will admit it or not, all who are familiar with Hitler's aims, know that if he should succeed in defeating Great Britain, the South American countries and our country would be next in line for his attempted attack and conquest. The American people are against war. They are against sending their sons across the seas. So am I. For that reason I want to give Great Britain and Russia, who are now fighting Hitler, all possible aid, which does not mean that we are helping communism, but that we air aiding Great Britain and thereby protecting ourselves against being forced to defend ourselves and sending our boys to fight. Every one who is sincere must concede that the defeat of Hitler by Great Britain and Russia will prevent our involvement and, therefore, I repeat, extend all-out aid for those fighting for freedom and liberty.

Mr. Speaker, I reserve the balance of my time and I now yield to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I yield myself 10 minutes.

I admit that 10 minutes is not sufficient to answer the speech which the gentleman from Illinois has just made on Soviet Russia and communism. I do not know what either have to do with the present bill; perhaps the present bill is supposed to be an example of communism in America, and therefore we must wander away over to Soviet Russia in order to find some reasons to support the bill. I do not really believe the gentleman meant that, but I do know that the American people have some strong views in regard to communism and Soviet Russia, as they have of nazi-ism and Nazi Germany. Their attitude, regardless of party, whether they are Democrats from the South or Republicans from the North and West, their attitude is the same—a plague on both their houses; on nazi-ism and communism. We do not propose to compromise with either one.

Mr. SABATH. Mr. Speaker, will the gentleman yield right there?

Mr. FISH. We are not alining ourselves with Godless Soviet Russia and communism, to make the world safe for communism. Ninety percent or more of our people are uncompromisingly against all forms of communism, whether in America or in Soviet Russia.

It is an amusing and confusing situation. A few years ago we were told that our frontier was at the Maginot Line or on the Rhine. Now we are told that our frontier is on the Bug River somewhere in Russia, or maybe at the Communist headquarters at Moscow, and soon someone will get up in Congress and say that this is our war because Russia is in it and we must go in and fight for bloody-handed Joe Stalin, communism and world revolution. That is the logical thing for the next speaker to say.

Mr. SABATH. Will the gentleman yield?

Mr. FISH. Oh, I always yield to my colleague.

Mr. SABATH. I do not know whether the gentleman was on the floor or not. I said this is not a fight for communism. This is the fight of the Russian people for their homes, for their lands, for which they have been fighting for 500 years, regardless of Stalin; and that the gentleman who has made the matter clear to me was a former officer in the White Army, and he stated so, that it is not because of love of communism or Joe Stalin, but the Russian people who are fighting this fight, and for the time being Joe Stalin is in power.

Mr. FISH. I just want to answer the distinguished gentleman. The Russian people have nothing to say about their foreign policies. They have no voice or vote in their own government. Communism and Communists alone control the lives of 170,000,000 Russian people, and when they fight they fight for communism and for world revolution, and we do not want any part or parcel of either.

I think I represent the views of most of the American people, when I say let the Nazis and Communists fight it out and let them continue to fight, and the longer they fight the better it is for us and the peace of the world.

Mr. KNUTSON. The chairman of the Rules Committee stated that this bill would help in the preservation of Russia. I also understand it would help in the preservation of the hundreds of cemeteries that Stalin is responsible for.

Mr. SABATH. Oh, Mr. Speaker, that is just poppycock.

Mr. FISH. I do not yield further.

Mr. Speaker, I believe I voice the sentiment of both sides of the House when I suggest that we offer free transportation to all the alien Communists and all the native-born Communists in America, free transportation on the steamship *West Point* over to Soviet Russia and give them a chance to fight there for the "red" flag, Joe Stalin, and world revolution on the condition that they stay over there, and do not come back to America.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. PIERCE. Am I to draw the conclusion from the gentleman's statement that it does not matter to us who wins on the Steppes of Russia?

Mr. FISH. I think the best thing that could happen on the vast Steppes of Russia would be to have the Nazis and the Communists continue to fight it out to a finish and destroy each other. That would be the best thing for peace in the world and for the restoration of free governments and independent nations in Europe.

Mr. PIERCE. Then we are not interested in the outcome?

Mr. FISH. Not if they will continue to fight amongst themselves. If they destroy themselves that is the best thing not only for America and for the world, but for free government everywhere.

Mr. PIERCE. I am astonished at the gentleman's statement.

Mr. FISH. I think that is pretty sound advice in a world weary of both nazi-ism and communism.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. RICH. The conclusion of the report on this bill to requisition private property states:

> Never before in the history of this Nation has a major mobilization been undertaken in times of peace. It is imperative that the Government have authority to draft property as well as men.

In the gentleman's judgment, should we in time of peace conscript men? Should we conscript property and then become just like Russia, communistic?

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. COX. Does the gentleman know of any real need for this measure? In other words, are there those holding property which the Government wants who refuse to work or to transfer the property upon the payment of fair compensation? In other words, is it the real purpose of the measure to empower the President to secure property the Government needs, or is that mere pretense and the real purpose to enlarge and extend powers the President already has?

Mr. FISH. I would rather answer the gentleman in detail than categorically on that particular and specific question. The original bill was an abomination of desolation. It was sheer national socialism—bringing it to America as an administration measure and asking the Congress of the United States to approve it. It provided for the seizure of practically everything of all kinds, character, and description; of stocks and bonds; of the money in your pocket; of your penknife; all in the name of national defense; and to use an expression of the gentleman from Georgia, even to take the gold right out of your teeth. That was the form of the original bill. It was sheer unadulterated national socialism presented to Congress in the name of national defense by the administration.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. FISH. Certainly; I yield for a brief question.

Mr. MAY. Does not the gentleman believe the committees of the Senate and the House have done a pretty good job in eliminating the vicious features of the original bill and that the bill which we have now before us is really a good bill?

Mr. FISH. That is just what I am coming to. As I told the gentleman from Georgia the original bill was an abomination. The House admits it. It was nothing but sowing the seeds of national socialism in America. The committee has drastically amended the bill, and there is still room for improvements. I am only talking under the rule on the general proposal and not on the specific merits or demerits of the bill. I propose, however, to ask that members of the Committee on Military Affairs, both on the majority and minority sides, explain the bill in detail as amended. The House is entitled to all the facts. The committee members have examined the provisions of the bill and should tell the House how far it goes and how far its powers go. Are there any hidden powers that we who are not members of the committee do not know about? It is the duty of the Committee on Military Affairs to explain the bill and the needs for the legislation. I understand the gentleman from Illinois [Mr. DIRKSEN], who has studied this bill in detail will give his reasons under the rule for his opposition to the proposed measure. I prefer not to try to do it for, frankly, I do not know the answer. I know only that this is a modified property seizure bill and is a much better bill than the original one.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 2 additional minutes.

I do not know whether these additional grants of power are necessary. I do not know if there is anything at all that the administration cannot get at the present time. However, I prefer to rely on the members of the committee to analyze the bill, to break it down and show the House whether the administration needs this bill at all, or if the bill needs amendments.

This bill, of course, is a step in the direction of national socialism. It may be only a partial step, but it is a step. The House must decide itself regardless of politics whether it is necessary. I am not prepared to answer that, and there is no reason why I should.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. GIFFORD. The committee amendment to the bill reads:

> That recovery shall be confined to the fair market value of such articles or material, without any allowance for prospective profits, punitive, or other damages.

In other words, recovery shall be confined to the fair market value of the thing seized without any allowance for prospective profits. Take the case of the seizure of a machine which is absolutely necessary to the business of the company or individual who owns it. The Government takes it. The original owner cannot get another to take its place. They are already obligated to fulfill contracts. There are bound to be damages that ought to be paid. Does not this expressly refuse to pay any damage of that character?

Mr. FISH. I would rather leave that to be answered by some member of the committee during the discussion of the bill.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. FISH. Does the gentleman want to answer the question?

Mr. HALLECK. Yes; I would like to answer the question.

Mr. FISH. I yield to the gentleman for that purpose.

Mr. HALLECK. In the Rules Committee I raised that very same question, and the Military Affairs Committee has drafted an amendment which will provide that fair and just compensation be paid.

Mr. GIFFORD. But it is not in here.

Mr. HALLECK. It is not in the bill. It will be offered by the committee.

Mr. FISH. The committee proposes to offer that as an amendment.

Mr. Speaker, in the final minute I would like to digress a little bit from the bill to an issue that is practically involved in this bill. From the information I have received, about a half dozen of the big corporations are handling one-third of the defense contracts. If this is so, what does it mean? They also receive priority preference and priority rates. It will mean eventually, if not immediately, that the small employer of labor in America will be wiped out. It will mean the man who asks for 1 pound or 5 pounds or 10 pounds of aluminum for his business, where he employs 1, 5, or 10 men, will be put out of business. The fact is, until it is contradicted, that one-third of these national-defense contracts are being awarded to 6 corporations, and they are also getting the benefit of preferences and priorities, thereby wiping out competition from small industries, and in the near future the wage earners who are now working in these small factories will be out of work. This is both unfair and unjust and will cause great hardship unless stopped at once by the Congress.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 15 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, there are some signs of hope on the horizon today. I think of Elijah, who finished his mission and with his servant went into a high mountain retreat and said to the servant: "Go and look toward the sea and see what is there." Three times he looked. Then he came back and reported, "I see a cloud no larger than a man's hand." It was the cloud of prophecy.

I note that Mayor LaGuardia has stated that he expected the present conflict to end in possibly 7 months. I would be willing to wager even money it will terminate before the 1st of January 1942. If you want some inspiration and hope, examine the figures of the German stock exchange within the last 30 days and see the soft quality that is coming to their money. Morale is beginning to disintegrate in that country, and that is another note of hope to me. They are beginning to call for other help. The situation is growing more hopeful, and in consequence I do not believe, in the light of this hope, that while the Congress should not relent in its defense action, it should not be precipitant in its action, particularly in connection with a bill that seeks to confer authority upon the President of the United States to requisition all manner of property.

In line with the thought of Westbrook Pegler in his article this morning in the Washington Post, the time has come to keep our shirts on. It is an excellent slogan to combat the hysteria of today.

There is still another reason for hope. I was home this past week end. In many cities I saw great iridescent mountains of aluminum that had been gathered by the people, by men who had been going through the alleys shouting for bottles, old rags, iron, and metal, by little children, by members of the American Legion, by businessmen everywhere. Was it done under the constraint of law? Oh, no. Those mountains of aluminum that will find their way to the smelters to aid in defense production were gathered through a voluntary and cooperative effort on the part of the American people, and I still have enough faith in the business structure of the country that when the time is at hand they will come through when their country requires that they surrender needed equipment in the interest of national defense.

I am opposed to this bill, and unalterably so. I am opposed to it for a number of reasons.

The first reason is that the bill is not necessary. It is rather illuminating to note that there are only 17 pages in the House hearings. I spent some time last night going through 246 pages of the Senate hearings, and I have a number of provisions marked here which I think will support and amply demonstrate the contention that the bill should not be passed because it is not needed.

When Mr. Patterson, Under Secretary of War, was before the Senate committee he set up four propositions. He stated that in the first place there are machine tools that are needed. Mind the word "are." Secondly, he stated there are raw materials that may be needed. He did not say they were. He said they "may be" needed. He said there are airplanes being used for pleasure today that we might have to commandeer and, finally, he said that there are patent rights in the hands of unfriendly foreigners that we may have to take over.

Let us look at those four propositions that are laid down in support of the bill now before us.

Patents: Two representatives of the American Patent Law Association came before the Senate committee and pointed out that under the act of 1910 the Government can commandeer and use any patent at any time. There was no controversy regarding the authority of the Government to take over all foreign patents for use in defense at any time. So we can take patents off the list because

their use can be commandeered without further authority.

Materials: The Secretary said on page 6 of the Senate hearings of June 18:

> There may be stocks of raw materials in the hands of persons who are not now making defense equipment.

But he did not say that such was the case. I am willing to take that out for the moment.

Let us look at what he said about the need, and you will find it on page 18 of the Senate hearings. Under Secretary Patterson stated:

> I do not anticipate, as I said already in answer to questions by Senator LODGE, I think that the bill will not actually be used to any great extent; however, we want the power so to do, that is true.

That is true. There is no great indication there that this bill will ever be needed. He said it again in answer to Senator LEE, on page 241 of the Senate hearings, when Senator LEE said:

> Mr. Patterson, the actual use of the power in the bill is not likely ever to be called into operation very often?
>
> Mr. PATTERSON. No; not very often.

Let us look for a moment at the subject of inventory. When they ask for a power of this kind they ought to know something about materials, the planes, the equipment, and that sort of thing that is in the country for which they express a need. Senator DOWNEY asked Secretary Patterson about inventory, and what did he say? He said, on page 30:

> I don't think we have any inventory. The War Department has none, that I know of, of the kind mentioned.

If this bill is so necessary, they ought to know where this material and equipment is upon which they would lay their hands under the authority granted by this bill.

Finally, he got down to a single, concrete case in 240 pages of testimony; and I read from page 30. This is Mr. Patterson speaking:

> We are simply short of certain kinds of tools that we are trying to get for our producers which are urgently needed, but so far we have not got them spotted as being yours, or your, or mine, so far as I know.

The only justification, then, is that there are some machine tools that they want, and they come here with a bill to reach out into the economic and industrial structure of the country and wield plenary power to take over everything that is incident to national defense. They changed the language of the first and second draft somewhat, but do not forget that the bill before us provides for the requisitioning of equipment, supplies, munitions, materials, "and the component parts thereof." If I can read the English language, it means that they can step in and take over nousing material, building material, steel, and machinery of all kinds, and there will be no limit to the authority if they propose to exercise it. Yet, oddly enough, Secretary Patterson on several occasions doubted that the power granted would be exercised to any great extent. Then why grant it?

The only concrete instance they cite is machine tools that they do not have spotted, according to Under Secretary Patterson's own testimony. He elaborates a little. He talks about machine tools in the second-hand stores and in the hands of used-equipment dealers that are not now being used for national defense, and on that rather tenuous and slim basis he is asking for over-all, plenary power over the industry of the country.

On the basis of their own demonstration, is there anybody on this floor today who would be willing to surrender this kind of authority and have the Congress go on record with such a broad delegation of power?

The question was raised as we were discussing the matter here a moment ago about the danger to small industry. Senator DOWNEY pointed out the possibility of reaching into the small machine-tool industries and machine shops of southern California and putting them out of business. You will note that there is no provision for compensation for the destruction of a business, its clientele, its patronage, its goodwill. When one key machine is taken away that may destroy that kind of business. Compensation, however, shall be only for the article taken. I am not willing to go along with that kind of proposition.

Finally, it may become the direct instrumentality and vehicle for the large corporations that have 30 percent of the defense contracts today to use the Army and the Navy, the Maritime Commission, the O. P. M., the O. E. M., and every other procurement agency to reach out and take a key machine from a little industry and hand it over to those in whose hands today have been concentrated the defense contracts of the country.

Would it not be infinitely better, in view of all the promises and assurances that have been made about farming out and subcontracting some of the defense work, that they leave the machines where they are and take the work to the machines? Can you blame a little fellow whose business life is in jeopardy because of the priority sections that are in effect today for holding on in the belief that he is going to get a defense contract? So much has been said about diffusing defense business—why is it not being done?

For weeks I have been fighting with some agencies for steel for a little scale company, for steel for building an elevator, for steel for five small companies in my area, for a little bit of business for a small radio company that may close its doors soon because it has not been able to get in on the subcontracting.

I am ready to leave some of that machinery there and let some of those small people who are eking out an existence hang on, if they can, and thus preserve the economic and industrial integrity of the country. Great Conscience; you cannot destroy all of the civil pursuits of the country at the present time, and particularly so when out of the little earnings that they make we expect to squeeze a considerable sum of taxes under the tax bill that went across this floor yesterday.

No; I see in this bill a fishing authority, an authority to send the War and Navy Departments and others on fishing expeditions to pick up a machine if they are so disposed and then hand it to somebody alined with, shall I say, the large companies that have about 75 percent of the defense work at the present time.

I recapitulate to you: There is no place in 240 pages of the Senate hearings or in the House hearings that the War Department has for a moment persuasively demonstrated that this bill is necessary today. On the other hand, it can be very, very destructive of the little business institutions of the country. For that reason I propose to stand against this bill as resolutely as I know how.

I see the signs of hope coming up. I shall not lend my voice or my vote to any precipitate action at the present time to carry us further along on the pathway of concentrated control in the Nation's Capital.

If legislation is necessary to prevent second-hand dealers from hoarding needed machinery at unreasonably high prices, why not a bill to deal with this specific problem? On page 241 of the Senate hearings, Secretary Patterson said:

> Of course, the first people on machine tools we have to trade with are the second-hand dealers who, in many instances, are holding second-hand machines at higher prices than new machines right now. This is my information, but this is the first place to look.

Machines in inventory are, of course, idle machines as distinguished from machines in small machine shops. If this is a problem, then why not meet it with a proper measure to requisition idle machines. Is that, however, a reason for so broad a grant of power as is carried in this bill?

I found no indication in the testimony that a single effort had been made to procure this needed machinery by means of a direct and amicable appeal to the owners in the interest of national defense. If such an appeal has been made, there is no hint of it in the hearings that I could find. Why not pursue this course before Congress is requested to enact another control bill as drastic as the one now before us?

On occasion, Mr. Baruch's name has been mentioned. His recent book has been extensively quoted. He has been cited as authority for the statement that plenary requisitioning power should be granted to the President. But let it be said that the only quotation I have seen from Mr. Baruch's book in this respect recites that such plenary authority should be granted "in time of war." We are not at war, and that patent fact is answer enough to the request for this power.

It is so evident, therefore, that the hearings on three different drafts of this bill fail to disclose the need for this legislation except for machine tools in the hands of second-hand dealers, the location of which are undetermined. Moreover, it is not evident that other means have been exhausted to secure such tools where necessary.

The yardstick by which this measure must be gaged is whether or not it is needed. If so, it should be approved. If not, it should be rejected. Clearly, that need has not been demonstrated, and

there is therefore no occasion for the delegation of further broad powers to the executive branch.

Mr. FISH. Mr. Speaker, I yield the balance of my time to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Speaker, along with many Members of the House, I have deplored continually going along on certain measures which are leading the Nation into sovietization and bureaucratic control. May I at this time indulge the patience of the House by pointing out just one clause of this bill which by its very presence suggests that legislation along these lines will be forthcoming a little later. I refer to this language on page 2 of the bill:

And provided further, That nothing herein contained shall be construed to authorize the requisition or require the registration of firearms possessed by any individual for his personal protection.

Before the advent of Hitler or Stalin, who took their power from the German and the Russian people, measures were thrust upon the free legislatures of those countries to deprive the people of the possession and use of firearms, so that they could not resist the encroachments of such diabolical and vitriolic state police organizations as the Gestapo, the Ogpu, and the Cheka. Just as sure as I am standing here today, you are going to see this measure followed by legislation, sponsored by the proponents of such encroachment upon the rights of the people, which will eventually deprive the people of their constitutional liberty which provides for the possession of firearms for the protection of their homes.

I submit to you that it is a serious departure from constitutional government when we consider legislation of this type. I predict that within 6 months of this time there will be presented to this House a measure which will go a long way toward taking away forever the individual rights and liberties of citizens of this Nation by depriving the individual of the private ownership of firearms and the right to use weapons in the protection of his home, and thereby his country.

I bring this matter to your attention because this measure will be followed by more vicious and unwholesome legislation.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman.

Mr. ANDREWS. I would like to point out to the gentleman that the strongest proponent of this legislation is the Under Secretary of War, the former circuit judge of the Supreme Court of the State of New York, and a Republican.

Mr. EDWIN ARTHUR HALL. I will answer the gentleman by saying that I am glad to see this provision against firearms regulation, but I simply point out and deplore the fact that it is going to mean, by its very suggestion, the bringing before this House measures to regulate firearms in an odious and unwholesome way which will take away the rights and liberties of the people of this Nation.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. MAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1579) with Mr. BOEHNE in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. MAY. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I desire to make a very brief explanation of this measure and to call to the attention of the membership of the House the safeguards that have been thrown around all of the numerous citizens of this country who from numerous discussions heard are apparently about to be robbed of their liberties and their properties. I desire to say, in explanation of my own good faith in the matter, when the bill was originally drafted and sent up here by somebody in the War Department, I introduced it marked "By request," because I did not agree with many of its provisions and I did not want to give it fatherhood myself. I subsequently introduced one embodying my own views in the matter and my committee and the Senate of the United States subsequently eliminated from that measure a good many of its vices, and no longer ago than yesterday and at the request of the Rules Committee, our committee took further steps to guarantee that no man is going to be robbed of his property in this country without just compensation therefor. And now may I call attention to this one outstanding fact? We are not taking this property, if it is to be taken from any owner in this country, for mere civilian use. We are taking it for the defense of this country and for the security of the American citizen who may happen to own the property himself.

Let me call attention to three things that are provided in the bill. The bill begins by saying that whenever the President, during the national emergency, declared by himself on May 27, 1941, but not later than June 30, 1943, determines—let us see what he has to determine upon investigation and a finding:

(1) That the use of any military or naval equipment, supplies, or munitions or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operations, and so forth, are needed for the defense of the United States.

He must first determine the need and then, secondly, that the need is immediate and imperative, and that it is an impending need. The Government not only needs it, but it must have it, and he has to determine that as the second proposition.

After he has determined this, he is not through determining facts, but in the third place he must find by his investigation that all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted. In other words, the Government needs it; it has exhausted all means of trying to get it and cannot get it; and then you tell me that you are going to vote heretofore and perhaps hereafter to conscript the young men of this country into the military service of the country and then find some imaginary theory upon which you can say that when a man happens to have a small tool somewhere in a junk heap that he wants five prices for it, the Government cannot go out and get it by paying a fair price for it. That is what your vote means, and that is what this issue is.

Now let us see if we are bringing something new to you. Last year the House Military Affairs Committee reported out a bill which authorized the embargoing of machine tools to prevent their exportation to some foreign countries or to any foreign country for that matter. We undertook to say in that bill that the man should have the fair and reasonable market value of his property and we provided in that bill, which is referred to in this measure and the language of which is almost identical on this subject, Public, No. 829 of the Seventy-sixth Congress, that the man should have the fair and reasonable value or the market value of his property, but that he should not recover prospective or vindictive damages. In other words, if a man wanted to recover the value plus some imaginary something like they did in many instances following the World War, he ought not to have it, but now we have prepared an amendment to take care of that very question, in fact, two of them that will be offered as substitute amendments for the committee amendment on which the Rules Committee raised some question, and this amendment provides that the minimum value that he shall be awarded shall be fair and just compensation and in no event less than the market value, which means a minimum. Then the second amendment will provide how it shall be determined, and it would authorize the court in case of condemnation or a lawsuit over it to go into every item and every element that goes to make up value, or damages, and this would include a case where a man happened to have some peculiar piece of equipment that is for a special use.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MAY. Yes.

Mr. TABER. Was there any evidence before the committee of any case where anyone had actually refused to turn over to the Government any property of any kind that the Government had asked for?

Mr. MAY. Judge Patterson testified before the House Military Affairs Committee last Wednesday that there were numerous instances where they needed to requisition certain personal property, which would aid some small plant some-

where in the production of munitions, and that they had been unable to get it because of the fact that they could not condemn it and could not take it, which they could have done under the other act if it were being exported; and for that reason people who had those things in many instances were demanding four or five prices for them, and if we had this legislation the President could fix by Executive order, on the advice of the War Department, what he believed to be a fair value, and if that was refused, pay 50 percent of it and let the owner bring a suit for the remainder.

Mr. TABER. Did he name any specific instances?

Mr. MAY. I believe he did, but I do not recall what they were. He referred I think to a lot of junk dealers over the country who had a lot of tools that would ordinarily sell for junk prices, but, due to the war situation, they were offering to sell them for about five times the junk prices, and would accept no less. That is about the testimony I recall he gave to the House Military Affairs Committee.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MAY. Yes.

Mr. HALLECK. Here is a situation that has been bothering me somewhat in my consideration of this bill. Suppose a case where a man operating a small plant in my State of Indiana who does not have a contract for Government work, but happens to have some machinery that might be used in that kind of work. Some other plant, some place else, does have a contract for Government defense work, and decides that it needs the first man's equipment. Under this bill, if it is enacted into law, could the Government take over that plant and his equipment, upon the theory that he has no work, and turn it over to the man who did have a contract with the Government?

Mr. MAY. I think the gentleman will recall very definitely, because he is a good lawyer, that we provide here that the President shall first determine, upon investigation, that it is necessary and essential to the national defense. If it is necessary and essential to the national defense, even though the man needs it in the small plant, and it can be utilized in another plant, because this first man who needs it does not have the necessary equipment to make the things the Government needs in its national-defense program, does not the gentleman feel that the Government ought to be permitted to go down there and determine the fair value of it, purchase it if the man wants to sell it, or condemn it if he does not, and put it to work in order to make munitions to defend our country and protect these young men that we are voting into service?

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. ANDREWS. Mr. Chairman, I yield first now to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I would like to say in response to what was suggested by the chairman of the committee, that my hypothesis contemplated the condition of a man with a plant that did not have a Government job, possibly a man who had sought Government work, to aid in the defense program, but by reason of factors out of his control was unable to get that sort of work. I can conceive of a situation under the provisions of this bill that might be in the direction of promoting national defense to take the equipment from one and give it to somebody else. That is the thing that disturbs me.

Mr. MAY. Mr. Chairman, will the gentleman yield to me?

Mr. HALLECK. The gentleman from New York [Mr. ANDREWS] has control of the time.

Mr. ANDREWS. Mr. Chairman, I yield to the gentleman from Kentucky, to make reply to the gentleman from Indiana.

Mr. MAY. Mr. Chairman, I do not want to make reply to the gentleman from Indiana. I merely want to say that he has shown a very fair and liberal position about this legislation as a member of the Committee on Rules. He has made many constructive suggestions, and if I did not answer his question I am sorry about it. I wish I could answer it, but it is my judgment that the War Department will never resort to any such thing as to undertake to deprive some man of something merely because he has not got a contract, unless they need it.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. CRAWFORD. Let me submit the question this way: Suppose Company A has a plant with 15 standard machines in the plant or 1,500, it makes no difference. It becomes necessary, in the name of national defense, to take the 15 machines out of that plant and transfer them to some plant where defense orders are under production. It may be that the bill provides that you shall pay him fair compensation for the 15 machines, but what do you do about the value of the plant that you leave behind, about his goodwill, about his trade, for instance. Paying for the machines does not protect the man in his operations, and if the bill does not go farther than what has been indicated here, I think it is absolutely unfair and I think it is in a position to destroy many operators all over the United States.

Mr. MAY. That, of course, is speculation.

Mr. ANDREWS. Mr. Chairman, before yielding to the gentleman from Missouri [Mr. SHORT] I wish to say that personally I am in favor of this bill. Referring to the statement by the gentleman from Illinois [Mr. DIRKSEN] and his quotation of the testimony before the committee of Judge Patterson, I believe Judge Patterson's statement that the provisions of this bill will be resorted to seldom, if at all, is a statement in favor of the bill.

Legislative processes are naturally slow and the demands of the Government for some of these essential items cannot be foretold.

I believe the provisions of this bill are eminently fair with the adoption of the committee amendments which will be submitted later.

I now yield 15 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Chairman, for a complete and correct understanding of the pending legislation one must consider the act in conjunction with the recent military order issued by the Administrator of Export Control.

Section 1 of the act clearly states that whenever the President up to June 30, 1943, determines that the use of any military or naval equipment, supplies, or munitions—and I want you to listen to the next phrase particularly—"or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions is needed for the defense of the United States," the President is then authorized to requisition such property for the defense of the United States upon payment of fair and just compensation.

The act provides that the President not only can seize this property, but it also provides in that same section that he can likewise dispose of such property in any manner as he may deem necessary for the defense of the United States.

In other words, if Bill Brown is operating a factory and has machinery in that factory that is directly or indirectly essential for national defense, then the President cannot only seize that machinery in the factory operated by Bill Brown, but he can dispose of it by selling it to John Jones or anyone else he may deem necessary. It seems to me that those powers are broad, if not dictatorial.

I also want to call the attention of the Members of the committee to the statement made by the Under Secretary of War himself, Judge Patterson, at the middle of page 6 of the House hearings, when he said:

> This bill is patterned on the bill for export control and appropriation of property marked for export control, which was passed last October.

Now, Mr. Chairman, since the Congress enacted that bill last October, by military and Executive order, a vast number of articles and products have been added recently to the new list of military supplies, munitions, and "component parts thereof." The "component parts thereof" cover practically everything.

There are few Members of this House who have the time to read the Federal Register carefully, but you will have to read that Federal Register and keep in mind what it provided for when issued on Tuesday, July 22, 1941, to realize the vast scope of the pending bill. The bill covers all the commodities listed under these orders.

I quote from title 32, National Defense, chapter 8, Export Control. Export Control Schedule Z:

> By virtue of military order of July 2, 1940, and Executive Order No. 8712 of March 15, 1941, I, Russell L. Maxwell, Administrator of Export Control, have determined that, effective July 21, 1941, the forms, conversions, and derivatives of other military equipment or munitions, or component parts thereof—

The identical language in the pending act—

or machinery, tools or material, or supplies necessary for the manufacture, servicing, or operation thereof—

Again, the identical language of the act—

(section 3 of the proclamation of July 17, 1941) shall consist of the following.

Now, let us see what the following are—just some of the things that are included as the "component parts" of these necessary military supplies.

All kinds of animals, edible.

Meat products. Fish of all kinds. Dairy products. Leather and leather goods. Furs. Grains and preparations. Fodders and feeds. Vegetables and preparations. Fruits and preparations. Canned fruits. Nuts.

I am glad they did not leave nuts out of the bill, because that is just what it is.

Cocoa and coffee. Spices. Sugar and related products. Beverages. Rubber and manufactures. Tobacco and manufactures. Cotton manufactures. Wool manufactures. Hair and manufactures. Rayon, nylon, and other synthetic textiles. Miscellaneous textile products. Wood, unmanufactured. Wood manufactures. Furniture of wood. Paper base stocks. Printing paper. Newsprint paper. Book paper, not coated. Cover paper. Coal and related fuels. Stone, sand, hydraulic cement, and lime. Glass and glass products. Clay and clay products. Steel-mill manufactures. Central heating equipment. Tools. Electrical machinery and apparatus. Industrial machinery. Mining, well, and pumping machinery. Textile, sewing, and shoe machinery. Office appliances. Typesetting machines. Printing presses. Bookbinding machinery, accessories, and parts. We might parenthetically ask if we are to have press censorship? Other printing and typesetting machinery, parts, and accessories are included. Implements of cultivation, tractors and parts, windmills, automobiles and other vehicles; railway cars, coal-tar products, medicinal and pharmaceutical preparations; chemical specialties, polishes, pigments, paints, and varnishes; fertilizers and fertilizer materials; soap and toilet preparations; photographic and projection goods, cameras of all kinds; scientific and professional instruments, apparatus, and supplies; musical instruments. Miscellaneous office supplies, books, and pamphlets bound educational textbooks, other bound books, unbound books and sheets, notebooks and pamphlets, geographic maps and charts; music in books and sheets; newspapers, periodicals; plates and cuts, electrotypes, stereotypes, halftones, lithographic matter. The list is well-nigh all-inclusive.

Now, Mr. Chairman, that is just how modified this present act is, and that is how limited it is. It is as high as heaven, as fathomless as the sea, and as illimitable as space. If it does not include any and all kinds of products imaginable, I have not been able to read English.

Let me say also that this order was signed by direction of the President, by Russell L. Maxwell, brigadier general, United States Army, Washington, D. C., July 19, 1941, less than a month ago. The brigadier general, who is the administrator of export control, enormously increased the articles on the export control list as this very particular bill was hastened through the Senate. It was hurriedly brought over to the House Military Affairs Committee and rushed through without opposition witnesses being heard. Hearings were held only one morning, with only one witness, the Under Secretary of War himself, who had to admit that under existing law, section 9 of the Selective Service Act, the Government already has the authority and power to take over any industrial plant which refuses to cooperate with the defense program. But not one single instance has been cited where industry has refused to cooperate. This bill, in my opinion, is broader than the Connally Act and broader than the provision in the conference report which this body rejected only last week by a vote of 255 to 114; it is even more dangerous and more vicious. I will not say that if passed it would lead to tyranny, but it certainly could lead to tyranny. Proponents of the bill argue that the powers granted will seldom be exercised. Then, why grant them if they are not to be used? In its provisions it smacks much more of Herr Hitler than it does of our American system of government. Cooperation and not coercion is still the method of democracy. I think it places a stranglehold upon industry and labor; and I wonder how many more times this House is going to have to vote down this bill, or legislation similar to it, when already on two previous occasions we have rejected by a vote of more than 2 to 1 the Connally bill and then the modified provision contained in the conference report last week.

This bill is full of dynamite, Mr. Chairman. You do not know how serious it is until you read from the Federal Register of July 22 this military order and the Executive order issued by direction of the President by Russell L. Maxwell, brigadier general, United States Army; and the reason the list was compiled at that time was simply to be covered by this legislation. It would, of course, give the Government the power to seize any or all of these articles or products that are enumerated in this long list of supplies.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. PLOESER. Will my distinguished colleague from Missouri tell me whether or not he does not believe that the original bill which was introduced by the distinguished chairman of the Military Affairs Committee with apologies in the beginning of this seizure program did not actually point the true direction of the administration in its desires?

Mr. SHORT. I believe it did, and I say that the distinguished chairman of our Committee on Military Affairs recognized that and he announced the fact that he introduced the original bill by request and not of his own choice, just as, in the Senate the bill was introduced by the chairman of its committee by request instead of by his own choice. This bill grants more power to the Executive, whose thirst for it cannot be quenched. His appetite is insatiable.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. HINSHAW. Does the gentleman deduce from reading the language of the bill and reading the language of the order of the Department of Export Control that the bill will enable the War Department to take over any and all of the articles listed in that export-control list?

Mr. SHORT. There can be absolutely no doubt about it. It is not what the gentleman from California thinks or what the gentleman from Missouri, or the gentleman from Illinois [Mr. DIRKSEN], or even our good friend the gentleman from Kentucky [Mr. MAY] thinks; it is what the bill says in section 1 that whenever the President determines that the use of any military or naval equipment, supplies, or munitions, or component parts thereof, or machinery, tools, or materials necessary in the production of them is needed, he can confiscate them or seize them; and, of course, the number of component parts thereof are listed in this military and Executive order.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. SHORT. Gladly.

Mr. MAY. Is the gentleman opposed to giving the President of the United States power to requisition personal property on just compensation when it is actually needed for the national defense?

Mr. SHORT. I am unalterably opposed to this act in its present form and at this time.

Mr. MAY. That is not what I asked the gentleman. I asked if he was opposed to giving the President power to obtain essential property that is necessary for the national defense upon payment of just compensation.

Mr. SHORT. In time of peace I am unalterably opposed to it; and this Nation is not now at war, and it will not be at war unless we continue to pass one piece after another of this kind of legislation that is drawing us inextricably into it. Already we have too much centralization of power.

I am against giving the President this additional authority; and the answer of my Republican colleague and friend on the committee that it is going to be administered by a very able judge and good Republican, Under Secretary of War Patterson, does not make a bit of difference. It is more power than any single man should have or any board should possess, and I think it is more power than any good man would want.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. VORYS of Ohio. Is there not an entirely different situation between taking a case into court before Judge Patterson on the bench, and taking the same case before "Judge" Patterson, acting as the mouthpiece of the Executive, without any judicial discretion or control?

Mr. SHORT. Mr. Chairman, this is no more or less than government by bureaucratic decree. I have a very high regard for Judge Patterson and I am not saying anything against him as an individual. I respect him and I think he is a man of great ability and integrity. However, we should have a government of laws rather than a government of men. I am sick and tired of seeing us governed by Presidential fiat and by bureaucratic decree. Until we follow fixed law and established principle instead of drifting after the fickle policies and the whimsical fancies of fleeting and flitting individuals there can be no economic recovery or national security in this country.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. SMITH].

Mr. SMITH of Connecticut. Mr. Chairman, in the consideration of this legislation we are faced with this situation: We have encountered difficulty in obtaining needed materials, particularly tools, for the defense program. We have considered in two committees of the House and Senate and on the floor of the Senate legislation which will enable the Government by the use of something similar to the power of eminent domain in the taking of real property to acquire these needed tools and materials so that the defense program for which we have voted so much money and for which we have voted restrictions on the lives of so many men will not be held up by a few selfish individuals.

Any such power to requisition private property and personal property by the Government, of course, involves a power that we do not ordinarily grant in times of peace and needs careful consideration and it needs safeguards thrown around it. You all know the history of the original legislation that was sent up here, which was extremely broad and which was rejected by your committee.

We have brought in a bill here which we think meets the situation. There are machine tools now in the hands of second-hand dealers which cannot be reached under existing law by the Government. There is no power in the Government to force the sale at any reasonable price of those machines to the Government. If those dealers were manufacturers of those machines, of course, under section 9 of the Selective Service Act the Government could place an order with the manufacturer for the machines and it would be obligatory on the manufacturer to furnish them at a reasonable price to the Government; but these people are not manufacturers, they do not come under the terms of section 9, and they do not own plants which are adapted to the manufacture of these machine tools. They own the machine tools and they are demanding for them prices well in excess of the prices for which a similar tool could be built new today.

The War Department has, therefore, requested legislation which would allow it to acquire these tools, as well as other materials and supplies which they need and which the owners are not willing to sell at a reasonable price. In the legislation which we have brought in, we have provided a method for determining the reasonable price and the committee amendment removes any question about any limitation on that price being reasonable by the use of the term "market value," and the committee, I may say, will offer an amendment so that there will be no question but that the value to the present owner of these materials or tools can be recovered by suit in the normal way against the Government of the United States for that value.

We have also restricted the taking of these materials by the three things that we require the President to find before any taking is done. That is, that the use is needed for defense of the United States; second, that the need is immediate and impending and such as will not admit of any delay or resort to any other source of supply, and, third, that all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted. Only if those three conditions exist and are found by the President to exist may he use the requisitioning power of this act in the manner and upon the payment of the compensation provided in the act.

I want to mention this list referred to in this bill and in the Executive order and the list promulgated by the Administrator of Export Control under that order. This is a list of articles for which export licenses are required. The President requested that a list of the forms, conversions, and derivatives of articles and materials the exportation of which was affected by the Export Control Act should be published, and under that request this list of the forms, conversions, and derivatives were published in the Register by the Administrator of Export Control. This means that application must be made for a license to export before any of those materials can be exported, but the provision of the Executive order provides, following the law, that the Secretary of State shall issue export licenses for such articles and materials, and forms, conversions, and derivatives, thereof, to applicants unless the Administrator of Export Control shall have determined that the proposed exportation would be detrimental to the interest of the national defense. It is obvious that that list has been made to include everything possible under it, so that application must be made and determination must be made by responsible officials as to whether it is such an article that the exportation would be detrimental to the national defense.

Mr. WALTER. Will the gentleman yield?

Mr. SMITH of Connecticut. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Section 2 of the measure provides a method for the owner securing his property back again by the payment of the fair value thereof. Who determines what the fair value of the property is?

Mr. SMITH of Connecticut. There is no method set up in the act for the determination of fair value on an offer to repurchase. There will have to be, unless additional machinery is set up, an agreement on that. It is an option to repurchase the particular material if the Government no longer desires it, and I assume that the price which he had received for it would be considered fair value, because that would have been the fair value at the time of its taking.

Mr. WALTER. Who determines what the fair value is at the time the original owner seeks to secure his property back again?

Mr. SMITH of Connecticut. I do not think that there is machinery set up to determine that value at that time.

Mr. MAY. Will the gentleman yield?

Mr. SMITH of Connecticut. I yield to the gentleman from Kentucky.

Mr. MAY. Would there not likely result this situation: Since the Army or the Navy, whichever took the property, needed it no longer, they would be glad to give it back to the man at practically the price they paid for it?

Mr. SMITH of Connecticut. I assume that if it were offered by the Department for bid—the Department could, under existing law, offer it for bid—if the owner desired to bid on it, he could bid it in and he would get it if he equaled any other bidder; but that machinery is not set up under this act. I believe that that might well be provided.

Mr. WALTER. It seems to me that is so important the committee should, instead of leaving it to conjecture, devise some way of ascertaining what position the party will be in after the Government is through with the material it takes.

Mr. SMITH of Connecticut. I think an amendment might well be offered for the determination of that value.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Connecticut. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. When the Government is selling, the situation is entirely different. The Government has the right as a seller to determine to a great extent, the same as any one of us who is selling something, what the price shall be.

Mr. SMITH of Connecticut. They can do it under the existing law.

Mr. McCORMACK. If the purchaser agrees, then there is a meeting of the minds.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield 2 additional minutes to the gentleman from Connecticut, in order that the gentleman from California may ask him a question.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Connecticut. I yield to the gentleman from California.

Mr. HINSHAW. The gentleman no doubt has about as many complaints from small manufacturers in his district as I have concerning their being run out of business by virtue of priorities and other factors. If you take certain machinery away from a man, it may be an essential machine, and he would have to shut down his whole plant. Is there any way under this bill that he can be compensated for

the taking of a machine that is absolutely necessary to keep his plant running?

Mr. SMITH of Connecticut. The fair value of the machine to him is the amount that he can recover.

Mr. HINSHAW. The fair value of the machine to him may be the value of his entire business until he gets the machine back. As far as that part is concerned, if he cannot run his business without the machine, he cannot employ anybody, his business is gone, and he has to shut down and then pay taxes on empty property. It seems to me that some consideration should be given in this bill to the small manufacturer who really has to get along and pay taxes. What provision is made to recompense him if taking this machine shuts down his entire business, his sales force and all other employees are laid off, and all the rest of his business is done for for the period of a year or two, during which somebody else is using the machinery?

Mr. SMITH of Connecticut. The provision of the bill is the payment of fair and just compensation, measured by the value of the machine.

Mr. HINSHAW. That is correct for the value of the machine, but the value of the machine to him may be a thousand times what the actual value of the machine is if he has to shut down his plant and turn away his labor.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Connecticut. I yield to the gentleman from Indiana.

Mr. HALLECK. In answer to that, may I suggest that I think the language of the amendment the committee has adopted and is recommending follows the words of the constitutional provision regarding eminent domain. The damages to which the gentleman refers would likely come under the heading of actual damage.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 5 additional minutes to the gentleman from Connecticut.

Mr. SMITH of Connecticut. I believe they would.

Mr. HALLECK. First of all, may I suggest that I believe the committee has tried to do a good job with this bill, and certainly it is much of an improvement over the original bill.

The gentleman has referred to the fact that this bill has many of the attributes of the general right of eminent domain that is vested in the Government. I wonder, however, if there are not a couple of rather striking differences. Is it not true that in the exercise of the right of eminent domain generally the issue as to whether or not the taking is for a public use is tried before the taking occurs?

Mr. SMITH of Connecticut. Not in the method provided in the Federal statutes. The declaration of taking may be filed and possession may be acquired under the method used by the Federal Government under our Federal statutes, and the court's determination of the issues may be made later.

Mr. HALLECK. I understand that in certain Federal statutes such a provision is attempted to be made, although it has been strenuously contended by many that that is in contravention of the constitutional provision regarding eminent domain. But is it not also fair to say that in the exercise of the ordinary right of eminent domain the taking is for a public use, that contemplates the retention by the Government of the title to the property, whereas this proposal contemplates the taking by the Government and the transfer to another individual of the property so taken?

Mr. SMITH of Connecticut. I think not. Primarily, it is for Government use. It is the acquisition of the title to the property for use in the manufacture of munitions. Normally, where the Government has had machines in the past, those machines would be used either in arsenals by the Government or else in some cases placed in private plants to be operated, but not sold in most cases. In by far the greater number of cases, title is retained by the Government and the machines are furnished for the use of a contractor. In some cases, in Government-owned plants where machines are furnished by the Government, the contractor is paid a fee for running the plant. In other cases, where the machines are placed in a private plant, normally the price paid for the materials turned out by the contractor is adjusted on the basis of his using Government property and not using his own machines.

I do not know whether or not I have made myself clear, but the title of the machines normally stays in the Government, and they are on loan to a contractor using them in Government work, at least, in Army ordnance work.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Connecticut. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. As I understand, the bill in its present form, in practical operation, will hit those individuals who have in their possession property of import to our country in this crisis who refuse to cooperate with our Government.

Mr. SMITH of Connecticut. That is correct. It would be used only in cases where there is a very great need for the particular property and where there is a refusal of cooperation. If a man has an entire plant and refuses to cooperate, we have already made him a felon for refusing and allowed the Government to take over the plant and operate it either by itself or by contractor. This would apply to individual items of equipment.

Mr. McCORMACK. It applies in the case of an individual who refuses to cooperate.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I may desire.

The bill now pending, S. 1579, does not amend or repeal any existing statute.

It does, however, supplement and partially repeat certain provisions of presently existing statutes which confer partial but inadequate power to requisition personal property. These are:

The act of June 3, 1916—Fiftieth United States Code, 79—which authorizes, among other things, the condemnation of materials, minerals, and processes necessary for the construction and operation of nitrate plants.

The act of July 9, 1918—Fiftieth United States Code, 172—which authorizes, among other things, the condemnation of machinery, equipment, materials, supplies, property, or appliances suitable for the effectual production of lumber and timber products, when such property is needed for the production, manufacture, or building of aircraft, drydocks, or vessels, their apparel or furniture, for housing of certain Government employees, and for the procurement of materials and equipment for aircraft, drydocks, and vessels.

The act of June 10, 1920, as amended by the act of August 26, 1935—Sixteenth United States Code, 824a (c)—under which temporary connections for generation, delivery, interchange, or transmission of electrical energy may be required under emergency conditions.

The act of June 29, 1936, as amended—Forty-sixth United States Code, 1242 (a)—which authorizes the requisition of certain vessels or watercraft whenever the President shall proclaim that the security of the national defense makes such action advisable, or during any national emergency declared by proclamation of the President.

The act of October 10, 1940—Public, No. 829, Seventy-sixth Congress—which authorizes the requisition of property procured, processed, or manufactured for export, the exportation of which has been denied under section 6 of the act of July 2, 1940—Public, No. 703, Seventy-sixth Congress.

Mr. ANDREWS. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. ELSTON].

Mr ELSTON. Mr. Chairman, this bill represents a compromise of one of the most sweeping and drastic measures ever introduced in Congress. In its original form the President could have taken over, temporarily or permanently, property of every kind and character which was useful, directly or indirectly, for national defense. Thereafter the President could have used such property as he saw fit. He could dispose of it, temporarily or permanently, on such terms as he saw fit. All of this could have been accomplished by any Presidential declaration of a national emergency.

The compromise measure which is before us today has the appearance of being much less drastic than the original bill; but before we pass upon it, it would be well to inquire into its possibilities.

In the first place, it recognizes and is operative during the Presidential national emergency declared on May 27, 1941, and terminates not later than June 30, 1943. It includes virtually all of the property described in the original bill, with the possible exception of real estate, inasmuch as it embraces every species of personal property needed for the defense of the United States. The President is the sole judge of what is needed for defense. Of course, it provides that the need must be immediate and such as will not admit of delay or resort to any other source of supply, but the President alone determines the necessity for the seizure. If we examine the bill further, we will

find that it also provides that it becomes effective when all other means of obtaining the use of the property sought to be requisitioned on fair and reasonable terms have been exhausted. Again the President is the sole judge of the fairness and reasonableness of the terms and of the extent of the effort to acquire the property. The provision of the original bill with respect to the disposition of the property still remains, although the language has been changed somewhat. The President may dispose of seized property in "such manner as he may determine is necessary for the defense of the United States."

Section 2 of the bill provides that when property acquired under the act is no longer needed for defense it shall be returned to the owner, but the President alone determines when such property is no longer needed. In any event, if the owner desires it and pays a fair value, his property is to be returned to him not later than December 31, 1943, if perchance anything is left of it by that time.

Section 3 requires the President to submit to Congress not less frequently than once every 6 months a report of operations under the act, and section 4 authorizes the President to issue all necessary rules and regulations. The President may also "require such information as may be necessary and proper to carry out the provisions of the act." It further authorizes the President to exercise any authority conferred upon him by the act through "such department, agency, board, or officer as he shall direct or appoint." It is not difficult to envision what may occur by virtue of this section. The rules and regulations which the President may issue may be as sweeping and drastic as he sees fit to make them. Every person, firm, or corporation in the country could be required to make disclosures as to all personal property of every kind possessed by him. His books and records would be available to the prying eyes of any department or bureau directed by the President to make inquiry. Under this section the President could create new bureaus, and they would probably require, as is customary with bureaus, reports of every kind and description from every person or company in the Nation on the subject of his possessions.

In the hearings it was urged that it was not expected that the act would be used extensively and that Congress would have to trust the departments charged with administering the act to administer its provisions wisely. This has become a rather familiar line of argument. In some instances departments have scrupulously adhered to the intent and purpose of legislation, but, on the other hand, we have seen all too often the exercise of powers never intended to be conferred by legislation. Who can say that the vast powers conferred by this act will be judiciously administered? Of this we are certain—if any department sees fit to do so, it may crack down upon industry or the individual citizen far beyond anything made possible by any legislation heretofore passed by this Congress. Let me refer to some of the possibilities. You may own a plant and not have been fortunate enough to have obtained a national-defense contract. One of your competitors may have been more successful in this respect. Under this act the machinery in your plant can be seized and handed over to your competitor. Your complete inventory of the things you need to operate your business may suffer a like fate. Some large corporations might prefer this method rather than resort to subcontracting. Not an industry, not an individual, is outside the operation of this act. Not only may your machinery, your inventory, and other property be seized and transferred to your competitor, but they may be sent to other nations. It might be that Russia, for example, would have a need for personal property owned by you. The President would have the power to seize and transfer it to Russia or any other country so long as the President himself decided it was in the interest of national defense to do so. Every newspaper and magazine could be controlled by withholding supplies essential to that industry. Radio stations would be within the same category. Your automobiles could be requisitioned. Even the cooking utensils in your home would not be exempt. Implements of the farm may be seized and transported across the seas. If you do not believe this is possible, read the hearings in which Under Secretary of War Patterson admitted that it was.

One of the arguments advanced for this legislation is that similar power was conferred during the World War by a number of separate statutes. If you will examine those laws you will find that they dealt with specific materials. The Government was not authorized to requisition any of it until the chosen representatives of the people had their opportunity to pass upon the advisability of doing so. That is the way it should be. Why should not Congress weigh the implications of each measure as it comes along in the light of conditions as they exist at that time?

I submit to you that no evidence has been offered as to the necessity for this type of legislation. On the contrary, all testimony presented on the subject indicates that there is no need for it. I call your attention to the hearings before our Military Affairs Committee. Under Secretary of War Patterson was asked to cite instances justifying the grant of this tremendous power. Very generally he stated that there were instances, but he could not recall a single one of them, merely stating that they had been reported to him by his assistants, except the case of a person who refused to turn over to the Government a privately owned airplane. That was not the first time we had heard about the airplane incident. It has been used as a horrible example on numerous occasions. If you will refer to the report of the Senate Military Affairs Committee on this bill you will find that the President referred to it in a letter set forth in that report. This one isolated instance, which has been used time and time again in asking for the most drastic kind of legislation, is convincing proof of the lack of need for such legislation. If other instances existed we would have been told about them.

Time and again we have asked witnesses testifying in support of property-seizure legislation to cite cases wherein industry and the American people have refused or failed to cooperate in the national-defense effort. The reply has always been that there has been 100-percent cooperation, yet we are asked now to subject 130,000,000 people to legislation which challenges their patriotism and their love of the Republic in which they live. The American people do not need the lash of the dictator to make them respond to the needs of their Nation. This has been clearly demonstrated within the last few weeks. When it was made known that there was a shortage of aluminum and that by reason of such shortage our airplane-building program might be hampered, every citizen contributed his mite. Cheerfully and with enthusiasm they contributed their pots and pans and whatever else they possessed containing aluminum. They were not compelled to do it and there was no penalty for their failure to do so, but they did it nevertheless. This magnificent gesture of patriotism, this striking illustration of what the American people will do voluntarily in the interest of national defense, is a complete refutation of the arguments advanced by the proponents of this legislation.

This House has recently gone on record against the seizure of American property and the Nation has applauded it for so doing. We face again today the same question. The only difference is that previous bills affected plants in their entirety. This measure affects the last humble citizen, who does not need to be forced to love and respect America and the institutions for which it stands. Passage of this bill would be an insult to the integrity, the patriotism, and the loyalty of every American citizen.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. I yield to the gentleman from Indiana.

Mr. HARNESS. Is it not a fact that under this legislation the same thing might be accomplished and the same result attained as would have been attained if we had passed the so-called Connally bill?

Mr. ELSTON. I think that is true; in fact, I would say this bill is much more drastic than the Connally bill, because the Connally bill, so far as its seizure provisions were concerned, only contemplated the seizure of plants. This bill makes it possible to seize the last vestige of personal property owned by every citizen of the United States.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. I yield to the gentleman from Tennessee.

Mr. JENNINGS. It has been stated on the floor that there are certain machine tools that are needed. Could an act not be passed making them subject to seizure through condemnation proceedings, which proceedings could be accompanied by a declaration of taking, and the Government in that way would get them immediately?

Mr. ELSTON. I would say in answer to the gentleman from Tennessee that

that is exactly what could and should be done. That is what was done during the World War.

Under this bill, let me point out to the House, if any American citizen's property has been seized and he makes a claim for damages, he is the one who must initiate the action in court. He has to hire lawyers and may be subjected to long and expensive delays. Under eminent-domain proceedings the Government institutes the action and has the burden of proof.

Mr. JENNINGS. That is true, and in all cases where the Tennessee Valley Authority had to acquire property as a result of the construction of its dams, where it could not agree on a price with the owner, it invariably filed condemnation proceedings, and those proceedings were accompanied by a declaration of taking, and the price which the Government agency set as a fair price was paid into court and the owner of the property could then go and get 90 percent of the sum paid into court, and if he wanted more he could contest it and have a lawsuit, but the money was there.

Mr. ELSTON. And every one of those citizens felt that he had had his day in court before his property was taken.

Mr. JENNINGS. That is true.

Mr. ELSTON. In this instance his property is taken first and the day in court may come some time later.

Mr. JENNINGS. They could take his plow or his tractor or his automobile or his truck or anything else he may have.

Mr. ELSTON. Take anything he has and give it to any nation on earth.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Chairman, it is always amazing to me the cry that goes up when you start to requisition property. It almost seems to me at times that property must be a sacred thing. This House, a few months ago, by a very substantial majority, requisitioned the boys of this country and now there are some million and a half of them in our armed forces, because the Congress and the people felt that the national interest was imperiled. And now, with a million and a half of those boys in the service, a bill comes along that does just exactly what my friend from Tennessee a minute ago asked about, and property, all of a sudden, becomes a sort of holy thing. You already have on the Federal statute books the right of condemnation of land for any purpose to which the Government wants to put it, post-office site, park site, national highway, customhouse site, public buildings in the District of Columbia, or any other public use, and now this does to personal property only what the present law does to real property, and I hope that any prejudice will be laid aside in this hour of stress and crisis.

It seems to me that some of my Republican friends follow Judge Patterson, the Under Secretary of War, on everything except national defense. I have heard the Under Secretary of War testify enough before the committee of which I happen to be a member that I think he is a great American. I regard him a patriotic man who gave up a lifetime job on the United States Circuit Court of Appeals with the thought and with the hope that he might contribute something to national defense, and he came before the House committee last week, and testified at length in favor of this bill. He said it was necessary. He cited cases, and I invite your attention to page 7 of the record of the hearings, in which he said, in effect, that it was absolutely imperative that they have this power in order to meet a critical situation.

My friend from Ohio [Mr. ELSTON] has just stated the War Department had this power in World War No. 1. Of course they did, and so when the Under Secretary was testifying before the committee last week, I asked him if he would not cite a few cases without encumbering the record. On page 7 of the hearings he said:

> We have a case right now, Mr. THOMASON, where we are trying to acquire some property, personal property, some machinery. We are in a dispute as to the value. We think an exorbitant figure is being asked. If we had this measure, we could fix a fair value and end the bickering. We have got many machine tools now in the hands of second-hand dealers, some of whom are asking higher prices for those second-hand machines than for new machines, because there is a shortage and advantage is being taken of the tight situation with respect to those things.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. Not now. I wish that some of you who praise Judge Patterson so highly as a man and a soldier—and I undertake to say that he has a World War record second to none—I wish you would take him off privately some time and say, "Judge, tell me off the record about some of the second-hand dealers and the junk dealers and the pawnbrokers of the country who have seized upon this situation to acquire tools, guns, and munitions necessary for national defense, and who are holding them for exorbitant profits. Any man who knows Judge Patterson knows he would not ask for legislation of this kind if it were not necessary, and we know too he will not abuse the authority. What my friend from Missouri [Mr. SHORT] read, is proper, but not pertinent. I would like to know what that has to do with this bill. That has to do with the issuance of a license before those articles can be exported. This bill requires a finding by the President that the property is necessary to national defense; it requires a finding that the need is important and imminent, and that the article cannot be had from any other source of supply; it requires an absolute finding that all other means of obtaining such property have been exhausted by voluntary purchase and it provides for a return of the property within 2 years. It provides for a report by the President to the Congress every 6 months, and finally it provides that the President may adopt and promulgate the necessary rules and so you find upon careful study of the bill that it does but one thing, and that is to apply only to personal property, munitions, things of a military value, equipment, machinery, tools, and materials necessary for the manufacture, servicing or operation of such equipment, supplies of munitions, as are needed for defense of the United States.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. Yes.

Mr. HEALEY. Just for the RECORD, will the gentleman state that there is no language in this bill that will authorize the President to seize plants themselves.

Mr. THOMASON. No. That is covered by section 9 of the Selective Service Act which provides that where there is a refusal of the plant to fill orders the Government can take it over, but my friend the gentleman from Indiana [Mr. HARNESS], who is now asking me to yield, knows that Judge Patterson himself testified to that effect.

Mr. HEALEY. Then there is nothing in this bill that gives that power?

Mr. THOMASON. There is nothing in this bill, except tools, machinery, things in the way of personal property, and we seek to apply the same rule as is now applied to real estate.

Mr. HARNESS. Will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Indiana.

Mr. HARNESS. I think the gentleman will agree with me that every Member of this House would be perfectly willing to give Secretary Patterson the right to seize this machinery, tools, now in the hands of second-hand dealers and all this other material that may be hoarded by some junk dealers or others; but this bill, as the gentleman well knows, goes away beyond that authority and grants him the right to seize all personal property in every plant they want to go into.

Mr. THOMASON. I challenge that statement, and I invite any Member on the floor to carefully read the bill. You need not take the word of Judge Patterson, but you will search in vain to find any power given under this bill that is not now given the Federal Government in taking real estate. You are making a mountain out of a mole hill. It is hard for my friends on the Republican side to be fair.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. Yes.

Mr. HANCOCK. Is not the committee amendment somewhat ruthless? It makes it possible for the Government to strip a man's manufacturing plant and machinery and destroy his business and yet the only recovery he can have is the actual fair-market value of the property taken without any damage whatever.

Mr. THOMASON. I will say to my friend that the chairman of the committee, acting for the committee, has already stated that there would be an appropriate amendment offered that will deal justly with that situation, and nobody will be mistreated.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. HINSHAW. Under the committee amendment I find they are able to set a fair value on the article that is taken, but no doubt the gentleman can conceive of numbers of cases where if you take

one particular article out of a factory you might better take the whole factory. Is that not true?

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. THOMASON. I will say to the gentleman that in a crisis like this you have to trust somebody and if you cannot trust the high officials of the Government to do the right and just thing by its citizens I do not know whom you can trust. When the committee amendment is adopted, you will have nothing to worry about.

Mr. HINSHAW. I have read the committee amendment and it says "the fair value of the article," but I know of many cases, and the gentleman no doubt does also, where if you take one special piece of machinery out of a factory you will stop the whole factory.

Mr. THOMASON. I am absolutely in accord with the gentleman's purposes and objectives, so I invite him to offer a proper amendment that will take care of this situation. But I say that when the War Department, which is the spokesman for the administration with reference to defense matters, says there are second-hand dealers who are taking advantage of the emergency and are guilty of profiteering in articles the country needs to defend itself. I say it is time for us to do something about it.

Mr. HINSHAW. I am with the gentleman on the second-hand property matter. I think he is 100 percent correct. I am talking about the factories.

Mr. THOMASON. I am certain there is not going to be any abuse of discretion, but I know there is a situation that has to be met. If we are for the Selective Service Act in taking over our boys, surely we will deal with some of these people who are profiteering and racketeering on the necessities of war.

Mr. KILDAY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. KILDAY. When the gentleman from California said he had read the committee amendment I think he should also take the language of the Senate bill on page 2, because the measure of damages is not set out in the proposed committee amendment. The measure of damages appears in line 6 on page 2 of the Senate bill, which reads, "Upon the payment of fair and just compensation," and "It shall never be less than the fair market value."

Mr. HINSHAW. Of the article?

Mr. KILDAY. No; we did not limit it. It is fair and just compensation. Then when it comes to the detail of the procedure to be followed, that is where we are bringing in our committee amendment. It was incorporated by reference to Public, No. 829, approved on the 10th of October 1940. The purpose of the amendment that is now proposed is to be copy that procedure into this bill in toto rather than by reference to Public, No. 829. The measure of damages is fair and just compensation for the article taken. That would include goodwill, destruction of business, or anything else, as I understand the rule of damages for "just compensation."

Mr. HINSHAW. Has the chairman of the committee any objection to writing such an amendment to that act as to insure what the gentleman has said will be in effect when the law is finally passed?

Mr. KILDAY. I do not know if you want us to bind the Senate or not.

Mr. HINSHAW. No. I am talking about the gentleman and the chairman of his committee.

Mr. KILDAY. I do not understand what the gentleman means.

Mr. THOMASON. Well, I will speak for myself and say that I will be very glad to welcome such an amendment, but I beg of you not to kill this bill. We talk a lot here every day about national defense. We read the papers and see what is going on in other parts of the world. Many of us already have boys in the service. So it does seem to me that when the War Department comes here and says it is absolutely necessary in order to get certain tools out of the hands of profiteers and racketeers that we ought to be able to work out something that is fair and just. If this is unjust, let us amend it. I plead for action.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. GILCHRIST. The amendment strikes out all the italics on page 2, commencing in line 11 and running down to line 20?

Mr. THOMASON. The chairman of the committee will have to offer the amendment.

Mr. GILCHRIST. Well, that is true, is it not?

Mr. THOMASON. The chairman of the committee will offer that amendment later. I yield to the gentleman from New York.

Mr. MAY. It is down to the word "further" in line 14.

Mr. COLE of New York. Is there any limit on the use or disposal of any article that may be seized under the authority?

Mr. THOMASON. It must be necessary in the interest of national defense before it can be seized.

Mr. COLE of New York. I am speaking of the use of it after it has been seized.

Mr. THOMASON. Of course, it must be used for that purpose.

Mr. COLE of New York. So that if this bill is adopted as now written the President is empowered to take over every commercial airplane that we have in this country and turn it over to some foreign country?

Mr. THOMASON. No. I would not go that far. I do not know. I would say that if an airplane owned by a private person was absolutely necessary in the interest of national defense that the President would have that power.

Mr. COLE of New York. It gives the President the power to dispose of such property in any manner that he may deem necessary in the national defense.

Mr. THOMASON. I assume it would have to be used for national defense. The President and the War Department are going to be reasonable and use common sense. This bill ought to be passed.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. HARNESS. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, I am always interested in the arguments put forward by the gentleman from Texas [Mr. THOMASON]. It was noticeable that he was talking very strongly against the second-hand or junk dealers. Up in my district we are faced already with a situation which has grown out of peacetime activity on the part of the Government. For instance, you pick up the Springfield Republican, an independent Democratic paper, and you find these headlines:

McCallum expects partial shut-down at Northampton. And complete closing of its throwing plant at Holyoke as result of freezing of raw silk.

The management explained that 60 percent of their plant has got to be closed; and, further, the management explained that it was the desire of the local company, which is one of the largest manufacturers of ingrained hosiery in the world, to keep as many employees and machines busy as possible. Now that is one of the results of allowing Executive orders to go through. In that instance it was undoubtedly necessary in connection with the situation in Japan, but if this company had been able to have a contract to make silk parachutes its employees in Holyoke, who are now thrown out of work, would have been taken care of, and 60 percent of its employees in one of the largest hosiery mills in the world at Northampton would have been taken care of.

They tell the owners that if they lose machines in a shop of that kind because they can be used for some military purpose they are going to be paid the fair market value of their machines. But how are the employees in these small towns, Northampton and Holyoke, going to be taken care of, who have been put out of work when the machinery is taken out of the small-town factory and moved to some big center? Those people in the small towns are going to see their factory closed down. The owners are supposed to be paid the fair market value of their property, but the employees are going to be thrown out of work. This is one of the things that ought to be guarded against.

In my opinion this bill like a lot of other bills that come out of the Military Affairs Committee is a shotgun bill. They bring in a bill so big in scope that it covers a lot of nonessential things which ought not to be contained in the bill at all. They talk about taking machines away from people who are not using them, second-hand dealers. Why not put that specific language in the bill and have it include that which you expect it to cover? Just as was pointed out in the Senate report, in the last war they took up these subjects item by item and passed bill after bill to meet specific questions. Today, however, we do not do that. Today the sky is the limit. Today we let them have executive power to destroy any and all businesses anywhere in the United States on the theory it is for national defense in peacetime. It

was stated in the committee, and I do not believe any member of the committee will deny it, that this bill is sufficiently broad in its scope to permit the Executive to put out of business any single radio broadcasting station it sees fit, to put out of business any single newspaper in the United States at any time the Executive sees fit. This is not the type of legislation I believe Congress thinks it has before it today. I believe we ought to look out and draw these bills in such manner that they cover what we have in mind.

What is the fair market value of a machine if it is taken away from a plant? Let us take the situation that exists in this plant in Holyoke where half a dozen machines of a particular kind taken out of a plant would require the closing of the entire plant. If those machines are taken away the owners cannot get fair market value included in which is loss of profits and loss of business, and good will. Nobody believes the owner will be paid for those things just because they take six machines, yet the taking of those machines would close the entire plant and stop the business. Nobody who has tried a case and tried to get the fair market value of a piece of property, machinery, or whatever it is, could get anything for good will, taxes on real estate, and so on; yet taking half a dozen of these machines could put this factory out of business.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, the first legislation of this character that came before the House Committee on Military Affairs was so broad in its scope, so far reaching and inclusive, that I for one felt I could not support it. There were other members of the committee who felt the same way, and we expressed ourselves in no uncertain terms regarding the matter. Consequently that legislation was dropped. This legislation was later brought out to take the place of it. Everyone, regardless of his political affiliations, must recognize of course that the first duty of government is to provide for its own security. There has been many times in the past history of this Nation when it has been necessary for the Government to resort to measures which were not welcome in the ordinary everyday life of its citizens in the conduct of their personal or economic affairs. The Committee on Military Affairs in dealing with this legislation took into consideration the fact that it is always wise and always desirable to interfere just as little as possible with the rights and privileges of the citizens of this Nation. So we insisted that the terms of this bill be confined to that property actually necessary to the national defense, and I believe we have brought out a very good piece of legislation in that respect.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. WALTER. To what extent has the defense program been impeded through inability to secure essential tools?

Mr. FADDIS. I do not believe it has been impeded a great deal up to the present time, I may say to the gentleman from Pennsylvania, but I also say to the gentleman that I believe from now on in the defense program there is grave danger that it may be. I want to cite this to the gentleman: There are certain materials in the United States that are very scarce, certain materials that are highly essential to the defense program. There is quite a possibility that some individual who is not in sympathy with the policies of the Government or the needs of the Nation might corner or hoard some of these materials and in this manner do the defense program a great deal of harm in a very short time. There are circumstances of that kind with which we have to deal today, and I am sure those who are charged with the maintenance of industry and with seeing that the portion of industry necessary to national defense has free access to these materials are convinced of this fact.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. WALTER. In view of the gentleman's statement, does he not think it might be well to wait until there is an interference with the defense program before such sweeping legislation as this is enacted?

Mr. FADDIS. No; I do not. That would be locking the door after the horse is stolen. I do not believe that anybody is going to be done an injustice under this legislation.

The committee properly appreciates the tendency of bureaucracy to run riot when given the opportunity. There is no one who fights more ardently against these bureaucrats when they try to encroach upon the liberties of the people than do I and other members of the committee. We have thrown enough safeguards around this legislation so there will be no imposition on the people by any bureaus or institutions of that kind.

In the crisis we find ourselves facing we must come to the point where we are willing to entrust matters of this kind in the hands of the officials of this Nation. If we are not willing to do that when we are facing a crisis, then God help us in the days which I fear we may have to face that are yet to come. We must have faith at least in the patriotism and in the good intentions of the men who are to administer this and other measures of this kind. If we do not have this faith, then we are in a sorry fix as a nation. Whether or not we like these men personally or politically, since they are officials of this Government we must give them credit for having good, patriotic intentions and for intending to promote the security of the United States. We passed the Selective Service Act whereby we took men into the service. Now we should not neglect any opportunity to provide those men with all of the equipment and matériel that may be necessary for them to properly function and provide for the security of this Nation.

In closing, may I say that any doubts or misgivings that may have been conjured up about the workings of this bill are entirely groundless, because the members of the Committee on Military Affairs would not vote to report a bill of this kind unless they were satisfied that it would not work an undue hardship upon the people, except in the case of an extremity.

Mr. CURTIS. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Nebraska.

Mr. CURTIS. Referring to page 2 of the bill, lines 9 and 10, I find this language:

> and to dispose of such property in such manner as he may determine is necessary for the defense of the United States.

I would like to have that explained a little bit. In what way would the Government have to seize this property for our defense and at the same time want to sell it? Maybe I do not understand the language. I wish the gentleman would explain it.

Mr. FADDIS. All I can say to the gentleman is that the language speaks for itself. This bill is written to cover various contingencies that may arise. When we speak of the defense of the United States no man can stand here and say what may be necessary to provide for our defense tomorrow.

Mr. CURTIS. Are we to imply that property from one firm or plant may be seized and sold to another firm?

Mr. FADDIS. Yes, indeed. Property or equipment may be taken from a plant where it is not being employed, strictly speaking, for national defense and, of course, put into use in a plant which is being used strictly for national defense.

Mr. O'BRIEN of Michigan. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Michigan.

Mr. O'BRIEN of Michigan. Is it the gentleman's information that property requisitioned under this bill is subject to the powers of the Lend-Lease Act?

Mr. FADDIS. Yes; I should say they would be if they were necessary in the defense of our country; otherwise I do not see how the bill would avail the Nation anything at this time, because the Lease-Lend Act is part of our national defense.

[Here the gavel fell.]

Mr. HARNESS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WILLIAM T. PHEIFFER].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, this bill is popularly and properly known as the property-seizure bill. Stripping it of all its legal niceties and technicalities and all of the protestations of good faith on the part of the proponents of the measure, it is still the property-seizure bill. We can talk until doomsday about about requisitioning property for national defense, but under the spirit and under the language of this bill we are doing nothing but arbitrarily going out and seizing a man's property in which he has invested his life's work and his life's earnings.

Let us go back to the time about 2 months ago when this bill was first introduced by the distinguished chairman of the Military Affairs Committee who, with his usual intellectual honesty, in-

troduced the bill "by request." Mind you, at that time the chairman of the House Military Affairs Committee brought in this bill by request. Since then it has been modified and moderated, unquestionably so, but the dangerous and repugnant principle is still there. It is simply holding another ax over the head of all American industry and private property rights. It is all very well to say that the power will not be used oppressively, but the main thing is that the power is there to be used oppressively, and the American people will be aghast when they realize that we have delegated yet another such power to the President. That we have taken yet another step toward setting up a top-heavy, lop-sided system of government.

You will remember the furor that the introduction of this bill caused just a few weeks ago. The American people were genuinely alarmed, yet they were given a measure of assurance that such a bill would never have a chance of being passed by the Congress of the United States, so their fears were quieted. They no longer were talking in their luncheon clubs and around their dining tables about the possibility of this becoming an out and out autocracy, where the Government could, at its mere whim, take over private property. Since then we have had intervening some very, very important issues—the tax bill, the draft-extension bill, the bill for the lowering of the draft age, so that the people have more or less lost sight of this property-seizure bill. But if they read in tomorrow morning's headlines that the Congress of the United States has radically departed from our constitutional, democratic form of government to the extent of vesting in one one man and his agents the right to say what property may or may not be requisitioned—call it that, although it is seizing property, it is confiscating property for the use of the Government—the people will be disquieted, to say the least, at a time when national defense in its true meaning and in its true concept should be the defense of those principles, rules, and laws which explicitly prohibit high-handed acts of this very character.

The right of a citizen to use and enjoy his property in a lawful manner without molestation is the paramount interest that we should defend. Taking up the argument of the gentleman from Texas [Mr. THOMASON], I believe he is using a double-barreled shotgun to shoot at a rifle target. Of course, there can be no question about the need of taking over property suitable for defense purposes that is held by certain unscrupulous traders, these junk men, these men who think they can wring an unconscionable profit out of a desperate Government; but legislation can easily be framed to take care of that situation, and it would pass this House like greased lightning. But if we pass this bill, in its present broad form, we will, in effect, be burning down the barn to kill the rats.

The administration of this measure, which would no doubt be delegated by the President to a group of his bureaucrats, would carry with it a grave threat to many small business establishments, such as machine shops, foundries, and even wood-working plants and printing establishments, the kind that are located in my home city of New York, and are also located in El Paso, which is the home city of my good friend and colleague, the gentleman from Texas [Mr. THOMASON]. To grasp the vast scope of its implications and the endless variety of industries it might affect, we have but to consider the list of "component parts" and "supplies" covering seven closely printed pages of the Federal Register for July 22, 1941, which was referred to earlier this afternoon by the gentleman from Missouri [Mr. SHORT]. Military supplies and component parts, as such terms are used in this bill, conceivably might be construed to embrace hundreds, if not thousands, of products manufactured in this country, and the machinery used in the manufacturing operations. We are here to enact legislation which interprets the will of the people of the United States, and which is for their common welfare. I respectfully maintain that legislation of this character is unneeded in the present situation, it is unwise, and it is contrary to the will of the majority of the people.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. EDMISTON].

Mr. EDMISTON. Mr. Chairman, like my colleague from Pennsylvania [Mr. FADDIS], I, too, was opposed to the original draft of this bill as presented to our committee. However, I believe that on the floor this afternoon we have picked out examples of the worst conditions that could possibly be brought up under this bill. It seems to me that for the good of our country, in the situation in which we find the national-defense program as of today, we should enact this bill. Our War Department says they need it badly to carry out the defense program we have appropriated money for.

One specific example has been pointed out to our committee, that of the new 90-millimeter antiaircraft gun. None of them has been delivered to the Army up to the present time. It is my understanding from an officer of the War Department that there are in the hands of certain second-hand machinery firms in this country certain machine tools on whose price they cannot agree, and these machine tools would greatly hasten the date of delivery of the 90-millimeter antiaircraft guns to the Army.

Regardless of the normal legal rights of our citizens under normal conditions. To take these machines at a fair market price under present conditions I would not hesitate, I would have no regard for the rights of any American who would block his country in any way, even though we are not at war but are trying to prepare ourselves as a united American people to keep out of war. So there are instances in which we need this authority.

I point out to you that in World War No. 1 we endeavored in this country to name the specific article we needed and pass legislation applying to that one specific thing, and not make the power broad enough to take in anything the President or the War Department or the Navy Department believed to be necessary. It took 17 specific acts in 1917 and 1918 to teach us that this system was not practicable, and finally, after passing 17 individual acts naming specific articles, the Congress gave President Wilson a general act so that those in charge would not have to come back here for a new act for every obstacle they ran into in conducting the war, and securing necessary material to promote the national defense.

Further, in my opinion, the power granted in this bill will be used in very, very few instances. The very fact that the power exists is going to scare some of our Hebrew junk dealers and second-hand machinery people who are holding out for exorbitant prices against their Government on certain machine tools urgently needed right now. I do not believe it will be necessary to have to exercise this power, but I do believe it is necessary to have the power in order to put the fear of God into certain people who care nothing for their country and put the almighty dollar above every other consideration.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. I yield to the gentleman from Pennsylvania.

Mr. WALTER. The gentleman just mentioned the statute that gave to President Wilson powers that he says this law will give to the present occupant of the White House. Was that statute ever repealed?

Mr. EDMISTON. I am not a lawyer and I do not know, but it evidently was, because the attorneys for the War Department, from the Judge Advocate General's division, say they do not have this power as it relates to personal property but they do have it for real property.

[Here the gavel fell.]

Mr. HARNESS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

THE PEOPLE LACK CONFIDENCE IN PRESIDENT

Mr. HOFFMAN. Mr. Chairman, from listening to the debate one might think that the title of this bill ought to be changed to "A bill to regulate the junk dealers." The junk dealers or second-hand merchants seem to me to be the principal source of trouble, according to the gentleman from Texas [Mr. THOMASON].

As long ago as November of last year I introduced a bill (H. R. 10680, now H. R. 1408, reintroduced in January) for the creation of a committee to freeze the prices of everything, including services, on the basis of a period of years prior to that time. That bill would have prevented all profiteering, it would have prevented the constant increase in the cost of our national-defense program. However, coming from a Republican, that bill was thrown into the wastebasket. Nevertheless, it would have taken care of this situation without giving us a price dictator. It is still before the Ways and Means Committee.

Later we had the lend-lease bill. I had always supposed that under the lend-lease bill the President could get anything and everything he wanted. I may

have been mistaken, but that is what I heard on the floor from the majority side. That was the purpose of the bill.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. I think the gentleman will find that the lend-lease bill gives the President the power to get things for other countries but not for our own defense.

Mr. HOFFMAN. Yes; it did. It said for our national defense.

Much of the opposition to this sort of legislation grows out of the fact that some Members of Congress and the people do not trust the President of the United States. You may not like that statement but that is the cold, hard fact. There are many people, I do not know how many, but there are many of them, according to the letters that I get, who are thoroughly and absolutely convinced that he does not tell the truth and that he never will keep his word to them. That is a hard thing to say but it is true. Now, is it not? They do not trust the President of the United States because they now do not believe he will keep a single promise he makes.

I have asked on the floor of this House more than once that some Member on the majority side rise and tell me of one single political promise that that man has made which he has fulfilled if circumstances arose which made it to his advantage to disregard it. With that sort of spirit you get the reason why many of us oppose legislation of this kind.

Another reason we oppose legislation of this kind, some of us, is the way in which the administration has used its power. Now, we have here a bill to take over personal property. It is a fact, substantiated by the written statement of the then Acting Secretary of the Navy, Edison, that the Navy of the United States and the Army of the United States could not and did not—now listen—could not and did not for 42 days get its own property, its own patterns, its own finished material out of the Bohn Brass & Aluminum Corporation of Detroit when they needed it for the construction of airplanes in the Philadelphia Navy Yard because the C. I. O. would not permit its delivery. Yet the President during all that time failed to exercise his authority. Now, what do you think of that kind of an administration? Why give that kind of administration any more power when it is so cowardly, so fearful of political results that it lets the whole Army and the Navy be defied by a small group representing a politically powerful labor organization? In that particular instance the administration sold us down the river body and soul. The administration betrayed the Army, and when I say the administration I mean the President of the United States. He betrayed the Army and he betrayed the Navy and he betrayed the American people, and those are the facts, sad and regrettable as they may be. Now, you want to give him more power, the power of a dictator.

On the first page of this afternoon's issue of the Washington News we find the statement that it is intimated in the House of Commons in London that the President is meeting Churchill and Hopkins on the high seas. True or not, it is a fact that the President of the United States, instead of preparing this Nation for national defense, for a threatened invasion, is giving away and is preparing to give away billions upon billions of dollars, not only to Great Britain but to Russia; that he is depriving the American workingmen of their jobs; that he is adding to the burdens of the American taxpayer; that he is supplying belligerent nations with the munitions of war, which they have used in some instances to fight each other.

FOR ONCE LET THE ADMINISTRATION TELL US THE TRUTH

Why does the President want the seizure bill he is jamming through Congress today? With all the greedy grasping for absolute power shown by an ambitious dictator, the President insists upon the passage of this bill.

The truth is he wants it so that he may have the power of life and death not only over business and industry but over the press as well. He intends to stifle all opposition by shackling the public press. He has already been given authority to requisition all materials which he may deem he needs for national defense. True, that bill requires that, upon seizure by him of materials or of a business, just compensation must be paid to citizens of the United States. This bill gives him authority to seize all materials, all businesses, and under the act he can socialize the United States.

This bill grants him the power to take over any factory, the plant, of any corporation, whether it is engaged on national-defense orders or not. It grants him the additional power, as an example, to take over the cargo boats on the Great Lakes which are hauling pulpwood to be made into print paper for some of the great dailies which are opposed to his policies. He wants, and this bill gives him authority, to muzzle the press, power which he has long wanted.

Pass this bill and under it he not only can seize the printing presses of any newspaper which ventures to oppose him or his policies or to criticize him or his spokesmen, but he can shut off the supply of print paper without which they cannot publish a word.

Is there any necessity for this bill? Under Secretary of War Patterson was asked whether business, little or big, had refused to cooperate with him or with the Government. Under Secretary of War Patterson, although prodded again and again, could not name one single industrial concern, one single businessman, who had refused to cooperate 100 percent with the President, with the demands of all those he has placed in authority. Every business has cooperated, and it has cooperated in every instance.

Then why does the President want authority to take over these business concerns? Why does he want the power to say whether they shall live or die; whether they shall continue in business or go out of business? There is just one reason: Like all greedy, ruthless dictators, he wants to make his will, his whim, supreme, absolute over everyone. Like every dictator, he cannot brook opposition.

His spokesmen concede, as they are forced to concede, that he now has all the power necessary to build an adequate national defense. He refuses to exert that power against the communistic-controlled labor organizations, some of which, it may be said a very few of which, are interfering with national production by continuously, from week to week and month to month, violating their agreements with the Government and with private employers by curtailing the amount of national-defense production through wage increases.

No. There is no necessity for the enactment of this bill, but like every dictator, the President has become a tyrant. It may be he is humiliated because Bloody Joe, his comrade, the ruler of the Communists, some of whom were pampered, entertained, and encouraged by his wife, Eleanor, has more power than has he. Perhaps he wants to show Comrade Joe, who has caused the death of thousands of his people, that he, Roosevelt, has a like power over us here in America—we who heretofore have considered ourselves free and independent.

In any event, he is constantly following the course pursued by all tyrannical dictators, this regardless of the Constitution, which he took a solemn oath to sustain and defend; regardless of fair play and of justice.

The minority party in the House of Representatives should expose his betrayal of the people; should brand him for what he is—a violator of his promises, a man who thinks more of royalty and its subjects than he does of free American citizens.

[Here the gavel fell.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That whenever the President, during the national emergency declared by the President on May 27, 1941, but not later than June 30, 1943, determines that (1) the use of any military or naval equipment, supplies, or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions is needed for the defense of the United States; (2) such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and (3) all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted, he is authorized to requisition such property for the defense of the United States upon the payment of fair and just compensation in the manner provided for by the act of October 10, 1940 (Public, No. 829, 76th Cong., 3d sess.), and to dispose of such property in such manner as he may determine is necessary for the defense of the United States.

With the following committee amendment:

Page 2, line 11, after the word "States", insert: "*Provided*, That recovery shall be confined to the fair market value of such

article or material, without any allowance for prospective profits, punitive, or other damages: *And provided further*, That nothing herein contained shall be construed to authorize the requisition or require the registration of firearms possessed by any individual for his personal protection or sport (and the possession of which is not prohibited nor the registration thereof required); nor shall this act in any manner impair or infringe the right of any individual to keep and bear arms."

Mr. MAY. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. MAY to the committee amendment: On page 2, line 11, after the word "States", strike out the balance of line 11, all of lines 12, 13, and that part of line 14 to and including the word "further", and insert in lieu thereof the language: "Whenever the President shall requisition and take over any article or material pursuant to the provisions of this act, the owner thereof shall be paid as compensation therefor such sum as the President shall determine to be fair and just. If any such owner is unwilling to accept, as full and complete compensation for the taking of such article or material, the sum so determined by the President, such owner shall be paid 50 percent of the sum so determined by the President and shall be entitled to sue the United States for such additional sum as, when added to the sum already received by such owner, such owner may consider fair and just compensation for the taking of such article or material, in the manner provided by section 41 (20) and 250, title 28, of the Code of Laws of the United States of America, without limitation as to amount: *Provided*."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky to the committee amendment.

Mr. TABER. Mr. Chairman, will the gentleman explain that amendment?

Mr. MAY. I will be glad to explain the amendment. The amendment as offered by the committee to the original amendment seeks to guarantee to the owner of the property that he shall have adequate compensation for it by providing that he shall have just compensation and that the just compensation shall be a sum in no event less than the market value of the property.

The second proviso of the amendment, which provides for the taking under sections 41 (20) and 250, title 28, Code of Laws of the United States of America, without limitation as to amount, is to enable the owner to escape the limitation placed in that section of the code as it now exists, which limits the amount to $10,000. This amendment was suggested by the gentleman from New York [Mr. TABER], and the committee is satisfied with it.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield for a further question?

Mr. MAY. I yield to the gentleman.

Mr. CRAWFORD. If I understand the amendment, the President might take some equipment away from, say, Company A, on which he places a value of $30,000. Company A is dissatisfied with the value placed thereon. It is suggested that the Government pay him $15,000. Then Company A may go into court and if Company A deems it advisable, sue for, say, $40,000, the value of the equipment. Is that correct?

Mr. MAY. Yes.

Mr. CRAWFORD. In other words, there is no limit as to the amount that Company A may sue for?

Mr. MAY. That is correct. He may sue for what he deems is right. He is already paid 50 percent of what the President deems to be the fair value. That may not be the value, but he has a right to fix his own idea of the value and sue for whatever he says is the fair value, and whatever amount is recovered by him is added to the other that has been paid to him, and that is what he is entitled to.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. MAY. Yes.

Mr. WALTER. The gentleman stated that the value would be the fair value. What the amendment provides is the fair market value, so that the man would be restricted in his proof to demonstrating what the fair market value is, and not the value to himself of this equipment.

Mr. MAY. The gentleman misunderstood the amendment evidently, because it provides for just and fair compensation, which compensation shall be not less than the fair market value, and the fair market value is that value which one who wishes to sell will sell a property for, when one who offers to buy it but is not obliged to do so is willing to pay that price for it. That is awkwardly stating the rule, but I hope the gentleman gets what I mean.

Mr. ELSTON. And do I understand from this amendment that any person who feels himself aggrieved for the taking over of any of his property, can go into a United States court regardless of the amount and have his cause determined?

Mr. MAY. No. This amendment allows his recovery to be beyond $10,000. The limitation in the code as it now exists under this title on which this amendment is based, is $10,000, and we added the words "without limitation as to the amount," so that he is entitled to recover $100,000, or any other amount, if he can show that he has been damaged to that extent.

Mr. ELSTON. And what would be the remedy of a person whose claim is less than $10,000?

Mr. MAY. This amendment would not be in his way at all; it would not concern him, because the amount is less than $10,000. Under this amendment a man is entitled to get what he is really entitled to. In other words, whatever sum he can sustain by proof.

Mr. HINSHAW. Mr. Chairman, I rise in opposition to the amendment. I do so not to oppose the amendment but to ask the chairman of the committee whether or not he inserted the words in the committee amendment that we discussed a few moments ago.

Mr. MAY. Yes; they are in two places.

Mr. HINSHAW. I thank the gentleman for concurring with my suggestion for remedying the bill.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman from California yield so that I may ask the chairman a question?

Mr. HINSHAW. Yes; I yield.

Mr. VORYS of Ohio. Why is the payment to the unwilling owner restricted to 50 percent? Why not, as in the case of condemnation proceedings, pay him what is the fair value, and then permit him to sue for more if he thinks he is entitled to it?

Mr. MAY. There is no rule in condemnation proceedings to pay him anything until the final determination of what he is entitled to. This is to enable him to have 50 percent of what the President fixes as the value, and then allow him to litigate for any amount he claims beyond that.

Mr. VORYS of Ohio. But why limit him to 50 percent, unless he is willing to take the amount in full settlement?

Mr. MAY. Because under existing statute the language is recited in that way.

Mr. HINSHAW. Mr. Chairman, I have heretofore interrogated the members of the committee and the chairman to learn whether or not the language of the bill and the committee amendment protects the small business where the taking of perhaps only one piece of equipment would cause the shutting down of the entire plant. I found that the intention was so to do but that the language used was far from explicit. Therefore I have consulted with the chairman and as a result he has, at my suggestion, inserted in the amendment now under discussion the words "for the requisition and taking of" in two additional places, so that claims can be made which are in the nature of severance damages. Justice requires full compensation.

I understand that the gentleman from New York [Mr. TABER] intends to propose an amendment that will, in effect, exempt from the requisitioning and taking provisions of this bill such machinery and equipment as may be necessary to the operators of a factory or business. Both of these provisions are highly necessary if this bill is to be adopted. In some cases if one important piece of equipment is taken you might better take the whole plant. Then there can be little valid reason for taking an item necessary to the operation of a plant and expect it to continue in operation.

Much injustice, yes; much unemployment can occur if this bill, enacted into law, is capriciously used. I should vigorously oppose it if I felt it was to be so used. But the gentlemen of the Committee on Military Affairs say that such a bill is necessary to get at the junk dealer or second-hand dealer who is trying to make an exorbitant profit, who owns machinery that manufactures nothing. For such persons I have no regard and means must be provided for preventing them from holding up the defense effort. With the suggested amendments included I shall vote for the bill.

Mr. DONDERO. Mr. Chairman, will the gentleman from California yield?

Mr. HINSHAW. Yes.

Mr. DONDERO. To ask a question of the gentleman from Kentucky?

Mr. HINSHAW. Yes.

Mr. DONDERO. Does the section in the law referred to permit a trial by jury,

or is it a trial before the court, on the question of the fair market value?

Mr. THOMASON. Mr. Chairman, will the gentleman yield to me to answer that question?

Mr. MAY. Yes.

Mr. THOMASON. I feel quite sure that the referee is first appointed, and then if there is no agreement, the man can go into the district court and he can demand a jury if he so desires.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Kentucky.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. MAY. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. MAY: On page 2, line 7, after the word "compensation", add a comma and strike out the remainder of line 7, all of line 8 and the words "Congress, Third Session" in line 9 and substitute in lieu thereof the words "which shall not be less than the fair market value thereof."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 2, at the end of line 20, after the committee amendment adopted, insert a new proviso as follows: "*Provided further*, That no machinery or equipment shall be taken out of an operating factory or business if such machinery or equipment is in actual use in connection with such factory or business and is necessary to the operation of such factory or business."

Mr. TABER. Mr. Chairman, I have offered this amendment to meet the suggestion that has been made that under this statute they could go into an operating factory, take one piece of machinery out of it which would put it out of business, or take out one piece of equipment. I do not believe it is the intention of the War Department itself to operate that way and I do not believe it is the intention of Congress to operate that way. I do believe it is very desirable that the junk dealer, the second-hand man, and the other fellow who has any personal property that is needed for actual operations of defense should be obliged to surrender it. On the other hand, I do not think we want to cripple any existing operating business where the things are necessary for that purpose.

I hope the chairman of the committee will accept that amendment. If he will not I hope the committee will adopt the amendment, because I believe it will clear up a great many doubts with reference to this legislation.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. McGREGOR. Is it not true it would protect a great many small business operations?

Mr. TABER. It would.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. SHORT. While it is a good amendment and will do away with some of the damage that will be done, it would not prevent the Government from seizing all these component parts of certain munitions or supplies for defense?

Mr. TABER. It would not prevent the seizure of any raw material or manufactured products, only machinery or equipment.

Mr. SHORT. And it would not prevent the President from allowing Mr. Ickes to seize gas and oil at the present time in any such quantities as he may see fit?

Mr. MAY. Well, he has got it, anyway.

Mr. TABER. I do not believe he would have to, the way the thing stands now.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. ELSTON. And it would not prevent the seizure of newsprint or other essential materials that might be necessary in the publishing of a newspaper, and it would not prevent withholding from radio stations of essential equipment necessary in the operation of radio stations?

Mr. TABER. I think it would as to the last item, but not the first item. It would prevent the taking of any essential equipment to any operating business.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. RICH. It would prevent any Government agency or employee going to some manufacturing plant and closing up that whole industry because they might take out one machine that even would be vital to the welfare of our national defense?

Mr. TABER. That is correct and that is the object of the amendment.

Mr. EDMISTON. Will the gentleman yield?

Mr. TABER. I yield.

Mr. EDMISTON. The thought occurs to me on the gentleman's amendment, how about adding a proviso, "*Provided*, That the plant has cooperated with the Government"? Most of these plants have.

Mr. TABER. I do not believe there has been any case—I have heard of any case where there was such a failure.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. WALTER. Under section 9 of the Selective Service Act the situation which the gentleman from West Virginia has just discussed is fully covered.

Mr. TABER. That is true. This would prevent the taking of one piece of machinery or one or two pieces that would have no bearing upon the defense proposition, out of an industry and closing it up.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes; I yield.

Mr. MAY. I do not know just exactly what effect the amendment offered may have on the legislation as it may be completed by the House. I have not had an opportunity to discuss it, but I will say that if the House adopts it, it would afford a basis for discussion in conference.

Mr. TABER. Now, if there is something that is just not right about it, it can be worked out when you go to conference.

[Here the gavel fell.]

Miss SUMNER of Illinois. Mr. Chairman, I rise in support of the amendment. I should like to ask the chairman if the committee amendment includes reparation for damages incurred due to the taking of whatever is taken under this bill. That is the usual damage included in condemnation suits, and I should think there would be just as much reason for giving damages when machinery is taken as when farm land is taken for a road or some other purpose.

Mr. MAY. At the suggestion of the gentleman from New York and with the consent of my colleagues on the committee, I wrote the provision into the amendment which has just been adopted, which states "for such requisition and taking" which will give compensation for all damage that may be done.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. Wherever the President determines that property acquired under this act and retained is no longer needed for the defense of the United States, he shall, if the original owner desires the property and pays the fair value thereof, return such property to the owner; but, in any event, property so acquired and retained shall, if the owner desires the property and pays the fair value thereof, be returned to the owner not later than December 31, 1943.

SEC. 3. The President from time to time, but not less frequently than once every 6 months, shall transmit to the Congress a report of operations under this act.

SEC. 4. The President may issue such rules and regulations and require such information as may be necessary and proper to carry out the provisions of this act, and he may exercise any power or authority conferred on him by this act through such department, agency, board, or officer as he shall direct or appoint.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. BOEHNE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, pursuant to House Resolution 287, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. SHORT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SHORT. I am.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SHORT moves to recommit the bill to the Committee on Military Affairs.

Mr. MAY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. SHORT) there were—ayes 78, noes 106.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. SHORT. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 241, nays 136, not voting 55, as follows:

[Roll No. 101]

YEAS—241

Allen, La.	Delaney	Jarman
Anderson, N. Mex.	Dickstein	Johnson, Luther A.
Andrews	Dies	Johnson, Lyndon B.
Arnold	Dingell	Johnson, W. Va.
Baldwin	Domengeaux	Kean
Barden	Doughton	Kee
Barnes	Douglas	Kefauver
Barry	Downs	Kelley, Pa.
Bates, Mass.	Drewry	Kennedy, Martin J.
Beckworth	Duncan	Kennedy, Michael J.
Bell	Durham	Keogh
Bland	Eberharter	Kerr
Bloom	Edmiston	Kilburn
Boehne	Elliot, Mass.	Kilday
Boggs	Ellis	Kirwan
Boland	Faddis	Kleberg
Bonner	Fish	Kocialkowski
Boykin	Fitzgerald	Kopplemann
Bradley, Pa.	Fitzpatrick	Kramer
Brooks	Flannagan	Kunkel
Brown, Ga.	Flannery	Lanham
Bryson	Folger	Larrabee
Buck	Forand	Lea
Buckley, N. Y.	Ford, Thomas F.	Leavy
Bulwinkle	Ford, Miss.	Lesinski
Burch	Fulmer	Lewis
Burgin	Gamble	Ludlow
Byrne	Gathings	Lynch
Byron	Gavagan	McCormack
Camp	Gibson	McGehee
Cannon, Fla.	Gilchrist	McGranery
Cannon, Mo.	Gore	McKeough
Capozzoli	Gossett	McLaughlin
Casey, Mass.	Granger	McLean
Chapman	Green	McMillan
Clark	Gregory	Maciora
Claypool	Haines	Mahon
Cluett	Hall, Leonard W.	Manasco
Cochran	Hancock	Mansfield
Coffee, Nebr.	Hare	Marcantonio
Coffee, Wash.	Harrington	May
Colmer	Harris, Ark.	Merritt
Connery	Hart	Meyer, Md.
Cooley	Harter	Mills, Ark.
Cooper	Healey	Mills, La.
Costello	Hébert	Monroney
Courtney	Heffernan	Moser
Cox	Hendricks	Murdock
Cravens	Hill, Wash.	Myers, Pa.
Creal	Hinshaw	Nelson
Crosser	Hobbs	Nichols
Cullen	Holbrock	Norrell
D'Alesandro	Hunter	O'Leary
Davis, Ohio	Imhoff	Oliver
Davis, Tenn.	Jacobsen	Osmers
Norton	Scanlon	Thomason
O'Brien, N. Y.	Schaefer, Ill.	Tolan
Pace	Schuetz	Traynor
Patman	Schulte	Vincent, Ky.
Patrick	Scrugham	Vinson, Ga.
Patton	Shanley	Voorhis, Calif.
Pearson	Sheppard	Wadsworth
Peterson, Fla.	Sikes	Walter
Peterson, Ga.	Smith, Conn.	Ward
Pfeifer, Joseph L.	Smith, Maine	Wasielewski
Pierce	Smith, Pa.	Weaver
Plauché	Smith, Va.	Weiss
Plumley	Smith, W. Va.	Welch
Poage	Snyder	Wene
Priest	Somers, N. Y.	West
Randolph	South	Whelchel
Rankin, Miss.	Sparkman	Whittington
Richards	Spence	Wickersham
Rivers	Steagall	Wigglesworth
Robertson, Va.	Stearns, N. H.	Williams
Rogers, Mass.	Sullivan	Wolverton, N. J.
Rogers, Okla.	Sumners, Tex.	Woodrum, Va.
Russell	Taber	Worley
Sanders	Tarver	Wright
Sasscer	Terry	Young
Satterfield	Thom	Zimmerman
	Thomas, Tex.	

NAYS—136

Allen, Ill.	Gale	O'Leary
Andersen, H. Carl	Gearhart	Oliver
Anderson, Calif.	Gehrmann	Osmers
Andresen August H.	Gerlach	Paddock
Angell	Gifford	Pheiffer, William T.
Arends	Gillie	Pittenger
Baumhart	Graham	Ploeser
Bender	Grant, Ind.	Powers
Bennett	Guyer, Kans.	Reece, Tenn.
Bishop	Gwynne	Reed, Ill.
Blackney	Halleck	Reed, N. Y.
Bolton	Harness	Rees, Kans.
Bradley, Mich.	Hartley	Rich
Brown, Ohio	Heidinger	Rizley
Burdick	Hess	Robertson, N. Dak.
Butler	Hoffman	Robsion, Ky.
Canfield	Holmes	Rockefeller
Carlson	Hook	Rodgers, Pa.
Carter	Hope	Rolph
Chenoweth	Howell	Sauthoff
Chiperfield	Hull	Secrest
Clason	Jarrett	Short
Clevenger	Jenkins, Ohio	Simpson
Cole, N. Y.	Jensen	Smith, Ohio
Copeland	Johns	Springer
Crawford	Johnson, Calif.	Stefan
Crowther	Johnson, Ill.	Stevenson
Culkin	Johnson, Ind.	Stratton
Cunningham	Jones	Sumner, Ill.
Curtis	Jonkman	Sutphin
Day	Keefe	Sweeney
Dewey	Kelly, Ill.	Talle
Dirksen	Kinzer	Tenerowicz
Ditter	Knutson	Thill
Dondero	Lambertson	Tibbott
Dworshak	LeCompte	Tinkham
Eaton	McGregor	Treadway
Elliott, Calif.	McIntyre	Van Zandt
Elston	Martin, Iowa	Vorys, Ohio
Engel	Martin, Mass.	Wheat
Englebright	Mason	Wolcott
Fellows	Michener	Wolfenden, Pa.
Fenton	Mott	Woodruff, Mich.
Fogarty	Mundt	Youngdahl
Ford, Leland M.	Murray	
	O'Brien, Mich.	

NOT VOTING—55

Bates, Ky.	Houston	Rankin, Mont.
Beam	Izac	Robinson, Utah
Beiter	Jackson	Romjue
Boren	Jenks, N. H.	Rutherford
Buckler, Minn.	Johnson, Okla.	Sabath
Cartwright	Landis	Sacks
Case, S. Dak.	McArdle	Scott
Celler	Maas	Shafer, Mich.
Cole, Md.	Maciejewski	Shannon
Collins	Magnuson	Sheridan
Disney	Mitchell	Smith, Wash.
Doxey	O'Connor	Starnes, Ala.
Flaherty	O'Day	Taylor
Geyer, Calif.	O'Hara	Thomas, N. J.
Grant, Ala.	O'Neal	Vreeland
Hall, Edwin Arthur	O'Toole	White
Harris, Va.	Rabaut	Wilson
Hill, Colo.	Ramsay	Winter
	Ramspeck	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Harris of Virginia for, with Mr. Hill of Colorado against.

Mr. Izac for, with Mr. Shafer of Michigan against.

Mr. Cole of Maryland for, with Mr. Landis against.

Mr. Beiter for, with Mr. Rutherford against.

Until further notice:

Mr. Doxey with Mr. Vreeland.

Mr. Beam with Mr. Edwin Arthur Hall.

Mr. Grant of Alabama with Mr. O'Hara.

Mr. Cartwright with Mr. Winter.

Mr. Starnes of Alabama with Mr. Jenks of New Hampshire.

Mr. Collins with Mr. Maas.

Mr. O'Neal with Mr. Case of South Dakota.

Mr. Ramspeck with Mr. Scott.

Mr. Jackson with Miss Rankin of Montana.

Mr. Rabaut with Mr. Wilson.

Mr. Boren with Mr. Thomas of New Jersey.

Mr. Johnson of Oklahoma with Mr. Buckler of Minnesota.

Mr. Romjue with Mr. O'Toole.

Mr. Bates of Kentucky with Mr. Magnuson.

Mrs. O'Day with Mr. Mitchell.

Mr. Celler with Mr. Maciejewski.

Mr. Shannon with Mr. Taylor.

Mr. Sabath with Mr. White.

Mr. Houston with Mr. O'Connor.

Mr. Disney with Mr. Geyer of California.

Mr. Ramsay with Mr. Flaherty.

Mr. Robinson of Utah with Mr. Sachs.

Mr. Sheridan with Mr. Smith of Washington.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I take this opportunity to inform the Republican membership of the House that the gentleman from Michigan [Mr. WOODRUFF], chairman of the Republican caucus, has postponed the conference which was scheduled for tonight until tomorrow afternoon at 2 o'clock, because I understand from the majority leader that the bill scheduled for tomorrow afternoon will not be called up. Is that correct?

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on tomorrow, Calendar Wednesday, may be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I may say in reply to the gentleman from Massachusetts that the only matter I know of coming up tomorrow is a conference report from the Committee on Naval Affairs on the lighter-than-air bases, and that will be disposed of in time for the Republican conference.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. I yield.

Mr. KNUTSON. Will the distinguished majority leader advise us when it is proposed to call up the legislation to extend the term of service of the selectees?

Mr. McCORMACK. My friend will remember I previously announced that the bill extending the term of service of the selectees would be brought up in the House after the bill had been finally acted upon in the Senate. If the bill is acted on in the Senate by Thursday—today or tomorrow—then it is the intention to bring the bill up in this body on Thursday.

Mr. KNUTSON. The same day it passes the Senate?

Mr. McCORMACK. It is my intention not to bring the bill up before Thursday in any event, but if the bill does not pass the Senate by that time, then the bill will not be brought up until after the Senate has taken final action thereon; and, of course, if it is still being considered by the Senate on Thursday, that means it will not be called up until Friday.

Mr. KNUTSON. May I say to the distinguished majority leader that many of us acted on the assurance that the selective-service extension bill would be brought up not later than Thursday, and we have made plans accordingly. I know a number of Members who have done that, and I am one of them.

Mr. McCORMACK. If the gentleman from Minnesota can show me any statement I made in the RECORD which is inconsistent with what I have stated to the gentleman today, I will be very glad to see it, because I have always specifically stated that under no conditions would I permit the bill to be called up in the House until after the Senate had taken action on it. It would not be fair to this body to do other than that.

Mr. KNUTSON. I could not point to any instance, because the gentleman from Massachusetts is too adroit for that.

Mr. McCORMACK. I am not adroit when I make a gentleman's agreement. I am dealing with the House.

Mr. FISH. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. FISH. The gentleman proposes to bring this bill up on Thursday and the rule provides for 6 hours' general debate. There will be 1 hour on the rule. That will take the general debate over until Friday.

Mr. McCORMACK. Yes.

Mr. FISH. We will need a day under the 5-minute rule. Does the gentleman expect to proceed on Saturday under the 5-minute rule?

Mr. McCORMACK. At present; yes.

Mr. KNUTSON. Good.

Mr. McCORMACK. I am glad the gentleman stated that.

Mr. MAY. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Kentucky.

Mr. MAY. May I suggest to the gentleman, while this can be done tomorrow, that there should be a unanimous-consent request to meet on Thursday at 11 o'clock?

Mr. McCORMACK. I can assure the gentleman from Kentucky that is in mind. Naturally we will probably ask unanimous consent to meet at 11 o'clock on the date the bill is to be debated.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

ANNOUNCEMENT OF VOTE

Mr. SHORT. Mr. Speaker, the gentleman from Michigan [Mr. SHAFER] was called home last evening on account of the death of his father-in-law. If he had been present, he would have voted "nay" on the bill just passed.

EXTENSION OF REMARKS

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a certain newspaper clipping.

The SPEAKER. Is there objection to the request of the gentleman from Maine [Mr. OLIVER]?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution adopted by the Clan-na-Gael.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SWEENEY]?

There was no objection.

REPLY TO DIRECTOR OF THE BUREAU OF BUDGET

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. HEALEY]?

There was no objection.

Mr. HEALEY. Mr. Speaker, on July 24 the gentleman from Ohio [Mr. JENKINS] addressed the House and in his remarks referred to a letter received from the Director of the Budget and in connection therewith made the following remarks:

> When he did condescend to reply, his reply was just what I had expected. He made no effort to answer my inquiry.

Mr. Speaker, I have a copy of the letter which the Director of the Budget wrote to the gentleman from Ohio [Mr. JENKINS]. I do not undertake to say whether or not it did, as a matter of fact, answer the inquiry fully, but in justice to the Director of the Budget and to the whole issue he was discussing, it ought to be included in the RECORD.

[Here the gavel fell.]

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. HEALEY]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. Mr. Speaker, may I ask who has the floor?

The SPEAKER. The gentleman from Massachusetts has the floor under a unanimous-consent request to proceed for 1 minute.

Mr. HOFFMAN. Mr. Speaker, I make the point of order that the Well be cleared.

The SPEAKER. The gentleman from Massachusetts will proceed.

Mr. HEALEY. Mr. Speaker, in justice to the Director of the Budget and to the whole issue that was under discussion, I think the letter directed to the gentleman from Ohio [Mr. JENKINS] ought to be incorporated in the RECORD, and I therefore ask unanimous consent to include the same as a part of my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. HEALEY]?

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I have no objection to the insertion of the letter. The only reason I did not insert it in the first place was because it is a lengthy letter. I stated the substance of it two or three times, and as far as that is concerned, if it does anybody any good to read it, I am happy to have it inserted in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. HEALEY]?

There was no objection.

The letter referred to follows:

JULY 17, 1941.

Hon. THOMAS A. JENKINS,
House Ways and Means Committee,
House of Representatives,
Washington, D. C.

MY DEAR MR. JENKINS: This will acknowledge your letter dated March 24, received May 26, urging the Bureau of the Budget to make specific recommendations for substantial savings in nondefense expenditures with the objective of the billion dollar economy program suggested recently by the Secretary of the Treasury. I regret that my absence from Washington on a defense inspection trip during June has delayed this reply.

The Budget message of the President early this year classified expenditures for the fiscal years 1941 and 1942 in millions of dollars as is shown below. A third column has been added to give revised estimates for 1942, as of June 1, 1941, on the basis of the detailed tabulation attached herewith.

Expenditures	1941	1942 estimates as of—	
		Jan. 3, 1941	June 1, 1941
Defense program	$6,464	$10,811	$15,500
Fixed commitments	2,984	3,196	3,238
Other activities	4,094	3,478	3,431
Total (exclusive of returns from Government corporations)	13,542	17,485	22,169

I am sure you must be aware that the Federal Budget is constructed upon the foundation of policy prescribed in legislation passed by the Congress. It is upon this foundation of policy that the Departments prepare their estimates. The Bureau of the Budget reviews in detail the funds necessary to carry out these policies. Not only does this review take place in connection with the preparation of the Budget, but a continuous review is carried on in connection with the administration of the Budget.

Where it seems possible to do so without damage to the administrative machinery, funds are set in reserve. In an economy changing as rapidly as ours, a great many factors must be taken into account in reaching decisions.

I would like also to bring to your attention the fact that the classification of so-called nondefense expenditures is, at most, a rough classification. When defense means total defense, just as war has come to mean total war, this classification is very unrealistic. While we have tried to indicate in the Budget special defense items, the facts are that the defense effort puts a burden upon all agencies of the Government, just as it does upon the country as a whole.

It may be well to point out further that budgets are not made up in terms of billions or even millions, but are constructed upon a review of the myriad detailed items deemed necessary in carrying out the policy of the Government. In view of the fixed commitments in the Budget, realistic thinking compels the conclusion that large savings would have to be made at the expense of fundamental measures which have characterized both executive and legislative policies of recent years.

Very truly yours,

HAROLD D. SMITH, *Director.*

[Enclosure.]

Estimates of fixed commitments and other expenditures, fiscal year 1942, revised June 1, 1941

[In millions of dollars]

	Fixed commitments	Other expenditures	Total
ORDINARY EXPENDITURES			
Legislative, judicial, and civil establishments:			
Legislative establishment	25	----	25
Judicial establishment	12	----	12
Department of Agriculture	30	91	121
Department of Commerce	----	50	50
Department of the Interior	12	53	65
Department of Justice	----	57	57
Department of Labor	----	12	12
Post Office Department (deficiency)	----	30	30
Department of State	1	20	21
Treasury Department	2	169	171
War Department (nonmilitary)	----	53	53
District of Columbia (United States share)	----	6	6
Independent offices and commissions	45	214	259
Supplemental items	----	25	25
Total, legislative, etc	127	780	907
Veterans' pensions and benefits	481	104	585
Interest on public debt	1,275	----	1,275
Refunds of receipts	90	----	90
Agricultural Adjustment program	353	634	987
Social Security	437	25	462
Railroad Retirement	145	6	151
Government employees' retirement funds	103	----	103
Other (Commodity Credit losses, etc.)	----	75	75
Supplemental items	----	----	----
Total, veterans' pensions, etc	2,884	844	3,728
Total ordinary expenditures	3,011	1,624	4,635
EXTRAORDINARY EXPENDITURES			
Public works:			
Public highways	170	5	175
Tennessee Valley Authority	----	40	40
Reclamation	----	83	83
Rivers and harbors, improvement	----	50	50
Flood control	----	106	106
Public buildings	----	22	22
Grants to public bodies	12	36	48
Other	1	65	66
Total, public works	183	407	590

Estimates of fixed commitments and other expenditures, fiscal year 1942, revised June 1, 1941—Continued

[In millions of dollars]

	Fixed commitments	Other expenditures	Total
EXTRAORDINARY EXPENDITURES—continued			
Unemployment relief:			
Direct relief	26	97	123
Work relief (W. P. A., etc.)	8	981	989
Civilian Conservation Corps	----	265	265
Total, unemployment relief	44	1,333	1,377
Loans, subscriptions to stock, etc. (net)	----	67	67
Total, extraordinary expenditures	227	1,807	2,034
National defense expenditures	----	15,500	15,500
Total expenditures, exclusive of debt retirement	3,38	18,131	22,16

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to insert in the RECORD a poem written by a constituent of the Speaker of the House and an answer to Hitler's war song.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

PREVIOUS ORDER

The SPEAKER. Under a previous order of the House, the gentleman from Alabama [Mr. PATRICK] is recognized for 35 minutes.

Mr. PATRICK. Mr. Speaker, I do not have to reannounce what inspired all this. I want to thank the gentleman from Ohio [Mr. HARTER]; the gentleman from Ohio [Mr. CLAYPOOL]; the gentleman from Alabama [Mr. SPARKMAN]; and the gentleman from Massachusetts, the majority leader [Mr. MCCORMACK]; and the Navy Department and others for helping me get a few facts together so that I could compile in a table the facts I hope to present this evening.

Just before I get to the table, may I say that there are 10 Republicans on the Military Affairs Committee. In February of 1939 an administration-sponsored bill was presented for creation of new air bases and strengthening our old ones—that involved the Guam matter—aviation defense, which the minority leader says they could not even support as much as they wanted to or enough on certain occasions because they were mindful of the needs of aviation—well, that is aviation defense. When that came up it included a $5,000,000 appropriation for Guam, our island possession. Every Republican on the Military Affairs Committee voted to strike the Guam appropriation. Strong aviation foresight. The vote on the floor—and that was stricken out by that vote—was 205 to 168. We got it in this year. Of the 205, 117 were Republicans, and of the 168 that voted against striking it only 17 were Republicans.

I know you remember when it became necessary to lift the arms embargo to enable us to supply goods to the Allies. Our own plan of national safety by aiding the friends of democracy depended upon the lifting of that embargo, you may remember. You remember Secretary Hull's message setting forth the seven changes that were necessary. In fact, it embraces the most important step we have taken thus far in our defense program.

But when the bill came up in the House to carry out that need, behold, here came the Republicans, with what? The Vorys amendment. They would not let us send anything over there you could shoot with. A lot of help in defense that was. What happened? The 150 Republicans voted for the Vorys amendment and only 8 Republicans opposed it. The 10 Republican members of the Military Affairs Committee, every one to a man voted for the Vorys amendment. Twenty-seven Democrats in an unguarded moment went the same way for that amendment, and they defeated the whole purpose of that bill.

In September 1939 war broke out, as everyone with a clear eye had seen for months it was about to do, and on September 21 the President called a special session of Congress and enough real democratic vision and foresight had finally percolated through that this Vorys amendment was voted down and Uncle Sam's hands were untied around Guam so he could look intelligently after his defense. But even after the dirty work was on in the Old World and Poland had been invaded, do you know that every mother's son of those now defense-minded members of the Military Affairs Committee voted to hold the embargo on, including 139 other Republicans and 27 Democrats?

Let me say this: 6 of the 10 Republicans on the Military Affairs Committee voted against the bill to draw enough soldiers to have an Army at this time. Now you hear them yelling for more preparedness — the Republicans. The folks in the country know all about this.

What we are doing to prepare is discounted by the Republicans, when it was usually by the overwhelming weight of their vote that we were prevented from going on. I wish they could just come on and be more sincere about it and say, "We are honest"—as they were—"We did not see it coming. Now that we do see it we are for proper preparedness." Instead of that, they wait to see how the cat hops and then they say, "Oh, that is what we really wanted all the time, but we never said so." But that is okay. The gentlemen of the Republican Party can handle their party as they wish. We have all the job we need, I will be honest with you, trying to manage the Democratic Party, without trying to suggest to the Republicans how to handle theirs. So you Republicans tell the people you were for preparedness all the time if you can get away with it.

But we Democrats cannot afford to sit still while the minority leader stands up with a face as straight as if he were giving Cato's soliloquy and put the "blitzritz" on the rest of us. They act as though Mr. Republican and Miss National Defense were actually going on a honeymoon about the good year nineteen thirty-some-odd.

Mark Twain gave a definition of a publican—he did not say "Republican"—as "one who does his prayers in public." That definition fits the Republican Party well today, I think, because that is about what is happening.

But I want you to get some figures. America's most important line of defense is its sea defense and the United States has the world's mightiest navy. How did it get it? By Republican help? Following the World War the United States sank and scrapped 31 capital ships, under Republican rule, or a total of 767,880 tons. Under Republican rule, mind you, and an additional tonnage of 331,109 tons was lopped off and our fleet in 1930, as a result of the Republican's last pop at it, left us at that time only 816,720 tons of naval power to protect all America.

Mr. VORYS of Ohio and Mr. KEEFE rose.

Mr. PATRICK. Yes; I will yield. I am afraid not to.

Mr. VORYS of Ohio. Does the gentleman remember that the delegation which represented our Government and which approved the treaties which he now criticizes, contained that distinguished statesman, Senator Underwood, of Alabama?

Mr. PATRICK. Yes.

Mr. VORYS of Ohio. Who approved all of the treaties.

Mr. PATRICK. I have not always approved everything Senator Underwood did. Of course, Senator Underwood lived way back there.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from the far west.

Mr. KEEFE. Will the gentleman incorporate in his remarks the fact that at the first Democratic National Convention following the Arms Limitation Conference and the treaty of that Convention, adopted a platform severely castigating and condemning the Republican Party in power because they only sank battleships and because they did not sink submarines and destroyers? Turn to your Democratic platform of that year and see what your party then said as contrasted with what the gentleman is saying today.

Mr. PATRICK. That is a good point for this reason. Why cannot we all get together and let us all go down the road for defense? Why should the Republicans jump up and say the Democrats are responsible for a lag in defense? We all did not foresee what would happen and so what is the use for one side to say that the other side is to blame?

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. What is your name, please? I have often wanted to hear that gentleman.

Mr. BENDER. I have always been interested in finding out just who the gentleman is and where he tends bar.

Mr. PATRICK. The gentleman has not been here long enough to find out that much yet.

Mr. BENDER. Let me ask you this question. Is it not a fact that a Democrat made the motion to strike out the Guam provision?

Mr. PATRICK. I am just looking at the vote. The Democrats and Republicans voted on both sides of the issue. We have some of the hottest isolationist Democrats there are. We do not have any one Democrat running the Democratic Party notwithstanding.

This amazing trend was not changed until 1933, when the Democratic President diverted—and he was then condemned for it—$238,000,000 obtained through the National Industrial Recovery Act, with which to lay down 32 combatant vessels. It was about this time that the forces of aggression began to menace Asia and Europe and a large-scale warship-construction program was launched by the Democratic leadership in this House, and 137 new vessels totaling 507,000 tons were added. In 1940, 11 percent blanket increase over the treaty tonnage was authorized, and later 70 percent supplementary increase, and now, America is on her way toward a capable two-ocean navy.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I will be glad to yield to the gentleman.

Mr. DITTER. If the gentleman cares to, I will send my calling card up to him.

Mr. PATRICK. Oh, I know the gentleman.

Mr. DITTER. I am surprised that the gentleman has not been on the floor often enough to have recognized my distinguished friend from Ohio here.

Mr. PATRICK. He has always just sat in his seat and had nothing to say.

Mr. DITTER. I am really surprised that my friend did not know him. If he had been on the floor oftener I know he certainly would have recognized the gentleman from Ohio.

Mr. PATRICK. Has he been on the floor?

Mr. DITTER. I say had the gentleman from Alabama been on the floor, as he should have been at all times, he would have known my friend from Ohio.

Mr. PATRICK. Has your friend been on the floor before?

Mr. DITTER. My friend is here all the time.

Mr. PATRICK. Is that right? That issue is cleared up then.

Mr. DITTER. I would like to ask the gentleman another question as he refers to the conferences that were held. Is he aware of the fact that the President commended the disarmament conference, including the reference the gentleman made to the destruction of ships, as one of the real, signal advancements, stating that civilization had made a real advancement? Your own President commended that as one of the forward steps that civilization had taken.

Mr. PATRICK. No; I did not know that.

Mr. DITTER. I am surprised at my friend from Alabama pleading, as he always does, fealty and loyalty to the President, would come here at any time and be critical of that which the President has so strongly endorsed. I am surprised at that.

Mr. PATRICK. Well, I certainly do not claim to know everything.

Mr. KEEFE. I think the gentleman should look up the observations of his President on the Disarmament Conference.

Mr. PATRICK. It would take many volumes to hold what I do not know.

Mr. BENDER. I agree.

Mr. PATRICK. In fact, I cannot think of a volume which would contain less than what I recently read by the gentleman from Ohio [Mr. BENDER].

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Yes.

Mr. MARTIN of Massachusetts. The gentleman from Alabama said—and I think he made a mistake or at least he gave the inference, that I criticized the Democratic Members of Congress in my speech. I assure the gentleman that I never made the slightest reference to the Democrats in either branch of Congress. My criticism was directed to the administration lag, and I think the gentleman himself in his statement agreed with me in a large measure.

Mr. PATRICK. That is right.

Mr. MARTIN of Massachusetts. And the public press has so approved.

Mr. PATRICK. They stated that; cleared it up? But the communications that we get from the reaction is that the legislative branch was charged with being responsible for the lag in defense.

Mr. MARTIN of Massachusetts. I am going to conclude now, and all I want to say is that I never said that delay was in the House or in the Senate.

Mr. PATRICK. I am glad to hear that, and the tables will substantiate that.

Building battleships is a slow, tedious, and technical operation. At the time of the break-through in France our Navy consisted of 15 battleships, 5 aircraft carriers, 36 light and heavy cruisers, 18 destroyers, and 94 submarines. During the last year our fleet has been improved by 2 battleships, 1 aircraft carrier, 1 cruiser, and 15 submarines. By 1945 our fleet will consist of 32 battleships, 18 aircraft carriers, 91 light and heavy cruisers, 364 destroyers, and 185 submarines. This totals 690 combat vessels, compared to our present 337—and let me state that the Navy Department reports that this work is progressing at a most satisfactory rate.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. Oh, just let me get through with this. Do not forget that ships do not make a navy. It must have bases and it must have men. From a strength of 110,000 men and 12,000 officers our fleet personnel has been brought up during the last year to 230,000 men and 21,000 officers. Also we have made great strides during the last year in obtaining strategic and usable navy bases—new ones in addition to strengthening those already held by us.

Mr. KEEFE. Mr. Chairman, will the gentleman now yield?

Mr. PATRICK. Yes.

Mr. KEEFE. In connection with the gentleman's statement just made, may I direct his attention to the Democratic platform adopted at the convention in 1924?

Mr. PATRICK. Oh, I did not go back beyond 1925.

Mr. KEEFE. I read from the platform:

> We demand a strict and sweeping reduction of armaments by land and sea, so that there shall be no competitive military program or naval building.

I now read to the gentleman the platform of 1928.

Mr. PATRICK. We Democrats must have been out of office at that time.

Mr. KEEFE. Just listen to this, as compared with the gentleman's statement today:

We condemn the Republican administration for lack of statesmanship and efficiency in negotiating the 1921 treaty for the limitation of armaments, which limited only the construction of battleships and ships of over 10,000 tons. Merely a gesture toward peace, it accomplished no limitation of armament, because it simply substituted one weapon of destruction for another.

I suggest that the gentleman read that platform and wise himself up to his party's policy in the past before he makes these statements.

Mr. PATRICK. I want to say the gentleman is not consistent with the position taken by the minority leader, because our administration was not in power then.

Now, let us get to the figures I have been trying to get to for so long.

June 12, 1935: H. R. 5730, authorize construction certain naval vessels and other purposes. To recommit. Defeated 130 to 208; 52 Republicans voting for recommital out of 130; 43 Republicans voting against recommital in vote of 208. Bill passed. In Congress in 1935: 52 of 103 Republicans, 73 of 319 Democrats, 7 Progressives, 3 Farmer-Laborites.

June 27, 1935: H. R. 8555. Snell and Martin both approved. To develop a strong merchant marine and to aid national defense and other purposes. Passed yeas, 194; nays, 186. One hundred and ninety-four yeas—51 were Republicans and 143 Democrats. One hundred and eighty-six nays—36 were Republicans and 146 Democrats In Congress at the time were 103 Republicans, 319 Democrats, 7 Progressives, and 3 Farmer-Laborites.

February 14, 1936: H. R. 11035, appropriation for activities of War Department and other purposes. Included McSwain amendments providing Organized Reserves. Yeas, 246; nays, 98. Of the 98 nays 16 were Republicans. In Congress: Republicans, 104; Democrats, 315; Progressives, 7; Farmer-Laborites, 3.

May 1, 1936: H. R. 12527, appropriations for Navy Department; motion to recommit failed 73 to 212. Forty-one Republicans voted against it. In Congress: 104 Republicans, 314 Democrats.

June 19, 1936: S. 4020, bill for United States to obtain air station passed. Good Republican report. Yeas, 171; nays, 122. Of the 122 opposing only 24 were Republicans, including the then minority leader. Mr. MARTIN of Massachusetts did not vote.

March 5, 1937: H. R. 5232, Naval Annual Appropriation Bill. Motion to recommit with instructions to reduce appropriation. Defeated 84 to 257. Yeas, 84. Republicans voted 32 of the nays. Fewer than the Democrats. Nays, 257, but percentage of Republicans opposing much higher than Democrats. In Congress: 92 Republicans, 326 Democrats.

May 12, 1937: H. R. 6551, Civilian Conservation Corps. Passed Faddis amendment 233 to 148. Bill passed 389 to 7. Faddis amendment merely renewed a civil-service provision but 92 of the 148 voting against were Republicans. The amended bill passed 389 to 7.

March 21, 1938: H. R. 9218, for construction of certain naval vessels for national defense and other purposes. To recommit. Defeated 114 to 273. Seventeen Democrats, 92 Republicans. Bill passed 294 to 100. Of the 100, 80 were Republicans and 19 Democrats. In Congress: 91 Republicans, 327 Democrats, 7 Progressives, 5 Farmer-Laborites.

May 8, 1939: H. R. 6149, appropriation for naval service. Passed 297 to 58. Of the 58, 55 were Republicans. Democrats were 3; Griswold, O'Day, and Harrington.

August 1, 1939: H. R. 5129, bill providing more adequate defense Canal Zone and Panama Canal.

The motion to recommit was defeated 114 to 166; 127 Republicans voted for recommital, 13 Democrats; 158 Democrats voted against recommital and 8 Republicans against recommital.

Could anything we say speak louder than that?

On October 31, 1939, we had under consideration H. R. 320, the repeal of the Neutrality Act. On the last day of October 1939, of the 231 who voted for the rule only 7 were Republicans; and of the 177 who voted against the rule only 15 were Democrats.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Certainly. I believe the gentleman remembers that bill very well. He had an amendment, did he not?

Mr. VORYS of Ohio. I have a very vivid memory of what happened on that occasion. The gentleman classified the C. C. C. bill in the category of national defense. Does the gentleman consider that the gag rule on the Neutrality Act was a national-defense measure?

Mr. PATRICK. I am putting this in that category whether I regard it so or not. I did not think the C. C. C. bill should be properly regarded as a national-defense measure, but in debate on the floor it was argued that it was a national-defense measure and that is the reason I included it.

I do not have anything to say about the gag-rule proposition.

Mr. VORYS of Ohio, and Mr. MARTIN of Massachusetts rose.

The SPEAKER pro tempore. To whom does the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Ohio. He is my friend.

Mr. VORYS of Ohio. The gentleman mentioned the Vorys amendment as if the bill to which it was offered had something to do with national defense. I wonder if the gentleman remembers that on September 21, 1939, in his special message to the Congress the President said that he wanted to repeal the arms embargo not for purposes of national defense, but to make us more neutral? In those days there was not any talk about aid to Britain, there was not any talk about national defense from our administration; the argument was to be neutral.

Mr. PATRICK. I am not going to cross swords with the gentleman on that. I will let anything he says on that go by default.

Mr. MARTIN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. MARTIN of Iowa. Has the gentleman examined the ardor with which the administration pressed the matter of bringing our national defense up to date?

Mr. PATRICK. I do not know how to analyze "ardor." That is an abstraction with which I am not concerned at the moment.

Mr. MARTIN of Iowa. During the special session of Congress in 1939 the Military Affairs Committee was not permitted to meet.

Mr. PATRICK. I have never examined "ardor." That is an abstract quality I do not feet qualified to analyze or speculate upon.

Mr. MARTIN of Iowa. During that entire special session of Congress the Military Affairs Committee of the House was not permitted to hold one meeting. After war was declared in September of 1939 the Military Affairs Committee was not permitted to meet. We were not permitted to meet even once during the entire special session of Congress.

Mr. PATRICK. I am not on that committee.

Mr. MARTIN of Iowa. Examine the record of the Military Affairs Committee and see how strongly the administration blocked our getting down to national-defense preparedness. We were busy trying to repeal the arms embargo, and they did not give a plugged nickel for building up our national defense.

Mr. PATRICK. What point does the gentleman want to bring out by that?

Mr. MARTIN of Iowa. I would like to know if the gentleman charges us with that responsibility.

Mr. PATRICK. I cannot go into a discussion of that.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Yes; but the gentleman had better hurry, for I have got 5 more votes to tell the Members about.

Mr. VORYS of Ohio. I should like to say this because I know the modesty of the gentleman from Iowa would prevent his saying it—that while all of the Congress was sleeping on the question of national defense during the debate on the repeal of the arms embargo my colleague the gentleman from Iowa [Mr. MARTIN] came on this floor and pointed out deficiencies in our defense and urged this Congress to do something about it.

Mr. PATRICK. Is that a fact? Is the gentleman from Iowa one of the Members of Congress who has been a good defense man?

Mr. BENDER. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PATRICK. A point of order, why, the House is in order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. BENDER. There are only 18 Members here. I will not, however, move a call of the House.

Mr. PATRICK. The gentleman means 118.

Now, on August 1—did I include August 1, 1939?

Mr. MARTIN of Massachusetts. Read them over again.

Mr. POWERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman yield for a parliamentary inquiry?

Mr. PATRICK. Yes; I will yield for anything.

Mr. POWERS. If the gentleman does not know whether he has taken up August 1 and has not any idea how to answer the questions that have been propounded, I suggest that he take time to do so.

Mr. PATRICK. Well, Mr. Speaker, I do not think that is necessary.

Mr. POWERS. Mr. Speaker, another parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. POWERS. Now that the proceedings of the House have become so delightfully informal and the gentleman from Alabama is really making a comedy out of the procedure of the House, I suggest and I make the point of order that a quorum is not present.

Mr. MARTIN J. KENNEDY. Will the gentleman withhold that?

Mr. POWERS. Mr. Speaker, I withhold that for a moment to say if the gentleman will proceed in a serious vein I will withhold the point of order.

Mr. PATRICK. I will proceed like I feel inspired to proceed, and if the gentleman feels he wants to make a point of order that is up to him.

Mr. POWERS. If the gentleman goes ahead like a clown, I will make the point of order.

Mr. PATRICK. Let the gentleman proceed like he wants to, and I will proceed likewise.

Mr. POWERS. If the gentleman wants to clown, I suggest he go to the Earle.

Mr. PATRICK. There is one difference between me and the gentleman. I know when I am a clown.

On March 12, 1940: H. R. 8026, the annual naval appropriation bill; adopted 304 to 37. Out of this 37 voting against the bill 27 were Republicans. There were 168 Republicans in the House then. I will give them credit for that. There were 260 Democrats.

On May 30, 1940: H. R. 8668, the War Department appropriation bill. Yeas, 188; nays, 141. Of the yeas, only 13 were Republicans. Of the nays, 108 were Republicans.

August 15, 1940: Same bill, yeas, 343; nays 33. Twenty-seven Republicans and 5 Democrats voted nay.

August 15, 1940: Senate Joint Resolution 286, resolution to strengthen common defense and authority to order Reserve units out into Regular military service. Yeas, 342; nays, 34. Of the 34 nays, 28 were Republicans.

September 7, 1940: H. R. 10132, bill for selective military draft. You know that is when the Fish amendment was up. Yeas, 207; nays, 200. Of the 207 yeas, 140 were Republicans; 63 Democrats. Of the 200 nays, 22 were Republicans and 178 were Democrats.

[Here the gavel fell.]

Mr. PATRICK. Mr. Speaker, may I have 2 more minutes to finish this table? There is just one more vote.

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

Mr. POWERS. Mr. Speaker, I ask unanimous consent that the gentleman may have 3 minutes now that he is serious.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio [Mr. VORYS]?

There was no objection.

Mr. PATRICK. Mr. Speaker, same bill, same date, motion to recommit: Failed 171 to 241. In the 171 yeas to recommit were 143 Republicans and 32 Democrats. In the 241 nays were 220 Democrats and 21 Republicans.

Same bill; same date; passed 263 to 149. Of the 263 yeas, 211 were Democrats and 52 Republicans. Of the 149 nays, 112 were Republicans and 33 Democrats.

February 8, 1941: H. R. 1776, the lend-lease bill, the last one I will report. Vote to recommit 160, of which 149 were Republicans and 11 were Democrats. Against recommittal, 241 Democrats and 16 Republicans.

On the passage the vote was 260 to 165. Of the 260, 239 were Democrats and 21 were Republicans. Of the 165 against, 143 were Republicans and 19 were Democrats.

Mr. Speaker, I would like to have a few remarks in closing, but have not the time. I thank the gentlemen very kindly for their indulgence, and I hope that we will all get together and agree that nobody is negligently or willfully to blame.

[Here the gavel fell.]

The SPEAKER pro tempore. Under a special order of the House, the gentleman from Ohio [Mr. THOM] is recognized for 10 minutes.

EFFECT OF THE PREPAREDNESS PROGRAM ON SMALL INDUSTRY

Mr. THOM. Mr. Speaker, because I see in my own congressional district the strangling effect of our preparedness program on small industry, I am today asserting that unless Congress firmly takes control of the preparedness program it will leave behind it a wreckage of small plants and an economic society more than ever tightly in the hands of monopoly and big business.

This development is proceeding every hour of the day as the iron hand of priorities on aluminum, steel, and other raw materials is shutting up the small independent producer and turning his employees out to find their bread and butter where they may. Perhaps, in some cases, the workman so dispossessed of his job has a better chance to survive than his former employer. But both are bowing under the terrific impact of the preparedness program, with no one in authority seemingly strong enough to come to their rescue.

In my district at least three industries using aluminum for the fabrication of their line of products have been limping along on the dregs of their aluminum stock, and are now facing shutdowns. The Office of Production Management announces that there will be no new aluminum for civilian use. Up to date these concerns have been allowed to use up their scraps, thus keeping the doors of their plants open at least in part. In two of these plants 700 men and women are employed.

The edict that washing-machine production must be curtailed because of the superior need of steel and zinc in defense industries is facing another plant in my district, and the management rightly and logically asks me, "Is it desirable that the small manufacturer be forced to shut down?" This plant has accepted in all its implications the demands of collective bargaining, and its union employees, numbering 100, seeing the certain demoralization of their employer as well as themselves, ask their Government through me what answer I have to make to this pointed question:

> Small industry must be given some assurances of being able to survive, even the present emergency. We will need their products now and later. Our company officials have been trying to get any defense orders for which they are best suited and have been unable to get any. Must we eventually shut down?

My next example of a small competitive plant—not in some far away State but right within the borders of my district—makes industrial vacuum cleaners. It first sought to save itself by dropping the use of aluminum so badly needed for airplanes, and substituted steel. Then came the embargo on that material. It went to the expense of changing over to plastic, and now its third shift still fails to solve the problem, for the suppliers of plastic say they no longer can fill their orders.

This successful firm finds its venturesomeness, its enterprise, and its initiative of no avail while in a neighboring town a manufacturer of a similar line, backed by great financial resources, is able to build alongside its vacuum-cleaner factory a new division to make time fuses and other products for the preparedness program. Its future is unclouded because its capital set-up makes it easy to shift to new products.

Those of us who have perceived this deadly trend feel a responsibility, and as for myself, I have been beating at the doors of the Office of Production Management for redress. Over the months since the first of the year, I have been repeating this story to men in authority, some aware of what is happening, some unable to see anything but the objects of preparedness, and some thoroughly sympathetic but unable to elicit any help.

With the Office of Production Management Bureau of Research and Statistics reporting that 56 corporations have been awarded nearly 75 percent of all Army and Navy defense orders, many of which were awarded without competitive bidding, but on a negotiated basis eliminating possible loss and assuring profit, the subcontracting unit of the Defense Contract Service, through one of its heads, answers the cries of my drowning

industries with the following sermon on the beauties of competition:

I would like to propose the following analysis to them and that is, just as their company undoubtedly started from a small company and grew to a large one, so also, through the same methods, is it necessary to obtain work in our present defense program. To use a slang expression, they had to go out, push doorbells, use footwork and headwork in order to get orders, and sometimes those orders were a long time coming. So, also, is it in our present defense work. It is still necessary to go out and do the footwork to persuade the armed services (in the case of their desiring a direct Government contract) that they have the capacity that the Government needs; or, in the case of their desiring to be of service to a prime contractor who holds a Government contract, they have to persuade the prime contractor that their manufacturing capabilities are advantageous to him.

Operating in this country as we do, under a democratic system, I am sure you will agree with me that it is far better to be able to sell our services on a competitive basis, and at the same time enjoy the national freedom that we do (where your automobile is at your own disposal to do with as you please in your free time) than to live over there where every factory is busy; however, they are working under governmental commands, and their every breath is regulated, and they have no automobiles and no free time. Thus, the small penalties of democracy we have to pay are far outweighed by democracy's benefits.

I seriously do not know any further advice to give the company except just to keep on trying.

This prescription is an affront to the small manufacturer in distress. The author must be reminded that the big units of industry did not need to "ring doorbells" to choke themselves with 75 percent of these orders, until now they can hardly digest their commitments. So you little fellows, you must get subcontracts, but you will find your way rocky because the same smug and self-satisfied operator of the subcontracting unit of the Defense Contract Service, in the same letter to me, says:

I personally do not feel it is a case of the prime contractor trying to "hog" it all. Naturally every company wants to keep itself as busy as possible, and if the ——— company (the concern that is about to be strangled) had orders to keep themselves busy, they would be disinclined to let out any of the work.

This is illuminating, because it tells us poor Congressmen who are not in industry just why the subcontracting service knows that its advice to the "little fellow" is all futile in most cases.

Now, there are some equities in this whole thing that I can see without difficulty. No producer can stand in the way of the defense program, and none deep in his heart wants to. But these little fellows "rang doorbells" for years and years, withstood the terrible shattering of real competition which the 56 big fellows who got 75 percent of the contracts have long since failed to feel, and now in this hour their lifeblood is cut off because of no act of their own, but in the interest of national welfare. They are the real, living examples of competition, not the Sloans and the Willkies, who talk about free competition but never practiced it in recent years.

By all rules of equity, the United States Government owes these small fellows a chance to live, and it can preserve their existence by using its power or law, if necessary, to compel all future contractors, wherever and whenever it is at all feasible, to utilize their small plants by giving them subcontracts, and not subcontracts based on merciless, cutthroat competition, but give to them the benefits of a little of this negotiated-contract atmosphere that has surrounded the big units of business when their representatives came to Washington.

The truth is that the small plants facing closure because of priority orders are all in a scramble to get orders from prime contractors, and when a prime contractor is willing to disgorge he can beat down the price of the little fellow until he produces without profit. But in the majority of cases the little fellow is told by the prime contractor he does not need his service.

When the drastic cut of automobile production was made public, the industry had within the Office of Production Management a powerful voice to challenge the proposal. The hundreds of little concerns that are cornered by the withholding from them of raw materials are seemingly without any vigorous championship among those who sit in the high seats of authority.

In conclusion, may I say that the only way to save the small independent manufacturer is for the Office of Production Management to say that these companies having contracts must, either under law or under edict of the Office of Production Management, award subcontracts to the small independent manufacturers. Unless that is done, the whole array of independent manufacturing is going to be wiped out. When there was an attempt to cut the automobile industry by 40 percent, it had a powerful voice in the Office of Production Management, but when these little fellows that produce aluminum products and other miscellaneous products are squeezed, there is nobody down there to speak for them.

Mr. Speaker, we either have to have some legislation on this subject or Members of Congress who have similar situations must band together and bring pressure upon the Office of Production Management to force these big units of business to disgorge and give the little fellows subcontracts.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. THOM. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Is not the situation which the gentleman describes characteristic of what has been taking place since 1933? Is it not one of the major policies of this administration and has it not been all the way through to destroy small industries?

Mr. THOM. I most certainly do not agree with that conclusion.

Mr. SMITH of Ohio. I think that is the situation.

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. PATMAN). Under a previous order of the House, the gentleman from New York [Mr. MARTIN J. KENNEDY] is recognized for 5 minutes.

POSTAGE RATE ON BOOKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, this age of speed, steel, gas, guns, and blood has forfeited to reckless action the advantage of clear thinking and sober philosophy. Our education is even on a machine-gun basis, coming in staccato fashion over the air. It is not inspired by the good heart of broadcasters, but filler, to comply with Federal requirements. Quickly it is rendered, effortlessly received, unabsorbed, and soon escapes the mind.

Books are the real vaults of wisdom and culture. The great thought developed in the quiet, more pedestrian days of the past are preserved in books. They should be available to all our people, and especially now. The classics are the radios for the immortal voices of the great dead. Often do we wish, in an hour of stress, that we could have the advice of the great thinkers of old. Unfortunately, mental disabilities are often inherited, but rarely is special brilliance a blood legacy. However, we have words of the wise ever recorded and ever resounding in the classics. Their thoughts fit our times as well as theirs. Human relationships have always the same qualities, whether or not we sail in clippers or submarines, ride in hansom cabs or in bombers. Clear thought is applicable to social problems of all times.

We are a keen people, but we must have facilities for the exercise of mentality. We must have books, and especially the great books, the classics. A Government can feed people by relief, can arm people for war, can train people for physical purposes, and must nourish the minds of the people by making the classics more available. This can best be done by making the 1½ cents per pound postal rates on books permanent by the passage of the Mead-Kennedy bill.

Books are of the utmost importance in a democracy, and that is why it is vitally important to the life of America and the human basis of its defense program that the existing book postage rate of 1½ cents a pound be permanently established.

We have seen that the first action of the dictators, as soon as they have the power, is the burning and suppression of books—the killing of ideas. That proves the importance of ideas, and the books that carry them, in the battle against dictators and dictatorships. It is only the low book postage that makes possible the plans of a new organization which has just come to my attention, that is, the Classics Club. It is organized to bring to millions of American men and women the great works of literature of the past that have enduring values for the people of today.

The first book that this club has selected is a work that should be known to every American who loves his country: Benjamin Franklin's autobiography. The judges did credit to their reputations as literary authorities in selecting this great work. The judges are: Pearl S. Buck,

Nobel and Pulitzer Prize winner; Prof. William Lyon Phelps, educator and critic; Hendrik Willem van Loon, author and historian, and John Kieran, journalist, author and expert in the field of literature.

These important people in the world of literature are agreed that the enduring values of patriotism and sound common sense represented in the great books of the past are needed by the people of today. And the organization with which they are affiliated—the Classics Club—has worked out the means of selling such books in huge quantities at prices everyone can afford to pay.

Naturally, a low price can be made only when the low postage rate is taken into accord, and the above-named organization is a specific example of the way in which this book postage rate is of direct help to the men and women of our country.

In such professions as the law where books are the tools of the profession it is important that legislation such as this be enacted. I am informed that most of the law-book publishers pass this saving on to the practitioner.

The uncertainty of many people today is based upon a lack of faith and a lack of belief in enduring values. It is through direct contact with the great thinkers and analyzers of the past that one can best renew a weary faith or give birth to a new one.

In times like these, when the country is calling upon us all for sacrifices, we need the message of a man like Benjamin Franklin, who fought for his country at home and abroad with his brains, his time, and all his varied talents. More than an American Leonardo da Vinci, Franklin was also a great patriot and historian. He loved his country but was able to see it objectively and to view its place in the whole world. Franklin, with all his cosmopolitanism, had the homely virtues of stanchness and belief in his own decisions and ideas. That is the kind of faith America needs today. That kind of faith is at least as important a protection to this country as bullets, airplanes, and battleships.

A democracy survives when its citizens follow the examples of its greatest products, and anything that helps to spread the message of democracy's greatness is another impregnable plate in democracy's armor.

Current conditions have raised the price of everything that goes into book manufacture—paper, ink, bindings, and so forth. If to these increased prices are added higher book postage rates, it will be impossible for publishers engaged in disseminating great works of literature to millions of reading-hungry people to carry on. We need more books, not fewer books, in these trying days.

That is doubly important today, because we are living in the midst of uncertain times. Values that seemed certain yesterday seem shaky today. Truths that were taken for granted in our childhood grow dim against the murk and flame of world disturbances that threaten to ignite the structure of our own country.

What can books do to stabilize morality, to encourage people, to lend solidity to the emotional and mental base of a nation? The great books—the classics—can help in many ways. These imperishable works of literature can show that the problems we think of as exclusively our own were shared by other people in other times. These books can show that the virtues of courage and good humor were virtues under all conditions, in all countries, in all times.

There are millions of people who do not get their books in libraries or bookstores, but who get them as they get their magazines and newspapers, by mail. These men and women, many of them of mature years, take their books very seriously. They are truly appreciative of the values of great literature, which they either missed, or did not fully appreciate in their younger days. Low book postage makes it easier for these people and their children to obtain the cultural food they crave, and need.

It seems a far cry from the American tenet of free speech to this book postage rate, but the connection is obvious Books now are mailed anywhere in the country for one and a half cents a pound. Under parcel-post rates, which would automatically govern if the bill is not passed, it would cost from 7 to 15 cents a pound, depending on the zone, to mail books, working a tremendous hardship on publisher and reader. We accept the newspaper and magazine rate as a matter of fact—an aid by our country to the dissemination of the free press. The book rate is just as important as the newspaper and magazine rate.

Great literature has no date line on it, and should be easily available to all who want it. In passing this bill continuing the low book-postage rate we are making a contribution to the culture and well-being of our people.

I wish to thank the membership of the House for its attention to these remarks and to express my appreciation for any cooperation in obtaining the enactment of my bill into a law.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. LUDLOW] is recognized for 15 minutes.

THIS IS A JEREMIAD, AND A WELL-JUSTIFIED ONE, TOO

Mr. LUDLOW. Mr. Speaker, what I shall say today will not be a speech but a jeremiad. It will be so jeremiadish that the lament of Job will seem tame by comparison. I arise to express in keen and cutting words my disappointment over the fact that such interpolations, so dear to the hearts of Members of Congress, as "applause," "loud applause," "laughter," and "boisterous laughter" no longer grace the reports of House debates as printed in the CONGRESSIONAL RECORD.

For about 8 long weeks we have had an "applauseless" RECORD as far as the House is concerned. Members of the other legislative body do not have to undergo this privation and suffering.

It all dates back to June 10 of this year, when the gentleman from Michigan [Mr. HOFFMAN], whose conscience works on a hair trigger, and we all respect him for that, arose to correct the RECORD. No more candid, forthright, honest man than Mr. HOFFMAN ever lived, but as I look back on the proceedings of that occasion, it seems to me that on that particular day his honesty was on a spree and that it went a little too far.

Mr. Speaker—

He said, in a firm voice—

I ask unanimous consent to correct the RECORD. On page 5027 of the daily RECORD, on the left side of the page, at the end of the talk I made yesterday, appears the word "applause." There was no applause, and I ask that the word be stricken out.

In my long career of 40 years of continuous observation of Congress as a member of the press gallery upstairs, and as a Member on this floor. I have witnessed two exhibitions of superlative honesty that stand out by themselves as shining examples in the annals of legislative history. One occasion, some 35 years ago, was when John F. Shafroth, a Representative from the State of Colorado, arose at his desk on this floor and addressing the Speaker, presented his resignation, stating that he had been studying the evidence in his case and had come to the conclusion that the other fellow was elected. The other rare instance of self-abnegation, inspired by the promptings of honesty, occurred on June 10 last when the gentleman from Michigan arose and stated that he had not, in truth and fact, been applauded, accompanying that announcement with the request that the word "applause" be deleted from the permanent RECORD.

It might have all ended happily at this point and the alert conscience of the gentleman from Michigan might have been properly assuaged without any serious repercussions affecting the body politic, if our honored Speaker had not taken a hand.

Without objection, it is so ordered—

Said the Speaker, with a bang of his gavel, in putting Mr. HOFFMAN'S request, and then Mr. RAYBURN, whom we all love, honor, and obey, added these fateful and ominous words:

The Chair takes this opportunity to say that the word "applause" or the words "loud applause" are not a part of the proceedings of the House and should not be put in the RECORD.

Alas and alack! The reporters of debates construed the Speaker's remarks literally and the word "applause" and similar endearing terms at that moment went out of the window. Nowadays, if some of us, rising above principle, write the word "applause" at the end of a speech before we turn it in, so as to be sure it will be there, the reporters hard-heartedly and unfeelingly strike it out.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. LUDLOW. I yield to my friend from Ohio. I am trying to make a serious speech here.

Mr. VORYS of Ohio. I regret to turn the gentleman's train of thought away from this serious dissertation, but I wish to make this observation: There are more ways than one of skinning a cat. May I say to the gentleman that I am much impressed by the applause which

is greeting these remarks and the frequent groans as he refers back to the days that were happier and more gentle in handling this subject.

Mr. LUDLOW. I thank my friend for his vivid and accurate description of the proceedings now going on in the House.

The country may not be much concerned over the elimination of "applause" from Members' speeches; in fact, it is barely possible that the country may not have noticed it, but a lot of Members of Congress, including myself, are suffering bitter anguish.

As a loyal supporter of the Speaker, willing to follow him into the jaws of death, if necessary, I still cannot help wondering whether his ruling in this vital matter is correct. It seems to me, and I submit the point for what it may be worth, that the CONGRESSIONAL RECORD is intended to be just what its name indicates—a record of the proceedings of Congress. A true record of what goes on would include other things besides the text of the speeches of Members. It would include suitable mention of any unusual floor demonstration. If, for instance, the majority side, actuated by its great love for President Roosevelt and in the exuberance of its partisan enthusiasm, should acclaim the personal appearance of the President by giving the rebel yell, a complete record of the proceedings in the CONGRESSIONAL RECORD would include at least some slight reference to the rebel yell.

I might cite other concrete instances.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. LUDLOW. I yield with great pleasure.

Mr. VORYS of Ohio. Would the gentleman in his proposed change include such manifestations, should they infrequently occur, as the bronx cheer?

Mr. LUDLOW. I gladly and cheerfully accept the gentleman's amendment. I think the bronx cheer is a very important manifestation of an audience's realistic attitude toward a speaker, and any report of the proceedings that eliminates it is stale, flat, and unprofitable.

Under the new order, when the gentleman from Alabama [LUTHER PATRICK] cracks one of his inimitable jokes and puts the House in an uproar of mirth——

Mr. POWERS. Mr. Speaker, will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from New Jersey.

Mr. POWERS. What sort of a joke was that?

Mr. LUDLOW. I referred to it as an inimitable joke.

Mr. POWERS. Thank you.

Mr. LUDLOW. I think that was probably putting it too mildly, but I stand on that language.

As I was saying, in this new age of reform, when our colleague from Alabama favors us with one of his jokes, nothing appears in the RECORD after his joke but a period. This creates the erroneous and wholly unjustifiable impression among the readers of the RECORD that the joke was a dud, when all of us know that no joke cracked by the gentleman from Alabama [LUTHER PATRICK] is ever a dud.

Mr. POWERS. Mr. Speaker, will the gentleman yield further?

Mr. LUDLOW. I yield to the gentleman from New Jersey.

Mr. POWERS. That was the point I was trying to bring out this afternoon when I mentioned the Earle Theater.

Mr. LUDLOW. I hope that will not be taken out of my time, Mr. Speaker. I am trying to make a speech befitting to a very serious subject.

One of the severest indictments that can be brought against the new rule is that it discourages genius and initiative among Members in thinking up bright things to say. No Member is going to split himself working up a witticism if he knows that when he picks up the RECORD the next morning he will see nothing but a cold period at the end of his remarks.

From the standpoint of accuracy I ask you, gentlemen of the House, What is the value of a report of one of the gentleman from Pennsylvania, BOB RICH'S, "Where are you going to get the money?" economy speeches that makes no mention of the razzberry at the end of it? The razzberry usually is half of the speech, and there are Democratic Members who vigorously contend that it is the better half.

A year or so ago I sat with ears and mouth wide open, completely entranced while our good ecclesiastical friend, the gentleman from New Jersey, Dr. EATON, standing in the Well of this House, delivered a powerful sermon on "the gospel of St. James Farley." The House, speaking figuratively, had the time of its life. Its emotional reactions were great and, of course, these were duly recorded in parentheses in the report of the good doctor's speech that appeared in the CONGRESSIONAL RECORD. What incentive is there to induce the good doctor to give us a repeat performance when the published report, shorn of "laughter," "boisterous laughter," and "loud applause, the Members rising" would make it seem that he was speaking over a decayed corpse in a morgue? And what hope is there for future reward for the gentleman from Missouri, DEWEY SHORT, in his superb panning efforts?

While Members of the House are feeling the sharp asperities of this new order, which prevents the public from learning how potent and captivating they are in their speech-making activities, what is happening in the other legislative body? Aye, there's the rub! This new reform, I regret to say, runs unilaterally and not bilaterally. Pick up almost any issue of the CONGRESSIONAL RECORD at random and you will see what I mean. I happen to have before me the issue of July 28. In four separate places—on pages 6336, 6337, 6340, and 6341—you will find this notation in parentheses after four separate speeches by four Members of the upper body: "Manifestations of applause in the galleries."

The word "laughter" appears four times that day on page 6344 of the printed speech of one Member of the upper branch.

The reader of the CONGRESSIONAL RECORD must get the impression that while one end of the Capitol is rocking with applause the other wing—the House wing—is a dead end.

Mr. MARTIN J. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from New York.

Mr. MARTIN J. KENNEDY. I wonder if the gentleman has any suggestion to offer in connection with extensions of remarks that are frequently interspersed with "laughter" or "applause" or "loud applause" or "long applause"?

Mr. LUDLOW. May I remind the gentleman that all that is a thing of the past? Those halcyon days are ended in the House. Those interpolations no longer appear in the RECORD. That is what I am grieving about.

Mr. MARTIN J. KENNEDY. Does not the gentleman believe it is our duty to try to revive that practice and try to point out the error of the Speaker's ruling?

Mr. LUDLOW. I think by all means that should be done. My friend from New York has demonstrated the falsity of the saying, "Laugh and the world laughs with you; weep, and you weep alone." I am very happy to know that he is weeping with me.

Mr. MARTIN J. KENNEDY. I should be delighted to join the gentleman in a movement of that sort.

Mr. LUDLOW. My concluding inquiry is, "Why make fish of one end of the Capitol and fowl of the other?" or, to put it a little more strikingly, "Why make sheep of one end of the Capitol and goats of the other?"—the Members of the House being the goats.

This concludes my jeremiad. I have tried to put my heart and soul in it, as befits the enormous importance of the issue involved. When you rob a statesman of his publicity, you take away from him that which enriches you not and makes him poor indeed. I am about to conclude, Mr. Speaker, and I do so with the depressing consciousness that the air-splitting applause which will be showered on me as I take my seat—all 10 Members present clapping in unison—will not be recorded in the CONGRESSIONAL RECORD, as it would have been in the good old days.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. KEOGH] is recognized for 15 minutes.

OFFICE OF LAW REVISION COUNSEL

Mr. KEOGH. Mr. Speaker, I have asked for this time to discuss a problem that has faced the people of every civilized country where there has been a legislature. That problem is the problem not of making the laws but of making those laws understandable.

I am reliably informed that as far back as A. D. 534 the then Roman Emperor Justinian, appointed what as far as can be found was the first commission to revise and codify the laws of the then Roman Empire.

Mr. Speaker, I have introduced a bill, H. R. 4901, which is designed to solve permanently the problem that will always face the people of this country.

The purpose of the bill, H. R. 4901, is to establish in the House of Representatives a new office to be known as the

office of Law Revision Counsel. The duties of such office are set forth in the bill and will be discussed further by me in this statement.

The bill is as follows:

Be it enacted, etc., That the act of March 2, 1929 (ch. 586, 45 Stat. 1542), is hereby amended by adding the following new sections:

"SEC. 9. There shall be an office in the House of Representatives to be known as the office of Law Revision Counsel.

"SEC. 10. The Law Revision Counsel shall be appointed by the Committee on Revision of the Laws of the House of Representatives without reference to political affiliations and solely on the basis of fitness to perform the duties of the office.

"SEC. 11. The Law Revision Counsel shall, subject to the approval of the Committee on Revision of the Laws of the House of Representatives, employ and fix the compensation of such assistant counsel, clerks, and other employees, and purchase such furniture, office equipment, books, stationery, and other supplies, as may be necessary for the proper performance of the duties of the office and as may be appropriated for by Congress.

"SEC. 12. The position of Law Revision Counsel shall be allocated to grade 8, professional and scientific service, in the compensation schedules of section 13 of the Classification Act of 1923, as amended, and the rate of compensation shall be fixed from time to time by the Committee on Revision of the Laws of the House of Representatives within the limits of such grade.

"SEC. 13. The Office of the Law Revision Counsel shall, in conjunction with and under the direction of the Committee on Revision of the Laws of the House of Representatives—

"(a) Examine all the public acts of Congress, commencing with volume 1 of the Statutes at Large, and submit recommendation to such committee for the repeal of obsolete, superfluous, and superseded provisions of law contained therein;

"(b) Prepare and submit to such committee a complete compilation, restatement, and revision of the general and permanent laws of the United States, one title at a time, which shall conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, with the view of the enactment of each title as positive law;

"(c) Advise and assist the Committee on Revision of the Laws of the House of Representatives whenever called upon to do so.

"SEC. 14. The Law Revision Counsel shall have the same privilege of free transportation of official mail matter as other officers of the House of Representatives.

"SEC. 15. The appropriations for the expenses of the office of Law Revision Counsel shall be paid from the contingent fund of the House of Representatives and disbursed by the Clerk of the House of Representatives."

The work to be done by such office has long been recognized by students of Federal legislation as a much-needed development in our system and will accomplish a result of far greater value than the expenditures involved.

Our present method of legislating is far behind that of many, if not the majority, of the States, in that there is no complete framework of positive law which is to be the basis of future legislation. Without the present code, which is only prima facie evidence of the law, and which is not per se amendable, it would be almost impossible for the Congress and the public to determine the status of any particular statute. It would be necessary to examine separately the Revised Statutes and each volume of the annual Statutes at Large since 1874 when the Revised Statutes were enacted. Such a chaotic state of affairs in the legislation of a country like ours is almost unbelievable.

The adoption of the Code as prima facie evidence of the law was a tremendous step in the right direction, but it still falls short by a large margin of the ideal which has been achieved by many States and which we should long since have attained in Federal legislation. The enactment of an official code, title by title, which should contain the general and permanent laws in force and which would serve as a framework for future legislation, without recourse to the Statutes at Large, is the ultimate goal of this bill. And the preservation of such code in making future laws would be one of the vital duties of such office.

The language of the House Committee on Ways and Means in reporting the bill to consolidate and codify the internal-revenue laws of the United States is particularly appropriate and applicable to the codification of all the laws. That report stated in part:

The need for enactment into absolute law of a codification of internal-revenue laws has long been recognized. The last such enactment was in 1874, when the Revised Statutes were adopted If the need for enactment into law of a codification was recognized in 1874, when only 17 volumes of the Statutes at Large had been published and our internal revenue was derived almost entirely from taxes on liquor and tobacco, that need must be much greater today, when 34 additional volumes have been published and our internal revenue is derived from more than a hundred separate sources.

The United States Code is itself the culmination of more than 30 years' effort. Due to the mass of legislation contained in that code, it was thought best by the Congress to put it through a testing period before its enactment into law. It was therefore made only prima facie evidence of the law, and scrutiny of it was invited for the purpose of correcting errors, eliminating obsolete matter, and restatement.

It has now been nearly 13 years since the United States Code was enacted as prima facie law and more than 8 years since the first edition of the Internal Revenue Code was published by the staff of the joint committee. However, because the internal-revenue title is not the law but only prima facie evidence thereof, it cannot be relied upon and it is still necessary to go to the many volumes of the Statutes at Large to determine what the law actually is. The great mass of internal-revenue legislation since 1873, scattered through 34 volumes of the Statutes at Large, makes such a recourse an exceedingly difficult undertaking, even for the most experienced lawyer. Statutes are repeated in subsequent acts in almost identical language, with no reference to prior acts or any expressed intention to amend or repeal. Provisions of a permanent character are included in riders and provisos and are hidden in various acts. Amendments are often involved and obscure. Inconsistencies and duplications abound.

The only practical way to determine with certainty that the Internal Revenue Code is actually the law is to enact it, as was done with the Revised Statutes of 1873. It is believed that it has had a sufficient testing period to make it acceptable as free from error.

With respect to the Internal Revenue Code I should like to point out the facility of determining the effect of the new revenue bill upon existing law since all amendments are to the code. Compare the ease of grasping the situation this year to the difficulty which was encountered in previous years and would still be encountered if the amendments were made to the several revenue acts of prior years in an uncodified form.

To accomplish our objective, many laws which have been obviously superseded, though not specifically repealed, and which are now incorporated in the present code, would have to be repealed after intensive study. Other laws which have become obsolete, although not specifically repealed or superseded should also receive the same treatment. And finally each title of the present code should be clarified and restated, and enacted into positive law to be the basis of future enactments.

The establishment of the permanent office as provided in this bill is the best method of accomplishing this result. The law revision counsel would be obliged to review all of the statutes with a view of effecting the repeals referred to and the enactment of the code into positive law. He would assist and advise the Committee on Revision of the Laws when called upon to do so.

I should like to give you the benefit of the views expressed by two of the legal publishers who know of the problem:

EDWARD THOMPSON CO.,
Brooklyn, N. Y., June 19, 1941.

Mr. EUGENE KEOGH,
House Office Building,
Washington, D. C.

DEAR MR. KEOGH: This letter is addressed to you expressing our approval of your bill (H. R. 4901) to create the office of law revision counsel in the House of Representatives, and with the hope that the Congress will take favorable action on the bill.

As collaborators with the West Publishing Co. in the preparation and editing of the first official United States Code in 1926, and each supplement to and new edition of the Code since that time, I believe we are in a position to recognize the long-felt need of such an office in the House of Representatives.

As editors of the New York State McKinney's Laws, we have seen the great improvement in the legislative system of this State under a similar office, and we believe that the creation of the office provided for by your bill would be the greatest stride in clarifying the Federal statutory situation since the adoption of the United States Code as prima facie evidence of the law.

Cordially yours,

EDWARD THOMPSON CO.,
By JAMES R. SPILLANE,
Vice President.

THE BOBBS-MERRILL CO.,
Indianapolis, July 26, 1941.

HON. EUGENE J. KEOGH,
Chairman of the Committee on Revision of the Laws, House Office Building, Room 129, Washington, D. C.

DEAR MR. KEOGH: House bill No. 4901 has been put on my desk, and I am taking the opportunity to write you immediately and let you know that I think that the objects of your bill should have been put into effect long ago. It would have helped very materially to have had during the past years a law-revision council whose duties were such as outlined in your bill. It would have helped

to keep the statutes free from obsolete and superseded laws. While it would have been important to have had such an officer in the past, it is all the more important to have him in the future due to the increasing complexity and volume of Federal legislation.

Without disparaging Congress in the least, very few of its acts carry any specific repealing clauses. This makes it very difficult to determine just what effect new legislation may have on existing laws.

If your bill is enacted into law and the United States Code is checked and enacted in the positive law, title by title, it should simplify the compilation of the code and its future supplementation.

It may not be out of place for me to say that my position with the Bobbs-Merrill Co. has required no little use of the Statutes at Large and the various codifications of the acts of Congress, as well as the acts enacted by various State legislatures. Of all the laws that I have had occasion to handle, those of Congress are the most difficult.

In a number of States there is maintained an office similar to that which you are attempting to create, and in the States maintaining such an office it is a fairly easy task to codify and arrange their laws due to the constant pruning of deadwood from the legislative tree.

I am glad of the opportunity to write you this letter.

Yours very sincerely,

RICHARD V. SIPE.

It is expected that there would be one law revision counsel, an assistant counsel, and two or three clerks at a total annual cost of less than $25,000. Such an amount is insignificant in comparison with the value to the Congress and the public of the accomplishment of the purposes sought.

Such a permanent office, charged with continuing responsibility, would obviously do a better and less expensive job than a commission appointed especially to revise and codify one particular title and which would cease to function when a bill to codify that title had been introduced. I understand that a bill to revise and codify the navigation and shipping laws was prepared during the Sixty-ninth Congress at a cost of approximately $60,000. Without intending to disparage the work of the staff who were engaged in the preparation of that bill—which was never enacted—I submit that the permanent office to be created by this bill (H. R. 4901) would be infinitely more assured of success because of its permanent character, if nothing else.

I should like to point out some of the defects in our present method of legislation which seriously hinder the efforts of the Committee on Revision of the Laws in preparing the present code even in its prima facie status. These defects would be removed upon the enactment of a complete positive code.

First of all is the problem presented by the amendment of certain statutes which have been repealed or superseded. Such a situation may be brought about by the drafter of the bill overlooking a law later in date to the one he proposes to amend. Since the present code is not amendable per se members may not draft their bills with the code as their only material. Some overlook the code entirely for this reason.

Secondly, is the indefinite repeal provision, which is often made a part of bills introduced. Since the Members fear they may be overlooking some pertinent statute in the statutes at large they often, instead of specifically enumerating and mentioning the laws to be repealed, provide that "all laws or parts of laws inconsistent herewith are hereby repealed." The effect of such a repeal provision upon the structure of the present code can readily be seen by all students of legislation.

There are very few bodies aside from the Committee on Revision of the Laws, willing or able to give much attention to the matter of a code. Although at almost every opportunity we have solicited suggestions or criticisms of the code, practically none has been received. This can be attributed to either of two factors: First, the code is in such form that it is ready for enactment into positive law, or; secondly, the Members do not have the time or inclination to give attention to this matter. The office to be created by this bill would study each title as a unit and prepare a bill to enact it into law.

It might be advisable to provide for the payment of compensation to officers and employees of the several departments and the Library of Congress for extra services which they may render to the Law Revision Counsel in the preparation of the respective titles. Such compensation probably would not exceed an aggregate of $1,000 per year for work done by such persons during their own time. However the work must be done under the complete supervision of the Law Revision Counsel who would be continuously on guard to preserve the code structure as a whole. Even in the preparation of the Internal Revenue Code, admirable as it is, provisions were taken from at least 12 other titles of the present United States Code and incorporated in the new Internal Revenue Code. Moreover, the Nationality Act of 1940, which was to codify the nationality laws, included or repealed provisions of at least 6 or 7 titles of the United States Code.

I am hopeful that the problems I have discussed and the solution which is suggested will receive the favorable consideration of the committee before which it is pending and of the House.

It is the logical development of our legislative process and certainly will in no way affect the jurisdiction of any standing committee of the House.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein two letters.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Ohio asked and was given permission to revise and extend his remarks in the RECORD.

PARLIAMENTARY INQUIRY

Mr. POWERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. POWERS. Mr. Speaker, I have been here on the floor for several hours and I have not heard the gentleman from Alabama [Mr. PATRICK] ask unanimous consent to revise and extend his remarks. I should like the RECORD to show that I do not know that that request has been made and I do not believe it has been made. I am making this a matter of record because the speech of the gentleman from Alabama [Mr. PATRICK] was prepared. He has been trying for at least 3 or 4 weeks to get it off his chest. His speech was read, and I see no reason for any revision or extension. I merely want the RECORD to show that. I should like to have the Speaker's opinion as to my suggestion.

The SPEAKER pro tempore. The Chair is not in position to state because the record has not been examined. The Journal will indicate whether or not the permission was granted.

Mr. POWERS. Another parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. POWERS. Mr. Speaker, can a Member without unanimous consent, revise and extend his remarks in the RECORD?

The SPEAKER pro tempore. He may not extend his remarks without permission.

Mr. POWERS. Another parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. POWERS. The Speaker said he may not extend his remarks. May a Member revise his remarks without unanimous consent?

The SPEAKER pro tempore. He may make corrections, as I understand it. The Chair will read the rule:

> The practice is to allow Members to edit the reporters' transcription of their remarks before it is sent to the printer, but such revision shall not alter language affecting the context of colloquies with other Members without their approval. Where the remarks of another are not affected, a Member in revising his speech for the RECORD may strike out any portion or may edit the speech in its entirety, but alterations which place a different aspect on the remarks of a colleague require authorization by the House.

I believe this answers the gentleman's question.

Mr. POWERS. Yes, to a certain extent, Mr. Speaker. Suppose the gentleman from Alabama or if necessary let me place this in the form of another parliamentary inquiry—suppose the gentleman from Alabama tonight decided that he would revise his speech—that he would change it to a certain extent.

The SPEAKER pro tempore. That would be a matter for the Speaker to pass on tomorrow.

Mr. POWERS. Would it be printed, Mr. Speaker?

The SPEAKER pro tempore. That is a question for the Speaker to pass on tomorrow. The Chair has read the rule to the gentleman.

Mr. POWERS. All I ask is whether it would be printed tomorrow and how could the Speaker rule on it tomorrow. Would it be expunged from the RECORD?

The SPEAKER pro tempore. If any Member violates the rule, that question can be brought up properly before the

House. It is not properly before the House until the rule is violated.

Mr. POWERS. I thank the Chair.

EXTENSION OF REMARKS

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Alabama [Mr. PATRICK] may revise and extend the remarks he made on the floor today.

Mr. POWERS. Mr. Speaker, reserving the right to object, I again state that the gentleman has had the speech prepared for at least 4 weeks. He read the speech from the Well of the House, and I must object. I am sorry.

The SPEAKER pro tempore. Objection is heard.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1346. An act to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, T. H., in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands;

S. 1480. An act to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended;

S. 1626. An act to reserve a certain part of the public land in California for the benefit of the Rincon Band of Mission Indians; and

S. J. Res. 40. Joint resolution providing for the representation of the Government and people of the United States in the observance of the two-hundredth anniversary of the coming of Dr. Henry Melchior Muhlenberg to the American Colonies.

ADJOURNMENT

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p. m.) the House adjourned until tomorrow, Wednesday, August 6, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Wednesday, August 6, 1941. Business to be considered: Hearings on H. R. 5343, daylight-saving time.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Wednesday, August 6, 1941, in the caucus room for consideration of House Resolution 209.

COMMITTEE ON THE JUDICIARY

The hearing scheduled for Wednesday, August 6, 1941, on H. R. 5234 has been postponed.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, August 6, 1941, at 10:30 a. m., for the consideration of H. R. 5261, H. R. 5359, S. 1151, and Calendar Wednesday bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

814. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 29, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of inland waterway between Rehoboth Bay and Delaware Bay, Del., and Broadkill River, Del., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted May 8, 1939, and May 11, 1939, and the Committee on Commerce, United States Senate, adopted May 2, 1939, and May 16, 1939 (H. Doc. No. 344); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

815. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 4, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of St. Marks River, Fla., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 4, 1939 (H. Doc. No. 345); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

816. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941 submitting a report together with accompanying papers on a preliminary examination of Patillas River, P. R., authorized by the Flood Control Act approved August 11, 1939; to the Committee on Flood Control.

817. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on reexamination of Sebastian Inlet, Fla., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 20, 1937; to the Committee on Rivers and Harbors.

818. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on a preliminary examination of Coamo River, P. R., authorized by the Flood Control Act approved August 11, 1939; to the Committee on Flood Control.

819. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 27, 1941, submitting a report, together with accompanying papers, on reexamination of Algoma Harbor, Wis., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 16, 1940; to the Committee on Rivers and Harbors.

820. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 5, 1941, submitting a report, together with accompanying papers, on reexamination of Hillsboro Inlet, Fla., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 26, 1940; to the Committee on Rivers and Harbors.

821. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 5, 1941, submitting a report, together with accompanying papers, on reexamination of Irondequoit Bay, N. Y., requesting by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 9, 1939; to the Committee on Rivers and Harbors.

822. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to provide for the orderly payment of conflicting claims and demands against the United States, and for other purposes; to the Committee on the Judiciary.

823. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use; to the Committee on the Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COCHRAN: Committee on Accounts. House Resolution 289. Resolution providing for an additional clerk for the majority leader; without amendment (Rept. No. 1124). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SANDERS:

H. R. 5497. A bill to amend the Communications Act of 1934, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DAY:

H. Con. Res. 51. Concurrent resolution abrogating authority under the lend-lease bill with respect to the Union of Socialist Soviet Republics; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLUETT:

H. R. 5498. A bill for the relief of Lillian Korkemas and Rose Grazioli; to the Committee on Claims.

By Mr. CREAL:

H. R. 5499. A bill for the relief of Henry Daley, guardian for James Ray Daley and Norman Franklin Daley; to the Committee on Claims.

By Mr. JACKSON:

H. R. 5500. A bill for the relief of the estate of Charles L. Clark; to the Committee on Claims.

By Mr. WADSWORTH:

H. R. 5501. A bill to authorize the presentation of the Congressional Medal of Honor to Clarence R. Oliver; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1736. By Mr. DELANEY: Resolution of the Kings County Council of the Jewish War Veterans of the United States, approving the authority requested by the President in a message to the Congress and to the American people, declaring that the safety of our country is in peril, and requesting authority from Congress to retain in the service of the United States Army the federalized National Guard, selectees from the draft rolls, Reserve officers, and others in the services, during the period

of emergency and for 6 months thereafter; to the Committee on Military Affairs.

1737. By Mr. HART: Petition of the Hudson Harbor Lodge, No. 986, Brotherhood of Railway and Steamship Clerks, New York, N. Y., urging that legislation be enacted to grant a civil-service status in the Railway Mail Service to railroad employees employed at the Morgan Annex Parcel Post Station, New York City; to the Committee on the Civil Service.

1738. By Mr. JARRETT: Petition of the Woman's Christian Temperance Union and its president, Mrs. Bernice M. Crawford, of Clarion, Pa., and other residents of Clarion County, urging passage of Senate bill 860; to the Committee on Military Affairs.

1739. Also, petition of Mrs. J. Andrew Bean, of Cochranton, Pa., and other residents of Venango County, Pa., protesting against the extension of service of draftees; to the Committee on Military Affairs.

1740. Also, petition of Mr. and Mrs. Frank Deeter, of Utica, Pa., and other residents, protesting against the extension of service for draftees; to the Committee on Military Affairs.

SENATE

WEDNESDAY, AUGUST 6, 1941

(Legislative day of Monday, July 28, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, Who hast revealed Thine inmost nature in the beauty of a human life, bringing redemption and salvation to the world through the filial response and heroic achievement of Him whose entire life attested to divine Sonship: Give us grace, we beseech Thee, to behold what manner of love Thou hast bestowed upon us, that we should be called children of God; and though of our own merits we can never hope to be worthy of Thee, O Lord, help us never to forsake Thee, but to hold fast to the spirit of adoption, whereby we cry unto Thee, "Father." So shall we be transfigured and meet life eager and unafraid, refusing none of its challenges, evading none of its responsibilities, but going forth daily with a serene and adventurous heart to encounter its risks, to surmount its obstacles, and to seize its opportunities of service, remembering always that only through the faith, steadfastness, and sacrifice of Thy children can the sores of the world be healed, wrongs be righted, and Thy peace be established among men whom Thou hast redeemed, through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, August 5, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 1852) for the relief of Fred Weybret, Jr., and others; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. WEISS, and Mr. WINTER were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution and they were signed by the President pro tempore:

S. 1346. An act to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, T. H., in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands;

S. 1480. An act to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended;

S. 1524. An act providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, and for other purposes;

S. 1626. An act to reserve a certain part of the public land in California for the benefit of the Rincon Band of Mission Indians; and

S. J. Res. 40. Joint resolution providing for the representation of the Government and people of the United States in the observance of the two hundredth anniversary of the coming of Dr. Henry Melchior Muhlenberg to the American Colonies.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the President pro tempore, or presented by a Senator, and referred as indicated:

By the PRESIDENT pro tempore:

A telegram in the nature of a memorial signed by Blanch Goldsum, Irene Durant, and sundry other citizens of Victoria, Tex., remonstrating against the enactment of the bill (H. R. 5417) to provide revenue, and for other purposes; to the Committee on Finance.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Belleville, Fort Dodge, Jetmore, and Wichita, all in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HUGHES:

S. 1813. A bill for the relief of Harry F. Baker; to the Committee on Claims.

By Mr. WALSH:

S. 1814. A bill to amend section 5 (a) of the act entitled "An act to expedite national defense, and for other purposes," approved June 28, 1940, relating to overtime pay of employees of the Navy Department and Coast Guard; to the Committee on Naval Affairs.

By Mr. BANKHEAD (for himself and Mr. EASTLAND):

S. 1815. A bill to provide for the disposal of surplus agricultural commodities; to the Committee on Agriculture and Forestry.

By Mr. REYNOLDS:

S. 1816. A bill for the relief of Thomas J. Jackson; and

S. 1817. A bill to authorize the President to purchase certain lands in Arlington County, Va.; to the Committee on Military Affairs.

By Mr. MCCARRAN:

S. 1818. A bill to authorize the lease or sale of public lands for use in connection with the manufacture of arms, ammunition, and implements of war, and for other purposes; to the Committee on Public Lands and Surveys.

S. 1819. A bill to define and punish vagrancy in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. TOBEY:

S. 1820. A bill for the relief of Jerry McKinley Thompson; to the Committee on Claims.

By Mr. TAFT:

S. 1821. A bill to provide for the discovery, introduction, breeding, and testing of agricultural crops for utilization in industry and manufacturing and for replacement of surplus agricultural crops through cooperation of the United States Department of Agriculture and the several State agricultural experiment stations; to the Committee on Agriculture and Forestry.

EXTENSION OF SELECTIVE SERVICE—AMENDMENT RELATIVE TO EMPLOYMENT UNDER NATIONAL-DEFENSE INDUSTRIES

Mr. O'DANIEL submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes, which was ordered to lie on the table and to be printed.

DEFERMENT UNDER SELECTIVE SERVICE ACT — PRINTING OF BILL (S. DOC. NO. 104)

Mr. GURNEY. Mr. President, I request that an order be entered for the printing of Senate bill 1524, providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, and for other purposes, as it was agreed to in the conference report yesterday by the Senate. I feel that the printing of that bill will be useful, inasmuch as it gives the terms under which men 28 years old are to be deferred. I understand some time must expire before a public law may be printed.

Mr. BARKLEY. I understand that the Senator is asking that the bill be printed in the CONGRESSIONAL RECORD?

Mr. GURNEY. No. I ask that the bill be printed and be available as a Senate document.

Mr. BARKLEY. As a Senate document?

Mr. GURNEY. Yes.

Mr. BARKLEY. I have no objection.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EDITORIAL TRIBUTE TO SENATOR WHEELER BY SPRINGFIELD (MASS.) FREE PRESS

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD an editorial from the Springfield (Mass.) Free Press of August 2, 1941, entitled "WHEELER Keeps United States Out of War," which appears in the Appendix.]

EDITORIAL FROM SIOUX CITY TRIBUNE ON PUBLIC SERVICES OF SENATOR O'MAHONEY

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an editorial from the Sioux City Tribune entitled "More Power to O'MAHONEY," which appears in the Appendix.]

EDITORIAL ON FINLAND FROM COLLIER'S WEEKLY

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from Collier's Weekly of August 2, 1941, entitled "We Still Like Finland," which appears in the Appendix.]

EDITORIAL FROM CHICAGO TRIBUNE ON AMERICAN FOREIGN POLICY

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an editorial from the Chicago Tribune entitled "The Stealthy Betrayal of This Country," which appears in the Appendix.]

EDITORIAL FROM NEW YORK TIMES ON RUSSIA AS AN ALLY

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial from the New York Times of today entitled "Russia as an Ally," which appears in the Appendix.]

EDITORIAL FROM BALTIMORE SUN ON TAXES AND INFLATION

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial from the Baltimore Sun of today entitled "Taxes and Inflation," which appears in the Appendix.]

TRIPLE A AND WHEAT—ARTICLE BY MARK SULLIVAN

[Mr. BRIDGES asked and obtained leave to have printed in the Appendix of the RECORD an article by Mark Sullivan entitled "Triple A and Wheat," published in the Washington (D. C.) Post of August 4, 1941, which appears in the Appendix.]

ADDRESS BY H. L. MITCHELL ON A MINIMUM WAGE LAW FOR FARM LABOR

[Mr. LANGER asked and obtained leave to have printed in the RECORD a radio address delivered by H. L. Mitchell on July 18, 1941, at Memphis, Tenn., on the subject A Minimum Wage Law for Farm Labor, which appears in the Appendix.]

AND THE CORNERSTONE IS FAITH—ARTICLE BY WILL WHITTENBURG

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article by Will Whittenburg, entitled "And the Cornerstone Is Faith," published in This Week magazine, which appears in the Appendix.]

CONSTRUCTION OF ROADS NEEDED FOR NATIONAL DEFENSE—VETO

The Senate resumed the reconsideration of the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

The PRESIDENT pro tempore. The question before the Senate is, Shall Senate bill 1580 pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	George	Pepper
Andrews	Gerry	Radcliffe
Austin	Gillette	Reynolds
Bailey	Glass	Rosier
Bankhead	Green	Russell
Barbour	Guffey	Schwartz
Barkley	Gurney	Shipstead
Bone	Hatch	Smathers
Brewster	Hayden	Smith
Bridges	Hill	Stewart
Brooks	Hughes	Taft
Brown	Johnson, Calif.	Thomas, Idaho
Bunker	Johnson, Colo.	Thomas, Okla.
Burton	Kilgore	Thomas, Utah
Byrd	La Follette	Tobey
Capper	Langer	Truman
Chandler	Lee	Tunnell
Chavez	McCarran	Tydings
Clark, Idaho	McFarland	Vandenberg
Clark, Mo.	McKellar	Van Nuys
Connally	Maloney	Wallgren
Danaher	Mead	Walsh
Davis	Nye	Wheeler
Downey	O'Daniel	White
Eastland	O'Mahoney	Wiley
Ellender	Overton	Willis

Mr. HILL. I announce the absence of the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER], because of illness.

The Senator from Montana [Mr. MURRAY] is detained on official business in Montana.

The Senator from Mississippi [Mr. BILBO], the Senator from Iowa [Mr. HERRING], the Senator from Illinois [Mr. LUCAS], the Senator from Utah [Mr. MURDOCK], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], the Senator from Oregon [Mr. HOLMAN], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Vermont [Mr. AIKEN] is absent on official business.

The PRESIDENT pro tempore. Seventy-eight Senators have answered to their names; a quorum is present.

Mr. HAYDEN. Mr. President, the question pending before the Senate is the veto of the President of the Defense Highway Act of 1941.

Perhaps the best way to approach this matter is to give the Senate a brief historical background of our highway policy. In 1933, at the beginning of the present administration, when the relief bill, carrying $3,300,000,000, was in preparation, I went to see the President, and suggested to him that the quickest way to put men to work on sound construction projects was to allocate money by the usual method to the States, and let the State highway departments construct and improve the highways. The President stated that he had delegated the formation of relief legislation to four members of his Cabinet, and suggested that I confer with them and then come to see him.

I went first to see George Dern, the then Secretary of War, who had been Governor of Utah. He said that the idea was perfectly sound. He knew what good work the highway departments could do, and that they could put men to work quickly.

I next went to see the Secretary of Agriculture, Mr. WALLACE, who is now the Vice President. He said that he was new in office, but he knew that his father, as Secretary of Agriculture, had always spoken highly of the Bureau of Public Roads, and he approved of the idea.

I next called on the Secretary of Labor, who did not approve. It was her opinion that the location of unemployment would not conform to the apportionment of money among the States the way it is provided by law—that is, according to the area of the State, the population of the State, and the mileage of post roads.

I said, "Madam Secretary, I am sure that you do not understand the situation throughout the Nation. When unemployment is mentioned to you, I imagine that you think of a queue of people on a sidewalk in New York City going into some soup kitchen; but I assure you that out in the small towns and in the country there are as many heartaches and there is as much distress as there is in the great cities. I do not propose to use all the relief money in this way, but if a portion of it is used for highways, people will be put to work in 3,000 counties."

The fourth member of the President's Cabinet to have this subject in charge was the Secretary of the Interior. I went to see Mr. Ickes. He and Madam Perkins had the same idea. He came from Chicago, and he thought the unemployment was in the great cities, and therefore that every proposed highway project should be brought to Washington for approval.

I said to him, "Mr. Secretary, you are new and without political experience. If it becomes known in Arizona that a man named Ickes has money in Washington to improve the road between Tucson and Phoenix, and the people there ask me to get some money for that road, I am coming to see you." He said, "Well, there are other men in Congress who are willing to handle the matter in that way." He said, "Senator SHIPSTEAD called to see me not long ago. He is perfectly willing to take a chance on deepening the channel of the Mississippi River up to St. Paul and Minneapolis." I said, "Yes; the Senator will take a chance on getting here before I do, and finally you will have 96 Senators and 435 Representatives on your neck, whereas if this matter is handled in the normal way, and the money is apportioned among the States, so that the work can be decentralized, you will not be bothered with it at all."

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Arizona yield to the Senator from Kentucky?

Mr. HAYDEN. I yield.

Mr. BARKLEY. I should like to ask the Senator whether the $125,000,000 carried in the bill is an additional amount over and above the regular annual appropriation for highways in the country?

Mr. HAYDEN. It is; and it is apportioned in the same manner as regular Federal-aid funds.

Mr. BARKLEY. I understand; but I should like to ask a further question. Is the bill based upon the need for strengthening and improving and widening certain roads in the country because of the defense situation?

Mr. HAYDEN. It is; and I shall be glad to discuss that phase of the matter in the course of my remarks.

Mr. BARKLEY. That raises this question: If the bill is based upon the needs of the country from the standpoint of national defense, and would not be here except for that situation, would not its enactment result, as the President said in his veto message, that portions of this fund would be expended in parts of the country where there is no defense activity, and where there is no need from a defense standpoint for increased expenditures?

Mr. HAYDEN. I shall discuss the report upon which the bill is based, and demonstrate that the President's message is based upon a misunderstanding of the facts.

Mr. McKELLAR. Mr. President, if the Senator from Arizona will yield, I should like for a moment to answer the Senator from Kentucky.

Mr. HAYDEN. I yield.

Mr. McKELLAR. The Committee on Post Offices and Post Roads had before it a map of the strategic or defense roads which the Army wanted to improve. Here they are. I have in my hand a copy of one of the maps. I have sent for a larger one, so that everyone may see it. The Army have indicated on the map the roads they want to improve from a defense standpoint; and under the bill those roads will be improved, first by the Federal appropriation, and then by whatever amount the States contribute, which, under the bill, is one-fourth of the total amount.

If the bill passes, defense roads will be built. If the bill does not pass, what roads will be built will depend upon some officer in Washington. We may have some defense roads, and we may not. Defense roads may be built in one or two States and nowhere else.

This map shows the roads the Army have said should be improved; and the purpose of our committee was to improve the roads as requested by the Army at this critical juncture in our affairs.

Mr. BARKLEY. Mr. President, may I ask the Senator another question, purely for information?

Mr. HAYDEN. Certainly.

Mr. BARKLEY. Are the roads which are designated on the map the only roads which will get any of the $125,000,000 fund?

Mr. McKELLAR. They are.

Mr. HAYDEN. That is correct.

Mr. BARKLEY. Then the fund will not be allotted among the States according to the present law; otherwise, all Federal highways would get a part of it.

Mr. HAYDEN. Let me explain. I shall have to get ahead of my story to do it.

One year ago—in June 1940—the President directed that an investigation be made of the defense-highway needs of the United States. The Public Roads Administration, the State highway departments, and the nine Army corps area commanders made the investigation. The study took them over 6 months, and the report was not filed until last February. Officials of these agencies examined the 225,000 miles of the Federal-aid highway system to which the Senator from Kentucky refers, and out of the 225,000 miles they selected 78,000 miles as the strategic network—that is, 78,000 miles of roads of prime military importance. All of the $125,000,000 authorized to be appropriated in the bill is confined to the strategic network.

Mr. BARKLEY. Let me ask the Senator another question. I have not previously seen this map. I do not know anything about what might happen in other States, but from glancing at the map I observe that it has three strategic highways north and south through my State. Fort Knox is at Louisville. Two additional training camps have already been designated in western Kentucky, the construction of which is soon to begin. I see on this map no highway from Fort Knox west to the other camps, or east. The only strategic highways on the map are north and south, but none east and west.

Mr. HAYDEN. Oh, yes; there are strategic highways running east and west.

Mr. BARKLEY. I mean in my State. I do not see any.

Mr. HAYDEN. The map shows a road from Louisville to Lexington in Kentucky.

Mr. BARKLEY. That road is only 80 miles in length. I am not looking at the matter from a geographical standpoint, because I do not know what the situation is in other States; but it might develop the road from Fort Knox to the new camps, or to any new camp which might be established, is in greater need of improvement than the roads north and south through Kentucky.

Mr. HAYDEN. All I can say to the Senator is that this map of the strategic network has the complete approval of every Army corps area commander in the United States and of every State highway department. The Kentucky State Highway Department approved the routes indicated on this map.

Mr. McKELLAR. Mr. President, if the Senator from Arizona will yield to me for a moment to answer further, in another section of the bill provision is made for what are known as approach roads or access roads. One hundred and fifty million dollars is appropriated in the bill for approach or access roads which are to be built from the camps to the strategic highways, not only in the Senator's State but in every other State in which camps are located, so that question is answered by the terms of the bill itself.

Mr. BARKLEY. Let me ask the Senator a further question. Heretofore, under the general law, in the annual appropriation for highways the allocation has been made to the States.

Mr. HAYDEN. That is correct.

Mr. BARKLEY. The Federal Government does not undertake to determine on what roads in a State money shall be spent, but a lump sum is allocated to a State. A project must originate with the State highway commission, and then it is approved by the road department here.

Of course, it is possible, and it frequently happens, that some of what we call Federal-aid highways do not get any portion of the annual appropriation for a given year. Perhaps they do not need it. It is altogether in the control of the State highway department as to which of the roads, under the general law, shall receive Federal aid in any year. Of course, the State road departments cooperate with their county highway departments and other subdivisions.

I have great respect, of course, for the Senator's opinion as to highways, because if there is an expert in the Senate on highways it is the Senator from Arizona; at least he has given the matter great study. Is the Senator able to say that the road program of improvement under the bill now under consideration contemplates the expenditure of the money provided only on highways which are essential, either for construction or for improvement, in the interest of national defense?

Mr. HAYDEN. That is exactly what is specified in the bill, and that is why the bill is a national-defense highway bill.

I should like to go back to my story, if I may.

Mr. McKELLAR. Before the Senator proceeds, will he yield?

Mr. HAYDEN. I yield.

Mr. McKELLAR. The Senator from Kentucky stated that there were three roads north and south through his State. There is one from east to west through his State. On the map before me is shown a road from Charleston, W. Va., to Lexington, Ky., and to Louisville, Ky. It runs along the line of the Mississippi River and goes in an easterly and westerly direction, and entirely through his State.

Mr. BARKLEY. I am not objecting to the road shown on the map. It crosses into Kentucky and Ohio, and goes on to St. Louis.

Mr. McKELLAR. That is true; and here on the map is shown a road which turns a little to the left and goes directly through the Senator's State from one end to the other.

Mr. HAYDEN. If I may proceed, I feel that the Senate should know what has happened in the past which leads to the situation in which we now find ourselves.

In 1933, after calling on the four members of the Cabinet, as requested by the President, I returned and reported to him that the two members of his Cabinet who understood the situation, Secretary Dern and Secretary WALLACE, approved earmarking some of the funds in the $3,300,000,000 relief bill and apportioning the money among the States for highway work; that two members who were without political experience objected and wanted to create a great bureaucracy in Washington, which would compel the sponsor of every road project to come to Washington to secure its approval. The

President promptly indicated that he did not want to do that; that he did not want to create a bureaucracy of that kind here in Washington. He then mentioned his experience as Governor of New York, the relationship the State had with the Bureau of Public Roads in Washington, and told me he thought my proposal was perfectly sound. That was when he was fresh from the governorship. That was when he still had the State's point of view. That was before the bureaucrats in Washington had had time to influence his thinking.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. TOBEY. What President was that?

Mr. HAYDEN. The present President of the United States, Mr. Roosevelt, who had been Governor of New York before he came to Washington.

Mr. TOBEY. And he went on record with the statement that he did not want to create a bureaucracy in Washington?

Mr. HAYDEN. Of course he did. I am stating exactly what happened.

Mr. TOBEY. I merely add, how times have changed. [Laughter.]

Mr. HAYDEN. The President said to me that he would approve the plan and asked how much money would be necessary. I said I had communicated with all the States of the Union and asked them how much money they could profitably expend on highways in 1 year, if they had all the money they needed. The total was $400,000,000. The President said that he believed that to be too much money and that the State highway departments could not expend so large a sum in 1 year. I said, "If they cannot spend it in 1 year, they can profitably use it in 2, and the depression will not be over in a year or in 2 years." He told me to see Senator WAGNER, who had charge of the relief bill in the Senate, and to earmark some of the money for highways. I saw Senator WAGNER, and he told me to write my own ticket. The result was that the only item in the whole relief bill that was earmarked was $400,000,000 for highway construction, to be apportioned among the States and to be spent by the States without matching.

When I had drafted my amendment, I called John R. McCarl, the Comptroller General, and said, "I want two of your best lawyers to come and see what I have written." They came, and I told them, "I have written here a provision which makes available to the States, under the standard Federal-aid apportionment, $400,000,000. I want to know if I have drawn it so that when Franklin Roosevelt signs his name once that money will be allocated for that purpose, and can be used for no other purpose." They assured me that that was exactly what would happen.

In the spring of the second year, when not all of the money had been spent, as the President had anticipated, I received a call from Marvin McIntyre at the White House, and was told that the President would like to have me meet with Daniel Bell, the Director of the Budget; with Aubrey Williams, of the Works Progress Administration; and with some other gentlemen. They came to the Capitol and we met in the room of the Committee on Appropriations. They said, "Harry Hopkins is running out of money. The sums allocated to him by the President are insufficient." They told me that there was one hundred and twenty million of the four hundred million for highway construction which had not been expended, and asked that I consent to the use of the money by the Works Progress Administration for a time, and then later have it returned.

I said, "This road money cannot be transferred except by act of Congress. So far as I am concerned Mr. Hopkins will not get one red cent of it, because the money has been allocated to the States. The States have made their plans, and within the year they will need all of it. If Mr. Hopkins wants money, let him come to the Appropriations Committee and make his case, and he will get it."

From that time on the bureaucrats in Washington have not been enthusiastic about this method of apportioning money among the States, and in 1937 they induced the President to send a message to Congress, on November 27, in which he recommended that the system be entirely changed, that the provision of law requiring the Secretary of Agriculture to apportion to the States the annual amount authorized for appropriation be repealed, and that the statute creating a contractual obligation on the part of the Federal Government upon the approval by the Secretary of a State's road program, be eliminated.

Immediately after that message was read I rose on the floor of the Senate and pointed out to the Members of this body that the method always followed by the Congress was the only way in which we could handle the matter, that about 40 of the State legislatures meet only once every 2 years, and that the apportionments must be contractual obligations so that the States will know what they can depend upon in advance. Although the President transmitted with his message the draft of a bill to change the system and repeal much of the basic highway law there was not one Senator or one Member of the House of Representatives who would even introduce the bill, and the system has continued to operate just as it is now functioning.

The President stated in his message of November 27, 1937 that the provisions of law for apportionment to the States and creating contractual obligations would tie the hands of the Executive, and I told the Senate at the time that this result is exactly what the Congress intended to do. We could not operate upon any other basis. Why? Because the States spend twice as much money as the Federal Government does. I have the record before me which I shall print as a part of my remarks, exhibit A. In the 8 years, 1933 to 1940, inclusive, the Federal Government has advanced by way of Federal aid for highways $1,886,000,000. The States have expended $2,229,000,000 on construction and $1,608,000,000 on maintenance, or a total expenditure more than twice as great as that of the Federal Government.

What the Bureau of the Budget wants is to be able to juggle one Federal dollar and thereby control two State dollars, but the Congress has gone on the principle that the roads belong to the States, that the construction should be carried on by the States, and that the Federal Government should merely aid and assist the States to create a national system of highways. That principle is so sound that the Congress has been utterly unwilling to change it for more than a quarter of a century.

We now come to the particular bill pending before us. What is the history of that bill? As I stated a moment ago, more than a year ago the President directed that a study be made of defense highway needs throughout the United States. The Public Roads Administration, each State highway department, each Army corps area commander examined the situation in complete detail. What is the report they made to us last February? That out of the 225,000 miles of the Federal-aid system there were 78,000 miles which should comprise the strategic network to which the Senator from Tennessee [Mr. MCKELLAR] has referred. That all money appropriated by Congress for the improvement of defense highways should be confined to that strategic network. And what is the condition of the strategic network? The report shows that on this 78,000 miles there are 2,436 bridges which would not carry a medium army tank; that there are 5,090 miles of road less than 18 feet wide; that there are 14,000 miles of road whose surface is incapable of supporting a vehicle carrying a load of more than 9,000 pounds. To take care of the whole problem—to put the strategic highway system in condition so that it will do the work which the Army requires will cost $458,000,000.

In making his report the Federal Works Administrator did not ask that a total of $458,000,000 be appropriated, but he did make this specific recommendation, which I shall read to the Senate:

> To provide for the replacement of substandard bridges and the correction of other critical deficiencies of the strategic network at a desirable rate, a supplementary appropriation of not less than $100,000,000 is required. This appropriation should be prorated to the States on the existing Federal-aid basis, and used solely for designated defense projects. It should be available to pay all legitimate costs of the projects on a somewhat higher basis of Federal participation than the existing 50–50 basis, but otherwise should be expended under the provisions of the Federal highway legislation.

That is just what was done in this bill. Those who made the report said it would require an appropriation of at least $100,000,000. We have placed $125,000,000 in the bill to do over $458,000,000 worth of work.

Whoever wrote the President's veto message gave us some gratuitous advice in saying:

> In fact, it is quite possible that the most critical deficiencies in some areas may not be corrected even with the sum authorized in this bill.

It is known in every State exactly what is to be done, on the basis of a 6-month engineering investigation made by the Army engineers under the direction of the corps-area commanders, by the State highway engineers, and by the engineers of the Public Roads Administration. It is known in every State what the worst situations are. Since the total amount needed to correct all critical deficiencies in the strategic network is $458,000,000, it is obvious that this $125,000,000 will not do all the work, but it will permit the most important things to be done.

The provisions of the bill, so far as access roads are concerned, apparently meets with the President's approval. The access-road money is not apportioned among the States but is made available to take care of the roads leading from the strategic network into Army camps, into Navy yards, into shipbuilding plants, into powder plants, into other Federal defense activities which are located off the main highways. The $150,000,000 authorized for access roads will not be enough. I am told that there are approved projects today which will more than use up this sum.

There are some other criticisms in the President's veto message about minor matters that do not need discussion now.

Mr. President, I wish to say in conclusion that I am advised that after the bill passed the House and the Senate it was referred by the White House to every agency of the Government that has anything to do with the construction of roads for defense. I am told that the bill received the approval of the War Department, it received the approval of the Navy Department, it received the approval of the Federal Works Administrator, and it received the approval of Mr. Ralph Budd, head of the Transportation Division of the Advisory Commission on National Defense. There are only two agencies in the Government which could have helped the President prepare the message, so far as I can make out. One is the Bureau of the Budget, and the other is the National Resources Planning Board. The Bureau of the Budget have never liked the idea that they could not juggle highway appropriations whenever they wanted to. The Bureau of the Budget has consistently objected to that feature of our highway legislation which makes the apportionments to the States contractual obligations on which the States can rely with absolute certainty. So we have here a question of principle, whether or not the Congress shall maintain a policy established in 1916 which will assure to the States that they can absolutely depend upon a certain sum of money apportioned to them under a well-known and established rule, or whether we shall abandon it and allow the matter to be handled by bureaucrats here in Washington, not one of whom ever built a mile of road, either as a contractor or as a supervising engineer.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BARKLEY. May I ask the Senator a question purely for information? Referring again to the map which has been exhibited here by the Senator from Tennessee [Mr. McKELLAR], I am informed that most of the roads which are outlined on it are already hard-surfaced roads. I know they are in my State. Route 60, which goes from Old Point Comfort all through Virginia and West Virginia and across Kentucky is hard-surfaced.

Mr. PEPPER. Mr. President, will the Senator speak a little louder so we can all hear him?

Mr. BARKLEY. I thought anyone in the Senate Chamber could hear my voice, but I will raise it a little. Route 60, which goes all the way across the United States, including Kentucky, is already a concrete, hard-surfaced road. The State and the counties have improved it and are now engaged in widening it between Lexington and Louisville. The routes north and south, Nos. 31, 51, and 25, are also hard-surfaced, concrete roads, and they are the roads which are designated here on this program.

Now what is it proposed to do to those roads in addition to what has already been done? Assuming that they are already hard-surfaced roads, what will be done additional to them? Will they be widened?

Mr. HAYDEN. The recommendation here is that a road should be widened when it is less than 18 feet in width and cannot therefore carry a great army convoy over it safely. Improvements will be made to a road if its curves are too sharp, or if the bridges are not stout enough to carry Army tanks. I feel sure that the Senator will find that there is plenty of work which will completely and beneficially use the amount of money to be allocated to the State of Kentucky.

Mr. BARKLEY. I think that is more true with regard to bridges, with reference to some portions of the road where it is wide enough now.

Mr. HAYDEN. The War Department found 2,436 bridges on the strategic network which were not strong enough.

Mr. President, let me conclude my remarks by saying that this report was submitted on the 1st of February, after 7 months' study. Nothing was done during the month of February, the month of March, and the month of April. Finally I went down to the War Department to find out the cause of the long delay. I said, "Gentlemen, do you want these roads? Do you want the work done?" They said, "Yes; but we do not want the headache that goes along with it." I asked what they meant and was told: "We have had nothing but grief here for weeks in trying to locate army camps throughout the United States. Every town in the country which thought it ought to have an Army camp somewhere near sent enterprising chamber of commerce representatives to Washington trying to secure a camp in its neighborhood, and got some Senators and Representatives to plead their cause. Those representatives did not want to see a major or a colonel, but they wanted to see a general, and have him authorize the location of a camp in their town. We do not want to be subjected to the same kind of pressure for the improvement of particular roads on the strategic network."

I said, "If that is all your trouble, we can avoid it completely. We can apportion this money among the States just as it has always been done, and then Senators and Representatives will not be called upon to come down and see the Chief of Staff, or anyone else, about the location of highway improvements."

Because it would put the responsibility on them, the Army is opposed to handling this money in the way the veto message suggests. If money for strategic highways is not apportioned but is merely handed over to the Army, then everyone who wants a road will come to Washington to get his road, and will ask his Senator or Representative to help him do it. If the money is spent as proposed in this bill the work will be done by the States as the result of a study covering 6 months, with the advice of the corps area commanders and the Public Roads Administration.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. OVERTON. Under the bill as passed by the Congress is there any sum of money appropriated by the Federal Government which does not have to be matched?

Mr. HAYDEN. Yes.

Mr. OVERTON. That is $150,000,000, is it?

Mr. HAYDEN. Yes; $150,000,000.

Mr. OVERTON. As I understand, the $125,000,000 is to be matched on the basis of a contribution of 75 percent by the Federal Government and 25 percent by the State governments.

Mr. HAYDEN. That is correct.

Mr. OVERTON. As I understand the position taken by the President in his veto message, he desires to eliminate the matching, and to authorize an appropriation to meet the present emergency by building access roads in connection with the various camps, and other roads for military uses. As I understand, the President's plan would not call for any contribution by the States.

Mr. HAYDEN. No. In his message transmitting the report to Congress the President said he would recommend $100,000,000 for access roads, and would recommend an additional $25,000,000 for strategic highways. He suggested that neither of these sums should be apportioned among the States, but a State would have been obliged to match any money spent on the strategic network.

Mr. OVERTON. The President desires to cut down the appropriation and eliminate the $125,000,000 which would be apportioned among the States.

Mr. HAYDEN. That is it exactly. That is the objection. Our contention is that the studies made by the engineers of the Army, the Public Roads Administration, and the State highway departments demonstrate that $125,000,000 is a modest sum to do the important things that need to be done in each State immediately if we are to put the highways in proper condition for military use.

EXHIBIT A

Comparison of State highway department expenditures for construction and maintenance and Federal-aid expenditures, 1933–40

[Thousands of dollars]

Calendar year	State funds			Federal aid
	Construction	Maintenance	Total	
1933	271,597	138,830	410,427	187,617
1934	236,463	178,999	415,462	321,606
1935	201,173	184,458	385,631	217,457
1936	278,646	219,202	497,848	336,301
1937	285,704	227,877	513,581	267,560
1938	324,249	227,711	551,960	200,591
1939	291,534	206,014	497,548	180,199
1940	[1] 340,000	[1] 225,000	[1] 565,000	175,159
Total	2,229,366	1,608,091	3,837,457	1,886,490
Average	278,671	201,011	479,682	235,811

[1] Estimated.

Mr. McKELLAR. Mr. President, I shall take only a very few moments. The Senator from Arizona [Mr. HAYDEN] has already fully explained the pending matter.

I recall no bill coming before the Committee on Post Offices and Post Roads in a long time which received more careful consideration than did this particular bill. The committee was unanimous in reporting the bill, and, as I recall, the bill passed the Senate unanimously. It was unanimously approved both by the committee and by the Senate.

I greatly regret that I must differ with the President. When his veto message was received it was referred to the Committee on Post Offices and Post Roads. We held a meeting yesterday with several more than a quorum present, as I recall. All the members were not present, but a majority of them were present, and those who were present unanimously voted to recommend to the Senate that the bill pass, notwithstanding the objections of the President.

I feel that that should be done as a matter of national defense. It is a national-defense bill, and in my judgment the best possible road bill for national-defense purposes that could be evolved, because it is based upon a network of roads which have been selected by the War Department. The War Department selects the roads on which the funds are to be expended. Roads to defense plants would be built entirely out of the funds provided for in section 3 of the bill, or some subsequent section. Such roads are known as approach roads.

If we are to appropriate money for defense roads, such roads as the Army has approved are ones which ought to be built or improved, and such roads would be built under the terms of the bill. We have a road department in the Government, presided over by Mr. MacDonald, who has had long experience in building roads. Defense roads throughout the country would be built under his supervision and direction. I think he is one of the most capable men in the Government service. As a practical matter and as an economic matter it would be better for the roads to be built under the direction and control of Mr. MacDonald, who has had wide experience, than to be built by Army officers or officers in some other department of the Government who have had no experience.

It is true that the money appropriated in the bill is in addition to the road money usually expended annually by the Federal Government in the various States, and the division of it is somewhat different. Twenty-five percent of the cost would be borne by the States and 75 percent by the Federal Government. Why? Because the roads are defense roads. The Government would be the gainer by 25 percent, because the States are interested and would be glad to put up the money for defense roads in that proportion.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BRIDGES. I am in agreement with the position of the Senator from Tennessee. I wonder why the President vetoed the bill if it is in the interest of national defense, as the Senator believes, and as I believe?

Mr. McKELLAR. I have not the slightest notion. The President did not talk to me about it, or I should certainly have urged him not to veto the bill, because I do not believe a better bill could be evolved by this or any other body than has been evolved in this case. The Army has laid out the roads which it wants improved for defense purposes. The bill provides the best and cheapest way of building or improving such roads.

Mr. BRIDGES. The bill is the one way of keeping the administration of the matter nonpolitical, is it not?

Mr. McKELLAR. Certainly it cannot be called political in any way. I defy anyone, partisan or nonpartisan, who will examine the map to show where there has been any partisanship of any kind in the selection of national-defense roads.

Mr. BRIDGES. The money would all be distributed according to a formula.

Mr. McKELLAR. The money would all be distributed according to a formula. We know exactly what would be done with it. It would be distributed upon the network of defense roads, and nothing but defense roads. No officer of the Government would have the right to dispose of it in any other way.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. DANAHER. Does not the Senator think that we should amend the bill to conform to the President's suggestion?

Mr. McKELLAR. I do not. I think the bill should be passed exactly as it was previously passed by the Senate. I hope it will receive a unanimous vote, as it did before. I hope the Senator from Connecticut will vote for it.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. VANDENBERG. The Senator is not intimating that he thinks that if the appropriation were spent under Presidential direction all the iniquities and vices which have been mentioned would attach to the expenditure?

Mr. McKELLAR. I have not consulted with the President. I do not know what his plan of expenditure is. I think someone has misled the President in regard to the bill.

Mr. VANDENBERG. The Senator has been urging that the plan outlined in the bill must be followed in order to make sure that the money is spent for defense purposes and is not put into some indefensible sort of expenditure. I am sure the Senator is not undertaking to intimate that if Presidential discretion were relied upon any of the vices which have been mentioned would result.

Mr. McKELLAR. I am not making any suggestion of that kind at all. I believe the President to be a perfectly honest man; but, as we all know, he must select agents to do these things. I do not know of any road organization in the United States which could build the roads as cheaply, as efficiently, and as free from political bias and control as could the organization presided over by Mr. MacDonald.

Mr. VANDENBERG. Why should not the Senator assume that the President would rely upon the same resources when he made his expenditures?

Mr. McKELLAR. Simply because he has stated in a letter to the Senate, which the Senator may have heard read yesterday, as I did, that he does not want to use the same agencies to build the roads. The President disapproves of the bill.

Mr. President, I shall not take any further time. I ask Senators on both sides to vote to override the veto and pass the bill. I hope it will be passed unanimously, as it was in the first instance.

The PRESIDENT pro tempore. The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. VANDENBERG obtained the floor.

Mr. ANDREWS. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Florida.

Mr. ANDREWS. I should like to ask the Senator from Tennessee about paragraph No. 2, pertaining to the strategic-highway network. I understand the objection of the President to the appropriation of $125,000,000, which is authorized, is that it is based upon population. Is not that correct?

Mr. HAYDEN. Oh, no.

Mr. McKELLAR. I will read what the President says:

> One of the major provisions of this bill involves authorization of $125,000,000 to correct critical deficiencies in lines of strategic network of highways and bridges with the further provision that these funds are to be apportioned among the several States in accordance with the existing Federal Aid Act.

According to the War Department, the strategic roads which the War Department wants improved for defense purposes are all designated and there are some in every State. If there are some in every State, why should not the money be spent in every State? Why turn over the $125,000,000 to some official in Washington and let him spend it where he pleases? It may all be spent in the Senator's good State of Florida or in the State of the Senator from Arizona. I do not know. But here we have a plan

which has been set forth first by the Army, and this authorization is based upon what the Army needs for the Army. The roads are designated, and those are the roads which are to be improved.

Mr. HAYDEN. Mr. President, if the Senator will yield to me, I think I can answer the specific inquiry made by the Senator from Florida.

Mr. ANDREWS. I wish the Senator had read the next sentence.

Mr. HAYDEN. The sentence in the message to which the Senator refers is:

> Among all the States in accordance with the population and other distribution provisions of the Federal Highway Act.

Whoever wrote this message for the President did not have the formula before him. He knew there were two other factors, but he did not know what they were. The three factors are area, population, and mileage of post roads. So in each case in which he mentions the system of apportionment, the President says "population and other distribution provisions." There is no change in the formula. In this bill the money is apportioned exactly as it has been apportioned since 1916.

Mr. ANDREWS. If the apportionment should be made, for instance, according to population, it can be readily seen that most of the camps and most of the airports naturally are located in States that do not have much population, so that they may be out of the way of traffic and of possible bombing.

Mr. HAYDEN. The Senator may be completely assured on that point. The formula of the bill is exactly the same as it has been every year since 1916. There is no change at all in it. Population is one of the three factors.

Mr. ANDREWS. Is it not based on population?

Mr. HAYDEN. The formula is based one-third on population, one-third on the area of the State, and one-third on the mileage of post roads—that is, star routes and rural delivery routes.

Mr. ANDREWS. I am glad to have that explanation.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. The Senator from Michigan [Mr. VANDENBERG] has the floor.

Mr. VANDENBERG. Mr. President, I do not want to prejudice the President's case by presenting a defense of it from this side of the aisle, and I should not rise if apparently the matter were not immediately going to a vote without a word from the President's own party. I am sure the President himself would be the first to feel that he had fallen upon evil days if he had to depend upon the senior Senator from Michigan for his spokesmanship. But, Mr. President, I think this is one instance in which the President is completely and eternally right, and I think the equation is far simpler than has thus far been presented to the Senate. It is simply the question whether $100,000,000 is still worth saving.

Underneath all this wordy devotion to the principle of protecting the old matching and apportioning theory for State highway construction with Federal aid is one simple fact, and that simple fact is that the President says if he is permitted to proceed according to his method of building special defense roads he can do for $25,000,000 what this bill requires $125,000,000 to do.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. VANDENBERG. Yes; I yield.

Mr. HAYDEN. Does the Senator believe that? [Laughter.]

Mr. VANDENBERG. I will reply to the Senator with a question: Does the Senator disbelieve the President?

Mr. HAYDEN. Yes; I thoroughly disbelieve that he can do for $25,000,000 what the bill requires $125,000,000 to do.

Mr. VANDENBERG. Mr. President, obviously the Senator from Arizona disbelieves the President in this instance, and I am fearful that most of his colleagues across the aisle are going to disbelieve their President in this instance; but if he is wrong about it, we shall find it out in the course of a $25,000,000 expenditure, and we can then take the next step.

It seems to me that the statement made by the President himself is unanswerable. I am quoting the President:

> The critical deficiencies in highways and bridges that may require prompt correction in the interest of our national defense cannot be reasonably related to the population of States—

Of course, it cannot—

> or the other factors which enter into ordinary apportionment.

Of course, it cannot.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. VANDENBERG. I will yield to the Senator from Tennessee just as soon as I complete the quotation from the President's message. I do not want to interrupt the President. This is the President speaking. [Laughter.]

Mr. McKELLAR. I am glad the Senator from Michigan has at last found an item on which he can agree with the President.

Mr. VANDENBERG. I wish the Senator from Tennessee would return to his old and ancient fidelity to economy, which he so bravely sponsored in the old days, and I followed his leadership. For eight long years now I have been waiting patiently for him to renew his activity; and I am going to invite him this afternoon to reciprocate the support I used to give him by supporting me in my economy drive.

Mr. McKELLAR. I thank the Senator. I am not making any promises; but there is a hymn which contains the words:

> And while the lamp holds out to burn,
> The vilest sinner may return.

Being a vile sinner, I may return; and I am glad to see the Senator returning to the leadership of the President on one occasion, at least.

Mr. VANDENBERG. That is my hope for the Senator from Tennessee before I get through.

I do not think the President ought to be interrupted when he is speaking——

Mr. McKELLAR. I will wait.

Mr. VANDENBERG. So I shall start over again to quote from the President's statement of why $25,000,000 is the equivalent of $125,000,000 if the $125,000,000 is wrongly spent. What does he say about it?—

> The critical deficiencies in highways and bridges that may require prompt correction in the interest of our national defense cannot be reasonably related to the population of States or the other factors which enter into ordinary apportionment. The result, therefore, is the necessity for the appropriation of a far larger sum of money to meet immediate requirements than would be necessary if these funds were applied to critical deficiencies without the apportionment method.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. TYDINGS. I am sorry I was not here a little earlier today, but perhaps the Senator can throw some light upon the matter. Assuming that the veto will be sustained, when will it be possible to get through the legislation providing for the needed military roads?

Mr. VANDENBERG. I am not able to answer the Senator; but I should think that if the veto were to be sustained the administration control of the Senate would immediately proceed to reimplement the President's message of June 2; and I suppose we would have a chance within a few days to pass the right kind of a bill instead of the wrong kind.

Mr. TYDINGS. My reason for asking the question is that obviously many of us would like to vote in line with the President's suggestion, but we do not want to deny funds for any of these roads. I suppose there is not another State in America which is as critically situated as is my own State because of the peculiar situation of Baltimore Harbor. There 42,000 men are working in a new plant built out in the country, and they have to wait 3 or 4 hours in order to get to work. They have to sit in their automobiles hour after hour every day, in lines miles long, in order to get to work.

I should like to go along with the philosophy of the President as to this matter, but, at the same time, I think there has already been a great deal of delay about the appropriation of money for these very much needed improvements. The delay is tying up national defense, and that is an item which ought to be considered.

Mr. VANDENBERG. Mr. President, about the only argument which has been made that, so far as I could discern, had any relevance was the argument that the adoption of the President's suggestion might be a serious precedent in the future by way of breaking down the existing Federal highway formula, although this particular appropriation is wholly outside the regular Federal highway program.

Mr. President, this bill already breaks into that precedent by changing the percentages of contribution. This bill is not the standard Federal highway formula at all. It is a 75–25 contributory formula, instead of a 50–50 formula.

Mr. McKELLAR. Will the Senator yield?

Mr. VANDENBERG. I will yield in a moment. You do not hesitate to break the precedent in order to get 25 percent more out of the Federal Treasury, but you do hesitate fearfully lest some sort of a sinister precedent shall be created by saving a hundred million dollars.

Mr. McKELLAR and Mr. HAYDEN addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Michigan yield; and if so, to whom?

Mr. VANDENBERG. I will yield to either one or both, but first I will yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator says we have changed the ratio, and that is true; but we have not changed the system.

Mr. VANDENBERG. The ratio is a part of the system.

Mr. McKELLAR. The system remains. These are defense roads; this is a national proposition; this money is to be spent for national-defense purposes.

Mr. VANDENBERG. Certainly; and therefore it ought to be spent where defense needs are, not all over the 48 States merely because all the 48 States would like to get on this gravy train.

Mr. McKELLAR. But the money ought to be spent in States where the Army defense roads are needed. The Army has stated where they are needed. Does the Senator think that in some way the method of building these roads should be changed so as not to conform to what the Army has recommended in any State?

Mr. VANDENBERG. No. The only point at which the Senator and I seem to differ is that I really, in spite of my other reservations, can trust the President to consult the War Department in respect to this matter.

Mr. McKELLAR. I think the Senator ought to be complimented. I have been here for more than 8 years under the administration of Mr. Roosevelt, and, so far as I recall, this is the first and only time the Senator has ever argued that President Roosevelt should be trusted.

Mr. VANDENBERG. Well, this is the first and only time I can remember that the President has ever said anything about economy. [Laughter.]

Mr. HAYDEN and Mr. CHANDLER addressed the Chair.

Mr. VANDENBERG. I yield first to the Senator from Arizona and then I will yield to the Senator from Kentucky.

Mr. HAYDEN. I mentioned here not long ago that we appropriated $400,000,000 out of the $3,300,000,000 relief bill in 1933, not a cent of which was matched. This is at least three-quarters matched. The Senator ought to be happy about that.

Mr. VANDENBERG. That is beside the point, except that it proves that the standard formula is not the formula that is in this bill. So do not talk to me about preserving the precedent of a standard formula, because you have broken the precedent and, having broken it, once in a rather doubtful way, I respectfully suggest that it is worth while to break it once more for the sake of saving a hundred million dollars. I now yield to the Senator from Kentucky.

Mr. CHANDLER. If the Senator will indulge me, I will make the observation that when the President learns of this great defense of him by the Senator from Michigan, he will be reminded that there is more rejoicing over the one lost sheep which went astray and was found than over the ninety and nine which went not astray.

Mr. VANDENBERG. I thank the Senator for his observation. I believe I can think of nothing which more completely confesses the weakness of the attack on the President's message than the fact that Senators have to talk about that sort of thing instead of the message itself.

That is about all I want to say, except I should like to ask for the yeas and nays to see how Senators will vote on the question.

Mr. McKELLAR. Let us have the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays are required by the Constitution. The clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. ADAMS voted in the affirmative when his name was called.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The roll call has been started and there has been a response.

Mr. McKELLAR. Very well.

The legislative clerk resumed the calling of the roll.

Mr. BANKHEAD (when his name was called). I have a general pair with the senior from Senator from Oregon [Mr. McNARY]. I am informed that if present he would vote as I intend to vote. I am therefore at liberty to vote, and vote "yea."

The roll call was concluded.

Mr. STEWART (after having voted in the affirmative). On this vote I have a pair with the junior Senator from Oregon [Mr. HOLMAN]. I am advised that if present he would vote as I have already voted. Therefore I permit my vote to stand.

Mr. HILL. I announce the absence of the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER] because of illness.

The Senator from Montana [Mr. MURRAY] is detained on official business in Montana.

The Senator from Mississippi [Mr. BILBO], the Senator from Iowa [Mr. HERRING], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. LUCAS], the Senator from Utah [Mr. MURDOCK], the Senator from Washington [Mr. BONE], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

I am advised that, if present and voting, the Senators from Arkansas [Mrs. CARAWAY and Mr. SPENCER], the Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. LUCAS], the Senator from Washington [Mr. BONE], and the Senator from Montana [Mr. MURRAY] would vote "yea."

Mr. AUSTIN. The Senator from Oregon [Mr. McNARY], the Senator from Minnesota [Mr. BALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], the Senator from Oregon [Mr. HOLMAN], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Vermont [Mr. AIKEN] is absent on official business.

If present, the Senator from Vermont [Mr. AIKEN] and the Senator from Nebraska [Mr. BUTLER] would vote "yea" on this question.

The result was announced—yeas 57, nays 19, as follows:

YEAS—57

Adams	Glass	Reynolds
Andrews	Gurney	Rosier
Bankhead	Hatch	Russell
Barbour	Hayden	Schwartz
Brewster	Hill	Shipstead
Bridges	Johnson, Calif.	Smathers
Brooks	Johnson, Colo.	Smith
Brown	Kilgore	Stewart
Bunker	La Follette	Thomas, Idaho
Burton	Langer	Thomas, Okla.
Chandler	Lee	Thomas, Utah
Clark, Idaho	McCarran	Tobey
Clark, Mo.	McFarland	Truman
Connally	McKellar	Tydings
Davis	Mead	Van Nuys
Downey	Nye	Wallgren
Eastland	O'Daniel	Wheeler
Ellender	O'Mahoney	White
George	Radcliffe	Willis

NAYS—19

Austin	Gillette	Taft
Bailey	Green	Tunnell
Barkley	Guffey	Vandenberg
Byrd	Hughes	Walsh
Capper	Maloney	Wiley
Danaher	Overton	
Gerry	Pepper	

NOT VOTING—19

Aiken	Chavez	Murray
Ball	Herring	Norris
Bilbo	Holman	Reed
Bone	Lodge	Spencer
Bulow	Lucas	Wagner
Butler	McNary	
Caraway	Murdock	

The PRESIDENT pro tempore. On this question the yeas are 57 and the nays 19. Two-thirds of the Senators present having voted in the affirmative, the bill is passed, the objections of the President of the United States to the contrary notwithstanding.

Mr. CAPPER. Mr. President, I supported the President's veto of Senate bill 1580, an act making certain authorizations for highway purposes in connection with the national-defense program. The President had asked $25,000,000 for this purpose. The bill as passed appropriated $125,000,000, and allocated the money among all the States in accordance with the formula used in Federal grants in aid for highways. In my judgment, the President is entirely correct in stating that the usual formula has no application at all to the situation calling for immediate construction of strategically necessary highways and bridges. To put it bluntly, this looks like a "pork barrel" to me.

To apportion funds for certain critical deficiencies in highways and bridges necessary for national defense on the usual basis of State populations and areas, requiring five times the funds necessary to accomplish the expressed purpose of the legislation, to my mind is indefensible, and I believe the President was justified in his veto.

The President has spent money recklessly at times, and has asked Congress to enact legislation which I could not and did not approve. I have not hesitated to oppose such measures, and shall not hesitate to do so in the future. But when I believe the President to be in the right, it is just as much my duty as a Senator to support him as I believe it to be my duty to oppose him when I am convinced he is wrong.

In my 22 years' service in the Senate I have never known a time when it seemed so necessary to move cautiously in the spending of the public money. I have been told that we will have a deficit of ten or eleven billion dollars this year. When the President shows an inclination to stop these staggering deficits, I think he should be encouraged and supported.

REQUISITION OF PROPERTY REQUIRED FOR DEFENSE

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States.

Mr. CHANDLER. I move that the Senate disagree to the amendments of the House; request a conference with the House on the disagreeing votes of the two Houses thereon; and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. REYNOLDS, Mr. HILL, Mr. CHANDLER, Mr. AUSTIN, and Mr. BRIDGES conferees on the part of the Senate.

Mr. CONNALLY. Mr. President, will the Senator from Kentucky yield?

Mr. CHANDLER. Yes, sir.

Mr. CONNALLY. My attention has been called to the fact that the House added to the bill an amendment safeguarding the right of individuals to possess arms. Is that the only amendment?

Mr. CHANDLER. I have not seen the amendments which were adopted in the House, but I have understood that one such amendment was adopted.

Mr. CONNALLY. The Senator is moving that the Senate disagree to all the amendments of the House?

Mr. CHANDLER. That is just for the purpose of instructing our own committee. If the amendment referred to by the Senator is in the bill, we shall give careful consideration to it in the event it will not destroy the effectiveness of the bill.

Mr. CONNALLY. I hope the Senator will do so.

Mr. CHANDLER. We have no reason to take the personal property of individuals which is kept solely for the protection of their homes.

SENATOR FROM SOUTH CAROLINA

Mr. SMITH. Mr. President, Hon. ROGER C. PEACE, the newly appointed Senator from South Carolina, is present. I understand his credentials are at the desk. I should like to have them read and then I shall ask that the oath of office be administered to Mr. PEACE.

The PRESIDENT pro tempore laid before the Senate the credentials of ROGER C. PEACE, appointed a Senator from the State of South Carolina to represent that State in the Senate until the vacancy therein caused by the resignation of James F. Byrnes is filled by election as provided by law, which were read and ordered to be filed, as follows:

STATE OF SOUTH CAROLINA,
EXECUTIVE CHAMBER,
Columbia.

To the President of the Senate of the United States:

This is to certify that pursuant to the power vested in me by the Constitution of the United States and the laws of the State of South Carolina, I, Burnet R. Maybank, the Governor of said State, do hereby appoint Mr. ROGER C. PEACE a Senator from said State to represent said State in the Senate of the United States until October 15, 1941, to fill the vacancy therein caused by the death of Hon. Alva M. Lumpkin, and until his successor has duly qualified, but in no event to exceed 6 months from the date hereof.

Witness: His Excellency our Governor Maybank, and our seal hereto affixed at Columbia, this 5th day of August in the year of our Lord 1941.

By the Governor:

BURNET R. MAYBANK,
Governor of South Carolina.

[SEAL] W. P. BLACKWELL,
Secretary of State.

Mr. SMITH. Mr. President, I am very happy to present the Senator-designate.

The PRESIDENT pro tempore. If the Senator-designate will present himself at the desk, the oath of office will be administered.

Mr. PEACE, escorted by Mr. SMITH, advanced to the desk, and, the oath prescribed by law having been administered to him by the President pro tempore, he took his seat in the Senate.

WILLIAM F. KLIEWE—CONFERENCE REPORT

Mr. ELLENDER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1692) for the relief of William F. Kliewe, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the figures "$872.50" insert "$1,000"; and the Senate agree to the same.

ALLEN J. ELLENDER,
JAMES H. HUGHES,
Managers on the part of the Senate.

DAN R. MCGEHEE,
JOHN JENNINGS, Jr.,
Managers on the part of the House.

The report was agreed to.

PUNISHMENT OF PERSONS TRANSPORTING STOLEN CATTLE—CONFERENCE REPORT

Mr. MCCARRAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1261) to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and the title amendment.

PAT MCCARRAN,
ERNEST W. MCFARLAND,
WILLIAM LANGER,
Managers on the part of the Senate.

HATTON W. SUMNERS,
FRANCIS E. WALTER,
JOHN W. GWYNNE,
Managers on the part of the House.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3537) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 3537. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. R. 3625. An act to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.;

H. R. 4052. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.; and

H. R. 4911. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

The PRESIDENT pro tempore. The question before the Senate is the amendment of the Senator from Ohio [Mr. BURTON] to the amendment offered by the Senator from Utah [Mr. THOMAS], which will be stated.

The LEGISLATIVE CLERK. On page 1, line 6, it is proposed to strike out the word "eighteen" and insert the word "twelve", so that, if amended, the proviso will read as follows:

Provided, That the extension of the period of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 12 months—

And so forth.

Mr. PEPPER. Mr. President, in the memorable Battle of Antietam, the son of Gen. Robert Edward Lee, with his battery, which had suffered very severely, was being withdrawn from the severe carnage of the front ranks. As the captain of the battery reported to the commander in chief, General Lee first looked over the men of the battery, who bore upon their persons the sweat and grime of the carnage of the battle, first without seeming to recognize his own son. Then,

recognizing his son, he embraced him and complimented him upon having escaped from so severe a struggle without injury. Then the commander in chief turned to the captain of the battery and said, "Take the best horses you can find and lead your battery back to the front line of the battle."

General Lee's son approached his father and said, "General, are you sending us back into the battle?" Kindly, but firmly, the father looked into the eyes of his beloved son and said, "Yes, my son, you all must do all you can to drive those people back."

There is no heart so cold or mind so sinister that it would deny more than the ordinary paternal affection from the heart of General Lee for his own son; but General Lee loved the cause of his State and the cause of his South more than he loved even the members of his own family; and General Lee sent his weary son back into the carnage of a desperate and bloody battle.

Those of us in this body who oppose any time limit upon the extended service of those who are now, as Reserve officers, as National Guard men, or as selectees, component parts of the Army of the United States, have no lack of affection in their hearts for those men, have no desire to impose upon them any burden, and, above everything else, have no purpose to discriminate against them in favor of any other part of the population. But, as the eloquent and able Senator from Oklahoma [Mr. LEE] yesterday said to this body, the time has come when we must make up our minds whether there is an emergency or whether there is not, and, if there is an emergency, whether we propose to throw the full power of America into meeting that emergency, or whether we purpose to dilly dally and wait until the little we do shall be of little avail.

The amendment which is now before the Senate proposes a definite limitation of a year upon the extended service which the President may require of these men. We have already heard the charge that to extend the period of service is a breach of faith with the men who have been called into the service; that to do so the Congress would violate its affirmation to these men. What will be said when that year expires, should an emergency require the Congress to declare again the necessity of the retention of these men in the service of their country? You know that from every camp of the critics would rise again the challenge of another violated pledge, another repudiation of a promise that has expressly been made to these men. Therefore, Mr. President, the Congress should once and for all absolve itself from the likelihood of any such challenge or charge by declining to fix any supposed limitation of time, when it knows it can neither honestly nor properly do so in such critical times.

So far as I am personally concerned, I am unable to understand why it is that those who believe in democracy, those who believe in the sovereign authority of the Congress and the people, are not satisfied with the provisions which came to the Senate in the original committee measure. That language, after conferring authority upon the President to extend the service of these men, is as follows:

Provided, That the authority hereby conferred may be revoked at any time by a concurrent resolution of the Congress.

What need is there, then, for any particular time of limitation, when by the express language of the joint resolution the Congress may terminate the extended service by the simple adoption of a concurrent resolution, which requires only a majority vote in either House of the Congress, and upon which the President's veto is incapable of operating?

If the Congress cannot trust itself, if it has so much doubt in its own courage that it is unwilling to allow power to repose in its own hands, that is a pitiable admission for the Congress of the last unassaulted citadel of democracy upon the face of the earth to make.

The question is, then, whether we shall hold out some false and illusory hope, whether we shall offer some unsubstantial inducement to these men, or whether we shall here and now directly and courageously face the situation which in our hearts we know to exist; and that is what I arose to discuss.

Shall the Congress of the United States, shall the Government of the United States, continue with a policy of dilly-dallying, evasion, and equivocation? Shall we jeopardize the security and the safety of America and democracy and freedom everywhere? Or shall Congress at last, at long last, rise to this emergency with the courage which America has the right to expect?

For over a year now everyone who knows anything knows that the emergency has been acute beyond the power of description. We know that the sinister hand of Hitler has been reaching out to grasp the throat of every free man, woman, and child. We know that sinister spies and saboteurs have been burrowing their way into every citadel or sacrosanct place we possess. We know that Hitler has purchased when purchase was possible, and intimidated when coercion was the right course, everyone who could be made pliable to his evil will. We know that he has for decades had his lustful eye upon this country and this continent, because in his genius he knew that his evil purpose of world conquest could never be achieved without the destruction of the United States of America. His tentacles, like those of a gigantic octopus, have now reached around the globe, until his policy of encirclement has almost brought into a deadly embrace our own continental United States.

A few brave people in Britain and Europe, struggling and writhing under the lash of his scorpions or under the galling yoke which he has pressed upon their sore necks, are making some contribution toward holding him back. A brave army and a determined people in Russia are today exhibiting to the world a courage which arouses the admiration of the good and the brave everywhere. I have been one of those who for a long time has had more confidence in the resistance of the Russians than some have expressed. And I will interpolate here that it was not very becoming in officers of the War Department of the United States of America when this assault upon Russia was begun for the announcement to be made that the contest would last for a relatively few days; that it was simply a push-over for the Hitler panzer divisions to crush the Russian Army and people.

It would have been much better if from this country there had been an expression of admiration and encouragement, giving assurances to the Russians that we wished them well and would help them to the limit of our ability. The Russians occupying the fortifications along the Bering Straits stand against those fortifications being occupied by the soldiers of Hitler.

Now at last our policy has been formulated so clearly that I suppose it will not be deviated from, that we do purpose to help the Russians in their defense. We know they fight against him who is the source of all danger to freedom in the world. We have judgment enough to know that the place to strike danger dead is at its origin and source. But, Mr. President, it may be too much to hope that the resistance of even the brave and stalwart Russians shall be able indefinitely to hold in check this mightiest flood of force that the human race in all its history has seen.

So there shall come another time when danger will come more directly and clearly and loudly knocking at the door of this hemisphere and this country. Even the British, I am afraid, have been satisfied beyond the justification of the facts, have been lulled into the false security of thinking that they may not have to make the last eternal struggle to preserve their lives, their liberty, and their land.

Let none be deceived, Mr. President. This contest shall not be over until Armageddon is fought. The Battle of Armageddon will be fought on the day when the forces of liberty and good from all the wide world, led by the United States, shall meet in final contest, in mortal struggle, the forces of tyranny and evil under the bloody banner of Adolf Hitler, and that struggle shall terminate in favor of the hosts of the Lord.

So I say that instead of Congress thinking about how little it can do, it had better be employing these precious seconds to think how much it can do.

Some folk talk about these boys going home. Mr. President, they will be in the Army for at least 5 years, and maybe 10, and this war will last at least 5 years, and maybe 10, and maybe a generation. And the man lies, consciously or unconsciously, to the youth of America, who would give them reason even to hope that the struggle is not growing worse with the passing of each sad hour.

Yet Senators quibble about whether the men are going to serve 6 months or 12 months or 18 months. And they talk about the morale of the men if they are kept longer than the year for which they have been called.

Well, I have a word to say, as one humble citizen and observer, about the morale of those men in the service. I will say, Mr. President, what in my

humble opinion is likely to undermine the willingness of those men to work or, if necessary, to die for America. It is when Senators, men of national and international renown, charge those who put these soldiers in the camps with having sinister and evil designs upon their liberty or their welfare, and desiring to use them only as pawns in an international game for some kind of profit. It is when former Presidents, when national heroes, when illustrious men of letters, when Senators of repute and esteem, who justly have a hearing from a credulous public, leave in their minds the impression that this is a fraud that has been perpetrated upon them by some sinister force which they do not see because it is clouded in the mask of mystery behind the scenes. Those are the corroding forces which destroy the foundations of soldiers' morale.

Obviously, a man who gives up his job, who forsakes his sweetheart, departs from the bosom of his own beloved family, who leaves with an uncertain, lingering look a career which had been the affection of his heart and the subject of his years of preparation, and finds himself in the mud and water, going through the arduous duties of a soldier in training, subjected to the necessary discipline that one in such a course must experience, may in the quietude of the night, as he looks toward the top of his lonely tent wonder what orders tomorrow may bring, and what the strange flux of circumstances may decree to be his fate. In that receptive attitude, with these stimuli, these propaganda utterances—as far as practical purposes are concerned, however honorable the intentions of those who spread them may be, as devastating as the words Goebbels himself might utter—it would be too much to expect of mere humans if such words did not on occasion find persuasive lodgment in the minds of these young men.

But, Mr. President, when the morning comes, and the dawn of a new day has taught the few troubled minds or doubting hearts that the earth is vibrant again with life, all the soldier wants is to be sure that his country is dealing fairly and honestly with him.

There was some talk in this country some time ago that the youth of this generation was a dissolute and a disintegrated citizenry; that its moral fiber had been corrupted in the press of temptations and the circumstances attending this age. I would defend the modern youth against the youth of any generation in the history of all this people. They are square shooters. They do not like shibboleths and they do not like fraud. They want to be dealt with in a manly way like men.

There is serious question as to whether they feel altogether satisfied with their lot, if they look around the country and into the Congress, and find that we have not had the courage to demand of others equally liable the same sacrifice we exact of them. I would have no fear of any American if I looked him in the face and could give him honest assurance that I had exacted of him only that which was a just obligation to his native or to his adopted land, but if I had to look into his eyes, conscious of the fraud of discrimination against him, I should fear the just wrath that might rise from a righteous indignation.

So the time, I say, has come for the Congress of the United States to decide whether it is going to lay the burden of defense upon every shoulder which in justice ought to bear it with equality and fearless fairness.

The administrative headquarters of Defense Production Management have been in Washington. At the head of it have been a man who came from a great company and another man who distinguished himself as a great labor leader. In the past few months some of the cream of the businessmen of America have been called to Washington—men whose integrity, intelligence, persuasiveness, and cordiality are deserving of commendation by everyone. But either because the Congress has not required it of them, or because they have not performed it in the exercise of their duties, or because the country did not want it, there has not been an equality of burden—a benefit in the distribution of the defense program.

Last year it became obvious to everyone that if we wished to turn out the necessary materials of war we must commandeer the industrial capacity of this land. A year ago some of us had the temerity to say on this floor that we ought to take over the big automobile factories and convert them, as soon as it was physically possible to do so, into the production of airplanes, tanks, and other instruments of war. But the suggestion went unheeded. Congress did not require it. The Government did not exact it. The country did not demand it. The automobile industry went headlong and unchecked into the production of a larger number of cars than it had ever produced in the past, using up, like a gigantic monster devouring food and water, the steel, aluminum, and other critical material resources of this country.

What do we now find? Industry is having to shut down all over the land. The defense program is handicapped, retarded, and obstructed because certain critical and strategic materials are not available. The steel industry is faced with defense demands which it cannot meet. Why did not somebody start earlier to demand that the automobile manufacturers and other similar industries desist from private profit taking and devote their instrumentalities to the defense of America?

Time passed—tragic month after month, precious month after month. Finally, after negotiation, quibbling, and a long series of controversies about the details, our governmental representatives managed at last to have a portion of the automobile industry converted into the production of defense materials, but such defense production was superimposed, not upon normal production but upon production above normal. There was an effort to build the defense effort on top of "business as usual," as one would superimpose a luxury upon a necessity. With the sufferance and acquiescence of the Government and of the Congress, the defense program was treated as a sort of luxury which it would be good for the country to have if we could find some way to get it produced.

A little while ago the automobile industry was still proceeding at a rate greater than it had ever reached before, pursuing private profit and making it possible for the people to use for nondefense purposes valuable materials out of a vast reservoir which the automobile companies possessed. That condition continued until finally one man in the Government—not Mr. Knudsen but Leon Henderson—had the courage to speak out and demand a 50-percent curtailment in automobile production in the public interest.

Then what happened? Mr. Knudsen, a man very highly regarded by many persons because of his past experiences in the automobile industry, went to the White House and took the position that such a curtailment would require too severe a dislocation. Dislocation of what? Of materials? If they were diverted, they would surely be diverted to a more useful national-defense purpose. Of men? Let the Government find jobs for the men. It ought to find jobs for them in some defense industry or in some kind of made work. The employees in their better moments do not want to take money at the expense of the national defense and the security of the land they love.

So the boy in camp, sitting down for a few moments' quietude and rest after the labors of an arduous day, reads about the debates in the Senate as to the extension of his period of service, and sees an announcement that for some reason we cannot stop automobile production, essentially for pleasure, and turn those facilities over to defense production.

It has been relatively impossible to get the Office of Production Management or the Army to embrace the concept that the little businessmen of America are capable of contributing to the national-defense program. Coming out of an habitual association with long assembly lines of big business enterprises, in which millions and billions of dollars are involved, some of those men could not see production except that coming off an assembly line 2 miles long. It had been so long since they had seen a little machine shop that they did not know how one looked, or how skillful and patriotic were the honorable men who worked there. If one should talk to them about making the big contractors give subcontracts to little businessmen they would think he was an ignoramus, or was butting in where it was none of his business. The result is that one after another of the smaller business enterprises in America has been squeezed to death in the clutch of the big business enterprises which get the business.

I have before me a suggestive compilation of how the distribution of defense contracts has occurred. At the end of May the Bethlehem Steel Corporation held the largest volume of supply contracts, a total of $927,000,000. The next largest volume of supply contracts was held by the New York Shipbuilding Corporation, the total being $507,000,000—half a billion dollars. General Motors

Corporation ranked third, with $490,000,000, and Curtiss-Wright Corporation fourth, with $444,000,000. Fifth in order was the Newport News Shipbuilding & Drydock Co., with war and navy supply contracts totaling $389,000,000. Sixth was E. I. du Pont, with $318,000,000.

The combined defense-supply orders of these six companies total $3,075,000,000, or 31.3 percent of $9,839,000,000, representing the total volume of all defense-supply contracts at the end of May of this year.

Let anyone try to have ships built in some little shipyard on the west coast or the southern coast and see what success he has. If one has not been in the shipbuilding business heretofore he will not receive a contract. Those in charge of the matter appear to believe in the doctrine in which some of our religious brethren believe—the doctrine of the elect or the ordained. If the Lord did not pick one out a long time ago to go to heaven he has no hope thereafter.

The result, of course, is that all over America little businessmen are having to pay for the profits of the big businessmen. There is no salutary plan to provide for fairly taking care of the little businessmen of America. The result is that day by day such men are losing their business in the interest of the national defense. They, like the boys in the camps, are good Americans. They do not complain. All they ask is justice. If everyone else is required to make a corresponding sacrifice, no man can challenge another's willingness to make his own.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. O'MAHONEY. I am very glad to note what the Senator has had to say. As long ago as the 31st of March it was my privilege to present on this floor the report of the Temporary National Economic Committee, which pointed out, as the Senator from Florida is now pointing out, that the pattern of industrial concentration which has been proceeding in this country for the last generation is the pattern upon which our defense industrial mobilization has been proceeding, and that there has been a concentration in the hands of big business of a shocking proportion of all defense contracts.

Furthermore, it was pointed out in that report that there has been a geographical concentration as well.

I rise because this morning at a meeting of a subcommittee of the Senate Committee on Public Lands the Assistant Attorney General, Mr. Thurman Arnold, testified on this same general question of what can be done or should be done for small business and for the areas of the country which actually are capable of producing the things that small business and the Nation need in this defense effort.

It has been pointed out before the subcommittee that the public-land States of this country are in effect a colonial dependency of concentrated industry in the East, that upon the public domain in the public-land States are to be found great and practically untouched natural resources of minerals and of power. In the case of power it was pointed out by the experts of the Federal Power Commission and of the Bureau of Reclamation that in those Western States we have, capable of development, as much power as that which all of Europe now controlled by the Axis is capable of developing. But it is not being used.

I rose not to take the Senator's time or to trespass upon his speech, but to point out that something is being done about the problem of which he speaks, and perhaps it ought to be mentioned in the RECORD here. In the Antitrust Division of the Department of Justice there has been set up a small-business bureau, the purpose of which is to do what can be done to make certain that the small businessman has representation. One of the factors which has led to the concentration of which the Senator from Florida speaks is the fact that big business—concentrated industry—is enabled to have representation here in Washington at the O. P. M. By that I mean nothing critical at all, but big business is enabled to have representatives in Washington who go from office to office, and who know what is going on and where it is going on and when a decision is to be made, while the little businessman out in the country does not have that advantage.

I think that the small businessmen ought to know that through the Antitrust Division in the Department of Justice there is now functioning a bureau which is capable of giving little business the necessary representation and I think that the committee of which the junior Senator from Missouri [Mr. TRUMAN] is chairman is now studying questions of contractual relationship in defense industries whereby little business may be encouraged and fostered. It is not all an utterly black picture, in other words, and there is some gleam of light upon the horizon.

The PRESIDENT pro tempore. The time of the Senator from Florida on the amendment has expired.

Mr. PEPPER. Mr. President, may I speak on the joint resolution?

The PRESIDENT pro tempore. The Senator has 30 minutes on the joint resolution.

Mr. ROSIER rose.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. PEPPER. I think the Senator from West Virginia [Mr. ROSIER] rose first, and I will yield to him next.

Mr. ROSIER. I wanted to inquire whether the Senator from Florida has at hand any information with reference to the extent to which large corporations which have these large contracts have sublet the work to smaller factories and industries.

Mr. PEPPER. Undoubtedly there has been some subletting, but my information is—I do not have the details—that there has been relatively little of such subletting; and that is what I am complaining of.

Before I comment further, I will yield to the Senator from Montana. He will not get away from the particular subject matter now under discussion, I trust.

Mr. WHEELER. No, indeed. It is seldom that I agree with the Senator from Florida about some matters, but I thoroughly agree with him about big companies coming here and getting all the defense business. One thing that worries me about the whole defense program at the present time is that mechanics and others are being taken out of little businesses all over the country and are being concentrated in big centers, such as Los Angeles and other large cities. When the defense effort is over, we shall have the greatest dislocation of men and the greatest dislocation of business this country has ever seen; and now we are building up the greatest monopolies this country has ever seen, by reason of the things about which the Senator from Florida is now complaining.

I was in Honolulu last December, where I was told that just two or three big companies got all the contracts; they controlled all the cement that was coming in, they controlled all the lumber that was coming in, they controlled everything that was coming in, and no small contractor or no independent contractor had a chance to get any of the business.

Not only that, but they were getting the business on the basis of receiving so much money for what it cost them to perform the contract and 10 percent in addition. On several occasions the wastefulness of such a procedure was pointed out to me, because the more cement they used, the more boards they used, and the more of this or of that they used, the more money they made.

I called the matter to the attention of the Secretary of the Navy because I thought it was something worth investigating.

The small businessmen in my State and in various States of the Union are complaining to me that they are unable to get any of the business, even though they may be qualified to carry on some of it.

Mr. PEPPER. I thank the Senator.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the Senator from Wyoming.

Mr. SCHWARTZ. Is it not a fact that some of the subletting about which we hear is in fact subletting to subsidiary corporations created for that purpose by the master contractor?

Mr. PEPPER. I think that is undoubtedly so in a good many cases.

Mr. President, what I am getting at is the concept of every American doing his duty without discrimination in favor of or against any class, group, or individual. From the beginning, the unhappy thing about ths program has been that we have never appreciated the seriousness of it so that the masses of the people—and that includes the Congress—were willing to face it as if it were a menace which threatened the very lives of the people of this land. The big businessmen are patriotic as a class, just as the little businessmen are patriotic as a class, but the indifferent and leisurely way in which we started this whole defense program was too much of a temptation for the big businessmen not to make of it simply an opportunity for profit.

Consequently big business from all over the country came rushing to Washington and dashing into the offices of those who had the distribution of this largess. They were here not because they had been called here pursuant to a plan whereby the industries of America could be geared to America's defense; they were here to get business; they were here to get orders; they were here to make a profit out of the lavish expenditure of public funds which loomed upon the horizon.

When the management of business approached the problem with that attitude, what was more natural than that labor should approach it with the attitude which, as a class, it exhibited? The workingmen are the heart and bone and sinew of America. Their sons are in the armed forces of this land.

Seeing the able and illustrious Senator from Virginia [Mr. GLASS] in the chair, I wil' speak of a personal experience I had on a little golf course near Luray, Va., on last Sunday. The caddies were little white boys who lived upon humble farms in the neighborhood of the golf course. There were two of these little boys who followed me a part of the way around the course. I engaged in conversation with them, and before I returned to the club house I discovered that both those little boys had 18-year-old brothers who had already volunteered for the Army of the United States and were in the service. They were the sons of tenant farmers of Virginia. That re-buttressed in my heart the conviction that the real patriotism of this land is where it always has been—in the hearts of the common people of America.

They will fight and they will die as their forefathers did for their land. They do not ask for much; they do not know much to ask for; they are merely the flotsam and jetsam of the economic flood; but it is the duty of an intelligent and conscientious Government to see to it that they get justice, whether they demand it or not.

I started to say that when it became apparent that business management was approaching the defense program from the viewpoint of profit, of "business as usual," of a good thing which they had better enjoy while it was here, naturally labor said, "We had better do the same thing." So, labor started making demands for increased wages, in some instances, perhaps, excessive demands, but they were not the ones who cast the first stone, who first sinned.

I believe if the Government in the inception of this program had fixed prices and profits then, and instead of waiting for big businessmen to come to Washington and spend 3 months, or sometimes 6 months, negotiating advantageous contracts, if the Government had called in those who were capable of producing defense materials in various industries, and said, "You shall serve the national defense by making airplanes or guns or tanks, whatever you can do and the national defense may require; we will assure you against loss, but we will fix your profit." Knowing and trusting labor as I do, if management had carried instructions of that character back to their own employees, we would not have had many of the strike delays which have so handicapped the program of national defense.

While I have said something about management, it is not fair——

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. SCHWARTZ. I hope the Senator is not of the opinion that all the requests for larger wages by labor are due to an attitude of "me, too," "we had better get now what we want to get." I think it will be found in a great many cases that labor is seeking to obtain increased wages in order to meet the necessary increase in the cost of living.

Mr. PEPPER. I am glad the Senator has called my attention to that possible inference which might be drawn from what I said. In no sense of the word did I intend to disparage unfairly labor's wage demands for a just share of the profit or for just subsistence and a fair standard of living. I am glad that they have been able, in many instances, to get nearer to justice than they have ever been before.

But, Mr. President, I want to make one comment, and I say it as a friend of labor. There are few Senators on this floor whose voting record in support of labor has excelled mine, and I expect to follow that course in the future, but I will say that the two main labor organizations in this country have been delinquent in their duty to America by not purging their ranks of the sinister and destructive forces which found refuge there under the guise of honest workmen. Therefore it is a duty that presents itself to the head of every labor organization in America to purify the ranks of labor of those sinister and disloyal forces that stab our country in the back under the guise of legitimate labor demands. If I am dealing with an honest workman, I am more than sympathetic to any demand he might make, but the demand of a Communist or an anarchist or a saboteur cannot be satisfied because he does not want justice; he wants only to destroy. We have altogether, therefore, been more than lenient in our indulgence of this situation in the country.

I am speaking of the necessity for everybody—first, I say capital, then I say labor, and then I say every man, woman, and child—baring their hearts to their flag and saying, "I am ready to do my duty as it may be called for by my country." Those who are not willing to do it should quickly and justly feel the sting of the compulsion of their country and of a government which is just and fair to the loyal.

We have had in the last few days a price-fixing bill submitted to the Congress. Obviously, if the cost of living is not to bounce beyond the capacity of men to meet it, there has got to be kept some equilibrium between the rising costs and the income of the people of the country. There, again, the Government is under the obligation to be fair to everybody, to exhibit favor toward none. I make that statement even with respect to the farmers of America, for they, too, as they always have been in the past, are patriots, having a patriot's duty and a patriot's obligation. If we cannot let profiteers exist in the ranks of the capitalists or in the ranks of labor, we cannot allow them to exist in the ranks of the honorable farmers of America. I know every class, according to its ability, wants to serve the country and will serve it if protected against injustice from others who might be the beneficiaries of a discriminatory policy.

Mr. President, we have been saying a great deal about democracy in America. We know what the records of America's past soldiery have been, the homes from which they come, the humble lives which they have led. We have not done justice in the past to such men as those upon whom now America's defense will now stand or fall.

The able Senator from California [Mr. DOWNEY] and I and other Senators have just been sitting as a pension committee appointed by the Senate. It has been chilling to the heart to learn of the number of people in this land whose standard of subsistence is a disgrace to America and to the American flag.

When we sometimes talk about adequate pensions for the aged; when we talk about security for those of advanced age; when we talk about jobs for the employable, there are some who, with solemn mien but unsympathetic hearts, declare that it is not statesmanship to try to protect and preserve that part of America. If the patriotism of these Americans is to be expected, they are entitled to a fair measure of justice. Yet now, in this defense program, men and women are being thrown out of work all over America.

Women who used to have jobs in the sewing rooms have had to give up those jobs because the W. P. A. funds devoted to the national defense required able men, and there was not any room for these old, bungling women and these stooped, old men who had done no more than give an honorable life to the service of their country. We do not hear many people agitated or concerned about these people; yet their sons are called out of those humble homes to put on the uniform of America and perhaps to face cannon here or in some remote land. Often they leave behind an aged mother and father, who can hardly afford a postage stamp to write a letter.

So, Mr. President, when we speak about the morale of the men in America's Army let the Congress of the United States fairly and courageously do justice by all, and there will be no class who will refuse to bear their just burden of the national defense.

Mr. President, relative to the specific provision to which I adverted, the reason why these men are to be kept in the Army is because America has to have a trained army, and they happen to be the ones best fitted to serve their country in this crucial time. Circumstance has given them the opportunity to be the protectors of human liberty, to be the warriors of a godly cause; and they might just as well know now that the real menace of this struggle has not yet begun to emerge from beyond the black horizon. The World War is just beginning, if there is

any hope for human liberty. Imagine how long it is going to take to shackle Hitler, to bind his arms and his legs with the chains of society's retribution, to throw him back into the impotency of the Teutonic forest, where he may find companionship with the pagan gods of an earlier day, before whom he kneels! And who is going to do it? How many men will it take, and what will it cost?

The tax bill which is soon to come to this Chamber is just a scratch on the surface. The $40,000,000,000 we have spent in the past year and a half is just a drop in the bucket of the demands of the future. I venture to say that in less than 2 years' time we shall be spending $100,000,000,000 a year, and the total cost of this struggle to America will not be a cent less than $300,000,000,000; and mark my words to be measured by the story of history.

I remember, a year ago in this Chamber, when the first little national-defense appropriations were suggested. At that time I was one of those who ventured to say that in 6 months' time, or a year's time, we should be spending $25,000,000,000. One who uttered those words might well have been regarded by many as a crazy man, it seemed so impossible and yet long ago that little standard has been passed.

I say to America, "Gird your loins, America. You are just approaching Armageddon. Do you think you can occupy the richest area on the face of the earth, that your people can enjoy a standard of living which is the envy of the whole human race, and a method of living which constitutes the aspiration of every humble man in other lands of the globe, and not have every lustful and powerful eye turned to gaze in passionate anticipation of your assimilation?"

The real struggle will come when the United States of America, girded in the raiment of liberty's champion and humanity's hope, shall draw its sword across the ocean chasms of the earth to engage in mortal and final duel with Hitler as the champion of darkness and tyranny in the world; and, believe it or not, the gigantic struggle is daily taking on that tragic shape. It is the horrible shape of things to come.

There have been some of us too little heard and too infrequently believed, who have ventured to point out that there was a chance that that horrible alternative could be avoided. We said, "Strike Hitler now, when he is most beset. Strike him when others are clutching and grasping at his evil hands. Help those who try to snatch his bloody sword from his swinging arm. Clutch him from behind. Seize him on the side. Throw obstacles in his path."

But when we proposed that, we were the victims of a slanderous assault as the warmongers of America who were so heartless of America's blood that we would shed it with the profligacy of a criminal; and so that chance probably has been lost for America. There is yet a bare possibility that it may be saved. It depends on the courage of the Congress.

Yesterday the able and eloquent Senator from Oklahoma [Mr. LEE] stood in his place and read to the Senate the words of George Washington when he said that it would not have been necessary to fight the battle of Brandywine, the blood of America's patriots would not have stained the snows of Valley Forge, human life would not have been laid down unnecessarily for America's cause, if the Continental Congress had had the courage to provide General George Washington with an adequate and a stable army to meet the enemy and the invader.

There was a case in which, even to win the liberty of America, Congress would not give George Washington the power to act. Is it surprising, therefore, that we who are the Congress charged with the redemption and the saving of America's liberty will hardly do more?

Every time cowardice and evasion stalk across this Chamber, they cut down some American boy. Those who are profligate with the blood of America's men are those who have not the courage to do what America needs to do to defend herself.

So now again we approach another vote upon which shall fall, some day, the pitiless scrutiny of history. Those who read of our action then will know the day when we were laggards and sluggards. They will know the day when we ran away from the compulsion of duty. They will know when we thought more of our political fortunes than we did of the destiny of America. They will know the day when we cringed before criticism instead of standing up courageously before attack. They will know when we sold America for ourselves.

Likewise, Mr. President, the Congress now will vote on whether or not it will trust its own power. If Congress has not the courage to trust itself, democracy might well abdicate. But if, on the other hand, Congress calls the young men of America, upon all Americans to do their just duty wherever they are, there is not one of them who tomorrow will not honor the Congress which called him to an opportunity to render his service; and against that America, so aroused and led by such a Congress, even "the gates of" a Hitler "hell shall not prevail."

The PRESIDENT pro tempore. The time of the Senator from Florida has expired.

Mr. CAPPER. Mr. President, I intend to vote against the pending measure to extend the time of service of draftees and National Guard men beyond the year provided in the original act. Only on the ground that the national safety would be endangered by releasing these men a few at a time as they are replaced by new trainees can the change in the program be justified. As I see it, such a threat to our national safety is not present in the situation today, certainly not to the extent we were told it was present a year ago when we were urged to pass the Conscription Act.

When the Conscription Act was being considered by Congress it was stated time and again that the purpose of the act was to train men for service, and that after a year of training they would go into the Reserve, and another class of young men would be given training. These statements, so far as the draftees and the country at large are concerned, were regarded as promises. These promises were repeated, reemphasized, as late as April of this year, by the Chief of Staff of the Army. Such promises should not fall into the category of "just campaign oratory;" such subterfuge is unworthy of national leadership.

We righteously denounce Adolf Hitler for breaking promise after promise made to other nations. Our own Government should have a higher standard than Hitler's. How can national unity be attained if day after day, in step after step, promises made to the people of the United States by their Government itself are regarded as mere scraps of paper by those in positions of responsibility?

Tens of thousands of American boys volunteered for military service before their draft numbers were reached. It was their understanding that they were promised they would be released after their 1 year of training. It is true there was an escape clause in the act, by which they could be held in service, or rather recalled to service, if the national safety were imperiled.

If today the United States is in peril, if the national defense would be placed in jeopardy by releasing the draftees and replacing them with others, Congress, of course, is entitled, under the terms of the Conscription Act, to keep them in service.

Is the United States in greater peril than it was when those promises were made, when the act was passed, about a year ago?

A year ago German planes were flying over Britain, creating havoc, spreading devastation and destruction. Today the R. A. F. is flying over Germany and has the initiative in the air.

A year ago England was threatened with invasion. Today, reports from Switzerland are that England is planning invasion of Finland to aid Russia against Germany and open up a line of supplies to Russia.

A year ago Communist Russia was an ally of Germany against England. Today, Communist Russia and Germany are at death grips; Russia is Britain's ally.

In the past year Britain, instead of losing territory to the enemy, actually has added Ethiopia, Italian Somaliland, Syria, and Lebanon to the British Empire.

I cannot, for the life of me, see in what respect the United States is in greater danger of invasion, greater danger of attack, or more pressed for time in training men for military service than it was a year ago, when we were assured that training for a year was the answer to our problem of preparing the land forces. I am strongly for national defense, but I cannot and will not vote to keep these boys in service, for possible expeditionary forces to Europe, Asia, and Africa, unless and until Congress authorizes such a program. When Congress declares war as the Constitution provides I shall do everything possible to win the war. Until that time comes, I shall do everything possible to keep America out of the present war, and I intend to vote against draft-time extension.

The PRESIDENT pro tempore. The question is on agreeing to the amend-

ment offered by the Senator from Ohio [Mr. BURTON] to the amendment of the Senator from Utah [Mr. THOMAS].

Mr. BURTON. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Radcliffe
Andrews	Gillette	Reynolds
Austin	Glass	Rosier
Bailey	Green	Russell
Bankhead	Guffey	Schwartz
Barbour	Gurney	Shipstead
Barkley	Hatch	Smathers
Bone	Hayden	Smith
Brewster	Hill	Stewart
Bridges	Hughes	Taft
Brooks	Johnson, Calif.	Thomas, Idaho
Brown	Johnson, Colo.	Thomas, Okla.
Bunker	Kilgore	Thomas, Utah
Burton	La Follette	Tobey
Byrd	Langer	Truman
Capper	Lee	Tunnell
Chandler	McCarran	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Van Nuys
Clark, Mo.	Maloney	Wallgren
Connally	Mead	Walsh
Danaher	Nye	Wheeler
Davis	O'Daniel	White
Downey	O'Mahoney	Wiley
Eastland	Overton	Willis
Ellender	Peace	
George	Pepper	

The PRESIDENT pro tempore. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. BURTON. Mr. President, the issue before the Senate is on a simple amendment, and I will take but a moment to express the issue as I understand it. The precise issue is to strike out of the Thomas amendment, in line 6, the word "eighteen" and substitute for it the word "twelve", so that, as amended, the proviso will read:

> That the extension of the period of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 12 months.

Taking the period as a total period, the purpose is to reduce the total period from 2½ years to a maximum of 2 years.

Mr. President, I am sure that there is no Member of the Senate who wishes to vote to keep the men in the service longer than is necessary. I am sure the Committee on Military Affairs in considering this matter felt that way about it.

As I understood what took place in the Committee on Military Affairs, the members of the committee first considered whether the Nation was imperiled, and having determined that, advocated a declaration to that effect. Then they determined at first to leave the period of service open, so there would be not a fixed termination, but that the question of termination would rest in the discretion of the President and of the Congress.

Later, however, it appealed to the committee that there should be some termination, so that the soldier could at least see the end of his service ahead. Whereupon the committee met to determine, if possible, that important item as to how long the service should be. I understand that 8 or 10 members of the committee were present. They examined the record, and it is upon that point that I wish to make the issue.

The record shows that General Marshall pointed out that, in his opinion, 6 months additional service, that is, a total of 18 months, would not be sufficient. It also appears in the record at various points that, because of the extent to which the men are scattered throughout the world, it might take some 6 months to discharge the men and bring them back and transfer them.

Therefore it seems to me that upon the record it is possible to premise a 12-month additional period—6 months being clearly the period necessary, from General Marshall's testimony, making a total of 18, and 6 months more in order that he might be sure of being able to demobilize, to transfer, and to do whatever else may be necessary to keep the Army integrated and intact. But the proposal to add 6 months more beyond that period, I believe, is not supported by the record. If I understood the Senator from Utah [Mr. THOMAS] correctly yesterday, he indicated that the period of an additional 18 months, with a total of 2½ years, had been inserted as a maximum outside limit, and that he was willing to listen to a crystallization of opinion that might indicate a shorter period.

Mr. President, it seems to me the record affords us the basis for such a crystallization of opinion, and that we should not subject these men to 6 additional, unnecessary months. Six additional months, as I see it, are as useless to the Army, so far as necessity is concerned, as the vermiform appendix is to the human body. In fact, not only is it useless, but there is a certain danger in its presence.

Therefore it appears to me that we would be doing a service to the country if we should make the period as long as is necessary from a military standpoint—12 additional months being feasible from a military standpoint—and also make it sufficiently short so that the soldier can understand that his service shall end in 2 years, 1 year longer than he thought it would be, and not 2½ years from the time when his service began.

Mr President, I think it is important for us, as a duty to our country, to determine the necessity for continuation of the service, and the length of the service; and equally it is important for us, as a duty to these men, not to make it necessary for them to serve 1 day or 1 week or 1 month longer than is necessary for them to serve.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. BARKLEY. As I said yesterday, I appreciate the position taken by the Senator from Ohio, who has won the admiration of his colleagues on both sides of the Chamber by his sincerity, ability, and fairness, and I am sure the Senator wants to be fair in this matter.

Today, in seeking to ascertain the views of the War Department with respect to the Senator's amendment, I talked with the Secretary of War, who advised me that he had conferred with the Chief of Staff and the entire General Staff with respect to the effect of the adoption of the Senator's amendment, and he authorized me to say that it was their unanimous view that the reduction of the period to 12 months would place about them such a rigid restriction that they could not operate successfully and preserve the integrity of the Army.

They also stated that the 18 months' period suggested in the amendment presented a few days ago by the Senator from Utah [Mr. THOMAS] under the authority of the committee had not been suggested by the War Department; and they said they could operate under it for that period, but that that was the limit.

I think the Senator from Ohio misunderstood the Senator from Utah when he said that 18 months was the outside limit. I think what the Senator from Utah said or meant was that 18 months was the minimum under which the War Department said it could operate efficiently and preserve the integrity of the Army, not only because of our internal situation, but because of the necessity for having troops sent to the various outposts, both in the Pacific and in the Atlantic, the control of which we have assumed during the last few months.

Does the Senator now feel that he, or that I, or that any of us are safe in placing our views on the military phases of this question against the views of the Secretary of War and the General Staff and those who are charged with the responsibility to try to build up an army?

Mr. BURTON. Mr. President, I would still say that I believe that the Senate owes an obligation to itself to consider that issue based on the record fully presented to it, and the record clearly shows to my mind that another 6 months, making an additional year, would be justifiable. I do not see a reason why we should now say, as compared to what was said when the Selective Service Act first went into effect, that a full year beyond the period for which the soldiers were inducted is not a sufficient time within which to look ahead, and within which the Congress itself might again reappraise the situation. It seems to me that we are under obligations to see that side perhaps even more clearly than the General Staff itself sees it. I believe we should not extend the period of service more than a year beyond the full period provided in the act under which the boys first went into the service. I believe that is the sound period.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. CONNALLY. The Senator seeks arbitrarily to look forward and in his own mind estimate militarily just how long the boys will be needed. Even if they were kept indefinitely, would not the Senator be willing to trust Congress to discharge them and let them go home when and if the emergency is over and they are no longer needed? Would not Congress still be in a position to release them, whether the period were 18 months or indefinite? Would not that be a sounder position than to hold out the hope to the men that they will be discharged at a certain time, and then have such conditions arise as would require their retention again? Would it not be better to keep them and rely on the Congress to let them go home when they are no longer needed?

Mr. BURTON. I entirely disagree with the Senator from Texas on that point. I agree with the Military Affairs Committee that it is justifiable that a limitation be placed on the period of service. When I was in the last war it was all right to say that the men were in "for the duration," because we had something to do with the end of the duration. We knew that the duration would end when we won the war. But it does not mean a thing to say that these men are in for the duration. They have no war to win. There is no way to find the end of their service. Therefore the question is wide open.

For that reason it seems to me that Congress owes a duty to the men not merely to say that we will use our best judgment but to indicate to them our best judgment as to the maximum period they may be in service. As I understand, it is now the policy of the Congress and the War Department to release men over 28 and those who suffer special hardship.

Beyond that I believe that the young men who are devoting their time to the service and giving up their opportunities at home are entitled to an estimate from Congress as to the earliest possible time at which they can be spared from the Army to go home. I hope most of them will be released in less than 2 years. But they are at least entitled to know that we feel that by the end of 2 years they should be released. They have a right to rely upon the judgment of Congress that they should be sent home at the end of that time.

Mr. LEE. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. LEE. If the emergency should continue, I take it that at the end of a 12-month period the Senator would vote to retain the men in service?

Mr. BURTON. I think the answer to that question is rather simple. Technically, of course, we shall have the opportunity again to extend the service, but practically we shall then have had in service men from the new draft, in the same position in which the present draftees now are, and the new men will have the full 2 years to serve. We shall not have a repetition of this problem. I think we shall have an army of 1,700,000 men without the necessity of reextending the period, because the new men will come in on a 2-year basis.

Mr. LEE. If at the end of the 12-month period it should become necessary to keep the men in the service, would we not be faced with the same charge which is made today, that we are breaking faith with them by holding out to them the false hope of a 12-month period of service?

Mr. BURTON. I do not believe anybody will claim that they do not now understand what the issue is, because it certainly has been brought home clearly all over the country. The men know what the periods now are. If the matter had been made as clear in the first instance it might not now be as difficult as it is.

Mr. LEE. Mr. President, will the Senator further yield?

Mr. BURTON. I yield.

Mr. LEE. I am sure the Senator would not put his judgment against that of the military experts of the Nation, who ask us for legislation providing for a term of service based upon the continuation of the emergency. If they cannot foresee a definite date at which we can begin mustering out the men, how does the Senator feel that a layman like himself or me can fix a date?

Mr. BURTON. From the military standpoint, of course, it is simpler and easier to have the men in service for the duration of the emergency, and military experts would naturally favor such a course. It is for the Congress to determine the question of general public policy, as to whether, in advance of its future concurrent resolution, it will give some indication as to when it expects the exercise of authority to cease. Therefore, I believe it is the responsibility of the Congress to place a limit on the additional service, and in doing so to give the fullest consideration to the judgment of the military experts, providing for an extra period beyond what they think is absolutely essential. That is why I add the second 6 months to the first 6 months, making a period of 12 months extension, which is equal to the full original period.

I believe that whether Senators are for or against the pending measure they should support my amendment, because if the joint resolution should pass they will thereby have cut off the unnecessary 6 months from the service of the men, and will have passed a measure which conforms to the record of the case. Therefore, I hope that the amendment proposing a reduction from 18 to 12 additional months will be adopted.

Mr. ADAMS. Mr. President, the joint resolution as a whole is one for which I cannot vote. However, I feel that the pending amendment would lessen the imposition upon the selectees.

I am not a pacifist. I am not an isolationist. I am one of those who believed in the League of Nations. I still believe in it. I believe that had the United States attached itself to the League of Nations we might have escaped this war. I am saying that in order that my position may be clear. Internationally, my views followed, and still follow, those of Woodrow Wilson.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. PEPPER. What were those who advocated the League of Nations in that day called by their opponents? What epithets were applied to them? I suppose they were the warmongers of that day who wanted to give away America's security and "join up" in Europe.

Mr. ADAMS. Whatever they were called, I fell under that designation. I believed in the League of Nations. I should have voted for it had I been in the Senate. I did vote for the World Court. I would vote for it again if the question should arise. The problem which now confronts us arises upon what was represented to the Senate as a military training measure. We were told that the purpose of the measure was universal training of the young men of the land and that we were to prepare the youth of the land by a reasonable amount of training, so that if war should come we should have a trained body of men to call into service. It was not an army bill. It was not designed to build an army.

The reason why the 12-month limit was put in was because that was felt to be a fair and reasonable period of training, not a fair and reasonable time of service in time of war. We made a contract with the boys. We entered upon an obligation. The obligation was for a 12-month period of training. Then if the Congress should decide that the national interest was imperiled the time might be extended.

There is only one justification for retaining the boys in service beyond their 12 months. Arguments have just been presented by the Senator from Kentucky based upon military convenience, expense, strategy, and the location of troops. In my judgment, such arguments have no bearing. Senators who vote to extend the time should do so only if they are prepared to say that the national interest is imperiled to such an extent that the national safety would be endangered if the 12-month provision were carried out.

The question which confronts us is one of good faith. We have heard discussed over and over again on the floor of the Senate the mistakes which were made in the Revolutionary War, in the Civil War, and in other wars, in the establishment of short terms of service. Congress may or may not have made those mistakes; but in this instance, if there is a mistake in the 12-month period, the mistake is that of Congress. We fixed a 12-month period, and it rests not upon us to correct our error by a breach of faith on our part. I am willing to concede absolutely the mistake of providing short terms of service in time of war. There is no question about that. But the Congress of the United States provided that these boys would be released from their period of training and service unless the Congress should declare, necessarily, solemnly, and in utmost integrity, that the national interest was imperiled. That is the one test, that is the one decision we must make.

Mr. ANDREWS. Mr. President, will the Senator yield?

Mr. ADAMS. I yield to the Senator from Florida.

Mr. ANDREWS. Is not such a declaration contained in the provisions of the resolution now before us?

Mr. ADAMS. Yes.

Mr. ANDREWS. Very well. They will go through together, will they not?

Mr. ADAMS. Yes; if the joint resolution shall be passed.

Mr. ANDREWS. Is it not also true that the provision in the original act—paragraph (b) of section 3—becomes a part of any contract, if we want to call it a contract, or any agreement we make?

Mr. ADAMS. Yes; of course.

Mr. ANDREWS. Section 3, paragraph (b) provides:

Whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

When the young men enrolled that was the law and that is what they understood? Now if the pending joint resolution passes, as we think it will pass, and such a declaration is made, there will be no inconsistency between the extension of the time and the original act.

Mr. ADAMS. Mr. President, I say to the Senator from Florida that I have no fault to find with any Senator who votes to extend the time of the service of the boys if in his own conscience, in his own heart, he is prepared to say that the declaration contained in the amendment is a true declaration, and that the national interest may be imperiled if we do not extend the time. I am not able to make such a declaration. I do not believe it would be a true declaration. That is my judgment. I grant to every Senator who differs with me the utmost consideration and concede to him the utmost patriotism, and I do not even ask him to grant me the same consideration. I merely say that personally I cannot make such a declaration. I do not believe that the national interest will be imperiled or the national safety endangered if we confine ourselves to the 12-month period of training, with staggered releases of the enrollees as now provided by the law; and I am not willing that the Congress, assuming it made a mistake in fixing the 12-month period, should put the burden of its mistake upon the boys who went into the service relying upon what we said to them. We said to them, "Your term of service is 12 months, unless the national interest is so imperiled as to demand your retention in service." I cannot make the statement that the national interest is imperiled. The Senator from Florida can make it. I am here, as is every other Senator, responsible to my own conscience and to my own country for the decision I make and for the vote I cast, and I leave to every other Senator the same responsibility.

Mr. ANDREWS. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. ANDREWS. The original act was passed about a year ago. Has not the situation in Europe grown worse month after month and week after week, so that now the only impediment to the collapse of civilization is what Russia is doing? If Russia is overrun, what will be the situation of the rest of the world? The national interest is imperiled.

Mr. ADAMS. The Senator from Florida has his view. I concede his right to his own view, based upon the facts as they come to him. I only ask the Senator to permit me to arrive at my own conclusions from the facts. I do not think conditions are so bad as they were a year ago. I think the United States is in no danger of invasion. Can we imagine Germany, surrounded by hostile peoples whom she has overrun, with her hands more than filled in meeting Russia, and with the British Fleet on the other side, undertaking to invade the United States? Such an idea is utterly preposterous. Further than that, Germany, Italy, Japan, and any other ally they may get, cannot provide sufficient ships to transport to this country an army of a million men and transport sufficient supplies to enable them to stay here, assuming that they could land. There are not sufficient ships in the world to transport an army which could successfully invade the United States, even overlooking the fact that the United States has the best Navy in the world, disregarding the air forces of the United States, which are very formidable, and the formidable Army of the United States. I say to the Senator from Florida that at this time no foreign nation and no group of foreign nations can land an invading force in the United States and maintain it here one week.

Mr. ANDREWS. Unless they get the help of "fifth columnists," and there are plenty of them.

Mr. ADAMS. I have more confidence in the citizenry of the United States than the Senator from Florida has. There may be an occasional "fifth columnist," there may be an occasional traitor; but the number that exists among the 130,000,000 American citizens is so small that it can be taken care of by the police force of our States and by the F. B. I. I think it is an inconsequential number when we speak in terms of invasion.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. ADAMS. Yes; I yield.

Mr. WHEELER. I desire to say that the only "fifth columnists" we heard anything about a short while ago were the Communists, who were said to be "fifth columnists." It was the Communists who were wrecking industry; it was the Communists who were doing this and that. Now the Communists are joined with the interventionists, and they want us to go to war.

Consequently, there cannot be any idea that all the Communists are going to be "fifth columnists" and wreck the United States.

I want to say that I, at least, agree with what the Senator from Colorado says. Any man who says that the rank and file of the people of the United States are going to be destroyed from within by "fifth columnists" or even by Communists, in my opinion lacks faith in the American people. I have so much respect for the rank and file, whether they be the workers or the farmers or the businessmen of the United States, that I say this country is not going to be wrecked by Communists or anyone else.

The only way this country ever will be wrecked, if it shall ever be wrecked at all, will be because of a break-down of our economic system and a break-down caused by Congress going back on its word to the boys it put in the Army.

Mr. ADAMS. I have no criticism of anyone for his views. I merely am trying to make clear my own view that we entered into an obligation to these boys, saying to them, "You will be released from the service in 12 months, unless the national interest will be imperiled by your release."

I say that regardless of what may be the military exigencies, aside from national defense, in good conscience we have no right to keep those boys in service simply because to do so may produce a better Army and because otherwise we may have to discommode ourselves. There is only one test for us to meet. If it is necessary for the safety of our country to keep these boys in the service, let us keep them.

I am unable to see how the safety of our country will be in anywise jeopardized by living up to the 12-month provision. The first quota, numbering, I think, 19,000, would be released in November and December; a relatively small number would be released each month, and they would be replaced. It will cost us money, yes. Perhaps what we did was a mistake. But we, the Congress of the United States, made it. We entered into an obligation with these boys. I, for one, so far as my vote is concerned, am going to comply with that obligation. I cannot see the peril to the national interest if the 12-month provision is enforced. That is the one test for me.

A Senator a moment ago said—and it has been repeatedly stated on this floor: "If you are sick, to whom do you go for advice? A doctor." I may be asked, "Do you mean to say that you know more than the Army?" No; I do not know more than the Army. I say, when we want to know how to fight a war, ask the Army; but I would not leave it to the Army to determine whether we should fight or whether we should go into war or when we should go in. If the Congress of the United States decides to make war, then let us put the manner of making the war into the hands of the Army, but the decision as to the policy, as to the size of the Army, as to conscription, as to training is a burden upon you and upon me. I do not propose to surrender what is a firm conviction to the General Staff or even to the Secretary of War.

As I have sat in the Appropriations Committee day after day, I have heard leading men of the Army and Navy. I know their feeling; I respect it; they are doing the thing they should do for us when they consider to the utmost extent the unfavorable possibilities and aspects. They want to protect themselves against anything which might happen if they have not prepared. We are not in that situation. General Marshall, as I recall, before the Military Affairs Committee, said that if there should be an investigation following the war he hoped that he would not be charged with having asked any less than he thought should have been asked. So we have the Army, I think properly, coming and asking the utmost. But it is for us to make the decision.

We are passing upon the lives of boys. As a member of the Appropriations Committee, I have subordinated my own judgment as to the extent of the emergency. I have brought upon the floor of this body bills providing tremendous appropriations for national defense, beyond what I thought were essential. In such matters I have acquiesced in the majority view; I have accepted generally the judgment of the military authorities as

to the expenditure of dollars. I take a different view, Mr. President, when it comes to spending the lives of boys. I do not subordinate my judgment when that is involved; and that is what is involved here. Young men are taken at the beginning of their manhood from opportunities such as may be opening to them—possibilities of domestic felicity, business opportunities, professional opportunities. We take those boys in an American way by lot and we put them in the service. What for? To make professional or permanent soldiers out of them? No. To train them so that if their country needed them they could be called into the service ready to serve. But when we have called them, now it is proposed to say to them under those circumstances, "We think that the Army would be better off, that the Army could be more efficiently administered if, instead of releasing you in 12 months, we kept you for an indefinite period of time." That is what the Army wanted; that is what the Secretary of War wanted. We know that in the form of bill reported by the Military Affairs Committee there was a provision first declaring a national emergency. That was the first declaration beyond the declaration required by the statute. Then the limitation as to the period of service was eliminated, then the limitation as to the number of boys that might be kept was eliminated, utterly and absolutely putting in the control of the Commander of the Army the lives and futures and fortunes of every young man in the United States. I am accordingly voting for this amendment simply because it lessens the unfair burden.

I know these matters have been gone over in the Senate, but I do want to make clear my own view. I have listened to statements—earnest, honest statements—foreboding invasion from Siberia, from South America, from Iceland, from Greenland, from Dakar. I have been particularly intrigued by the danger from Siberia. It is said Siberia is only 30 miles from America. Yes; but it is an uninhabited and uninhabitable country, without means of transportation. Troops, whether Germans or Russians, could not be gotten there; they could not be maintained if they should get there; and when they crossed the straits, if they ever could, they would be in an uninhabited and uninhabitable territory, many thousands of miles from here, and without means of transportation to get here. I have not been able to regard that as a serious danger to my country.

I have heard talk of going to Dakar, and I have heard it said that the Azores are only some 1,600 miles from South America; but, as I remember geography, the invading Germans would have to travel between six and seven thousand miles from home. If they are now 3,000 miles away, when they finish their journey they will be 4,000 miles away. In other words, they would travel thousands of miles farther than they now would have to travel in order that they might invade us. I have not been alarmed by that suggestion. I have not been alarmed by threats of bases in Iceland and Greenland, although I do not question what might happen if certain things could be done.

Bases in Brazil, yes. Assuming they could get there, assuming they could establish the bases, then we would be farther removed than we now are from danger. Then, too, we must overlook the British Fleet or that fleet must be turned over to Hitler; we must overlook the American Fleet, our Air Corps, and our other defenses.

I am merely saying these things, not that others are wrong, but that I am unable to understand that we are in national peril. The English position today is stronger than it was a year ago; it is stronger than it was 2 years ago. The German position is weaker than it was a year or 2 years ago; and I venture the assertion that there is not a responsible military man in the United States who has ever said or will say that continental United States is in any danger of invasion. What do they say? They say we might be invaded not from our seacoast but from South America, from Dakar, from some other God-forsaken place where the enemy could not establish and maintain an army; but always we must prepare for an invasion from some place where the enemy must first establish himself.

Mr. LEE. Mr. President, will the Senator yield at that point?

Mr. ADAMS. Certainly.

Mr. LEE. I desire to read from the testimony before the Military Affairs Committee. I offer this testimony in rejoinder to the statement of the Senator from Colorado, who says he does not believe any military man says we are in danger of invasion.

Mr. ADAMS. That continental United States is in danger of invasion.

Mr. LEE. Of course, I may not have quoted the Senator's exact language; but let me read what was said, and see if those who testified did not convey that idea.

Mr. ADAMS. Go ahead.

Mr. BONE. From what is the Senator about to read?

Mr. LEE. I am about to read from the hearings before the Military Affairs Committee on the pending joint resolution.

Mr. BONE. This year?

Mr. LEE. Yes; just recently.

Mr. ANDREWS. What page?

Mr. LEE. I will tell the Senator in a moment.

Mr. ADAMS. While the Senator is hunting for the page, let me make a further statement. I am quite willing to agree with everything the Senator from Oklahoma has said in denunciation of Hitler. I think he is a ruthless monster who would commit, for his selfish purposes, any form of violence that could be conceived of. We are in entire accord in our view as to the leader of the German forces.

Mr. LEE. I should like to say that a while ago the Senator from Colorado said he would not even ask the right to have his own views accepted by somebody else.

Mr. ADAMS. No; I am merely trusting my own conscience.

Mr. LEE. I do not know of a man in this body or anywhere else who would ever doubt the patriotism of the Senator from Colorado.

Mr. ADAMS. I thank the Senator.

Mr. LEE. I read from the testimony of General Reckord, on page 57:

Senator LEE. Then, contrary to what we hear on the radio and on the floor of the Senate and other places, you are a military man who believes that the United States is in danger of military attack?

General RECKORD. Yes, sir, I am; and I make that statement not only as a military man but as a so-called civilian soldier, if you please.

I now read from the testimony of General Haskell, on page 59:

Senator LEE. Do you feel, General, that if Hitler should crush Russia the United States would be in danger, from a military standpoint?

General HASKELL. I certainly do.

Senator LEE. Then all of the talk about the impossibility of invasion and security of America on account of the two oceans does not appeal to you as a sound argument?

General HASKELL. No; it does not.

Mr. TYDINGS. Mr. President, will the Senator allow an interruption at that point?

Mr. LEE. I should like to have all these expressions together.

Mr. TYDINGS. Will the Senator identify those generals, telling us what units they command?

Mr. LEE. All those facts are in their statements. I should have to turn to the pages in the record at which their titles are given.

Mr. BONE. General Haskell is a National Guard officer.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LEE. Let me read all these statements together.

Mr. CLARK of Missouri. I can identify both generals. Both of them are in command of National Guard divisions, and neither one of them has made a dime in 20 years except as a professional military man. [Laughter.]

Mr. LEE. This is from the testimony of General Williams, on page 68:

Senator LEE. Do you believe that failure to extend this service on the part of Congress, failure on the part of Congress to extend this service, would weaken the United States militarily?

General WILLIAMS. Obviously; of course.

Then, omitting some, I read from page 69:

Senator LEE. Do you agree with these other military men that the United States is in grave danger, from a military standpoint?

General WILLIAMS. Absolutely; yes, sir.

And General Marshall gave the same answer to the same question. I have not it marked here, except one long answer.

Mr. ADAMS. I trust the Senator from Oklahoma will realize that I am speaking under time limitations.

Mr. HILL. Mr. President, if the Senator will yield, I believe General Williams is from Missouri; is he not?

Mr. LEE. He may be.

Mr. HILL. The State of Missouri. He commands the Missouri National Guard.

Mr. LEE. I read from the testimony of General Marshall, on page 19:

General Marshall, when you came before us in the first instance and asked for legislation

drafting men to the military service, you prefaced your statement with the remark, I believe, that a grave danger confronted this country. Is that not true?

General MARSHALL. That is correct, sir.

Senator LEE. In your opinion, is that danger greater or less today?

General MARSHALL. Far greater, sir.

The PRESIDENT pro tempore. The time of the Senator from Colorado has expired.

Mr. LEE. I am sorry.

Mr. ADAMS. I will take my time on the joint resolution, if I may.

I have a uniform tucked away which I cannot now get into. I am in the class of civilian military men who never were in hazard of danger from shot and shell. We propose to vote to keep in the military service young men under 28 years of age—that is the ultimate process—to extend their term. We say, "We are going to keep you in service beyond the 12 months we told you you would have to serve, the 12 months you told your girl she would have to wait, the 12 months you told your father and your mother was all the time you would be away, the 12 months you told your employer would be all the time he would have to hold your job for you." We—not one of us being subject to this call—propose to dispose of the lives and the time of these men; and how far do we go?

It is declared that it is a monstrous, unpatriotic thing for any of these men even to express themselves upon the national policy involved, or as to their desire to stay in the service or be released. We will do the talking. We will do the voting. They will do the fighting. They will do the dying.

That is what I am concerned about; and I repeat, with some limitations, that so far as I know, not one responsible American military man ever has said that continental United States is at this time in danger of invasion.

As I have said, I have been disturbed over many things during my term here. Nothing has disturbed me more than this. I believe I am interested in the welfare of my country. I am interested in the good faith of the Congress. One of the essentials we must maintain if we are to have a real Army is the confidence of the Army in the Government that is over them. If, in anywise, the Congress of the United States instills in the hearts of the men we have called into service a lack of confidence in us, we break down the most vital quality in an army, which is morale and loyalty and respect for the governing bodies of the country.

For that reason I say again that the essential thing for us is the maintenance of good faith on our part. Let us admit our mistakes, if we have made them. Let us correct our mistakes by our own admissions and proper legislation, and not impose the burden of correcting our mistakes upon the young men who had no share in making them. As I have said, I cannot see a present emergency justifying the declaration which must be made if we extend this term.

We have heard many, many times of the terrible, the pathetic plight of Holland, of Czechoslovakia, of Poland, of Norway, of Greece, of the other 12 or 13 nations that have been overrun by the ruthless invader; but in no single instance is there a parallel to the situation in this country. We would be told, in substance, that the Atlantic Ocean is no wider than a Dutch canal, that a Nation of 130,000,000 people is no stronger than Norway, that we are subject to the onrush of the armored mechanized columns as was France. It is even suggested to us that our Nation is honeycombed with "fifth columnists" and disloyal persons as some nations in Europe were.

I say to those who make such statements that our situation has no parallel whatever. I agree with every denunciation of Hitler which may be made; but there is one thing which to this hour cannot be said against him, namely, that he is a military fool. Hitler has picked his victims, as has been stated, one by one. Perhaps he has made one mistake recently, but events indicate very clearly that Hitler has no desire for war with the United States. Events indicate very clearly that Japan has no desire for war with the United States, and that Italy has no such desire. If we get into war, it will not be because Hitler wishes it, or Mussolini, or Japan wishes it.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. WALSH. I was very much interested in the colloquy the Senator had with the distinguished Senator from Oklahoma, and the reference to the evidence presented to the Committee on Military Affairs to the effect that we were not secure against invasion.

If there has been one thing pounded into my head since I have been chairman of the Committee on Naval Affairs, it has been that if we had an adequate Navy and an adequate air force no such thing as an invasion of America would be possible. I inquire what steps have been taken by the Committee on Military Affairs to ascertain whether we have an adequate air force to prevent invasion, and I inquire of the Senator whether it is not our duty, before building up vast land forces, to see that we have an adequate Navy and an adequate air force, so as to prevent any invader landing on our shores.

Mr. ADAMS. Mr. President, I think there is no difference of opinion about the American Navy being the strongest navy in the world. I do not believe that is open to question today. In order to land a hostile force, it is first necessary to bring troops to the shores. At this time the United States has approximately 10,000 airplanes available, it has contracts which will produce approximately 34,000 before long. We are producing 1,500 a month. I say that neither Germany, Italy, nor Japan could bring to our shores at one time 250 airplanes of a fighting or bombing character.

Mr. BARKLEY. Mr. President, will the Senator from Colorado yield?

Mr. ADAMS. Certainly.

Mr. BARKLEY. Reverting to the Senator's statement a few minutes ago, before he was interrupted by the Senator from Massachusetts, to the effect that he did not think Hitler wanted war with the United States, I am ready to assume, for the sake of the argument, at least, that that is an accurate statement. He did not want war with Austria; he just wanted Austria. He did not want war with Czechoslovakia; all he wanted was Czechoslovakia. He did not want war with Poland, but he wanted Poland. He did not want war with Holland or Norway or Denmark or Belgium. He merely wanted Holland, Norway, Denmark, and Belgium. Of course, he would rather have what he wants without war. But he has been willing to go to war in order to get what he wants. Is it presenting a parallel situation merely to state that Hitler does not want war with the United States, when he may be willing to go to war to get what he wants, whether with the United States or with some other nation somewhere else in the world, and especially the countries in the Western Hemisphere, to which the people of the United States are under a lasting obligation? So is it really a fair statement merely to say that Hitler does not want war with the United States?

Mr. ADAMS. I will go beyond that; he does not dare make war on the United States, regardless of what he wants.

Mr. BARKLEY. Of course, he is too busy right now to try it; but he may not be so busy very long.

Mr. ADAMS. I hope he will not be; I trust he will be prostrate, so that he cannot be busy. But we are talking today of an emergency which would justify a vote saying that the selectees must be kept in the Army because of an immediate national peril. What I am saying is that I cannot make such a declaration today. The Senator from Kentucky may be able to do so, but I cannot. I do not think it would conform with the facts, and I know it would not conform with my judgment and my conscience.

Mr. BARKLEY. Will the Senator yield further?

Mr. ADAMS. I yield.

Mr. BARKLEY. If I understand the Senator's attitude, then, it is that he will vote for the pending amendment; and even if it shall be agreed to, he will then vote against the joint resolution?

Mr. ADAMS. The Senator is absolutely correct.

Mr. CHANDLER. Mr. President, will the Senator from Colorado yield?

Mr. ADAMS. I yield.

Mr. CHANDLER. I am unable to reconcile the statement of the distinguished chairman of the Committee on Naval Affairs with the report which the Committee on Naval Affairs issued last year to the effect that the United States could be conquered without military invasion of continental United States.

Mr. ADAMS. Just a moment. May I be permitted to avoid having a debate between two other Senators in my time, which is running rapidly?

Mr. CHANDLER. I will have some time in a moment, and I will give the Senator part of it.

Mr. ADAMS. That cannot be done. Will the Senator be good enough to take that matter up with the Senator from Massachusetts a little later? I am being crowded for time.

Mr. CHANDLER. Very well.

Mr. ADAMS. If the Senator desires to ask me a question, I shall be glad to answer.

Mr. President, every Senator in this body wishes peace. I wish I thought that every person in the United States desired peace. I think there are those in the United States who do not wish peace and I think it is the duty of the Congress to restrain those who wish to send the United States into war. We have committed ourselves to aid to Britain in her gallant fight against oppression. We are sending munitions, airplanes, many resources. We have sent destroyers to aid her. We have laid down a policy of aiding her. We will have to take what consequences come from that policy. I presented on the floor of the Senate the $7,000,000,000 bill appropriating lease and lend money. But there is no obligation on the United States to lease, lend, or send a single American boy to defend England or to defend South America.

I am interested in the boys, not the dollars. We are piling up debts, I think, disastrously high. We are spending perhaps beyond our capacity. We may spend, but we must not go the next step. I fear—it may seem somewhat illogical, but it is my sincere judgment—that step by step the American people have been prepared emotionally and materially for war. I am fearful that the step we may take here will be another step, and perhaps the last step, into the war.

I do not care to elaborate the reason for that conclusion. I do not wish to criticize anyone. I have respect for all those who differ with me. But I am apprehensive of what may be done. The speeches on the floor of the Senate show that the emotionalism of Senators has been aroused by the outrages in Europe. We are appealed to by the afflictions of people abroad. It is hard to restrain ourselves from going the whole way to assist those who have been outraged. Yet my urge is to let cool judgment determine, that we take no steps which might bring us into war.

As I have stated, every Senator must make his own decision, based upon his understanding of the facts, upon his ideals, upon his views as to war and its consequences.

Mr. President, many persons see the glory of war pictured in our histories and our school books. They see conquered territories with their resources. That is not the picture that comes to me. As I have said, we are controlled in our judgments by our ideals, by the views which we have, right or wrong. When I think of war, I think of the aggregate of individual boys who make up the armies; each boy the product of devoted care and training of parents; each boy having a future, with its possibilities for good or for bad; each boy having great ambitions.

We read of 10,000 or of 100,000 men killed upon a battlefield. Some persons think of that only in terms of the winning of a battle. I cannot restrain myself from thinking of it in terms of the individual boys among the total 100,000 dead.

I frequently think of something which occurred during the Spanish-American War. In a Western State a telegraph operator was receiving bulletins of one of the skirmishes which took place during the war, and he read to the little village group of the skirmish won by the American troops. He said to the crowd exultantly, "There was only one casualty." Another telegram was handed to him and he collapsed. The message said that it was his boy who was that one casualty.

Mr. LEE. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. LEE. Does not the Senator imagine that as the Russian people look over the battlefields strewn with their own dead they regret that they let the opportunity pass to help other nations in Europe stop Hitler while they could, instead of now paying for their mistake by the slaughter of their own sons, as we will do if we allow this thing to come to us before we are able to repel it?

Mr. ADAMS. The Senator is entirely correct in his first statement, and entirely wrong in his second. Of course, the Russian people regret that they did not step in.

Mr. LEE. What would give us immunity?

Mr. ADAMS. One hundred and thirty million people——

Mr. LEE. Unarmed!

Mr. ADAMS. One hundred and thirty million people, citizens of the richest nation on the globe.

Mr. LEE. All the more reason why Hitler wants it.

Mr. ADAMS. Will the Senator please let me finish?

Mr. LEE. I beg the Senator's pardon.

Mr. ADAMS. The Senator asked me a question. I should like in my feeble way to try and give the answer which occurs to me. We are the richest nation on the globe. We have a population of 130,000,000 people. We have the finest Navy on the globe. So far as the shores of the United States are concerned, there is no nation which can match our air fleet which we can bring to the defense of our own coasts. We have an army, even with the boys who would be let out of it, adequate to defend the shores of the United States against any possible invader.

Mr. President, I have not the slightest apprehension that any nation will attempt to attack the United States. I have not the slightest apprehension that any nation could succeed if it tried.

Mr. LEE. Mr. President, will the Senator yield again?

Mr. ADAMS. Yes.

Mr. LEE. Did not Russia have a population of 160,000,000 people, and did not Russia have the largest army under arms in the world?

Mr. ADAMS. Would the Senator compare the American people with the Russian people?

Mr. LEE. Oh, that is begging the question.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. ADAMS. May I ask how much time I have left, Mr. President?

The PRESIDENT pro tempore. The Senator has 11 minutes.

Mr. ADAMS. Mr. President, I will yield to the Senator from Idaho.

Mr. CLARK of Idaho. I will say to the Senator from Colorado that another answer to the inquiry of the Senator from Oklahoma might well be that the reason Russia, for whom so much solicitude is being shown, which infiltrated our country with communism of the deadliest kind for the last 15 years, did not undertake to attack Germany was because she was attacking Poland and taking half of Poland; because she was attacking the little nation of Finland, one of the few honorable nations in Europe, and taking part of Finland; because she was threatening and attacking Estonia, Latvia, and Lithuania and every other country she could get her hands on; but now she is the "great" Russia, and Joe Stalin the "great white father."

Mr. ADAMS. What the Senator has said conforms to my views.

Mr. President, I wish to say that I have been in veterans' hospitals. I have seen rows on rows of cots on which lay boys who went cheerfully and gladly into the World War but who have practically given up their lives. In my community there are many disabled boys. They have lost their places in life. They went cheerfully into war, of which I approved. They paid a price. There are some persons who make money out of war. There are some who reap glory out of war. There are some who achieve the gratification of ambition out of war. But the boys who make up the infantry, the private soldiers, reap no money, and reap glory but as part of a multitude. Those boys pay. Such boys have the opportunity to give their time, to give up their opportunities in life, to come back crippled and disabled and handicapped in life, or to be one of a multitude who are only known by names and numbers upon white crosses.

Mr. President, those are the things I think of. Those are the things which make me hesitate to take any stand which will lay the powerful hand of the Government upon an American boy, to send him to the front, or impose upon him an obligation of service which is not in accord with what he thought we were meaning to do.

The question before us to me is tremendously important. I speak with difficulty about it. I might make one remark, which has no relationship to the Senate. In administration circles—and again I say I mean only those who owe their places, their positions, and their salaries to the acts of Congress, and I say that to avoid any possible reference to those who are elective officials—in administration circles, in some high places, there are many who, by some mistake, have been equipped with loud speakers, whereas they should have been equipped with mufflers. [Laughter.]

Mr. President, it is the obligation of every good citizen to keep his country out of war if it can honorably be done.

Mr. LEE. Mr. President, why did not the Senator exempt the Members of the Senate from that remark?

Mr. ADAMS. I was very careful to do so. It would not apply even though I had not made the specific exemption. If any Senators feel that they are brought within that category, I will say they are entirely wrong, because those

who have sounded the alarm here have spoken their convictions and their hearts just as I have tried to do.

Mr. President, my objection goes to some others who are the creatures of the Congress, whose positions and whose salaries depend upon us, and the effect of whose remarks is a denunciation of the policy of the Congress. That is what it comes down to, because the power to make war as well as the power to declare war rests with us. When a high administrative officer, in substance, declares war all by himself he is reflecting on us.

Mr. President, with full regard for the good faith of all those who differ with me, but with the consciousness of my own responsibility, I earnestly believe that the pending measure demands sacrifices of the young men who have been drafted which are not justified by the facts and which we cannot in good faith require of them under the law by virtue of which they entered the service. I, therefore, feel compelled to vote against the joint resolution.

WHEAT-MARKETING QUOTAS — CONFERENCE REPORT

Mr. SMITH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5300) to amend Public Law Numbered 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate Numbered 1 and 2, and agree to the same.

Amendment Numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by such Senate amendment, insert the following:

"(13) Notwithstanding any of the foregoing provisions the penalty upon wheat during the marketing year beginning July 1, 1941, shall not apply to that portion of the farm-marketing excess for any farm, which the producer establishes in accordance with the regulations of the Secretary was or will be used as feed on the farm where grown for livestock or poultry or was or will be consumed by the farmer's family or household. The amount of any penalty paid on that portion of the farm-marketing excess of wheat which was or will be used as feed on the farm where grown for livestock or poultry or which was or will be consumed by the farmer's family or household, shall be returned or allowed the producer."

And the Senate agree to the same.

Amendment Numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by such Senate amendment insert the following:

"SEC. 2. That the Commodity Credit Corporation is authorized and directed to acquire title to all cotton or wheat of the 1940 and previous crops on which loans have been made or arranged for by such Corporation, as soon as it has the right to do so in accordance with the terms and conditions on which such loans were made: *Provided*, That upon acquiring title to any such cotton or wheat in which the producer has an equity, the Commodity Credit Corporation shall pay to the producer a sum equal to the amount by which the market price of such cotton or wheat (determined on the basis of the place where it is located and as of the date the Corporation acquires title) exceeds the amount of the loan on such cotton or wheat, including accrued interest and accrued carrying charges.

"During the continuation of the present European war, and thereafter until the Congress shall otherwise provide, no cotton or wheat of the 1940 crop, or any previous crop, title to which is now held or hereafter acquired by the Commodity Credit Corporation shall be sold or otherwise disposed of by such Corporation; except that—

"(a) Such cotton or wheat may be disposed of (1) for use for domestic relief purposes pursuant to authority contained in other provisions of law, (2) for use for relief purposes in any foreign country, (3) for use by any foreign country whose defense the President deems vital to the defense of the United States, or (4) for export to any foreign country pursuant to authority and subject to limitations contained in other provisions of law, in any case in which the Secretary of Agriculture determines that such disposal and use of such cotton or wheat for such purposes will not reduce the market price and will not interfere with the sale or distribution of cotton or wheat or cotton or wheat products in the normal channels of trade and commerce;

"(b) Such cotton or wheat may be disposed of for use by other departments or agencies of the Government for purposes important to the national defense in any case in which the Secretary of Agriculture determines that the use of such cotton or wheat for such purposes will not reduce the market price and will not interfere with the sale or distribution of cotton or wheat or cotton or wheat products in the normal channels of trade and commerce; and

"(c) Such cotton or wheat may be exchanged for other cotton or wheat in any case in which the Secretary of Agriculture finds that such exchange is necessary in order that sufficient quantities of cotton or wheat of particular grades, types, or staples may be made available to meet the needs of trade and commerce for such particular grades, types, or staples."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment as follows: After the period at the end of such amendment insert: "The amendments made by this section shall be effective only with respect to the crop of peanuts produced in the calendar year 1941."

And the Senate agree to the same.

Amendment to Title: That the House recede from its disagreement to the amendment of the Senate to the title and agree to the same with an amendment as follows: In lieu of the amended title proposed by the Senate, amend the title so as to read: "An Act relating to wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, to provide for withholding from the normal channels of trade and commerce Government-owned cotton and wheat of the 1940 and previous crops, and to provide 85 per centum of parity with respect to peanuts of the 1941 crop."

And the Senate agree to the same.

E. D. SMITH,
ELMER THOMAS,
J. H. BANKHEAD,
ARTHUR CAPPER,
Managers on the part of the Senate.

H. P. FULMER,
J. W. FLANNAGAN, JR.,
R. M. KLEBERG,
CLIFFORD R. HOPE,
J. ROLAND KINZER,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. HATCH. Mr. President, will the Senator from South Carolina explain what the conferees agreed upon?

Mr. SMITH. The changes are very slight. There are some verbal changes, but not very many.

Mr. HATCH. I do not quite understand the effect of the conference agreement. Will the Senator explain, for instance, what was agreed upon as to the Lee amendment?

Mr. SMITH. As to the Lee amendment, the conferees agreed that for this year a farmer may use his surplus wheat on his own place. He may not sell any feed wheat.

Mr. HATCH. I have no objection to the amendment if it is confined to the matter of a farmer feeding the stock on his own place.

Mr. SMITH. That is what the amendment provides. He may not feed it anywhere else.

Mr. LEE. And the provision is limited to this year only.

Mr. SMITH. This year only.

Mr. HATCH. What about the amendment offered by the Senator from North Dakota [Mr. LANGER] as to the freezing of wheat and cotton?

Mr. SMITH. That was incorporated in amendment No. 1. That includes the wheat and cotton now on hand.

Mr. HATCH. Were those two amendments agreed to by the House?

Mr. SMITH. Unanimously. All the amendments were agreed to unanimously.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. BURTON] to the amendment of the Senator from Utah [Mr. THOMAS].

Mr. THOMAS of Utah. Mr. President, I trust that we may soon have a vote upon the pending amendment. Due to the fact that there has been a great deal of discussion not only upon the amendment, but also upon the joint resolution, I think it is incumbent upon me to explain that when the theory of the amendment was changed, and we put in a time limit and therefore made it rigid, the question was asked as to what would be the very least time that could be specified in order not to interfere with the proper defense of the country. A period of 18 months was decided upon. The committee accepted the 18 months, and I think the committee should stand by the 18 months.

Mr. President, I suggest that the Senate vote.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. BURTON] to the amendment of the Senator from Utah [Mr. THOMAS].

Mr. TAFT, Mr. VANDENBERG, and other Senators demanded the yeas and nays.

The yeas and nays were ordered.

Mr. CHANDLER. Mr. President, I sincerely believe that the safety of my country is endangered. I have reached that conclusion because of the statements of the President of the United States and because of the statements before the Military Affairs Committee of General Marshall, Chief of Staff of the Army of the United States. I should much prefer to face this situation directly and honestly and declare an emergency, as the Congress provided it might do in the event it should feel that the safety of the country was imperiled, and keep the soldiers until the emergency is over. Originally I was prepared to vote for that provision, and I am prepared to vote for it now.

When the armistice was signed in 1918 I was in a training camp in the Army of the United States. The armistice was signed on the 11th day of November, and I got home for Christmas, because there was no disposition on the part of any Army man to keep me in the Army after the war was over.

I am sorry that the Senate has been forced into trench warfare on this question. I think we would all have been better off if we had been willing to declare that, based upon what we know, the safety of the country is more gravely imperiled now than it was when we passed the original act. I believe that statement to be true.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. CLARK of Missouri. The Senator from Kentucky has just recited a fortunate experience which he himself had, in that he happened to be in a training camp on the 11th of November and was able to be home for Christmas dinner.

Let me recall to the mind of the Senator from Kentucky that many of the boys did not happen to be in a training camp and did not happen to be able to go home for Christmas dinner. I make no criticism of anybody for the fact that they were not able to get home from France by that time.

On the contrary, they were subjected to the rigors of a training program in mid-winter in France, which caused the death of thousands of soldiers. They were forced to turn out for maneuvers after the armistice, when there was no possible purpose to be served. They ate their breakfasts sitting on their haunches in the rain. They stood around all day long on maneuvers and frequently came back to eat their suppers after dark out in the rain. They then lay down in haymows and hen roosts for the night.

Let me remind the Senator from Kentucky that such a thing fell under my personal observation. At that time I happened to be assistant chief of staff of the A. E. F. in charge of administration. The division surgeon reported to me the effect on the health of the troops of the maneuvers and the training program after the armistice, while we were waiting to go home. At my request the division surgeon made a graph showing the effect of the so-called training program on the health of the troops. At my request the division commander, General Weigel, one of the finest men I ever knew, sent the report forward to general headquarters. We received it back with an endorsement from general headquarters of the A. E. F., signed by Gen. H. B. Fiske, by command of General Pershing, to the effect that the training program was paramount to the health of the troops. That was after the armistice.

Mr. CHANDLER. Mr. President, I agree with the Senator from Missouri that except for the grace of God I might have been in that situation. Whenever I hear talk to the effect that all the boys are to be treated alike, I think of the situation he has just portrayed. It is absolutely impossible to treat them all alike. Some of them will have to undergo great hardships and suffer misery, pain, and perhaps death. That cannot be avoided. In view of the present situation we should not say to any soldier who is now in a training camp in the United States that he can go home now or at any time in the near future. I think it is a tragic mistake to send him home or to talk about sending him home.

As I say, I am sorry that we are now forced into trench warfare on this question; but now that we are in trench warfare I have made up my mind to support the amendment offered by the Senator from Ohio [Mr. BURTON]. I foresee the prospect of a long fight over the question of how long we shall keep the boys.

To repeat, I was willing to face the question squarely, and to say, "The national safety is imperiled, and we must keep you. We do not know how long; but as soon as the national emergency is over and we can let you go, you may go home. We do not know when, but the sooner the better for everyone."

As I have said, in 1918 I was sent home very quickly, for which I was very grateful. I am very glad I was not one of the unfortunate members of the Army of the United States who had to suffer as I know they did. There was no excuse for it; but there is nothing we can do about it now.

Yesterday some of us tried to effect a compromise so that we could show in the Senate some sort of display of national unity, which I think is highly important. If we agree that we must keep the Army in order to be as secure as it is possible to make us, we should agree on the time. I do not know whether we can be invaded. When it is said that we cannot be invaded my answer is that we have been invaded during the history of the United States. I do not know whether we can be invaded now, but I do not want to take any chance on it.

Yesterday the junior Senator from Ohio [Mr. BURTON] voted against the amendment offered by his colleague, which would have continued the boys in camp for 6 months. When the history of this emergency is written the names of men on both sides of the aisle who have stood as strongly as they could for the national defense of the United States regardless of politics, will be written high.

In my opinion we must show the country a spirit of national unity in the Senate, and we must look at the situation as it exists from a practical standpoint. If we are to keep the Army—and I assert we must keep it—this measure must pass not only the Senate, but also the House of Representatives.

Yesterday I conferred with other members of the Senate Committee on Military Affairs.

Mr. LEE. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. LEE. I desire merely to corroborate what the junior Senator from Kentucky has said. I was one of the Senators who told the Senator from Kentucky I would go along with such an agreement. Yesterday on the floor of the Senate I made the statement that after agreeing, in the interest of unity, to go along on a time limitation, even though it was against my best judgment, it appeared that Senators who had said they would support us were not supporting us. Therefore I said, "I will go back to the original recommendation of the War Department, because I believe that is the best."

I make that statement to corroborate the statement of the junior Senator from Kentucky.

Mr. CHANDLER. I thank the Senator from Oklahoma.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to the Senator from Alabama.

Mr. BANKHEAD. The junior Senator from Kentucky has been talking generally about an agreement which was reached.

Mr. CHANDLER. No; I had not reached it. I was about to discuss it.

Mr. BANKHEAD. Will the Senator state what time of extension was informally agreed upon?

Mr. CHANDLER. Yesterday, in the hope that we might demonstrate in the Senate some sort of national unity, or make a demonstration here to all the people of the country that we had reached the conclusion that we ought to keep the soldiers because of the national situation, an effort was made informally to get together and undertake to work out an agreement to keep them for 12 months longer. The result is the amendment offered by the junior Senator from Ohio.

I had some conferences with the Senator from Vermont [Mr. AUSTIN]. When the history of this emergency is written, no name will be written higher than his, because of his determination to support his country in these dangerous times. It seemed to be his feeling that, after we have agreed that it is in the interest of the safety of the people of the country that we keep the boys in the Army, somehow we ought to be able to agree to keep them for a reasonable time, and not insist, after beating the 6-month amendment, on beating the 12-month amendment and insist on winning rather than trying to reach some reasonable agreement.

If we agree on 12 months now, for some of the men the result will be service until 16 or 17 months from now.

I do not want to handicap the Army. I want the Army to be trained to meet any emergency which may come to plague the people of the United States.

General Marshall came before the Military Affairs Committee the other day. To repeat something I said a few days ago, General Marshall is not a politician; he is a soldier. Recently he made a report of his stewardship. The report covered his activities from the 1st day of July 1939 until June 30, 1941. In that report he made specific recommendations regarding the extension of the 12-month period. He said that the Commander in Chief, that is, the President of the United States, had no knowledge that he was going to make those recommendations and that report. General Marshall said:

> My report was submitted to the Secretary of War and at the same time was released to the press.

General Marshall said that the recommendations made in his report "were dictated by military necessity." He further said:

> I tried to keep as wide a separation as possible between military necessity, the sole basis for my recommendations, and political considerations, which are matters for the decision of the President and the Congress.

At that point the Senator from Vermont [Mr. AUSTIN] asked him a question. I quote the Senator's question:

> General, I would like to ask if you in that report express the conviction that, from a military point of view, the national interest was then imperiled?
>
> General MARSHALL. I did so in those very words.

I think it would be a fine thing if every Member of the Senate were to agree, first, that General Marshall's recommendation is of such a nature that we ought to support it. He cannot defend the people of the United States by sending his Army home. He must have it, and he must have an adequate time in which to train it. It is not yet trained, and he has been criticized for failure to train it. He did not have guns, tanks, planes, camps, equipment, or materials, and he has not yet had a fair opportunity to train an effective Army for the people of the United States. He needs more time.

But now that the Senate is discussing the whole question on a month-to-month basis, I am not persuaded that there is very much difference at this point between a year and 18 months. Of course, there is a difference; there is a difference of 6 months. But for all practical purposes, if we could obtain an almost unanimous vote—with the exception of a few Senators who have indicated that under no circumstances will they vote for an extension, and some who have gone so far as to say that they will not vote for a day's extension—I think the matter would be settled. I think it ought to be settled quickly, if possible. I think we should say to every soldier boy, wherever he is, "At this time we cannot let you leave the Army of the United States. We need you."

Do we not know that if the need were to pass, if the emergency were suddenly to terminate, if the war were to stop, there would be no money to keep up an Army? Immediately just as many men as possible would be sent home.

Of course, some men would not be sent home; some men would have to continue to police and to perform the arduous tasks spoken of by the Senator from Missouri [Mr. CLARK]. But unfortunately, in view of the way the world is set up, we cannot treat all the men alike. I wish we could. I wish that every man bore his responsibilities in proportion to his ability to bear them and that suffering were borne equally. But it cannot be done.

General Marshall has asked that he be permitted, in his own time and in his own way, to send back home the hardship cases and the soldiers who can ill afford to serve their country any longer during the emergency. I should prefer to have General Marshall and the military men do that, rather than to have Congress say when a man shall be released from the Army and go home. I think it would be a mistake to have Congress do that.

If we could send word this afternoon to the people of the country that the Senate has decided, first, that we must keep the Army for a while longer and that it is absolutely necessary because the national safety is imperiled, and, second, that in order to establish national unity we will agree to a 12-month extension I believe we should have a proposition which would have the approval of the House of Representatives. This measure must pass both Houses of Congress before it can become effective. Congress will continue in session. As a practical matter a 12-month extension would mean 15, 16, 17, or 18 months for most of the men now in the Army.

Mr. LEE. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. LEE. I take it that the Senator's whole argument is based on the belief that such an agreement would be in the interest of unity; but the Senator's personal opinion is that the wisest thing to do would be to pass the bill as brought in without a month's limitation in it, but for the duration. Is not that true?

Mr. CHANDLER. I said originally I was for that; I think it was a mistake ever to have abandoned it, but now that we are in trench warfare the period may be whittled down month by month, and pretty soon, day by day, and then perhaps hour by hour. That is a silly proposition to me.

Mr. BARKLEY. Mr. President, will my colleague yield?

Mr. CHANDLER. Yes, sir.

Mr. BARKLEY. I agree with him that what we should have done in the beginning was to have stood by the measure reported by the committee. That is what I should like to vote for now. But, having taken that position and believing in that, I do not now feel that as a substitute for that we ought to accept the very shortest possible term we can get. I am sorry my colleague has so obligated himself that he feels he has to vote for this amendment, for I want to make the statement that, in my judgment, if the 12-month amendment is put in the joint resolution, when it is finally enacted it will not be 12 months but it will be not more than 6 months, and we might as well not have any law on the subject as to have a 6-month law.

Mr. CHANDLER. I do not know the answer to that.

Mr. BARKLEY. I think the Members of the Senate ought to keep that in mind in voting on the amendment.

Mr. CHANDLER. I think there may not be any joint resolution at all.

Mr. BARKLEY. That may be so.

Mr. CHANDLER. I know there has to be an agreement between the House and the Senate before any measure can be passed at all. I talked at length with my good friend the Senator from Vermont, who is an able member of the Military Affairs Committee, and who is a great upholder of those who seek to fortify this Nation and make it secure, and I think he had a right to ask Members to give them a chance to continue to support the measure.

Mr. BARKLEY. Mr. President, will my colleague yield there?

Mr. CHANDLER. Yes, sir.

Mr. BARKLEY. Of course, I know nothing about what has gone on in the cloakrooms; I was not taken into those conferences; I know nothing about them, and nobody is under any obligation to invite me to any conferences.

Mr. CHANDLER. I will say to my colleague that the conference I speak of was not in the cloakroom but was on the floor of the Senate.

Mr. BARKLEY. I understood it had been said on the floor that it was a cloakroom conference, and that is all right.

Mr. CHANDLER. I did not attend any such conference.

Mr. BARKLEY. I am not objecting to that, but I do feel very strongly about this matter. The Military Affairs Committee formally brought in an 18-month amendment, on the assurance that it would bring about unity; that it would get more votes than would a provision for an indefinite period, and that would contribute to unity. Now we are told that in order to get unity we have got to reduce the period to 12 months. I am for unity as much as is anyone else, and I am for harmony as much as is anyone else; but I want the Army as well as unity and as well as harmony. We cannot win any battles with unity and harmony alone unless we have an army.

Mr. AUSTIN. Mr. President, will the Senator from Kentucky yield to me?

Mr. CHANDLER. I yield to the Senator from Vermont.

Mr. AUSTIN. I think I should say something. I reluctantly enter this debate at all, but it is what has been said by the distinguished leader that causes me to make this statement.

My own conviction, in the beginning, was that a 12-month extension would be adequate, and that it was very important from one certain point of view, which was well known to me, for I had it direct from the camps; that these young men were perfectly willing to serve, if necessary, but they were unwilling that their Government should determine the course of their lives without cause. Therefore they thought that we, who represent them and all others, ought to say to them by this act of Congress definitely that

they were not deprived of the freedom of other citizens of the country to choose their calling; that they were not deprived of the right to become lawyers, doctors, merchants, or to pursue any other vocation; and that they were entitled to have declared to them the certain fact without equivocation that there would be a time when their service in time of peace would terminate.

The question was how best to assure them that there is no intention on the part of the Government to coerce them into the mold of a professional soldier. Early, long before the event to which allusion has been made—indeed, I can identify the exact time, for it was when I filed for printing the amendment which lies on the desk, and the date on that amendment will show the date of my holding the views—I wrote with a pencil at the end of that draft of the amendment which I proposed these words:

SEC. 6. Any extension of the 12-month period of training and service of any man heretofore or hereafter inducted under the Selective Training and Service Act of 1940 shall not exceed 12 additional months.

It was my view at that time, not based on guesswork but upon the record, as stated by the Senator from Ohio, that 12 months was adequate, and it was only afterward that I scratched out the word "twelve" and wrote in the word "eighteen," upon the representations which were made in the conference with the Committee on Military Affairs.

I have never been so wedded to my own opinion that I could not yield to the consideration of the opinion of others, and I felt after that conference that probably I was wrong and probably the consensus of opinion as to 18 months was right. So I struck out the word "twelve" and inserted the word "eighteen." That is the story.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Ohio [Mr. BURTON] to the amendment of the Senator from Utah [Mr. THOMAS].

Mr. CHANDLER. Mr. President, I have not concluded. I will try to conclude as briefly as possible. I yielded to the Senator from Vermont in order that he might make the statement he has just made.

I have determined for myself, as every other Senator must determine for himself—and I have no objection to the decision he may make—that if it were possible for us to agree now on a 12-month extension that would give time and might give us opportunity to demonstrate to the country a national unity here, which I feel in some respects is needed very badly. If the 12-month period were agreed to and if an additional extension should become necessary, I think there will be ample opportunity to provide an additional extension, and I shall be willing to vote for it if the situation at the time when the request is made justifies making the request. I support the amendment of the Senator from Ohio for the reasons I have given.

Mr. THOMAS of Utah. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Radcliffe
Andrews	Gillette	Reynolds
Austin	Glass	Rosier
Bailey	Green	Russell
Bankhead	Guffey	Schwartz
Barbour	Gurney	Shipstead
Barkley	Hatch	Smathers
Bone	Hayden	Smith
Brewster	Hill	Stewart
Bridges	Hughes	Taft
Brooks	Johnson, Calif.	Thomas, Idaho
Brown	Johnson, Colo.	Thomas, Okla.
Bunker	Kilgore	Thomas, Utah
Burton	La Follette	Tobey
Byrd	Langer	Truman
Capper	Lee	Tunnell
Chandler	McCarran	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Van Nuys
Clark, Mo.	Maloney	Wallgren
Connally	Mead	Walsh
Danaher	Nye	Wheeler
Davis	O'Daniel	White
Downey	O'Mahoney	Wiley
Eastland	Overton	Willis
Ellender	Peace	
George	Pepper	

The PRESIDENT pro tempore. Seventy-nine Senators having answered to their names, there is a quorum present.

Mr. THOMAS of Utah. Mr. President, the yeas and nays are asked for. I have no objection to their being granted.

Mr. BARKLEY. The yeas and nays have been ordered.

Mr. DANAHER. Mr. President, there has been so much talk about the alleged state of national peril that it seems to me we should appraise for just a few minutes the language before us.

Notice, please, that the title of this measure is that it is a joint resolution "declaring the existence of a national emergency, and for other purposes." That is the announced title.

On page 2, in line 21, however, we read this sentence:

That the Congress, acting in accordance with the provisions of section 3 (b) of the Selective Tra ning and Service Act of 1940, hereby declares that the national interest is imperiled.

It does not say that our Nation is imperiled.

Mr. THOMAS of Utah. Mr. President——

Mr. DANAHER. It does not say that we are in danger. It does not say that our national interests are threatened.

Mr. THOMAS of Utah. Mr. President——

Mr. DANAHER. Just a moment, please. It adopts a device which is borrowed from the language of section 3 (b) of the Selective Service Act of 1940.

I yield to the Senator from Utah.

Mr. THOMAS of Utah. Mr. President, if the Senator will yield, I think, out of justice to the amendment which was reported by the Committee on Military Affairs, the Senator should turn over to page 5, and read there that there is a suggestion that the title be amended to be consistent with the joint resolution as it came from the committee.

Mr. DANAHER. Is it the Senator's plan ultimately to offer such an amendment?

Mr. THOMAS of Utah. Oh, yes; the new title will be the title of the joint resolution when it becomes the law.

Mr. DANAHER. I thank the Senator. So the title, if amended, will read:

Joint resolution to extend the periods of service of persons in the military service, and for other purposes.

Mr. THOMAS of Utah. That is correct.

Mr. DANAHER. We therefore come back to my assertion that we are adopting a mere device borrowed from previous legislation in our effort to make the people of the United States, as well as the Congress, think that our national interest is imperiled; and yet, imperiled how? Shall we inquire?

We read on August 4, in the Washington Post:

Roosevelt Sails on a Care-Free Vacation Cruise.

[Laughter.]

NEW LONDON, CONN., August 3.—President Roosevelt put out to sea tonight for a care-free vacation on salt water.

Aboard the White House yacht *Potomac*, he left the Navy's submarine base here and began a voyage scheduled for a week or 10 days unless a serious turn in world events sends him back to Washington.

For the present the cares of his high office and of a Nation feeling the impact of a world at war were cast aside. Mr. Roosevelt's major concern shifted to such nautical problems as the turn of the tide, the depth of anchorage, and the way the fish were running.

[Laughter.]

Mr. President, we have heard discussed here the alleged danger of invasion. Let me quote the President of the United States on that subject, when only a few short months ago he told Congress—and I quote him:

Even if there were no British Navy, it is not probable that any enemy would be stupid enough to attack us by landing troops in the United States from across thousands of miles of ocean, until it had acquired strategic bases from which to operate.

Mr. President, the quotation to which I have referred exactly dovetails with the testimony which General Marshall himself has given as to the impossibility of an attack upon our continent, even by bombers, except from carrier-based aircraft.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. Gladly.

Mr. BARKLEY. Why does not the Senator read the rest of the statement of the President?

Mr. DANAHER. If I did I should come to the point where the President told us about the course we should take in order to take the road to peace; but we have not been doing it, and I did not want to overemphasize the point.

Mr. President, when we were here in the Military Affairs Committee, and General Marshall was testifying there on the subject a year ago, he said, in answer to the question:

How long do you think the training period should be?

Well, if we were allowed to set the figure, we would say 18 months.

Remember, he is talking about the selective-service draftees—

I am willing to compromise on 15 months, but it certainly must be at least a year.

There is so much lost time in getting the men in and getting the men out that when you say a year you only have them for about 11 months. There is so much training to be done that a year appears to be too short a time, especially at present.

That is what General Marshall said in 1940.

In 1941, only a month ago, in the New York Times—and I have in my hand the issue of June 24—in an article by Charles Hurd, General Marshall is directly quoted as saying this:

We have just graduated the first selectees to be put through these training courses. The results are much more effective than we expected. The graduates are so good that the Army's problem is to provide proper subleadership for them.

In his discussion at a press conference, General Marshall said:

If the situation permits, we want to send the selectees home.

New drafts are desired primarily—

He stated—

to keep in operation the 22 centers at which in 3 months the embryo soldiers receive intensive training such as would be impossible under the normal peacetime system of sending recruits directly to military units.

To the Washington Post he stated that the men would be sent home in 12 months, except those who were in the Aleutian Islands, and that they would be returned in not to exceed 2 to 3 more months. That is the situation, as to the period of training, with reference to these particular draftees.

But what are we to say of the National Guard, as to whom we are supposed to act? Remember, under the joint resolution we are to enlarge their period of service, we are to enlarge their contract or their enlistment. Let us see what the President told us. Remember, the President told us in the Congress on that very point only a year ago what I shall read from his communication to us under date of July 29, 1940:

Realizing as I do the personal sacrifice that a period of extended active duty demands of the National Guard, I have deferred until now any request for immediate action in this respect. * * * I am, therefore, transmitting herewith legislation that, if enacted, will enable me to order the National Guard of the United States to active service.

He proceeds:

Each increment will, of course, be released when it attains the desired state of efficiency.

He did not contemplate holding them even a year. He sent to us a draft of the legislation, and I quote from it. It is now Public, No. 96. We realize the representations on which the country acted. This is what the law says. This is the language of the bill the President sent us:

During the period ending June 30, 1942, the President be, and is hereby, authorized to order into the active military service of the United States for a period not to exceed 1 year any or all members of the reserve components, including the National Guard.

What are we to do with those men? Are we to rely on the President's representation that they were to be returned when they were effectively trained? As he said, they were not to be held for more than a year. When we came to pass the selective service bill, General Marshall's thought and the thought of Congress was that the new men, men who had had no service, at the very least should be returned in a year. That was controlling, and it was thought to be justified, and the Congress passed the measure.

Did we mean it? Did we tell the people of the country it was to be the rule? Did we represent to the draftees, as the basis of getting public acceptance of the law, that they were to be held in service for only a year?

Let me recall to Senators what the leadership in the Senate told us at that time, but before I do that, it might be wise to recall the words of the distinguished senior Senator from Nebraska [Mr. NORRIS] when on August 12, 1940, he said:

We must have this Army all the time, every day; and if we pass this bill, and its provisions are carried out, the Army will be so large that it will stagger the imagination of all of us when we realize its size. It will be with us every day.

What a prophecy from the Senator from Nebraska, as he foresaw the attempt to militarize the Nation.

The junior Senator from Nebraska, Mr. Burke, in charge of the bill at that time, said:

Under the program as already outlined, Congress willing and making the necessary appropriations, there would be selected on the first of October 400,000 men to go into training. Congress again being willing and providing the necessary money, on the first of next April another 400,000 men would be selected. The men would be trained for 1 year, and then would go back into civil life, being subject only to call for not more than 30 days' service each year to keep them in fit physical condition, and familiar with the latest military tactics.

I read from the RECORD a statement by Senator Burke:

The bill which I introduced provided for 8 months' training. Those who worked over the bill considered that while that was not thoroughly adequate, possibly a satisfactory job could be done in 8 months. When General Marshall, Chief of Staff came before the committee, he stated that in his opinion about 18 months were required to properly train a soldier. He felt that the Army could do a very good job, however, in 15 months. Finally, after going over the matter together, the committee, the representatives of the Army and Navy, and others decided on the compromise of 1 year, which the Army insists is not really long enough; but the Army officers think they can do a good job and will do a good job in 1 year.

Mr. President, that was the representation upon which we then relied. But even some of us here within the last few days, giving to the Army the benefit of every possible doubt, felt that we could justify following General Marshall's statement that the outside date for continuing these men in service was for the additional term of 6 months, and voted for the amendment of the senior Senator from Ohio [Mr. TAFT]. But now we are being asked by the Committee on Military Affairs, and several members of the committee, to retain the men indefinitely. They say we should keep them in 30 months; others say we should keep them in the service 2 years. The peril about which we are talking becomes different in accordance with the circumstances of each parliamentary situation in the Senate. That is the situation in which the Senate finds itself. Last year we were telling these boys that they would get out in a year. Was that also the same kind of chicane and machination?

The Senator from Louisiana [Mr. OVERTON] stated his views on the subject. Let me repeat them:

When the Congress of the United States calls young men into service for the purpose of giving them military training for a period of 12 months, and these young men then go back to their regular occupations and pursuits and become citizens of the United States engaged in ordinary pursuits and vocations, there is not the slightest semblance of our undertaking to establish a dictatorship. We are merely giving military training to a certain number of our citizens in order that we may be prepared in the event we should unfortunately be drawn into war. I think there is quite a distinction between having a Regular Establishment of an army of great proportions and calling our young men into training and then letting them return to their usual pursuits and vocations. We are not maintaining a huge Regular Establishment. The Regular Army is authorized at a strength of 375,000 men. We are merely training men to be used as a reserve body on which to draw in case of danger.

The Senator from Wyoming [Mr. O'MAHONEY] said:

Of course, under the provisions of the bill, it is not intended that the men who are trained shall be in the Army for more than a year.

The late Senator from Texas, the highly honored and deeply beloved senior Senator, Senator Sheppard, told us:

The trainees, after they have been trained a year in the various increments, will go back to private life.

He told us that each of the increments he outlined would be sent home in 1 year.

Mr. President, the Senator from Massachusetts [Mr. LODGE], the Senator from Colorado [Mr. JOHNSON], and other members of the Committee on Military Affairs thoroughly familiar with the problem as posed to them at that time, expressed their views. I do not wish to take up the time of the Senate unduly, and I shall not repeat them, but, over and over again they told us, and told the country, that these men were to be taken into the service for 1 year.

No one told the National Guard, when the President asked us in his message to take them for a period not to exceed 1 year, that they were also to be thrown into this indiscriminate expansion of their original periods of enlistment—boys who enlisted to defend their own States, to receive training, to learn how to become militiamen with a love of the service. But now they have been ordered away as a part of the Regular Army, despite the representation that they were to be kept for not to exceed 1 year. Yet no one says anything about whether we do or do not render an injustice to them by changing the law to extend the term of enlistment.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. WHEELER. I agree with everything the Senator has said. There was not a single man on the floor of the Senate who supported the draft act who did not make the statement, which was carried in the press from one end of the country to the other, that the measure then before us was merely a training bill, that the men would be in the service for only 1 year, and that at the expiration of the year they would go back into private life. It was not a permanent-service bill; it was only a training bill. I challenge any Senator to rise on the floor and say that anything else was ever told the American boys when the selective-service bill was before the Senate.

Will the Senator pardon me for another minute?

Mr. DANAHER. I am glad to yield further to the Senator from Montana.

Mr. WHEELER. The Senator from Oklahoma said today, "But conditions have changed. The war may go on for 5 years. It may go on for 25 years."

Mr. President, I have in my hand a press dispatch from London dated August 2. It is headed:

British, ignoring pleas, flock to resorts as if at peace.

Then the article proceeds:

The British ignored en masse today an urgent Government request to stay at home this week end—the August bank holiday week end—so gasoline could be saved and so railroads could be kept clear for important freight and coal traffic vital to Britain's war effort.

By the thousands citizens poured out of populous centers everywhere to spend today, tomorrow, and Monday in the traditional peacetime manner at country and seaside resorts, defying the government despite the possibility they might be stranded out of town.

The Sunday newspaper scolded the outgoing holiday-makers.

The Sunday Express displayed, side by side, pictures of empty coal cars and packed vacation trains.

They overlooked, however, one symptom of this: The fact that stock exchange odds against the war ending in 1941 have fallen from 10 to 1 to 3 to 1 in the last 3 weeks.

Mr. President, the odds on the London stock exchange have fallen from 10 to 1 to 3 to 1 against the war ending in 1941. We are told that we are in a greater emergency today than we were before.

The only reason the provision with reference to the Nation being imperiled was put in the joint resolution was because it was wanted as an excuse for going to the people of the country and saying, "That is the reason we kept the boys in the service."

Mr. President, I venture the assertion that if it were not for this proposal to keep the boys in the service for a longer time Congress would not think of passing a joint resolution saying that the Nation is in peril.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I shall yield in a moment, if the Senator from Kentucky will withhold his observation. Let me ask the Senator from Montana what possible confidence can one expect the people or the men in the service to have in us if we say "We will keep you in 1 more year," when we told them a year ago that we were going to keep them in service for only 1 year? If we break that agreement and make it 2 years, what possible expectation of reliance upon such an agreement can we expect from them?

I now yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, the Senator from Montana has said that no Member of the Senate made any suggestion that these men would be kept longer than a year. I do not remember all the expressions of Senators a year ago in the debate, because the measure was on the floor here for some days. I do not suppose the boys in the Army read the speeches of Senators any more than they have read the law under which they are now serving. It would be presumptuous to assume that young, active men are sufficiently interested in the debates of Congress to read the interminable discussions in the CONGRESSIONAL RECORD, and I dare say they have not done so.

Whatever was said in the debate, I assume no one then could anticipate a year ahead and know whether we would be required to pass a joint resolution of this sort. But there is certainly no deduction to be drawn from the fact that the pending joint resolution undertakes to say that the interests of the Nation are imperiled, because the law itself—which probably not one out of a hundred outside of the Congress of the United States ever read—provided that if that condition should exist, then these men might be kept in service longer, and in order that we might comply with the law as we ourselves deliberately voted it, that language has been used in the joint resolution.

Mr. DANAHER. Mr. President, let me point out to the Senator from Kentucky that the language does not say that the Nation is imperiled. It does not say even that our interests are imperiled. The language in question was specific for one reason, and only one, that it created the device under which we are now operating.

Mr. BARKLEY. Of course, we are dealing now with the language with reference to the national interest being imperiled. That is language applying to the selectees, not to the National Guard, or even to the reserve components.

Mr. DANAHER. That is correct.

Mr. BARKLEY. And so far as it applies to the selectees, the language is practically the same as that which was written into the law.

Mr. DANAHER. Of course, the purpose of it is to say that if the Nation has invested blank dollars in a large Army, and then lets that large Army go home, the interest of the Nation in its investment may be imperiled if we do not keep the large Army. To that extent the national interest is imperiled in the sense that we have lost some dollars and cents. But, Mr. President, that is not an issue here, in comparison with the frequency with which we hear the charge on the Senate floor, and no longer ago than 5 minutes, by the Senator from Kentucky, that the national interest is imperiled, and that is the kind of broadsides the country will receive.

Mr. BARKLEY. Mr. President, will the Senator again yield?

Mr. DANAHER. I yield.

Mr. BARKLEY. The very first three lines of the joint resolution which we are now considering say:

That the Congress, acting in accordance with the provisions of section 3 (b) of the Selective Training and Service Act of 1940 hereby declares that the national interest is imperiled.

That is what I said, and that is based upon the law itself under which we are considering this joint resolution.

Mr. DANAHER. Mr. President, I read those lines at the very outset, and said at that time that they were borrowed from the Selective Service Act, and that they were borrowed as a device by which these men are going to be kept in the service, to make up a large Army, and a continuously larger one; a device by which it is proposed to take them away from the ordinary pursuits of their own individual lives, notwithstanding everything we said to them, notwithstanding everything the Commander in Chief, on the one hand, said as to the National Guard, and the Chief of Staff said as to the selectees.

Mr. President, we are told that the national interest is imperiled. What has happened since June 24, 1941, when General Marshall said the selectees were to go home in 12 months? Yet on July 17 he was here in favor of this measure, not declaring that the national interest was imperiled, but seeking to have the Congress adopt a measure declaring a national emergency, and that is what the title of the measure was as it came to us from the War Department.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. TAFT. There is one statement made by General Marshall which I think supports entirely the Senator's contention that the measure was "put across" on the promise that the period of service would be 12 months, and that is found on page 21 of the hearings. The general said:

I said that I would compromise on 15 but certainly we must have at least 12. I admit that is a peculiar way to put it, but I was trying to get the Selective Service Act passed.

In other words, he said, "I made the promise, I agreed to 12 months, because I could not have gotten the act passed unless we placed a 12-month provision in it."

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. CLARK of Missouri. Not only is what the Senator from Ohio has said true, that it was represented that 12 months was a sufficient time for training, and that there would be a general understanding about 12 months, but it was on that basis that the country was lulled into security, that the country did not to a greater extent resent the passage of the original Selective Service Act, or whatever it is now called. It was only on the promise that the men would be called into service for only 12 months, and that the young manhood of the country would be trained in rotation 12 months at a time, that the measure was passed through the Congress and that the country acquiesced in it.

Mr. WHEELER. Mr. President, will the Senator again yield?

Mr. DANAHER. I yield.

Mr. WHEELER. Mr. friend, the Senator from Kentucky [Mr. BARKLEY], said a moment ago that the young men of this country did not read the CONGRESSIONAL RECORD. I agree with that statement. But it is not merely the CONGRESSIONAL RECORD that is concerned. Every single solitary newspaper in the United States and every mother and father from one end of the country to the other understood that these boys were to be called into service for a year. Nothing else was ever stated in the newspapers, nothing else was ever put out in the official reports, nothing else was put out over the radio, than the statement that the boys would be in service for 1 year. Many of us were criticized because we were opposed to that measure, and some persons said, "But these boys are only going to be in service for 1 year." We were criticized by mothers and fathers who said, "We want our boys to have this training."

Mr. President, of course, General Marshall was correct. If the American people had been told that it was intended to keep these young men in the service for an indefinite period of time, or "for the duration," the American people never would have stood for it, and Congress would not have dared to vote for a measure of that kind. Everybody knows that to be so. There is a declaration in the joint resolution to the effect that the national interest is imperiled. No fact has been given to the Congress of the United States by anyone that I know of to show that this country is imperiled today. Not a fact has been given to the people of the country, or to the Congress. All we have heard have been emotional statements by some Senators, some editorial writers, and some propagandists to the effect that we are going to be invaded tomorrow or the next day. The effort is made to frighten the American people and to denounce everyone who says that this country is not being imperiled. Anyone who makes such a statement is cartooned and ridiculed by paid propagandists from one end of the country to the other, and by organizations which say that we ought to go to war now. They are trying to force us into war.

Mr. DANAHER. Let me refresh the recollection of the Senator from Montana by telling him that last August Secretary Stimson told the country that Britain faced a complete emergency in 30 days. Before we acted on the lend-lease bill Secretary Hull told us in January that Britain faced a crisis in not to exceed 30 days. So on June 24, 1941, General Marshall was going to let the boys go home on August 3; the President sailed on a fishing trip, and we were told that we were in peril. [Laughter.]

Mr. BONE. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BONE. I should like to bring into the drab existence of the Senator from Connecticut a ray of celestial sunshine and pour balm into his wounds by bringing to his attention a statement from one of the leading figures of the administration. The statement was given out a few days ago. Let us compose our fears. I think we can eradicate them. The President recently appointed a gentleman to be coordinator—or something or other—of home defense. Presumptively he has inside information, although he is not a columnist. A few days ago he announced that the war will be over in 8 months. So I have quit worrying about the whole business. The gentleman's name is LaGuardia.

Mr. DANAHER. Mr. President, I shall conclude with these observations:

We are being asked to declare in the joint resolution that the national interest is imperiled. We are being asked to hang on that premise the conclusion that the enlistment term of men in the Regular Army must be continued, if not indefinitely, if not for 30 months, at least for a full year beyond the term for which they previously enlisted. We are being asked to extend the term of service of State militiamen who were in the National Guard and who are now in the active military service of the United States beyond their regular term of enlistment. In 1940 there was the representation to the people of the country on every hand that the boys were being taken away for a year's training, and that at the end of that time they were to be returned to civil life. We are now being asked to vote that they be continued in service indefinitely, or for 30 months, or for 24 months, in the Regular Army of the United States. I respectfully submit that on the basis of the record in this case the Congress has reached the point where we ought to stand up and say that a halt must be called some time. We ought to vote against the pending amendment and against the joint resolution.

Mr. CLARK of Missouri. Mr. President, I desire to detain the Senate only briefly on the pending amendment. At a later time I may wish to address the Senate on the joint resolution. I desire to explain the reasons why it is my purpose to vote against the so-called Burton amendment to the Thomas amendment.

I intend to vote against the joint resolution itself because it is a dishonest measure. It is a measure reported from the Military Affairs Committee on the pretense that a very desperate emergency exists. It was brought to the Senate without a frank statement of its extent and purpose, and an effort was made to create the impression that it provided merely a brief extension of the draft provisions of the existing law.

Later it was pointed out and proved on the floor of the Senate by myself and others that the provisions of the draft extension submitted by the War Department provided for the forcible retention of hundreds of thousands of young men now in the service without any limitation whatever as to time. In other words, it provided a draft for the life of the draftees if in the opinion of the responsible authorities, either the President, the Secretary of War, or the minor officials, who really make such decisions, it was desirable. Then a substitute was brought in to draft the men for not more than 2½ years, that is, for a year and a half beyond the term which had been sold to the people of the United States, or at least partially sold to the people of the United States, as being the limitation on the service under the Training Act, as it was called when it passed the Congress a little more than a year ago.

Mr. President, yesterday I voted for the amendment of the senior Senator from Ohio [Mr. TAFT] with the full intention, even if that amendment were agreed to, to vote against the joint resolution. I shall vote against the joint resolution because I regard it as an absolute betrayal of the pledges tacitly made by the Congress, although I am frank to say that they are not written into the act itself. However, pledges were made to the draftees a little more than a year ago when the act was passed.

It seemed to me that I could fairly vote for the amendment of the senior Senator from Ohio [Mr. TAFT], even though I intended to vote against the joint resolution. I could do this because the term suggested by the Senator from Ohio was within the limit expressed during the consideration of the bill a year ago by General Marshall, Chief of Staff, for whom I have great respect and admiration, as the maximum time necessary for adequate training. I should vote against the joint resolution even though that amendment had been adopted, because I regard an extension for 6 months, 3 months, 3 weeks, 3 days, or even 3 hours as a betrayal of the theory on which the bill was passed a year ago, and the representations held out to the American people.

As I say, I regret the fact that yesterday I voted for the amendment of the senior Senator from Ohio. I am not willing to extend that error by voting for the amendment of the junior Senator from Ohio [Mr. BURTON], which goes 6 months beyond any suggestion which was made by the Military Affairs Committee of either House a year ago as to the necessary training period.

Mr. President, we all know the situation. We know that the recommendation for the extension of the term of the draftees was coupled with a recommendation for the repeal of the prohibition against sending the draftees out of the Western Hemisphere; and we know that the two recommendations coupled together were intended to be an authorization for an American expeditionary force without further action by Congress to plunge us into the European war.

All of us know that the only reason for not pressing the second part of the original recommendation of the War Department—that is, the part having to do with the repeal of the prohibition against sending these troops outside the Western Hemisphere—was simply on the same basis that a year ago they cut down their recommendations, and that was in order to pass the proposal piecemeal, a part at a time.

Mr. President, I am going to take the time of the Senate, because it seems to me to be apropos, to read a fable which I

assume is familiar to every Member of this body—the old story of the camel's nose:

One cold night an Arab sat in his tent. His camel asked if he might put his nose inside the tent to keep it warm. "Yes," said the kind-hearted man.

Soon the camel said, "Please let me put my neck inside," which his master permitted.

"It will take no more room if I put my two front feet inside, too, will it?" pleaded the camel.

The man moved over a little to allow that.

"May I please put my hump in, too?" begged the camel.

Then, as soon as his hump was in, the camel walked in altogether.

The Arab began to complain; but the camel said, "If you don't like this small space, you can go outside yourself." Then he gave the Arab a push that landed him right out of his tent, and he stayed inside all by himself.

That was the Arab's reward for allowing the camel to put his nose inside the tent.

Mr. President, this whole series of legislation has been a repetition of the old story of the camel's nose. If the leaders of the War Department had come to this body a year ago with the suggestion that they wanted to keep the men in the service indefinitely—and "indefinitely," of course, is just a euphonious way of saying "forever" or "for life"—if the War Department had come here a year ago, at the time of the passage of the original Draft Act, with the suggestion that they wanted to keep these men in the service indefinitely, forever, for life, or at the discretion of anyone, I undertake to say that the act would not have received a dozen votes in this Chamber. They are pursuing the method of the camel's nose. They get the camel's nose in the tent. They get these men in the Army for a year. Then they come back and say, "Well these men need a little more training."

So far as General Reckord and General Williams are concerned, let me say that I have great respect and affection for both of them. I went to an Army school with General Reckord. I went to the University of Missouri and served in the same outfit with General Williams. He is one of my very dearest personal friends. I have known both of them for years and have great respect and affection for them. But neither one of them nor any other responsible person has said that it was necessary for training purposes or for purposes of national defense to retain these men in the service for more than a few months. Yet the Military Affairs Committee of this body reported a joint resolution authorizing the retention of these men without limitation, for as long as they live; and when that fact was pointed out, and first denied, and then tacitly admitted, they came in with another proposition to retain the men for a year and a half over and above the term for which they were originally drafted.

In the first place, Mr. President, there is not a word of truth in the repeated assertion that by literally carrying out the understanding that was universally held at the time of the passage of the original act we are going to decimate the Army or turn everybody out in such a way that there will not be anyone left to train the men. These men did not all come in at the same time. They came in in very light increments in the first place. The first increments were very light; and they have been increased simply from month to month and from time to time so that they finally arrived at their present strength. All of them will not be discharged at the same time if we carry out the exact provisions of the existing law, but other men will come in who will also have a chance to be trained, and the United States will be in a better position in the event we should have a real emergency in which it is necessary to defend the United States itself by having a greater mass of trained men than it would be under the system of maintaining all the men who are at present in the service unless we are going back to the old Regular Army principle of having men in the service for long-term enlistments. That is essentially what this provision means.

Mr. President, having in mind the testimony of all these experts just a little over a year ago, and having in mind the testimony now, the conclusion is inescapable that if the men who have been or will have been in the service for a year are not properly trained, it is because they have not had the equipment with which to be trained.

I have seen pictures, Mr. President, I have heard reports, I have had letters describing a situation in which men have been trained on maneuvers with an ordinary light truck with a sign on it, "This is a tank." I have seen pictures and I have received reports of an ordinary axle with large wheels and with a single plank on it labeled by a placard, "This is an antiaircraft gun."

Mr. President, if the men who have been in the service and who will have been in the service for a year at the time the year expires have not been adequately trained, it is because the equipment which was necessary, perhaps, for their complete and adequate training has not been afforded for our own military forces. It has been given to some other nation for the defense of some other place.

So I say, Mr. President, that, so far as I am concerned, I am not willing to participate in what I regard as a betrayal of the obligations of the United States toward these young men who have been taken from their homes and subjected to this military training, and who frequently have borne what in many cases is a very serious deprivation in the way of education or of livelihood with great patriotism, great fortitude, and, I may say, with great placidity. But, Mr. President, when the United States Government literally violates the understanding which was had at that time, it is, naturally, in my opinion, not calculated to improve the morale of the men, or of the forces of which they may be a part.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Florida.

Mr. PEPPER. I ask this as a friendly question of the able Senator from Missouri, because I really want to know if he distinguishes the amendment from the situation which now exists. Personally, I shall vote against any limitation of time, because I have the feeling that even if the Congress passed the resolution any limitation would be subject to the same criticism in the future as the provision now in the resolution. Does the Senator feel that way about it?

Mr. CLARK of Missouri. I will say to the Senator that it seems to me every argument which has been made here for an indefinite extension of time, or even for an extension of time for a year and a half, would be an argument for retaining these men in the Army forever as permanent soldiers. The theory of the bill which passed the Congress a year ago was that of a training bill. If we are not to rotate the training, if we are not to make it as universal as possible, we are violating the theory of the original bill.

I voted against the bill when it passed the Congress a year ago. I am glad I did. I would do it again. But when it was passed I accepted the theory of the law, which was a theory of universal military training.

This joint resolution is not an amendment of the former bill. It is not an extension of the former bill. It is a new grant of power and embodies an entirely new theory, because if, when the United States is not at war, men shall be retained in the service for 1 year because they are better trained than the men who have not had any training, why not keep them for 2 years? And if we keep them for 2 years, why not keep them for 4 years? And if we keep them for 4 years, why not keep them for 40 years, or for life?

Mr. PEPPER. Mr. President, will the Senator yield for another question?

Mr. CLARK of Missouri. Yes; I am glad to yield to the Senator.

Mr. PEPPER. Does the Senator feel that if any limitation of a fixed time should be placed in the joint resolution, if the Congress later on should determine to extend that time, any just criticism could be leveled against the Congress for having violated the terms of the contract?

Mr. CLARK of Missouri. Yes, Mr. President; I do. I think that would be simply a second betrayal on the part of Congress. I do not know whether or not the Senator was in the Chamber at the time, but a little while ago I stated that yesterday I voted for the amendment of the Senator from Ohio [Mr. TAFT], but I regretted that I had voted for that amendment, even though at that time I announced my intention of voting against the joint resolution in any event because I think the extension of the service of the men for any length of time when the United States is not at war is a betrayal of our obligations to the men who were drafted.

Mr. PEPPER. And the Senator also would regard it as a breach of faith on the part of Congress if we should extend an extended term?

Mr. CLARK of Missouri. Yes; I should. I think that would be simply piling Ossa on Pelion.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. Yes; I am glad to yield.

Mr. WHEELER. The Senator called attention to the fact, which I think is universally recognized by everybody on this floor and throughout the country, that if these boys have not had any training, or the kind of training they ought to have had, it is because we have not the tanks and the guns that we should have.

Mr. CLARK of Missouri. We have a number of trucks that we can put placards on and call them tanks. [Laughter.]

Mr. WHEELER. For instance, a man told me the other day that he had been taking apart an old truck, or something of the kind, three different times, and putting it together again, but he said, "That training is not of any value to me because when I get a modern truck it will not mean anything to me. But in order to keep me going, to give me something to do, I have taken that truck apart and put it together again three different times."

If we are to keep those boys in service for another year, everybody recognizes the fact that we have not the necessary tanks today, we have not the necessary guns today, and we shall not have them for 6 months, because we are giving so much equipment to other countries.

I am not complaining about giving these things to other countries; but when we are talking about training the boys, that is one thing. If we are to train them, we ought to keep the equipment in this country. I have not any objection to giving it to the other countries under present conditions, because I do not think this country is imperiled; but if Senators believe this country is imperiled and is about to be invaded, they cannot consistently say that we ought to give equipment to China and to Russia and to South America and to every other country on the face of the earth.

It is necessary for those who believe the country is imperiled to take one horn of the dilemma or the other. They cannot take both of them and say they are trying to defend this country. It is perfectly idiotic to do that.

Mr. LEE. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I will yield to the Senator from Oklahoma in a minute.

I absolutely agree with what the Senator from Montana has said. If there is a national emergency, if there is any danger of anything like immediate attack upon the United States, we ought to have in the hands of the men who are now in uniform the weapons with which to defend this country if it is necessary. On the other hand, if there is such remoteness in the danger of attack upon the United States that we can afford to divest ourselves of the weapons necessary for our own defense, there is no sense in keeping the same set of boys in the service indefinitely. We then ought to train even more boys with trucks with placards and axles with placards saying, "This is an antiaircraft gun."

Mr. President, let me also say that to my mind the assertion that the danger to the United States has increased, that the emergency is greater since the act was passed a year ago, is nonsense, folderol, poppycock. When that act was passed it was only a few weeks after the fall of France, at a time when everybody expected the immediate invasion of England, when all the critics and the commentators and the war propagandist group predicted that the Germans would conquer England in from 4 to 6 weeks, and within a few months they would be over on us.

I recall attending a meeting in the office of the distinguished Senator from Massachusetts [Mr. WALSH] at which a number of Senators were present, probably 12 or 15, and at which that allegedly great military critic, Maj. George Fielding Eliot, proceeded to tell us that England could not possibly hold out for more than 3 or 4 weeks, and that we had only a few months, possibly 2 or 3, before the Germans would be upon us. It was in that atmosphere of desperate emergency that that training act—not a service act, but a training act—was originally passed; and I think the Senator from Connecticut [Mr. DANAHER] rendered a great service by reading some of the expressions which were used in that debate at that time. We all remember what they were, all of us who were in the Senate at that time.

In the meantime, England has held out for that whole period. Germany is now engaged with the mightiest enemy in the world and yet we are told that the emergency has progressively increased since those desperate days of a little over a year ago, when France had just fallen, and England was about to be invaded. If our situation today is more perilous than it was a year ago it is absolutely and entirely due to the deliberate acts of this administration. Even with all their mistakes I do not believe this conclusion to be true.

Therefore I say, Mr. President, that the whole theory of the joint resolution is a dishonest theory, one which can only be explained on the ground that the two recommendations in the War Department's annual report, one for retaining all these men in the service, another for removing every limitation except sending them anywhere in the world—can only possibly be explained on the ground that this is the forerunner of an American expeditionary force; that if this measure is enacted, either with the limitation of a year and a half or a year or 6 months, the authorities will feel prepared then, as soon as they can start another drive for the other half of their proposal, the removal of the limitation on sending these men out of this hemisphere, to prepare to maintain war without any further authority of Congress whatever.

For these reasons, Mr. President, I shall vote against the joint resolution as I have always intended to do, and in view of these considerations I shall vote against the amendment of the junior Senator from Ohio [Mr. BURTON].

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the junior Senator from Ohio [Mr. BURTON] to the amendment of the Senator from Utah [Mr. THOMAS]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. STEWART. I have a pair with the junior Senator from Oregon [Mr. HOLMAN]. I transfer that pair to the senior Senator from South Carolina [Mr. SMITH], and vote "nay."

Mr. BANKHEAD. I have a general pair with the senior Senator from Oregon [Mr. MCNARY]. I do not know his position on this question. If I were free to vote, I should vote "yea."

Mr. AUSTIN. I announce the following pairs on this question:

The Senator from Pennsylvania [Mr. DAVIS], who would vote "yea" if present, with the Senator from New Jersey [Mr. SMATHERS], who would vote "nay."

The Senator from Vermont [Mr. AIKEN], who would vote "yea," with the Senator from Illinois [Mr. LUCAS], who would vote "nay."

The Senator from Minnesota [Mr. BALL] would if present vote "nay."

The Senator from Nebraska [Mr. BUTLER] has a general pair with the Senator from Iowa [Mr. HERRING].

The Senator from Massachusetts [Mr. LODGE] has a general pair with the Senator from Mississippi [Mr. BILBO].

The Senator from Pennsylvania [Mr. DAVIS] and the Senator from Vermont [Mr. AIKEN] are absent on official business.

The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], the Senator from Oregon [Mr. HOLMAN], and the Senator from Kansas [Mr. REED] are necessarily absent.

Mr. HILL. I announce the absence of the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER] because of illness.

The Senator from Montana [Mr. MURRAY] is detained on official business in Montana.

The Senator from Mississippi [Mr. BILBO], the Senator from Iowa [Mr. HERRING], the Senator from Illinois [Mr. LUCAS], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Utah [Mr. MURDOCK], the Senator from New Jersey [Mr. SMATHERS], the Senator from Virginia [Mr. BYRD], the Senator from California [Mr. DOWNEY], the Senator from Louisiana [Mr. OVERTON], the Senator from South Carolina [Mr. SMITH], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

The Senator from Virginia [Mr. BYRD] is paired with the Senator from Arkansas [Mr. SPENCER]. I am advised that if present and voting the Senator from Virginia would vote "yea" and the Senator from Arkansas would vote "nay."

The Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Arkansas [Mrs. CARAWAY]. I am advised that if present and voting, the Senator from New Mexico would vote "yea" and the Senator from Arkansas would vote "nay."

The result was announced—yeas 21, nays 50, as follows:

YEAS—21

Adams	Chandler	Taft
Austin	Clark, Idaho	Thomas, Idaho
Barbour	Gerry	Tunnell
Brewster	Gillette	Tydings
Bridges	Hughes	Vandenberg
Brown	Maloney	White
Burton	Russell	Wiley

NAYS—50

Andrews	Hatch	Pepper
Bailey	Hayden	Radcliffe
Barkley	Hill	Reynolds
Bone	Johnson, Calif.	Rosier
Brooks	Johnson, Colo.	Schwartz
Bunker	Kilgore	Shipstead
Capper	La Follette	Stewart
Clark, Mo.	Langer	Thomas, Okla.
Connally	Lee	Thomas, Utah
Danaher	McCarran	Tobey
Eastland	McFarland	Truman
Ellender	McKellar	Van Nuys
George	Mead	Wallgren
Glass	Nye	Walsh
Green	O'Daniel	Wheeler
Guffey	O'Mahoney	Willis
Gurney	Peace	

NOT VOTING—25

Aiken	Davis	Norris
Ball	Downey	Overton
Bankhead	Herring	Reed
Bilbo	Holman	Smathers
Bulow	Lodge	Smith
Butler	Lucas	Spencer
Byrd	McNary	Wagner
Caraway	Murdock	
Chavez	Murray	

So Mr. BURTON'S amendment to the amendment of Mr. THOMAS of Utah was rejected.

Mr. BARKLEY. Mr. President, it had been our hope that we might conclude the consideration of the pending measure today, but obviously that is impossible, because one or two Senators have indicated that they desire to make some brief remarks on the general subject of the joint resolution and I do not desire to hold the Senate in session any longer today. I shall not make any effort today to bring about a further limitation of debate, but I hope that tomorrow early we may consider whether it is wise to have a further limitation of debate, with a view of finishing the consideration of the measure tomorrow.

MRS. CLYDE THATCHER AND MINOR CHILDREN

Mr. BROWN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 3, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same with an amendment, as follows: In lieu of the figures "$2,500" insert "$2,700"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title, and agree to the same.

PRENTISS M. BROWN,
ALLEN J. ELLENDER,
ARTHUR CAPPER,
Managers on the part of the Senate.

HALE BOGGS,
SAMUEL A. WEISS,
JOHN JENNINGS, Jr.,
Managers on the part of the House.

The report was agreed to.

FRED WEYBRET, JR., AND OTHERS

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 1852) for the relief of Fred Weybret, Jr., and others, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BROWN. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER conferees on the part of the Senate.

AUTOMATIC TEMPERATURE CONTROL CO., INC.

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 3121) for the relief of the Automatic Temperature Control Co., Inc., and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BROWN. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. BROWN, Mr. TUNNELL, and Mr. CAPPER conferees on the part of the Senate.

FRED SPENCER

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 3774) for the relief of Fred Spencer, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BROWN. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. BROWN, Mr. ROSIER, and Mr. CAPPER conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry citizens for appointment, and officers for promotion, in the Marine Corps.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Lincoln MacVeagh, of Connecticut, now Envoy Extraordinary and Minister Plenipotentiary to Greece, to be Envoy Extraordinary and Minister Plenipotentiary to Iceland.

By Mr. GEORGE, from the Committee on Finance:

Several doctors to be passed assistant surgeons; and several engineers to be a sanitary engineer, assistant sanitary engineers, and passed assistant sanitary engineers in the United States Public Health Service.

By Mr. GERRY, from the Committee on Finance:

George E. Bigge, of Rhode Island, to be a member of the Social Security Board for a term expiring August 13, 1947 (reappointment).

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the postmasters be confirmed en bloc, and that the President be notified.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc and, without objection, the President will be notified.

That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until tomorrow, Thursday, August 7, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 6 (legislative day of July 28), 1941:

POSTMASTERS

HAWAII

Stephen S. W. Tom, Lanai City.

KENTUCKY

Clarence H. McElroy, Morganfield.

TENNESSEE

Luther M. York, Jamestown.

WASHINGTON

Arthur J. Kralowec, Auburn.
Raymond V. Rosso, Black Diamond.
James R. Stephenson, Issaquah.
Harvey Lewis, Kirkland.
Erica A. Kinney, Lake Stevens.
Barbara J. DeCamp, Nespelem.
Andrew Hunter, Puyallup.
John E. Ober, Vashon.

WEST VIRGINIA

William W. Bourne, Bartley.
John R. Fortney, Morgantown.
Joseph P. Hatfield, Williamson.

WISCONSIN

Donald E. Worrall, Bruce.
Norman M. Johnson, Readstown.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 6, 1941

The House met at 12 o'clock noon.

Rev. Graham Frank, D. D., pastor, Central Christian Church, Dallas, Tex., offered the following prayer:

FOR OUR COUNTRY

Almighty God, who hast given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor

and glad to do Thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogancy; and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of government, that there may be justice and peace at home, and that through obedience to Thy law we may show forth Thy praise among the nations of the earth. In time of prosperity fill our hearts with thankfulness, and in the day of trouble suffer not our trust in Thee to fail. All which we ask through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4911) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1524) entitled "An act to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940."

CONSTRUCTION OF CERTAIN PUBLIC WORKS—CONFERENCE REPORT

Mr. VINSON of Georgia. Mr. Speaker, I call up the conference report upon the bill H. R. 3537, authorizing the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The SPEAKER. The gentleman from Georgia calls up a conference report which the Clerk will report.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3537) authorizing the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2 and agree to the same.

CARL VINSON,
PATRICK H. DREWRY,
W. STERLING COLE,
Managers on the part of the House.

DAVID I. WALSH,
MILLARD E. TYDINGS,
JAMES J. DAVIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3537) authorizing the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to amendment number 1: As proposed by the Senate the public-works projects authorized by the bill may be constructed upon a cost-plus-a-fixed-fee basis instead of requiring that they be constructed under contracts entered into as a result of competitive bidding as proposed by the House.

Amendment number 2: As proposed by the Senate, section 8 (a) of Public, No. 671, approved June 28, 1940, which provided that any statutory limitation with respect to the cost of any individual naval project of construction may be increased as necessary to expedite national defense, was made applicable to the naval public works projects authorized by this act.

CARL VINSON,
PATRICK H. DREWRY,
W. STERLING COLE,
Managers on the part of the House.

Mr. VINSON of Georgia. Mr. Speaker, I yield myself 10 minutes. When the bill H. R. 3537 was before the House for consideration, which was an authorization bill providing for the construction of a lighter-than-air base at South Weymouth, Mass., and at Elizabeth City, N. C., and for various auxiliary lighter-than-air facilities, an amendment was offered by the distinguished gentleman from New Jersey [Mr. SUTPHIN] requiring the building of those bases to be by competitive bids. When the bill was before the Naval Affairs Committee, the usual section exempting competitive bids was not incorporated in the bill. Nothing was said at that time as to the emergency of constructing these lighter-than-air bases. Therefore, when the gentleman from New Jersey [Mr. SUTPHIN] offered his amendment, following the usual policy of the Naval Affairs Committee, that wherever time is not of the essence, that there shall be competitive bids, I accepted the amendment. When the bill went to the Senate the Navy Department, headed by Admiral Moreell, appeared before the committee and pointed out to Senator WALSH and the other members of the committee, that it was urgent that the buildings should go forward as rapidly as possible, and that there would be delay of some 6 months if there was competitive bidding. Therefore the Senate struck out the competitive bidding feature, and afterward, when the conferees were appointed, they accepted the Senate amendment to the House bill striking out the competitive bidding feature of the proposed authorization bill.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. DITTER. On what basis should a delay of 6 months be required to secure competitive bids? In other words, on what does the Navy predicate that assertion.

Mr. VINSON of Georgia. A memorandum was submitted to me yesterday by Admiral Moreell, and I call the attention of the House to this memorandum of August 5, which will answer the gentleman's question:

When the hearings on this bill were held before the Senate Naval Affairs Committee the Navy Department indicated that the program of procurement of the lighter-than-air craft which are to be operated from the two stations in Massachusetts and North Carolina is such that these craft will be available for operation in May 1942. In order that the stations from which these craft will operate shall be available, work must be initiated at once and prosecuted vigorously.

Acting under authority granted by the Second Deficiency Appropriation Act, 1941, Public, No. 150, approved July 3, 1941, the Department has proceeded with the negotiation of a contract for the station at Elizabeth City, N. C., and that work is now getting under way. Negotiations for the station at South Weymouth, Mass., have practically been completed, and it is is expected that within the next week this work will also be under way.

Unless the stations from which the ships are to operate are available, the expenditure for the ships will not be fully productive and we will not obtain the benefits which we expect from these craft. In order to effectively patrol the strategic approaches to our shores from the eastward, it is essential that the bases from which the ships operate shall be able to support those ships.

The Department reports that, if required to construct these bases by competitive bidding, there will be a delay of 6 months or longer in the completion of the stations. The present uncertain labor and material markets are such as to discourage competitive bidding except under the most favorable conditions. The uncertainty of delivery of materials induces prudent contractors to include large items for contingent expenses in their bids. Similarly, the instability of the labor market leads to increased bids. The Department reports that under present conditions of uncertainty, these bases can be constructed not only more quickly, but more economically under the fee system than by competitive bidding.

The Department has also pointed out that in numerous instances during the past year the uncertainty of the construction market was such that in some instances no bids were received and in a number of instances only one bid was received for important works.

In the hearings on H. R. 5312, the public-works authorization bill—

That just carried $300,000,000—

it was pointed out that on 4 contracts of appreciable size no bids were received and on 35 contracts only 1 bid was received. The condition of the construction market is getting worse, not better, and it is reasonable to assume that the number of instances where no bids are received or where only 1 bid is received will increase. The receipt of only 1 bid indicates a lack of effective competition.

If we should require the Department to do its work by competitive bidding and if the Department does not receive any bids for the work, there would be no authority to proceed and the work would be effectively stopped until additional legislation is obtained.

In this time of emergency we must give the Department freedom of action within broad limits.

Now, I call particular attention of the House to this statement:

The Department has repeatedly gone on record in testimony before the Naval Affairs Committee that it favors the competitive-bidding method of doing work wherever that method will lead to the accomplishment of the work with speed and economy. During the past year, out of a total of 731 Public Works contracts, 590 were performed by competitive bidding and 141 by negotiation. The

volume of work performed by competitive bidding is $64,000,000, or eight times the normal annual Public Works load of the Department. From this it can be seen that the Department is keenly aware of the desirability of performing work by competitive bidding wherever it is practicable to do so.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Yes; I yield.

Mr. DITTER. I appreciate, of course, the informative statement that the Department has submitted, through the gentleman, to the House, but I am wondering whether the gentleman does not gree with me that it represents rather a sad state of affairs when the Navy Department must complain that there has been such failure of coordination, such complete incompetency of administration, that the type of construction which they favor, to wit, competitive bidding, cannot be resorted to in this instance because of the failure to secure materials and secure the necessary labor for construction? That, it seems to me, indicates that somewhere the cogs are not fitting together in this stupendous program that has been built up by this administration. That is what I regret. I know how the gentleman feels about competitive bidding, and I simply join with him in expressing my regret of the collapse, or at least the incompetency, that is manifested.

Mr. VINSON of Georgia. Well, I do not share the opinion of the gentleman that there is a collapse.

Mr. DITTER. Well, incompetency.

Mr. VINSON of Georgia. Or that there is any incompetency. This is a big undertaking, and contractors, just like you or me, if we were contractors, with the uncertain cost of labor, with the uncertainty of obtaining materials, with priorities existing, would be more hesitant in making a close bid because of those contingencies. You would be unable to say whether you are going to be able to deliver an article within the time limit, and, therefore, not subject yourself to penalties.

The SPEAKER. The gentleman has consumed 10 minutes.

Mr. VINSON of Georgia. Mr. Speaker, I yield myself 5 additional minutes.

The Navy Department is to be commended for adhering, wherever possible, to the competitive bidding. I was utterly dumfounded when Admiral Moreell put a request into the record on the bill the other day which called for 1,200 items, $3,000,000,000, that permission to do it by negotiated contracts if he saw fit to do so, when it was disclosed that out of seven-hundred-odd contracts, 500 have been by competitive bidding. Yet we are up against the proposition today in 4 big cases, and they are right in this report, where they were unable to get any bids; and in 34 cases there was only 1 bidder. Now, what would Congress say if there was only 1 bidder and we awarded the contract to that bidder? You would immediately say that there was no competition, because 1 bidder is not competition.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Pennsylvania.

Mr. RICH. In his report he spoke about the fact of the unstable condition of prices. I want to say to the gentleman that the Navy ought to know there is nobody who has created those unstable prices more than the Army and Navy in not permitting competitive bidding, for this reason: They go out and say, "We will give you a cost-plus contract to build this, that, or something else." Those men go out in the market. There is nobody who is as great a buyer as the Army and Navy. They will say, "We want this." The price does not mean anything to these contractors because the more they pay the more they get, because their commission is greater. If the Army and Navy is creating these prices and then condemning it, they are the fellows who are responsible, more than anybody else in the country today, because they do not go out and ask for competitive bids. As a real businessman, I find that the 6 months that will be required to get competitive bids just does not make sense, because they can ask for drawings and specifications, and it is not going to take them, with all the men they have at their command, 6 months to get their blueprints and drawings ready.

Mr. VINSON of Georgia. Mr. Speaker, I yield to the gentleman from Missouri.

Mr. COCHRAN. The gentleman knows how strenuously I have opposed legislation exempting the provisions of section 3709, which has to do with advertising for bids on Government projects. I had an experience last week which is rather illuminating. A St. Louis contractor was low on a competitive-bid job. He based his bid upon price of material he had received from materialmen, and they gave him a 10-day option at that price. There was a delay here in awarding the contract because the figure was a little above the allocation. The contractor wired the materialmen for a 10-day extension. They wired him back, refusing the 10-day extension but giving him a 5-day extension, and told him if he did not accept their figure then up would go the price; that they could not control it. How are you going to place the blame on the Army and Navy for entering into negotiated contracts under such conditions? The supply and demand control, unless we limit price legislation, I feel, is much desired. Admiral Moreell's explanation suits me. He has shown himself by performance to be an outstanding man in handling public work. Despite the tremendous amount of projects he has handled, there has been practically no criticism, and the record shows he gets results. Where there is an emergency such as this, of course, I do not insist section 3709 control.

Mr. VINSON of Georgia. Of course not; and how are you going to blame them for going ahead with negotiated contracts when they are unable to get contractors to bid on account of the uncertainty of labor, on account of the uncertainty of materials? Who knows today what carpenters are going to be paid tomorrow, or mechanics, or plumbers? When a man makes a bid on a job lasting over 6 months, he generally has a stable basis on which to make his bid. To give another illustration: In my district, in Macon, Ga., a cantonment has been built and other Army activities are going on. The prevailing rate of wage for carpenters was 85 cents an hour, but now they are demanding $1.15. Suppose a contractor had bid at the prevailing rate of wage there of 85 cents. What would happen to his contract? You can see what contractors are up against, and this condition prevails all over the United States.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Speaker, I yield myself 5 additional minutes.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Certainly.

Mr. HOFFMAN. And when the Mediation Board gets hold of it they recommend the increased wage.

Mr. VINSON of Georgia. Certainly.

Mr. HOFFMAN. What is going to be the result on the taxpayer?

Mr. VINSON of Georgia. All right. The result is they cannot tell what the cost is going to be and they are forced to go to negotiated contracts on account of the uncertainty.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I cannot yield further.

Mr. HOFFMAN. No; it is getting down where it hurts.

Mr. VINSON of Georgia. Mr. Speaker, I hope the House will adopt the conference report.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. SABATH. I regret I was not on the floor when the gentleman explained these amendments. Would he for my benefit briefly state their effect?

Mr. VINSON of Georgia The principal amendment puts these bases under competitive bidding instead of negotiated contracts—the one in Boston, the one in Elizabeth City, N. J., and these auxiliary bases.

Mr. SABATH. The number was not increased to six as they originally desired?

Mr. VINSON of Georgia. No; only these three.

Mr. SABATH. It is being held down to three?

Mr. VINSON of Georgia. That is right. We are keeping faith with the gentleman's committee. The other day we passed a bill involving 1,200 items for public works, shore stations, involving $300,000,000; and we gave the Department permission to negotiate those contracts. If there ever was a complete case of straining at a gnat and swallowing a camel this is that case, on these three little $15,000,000 items when a week ago we passed $300,000,000 involving 1,200 sites and we permitted them to do it by negotiated contracts.

Mr. RICH. Mr. Speaker, will the gentleman yield for a question?

Mr. VINSON of Georgia. I yield.

Mr. RICH. I want to congratulate the chairman on trying to do what he thinks is best and get things going. The gentleman talks about high prices. The administration has its Henderson trying to control prices. Why not get Madam Perkins in here to control the price of labor? She has gone sky high. You give the soldier $21 a month, but you let the C. I. O. and some of these other labor organizations raise the price of labor so high that nobody can pay for it.

Mr. VINSON of Georgia. Ever since January I have been trying to regulate labor, but I have not been able to get the gentleman from Pennsylvania [Mr. RICH] to put his whole shoulder to the wheel.

Mr. RICH. Why, I have been trying to help the gentleman. I am for regulating Madam Perkins, the C. I. O., and all these labor leaders. The gentleman knows that.

Mr. VINSON of Georgia. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. LANHAM].

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. LANHAM. Mr. Speaker, I ask unanimous consent that the Committee on Public Buildings and Grounds may have permission to sit during the session of the House today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONSTRUCTION OF CERTAIN PUBLIC WORKS BY THE NAVY DEPARTMENT

Mr. VINSON of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. SUTPHIN].

Mr. SUTPHIN. Mr. Speaker, when we read this morning's paper and its articles on war news we see frequent reference to smoke screens. Smoke screens are used for but one purpose, to conceal something.

It was brought out at the time this bill was considered in the House that only six of these nonrigid blimps would be built within a year. The approximate cost of each of the six is to be in the neighborhood of $300,000. Now we are asked for $13,000,000 to house these six ships. This means it will cost approximately $1,800,000 apiece to house them, and this at a time when they say there is a scarcity of material and a scarcity of labor. What is the haste in letting these contracts? My distinguished chairman told you that the Navy Department had awarded construction contracts for more than $634,000,000. Of that total, $570,000,000 was awarded on a negotiated basis, and the average contract in this $570,000,000 aggregate amounted to $4,000,000. Only $63,000,000—10 percent of the entire amount which has been expended—has been awarded on competitive bid. These were the relatively smaller contracts, for the average award was only $109,000.

Ninety percent of the funds expended by the Bureau of Yards and Docks were awarded on a negotiated basis to approximately 40 contractors. I understand that one contractor has at the present time more than $127,000,000 of contracts, while many other contractors have not received anything. If anybody can show me why these bases for the nonrigid dirigibles, that will not be built for a year, and we have appropriated for only 6 at the present time, should be built, I would like to have him do so.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. SUTPHIN. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. The gentleman from New Jersey stated that these lighter-than-air ships will not be ready for a year. Captain Rosendahl notified me this morning that the first one will be received between now and the 1st of September, and that in each month until the end of the year they will be delivered one a month. They are being turned out one a month and will all be housed temporarily at Lakehurst.

Mr. SUTPHIN. That is not in accordance with the statement which he made when he appeared before our committee. I believe the gentleman mentioned in the statement which he read that they would not be available until next April.

Mr. VINSON of Georgia. These plants will be available. The space will be available in May 1942.

Mr. SUTPHIN. At the present time we have facilities for housing these lighter-than-air ships. Only yesterday we heard Admiral Robinson, Chief of the Bureau of Ships, who appeared before our committee, say that the competitive bid system is the real American way, and I for one am going to oppose the adoption of this conference report.

Mr. VINSON of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I regret that I have not heard the whole debate on this conference report in regard to the dirigibles. I fought the original bill as hard as I could in the Rules Committee. I am not quite sure now how many was asked for, but as I remember a very large number.

Mr. VINSON of Georgia. May I say to the gentleman that this is for providing two bases.

Mr. FISH. I know that.

Mr. VINSON of Georgia. The authorization is for 21 dirigibles, but we are only appropriating money for 6, and this is for the bases in this year's program.

Mr. FISH. How many did they want?

Mr. VINSON of Georgia. Not more than 48 in all.

Mr. FISH. They asked for 48 in all, and the Rules Committee fought it bitterly. So it is reduced in this bill to 6 as a compromise. These dirigibles cost a whale of a lot of money. I do not venture to say the exact amount because my memory may not be accurate, but it is up in the hundreds of thousands of dollars per dirigible—probably three or four hundred thousand dollars. In addition to that they want these huge sheds that you put them in, these hangars, which run up into the millions of dollars. For what? For something that no army in the world uses today. All the European armies have discarded them as being outmoded. They are easily shot down by a single airplane. So the Committee on Rules refused to give a rule on the bill that first came before it. As a compromise, however, we cut it down to 6 as a test or experiment, and that is too many.

Mr. Speaker, I took this opportunity to say these few words, and in addition I want to state something else I learned while in camp.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. TABER. This bill only calls for nonrigid ships. It does not call for the rigid dirigible. These are all small ships designed to lay out over the entrances to harbors to watch for submarines, for which everyone of the naval officers who appeared before us told us they were well suited. I am opposed to the big dirigibles myself, but this is not that proposition.

Mr. FISH. Mr. Speaker, may I say that just a few weeks ago I made a trip in one of these blimps at camp. If there are any members of the Military Affairs Committee present I wish they would listen to what I am going to say, because I think it is of some military value, and that is the reason I take this time.

During the World War we used so-called balloons with artillery observers in them. It is true that in the World War we had a certain number of balloon casualties, and because we had casualties we have discarded these balloons. I am not referring to balloon barrages for the protection of cities like London and other cities. I am talking about artillery balloons for observation purposes. We discarded them because we had a number of losses in the World War. We ought to have thousands of these balloons. You can build one of them for a thousand dollars, whereas these great dirigibles cost three or four hundred thousand dollars and are of practically no military value. Where you are fighting in forests you absolutely need these balloons for observation. We have none of them in the Army today.

Mr. Speaker, it was an amazing thing. Generals, colonels, and other officers urged me to take the floor of the House at the first opportunity and ask the Military Affairs Committee to look into this situation. Our Army is practically blinded when it gets into forests. There is no possibility of making observations. We have none of these balloons.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. FISH. Mr. Speaker, I hope the members of the Military Affairs Committee will bear with me because these are busy days and it is impossible for me to go around to each individual Member and explain to him the reason why we should have these balloons filled with helium, so they cannot be burned up; with observers, equipped with parachutes. If they are attacked by aircraft we should welcome enemy airplanes coming down to two or three thousand feet to attack them because these balloons will be good bait.

We could destroy such enemy planes easily. These balloons cost only $1,000, and we could afford to lose them, provided we shot down the attacking planes. Six of these balloons can be carried on

one truck and inflated wherever necessary.

If we are to have an army, we must have the best army in the world, and we must not have a blind army. We must provide our artillery with the best possible equipment and eyes. I defy anybody to show any reason—because no single officer down at Fort Bragg, which is an artillery camp, could give any reason—why we should not have artillery balloons; and all that spoke to me urged that we provide them immediately and that Congress make them available.

Mr. VINCENT of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Kentucky.

Mr. VINCENT of Kentucky. The gentleman understands that these balloons cost $300,000 to $350,000 apiece. The gentleman is talking about the others.

Mr. FISH. I was talking about the big dirigibles at the outset.

Mr. VINCENT of Kentucky. That is not the class in this bill.

Mr. FISH. I realize that these little blimps may be all right, but they do not have any real military value.

Mr. VINCENT of Kentucky. I am talking about those in this bill.

Mr. FISH. I am not opposing that. They are only a handful. The expenditure of $1,000,000 means nothing these days. I am opposing the building of 48 of these big dirigibles, and I am glad that they are not included in the bill.

I hope the Committee on Military Affairs will do something to provide the Army with eyes and the necessary artillery observation balloons.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I always have commended the Committee on Naval Affairs on its work, and I feel that they have been performing their duty well, but unfortunately I think they have been imposed upon by the Goodyear Co. and by a company, the Goodyear Zeppelin Corporation, partly owned by German interests, now known as the Goodyear Aircraft Corporation. These companies have been trying to make us believe that it is necessary to build 48 of these blimps.

I have a letter stating that the Goodyear Aircraft Corporation is a wholly American-owned subsidiary of the Goodyear Tire & Rubber Co., but, notwithstanding, it is claimed that the transfer was made for convenience sake. I do not know. Nevertheless, I do know that the Goodyear Aircraft Corporation, regardless by whom it may be owned, is the only company that can comply with the specifications for the construction of these lighter-than-air machines, which will cost from $300,000 to $350,000 each, and apparently they have convinced some of the gentlemen formerly connected with the Government service, including Thomas A. Knowles; Commander Fulton, United States Navy, retired; a Mr. F. W. Von Meister; and others, that these so-called blimps possess great advantages and will be very useful for observation purposes. The Committee on Rules finally granted a rule for the bill providing for the construction of blimp bases at a cost of $5,000,000 to $6,000,000 each, with the understanding that the number of stations proposed would be reduced from 6 to 3. Originally, when my attention was called to the proposed construction which involves the expenditure of millions of dollars, I inquired whether it would not be advisable to appropriate for planes with a cruising radius of two or three hundred miles, or, better still, to appropriate a few thousand dollars to perfect, not develop, the helicopter, which can be produced at a cost of $7,500 to $10,000. The advantages of a helicopter over a blimp are manifold, in that it can attain 2 or 3 times the speed of a blimp, can be equipped with guns, can take off from a small space, and possesses other advantageous operations that I shall not take the time to enumerate. Suffice to say that 25 or 40 helicopters could be constructed at the cost of 1 blimp, not mentioning the savings of these millions for blimp stations.

Mr. VINCENT of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Kentucky.

Mr. VINCENT of Kentucky. Does the gentleman say that 48 have been authorized?

Mr. SABATH. Yes.

Mr. VINCENT of Kentucky. What is to prevent the Committee on Appropriations and the Navy Department from coming in and asking for the entire 48?

Mr. SABATH. This will prevent it. We can oppose it and fight it and prevent a questionable appropriation of from $12,000,000 to $15,000,000.

Mr. VINCENT of Kentucky. Why not stop it now? Let us vote against this conference report.

Mr. SABATH. The Committee on Rules has done its duty. We have cut this authorization down more than one-half, and we are going to observe that these 48 blimps are not built in the Goodyear plant at their own price just because there are some gentlemen in the Navy Department who have been mesmerized or hypnotized as to the building of these blimps of doubtful value.

Mr. VINCENT of Kentucky. Why not kill the six?

Mr. SABATH. Only 3 stations are authorized in this bill. We reduced the number from 6 to 3. We have done fairly well. Let us try the 3.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Michigan.

Mr. HOFFMAN. If I understand the gentleman correctly, then, he does not believe at all in that proposition. He does not believe in the efficiency of the dirigibles, but he is going to let us have 3 stations when he knows it is all bad.

Mr. SABATH. I am of the opinion that blimps are of doubtful value for coastal observation purposes, but let us give them a real test to determine their efficiency, which will serve to guide us in the future if additional appropriations are sought. The stations could be used for other purposes if the blimps prove of no value.

Mr. HOFFMAN. That is just to promote harmony?

Mr. SABATH. No; that was the very best thing we could do. We have tried our utmost on this proposition. The gentleman from New York was very helpful to the chairman of the committee, and we reduced the authorization. The Committee on Rules spent about four half days on this subject. We had some Navy officers appear. I am satisfied there is a great deal of influence being used with some of the gentlemen in that Department.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. FISH. Is it not a fact that, due to the gentleman's investigation, he believes that this is a racket, a money-making racket?

Mr. SABATH. No; with the exception of the Goodyear Co. and the American Zeppelin Co., which was partially owned by a German corporation, I understand that the German interests have been acquired by American interests, and it remains for us to judge, upon the completion of the blimps and the price charged for them, whether the Government has been gouged by the one company that can manufacture them according to specifications.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. SUTPHIN) there were—ayes 75, noes 9.

So the conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF TIMES OF ENLISTMENTS, APPOINTMENTS, AND COMMISSIONS IN THE ARMY

Mr. SABATH, from the Committee on Rules, submitted the following resolution (H. Res. 290), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the joint resolution (H. J. Res. 222) declaring a national emergency, extending terms of enlistments, appointments, and commissions in the Army of the United States, suspending certain restrictions upon the employment of retired personnel of the Army, making further provision for restoration of civil positions to members of the Army on relief from military service, and for other purposes, and all points of order against said joint resolution are hereby waived. That after general debate, which shall be confined to the joint resolution and continue not to exceed 6 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Military Affairs, the joint resolution shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Military Affairs now in

the joint resolution, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the joint resolution or committee substitute. The previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF ENLISTMENTS IN THE NAVY

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 353) to provide for the extension of enlistments in the Navy, and consider the same.

The Clerk read the title of the bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Georgia tell us what this bill does?

Mr. VINSON of Georgia. Mr. Speaker, the Rules Committee has granted a rule, and if the unanimous-consent request is granted, I will ask that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of this bill, one-half of the time to be controlled by myself and one-half by the gentleman from Oregon [Mr. MOTT]. I am simply trying to save time, and I hope we can finish the consideration of the measure before the conference of the members of the minority party takes place.

Mr. MARTIN of Massachusetts. Will the gentleman explain the bill? Then we can find out whether we wish to grant consent or not.

Mr. FISH. Mr. Speaker, I am in entire accord with the purpose of the gentleman in saving time if the gentleman will allow us some time.

Mr. VINSON of Georgia. I am going to ask for 1 hour, one-half of the time to be controlled by myself and one-half by the gentleman from Oregon [Mr. MOTT], but I have first got to get unanimous consent.

Mr. MARTIN of Massachusetts. I did not understand that the request provided for 1 hour of debate.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to call up the bill (S. 353), and if unanimous consent is granted, then I ask unanimous consent that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, and that there be 1 hour of general debate, one-half to be controlled by myself and one-half by the gentleman from Oregon [Mr. MOTT].

Mr. MARTIN of Massachusetts. I have no objection to that, Mr. Speaker.

Mr. HOFFMAN. Reserving the right to object, is there going to be any opportunity for unanimous-consent requests this morning?

Mr. VINSON of Georgia. I withhold the request for the time being, Mr. Speaker.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two particulars and to include in each a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks and to include a copy of an opinion of the United States Circuit Court of Appeals for the Second District.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. SWEENEY addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein two resolutions.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

WAGES AND FARM PRICES

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, yesterday an editorial entitled "Guns and Butter" appeared in the Washington Post. Giving its usual antagonistic viewpoint toward a square deal for the farmers of the Nation, the Post seeks to clamp a lid on farm prices as the solution of rising living costs. Its silence in regard to wages for labor having a ceiling also established shows the same class preference as does the administration's proposal for price fixing.

Labor is certainly entitled to decent wages, but so is agriculture. The two go hand in hand. What the farmer buys is mostly the product of labor. I insist, Mr. Speaker, that if a ceiling is placed on farm products, that ceiling must of necessity be applied to his purchases. The farmer is the greatest one market for the products of labor in America. The Post seeks to hold down the purchasing power of the farmer and in that way directly contributes to the lowering of wages for labor in America.

EXTENSION OF REMARKS

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter to the Committee on Ways and Means from the Advertising Federation of America.

The SPEAKER pro tempore (Mr. WHITTINGTON). Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that I be permitted to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that upon the conclusion of the legislative business of the day and any other special orders, I be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. The Chair would suggest that the gentleman confer with the minority leader.

Mr. MARTIN of Massachusetts. For 10 minutes. That is all right.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks and include two editorials.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a short article.

The SPEAKER. Is there objection?

There was no objection.

Mr. TIBBOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of a letter on defense planning by Maj. Gen. William C. Rivers, retired.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. OSMERS. Also, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of an editorial in the August 1941 issue of the Aero Digest, entitled "The Sword of Damocles."

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PERMISSION TO FILE REPORT

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a report from the Committee on Interstate and Foreign Commerce to accompany House Joint Resolution 228.

The SPEAKER pro tempore. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. Is there a minority report?

Mr. COLE of Maryland. This is a unanimous report from the committee.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXPENDITURES IN GOVERNMENT

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, whatever may be our political faith, there is something here which should not be lightly dismissed. Democrat or Republican, every American citizen must be deeply concerned when the Nation's Chief Executive begins spending money without specific authorization of the one governmental unit entrusted with the power to give it. Congress is in session. Any appropriation could be speedily enacted, emergency or otherwise. Any real need for funds to keep our military forces prepared would find ready response in the present state of world affairs.

Why must our President choose a roundabout approach to a legitimate need? Yes, Mr. President, what goes on with our money? No less important, what goes on with our constitutional processes of government?

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a report by Administrator Raver on Columbia River power. This exceeds the amount allowed under the rule by 1½ pages and will cost $150. It is a very important report.

The SPEAKER pro tempore. Without objection, the request is granted.

There was no objection.

EXPENDITURES IN GOVERNMENT

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, does the gentleman want a quorum?

Mr. RICH. Mr. Speaker, I do not know what the gentleman from Ohio [Mr. BENDER] is referring to when he says the President of the United States should keep his eye on spending. The President of the United States said he would cut down the regular expenditures of government by a billion dollars. He has not made any effort to do it. Mr. Morgenthau made the same statement. He has made no effort to cut expenditures.

I just want to call attention to the Treasury statement of July 31. In the first month of this fiscal year you have gone in the red $1,260,000,000. That is $40,674,000 per day. Are you going to attribute that all to national defense? Certainly not. Too much of it is for the regular operating expenses of government, and the President and Mr. Morgenthau and the whole Cabinet are not doing a thing to cut down these expenses, and neither is the Congress.

[Here the gavel fell.]

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

MRS. ROSABELLE CHESTNUTT

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I present a privileged resolution (H. Res. 291), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid, out of the contingent fund of the House, to Mrs. Rosabelle Chestnutt, widow of Ray L. Chestnutt, late an employee of the House, a sum equal to 6 months' salary compensation and an additional sum not to exceed $250 to defray funeral expenses of the said Ray L. Chestnutt.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTRIC LIGHT AND POWER RATES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I want to say, in following up what the gentleman from Mississippi [Mr. RANKIN] just said, that if anybody is far from being a Socialist it is the gentleman from Mississippi. But the plain truth about the matter is that if his efforts and those of the rest of us who agree with him to bring electricity at what it is worth to the people of America, are successful, then for the first time do you have a real opportunity for an increase in true private industry, where there is a chance to use that power on a fair basis among all industries and at a price the little man can pay. And, furthermore, it means as one of the basic things that will happen, that electricity can be brought to the farmers of America at a price they can pay, which will mean a better chance to maintain independent ownership of farms in this country. If anything is essential to a democratic system, this is. And even more fundamentally, this is as true as it can be—that the business of generating and distributing electric power is not, and never was in any accurate sense of the word, a private business. It is a public business as much today as is the distribution of water.

[Here the gavel fell.]

THE LOST COLONY

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BONNER. Mr. Speaker, on the shores of Roanoke Island, in North Carolina, there has been shown for the past 5 years a spectacular drama, The Lost Colony, written by Paul Green, the great American playwright. The site of this play is old Fort Raleigh, the home of Sir Walter Raleigh's colonies. Here the first English settlers arrived in America. Here was born the first English-speaking white child. Here it can truly be said that American civilization and the fight for freedom and liberty began. This drama depicts the trials and tribulations of seeing The Lost Colony, to be the claimed by all who have had the pleasure of seeing The Lost Colony, to be the Passion Play of America.

The Roanoke Island Historical Association desires to invite the membership of Congress and their official families to see this play as their guests, and it gives me great pleasure to extend the invitation. Tomorrow each of you will receive in your mail a pamphlet of The Lost Colony. I will be delighted to write letters of introduction to the management of the drama for any Members who desire to visit Roanoke Island and the showing of this magnificent drama.

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, I had the great pleasure a few weeks ago of being able to see the great historical spectacle just mentioned by the gentleman from North Carolina and to which he just extended such a fine invitation to the Members of the House.

That pageant, The Lost Colony, presents one of the most remarkable historical scenes it has ever been my pleasure to witness. It is beautifully acted. It is intensely interesting, and it is magnificently American from beginning to end. Anyone who gets within a range of 200 or 300 miles of Roanoke Island or Manteo should go to see this play, The Lost Colony. It is the best thing of its kind in America today.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. BONNER. I thank the gentleman from New York for his kind statement. I am sure the people of North Carolina appreciate his interest.

[Here the gavel fell.]

JOINT INCOME-TAX RETURNS

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CROWTHER. Mr. Speaker, in view of the recently published letter from the President to the chairman of the Ways and Means Committee, in which he opposed the mandatory joint return contained in the tax bill, and also in view of the fact that this provision was stricken from the bill on Monday afternoon, I desire to present to the House a paragraph from a press-conference report, held on August 31, 1940, which reads as follows:

"The fact was," the President said, "that he had made it a rule not to comment on

legislation still pending before Congress ever since he came to office in 1933."

Just how does that statement square with the President's letter regarding the Guffey coal bill and his action as described above?

EXTENSION OF ENLISTMENTS IN THE NAVY

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 353) to provide for the extension of enlistments in the Navy.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 353) to provide for the extension of enlistments in the Navy, with Mr. CLARK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 15 minutes, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. VINSON of Georgia. Mr. Chairman, the purpose of this bill is to authorize certain changes in enlistment contracts in the Navy and Marine Corps and to provide added inducements to men to reenlist when they are discharged.

As the Congress and the public are fully aware, one of the vital problems at times like these is to make sure there are adequate numbers of trained men in our armed forces. Up to now, the personnel of the Navy have been maintained entirely on a voluntary basis. Although the law authorizes it, no selectees have been taken into the Navy. The short term of service for which they are available is one important reason for the Navy's decision on this point.

When the terms of enlistment of these volunteers expire, however, it is mandatory that these men be discharged. In the Naval and Marine Corps Reserves, on the other hand, men agree when they enlist to be held on beyond the end of their enlistments during war or a national emergency. If this bill is enacted into law, the Secretary of the Navy will be authorized, by the second proviso of section 1, to enlist men in the Regular Navy and Marine Corps in the same manner. They will have agreed to being held on, if necessary, so that they will be in the same status as those in the Reserves, and they will be discharged within 6 months after the termination of the national emergency.

The Naval Affairs Committee has come to the conclusion that the Navy today is faced with a serious personnel problem. This country is experiencing one of the greatest periods of industrial activity it has ever known. Defense industries are expanding daily, and to expand they need more and more able and skilled workmen. Discharged enlisted men of the Navy with their excellent training as machinists, electricians, and so forth, are splendidly fitted and in great demand. The wages paid by industry are most attractive to these men, many of whom have been separated a good part of the time from homes and families by their naval service.

At the same time, the Navy is expanding at a tremendous rate. New ships being constructed and commercial ships being acquired and converted create a steadily increasing need for large numbers of men. This is particularly true of trained men. Yet the fact must be faced that it is these trained men who are leaving the Navy in large numbers to take positions in private life.

During the fiscal year 1940, of the 29,000 men who were discharged at the end of their enlistment, 22,000 reenlisted, or about 75½ percent. During the fiscal year just ended there were over 27,000 discharged, and but 19,500 reenlisted, or 71½ percent. That the situation is getting steadily more serious is evidenced by the fact that during the last 3 months of this fiscal year reenlistment percentages decreased from 69½ percent in April to 60 percent in June. And the experienced men made up the largest proportion of this loss.

The House will readily recognize that something must be done to correct this situation. This bill, as it passed the Senate, would provide that men hereafter enlisting shall agree to having their enlistments extended by the Secretary of the Navy for an indefinite period if the public interests in time of war or national emergency make it necessary. The Naval Affairs Committee considers this a step in the right direction for the future; but, bearing in mind the desirability of voluntary enlistments, it has seen fit to amend the bill so as to offer additional inducements to these trained men to reenlist.

The amendment of which I am speaking is set forth in section 2 of the bill. It provides for an additional enlistment allowance to every man who reenlists on board his ship or at his station within 24 hours after he is honorably discharged.

The Joint Service Pay Act of 1922 provides that honorably discharged men who reenlist within a period of 3 months receive an enlistment allowance of $50 in the higher ratings and $25 in the lower ratings, multiplied by the number of years served in the last enlistment. So the effect of this amendment will be to double the enlistment allowance for all men who are willing during war or national emergency to immediately obligate themselves to serve another term of enlistment. In other words, a man in one of the first three pay grades who has just finished serving a 4-year enlistment will receive $400 if he reenlists within 24 hours, whereas, if he chooses to reenlist later, and within 3 months, he will receive but $200. In the case of the men in the lower pay grades this comparison will be $200 and $100.

With many ships stationed in Hawaii and at other points outside the continental limits of the United States, the advantage of having them reenlist at once in the ship in which they are serving and in which they have gained their experience will have a very decided effect upon the efficiency of those ships. The committee considers that this amendment will have the effect of increasing the number of reenlistments with all the resulting benefits.

One of these benefits, and a most important one for the future, will be that men who reenlist will not have to be discharged 6 months after the termination of war or national emergency, while men who would be detained under section 1 of the bill, and all the reserves, will be so discharged. Even though the emergency might end, the Navy will have to maintain itself in an efficient state. To depopulate it by the discharge of duration-of-the-emergency men would be a serious matter. That was the condition which existed after the last war, and we must guard against it this time.

The first part of the first section of the bill which prescribes terms of enlistment for minority or for 2, 3, 4, or 6 years, and which provides for the discharge of minors who have enlisted without the consent of their parents or guardians is not new law. These provisions already exist in various statutes and are merely brought together here so that all the law on this subject will be in one statute.

I have an amendment to offer in connection with section 3 of the bill as reported by the Naval Affairs Committee, to strike out section 3 and substitute therefor a new section 3 which will make this bill applicable to the Coast Guard.

Section 3 of the bill as reported, which would authorize the appropriation of money to effectuate the purposes of this act, needs to be stricken out because it appears that a question may arise as to whether or not the Navy Department would be authorized to pay the extra enlistment allowance out of current appropriations. This has been brought to my attention since the hearings. It is intended that payment of the extra allowance begin immediately upon approval of the act, so that men who are discharged can be put on notice that they can get it if they reenlist immediately. Even to have to wait until the Comptroller General had ruled on the availability of current appropriations would result in inequities in many cases.

The new section 3 is proposed by the Coast Guard in order that their enlistments may be on the same basis as those in the Navy.

Section 4 of the bill would deny the application of section 1422 of the Revised Statutes to naval and Coast Guard enlistments which might be extended in the future, under the authority of section 1 of the bill. That section of the Revised Statutes provides that men serving in ships outside the continental limits of the United States may be held in service, if necessary, until their ships return to the United States. It further provides that while they are being so held they receive an additional one-fourth of their pay.

The committee entertains considerable doubt as to whether section 1422 would be applicable to the detention in service contemplated by this bill. It considers, however, that it would be an unsound policy to give additional pay to men detained in service during war or national emergency, while men who have voluntarily reenlisted therein at such times are serving

without additional pay. In order that this question will not arise, section 4 has been placed in the bill.

Section 5 would require that the substance of section 1 be placed in future shipping articles. Shipping articles are the contracts to which men agree when they enlist, and section 5 provides that the agreement to have their enlistments extended in war and national emergency shall be a part thereof. As previously stated, this will place the Regulars in the same status in the future as the Reserves.

In conclusion, then, it can be stated that this bill should have a far-reaching effect on the efficiency of our fleets in the future. It will assure that our ships are manned by adequate numbers of trained men who are serving their country voluntarily and in accordance with the terms of their contracts. That such a condition is a highly desirable one appears uncontestable, and for that reason the Naval Affairs Committee is unanimous in recommending passage of the bill.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. I wonder if the gentleman's committee has considered the possibility of drafting these men?

Mr. VINSON of Georgia. I am glad the gentleman from Ohio has raised that question. Up to date the Navy has not invoked the selectee system, and that is due to the fact you cannot run a navy if you only have men serving for 1 or 2 years. You have got to have men to man these ships over a longer period of time, and for this very valid reason the Navy does not want any selectees in it because it wants a man with a contract for a longer period of time.

Mr. VORYS of Ohio. Has the gentleman's committee considered the possibility of simply drafting these men for an indefinite period of time?

Mr. VINSON of Georgia. No. We do not want them on that basis. We want them entirely on a voluntary basis.

Mr. VORYS of Ohio. I heartily agree with the gentleman.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. At the present time when a naval Reservist is called to active duty he is retained indefinitely?

Mr. VINSON of Georgia. Yes. This puts the Regular Navy exactly in the same status as the naval reservist, because when a naval reservist enlists he enlists for the duration of the emergency.

Mr. VAN ZANDT. The gentleman refers to men who enlist from now on in the Navy?

Mr. VINSON of Georgia. That is right. It puts them all in the same class. Mr. Chairman, this bill has passed the Senate. It is unanimously recommended by the Naval Affairs Committee. It is imperative and absolutely essential that this bill be enacted as early as possible because we cannot afford to run any risk of depopulating the Navy while it is on the high seas. Under the law today a boy may be serving out in Honolulu with the fleet and if his term of enlistment expires the skipper of his ship has to bring that boy back as soon as possible and discharge him.

Mr. Chairman, I reserve the balance of my time.

Mr. MOTT. Mr. Chairman. I yield myself 5 minutes.

Mr. Chairman, the chairman of the Committee on Naval Affairs has thoroughly explained this bill, and I believe there are no controversial issues involved in it. It comes from the committee with a unanimous favorable report.

The Navy for 150 years has operated with a voluntary enlisted personnel. It has grown until it is now the largest navy in the world, and we think it is the best navy in the world. When the present naval-expansion program is completed the Navy will have an enlisted personnel of nearly a half million men. We hope we can always operate it on the voluntary-enlistment basis and I believe we can. To enable us to continue to do that is part of the purpose of this bill.

The Navy's enlistment policy, we think, is an excellent one, and is perfectly suited to its needs. It takes in a youngster when he is 17 or 18 years old. It enlists him for his minority with the consent of his parents. If he wants to reenlist it enlists him for 4 years. If he has already reached his majority at the time he first enlists, the enlistment is for 6 years.

During that time he becomes not only an excellent sailor and a fighter but he becomes a skilled workman, so that when he is discharged at the end of his term he can go into industry and command the wages of the highest paid skilled worker. It is for that reason, because the demand for skilled workmen is now so great, that the reenlistments in the Navy at the present time are decreasing. That is just human nature. When a man has served an enlistment of 6 years in the Navy and is discharged, he has the entire field of industry open to him and he can enter it as a skilled mechanic and get a wage of $10, $15 or $20 a day. We want to make it profitable enough through this bill for him to reenlist even under those very unusual circumstances. That is the reason the bill proposes to double the bonus, or the reenlistment bounty provided under existing law.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. As I understand, in the Navy they take men at 17. What is the lowest age at which the Navy takes recruits?

Mr. MOTT. Seventeen; he may enlist at that age for the remainder of his minority.

Mr. VORYS of Ohio. Those men at 17 are considered by the Navy as good material for sailors, are they not?

Mr. MOTT. Yes; they are considered to be excellent material. They must have the consent of their parents to enlist at that age.

Mr. VORYS of Ohio. For many years the Navy has taken men at 17 and been able to make pretty good sailors out of them?

Mr. MOTT. Very good sailors.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is it not true that the Navy has always enjoyed success from its efforts to increase the strength of its enlisted personnel mainly because of an all-year-round advertising program which sells the Navy to the youth of the Nation?

Mr. MOTT. The Navy knows it is good, it tells the world it is good, and the world believes it, so up to now we have been getting all the men we needed, as we needed them.

Mr. VAN ZANDT. Does the gentleman know why the Army has failed to follow the Navy advertising program and at the same time ask Congress for authority to offer to its enlisted personnel a double reenlistment gratuity so as to encourage reenlistments?

Mr. MOTT. I am not an expert on military affairs, but it is my opinion as a layman that the Army could do the same thing if it really undertook to do it and if it applied as much energy and skill to the job as the Navy does.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Pennsylvania.

Mr. DITTER. Is it not current that the Army is presently actually discouraging enlistments, or has issued orders that reenlistments be discouraged?

Mr. MOTT. That is my understanding as to reenlistments in the Army.

Mr. DITTER. That information is certainly current in a great many circles. If the gentleman knows of anything by which it could be contradicted, I think we should know whether it is true or false.

Mr. MOTT. That is a matter not within the jurisdiction of our committee. I know that such an order was issued by the Army. It was read into the RECORD in the Senate in a debate last week. There has been some controversy as to just what the meaning and purpose of that order was. However, I am glad to assure the gentleman that no such order has come out of the Navy. The Navy's policy as to reenlistments is the precise opposite.

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, the Navy has never called for any form of draft. They have got all their recruits through the volunteer system. From reports that come to me, the personnel of our Navy is the finest in the world, and better than it ever was in the history of America. The men the Navy is now getting as volunteers are generally high-school graduates, with some college graduates. It has any number applying for enlistment, and has taken only the best, with the net result that our personnel today is far superior to the personnel of the British Navy, and immeasurably superior to the personnel of the Japanese Navy, or any other.

We have the equipment in our modern ships. Our Navy for the first time is much greater than the British Navy and

seven or eight times greater than the German Navy, and we have a personnel that surpasses anything in the world today. These men have been enlisting in large numbers through the volunteer system, in such great numbers that we pick out only the best, and they are generally high-school or college graduates.

I think it well for the country to know that—to know a little something more in detail and intimately about our own national defense. The Navy is our first line of defense. It is not over on the Bug River in Soviet Russia. It is sheer "buggy" nonsense to talk about that. We have a real first line of defense in ships and men, and I do not believe there is any way to improve upon them.

Mr. FORAND. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Rhode Island.

Mr. FORAND. Can the gentleman tell the House how the number of volunteers in the Army compares with the number of volunteers in the Navy?

Mr. FISH. I do not think I can quite qualify, because, listening to the question and the answer a few moments ago, I got the impression that the Army has practically stopped accepting volunteers. As the gentleman well knows, I offered the volunteer amendment to the conscription bill, and it was passed upon twice favorably by the House. I believe if that amendment had gone into effect you would have gotten all the volunteers you wanted and you would not have all the trouble about selectees that now confronts you, the burden of which you must face before your constituents, who are divided, whether they come from the North or the South. The House twice voted to permit volunteers to come in; and if that had been done we would have had all the volunteers we wanted, just as they have in the Navy, and they have the best.

Now we have a situation whereby we are called upon to break our word, our definite word to these young boys whom we drafted for 1 year and to whom we are now asked to say, "We did not mean what we said; you must serve for another year." We will take that bill up tomorrow and discuss it at length.

Mr. VINSON of Georgia. I was just going to suggest to the gentleman not to waste his ammunition now, but hold it until tomorrow.

Mr. FISH. I had no idea of wasting it.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. MOTT. I understood the gentleman to say they had stopped enlistments in the Army. I do not think the gentleman meant to say that, but they have issued an order which has been construed as discouraging reenlistments.

Mr. FISH. I said I did not know. I am very thankful to the gentleman for his suggestion. I believe we have something like 500,000 men in the Regular Army as volunteers, but all of these facts will come up tomorrow. What I would like to say about the volunteer system is what someone just whispered in my ear a few minutes ago, some information which I think the House would like to have. The Twenty-seventh National Guard Division from New York, mostly volunteers, gave 16,000 of them a 3-week vacation a short time ago to go from where they were in the South all the way up to the State of New York, and this was just at the time of all this agitation about renewal of their service for another year. These 16,000 went up there for their 3-week vacation, and anyone would think that under the circumstances there would be a lot of absences without leave or A. W. O. L.'s, but when their time was up these volunteer guardsmen came back to their camp, and out of 16,000 who were on 3 weeks' leave there were only 57 absentees, which is a very remarkable record.

[Here the gavel fell.]

Mr. MOTT. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. FISH. That is the record of the Twenty-seventh New York Division under Gen. William Haskell, a trained Army officer, a graduate of West Point, one of the best generals in our Army today, and we in New York are proud of his record and that of the Twenty-seventh Division, and proud of the loyalty of those men who returned to duty after 3 weeks' vacation to continue to serve in spite of all the agitation that is going on in the press with respect to keeping them in for another year.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, if there are no further requests for time I ask that the bill be read for amendment.

The Clerk read as follows:

Be it enacted, etc., That hereafter enlistments in the Navy may be for minority or terms of 2, 3, 4, or 6 years, and all laws now applicable to 4-year enlistments shall apply, under such regulations as may be prescribed by the Secretary of the Navy, to enlistments for a shorter or longer period with proportionate benefits upon discharge and reenlistment: *Provided*, That upon the presentation of satisfactory evidence as to his age and upon application for discharge by his parent or guardian presented to the Secretary of the Navy within 90 days after the date of his enlistment, any man enlisted in the naval service, including the Marine Corps, under 21 years of age, who was enlisted without the written consent of his parent or guardian, if any, shall be discharged for his own convenience: *Provided further*, That all enlistments hereafter entered into may be extended by the Secretary of the Navy for such additional time as he may deem necessary in the public interest in time of war, or national emergency declared by the President to exist: *Provided further*, That all men whose terms of enlistment are extended in accordance with the provisions of this Act shall continue during such extensions to be subject in all respects to the laws and regulations for the government of the Navy: *And provided further*, That men detained in service in accordance with this act shall, unless they voluntarily extend their enlistments, be discharged not later than 6 months after the date of the termination of the war or national emergency.

With the following committee amendment:

On page 2, in line 3, after the word "Navy", insert the words "and Marine Corps."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, after line 19, insert:

"SEC. 2. During war, or a national emergency declared by the President to exist, an enlistment allowance, equal in amount to that provided for enlisted men of the Marine Corps by section 9 of the act approved June 10, 1922 (42 Stat. 629; U. S. C., title 37, sec. 13), and by section 10 of that act for enlisted men of the Navy and Coast Guard, and to be in addition to the enlistment allowance so provided, shall be paid to every honorably discharged enlisted man of the Navy, Marine Corps, and Coast Guard who reenlists, within 24 hours after such discharge, on board the ship or at the station, marine barracks, or other naval, Marine Corps, or Coast Guard activity from which he was last discharged.

"SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act.

"SEC. 4. That portion of section 1422 of the Revised Statutes (18 Stat. 494; 34 U. S. C. 201) which reads as follows: 'All persons who shall be so detained beyond their terms of enlistment or who shall, after the termination of their enlistment, voluntarily reenter to serve until the return to an Atlantic or Pacific port of the vessel to which they belong, and their regular discharge therefrom, shall receive for the time during which they are so detained, or shall so serve beyond their original terms of enlistment, an addition of one-fourth of their former pay:' shall not apply to enlistments which are extended pursuant to this act."

Mr. VINSON of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the purpose of asking recognition is to acquaint the House fully with reference to a recruiting campaign that the Secretary of the Navy has undertaken to increase enlistments.

A few days ago it was called to the attention of the House that some $340,000 was being spent for the purpose of aiding enlistments in three States. I took the matter up with the Navy Department and submitted five questions to the Secretary and he gives full information with reference to the method by which his recruiting campaign is to be carried on in the States of Indiana, Iowa, and Missouri, also in the States of Nebraska, Kansas, and Kentucky, and also in the States of Maryland, West Virginia, and Virginia. I desire permission, Mr. Chairman, to extend my remarks in the RECORD by inserting this memorandum.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The matter referred to follows:

NAVY DEPARTMENT,
BUREAU OF NAVIGATION,
Washington, D. C., August 1, 1941.

(1) What was the recruiting situation in the States involved before the campaign was initiated?

(2) What was the general recruiting situation prior to the campaign?

(3) Why was it necessary to undertake the campaign and who worked it up?

(4) Why were these particular States picked?

(5) What results have been obtained to date as a result of the campaign?

A newspaper-advertising campaign is now being conducted in the States of Indiana, Iowa, and Missouri, in cities and towns of

50,000 or less, using every daily and weekly in the three States. This is a test campaign, covering a period of 8 weeks, and will cost in the neighborhood of $340,000.

From the information obtained in advertising in these States, the Navy Department intends to branch out about August 18 into other territories, and has chosen Nebraska, Kansas, and Kentucky to advertise in the same fashion as is now being done in the first three States. These States were selected because they were adjacent to the first three States selected, come under the jurisdiction of the same inspector, and recruiters can be temporarily transferred to augment those now on duty in these stations, if necessary. Commencing September 8, the States of Maryland, West Virginia, and Virginia will also be used. The total cost of these six States will be approximately the same as that for Indiana, Iowa, and Missouri.

In addition, one city (Springfield, Mass.) is to be used for test purposes in a campaign similar to a Community Chest drive, using all media, estimated cost not to exceed $5,000 for this test. Funds for this purpose are contained in supplemental III, 1942, under P. S. & T.

The program contemplates covering the entire United States, but not simultaneously. We are going to feel our way.

Question 1. What was the recruiting situation in the States involved before the campaign was initiated?

The 3 States—Indiana, Iowa, and Missouri—were chosen for the test campaign because 1 State (Missouri) was average, 1 (Indiana) was poor, and 1 (Iowa) was above the average in recruits produced; also because they were all under the jurisdiction of the same recruiting inspector to administer the campaign. For the fiscal year ending June 30, 1941, in the State of Indiana, 37 per 100,000 inhabitants were enlisted; in the State of Iowa, 100 per 100,000 were enlisted; St. Louis and Kansas City, which cover the State of Missouri, averaged 78 enlistments per 100,000.

Question 2. What was the general recruiting situation prior to the campaign?

Recruiting had been very satisfactory up until the end of January, then it commenced to slump. Enlistments were made as follows in the Navy:

	Regulars	Reserves	Total
February	8,768		
March	6,665		
April	4,962+	[1] 1,832	[1] 6,794
May	4,601+	[1] 1,725	[1] 6,326
June	6,131+	2,083	8,214
July	5,828+	3,486	9,314

[1] Includes aviation cadets and reserve midshipmen.

Question 3. Why was it necessary to undertake the campaign, and who worked it up?

Since May the Navy has needed 12,000 recruits per month, and by the end of the present calendar year we estimate we will require in the neighborhood of 15,000 men per month. Despite the upswing in June it was apparent that the recruiting situation was such that further steps must be introduced to increase the number of recruits. Accordingly, early in June an advertising campaign was decided upon.

Eleven large advertising agencies were called to the Secretary's office and invited to submit plans. These plans were carefully gone over by the Bureau of Navigation and a number of Reserve officers who had previous newspaper and advertising experience. The best advice was also secured from the Office of Public Relations, which includes men with widespread newspaper and advertising experience. The contract was finally awarded to the firm of Batten, Barton, Durstine & Osborn, Inc., because, in the opinion of the Navy Department, the plan submitted by that firm best fitted the needs of the Navy.

Briefly, the plan is as follows:

A telegram was sent to each of the newspapers asking for their rates and if they could handle mechanically an advertising campaign of the type the Navy had in mind. This was done in view of the fact that established directories covering many of these newspapers are not always up to date.

A letter was sent to each newspaper by the Secretary of the Navy requesting the newspapers to appoint a Navy editor, and to issue recruiting literature and otherwise give information in regard to the Navy to their readers. It was then explained to the editors that the copy would contain a coupon to be forwarded to the paper in which the advertisement appeared, upon receipt of which a booklet entitled "Life in the Navy" would be sent to the inquirer. The coupon would then be forwarded to the nearest recruiting station so that the recruiting officer could follow up the contact. This is an approved commercial procedure in advertising and merchandising.

Question 4. Why were these particular States picked?

This question is covered by the answer to question 1.

Question 5. What results have been obtained to date as a result of the campaign?

The campaign commenced the week of July 7.

As of July 30 we received 946 replies from possible prospects from the State of Iowa.

In Indiana there have been 588 replies.

In Missouri there have been 1,004 replies.

Enlistments have not yet begun to show a sharp increase, as this is the crop season and many of the prospects are engaged in gathering crops Also there is a definite delay in enlistments, owing to the investigations which the Navy conducts of each applicant prior to his enlistment. However, all recruiting officers are enthusiastic and state most emphatically that they believe the campaign will be successful.

Question 6. How much profit to the advertising contractor?

The contract covering payments for the advertising provides a payment of $4,500 to the agency for furnishing "its services in connection with the supervision of all art, typography, and mechanical purchases made in connection with the preparation of eight 1,000-line advertisements in all newspapers of general circulation, whether daily or weekly, in all towns or cities of less than 50,000 inhabitants in the States of Indiana, Missouri, and Iowa. The advertising space is to begin to be used in the month of July 1941 and must be used before December 31, 1941.

"Payment for the advertisements placed in accordance with paragraph 1 will be made to the agency at the regular card rates of the publishers. Any discount allowed by publishers solely to recognized agencies is to be part of the compensation to the agency for services performed in the writing of advertising copy, preparation of preliminary rough sketches and lay-outs, a study of local conditions and any other conditions that shed light upon the effectiveness of this advertising, and forwarding of advertising material to the newspaper publishers, checking of the advertising printed by the newspaper publishers, and payment of their bills."

It should be noted that out of the payment mentioned in paragraph 1 and the compensation mentioned in paragraph 2, the agency must pay its overhead, operating expenses, and all other costs, including taxes. It is the common opinion among leading advertising agencies that a net profit of 3 percent of the gross billing represents good advertising practice. On this basis it is estimated that the agency is making a net profit of $10,000 on the advertising the Navy is doing in the States of Indiana, Missouri, and Iowa.

Mr. VINSON of Georgia. Mr. Chairman, I offer a further amendment to the committee amendment by striking out section 3 of the committee amendment and offering a substitute therefor.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia to the committee amendment: Strike out all of section 3 of the committee amendment and substitute therefor the following:

"SEC. 3. The provisions of sections 1, 4, and 5 of this act shall apply to personnel of the Regular Coast Guard in relationship to the Coast Guard in the same manner and to the same extent as they apply to personnel of the Regular Navy in relationship to the Navy, and the same authority vested in the Secretary of the Navy by this act with respect to the Navy and Marine Corps shall be, and is hereby, vested in the Secretary of the Treasury with respect to the Coast Guard."

Mr. VINSON of Georgia. Mr. Chairman, the purpose of this amendment is to strike out section 3, which was to authorize an appropriation of money. The Navy Department, after considering that language, determined it is not necessary because under the pay, subsistence, and travel allowance they have authority to do so now, and putting this language in they were apprehensive they might complicate the whole subject. They asked that it be stricken out, and that we incorporate the Coast Guard as well as the Marines and the Navy as having the benefits of this law. This is a departmental amendment.

The CHAIRMAN. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the committee amendment as amended.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. Hereafter the shipping articles shall contain the substance of this act.

With the following committee amendments:

Page 4, line 1, strike out the numeral "2" and insert the numeral "5."

Line 2, page 4, after the word "of", insert the words and numeral "section 1 of."

The CHAIRMAN. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. VINSON of Georgia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CLARK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill S. 353, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. VINSON of Georgia. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider laid on the table.

The title was amended so as to read: "An Act to provide for the extension of enlistments in the Navy, and for other purposes."

House Resolution 284 was ordered to lie on the table.

REREFERENCE OF A BILL

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Pensions be discharged from further consideration of the bill H. R. 5236, granting pensions, and so forth, to soldiers and marines who served in uprisings in the Philippine Islands, and that the same be referred to the Committee on Invalid Pensions.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks and include two letters.

The SPEAKER. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from one of my constituents.

The SPEAKER. Is there objection?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks on two topics, and in each to include some editorial matters.

The SPEAKER. Is there objection?

There was no objection.

SPECIAL ORDERS

The SPEAKER. Under previous order of the House, the gentleman from Alabama [Mr. PATRICK] is recognized for 35 minutes. The gentleman from Alabama does not seem to be present.

Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes. The gentleman from Michigan does not seem to be present.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3537. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. R. 3625. An act to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.;

H. R. 4052. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.; and

H. R. 4911. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1524. An act providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, and for other purposes.

ADJOURNMENT

Mr. VINSON of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 35 minutes p. m.) the House adjourned until tomorrow, Thursday, August 7, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Thursday, August 7, 1941, in the caucus room for consideration of House Resolution 209.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Thursday, August 7, 1941. Business to be considered: Hearings on H. R. 5343, daylight-saving time.

EXECUTIVE COMMUNICATIONS, ETC.

824. Under clause 2 of rule XXIV a letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend section 5 (a) of the act entitled "An act to expedite national defense and for other purposes," approved June 28, 1940, relating to overtime pay of employees of the Navy Department, was taken from the Speaker's table and referred to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 290. Resolution providing for the consideration of House Joint Resolution 222 declaring a national emergency, extending terms of enlistments, appointments, and commissions in the Army of the United States, suspending certain restrictions upon the employment of retired personnel of the Army, making further provision for restoration of civil positions to members of the Army on relief from military service, and for other purposes, and all points of order against said joint resolution are hereby waived; with amendment (Rept. No. 1130). Referred to the House Calendar.

Mr. COCHRAN: Committee on Accounts House Resolution 291. Resolution granting a gratuity to Mrs. Ray L. Chestnutt; with amendment (Rept. No. 1131). Referred to the House Calendar.

Mr. COLE of Maryland: Committee on Interstate and Foreign Commerce. House Joint Resolution 228. Joint resolution consenting to an interstate compact to conserve oil and gas; without amendment (Rept. No. 1132). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on Claims. H. R. 466. A bill for the relief of J. T. Coulter; with amendment (Rept. No. 1125). Referred to the Committee of the Whole House.

Mr. CAPOZZOLI: Committee on Claims. H. R. 4116. A bill for the relief of James A. Sweeney; with amendment (Rept. No. 1126). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 4570. A bill for the relief of Regis Moxley and Frances Moxley; with amendment (Rept. No. 1127). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. S. 493. An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor; without amendment (Rept. No. 1128). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. S. 1608. An act for the relief of the Neal Storage Co.; without amendment (Rept. No. 1129). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H. R. 5502. A bill to amend the Social Security Act by providing special Federal aid to certain States, and for other purposes; to the Committee on Ways and Means.

By Mr. SUMNERS of Texas:

H. R. 5503. A bill to authorize the Attorney General to stipulate to the exclusion of certain property from condemnation proceedings; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FULMER:

H. R. 5504. A bill for the relief of H. J. Abney; to the Committee on Claims.

By Mr. KLEBERG:

H. R. 5505. A bill for the relief of William H. Little; Committee on Claims.

By Mr. O'BRIEN of Michigan:

H. R. 5506. A bill for the relief of Mrs. Antonia Slater; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule X–II, petitions and papers were laid on the Clerk's desk and referred as follows:

1741. By Mr. LUDLOW: Petitions of more than 3,000 citizens of the United States, supporting House Concurrent Resolution No. 20, proposing that the President invite the cooperation of the American republics in extending a mediation offer to the nations now at war; to the Committee on Foreign Affairs.

1742. By Mr. TENEROWICZ: Petition of certain citizens of the United States, urging consideration of House Joint Resolution 131; to the Committee on Foreign Affairs.

1743. By the SPEAKER: Petition of the Armenian American Citizens League, California Division, Fresno, Calif., petitioning consideration of their resolution with reference to the national-defense program; to the Committee on Military Affairs.

1744. Also, petition of the city and county of Honolulu, Honolulu, T. H., petitioning consideration of their resolution with reference to House bill 4545, relative to Work Projects Administration aid for recreational purposes; to the Committee on Appropriations.

SENATE

THURSDAY, AUGUST 7, 1941

(Legislative day of Monday, July 28, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Lord, who in Thy holy Word hast promised to Thy servants that no weapon that is forged against them shall prosper, and every tongue that shall rise against them in judgment shall be condemned: Prosper with Thy blessing the work of Thy Servants, the President of the United States, the Members of his Cabinet, and all others to whom hath been committed the welfare of our Nation. Lift them to the heights of Thy sublimity, where, serene in Thy presence, they may heed no idle criticism, nor fitful wind of popularity, but hearken only to Thy voice.

And unify, O Lord, the people of America, that they may wholeheartedly support their leaders, to the punishment of wickedness and vice, the suppression of all violence and subversive activities, and the defense of every policy for the furtherance of the welfare of humanity. We ask it as the heritage of Thy children, O Lord, that their righteousness may be of Thee. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, August 6, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed the bill (S. 353) to provide for the extension of enlistments in the Navy, with amendments, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Glass	Peace
Bailey	Green	Pepper
Barbour	Guffey	Radcliffe
Barkley	Gurney	Reynolds
Bone	Hatch	Schwartz
Brewster	Hayden	Shipstead
Bridges	Herring	Smith
Brooks	Hill	Stewart
Brown	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Idaho
Burton	Johnson, Colo.	Thomas, Okla.
Byrd	Kilgore	Thomas, Utah
Capper	La Follette	Tobey
Chandler	Langer	Truman
Clark, Idaho	Lee	Tunnell
Clark, Mo.	Lucas	Tydings
Connally	McCarran	Vandenberg
Danaher	McFarland	Van Nuys
Davis	McKellar	Wallgren
Downey	Maloney	Walsh
Eastland	Mead	Wheeler
Ellender	Nye	White
George	O'Daniel	Wiley

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Utah [Mr. MURDOCK], the Senator from West Virginia [Mr. ROSIER], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], the Senator from Oregon [Mr. HOLMAN], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent because of an injury suffered by him.

The Senator from Vermont [Mr. AIKEN] is absent on official business.

The PRESIDENT pro tempore. Seventy-five Senators having answered to their names, a quorum is present.

EXECUTIVE COMMUNICATION

The PRESIDENT pro tempore laid before the Senate the following letter, which was referred as indicated:

PATENTS FOR DEFENSE INVENTIONS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for reciprocal privileges with respect to the filing of applications for patents for defense inventions (with an accompanying paper); to the Committee on Patents.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the President pro tempore, or presented by a Senator, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the Council of the City of Dearborn, Mich., favoring the enactment of legislation to the end that draft selectees for the military service be more fairly and justly compensated for their time and that a proper proportion of any additional compensation awarded be set aside and paid to such persons upon their discharge from the service so that they may have sufficient money to reestablish themselves in civil life; to the Committee on Military Affairs.

A letter in the nature of a memorial from Mrs. William Stall, of Reading, Ohio, remonstrating against the enactment of legislation to retain draft selectees in the military service for more than 1 year; to the table.

A letter in the nature of a memorial from Edith Buterbaugh, fourth-class postmaster, of Juneau, Pa., remonstrating against an amendment of the bill (H. R. 1057) to establish a system of longevity pay for postal employees, proposing to strike out third- and fourth-class postmasters; to the table.

Petitions of sundry citizens of the State of Indiana, praying for the enactment without amendment of the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the table.

A resolution of the Board of Supervisors of the City and County of Honolulu, T. H., favoring making available a portion of the funds under House bill 4545 for recreation in Hawaii, and also that W. P. A. aid be continued to the present recreation program of Oahu; to the table.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Wichita, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

SALE OF ALCOHOLIC BEVERAGES AND PREVENTION OF VICE IN VICINITY OF MILITARY CAMPS—PETITIONS

Mr. AUSTIN. Mr. President, I ask consent to present a petition addressed to the Members of the Senate and House of Representatives of the Congress of the United States, signed by numerous citizens of Morristown, in the State of Vermont, supporting and praying for the enactment of Senate bill 860, the so-called Sheppard bill, to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments.

I should like to have the petition appropriately referred or disposed of.

The PRESIDENT pro tempore. Without objection, the petition presented by the Senator from Vermont will be received and lie on the table.

Mr. BREWSTER. Mr. President, I ask consent to present for appropriate disposition numerous petitions signed by 1,268 citizens of the State of Maine, pray-

ing for the enactment of two measures, the so-called Sheppard bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments, and the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy.

The PRESIDENT pro tempore. Without objection, the petitions presented by the Senator from Maine will be received and lie on the table.

RESOLUTION OF HIGHLAND GRANGE, NO. 291, SCRANTON, KANS.—WHEAT-MARKETING PENALTY

Mr. CAPPER. Mr. President, I ask consent to have printed in the RECORD and appropriately referred a resolution I have just received from Highland Grange, No. 291, Scranton, Kans., in opposition to the 49-cent-per-bushel marketing penalty of the wheat-loan quota program now in effect.

The resolution brings out the fact that no notice of the 49-cent penalty was given prior to the time the crop was planted. The balloting to determine whether the marketing quotas should be adopted was held when the wheat was practically ready for harvest. The members of this grange insist that wheat farmers had no opportunity to protect themselves against the imposition of the 49-cent penalty at the time of harvest, as contrasted to the 15-cent-per-bushel penalty in effect at the time the crop was planted.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

SCRANTON, KANS., *July 26, 1941.*

Hon. ARTHUR CAPPER,
United States Senator,
Washington, D. C.

DEAR SIR: Opposition to the penalty on wheat excess is voiced by Highland Grange, No. 291, in a resolution adopted at the regular meeting, July 24, 1941, C. R. Rowe being secretary. The resolution adopted:

"Inasmuch as we feel that 49-cent-per-bushel penalty on wheat in excess of allotment too high, when no notice prior to seeding of the crop was given, and that the method of balloting on the referendum of the wheat-marketing system was irregular, unfair, and misrepresented. Therefore be it

"*Resolved*, That Highland Grange, No. 291, go on record by unanimous vote by members present as opposed to the 1941 wheat program as proposed by the A. A. A."

GLEN BADGER,
T. E. BLACK,
W. W. ROWE,
Committee.

RESOLUTION OF GENERAL ASSEMBLY OF PENNSYLVANIA—MUHLENBERG COLLEGE: TWO-HUNDREDTH ANNIVERSARY OF THE COMING OF DR. MUHLENBERG TO AMERICAN COLONIES

Mr. DAVIS. Mr. President, in behalf of Muhlenberg College, I wish to express my pleasure in announcing that Senate Joint Resolution 40 has passed both the Senate and the House and has now gone to the White House for the President's signature.

Next year Muhlenberg College will hold celebrations commemorating the two-hundredth anniversary of the arrival in the American Colonies of Henry Melchior Muhlenberg. His is an illustrious name, and the splendid college that bears it has been an honor to him and to the people who have supported it for these many years.

Mr. President, I ask unanimous consent to have inserted in the RECORD copy of a resolution adopted by the Senate of Pennsylvania on April 16, 1941, and concurred in by the house of representatives of that State on July 11, 1941, asking for the enactment of this measure.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Whereas Muhlenberg College will hold celebrations during the year 1942 commemorating the two-hundredth anniversary of the arrival in the American Colonies of Henry Melchior Muhlenberg; and

Whereas the said Henry Melchior Muhlenberg was the father of Gen. John Peter Gabriel Muhlenberg, a friend of George Washington and a member of his staff; and

Whereas in 1775 the said Gen. John Peter Gabriel Muhlenberg threw off his clerical gown while delivering a sermon at Woodstock, Va., disclosing himself dressed in the uniform of an officer of the Continental Army and challenged his congregation with the remark, "There is a time for all things—a time to preach and a time to pray; but there is also a time to fight, and that time has now come," and took leave of his congregation and led his soldiers in the war for our country's freedom; and

Whereas the said Gen. John Peter Gabriel Muhlenberg was chosen the vice president of Pennsylvania in 1785 with Benjamin Franklin as president; and

Whereas he was elected to the First Congress of the United States and reelected to the Second and Third, serving March 4, 1789, to March 3, 1795; and

Whereas in 1801 he was elected to the United States Senate but resigned before the Congress met to accept President Jefferson's appointment as supervisor of revenue for the district of Pennsylvania; and

Whereas there has been introduced in the Senate of the United States by the Honorable JAMES J. DAVIS for himself and the Honorable JOSEPH F. GUFFEY a joint resolution resolving that the Government and the people of the United States unite with Muhlenberg College in a fitting and appropriate observance of the two-hundredth anniversary of the arrival in the American Colonies of Henry Melchior Muhlenberg; and

Whereas there has been introduced in the House of Representatives of the United States by the Honorable CHARLES L. GERLACH a joint resolution resolving that the Government and the people of the United States unite with Muhlenberg College in a fitting and appropriate observance of the two-hundredth anniversary of the arrival in the American Colonies of Henry Melchior Muhlenberg: Now, therefore, be it

Resolved (*if the house concur*), That the general assembly memorializes the Congress of the United States to adopt with all possible dispatch Senate Joint Resolution 40 and House Joint Resolution 128 in the form introduced; and be it further

Resolved, That one copy of this resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt.

Senator ALBEN W. BARKLEY, chairman of the Joint Committee on the Library.

Senator JAMES J. DAVIS.

Senator JOSEPH F. GUFFEY.

Hon. CHARLES L. GERLACH.

All Members of the House delegation from Pennsylvania.

REPORT OF A COMMITTEE

The following report of the Committee on Claims was submitted:

By Mr. BROWN:

S. 1813. A bill for the relief of Harry F. Baker; without amendment (Rept. No. 648).

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. TRUMAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that on August 6, 1941, that committee presented to the President of the United States the following enrolled bills and a joint resolution:

S. 1346. An act to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, T. H., in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands;

S. 1480. An act to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended;

S. 1524. An act providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, and for other purposes;

S. 1626. An act to reserve a certain part of the public land in California for the benefit of the Rincon Band of Mission Indians; and

S. J. Res. 40. Joint resolution providing for the representation of the Government and people of the United States in the observance of the two-hundredth anniversary of the coming of Dr. Henry Melchior Muhlenberg to the American Colonies.

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. HILL:

S. 1822. A bill to amend the act of February 14, 1931, as amended, so as to permit the compensation on a mileage basis of civilian officers or employees for the use of privately owned airplanes while traveling on official business; to the Committee on Expenditures in the Executive Departments.

By Mr. HAYDEN:

S. 1823. A bill for the relief of Kenneth Howard James; to the Committee on Claims.

By Mr. BONE:

S. 1824. A bill to enable the Secretary of Agriculture to obtain and administer patents for the best interests of the public, and for other purposes; to the Committee on Patents.

By Mr. THOMAS of Oklahoma:

S. 1825. A bill providing a formula for arriving at parity prices on farm commodities; to the Committee on Agriculture and Forestry.

By Mr. MALONEY:

S. 1826. A bill to permit seeing-eye dogs to enter Government buildings when accompanied by their blind masters, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. BAILEY:

S. 1827. A bill to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use; to the Committee on Commerce.

By Mr. LA FOLLETTE:

S. 1828. A bill to amend the act of April 18, 1940, relating to the furnishing of markers for certain graves; to the Committee on Military Affairs.

By Mr. McCARRAN:

S. 1829. A bill to amend section 907 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, relating to second conviction of criminal offenses; to the Committee on the District of Columbia.

By Mr. McKELLAR:

S. 1830. A bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; to the Committee on Post Offices and Post Roads.

AMENDMENT TO THE TAX BILL—EXCLUSION FROM GROSS INCOME

Mr. OVERTON submitted an amendment intended to be proposed by him to the bill (H. R. 5417) to provide revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

EXTENSION OF SELECTIVE SERVICE—AMENDMENT RELATIVE TO EMPLOYMENT OF PERSONS UNDER NATIONAL-DEFENSE CONTRACTS

Mr. O'DANIEL. Mr. President, I submit an amendment intended to be proposed by me to the pending Senate Joint Resolution 95. The amendment has been printed. I shall not take the time at present to discuss it.

The PRESIDENT pro tempore. The amendment of the Senator from Texas will lie on the table.

CORRECTION IN ENROLLMENT OF SENATE BILL 752—CORONADO INTERNATIONAL MEMORIAL, ARIZONA

Mr. HAYDEN. Mr. President, I submit and ask unanimous consent for the present consideration of a concurrent resolution to correct an error in the enrollment of a Senate bill which has passed both Houses.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Clerk will read the resolution.

The concurrent resolution (S. Con. Res. 15) was read, considered, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 752) to provide for the establishment of the Coronado International Memorial, in the State of Arizona, to make the following change, viz: On page 2, line 7, of the Senate engrossed bill, after the figure "20" and the comma, strike out the words "west half" and insert in lieu thereof the following: "lots 3 and 4".

REPORT OF MARITIME COMMISSION AND DEPARTMENT OF JUSTICE RELATIVE TO FUNDS FOR THE BENEFIT OF DISPLACED SHIPPING EMPLOYEES

Mr. BAILEY. Mr. President, under section 1 of Public Law 101 of the present Congress the Maritime Commission and the Department of Justice were authorized to make just provisions out of funds provided in section 2 of the act for employees displaced by the taking of any ship thereunder and to report to the Congress. I present the report and ask that it be printed in the RECORD for the information of the Congress.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

Section 1 of Public Law 101, Seventy-seventh Congress, approved June 6, 1941, entitled "An act to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes," contains the following provision:

"The Maritime Commission and the Department of Justice are authorized to make just provisions out of funds provided in section 2 of this act for employees displaced by the taking of any ship hereunder and report to the Congress their action within 30 days after the enactment of this act."

Section 2 of the act provides that "funds appropriated by the act of March 27, 1941 (Public Law 23, 77th Cong.), are hereby made available to carry out the provisions of section 1 hereof."

The Maritime Commission and the Department of Justice desire to advise the Congress that the following procedure has been adopted for making "just provisions" for the crews of foreign vessels immobilized in the United States and taken under the provisions of section 1 of the act, in accordance with the provisions above cited:

1. When used herein the term "the act" means Public Law 101, Seventy-seventh Congress, approved June 6, 1941.

2. The term "seaman" means all members of the crew, including licensed officers, employed on board any foreign merchant vessel at the time of its taking by the United States under the authority of section 1 of the act.

3. A seaman shall be considered as "displaced" when the vessel on which he was employed is taken under the provisions of section 1 of the act.

4. The term "wages" means the normal monetary compensation for which the seaman signed articles for the voyage beginning immediately preceding the immobilization of his vessel in waters within the jurisdiction of the United States, and shall not be deemed to include any other emolument contained in such articles, or any item or amount of compensation in the nature of war bonus or emergency compensation.

5. A displaced seaman shall be paid wages for a period of 30 days from the date of his displacement, and, where subsistence and quarters are not provided, he shall be entitled to an additional allowance in the amount of $3.50 per day for unlicensed personnel and $5 per day for licensed officers and department heads.

6. The wages and allowances provided above shall not be paid to any displaced seaman for any period during which (1) he has accepted employment as a seaman or (2) he is held in custody in deportation proceedings.

7. None of the benefits herein provided shall be granted to any displaced seaman (1) who is ordered detained by the Immigration and Naturalization Service in deportation proceedings; (2) who was employed on any vessel which, in the determination of the Commission, has been damaged or sabotaged by members of the crew thereof while in a port in waters within the jurisdiction of the United States; or (3) who has engaged in subversive activities while on board of or employed on a vessel lying idle in waters within the jurisdiction of the United States.

8. If a displaced seaman not disqualified under the preceding paragraph elects to depart from the United States and presents satisfactory evidence of his ability so to do to the Committee, as provided for in paragraph 10, transportation to the country to which he intends to proceed shall be supplied at the expense of the United States, provided departure occurs within 60 days from the date of his displacement.

9. All disbursements required under this procedure, with the exception of expenses incurred or to be incurred by reason of the detention of any displaced seaman under deportation proceedings, shall be made from funds allocated to the Maritime Commission by the President under the terms of the act of March 27, 1941 (Public Law 23, 77th Cong.), or from such funds as may otherwise be made available to the Maritime Commission for the purpose by the President or the Congress.

10. A committee composed of three representatives of the Department of Justice and three representatives of the Maritime Commission shall be established for the purpose of handling all problems arising under this act and the procedure established under it. The committee may certify any problems arising thereunder to the special assistant to the Attorney General in charge of the Immigration and Naturalization Service and to the Maritime Commission for final adjustment.

Respectfully,

FRANCIS BIDDLE,
Acting Attorney General.
THOMAS M. WOODWARD,
Vice Chairman, U. S. Maritime Commission.

REPORT ON WICKFORD HARBOR, R. I. (S. DOC. NO. 105)

On motion by Mr. BAILEY, a report dated April 29, 1941, of the Chief of Engineers of the Army, transmitted by letter of the Secretary of War, on reexamination of Wickford Harbor, R. I., was referred to the Committee on Commerce and ordered to be printed, with an illustration.

REPORT ON ST. FRANCIS RIVER BELOW THE LATITUDE OF OAK DONNICK, ARK. (S. DOC. NO. 106)

On motion by Mr. BAILEY, a report dated May 19, 1941, of the Chief of Engineers of the Army, transmitted by letter of the Secretary of War, on a review of the existing project for flood control of the St. Francis River below the latitude of Oak Donnick, Ark., was referred to the Committee on Commerce and ordered to be printed, with an illustration.

ADDRESS BY SENATOR BROOKS ON EXTENSION OF MILITARY SERVICE

[Mr. BROOKS asked and obtained leave to have printed in the RECORD a radio address on the extension of military service, delivered by him from Washington, D. C., on August 5, 1941, which appears in the Appendix.]

ADDRESS BY VIRGIL JORDAN ON NATIONAL DEFENSE AND ECONOMIC RECONSTRUCTION

[Mr. TAFT asked and obtained leave to have printed in the RECORD an address on the subject of national defense and economic reconstruction delivered by Virgil Jordan before the conference board at New York City on May 21, 1941, which appears in the Appendix.]

STATEMENT BY E. W. RISING BEFORE SUBCOMMITTEE OF SENATE COMMITTEE ON PUBLIC LANDS AND SURVEYS

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD a statement made by E. W. Rising, vice president of the Southwestern Idaho Water Conservation Project, Inc., before a subcommittee of the Senate Committee on Public Lands and Surveys, which appears in the Appendix.]

STATEMENT BY H. F. McPHAIL BEFORE SUBCOMMITTEE OF SENATE COMMITTEE ON PUBLIC LANDS AND SURVEYS

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD a statement made by H. F. McPhail, assistant chief electrical engineer of the Bureau of Reclamation, before a subcommittee of the Senate Committee on Public Lands and Surveys, which appears in the Appendix.]

THE WAR ON INFLATION—EDITORIAL FROM NEW YORK HERALD TRIBUNE

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial from the New York Herald Tribune of today entitled "The War on Inflation," which appears in the Appendix.]

PROPAGANDA IS PULLING US TOWARD WAR—ARTICLE BY WILLIAM RANDOLPH HEARST

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by William Randolph Hearst, published in the Washington (D. C.) Times-Herald of August 6, 1941, entitled "Propaganda Is Pulling Us Toward War," which appears in the Appendix.]

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. THOMAS of Utah. Mr. President, will the Chair please state the parliamentary situation?

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. THOMAS] to the amendment, in the nature of a substitute, reported by the committee.

Mr. JOHNSON of California. Mr. President, I desire first to extend my regards and respect to the Senator from Colorado [Mr. ADAMS], who made such a magnificent address yesterday. He is the only man—the others doubtless forgot it—who spoke from the standpoint of an American. I felt, when I listened to his words, a singular tingling of the spine, because I had sentiments very similar to those which he expressed. That he expressed them well, except in the beginning, when he spoke of the League of Nations, I think all will concede; but his remarks were addressed from an American standpoint. The man who stands here today and delivers an address from an American standpoint of course risks his happiness and his future and all the encomiums that otherwise might be showered upon him.

Mr. President, I am going to touch first upon the subject of the great feeling that is with me, and that must be with others here as well—because all intellects are not crippled yet; it must be with others—as to the peculiar fashion in which the joint resolution has been written, in order that the persons who are most affected by it will be first forgotten. The joint resolution which is before the Senate—and I speak now of the naked joint resolution itself—gives to the service of the young men a length of time that was not contemplated by them, that was not contemplated by the Senate, that was not contemplated by any man who had any choice in dealing with the subject matter.

It foists upon them a new service without their consent, and in order that the Senate may understand somewhat the way in which this has come about, I wish to read just briefly a promise of the Government—my Government and yours—made when these boys were taken into service, the promise which has been broken, the promise the good faith of which is here asunder. I desire to make sure that Senators understand exactly that, in order that they may vote intelligently upon the motion which will be presented very soon after I conclude.

The law provides:

> Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months.

Not 18 consecutive months, not 26 consecutive months, but for 12 consecutive months. That is what the law provides, for "twelve consecutive months."

There is no misunderstanding that language at all, and we will see as we proceed just how it has been interpreted. I shall proceed but very briefly, Senators may be certain, and no man need remain here very long in order to listen to me, because he will not hear anything he has not heard before; perhaps, and next, he will not hear anything with which he agrees.

First of all is the language of the law, which provides:

> Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

There is no room for construction, there is no room for interpretation of that language. We all know what it is, and there it stands facing every one of us—12 consecutive months.

Now, some want to make it 18 consecutive months, some are in favor of making it 36 consecutive months. Some, as I heard stated yesterday by one, would make it a lifetime of service. Yet when we entered into the agreement with our boys we entered into an agreement that they should serve for 12 consecutive months.

Mr. President, that is the law we enacted, that is the act which solemnly we assured these young men would be the act under which they would be taken into the service.

Next we turn to the statement of the Senator from Utah [Mr. THOMAS], who is in charge of the joint resolution, who, with a frankness which did him infinite credit, interpreted the language I have read and interpreted the joint resolution. He, in charge of the joint resolution, will be taken as an authority, I assume, on the construction of the measure.

The Senator from Utah said in his very able speech which was delivered here a few days since:

> We made a contract with our young men.

We made a contract with our young men.

> I shall not try to dodge that issue.

God bless Senator THOMAS of Utah for that statement. I do not know anyone else—oh, of course, I do know some—who has not failed to dodge the issue. The Senator from Utah said:

> I shall not try to dodge that issue. There was an understanding on the part of everybody that the training period would be a year.

Good heavens! In the face of such language why should we extend the period, why should we extend it so that there would be a very great difference between the original provision and that of the pending measure?

I make my apologies to both Senators from Ohio, because I was unable to vote for their amendments. I was unable to vote for them because I felt that consistency at least, and not that alone, but honor, bound me to give to these boys a service of 12 months, and 12 months only.

Let me read again the language of the Senator from Utah. I should like to sear it into your brains and make you understand just what the progenitor of the joint resolution had in his mind and what I have had in my mind.

> We made a contract with our young men. I shall not try to dodge that issue. There was an understanding on the part of everybody that the training period would be a year.

So we have the original law providing for 12 months' training, we have the construction put upon the joint resolution and the interpretation given it by the Senator from Utah, and we have here and there a word said in behalf of the pending measure. But every man who sat here during the fight upon the original selective-service bill realizes that we heard quoted, and quoted again and again, that the boys were to be put into service for a period of 12 months, and that 12 months was all.

How can we, as sentient and honorable men, break faith with the young men who now serve under the law? How can we, how is it possible for any man, to stand here and say that the conditions when the law was passed were different from those of today, and that we will change the date of service?

The lips of these young men who are in service are closed; they are padlocked. These men are not permitted to express their opinions, except by stealth, by writing to those of us who they know will not break their confidence; and how can we, knowing these facts, give to these boys a longer term of service than the 12-month period?

I yield General Marshall all the credit any man here may give him. I do not know him, but as I have listened to the various Senators descant upon his virtues, I have thought of Pooh-Bah, and I have realized that the general possesses a personality and a reputation above reproach.

General Marshall at one time hit upon this subject, and hit upon it in a way which I think was rather equivocal. He was asked by the Senator from Oklahoma [Mr. LEE]:

> And you compromised on 12 months?

And General Marshall replied:

I said that I would compromise on 15, but certainly we must have at least 12. I admit that is a peculiar way to put it, but I was trying to get the Selective Service Act passed.

Mr. President, I repeat that statement—

I admit that is a peculiar way to put it, but I was trying to get the Selective Service Act passed.

Mr. President, that reminds me of some distinguished politicians who recently used language they would not tolerate after an election, and insisted that it was mere rhetorical byplay. This language did not greatly appeal to me.

I said I would compromise on 15, but certainly we must have at least 12.

Mr. President, he got the 12 months' limitation. Again I repeat General Marshall's statement:

I admit that this is a peculiar way to put it, but I was trying to get the Selective Service Act passed.

The Selective Service Act was passed. It was passed with the 12 months' limitation in it, and that was the way General Marshall succeeded in having it passed.

If there is any greater reason for keeping faith with these young men than that language suggests, I fail to see it. The general was getting the Service Act passed. Oh, he would compromise on 15 months, but he would take 12 months to get the act passed, and he got it passed, but 12 months was the limit that was put in that measure by the Congress of the United States.

So we come now to the joint resolution, and we find that its progenitor and General Marshall agree that 12 months was to be the limit of service. All are agreed about that.

Mr. President, I hate to think that when war comes the first casualty is truth, but events occur which make one cynical in regard to that sort of thing, and make one realize that nothing counts when it is believed that war is at hand.

After this demonstration of what the measure contains, there ought to be no question as to what we should do. Mr. President, we should stand here and keep our faith. If anyone else does not want to, let him go. But every Senator should stand here and keep the faith of the United States Senate, which said 12 months was the limit of service, and that 12 months was all that would be required of these young men.

In a moment I shall come to the question of the peril which this Nation faces. We have now the joint resolution itself. We have now the statement of its progenitor. We now have the statement of General Marshall himself. We have come all through the tangled meshes of the arguments which have been made here in the last few days, to the point where no one can honestly say that it was not the duty of the young men to serve 12 months, and where no one can say that it is the duty of the Senate of the United States to hold them more than 12 months.

The joint resolution has been altered in respect to the peril which confronts us. Oh, it is a dreadful peril. I laughed a good deal last night when I heard the speech of the Senator from Connecticut [Mr. DANAHER]. It was a little gem. Although he did not speak long, he added a sense of gaiety to the occasion that was very welcome indeed. I take these things too seriously, I admit. I deem them to be more serious than does the ordinary man. I believe that if I am in private life and I undertake to keep my word upon a certain proposition, it is my duty no matter what may come, to do so.

I believe that if the Congress of the United States has pledged its word, it is its duty to see that its word is kept, and not to find excuses for breaking it. But if it were to find excuses at all, they would be found in the other direction. Congress ought not to seek methods by which its word may be broken, but to insist that its word shall be kept. I was taught that doctrine from my youth. That sort of thing is old fashioned. Very few people now care much about it. But I was taught that, and, with the increase of years, I have learned the necessity for keeping my word whenever it is given. In this case the Senate of the United States has pleged its word, and it should keep its word at all hazards. That is all I ask in this particular matter.

But, Mr. President, there must be found a way in which the sponsors of the measure can get around the Senate keeping its word. So it is provided in the amendment offered by the Senator from Utah—

That the extension of the period of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense: *Provided further*, That the authority conferred by this section shall not be exercised after a date specified in a concurrent resolution hereafter passed by the Congress.

I do not quite gather what is meant by the latter part of that amendment, but I care not. It is an attempt by weasel words to break the faith of the Senate, and I protest against such action.

Mr. President, we are the ones to determine whether there exists such a period of peril to the United States as requires us to break our word, to write something we do not mean, to write something of which we ought to be ashamed. The word used is "imperiled." That is a question of fact. Each man has a right to determine it for himself. Each man has a right, upon his conscience, to determine whether peril exists which requires us to alter this particular provision.

What is peril? It is danger, to use a common term—danger to our country. Does anyone dare assert that the United States is now in greater danger than prior to the passage of the original act?

We all know the change that has come about. The great Josef Stalin, he of the "red," he who always keeps his word, who never broke a commitment in his life, and who during all his life has shown a scrupulous desire to keep faith (?), has come into the picture. Those who believe in Josef Stalin, those who believe he has always kept faith, may, if they choose, believe that peril greater than that which existed at the time of the passage of the act now confronts us.

Josef Stalin! Just imagine it! Josef Stalin! The greatest massacre that has ever occurred on this earth occurred through him. The greatest blood-letting that was ever committed upon this earth occurred through him. He has ever been preaching world revolution, preaching it within our gates, preaching it to our very people. He is the man who now has brought what some say is greater peril. Perhaps others would say greater safety. But according to some he has brought great peril upon us.

Make no mistake about Stalin and Hitler. I have repeatedly said, and I repeat, that if I had the keeping of things I would securely lock them in an elevated cage and let them fight it out. I would care nothing about which was successful. I would let Stalin and Hitler fight as they chose, and let them determine the question as they saw fit. In the meantime we should always be prepared to protect ourselves from either. That is my position regarding those two men, and I am glad to relate it.

Stalin and Hitler! How one's blood boils at the thought of either of them. Every feeling is roused to the highest pitch of abhorrence against either of them. Yet we take one of them to our bosom. How great he has grown, and how sweet he is now, when a few days ago he was quite the reverse. We take one of them in our arms, hug him, and tell him, "We will give you everything you want in the way of implements and munitions."

Good God! Did we ever before sink so low as to select one of two cutthroats and provide him with the measures by which ultimately he might cut our throat? We cannot tell where he may ultimately stand. He has stood with everybody he thought would be profitable to him. He has been Hitler's ally whenever he thought he could make any sort of profit out of it.

Stalin, through his representatives, is now received here with pomp and ceremony. Through his representatives we agree to give him everything he desires. Take it away from England. Take it away from where it should be used in this country. He will receive such aid on the theory that ultimately he will support us. Bless my soul! Is there any man who would trust Stalin a quarter of an inch out of his sight? Just think of the possibility that he might be successful. He would leave us instantly, and in his philosophy he would be guilty of no wrong, for his philosophy is to get everything he can from the world and to give nothing in return.

The PRESIDENT pro tempore. The time of the Senator from California on the amendment has expired. He has 30 minutes on the joint resolution.

Mr. JOHNSON of California. I will take time on the joint resolution.

My remarks on Stalin and Hitler are not particularly apropos the particular matter with which we are dealing; but it is well to think of them, and not to do as we are doing all over the land. We should not take Stalin to our bosom, but should kick him out as quickly as we possibly can. We should not treat him as we would any decent, reputable ally.

We have this question before us now. Yesterday the Senator from New Hampshire [Mr. BRIDGES] put into the RECORD an editorial from the New York Times. I do not often read the New York Times, for various reasons. However, the New York Times deals with some degree of fairness with the situation in regard to Mr. Stalin. The editorial says:

Our State Department has informed the Russian Ambassador in Washington that we will give the Soviet Union all practicable economic assistance and grant unlimited licenses for the export to Russia of a wide variety of articles and materials, presumably including weapons.

Just think of it. We will give the Soviet Union a wide variety of articles and materials, presumably including weapons.

To the statement conveying this information, Ambassador Oumansky replied that he wishes "to emphasize the correctness of the view"—

It is a strange thing that the Russian Ambassador should emphasize the correctness of the view—

that, by invading Russia, Germany "is threatening the security and independence of all freedom-loving nations, and that this threat naturally creates a community of interest of national defense of those nations."

A community of interest exists with all the nations that have been tricked and served with dishonor by Stalin. A community of interest exists that will enable Russia to get all the stuff she may require and need. We have the word of the Russian Ambassador to that effect, so we can take it as absolute.

It is more than a little too bad that Mr. Oumansky's government is just now discovering the community of interest of the freedom-loving nations.

Oh, this is terrible for the New York Times!

Where was Stalin in the summer of 1939, when the war began, if not playing ball with Hitler? And where was Stalin in the winter of 1940–41, if not across his own border making war in Finland?

Just think of it. Stalin, as late as 1941 and as late as 1939 and 1940, was engaged in making war upon unoffending nations; and all of us remember the thrill of horror that went through this Chamber when we learned that he was making war upon little Finland. All of us recall the sympathy that went out from every section of this country to Finland, the only country on the face of the earth that paid us what she owed and that dealt with us in a fair and a frank manner. Russia at that time did just exactly what she is expected to do in the days to come.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. JOHNSON of California. Yes; I yield.

Mr. REYNOLDS. Let me respectfully remind the Senator that the Congress of the United States in a sense has approved all-out aid to Joe Stalin and to Russia. The honorable Senator will recall that during the debate on the lend-lease bill, from time to time mention was made that perhaps the hour might arrive when we would be called upon to interest ourselves in the affairs of Russia.

Recognizing then, as I did, that we might eventually be called upon to aid Joe Stalin in destroying churches in other countries of the world so that God-fearing people might not be permitted to worship the Almighty, fearing that we might be called upon to aid the godless soviets to destroy God-fearing people who are now enjoying and participating in the four freedoms, I took it upon myself to offer an amendment to the lend-lease bill prohibiting aid to Soviet Russia. Unfortunately, that amendment was defeated.

Mr. JOHNSON of California. I thank the Senator very much. Of course it was defeated. Of course it would be defeated today. If we were to propose to stop giving our supplies to Russia, there would be enough votes in the Senate to defeat us absolutely and unequivocally, and the Senators opposing us would proceed upon the theory that this is a war wherein we have to take our antagonists as we find them, and to take our friends as we find them. That is a doctrine to which I will not subscribe. I will not subscribe to the doctrine that I must be a Stalinite in order to be an American. I stand here an American, and an American only, because I feel that there has been too little said in behalf of Americans.

[Manifestations of applause in the galleries.]

The PRESIDENT pro tempore. Under the rules of the Senate, the occupants of the galleries are not permitted to indulge in demonstrations of approval or disapproval. If such a demonstration occurs again, the Chair will be compelled to order the galleries cleared.

Mr. JOHNSON of California. I am compelled to skip some paragraphs of this editorial. But I read this much more:

And in the matter of stopping Hitler there are certain facts which cannot be ignored: (1) Our supplies of planes and guns and ammunition are severely limited; at this moment we cannot send even to Britain one-twentieth as many bombers as we ought to send. (2) By the only route available to us—across the Pacific and then across the whole length of Siberia—it is enormously farther from the United States to Smolensk than it is from the United States to London. We cannot ignore either the distance factor or the time factor, especially when all available information indicates that the decisive phase of the Russian campaign will come within the next 6 weeks. (3) Nor can we ignore the factor of ultimate good faith. Stalin is on our side today.

I am reading from the New York Times, the newspaper which prints "all the news that is fit to print," except what some of us here utter.

Nor can we ignore the factor of ultimate good faith. Stalin is on our side today. Where will he be tomorrow? In the light of his record no one can say that he will not switch sides again, make a sudden treacherous peace with Germany, and become, in effect, Hitler's gauleiter in the east. We should be in a fine state of affairs if we succeeded in landing a hundred bombers on Russian soil just in time for this reconciliation.

The moral is clear enough.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. JOHNSON of California. I yield.

Mr. TOBEY. Let me say to the Senator that today the Russians are dropping bombs on defenseless citizens in the nation of Finland. I wonder if we recall the lip service which our President paid to the people of Finland when Russia did this early in the war.

In contrast to what he said then, what does he say now?

On July 11, a short time ago, the President sent a message to the Soviet head in Moscow. I quote from his message:

The American people are bound with strong ties of historic friendship to the Russian people. It is, therefore, only natural that they are observing with sympathy and admiration the valiant struggle which the Russian people are waging at the present time in self-defense. On behalf of the Government and people of the United States, as well as on my own behalf, I thank you for your friendly greetings. I extend best wishes for yourself and for the welfare and success of the Russian people.

I point out to the distinguished Senator from California that there is small comfort for brave little Finland in that message.

Mr. JOHNSON of California. Yes. Where was the message sent from?

Mr. TOBEY. It was sent from Washington to the Soviet head in Moscow.

Mr. JOHNSON of California. I thought it was sent from Iceland. [Laughter.]

Mr. President, I cannot characterize in fit language the conduct of Stalin. I cannot characterize in fit language the conduct of Hitler. As I have said, I would lock them both up in an elevated cage and let them fight it out. I do not know what to do or how to do it in relation to them, but I do know that a man who has been so chary of the truth as Stalin has been is not a man whom I would trust with any of the property of the taxpayers of the United States.

We are expected to spend billions of dollars in behalf of Stalin—just think of it—billions of dollars in behalf of Mr. Joe Stalin; and when this war is over, no living soul can tell the side he will be on. If it serves his purpose, he will be on our side, and then how we will love him and how with beautiful language, soft and sweet, we will talk to him! But he may be on the other side, and then we will have a very tough time, indeed. So, if it were possible, I would let both of them alone.

Mr. President, I am done. It is little that I have said, and I have not said it well, but I feel very deeply about this situation. I feel very deeply that the promise of the Senate has been given, and it ought to be kept. There ought to be no question of what we would do in this particular matter. If we will think

for a moment that only 17,000 men will be replaced in November and December of this year and that we inducted into the draft, or registered for the draft, some 7,000,000 men prior to recent days, we must realize that no harm will be done by not passing the pending joint resolution. We will simply be giving our boys a fair chance; we will simply be enabled to aid those lads who answered the call when the call was made, and we can only do that by being American.

We have seen the Englishmen and men of other countries in different parts of the earth come here begging and pleading, some of them in peculiar fashion, and demanding the things that shall be given to them. I do not begrudge it; I would not begrudge it to anybody who is fighting for his life; but I do begrudge every dollar's worth of material that we turn over to Josef Stalin. We turn it over with our eyes open, knowing what we do. We do not turn it over for America or for Americans; we do not turn it over for the protection of our own people; we turn it over because somebody has conceived the idea of being a Napoleon or greater than a Napoleon and strives to overturn the old systems of the world. I will not be a party to it. I am an American. Take that as you please, and you can do with it as you please. I am an American. I am going to stand here so long as God lets me and be just an American.

Mr. WILEY. Mr. President, for some time there have been debated in this august body the issues involved in the pending joint resolution—Senate Joint Resolution 95—but there have also been many things said that do not relate to the subject. Because of many things that have been said, I rise at this time to speak briefly, following the rule well established in the Senate that anything is relevant or pertinent to the measure at hand.

The times demand plain talk. We are at a place now, as a Nation, where facts count, where reason and common sense must come into play. We owe it to ourselves and to the Nation to speak calmly and to speak plainly. I have seen demonstrations on the floor of the Senate which were not akin to calmness nor were they akin to plain speaking. In critical times in a nation's history, the leaders are called upon to think and then express their thoughts, no matter what they may be, so that the people throughout the Nation may understand plainly what they say. This is no time for shrieking or for any pyrotechnics in the Senate of the United States; nor is it any time for gymnastic exercises to emphasize some point with which another Senator may disagree.

All America agrees that there is great need for a reasonable, sensible defense program. All America is ready to "dig down" to pay its share of the defense program. The need is apparent to everybody, because the world is aflame with the madness of war. It is apparent to every one that the need for the defense program grows out of war madness abroad, and certainly we should conclude, then, that it is no time for any kind of madness in America.

It is apparent, I believe, to every thinking person that the totalitarian powers are out to slice up the world, but that fact should not precipitate us into such a mood of hysteria that we cannot reason or think straightly.

The defense program calls for the sanest kind of thinking and planning, so that we may not wreck our American economy and may not, contrary—and I say this because I shall develop it later—to the wishes of the great majority of the American people, precipitate this Nation into war by the overt act of our leaders, by the overt act of our managers of government.

It is well that we pause to understand the situation. We are a peculiarly blessed people. We are blessed because of our geographic situation, being 3,000 miles from Europe and 7,000 miles from Asia; but we are also blessed in the form of government we have. We have a republic, peculiarly framed. Our Executive, according to the Supreme Court, has plenary powers in dealing with foreign affairs; but the Congress alone can make war or declare war. The Executive is Commander in Chief of the Army and Navy, but the Congress has to vote money to support the Army and the Navy. The Executive and the Members of Congress are elected by the people. It may be asked, What has that got to do with the present situation? It has just this to do with it: Between 80 and 85 percent of our people have indicated clearly that they do not want the managers of government to commit any overt act which would precipitate this country into war.

Right there we have a diversity of opinion. We have a right to argue it out. We have the interventionist concept. I am frank to say that, in my opinion, the interventionists do not rate over 1 percent in this country in number. We have the isolationist concept. The strict isolationists probably do not rate over 5 percent in this country. In between those two classes is the great mass of the American people who are thinking things through. It would be a serious tragedy at this time for either the Executive or any of his servants in the Army or the Navy, or for Congress, to disregard the wishes of the people.

As I said, in my opinion, not over 1 percent of the people of the country are actually in favor of a declaration of war or a commitment by the Executive or any of his servants that would precipitate the country into war.

I stated particularly the framework of our Government, and this Government should be responsive to the people, especially on this issue of war. Are the people of whom I speak, the "in-betweeners," the 85 or 90 percent, lulled into security in their position? Not at all. All of them are in favor, as I say, of an adequate defense. They are standing back of the national policy of aid to Britain. That is a national policy recognized by the Congress and recognized by the people. Are the group of which I speak—this vast in-between group—downhearted, or filled with the spirit of defeatism? Not at all. They are conscious of the power of 131,000,000 people. They are also conscious of the obligations they owe to the present age and to the future generations of America. They want this country to remain safe and free and at peace. This group are also conscious of the fact that other nations that wanted to remain safe and at peace and free have been overrun and conquered, and they know that if any other nation commits an overt act of war against this land we shall have unity; we shall have 131,000,000 people rising up en masse to defend this land.

Everyone is aware of the fact that great waves of propaganda are being poured over our country. How important this is. Could I speak to every American, I would say something like this:

Be discriminatory. Put yourself in such a position that you can discriminate between what is false and what is fact. Put yourself in such a position that you realize that if you were an Englishman you would do all that you could to aid Britain by getting this country of America into the war on Britain's side; and if you were a German, a Nazi, you probably would do all you could to stop it, including sabotage, "fifth-column" activities, and so forth.

As Americans, we must be realistic to that fact. We must recognize, once and for all, that there are great waves of propaganda going over the ether, through the movies, through the newspapers, trying to affect our thinking, trying to unbalance us; and I am sorry to say that we have seen tactics like that in the Senate, because we do not always proceed rationally and reasonably, trying to find the issue and apply the truth to it.

The group about which I spoke—and you and I belong to it—are resisting propaganda because we want to do everything that is right to prevent our involvement in war. We want to avoid the bankruptcy of this Nation and this people. We want to avoid the needless waste of life and property. We want to keep intact the great institutions that are called American, that have been minted out of the struggle of a thousand years. Of course, we shall be ready for any emergency. We shall be strong. If any one nation or group of nations challenges our way of life, we shall be ready to defend it; but we do not want foreign influences to determine the course we shall take.

Yes; we Americans as a group are thinking through with courage and vision—I repeat, with courage and vision—the problems of the present. I know whereof I speak. I have just been down South, and I have talked to Southerners. I have been in the East, and I have talked with Easterners. I have been in the Middle West, and I have talked to great farmer groups out there. I say, thank God the American mind is stable, and is not going to be swung off its balance by any form of propaganda, insane or unbalanced thinking.

Yes; we are thinking things through. We know we have enough to do to love America without spending our time hating other peoples. Of course we hate wrong. We have no time for the inter-

national marauder; we have no time for the international privateer or the international rapist; but we have enough to do to think in terms of loving America.

When our fathers came to this country they left the other country because of economic, political, social, religious, or other reasons; but they left it, and when they came here they dug their roots deep down in the soil of America, and they became a peculiar breed. Whether they stem from Ireland or Poland or England or Germany or Scandinavia or France, they became not German-Americans, Irish-Americans, or Scandinavian-Americans, but they became Americans. In doing that they severed their connections with all the hatreds of Europe and all the limitations of Europe, with all the viciousness and all the barriers that the centuries had built up in Europe. They cast out those things, and when they came here they became a peculiar people. We call ourselves Americans. We as a people—and that is history—do not believe in meddling in foreign affairs. Of course we realize that a great international poker game is on, but we Americans want to stay out of that game. Why? Because we feel that the hour is coming when we shall have indeed an opportunity to serve tired, hungry, dying humanity, and we feel that we can best serve America by keeping out of the European holocaust.

The hour is probably nearer than we think when hungry, exhausted Europe will want a helping hand, when the people there will want food and clothing and succor.

I am continually asked, wherever I go, "Will America become involved in this war?" In my opinion, we are farther away from it now than we were 6 months ago, and I want to say that to the people of this country. I do not believe that war is inevitable. It is my fervent conviction that American involvement, if our leaders keep their heads, is not necessary.

We have heard a great deal said about unity. America is unified on defense and on keeping out of this war. I repeat what I said before—that if we are attacked, if any nation strikes at the Western Hemisphere, there will be unity, not only for defense, but for offense, with 131,000,000 people back of the Commander in Chief.

Mr. President, in this debate a great deal has been said about danger to America. Let me briefly call your attention to a few facts which I assembled on July 20, when I spoke on a national hook-up. I quote:

> We were told a year ago by Army bigwigs that England could not survive the summer. Then (a year ago) we had practically no bombers, no fighting planes. Then our Navy hadn't received the additions in ships and planes that it has since. Then we had not started effectively the production of ordnance, tanks, and small arms. Then Russia was all for Germany.

And, while I hold no brief for Russia, I believe that according to the President she is doing magnificently in stopping the onrush of Hitler. I am not mixing up in that fight. I hold no brief for either of them. My hope is, without being at all one of those who like to see bloodshed, that when the contest is over, over there, those two great nations will have learned that war does not pay.

> A year ago we had practically no production in powder and explosives for our Army.

Get that.

> Then the Union of South Africa, the Commonwealth of Australia, Canada, and India were just starting to provide supplemental arsenals for Britain.

Then Singapore and the East Indies were almost defenseless. Now they are equipped and garrisoned. Then Britain was "taking it"—now she is "giving it." Then we did not have the bases on the isles of the Caribbean and in Bermuda, Newfoundland, Iceland—now we have them.

Then Germany had not lost a million men in the Russian campaign, as she has now. Every occupied country in eastern Europe is full of her wounded. Then she had not lost her munitions, her tanks, her airplanes, her bombers, as she has now. Yes, Germany is greatly weakened in manpower, plane power, ship power, and morale.

A year ago, it will be remembered, we lived in fear of a British collapse. Now Britain has conquered Italian East Africa, Ethiopia, and French Syria.

Do Senators recall how a year ago we feared the devastation of the British Isles by the Nazi air force? Today England is out-Coventrying, on Germany's soil, the German Luftwaffe's bombardment of Coventry.

A year ago Hitler was in Mexico with his "fifth columnists." Mexico now is friendly with us, and all over South America the Nazi situation is being met head-on, and the Caribbean has become an American lake.

A year ago, while Japan had not gone into Indo-China, she has in this last year been weakened financially and in the loss of manpower. Whereas in this last year we have strengthened our Navy in the East, fortified our island possessions—we have now cut off shipments of fuel oil to Japan.

Mr. President, concerning this subject of peril, I heard a discussion the other day in relation to the increase of the armed forces of Hitler, a comparison made on the floor of the Senate between the number of divisions Hitler had in the beginning of the war and what he has now. If the purpose was to create fear, then I am going to suggest a few ideas as an antidote.

Before England got one American bomber she was able to bomb out practically all the ships and boats Hitler had assembled for an attempt on Britain. Hitler has not been able to cross 25 miles of water with his troops. In the opinion of the best military men—those who understand the lessons which have been learned and taught by this war, men who air air-minded, sea-minded, and infantry-minded—air power has immunized America from any successful attack, providing, of course, we get the air power. General Marshall said practically the same thing the other day when in substance he stated that no power in the world could now successfully attack this country because no power has air bases near enough to the American Continent. There was a time when America could be attacked with warships—but not now. With an air fleet of bombers and fighting ships, we could stop them. No warships could withstand an attack from our shore base air forces.

It has been said that if England's mighty fleet, with what air arms she could assemble coordinated with her fleet, were to attack our shores, we could bomb them out of existence, because England could not assemble over 250 airplanes with her aircraft carriers to accompany her ships. England's mighty home fleet, without her air arm, is practically helpless. We could, with the bombers we are getting, stop any sea fleet in an invasion of our shores a thousand miles offshore. If a thousand ships of England's fleet were headed in our direction, unless she could accompany it by a sufficient number of airplane fighters, we could blow the fleet out of the sea. And no air fleet of sufficient size could accompany the sea fleet.

I repeat, this is the opinion of some of the best naval minds in this country.

It is a pretty good thing to know these things. I wish the country could get the facts. There has been so much of the other stuff—and I call it "stuff"—which has been sold to some of the American people, that they were getting into such a condition that they did not know where they were.

Let me repeat, that, according to some of the best minds in this country, the modern air arm, made up of bombers and an air fleet, has widened the ocean instead of narrowing it, because it is conceded that no successful attack could be made on this country without landing armed forces, and a thousand miles from shore we could put out of business any fleet assembled by a combination of all the powers on earth, for the reason that they could not bring along with them the air arm with which to protect their fleet. That is the lesson taught in the Mediterranean, that is the lesson taught in Norway's waters and around England.

Mr. President, do you know that the English fleet is not safe today a thousand miles out from Britain because Germany's air bombers are so effective? The only way by which they can be made relatively safe is by having the fleet accompanied by an aircraft carrier with a sufficient number of fighter planes to fight off the bombers. A thousand bombers on America's shore east and a thousand west, accompanied by air fighters, would be sufficient to protect our shores, according to the best military minds I have been able to contact.

I repeat, it is well for us to know these things, because one of the great fears which has been shot into the mind of America is that we are practically helpless. Yet we know that Hitler, after all this time, has not been able to put one soldier on British soil.

We have to be realistic. I wish to say that from information I have after talking with some of our air generals, we are going places with our increased capacity in the building of bombers and fighting planes, with our developing 40,000 men a year in the Air Service, and it is a mighty satisfactory thing to know

that America is going to be able to look after herself if need be.

There is something else that provides an antidote to all this fear. Germany and Italy are separated from their ally, Japan, by the territory of Russia and Siberia. Do we ever stop to think that there are more people and that there is more potential power alined against the Axis Powers than are with them? Every country that is occupied is against Hitler; and, according to the President, Russia's defense is magnificent. According to some prophets, if Hitler keeps on pursuing his course in Russia, the Russian bear may do so much damage there will not be any Hitler. Yet it is claimed this country is in imminent peril? Imminent peril from whom? Some folks think it will come from the hysterical, illogical, and unrealistic spokesmen of the interventionists. We are in more peril from losing our heads than from external peril.

Mr. President, here is part of a statement recently issued by a group of great Americans, including ex-President Hoover and General Dawes:

> Few people honestly believe that the Axis is now, or will in the future, be in a position to threaten the independence of any part of this hemisphere if our defenses are properly prepared.
>
> Energies of this country should be concentrated on the defense of our own liberties. Freedom in America does not depend on the outcome of struggles for material power between other nations.

Not over 1 percent of the people are interventionists, and I want our people to think that through. A little false propaganda yeast put into dough will permeate the whole lot of dough. So it is more than necessary that we think things through, and wherever that yeast is planted that we plant an antidote. We plant the tremendous idea that America is not weak, is not downhearted, does not possess the defeatist attitude; that she is able, no matter what the emergency, to meet it. That does not put us in the class of closing our eyes or putting blinders on them. We know the world is afire, but we know also that we have much to attend to in America, without attempting to put out all the fires in the world which we had nothing to do with starting.

In this connection, I desire to pay my respects again to that great group of nonpublicized Americans who talk the issues, present the facts with calmness, do not go off on an emotional spree, who do not indulge in the technique of lulling American citizens to sleep, but who state the facts and do not create hysteria, that group which does not preach defeatism, but which does indulge in sane thinking without bias, prejudice, or malice.

It is well for us to bear in mind that there are problems ahead. It is well to bear in mind that we are competent to meet those problems. The greatest service that can be rendered to the Nation now is to do that which will keep America safe and at peace.

Personally, I do not think the debate has shown that the national interest is imperiled, and I do not think anyone has shown for one moment that the keeping of the selectees in the service if there is a peril would provide the antidote to the peril. No one has so argued. The debate has shown the men are not fully trained and equipped, and the debate has shown the reason for this is that the Nation has not had the tanks, the ordnance, the antitank guns, the antiaircraft guns, and no one can say when that equipment will be on hand. But when it does come into being in sufficient quantities, it is common sense to say that the Regular Army should first be equipped and trained in the modern technique of war, and that thereafter the Guard should be similarly trained and equipped, and that thereafter the conscripts should be similarly trained and equipped.

Mr. President, if the selectees were permitted to go home, or if part of them were permitted to go home—and I wish the RECORD to show that only 13,000 of them will go out in November, and thereafter they will continue to dribble out of the service—if they were permitted to go home, and a crisis were to arise, they could be called right back into the service.

I repeat, if there is any peril, it has not been argued or demonstrated that keeping the present conscripts in the service would meet that peril. It has been shown that if the present conscripts were kept in the service, unless the present law limiting the number of conscripts to 900,000 is changed, a large portion of the new selectees will not be trained at all.

We must also bear in mind that when the equipment is ready the conscripts can be called back into service at any time.

Mr. President, because General Marshall made out such a good case that these boys had not received their complete training because of the failure of Uncle Sam to have the necessary equipment, I had hoped that a compromise would be worked out, not declaring that the national interest was imperiled, but extending the service 6 months, so that the boys would get the required training. It would probably do them good. It would do the Nation good. But, Mr. President, there was apparently no tendency on the part of the leaders of the Democratic Party, or the opposition, to compromise on that basis. That proposal was voted down overwhelmingly. Their chief in the White House and their chief at the head of the Army made a statement, and so apparently the opposition had to maintain the position taken by the chiefs by providing for extending the service 18 months additional.

Mr. President, again I repeat, ours is a peculiar form of government. The Congress is an independent branch of government. As a legislative body, it is our business to think things through and not take orders from the Executive. Apparently we have been stampeded into such a frame of mind that neither the facts nor reason nor logic are the basis of the argument; we simply act upon a statement made by someone.

Mr. President, I have received a number of postal cards, all printed and of a similar character to those mentioned by the Senator from Connecticut, all based upon false assumptions that the Army would disintegrate on August 1 if the proposed law is not passed. The undisputed evidence shows that, as far as the selectees are concerned, 13,000 would go out in November, 5,000 in December, 73,000 in January, 90,000 in February, 153,000 in March, 123,000 in April, 56,000 in May, and 71,000 in June.

Let us bear in mind that there would be only 19,327 men mustered out of the Army before January of 1942, and that group will not be removed until November or December of 1941.

We must bear in mind in the meanwhile that these men can be replaced by new selectees. These new selectees in turn will have more training by that time than the selectees who were inducted between April and June of 1941 have at the present time.

I might add that the National Guard is not faced with any immediate mass exodus. There are 156 National Guard units in service at the present time. None of those will be demobilized before September, and only 56 out of the total 156 need to be discharged prior to January 1, 1942.

I might add that the Army has admitted that it will not be impossible to replace these units. That statement was made before the Senate Committee on Military Affairs on July 12, 1940.

So far as Reserve officers are concerned, General Marshall indicated on June 30, 1941, that only 55,000, or not more than 55 percent of those eligible for service, were on active duty. That seems to indicate that there must be a reserve of about 50,000 Reserve officers still available.

ISSUE MUST NOT BE DISTORTED

The issue before the Senate for consideration of the pending measure must not be distorted. We are debating the question as to whether the national interest is imperiled. We are not debating the question as to whether we need a professional army of soldiers, and yet it appears to me that the bulk of our discussion has been directed toward the need for a semiprofessional, large-scale Army.

In other words, the administration apparently does not contemplate repealing the existing selective-service law, but wants to modify it so that we can have, in effect, at least a semiprofessional, long-term, large-scale Army.

Again I state that the issue must not be confused. No one can contend that the present unprepared state of the Army is due to the international situation. The debate on the pending measure has definitely developed the point that the present so-called new Army is unprepared. It is unprepared because we have inadequate equipment, and it is unprepared, according to General Marshall, because Army officials require a longer period in which to train such a large-scale Army.

In other words, the necessity for this longer period of training does not result from the Nation being imperiled. As new conscripts are inducted, it is apparent that the trained Army units will be further diluted. I still have heard no arguments as to why this diluting could not be counteracted by a sincere and enthusiastic attempt to secure voluntary enlistments for 3-year terms.

We know that the Chief of Staff has estimated that the Army would need at the present time a minimum of 640,000 3-year volunteers. I understand that at the present time the Army has some 476,000 3-year volunteers, in spite of the fact that 3-year volunteer enlistments were discouraged.

In order to pass the proposed legislation, it is necessary to establish that the Nation's interests are imperiled. That has not been established either on the floor of Congress or by the testimony of the Chief of Staff.

It may be that there are grave factors imperiling the national interst, but those factors have not been revealed either to the American people or to the Congress; and, in the absence of any menace of imminent invasion, it can be concluded only that an expeditionary force could be the basis for such a request.

Mr. President, if the term of service were extended, certainly conditions would become better or worse. If worse, a declaration of general emergency by Congress would have to be made to keep the men in the service. If better—and I think conditions are better; and it was stated on the floor of the Senate yesterday that the odds on the exchange in London had dropped from 20 to 1 to 3 to 1 that the war would be over before the first of the year—I say that if conditions are better, and I think they will become better, there will be no need then for a declaration of an emergency by the Congress, and at the end of their 18 months the boys can go home.

In the meanwhile, with the equipment and ordnance rolling out of the factories, with bombers coming off the assembly line, with Germany and her Axis Powers becoming more isolated and encircled, it will be found that the faith and the courage of those who looked up when conditions were darkest are being justified.

Mr. GURNEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	O'Daniel
Andrews	Gerry	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Peace
Barbour	Guffey	Pepper
Barkley	Gurney	Reynolds
Bone	Hatch	Schwartz
Brewster	Hayden	Shipstead
Bridges	Herring	Smith
Brooks	Hill	Stewart
Brown	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Idaho
Burton	Johnson, Colo.	Thomas, Okla.
Byrd	Kilgore	Thomas, Utah
Capper	La Follette	Tobey
Chandler	Langer	Truman
Clark, Idaho	Lee	Tunnell
Clark, Mo.	Lucas	Tydings
Connally	McCarran	Vandenberg
Danaher	McFarland	Van Nuys
Davis	McKellar	Wallgren
Downey	Maloney	Wheeler
Eastland	Mead	White
Ellender	Nye	Wiley

The PRESIDENT pro tempore. Seventy-two Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Utah [Mr. THOMAS] to the committee amendment, on page 3, beginning in line 9.

Mr. THOMAS of Utah. Mr. President, I believe that all Senators who intend to speak on the amendment have spoken. Since we have virtually had two yea-and-nay votes on this amendment, one on the Taft limitation and another on the Burton limitation, I am wondering if the Senate is not ready to vote by voice upon the pending amendment at this time.

Mr. WHEELER. No, Mr. President. I think we should have a yea-and-nay vote. I ask for the yeas and nays.

Mr. THOMAS of Utah. That is perfectly agreeable to me. I have no objection to a yea-and-nay vote.

The yeas and nays were ordered.

Mr. BONE. Mr. President, in the interest of preserving the record I think it would be well to have the amendment of the Senator from Utah [Mr. THOMAS] printed in the CONGRESSIONAL RECORD prior to the vote.

Mr. THOMAS of Utah. I have no objection.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment of Mr. THOMAS of Utah to the committee amendment is as follows:

In lieu of the proviso in lines 9 to 11, inclusive, on page 3, insert a colon and the following: "*Provided*, That the extension of the period of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense: *Provided further*, That the authority conferred by this section shall not be exercised after a date specified in a concurrent resolution hereafter passed by the Congress."

The PRESIDENT pro tempore. The yeas and nays having been ordered on the amendment of the Senator from Utah [Mr. THOMAS], the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEWART (when his name was called. I have a general paid with the junior Senator from Oregon [Mr. HOLMAN]. I transfer that pair to the Senator from West Virginia [Mr. ROSIER] and will vote. I vote "yea." I am advised that, if present and voting, the Senator from West Virginia would vote "yea."

The roll call was concluded.

Mr. TYDINGS. My colleague [Mr. RADCLIFFE] is necessarily absent until 2 o'clock. I was requested to announce that if the vote had come after 2 o'clock, when he could be present, he would have voted "yea."

Mr. LUCAS. I have a general pair with the junior Senator from Vermont [Mr. AIKEN]. I understand that if he were present, he would vote "nay." I transfer the pair to the junior Senator from New Jersey [Mr. SMATHERS], who I am informed would vote "yea," and will vote. I vote "yea."

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Iowa [Mr. GILLETTE], the Senator from Utah [Mr. MURDOCK], the Senator from West Virginia [Mr. ROSIER], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from Massachusetts [Mr. WALSH] has been called to one of the Government departments. I am advised that if present and voting, he would vote "nay."

The Senator from Arkansas [Mrs. CARAWAY] has a pair with the Senator from New Mexico [Mr. CHAVEZ]. I am advised that if present and voting, the Senator from Arkansas would vote "yea," and that the Senator from New Mexico would vote "nay."

Mr. AUSTIN. I announce the following pair on this question:

The Senator from Minnesota [Mr. BALL], who would vote "yea," with the Senator from Kansas [Mr. REED], who would vote "nay."

I also announce the following general pairs:

The Senator from Nebraska [Mr. BUTLER] with the Senator from Georgia [Mr. RUSSELL];

The Senator from Oregon [Mr. MCNARY] with the Senator from Alabama [Mr. BANKHEAD]; and

The Senator from Massachusetts [Mr. LODGE] with the Senator from Mississippi [Mr. BILBO].

The Senator from Indiana [Mr. WILLIS] would vote "nay."

The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. HOLMAN], the Senator from Massachusetts [Mr. LODGE], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Vermont [Mr. AIKEN] is absent on official business.

The Senator from Indiana [Mr. WILLIS] is absent on account of an injury.

The result was announced—yeas 44, nays 28, as follows:

YEAS—44

Andrews	Ellender	McKellar
Austin	George	Maloney
Bailey	Gerry	Mead
Barbour	Glass	O'Mahoney
Barkley	Green	Overton
Brewster	Guffey	Peace
Bridges	Gurney	Schwartz
Brown	Hatch	Stewart
Bunker	Hayden	Thomas, Okla.
Burton	Herring	Thomas, Utah
Byrd	Hill	Truman
Chandler	Hughes	Tunnell
Clark, Idaho	Kilgore	Wallgren
Connally	Lucas	White
Eastland	McFarland	

NAYS—28

Adams	La Follette	Taft
Bone	Langer	Thomas, Idaho
Brooks	Lee	Tobey
Capper	McCarran	Tydings
Clark, Mo.	Nye	Vandenberg
Danaher	O'Daniel	Van Nuys
Davis	Pepper	Wheeler
Downey	Reynolds	Wiley
Johnson, Calif.	Shipstead	
Johnson, Colo.	Smith	

NOT VOTING—24

Aiken	Gillette	Reed
Ball	Holman	Rosier
Bankhead	Lodge	Russell
Bilbo	McNary	Smathers
Bulow	Murdock	Spencer
Butler	Murray	Wagner
Caraway	Norris	Walsh
Chavez	Radcliffe	Willis

So the amendment of Mr. THOMAS of Utah to the committee amendment was agreed to.

Mr. THOMAS of Utah. Mr. President, I ask that the clerk read the second committee amendment, the one dealing with section 3.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 3 in the committee amendment it is proposed to strike out lines 12 to 23, inclusive, and insert in lieu thereof the following:

SEC. 3. The Secretary of War may, when not in conflict with the interests of national defense, release from active military service those persons who apply therefor through the regular military channels and state their reasons for such release, and who, in the judgment of the Secretary of War, would suffer undue hardship if retained on active military service: *Provided*, That any person so released under this section who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect, which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of the Selective Training and Service Act of 1940.

Mr. THOMAS of Utah. Mr. President, the conference report on Senate bill 1524 deals with the release of persons who have been drafted and who are over 28 years of age. In order that this measure may be consistent with the conference report, I send to the desk and offer an added proviso to the amendment just read, and ask that both amendments be considered together. I ask that the clerk read the proviso.

The PRESIDENT pro tempore. The clerk will read the proposed modification of the amendment to the amendment.

The LEGISLATIVE CLERK. Before the period at the end of the revised section 3, it is proposed to insert the following:

Provided further, That any person discharged or released from active training and service under section 3 (b) of such act shall be transferred to a reserve component of the land forces for the same period and with the same rights, duties, and liabilities as any other person transferred to a reserve component of the land forces under the provisions of section 3 (c) of such act, regardless of his period of training and service.

The PRESIDENT pro tempore. The Senator from Utah has a right to modify his own amendment.

The question is on agreeing to the modified amendment to the committee amendment.

The modified amendment to the amendment was agreed to.

Mr. THOMAS of Utah. Mr. President, I ask that the clerk read the third committee amendment.

The PRESIDENT pro tempore. The clerk will read the amendment to the amendment.

The LEGISLATIVE CLERK. On page 5, in the committee amendment, it is proposed to strike out lines 5 to 9, inclusive, being section 8, and in lieu thereof insert the following:

SEC. 8. Section 1 of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940, is hereby amended by striking out "June 30, 1942," and inserting in lieu thereof "May 15, 1945."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. THOMAS] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. THOMAS of Utah. Mr. President, that completes the amendments recommended by the committee to the committee amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee, as amended.

Mr. PEPPER. Mr. President, I desire to call the attention of the able Senator from Utah [Mr. THOMAS] to the question to which I adverted the other day; that is, whether the insurance benefits available to the selectees are as broad as those which were available to the men drafted during the World War. I have made inquiry at the Veterans' Administration and I find that while during the World War those who had insurance had the benefits of the total and permanent disability provisions, those benefits are not now carried in the insurance which is now available to the present members of the armed forces.

The difference is that if during the World War a draftee had been totally and permanently disabled he would have received compensation for his injuries from the Government, and, in addition to that, he would have received $57.50 a month under the $10,000-insurance policy. The like provision is not available to selectees under the present system of insurance that is in force.

I myself shall not offer any amendment about it, but I feel that it ought to be called to the attention of the committee that those insurance benefits are not given, and I believe it is the sentiment of most Members of the Senate that they should be available to the selectees.

I will say that the Senator from Oregon [Mr. MCNARY], in recognition of that situation, has introduced a bill—Senate bill 1657—which is pending before the Senate Finance Committee, and upon which a report is being prepared by the Veterans' Administration. There is also a House bill pending in the other body on the same subject. It seems to me that it might be appropriate for the Senate Military Affairs Committee to look into the situation if the committee thinks that these men should have the widest possible insurance coverage.

Mr. THOMAS of Utah. Mr. President, I may say, in reply to the Senator from Florida, that, of course, the insurance benefits allowed the draftees in the World War were allowed to men during time of war. The selectees now are entitled to all the benefits in regard to insurance which are now given to anyone in the Regular Army on a peacetime status. If the McNary bill should be presented to the Congress, and if Congress should decide to put the present selectees on the same basis as were the draftees during the World War, I am sure that most of the Members of the Senate would sustain such action. But, so far as the law of the land is concerned, the selectees have all the rights in regard to compensation and insurance that anyone else in the land forces has at the present time.

Mr. PEPPER. Mr. President, will the Senator yield for a last question on the subject?

Mr. THOMAS of Utah. Certainly.

Mr. PEPPER. The Senator realizes that the facts are that if a selectee during the World War had been totally and permanently disabled, he would have gotten, we will say, $115 a month, while if a selectee now in the service should be totally and permanently disabled he would get but $57.50 a month?

Mr. THOMAS of Utah. That is true.

Mr. O'DANIEL. Mr. President, I offer the amendment which I submitted earlier today and which is on the desk, in reference to strikes.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5, after line 9, it is proposed to insert the following:

SEC. 9. That it shall be unlawful for any person by the use of force or violence, or threat of the use of force or violence, to prevent or to attempt to prevent any person from seeking or accepting employment with a company which is engaged in the performance of a national-defense contract.

SEC. 10. It shall be unlawful for any person acting in concert with one or more other persons to assemble at or near any plant or other place owned, leased, or occupied by a company which is engaged in the performance of a national-defense contract, if a labor dispute exists at such plant or place, and force or violence, or threat of force or violence, is used to prevent or attempt to prevent any person from seeking or accepting employment with such company, or for any person to promote, encourage, or aid any such assemblage at which such force or violence, or threat thereof, is so used.

SEC. 11. Any person who violates any provision of this act shall, upon conviction thereof, be imprisoned for not less than 1 year nor more than 2 years.

SEC. 12. As used in this act—

(a) The term "company" includes an individual, a partnership, company, corporation, or association.

(b) The term "national-defense contract" means a contract—

(1) with the United States for the construction, erection, reconstruction, installation, transportation, production, manufacture, repair, storage, or handling of property, or the furnishing of property or services, for use by the land or naval forces of the United States; or

(2) with the United States for the construction, reconstruction, or repair of any vessel; or

(3) whether or not with the United States, for the construction, erection, reconstruction, or installation of any building, structure, machinery, equipment, or facility for use by

the land or naval forces of the United States or for use by any person in the production, manufacture, repair, storage, or handling of property for use by the land or naval forces of the United States; or

(4) whether or not with the United States, for the production, manufacture, repair, storage, or handling of any article described in Proclamation No. 2237 promulgated by the President on May 4, 1937; or

(5) whether or not with the United States, for the construction, erection, reconstruction, or installation of any building, structure, machinery, equipment, or facility for use by any person in the production, manufacture, repair, storage, or handling of any article described in Proclamation No. 2237 promulgated by the President on May 4, 1937.

(c) The term "labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

SEC. 13. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

SEC. 14. This act shall cease to apply upon the expiration of the emergency proclaimed by the President on May 27, 1941, except that offenses committed in violation of this act prior to its expiration may be prosecuted and punished after such expiration in the same manner and to the same extent as if such act had not expired.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Texas [Mr. O'DANIEL].

The amendment was rejected.

The PRESIDENT pro tempore. The joint resolution, as amended, is before the Senate and open to further amendment.

Mr. DOWNEY. Mr. President, several days ago I presented an argument to the Senate on an amendment to the pending joint resolution which I expected to offer. I should now like to offer that amendment, without argument, and inasmuch as, at the suggestion of the War Department, section No. 1 was somewhat changed, I request the clerk now to read the amendment as it has been printed with the change suggested by the War Department.

The PRESIDENT pro tempore. The amendment will be read.

Mr. BARKLEY. Mr. President, it may be difficult for the clerk to read into the amendment the change added at the suggestion of the War Department. Could the Senator suggest the modification he desires made in his amendment?

Mr. DOWNEY. I have not heretofore offered the amendment. I am now offering it in the form suggested by the War Department.

The PRESIDENT pro tempore. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 5, after line 9, it is proposed to insert the following:

SEC. 9. Any person (including any person inducted for training and service under the Selective Training and Service Act of 1940) who, subsequent to August 27, 1940, shall have served on active duty as an enlisted man in the land or naval forces of the United States, including the Coast Guard, shall be entitled to receive, in addition to the amounts otherwise payable to him, the sum of $30 for each month of such service as an enlisted man in excess of 12 months, rendered prior to 6 months after revocation of the authority conferred by section 2 of the Service Extension Act of 1941. The sum payable to any such person under this section shall be paid in monthly installments of $30 each, the first installment to be paid during the first month following the month within which the active service of such person is terminated under honorable conditions. Such installments shall be paid by the Veterans' Administration, under such rules and regulations as shall be prescribed by the Administrator of Veterans' Affairs, with the approval of the President.

SEC. 10. (a) There is hereby created a special joint congressional committee (hereinafter referred to as the "committee") to be composed of the Vice President, three Senators, to be appointed by the Vice President, and three Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The Vice President shall be the chairman of the committee. The committee shall make a full and complete investigation with a view to determining ways, means, and methods of securing employment for members of the military and naval forces of the United States after their service in such forces has been terminated. The committee shall report to the Senate and to the House of Representatives, at the earliest practicable time, the results of its study and investigation, together with its recommendations, if any, for necessary legislation.

(b) For the purposes of this section, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $10,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers approved by the chairman.

Mr. DOWNEY. Mr. President, I should like the yeas and nays on this amendment.

The PRESIDENT pro tempore. The yeas and nays are demanded. Is the request seconded?

The yeas and nays were not ordered.

Mr. LEE. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes.

Mr. LEE. I desire to ask the Senator some questions. Does the amendment include the soldiers who volunteered?

Mr. DOWNEY. Yes; as I understand the amendment, it includes all the members of the armed forces of the United States who will have served a year after the date mentioned—August 27, 1940.

Mr. LEE. The Regular soldiers who remain in the service would not get the $30 a month, would they?

Mr. DOWNEY. Yes; they would get it.

Mr. LEE. But the language of the amendment is:

The first installment to be paid during the first month following the month within which the active service of such person is terminated.

Mr. DOWNEY. That is correct.

Mr. LEE. Then they would not get it until their service terminates?

Mr. DOWNEY. That is correct; and I may say in relation to that matter that one of the purposes of the amendment is to provide a fund of $30 a month for members of the armed forces after their discharge from military service to assist them in readjusting themselves in civilian life.

Mr. LEE. Suppose they should want to continue in the service as Regular soldiers, then would they get the $30 a month as an old-age pension when they retire?

Mr. DOWNEY. I will say to the distinguished Senator that they would get it when they retire; but, of course, the sum would be accumulated only during the period of this emergency.

Mr. LEE. Do members of the War Department assure the Senator from California that as the amendment is drawn all personnel in the Army and the Navy and the whole armed forces would be paid the $30 a month?

Mr. DOWNEY. Yes.

Mr. LEE. Including the air force?

Mr. DOWNEY. Yes.

Mr. LEE. Then I shall vote for the amendment.

Mr. DOWNEY. I am very happy to hear the Senator say so.

Mr. BARKLEY. Mr. President, let me ask the Senator some questions so that I may be sure what his amendment means.

Section 9 of the amendment reads:

Any person (including any person inducted for training and service under the Selective Training and Service Act of 1940) who, subsequent to August 27, 1940, shall have served on active duty as an enlisted man in the land or naval forces of the United States, including the Coast Guard—

Shall receive the extra pay.

It strikes me that that does not include all the members of the Regular Army or of the naval forces. I do not so understand. Besides, is that part of the amendment really in the nature of a bonus?

Mr. DOWNEY. No; it is not offered in the nature of a bonus. It is offered in the nature of additional compensation to be paid enlisted men.

Perhaps I have misinformed the Senator. The amendment is not meant to cover anybody except the enlisted men and the noncommissioned officers. It does not provide any additional pay for commissioned officers.

Mr. LEE. But it does cover all other Army personnel except officers, including those who are already in the service, and including those who entered the service other than as a result of the Draft Act? Is that correct?

Mr. DOWNEY. Yes; that is correct.

Mr. LEE. What it would amount to is that we allow the soldier who is engaged in the most hazardous of all occupations a mere $2 a day for the time he serves after he serves 12 months? Is that correct?

Mr. DOWNEY. That is correct; yes.

Mr. LEE. In the light of the wages which are being received by those who are not in the service, and in the light of the profits which are being received by

those in industry and by all persons who are able to take advantage of an inflation period which always comes at such times, it seems to me that is the least we can do for these soldiers.

Mr. DOWNEY. I am very grateful to the Senator for his expressions.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes.

Mr. ELLENDER. Am I to understand that the payments of $30 per month will be made after the soldier is discharged?

Mr. DOWNEY. That is correct—the additional $30 a month, beyond the $30 he is now receiving.

Mr. ELLENDER. For what period of time will the $30 per month be paid?

Mr. DOWNEY. The men will be paid after their discharge for the number of months they will serve beyond 1 year.

Mr. ELLENDER. How will they be paid—on a permanent basis, or in a lump sum?

Mr. DOWNEY. On a monthly basis.

Mr. ELLENDER. Equal to the number of months they served?

Mr. DOWNEY. That is correct.

Mr. BARKLEY. Mr. President, let me ask the Senator whether his amendment means that hereafter all men in the Army and Navy will draw $60 a month for service to be rendered in the future, and those who have served under either of the acts mentioned, although discharged, will draw $30 a month in addition to the amount they have been drawing while in the Army and Navy? Is that true? Does the amendment fix the future compensation of members of the Army and Navy at $60 a month?

Mr. DOWNEY. No; the amendment merely fixes the additional compensation during the period of this emergency.

Mr. BARKLEY. I mean, while they are serving.

Mr. DOWNEY. That is correct.

Mr. BARKLEY. So that during this emergency, however long it may last, those who are brought in under the emergency will draw $60 a month from now on?

Mr. DOWNEY. They will draw $60 a month for service after they have served 1 year. They will not draw the additional compensation during the first 12 months, but only for additional time beyond that, and they will not be currently paid $60; but $30 per month of it will be deferred until after their discharge, when it will be paid them in additional monthly installments.

Mr. BARKLEY. Then all those who have served or are now serving will draw, after their discharge, in addition to what they have been paid, $30 a month for the same length of time they have been in the service?

Mr. DOWNEY. Beyond 1 year.

Mr. BARKLEY. Beyond 1 year?

Mr. DOWNEY. Yes.

Mr. BARKLEY. And all those who come in from now on during the emergency will draw $60 a month, $30 of it while they serve, and $30 a month for the same length of time after they are discharged?

Mr. DOWNEY. No; I think the Senator still misunderstands the effect of the amendment. No additional compensation will be paid to any man during the first 12 months of his service, whether or not he is already in the service.

Mr. BARKLEY. I understand, but after he gets out he is to draw $30 additional for each month he has served?

Mr. DOWNEY. Beyond 1 year.

Mr. BARKLEY. Beyond 1 year?

Mr. DOWNEY. That is correct.

Mr. BARKLEY. And then, after the emergency is over, the pay of all the men in the Army and Navy will go back to $30 a month?

Mr. DOWNEY. That is correct.

Mr. BARKLEY. What is the logic behind the Senator's theory? I am trying to get his reaction to it because the amendment creates a sort of hiatus during which the men are to be given additional compensation. What is the theory upon which the Senator bases his suggestion that during the emergency, after the first 12 months of any man's service in the Army or Navy, he shall be entitled to $30 additional for each month of service beyond the 12, but it is not to be paid to him until he retires and goes back home? That is correct, is it?

Mr. DOWNEY. That is correct.

Mr. BARKLEY. After the emergency is over, for the same type of service the men in the Regular Army and Navy will go back to the pay they are now receiving?

Mr. DOWNEY. That is correct.

Mr. BARKLEY. That is the question I wanted to ask.

Mr. DOWNEY. If the implication of the question of the Senator from Kentucky is that he would prefer to have this additional $30 go on for our armed forces after the emergency is over, I shall have no objection to that.

Mr. BARKLEY. I am not suggesting anything; I am attempting to get the meaning of the Senator's amendment.

Mr. DOWNEY. Let me again state it to the Members of the Senate. The amendment would provide additional compensation for all the members of the armed forces of the United States, who are enlisted men or noncommissioned officers, of every type and kind, to this extent: They would be paid $30 additional for every month they will have served after 1 year's service, but the payment is not to be made to them until after they are discharged, when it will be paid in equal monthly installments.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. HATCH. I expect to vote for the Senator's amendment, but there is another thought in my mind which I have been considering for several days. I have voted, and I expect to continue to vote, to keep these men in the service, but along, I believe, with every other Member of the Congress of the United States, I want to act as fairly and justly as possible. Some of these men have been employed in private industry and thereby have been building up benefits under our social-security program, unemployment compensation, old-age benefits, and things like that. It is possible that such benefits may now be stopped by reason of the men having been inducted into the service, and I am now having drafted an amendment which will provide that those benefits shall continue. Does the Senator approve of that?

Mr. DOWNEY. I do, very much.

Mr. HATCH. I was not trying to trade with the Senator. I had already stated my position on his amendment in advance.

Mr. DOWNEY. I am very glad the distinguished Senator is giving his very valuable attention to that type of legislation, to further protect the members of the armed forces.

Mr. LEE. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LEE. In answer to the question asked by the Senator from Kentucky [Mr. BARKLEY], the theory on which I am supporting the amendment is that the men have already been in service a while, and will complete their 12 months' service. The argument is made that they expected to be discharged at the end of 12 months—and I think, unquestionably, since everyone talked of 12 months, they did make their plans accordingly—but Congress comes along and says, "On account of the emergency we ask you to continue your service, and in order to offset to some extent the economic disadvantages you might suffer by virtue of that service, we will allow you an additional $30 a month." The theory on which I am supporting paying the money in $30 monthly installments after the man is discharged is that it would cushion the economic shock he would face when he comes out of the service and attempts to readjust himself in life. I think it is a well-planned scheme.

Mr. DOWNEY. I greatly appreciate the Senator's remarks.

Mr. WALLGREN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WALLGREN. Under the Senator's amendment, what is the minimum amount which would be paid a man who had served more than 1 year?

Mr. DOWNEY. If he served just 13 months, he would get a bonus of only $30.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. HAYDEN. It is estimated that the size of the Army during the next year will be a million and a half men. If a man serves a year, under the Senator's amendment he will receive $360. Therefore, if I have made the multiplication correctly, the cost to pay men who serve 1 year and 1 more year would be $540,000,000. Is that correct?

Mr. DOWNEY. That is correct.

Mr. HAYDEN. For those who served 2 years additional there would be another $540,000,000?

Mr. DOWNEY. That is correct. I wish to direct a further comment to the senior Senator from Kentucky, merely an amplification of what the Senator from Oklahoma has already said.

When the war era shall have passed and the members of the armed forces are returned to civilian life, there will be a tremendous collapse of purchasing

power. I am, therefore, suggesting to the Senate that to a certain extent we cushion that collapse socially by the payment of this money, and particularly cushion it so far as these particular men are concerned by giving them $30 a month for at least a few months in order to help them readjust themselves in civilian life.

Mr. BARKLEY. Mr. President, the thing about which I was concerned, and still am concerned, is whether, as a matter of policy, it is wise to set up two categories, under which, for a short period of time, some men will draw $60 a month for service in the Army, and others will draw only $30. It may be a wise policy. It may be that it should be done. It seems to me it is worth looking into, and I should like to have the suggestions of the Committee on Military Affairs as to what they think about it.

Mr. HILL. Mr. President——

Mr. BARKLEY. There is another thing, too. The amendment proposes to set up a joint committee of the two Houses to look into matters pertaining to unemployment after the emergency shall have ended. I think that is a worthy objective. Whether it should go into the pending measure is another matter. Already there has been set up a committee in the Executive Department which I think ultimately will be composed of 1 Member from each State—32 having already been appointed, 1 from each of 32 States—to prepare against the day when the emergency shall be over and the question of unemployment shall arise. These are separate propositions; the pay of the soldier is one thing, the creation of a joint committee is another. I am wondering whether it is really wise to include in an amendment of the one now before us a set-up for a joint committee to look into something which probably should be handled by another committee, and on another measure, if it is to be handled.

Mr. DOWNEY. Let me say to the distinguished majority leader that I am not a very good trader or bargainer——

Mr. BARKLEY. I am not suggesting any trade or bargain, because I am not in that business.

Mr. DOWNEY. But am I to understand that the Senator would be willing to accept the amendment if section 10 were eliminated and we left section 9 in?

Mr. BARKLEY. I have no authority to accept an amendment, and I am not in the trading business, or in a trading mood, though if I should trade with anyone, it would be with the Senator from California.

Mr. DOWNEY. I deeply appreciate that.

Mr. LEE rose.

Mr. BARKLEY. These are entirely separate propositions, and they can be voted on separately, if agreeable, if one of them is to be adopted, and I do not know whether it is to be or not. They are entirely different proposals. It seems to me that each one stands on its own merits.

Mr. DOWNEY. I think the Senator from Oklahoma desires to have me yield while the Senator from Kentucky is still on the floor.

Mr. LEE. Mr. President, I should like to state, first, that the Senator from Kentucky is in error if he thinks the amendment provides that one soldier shall be paid $60 a month at the same time another soldier, in the same conditions, is receiving only $30 a month.

Mr. BARKLEY. Of course, we all know that the voluntary enlistments are on a 3-year basis, and that those who are enlisting voluntarily will serve more than 1 year; that they will serve 3 years. They will receive $30 a month for the first year, and, under the amendment, for the other 2 years they would receive $60 a month. But when the emergency shall be over, they will go back to $30 a month. It would create a sort of variable equation in the pay of soldiers. I am seeking light.

Mr. LEE. They would all be on the same basis. It would be for the time of the emergency, which is certainly justifiable.

Mr. BARKLEY. Of course, the Senator knows that we would never reduce the pay. After we fixed the pay of soldiers at $60 a month it would never be reduced. The emergency might be over but the pay would not be reduced; it would be $60.

Mr. LEE. On the other point, in respect to the second part of this question, since the original law provides a method of helping to secure reemployment for the soldiers, and since we are uprooting them from their regular civilian life, I think it is appropriate, and the least we can do, to set up an advisory committee to help them get their jobs back.

With respect to the amount we are paying soldiers, the economic loss a soldier incurs when he goes into service is something which I think we should consider. I know we cannot pay for patriotism, but I do not believe we should penalize it either. I know that during the World War every soldier who had a job paying him $7 a day, and who went into the service to serve for a dollar a day and a chance to die, took an economic loss of $1,800 on a 16-month period.

Mr. President, these men are taking the same loss, and we are asking them to do it, and I think the least we can do is to allow them $2 a day for the mere period of the emergency, which, of course, we hope will not be long. But if it is long, it is just as hard on those men as it is on the Government to raise the necessary money and pay it to them, or perhaps a little harder, because an inflation period is apparently a time when other persons have an opportunity to make money, but the soldier is taken away from any opportunity to make money, and placed in the Army, at the most hazardous work in the world, and at the lowest pay that anyone is paid during a period of emergency such as this.

Mr. DOWNEY. Mr. President, I appreciate very much what the Senator from Oklahoma has said.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. HATCH. I should like to make a suggestion. We are about to pass legislation which will continue the service of these men in the armed forces of the Nation for 18 months longer. I personally do not like the idea of quibbling about the pay these men shall receive. We all know that men receiving $21 or $30 a month in the Army are not being compensated in line with the compensation such men receive in civilian life.

I was going to ask the Senator from California [Mr. DOWNEY] if he would be willing to let his amendment go to conference, and then let the Senator from Utah [Mr. THOMAS] and other Senators work out the best solution of this problem they can, and let us not quibble over $21 or $30 a month.

Mr. LEE. Mr. President, I for one would not agree to that.

Mr. HATCH. What is that?

Mr. LEE. I want a yea-and-nay vote on the question.

Mr. ADAMS. Mr. President, I wish to make an inquiry of the Senator from California as to why he provides that the money is to be paid by the Veterans' Administration.

Mr. DOWNEY. Mr. President, after I had drafted the amendment it was, of course, called to the attention of the War Department, and one of the distinguished officials of the War Department brought me this form of an amendment, stating to me that the fact that they had redrafted this section and placed it in this form did not mean their approval of it, because they felt it was a matter which should primarily rest with Congress, but that they had no opposition to it, and that if the Congress should adopt the amendment they would prefer to have it in this form. I may say to the distinguished Senator from Colorado that it came to me in this form from the War Department.

Mr. ADAMS. Why does the War Department want the money paid out by the Veterans' Bureau? Where will the Veterans' Bureau get the money with which to make the payments?

Mr. DOWNEY. Of course, this is in no sense a revenue measure.

Mr. LEE. Mr. President, the Veterans' Bureau paid the bonus after the last war, and this matter, being in the nature of a similar payment, I suppose it was thought the same procedure should be followed.

Mr. DOWNEY. Mr. President, if I may add to what the Senator from New Mexico has said, there was a certain argument, so I understood, between the legal advisers of the War Department as to exactly the best form this amendment should take, and it was suggested to me that if the Senate should accept the amendment, that very possibly it could be improved in conference. Of course, I would want the amendment, if the Senate should accept it, to be cast in the most apt and appropriate form, and if there is any implication from the remarks of the Senator from Colorado that the particular provision relating to the method of payment should be changed, of course, that ought to be considered.

Mr. ADAMS. Mr. President, I may add another suggestion, that the Senator in his amendment is not making a provision definitely and certainly for the payment

of the bonus or the pension to these men, because it is all conditioned upon the termination of the unlimited emergency by the President. In other words, the President might next week say that the unlimited emergency had terminated, and the men would be in the service, and they would not, under the Senator's amendment, receive any payment.

Mr. President, it seems to me two things are involved. The matter is tied up with the Veterans' Administration, so that it is not really the payment of the soldier for his services, and it is conditioned upon the continuance, not of what we call the period of national peril, which extends the term of service, but of the unlimited emergency, depending upon the declaration by the President with respect thereto.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. DOWNEY. I will yield after I comment on the remarks of the Senator from Colorado. As always, I deeply appreciate the advice the Senator from Colorado has given me, and I certainly hope that if the amendment shall be adopted he will assist me and advise me as to shaping it into the best form.

I now yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, I think the Senator from California has shown a very splendid spirit about this matter. He is perfectly willing to let the matter go to conference, the conferees to work out the best plan that can be agreed upon as to what a soldier should be paid, $21, $30, or $60 a month, if we want to provide for that amount.

Mr. President, as I have said, it does not look very well for the Senate and the House to be quibbling over those things, when we think of the millions and the billions of dollars we sit here and give away to other countries and the millions of dollars we give to contractors who happen to have some standing in the contracting field. I simply do not like the idea of bearing down on the men who are giving all their time every day, and possibly who will give their lives as well, in the interest of their country.

Mr. President, I shall support the amendment of the Senator from California.

Mr. LEE. Mr. President, will the Senator yield again?

Mr. DOWNEY. I will yield in a moment. I very deeply appreciate the remarks of the Senator from New Mexico. I now yield to the Senator from Oklahoma.

Mr. LEE. Mr. President, I hope the Senator from California will not agree that the amendment go to conference without a yea-and-nay vote. If he does, it will be the last he will ever hear of it. That is simply a nice way to brush it off. I know that what the Senator from New Mexico just said was said sincerely. I know him, and I know that he meant every word of what he said, and that what he said was said in good faith. But I insist that we have a yea-and-nay vote on the amendment, because I do not see how any Senator can vote against paying these boys $2 a day.

As for the question raised by the Senator from Colorado with respect to the language of the amendment dealing with the termination of the unlimited emergency, I see no objection to it. So far as I am concerned, when the President announces that the unlimited emergency is terminated, I am willing to vote to adopt a concurrent resolution to let these boys out of the service. I do not see why it would not be entirely effective, and I do not see why the Veterans' Administration should not handle the matter in the same way the Veterans' Bureau handled the soldiers' bonus payment after the last war.

I hope the Senator from California will not get too soft on this matter and yield to the suggestion which was just made.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. OVERTON. As I understood the Senator, in making his explanation a few moments ago, the purpose of the amendment is to pay the soldiers something corresponding to the prevailing wage which they had received.

Mr. DOWNEY. Yes; a minimum prevailing wage.

Mr. OVERTON. Does the Senator consider that $2 represents the average wage that a soldier inducted into the service was receiving in civil life?

Mr. DOWNEY. Mr. President, let me reply to the distinguished Senator from Louisiana in this way: The Army has informed me that they consider the present pay of the enlisted man, with his room and board, equivalent to about $80 a month. The minimum wage now being paid to millions of workers in defense industries is from $115 to $125 a month. If we should add $30 a month to the $80, that would make $110, which would be less than the minimum basic wage now being paid in defense industries.

General Marshall says that he wants young men in the prime of life, men of high intelligence, ready to work 10, 12, or 15 hours a day, and who are willing, if necessary, to hazard their lives. Let me say to the distinguished Senator, with all due respect, that, in my opinion, this wealthy Nation cannot afford to pay less than the minimum wage paid in the basic industries.

Mr. OVERTON. That is not exactly the purpose of my question.

The PRESIDENT pro tempore. The time of the Senator from California on the amendment has expired.

Mr. DOWNEY. I will take time on the joint resolution.

Mr. OVERTON. I wanted to be sure that the Senator, in preparing the amendment, provided a sufficient amount to compensate the soldiers for the loss of the wages which they would receive in their vocations. I am asking for information. I am not now expressing an opinion. Does the Senator really think that $2 a day is sufficient? Instead of $30 a month, should not the additional amount be $60 a month, $80 a month, or perhaps $100 a month? So long as we are to do the job, I respectfully suggest to the Senator that it be done completely, so that next session we shall not have the same question again and have a proposal to pay an additional $20, $30, or $50 a month.

Mr. DOWNEY. Mr. President, I am still somewhat at sea as to whether the distinguished Senator is talking to me seriously or satirically.

Mr. OVERTON. I am asking for information. If we are to compensate the soldier against loss by reason of his being inducted into the military service, it seems to me that $30 a month for the first 12 months and $60 a month thereafter does not quite come up to the purpose which the able Senator has in mind. Such an amount would not make the soldier whole against the loss which he suffers by reason of being inducted into the military service.

Mr. DOWNEY. Let me say to the distinguished Senator that I think the Senator from Oklahoma [Mr. LEE] very powerfully phrased the issue when he said that we cannot pay men for patriotism, but we do not have to penalize them. Of course, we cannot pay the men what we should pay them for the sacrifices which they are to make; but at least we can pay them $30 a month; and the reason why I suggested $30 was because I thought that probably would be the utmost limit to which distinguished Senators would consent.

Mr. OVERTON. That would not pay the soldier for the service he renders.

Mr. DOWNEY. Far from it. Many men will be taken from their jobs, careers, homes, and communities and subjected to tremendous strains. Personally I should be willing to pay them more; but I will not be led into advocating such a high pay that I know that Senators of other kinds of economic thought would not agree to it.

Mr. OVERTON. In talking about penalties and adequate compensation to the soldier, why make a distinction between the first 12 months of service of the soldier who has been dragged out of civil life and put into the military service and the subsequent service rendered by the soldier?

Mr. DOWNEY. My reason for that, Mr. President—and it may not be logical—is that it seems to be generally conceded that the State may properly demand of the young man 1 year's training for military purposes. That seems to be a generally accepted viewpoint. Now we are going far beyond that, and, as the Senator from Florida says, perhaps we are taking these young men from their communities and consigning them to a military life or even, perhaps, to death. I think that, since the Congress of the United States is now imposing that additional burden, we should provide some additional reward. If the Senator desires to offer an amendment to my amendment to increase the figure from $30 to $60, he will certainly have my vote—and I hope his, if I correctly understand him.

Mr. OVERTON. Let me ask one further question. How does the present pay of the American soldier compare with the pay of the English soldier?

Mr. DOWNEY. I am glad to say that it is the highest pay in the world, but it is still far below what it should be in view of the tremendous per capita wealth of the United States.

Mr. OVERTON. I thank the Senator for yielding.

Mr. DOWNEY. I appreciate the remarks of the Senator.

Mr. LEE. Mr. President, I should like to add that it is not in proportion to the American standard of living, when compared with the pay which the soldiers in other countries receive in relation to the standard of living in such countries.

Mr. DOWNEY. I appreciate the statement of the Senator.

Mr. LEE. Mr. President, I should like to correct the distinguished Senator from Louisiana. As I understand, the soldiers do not receive $30 a month for the first 12 months. The first 3 months they serve for $21 a month, and after that time they receive $30 a month.

I cannot see why anyone should object to this proposal. I know what we had to go through to obtain a bonus for the soldiers after the last war. It was like pulling teeth. Some of those who made their millions were the most caustic in their criticism of the soldiers' bonus. After the last war, with a crop of 23,000 millionaires, it was still difficult to obtain a soldiers' bonus. Now is the time to establish a rate of pay which is a little better than a dollar a day. Even so, such a rate would be the lowest pay scale in the United States.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. OVERTON. When the Senator from Oklahoma speaks of the standard of living of the soldiers, is he speaking of the standard of living of the American soldier as he is serving in the camps?

Mr. LEE. I mean that the civilian standard of living in America is high.

Mr. OVERTON. The Senator is not instituting a comparison between the standard of living in the military service of the United States and that of the civilian population, is he?

Mr. LEE. No. The soldiers in our service are well fed and well clothed. There may be exceptions to that statement, when shipments are held up, or something of that kind.

Mr. OVERTON. As a matter of fact, the standard of living of the American soldiers in camp is better than that of any other soldiers.

Mr. LEE. It is better than that of any others I have found.

Mr. HILL. Mr. President, I do not wish to delay the vote, but I think the Senate is entitled to know the position of the Committee on Military Affairs. The Senator from California, who is a member of the Committee on Military Affairs, came in on the last day the committee was considering the joint resolution in executive session, a short time before the committee took final action on the joint resolution.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. DOWNEY. I am sure the Senator has inadvertently inaccurately stated the situation. I presented the amendment in open hearing while General Marshall was on the stand, a week before the Military Affairs Committee went into executive session, and said that I would be happy to have an opportunity for open hearings. I wanted the committee to consider the amendment.

Mr. HILL. I was about to say that on the day we took final action on the joint resolution the Senator from California made a 20-minute talk before the committee in behalf of his amendment. He made a very able and persuasive talk, as he always does. At the time he presented the amendment to the committee it was in a different form from that in which it is now drawn. At the time he presented the amendment he made provision for payments only to the selectees, only to the men who were inducted or drafted into the service. He made no provision for any payment to the men who volunteered in the Regular Army, or who volunteered under the Selective Service Act.

After the Senator's argument in favor of his amendment the committee considered the amendment; but so many questions came into the minds of members of the committee—questions such as have been raised on the floor this afternoon—that the committee did not feel that it was in a position at that time to act on the amendment. Many members of the committee looked with sympathy upon what the Senator from California was trying to do, but the committee did not feel that the matter had been sufficiently thought out or that the amendment had been prepared with sufficient care for the committee to bring it to the Senate as a part of the joint resolution.

All kinds of questions arose, as all kinds of questions have arisen on the floor this afternoon. There is the question of compensation and insurance for these men. The Senate will recall that a little earlier in the debate the Senator from Florida [Mr. PEPPER] raised that question, which is one which must be determined. What about the insurance for these men? What about the compensation in the cases of men who suffer some kind of physical disability due to their service?

Then there is the question raised by the Senator from New Mexico [Mr. HATCH]—the question of the social-security rights of these men, and payments to them under the social-security law. Those are questions which should be considered and worked out.

Then the question was raised as to whether we want to increase the pay of all the men in the service, or whether we want now to enter upon some kind of a bonus system. The pending amendment would seem to provide some kind of a bonus system rather than an increase in pay.

Then the question arose, of course, that a man who was serving 12 months would be serving side by side with a man who was serving, let us say, 13 or 14 months, and the man who was serving 12 months or less would be receiving only $30 a month, whereas the man at his side would be receiving $60 a month.

All these different questions came up, together with the question that if we are to pay a bonus, or are to raise the pay, what should be the amount; what would be a fair amount; what would be a reasonable amount; upon what basis should we put this increase? We should not make it just $30 or $40, or some haphazard amount, some amount which someone might guess, but we should have some facts, some figures, some basis on which to substantiate the increase.

I, for one, feel that if we are to provide for an increase of $30 a month, perhaps the wisest and best thing to do would be to increase the pay of all men $30 a month, and to pay each man $60 a month, whether he was serving a 12-month period or whether he was serving beyond the 12-month period.

We have the question raised by the Senator from Colorado about the unlimited emergency, and as the amendment was worded whether it would be effective, and how long it would be effective. The question has been raised as to what effect the amendment, if adopted, would have on the future pay of our armed forces, because even when the emergency is over we shall have an Army, we shall have a Navy, and we shall have a Coast Guard. What kind of a precedent are we setting, so far as the future pay of our armed forces is concerned? How will we affect the future pay?

The committee felt that all these matters should be considered and should be examined before we offered any legislation of this kind.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. Yes; I yield.

Mr. HATCH. I have been listening to what the Senator from Alabama has said about the questions that came before the committee; and I am wondering if he does not think it might have been a pretty good idea to settle all those questions before we inducted the boys into the service.

Mr. HILL. It might have been a good idea to settle all those questions. I will say to the Senator from New Mexico that it would be a splendid idea to settle those questions now, but when I say "now" I do not mean this minute, because the Senate cannot settle these questions in 5 minutes, or 30 minutes, or in an hour. It will take some time to settle them.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. Yes; I yield.

Mr. HATCH. I have supported the legislation, but this type of argument irritates me—argument to the effect that we cannot settle questions of this sort in 5, 10, or 30 minutes, but we can take men for 1 year or 2 years, or perhaps for the duration, without the settlement of such questions.

Mr. HILL. I am sorry I irritated my good friend. That is the last thing in the world I should want to do. I want my friend always to be happy, to be sitting here with a sweet smile upon his face; and it pains me deeply to think that he should become irritated. Yes; we can settle these questions in 5 minutes. We might settle them in half of 5 minutes if we had the facts, if we had the information we must have in order to make the settlement.

Mr. HATCH. Mr. President, will the Senator further yield?

Mr. HILL. I yield.

Mr. HATCH. Apparently, we do not have the necessary information upon which to adjust the matter of pay, but we have sufficient information to take men for 12, 18, or 24 months.

Mr. HILL. I will say to the Senator from New Mexico that so far as taking the men is concerned, we had many days of hearings; we had many witnesses on that question. We had no testimony on the pending amendment except a very able, short statement from the Senator from California, which I do not believe even appears in the hearings.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. HILL. Yes; I yield to the Senator from California.

Mr. DOWNEY. I very readily agree with the distinguished Senator from Alabama, who holds the floor, that the Military Affairs Committee did not take any testimony on my amendment; but I presented it to the Military Affairs Committee the second day it began its hearings. Public hearings continued for a week or 10 days thereafter, and I stated to the committee that I sought to present to the committee any testimony in which the committee might be interested. The committee never evinced the slightest interest in the amendment, nor did it afford me the slightest opportunity to present any testimony at all. Finally, I, unhappily, rather forced my way before the Military Affairs Committee and was very courteously allowed the opportunity to make a 20-minute speech.

I will not rest under the imputation that I did not promptly and vigilantly act; and if the Military Affairs Committee did not take testimony upon this particular amendment, its failure to do so was not due to any dilatory practices on my part.

Mr. HILL. I agree with the Senator from California about that.

Mr. CHANDLER. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. Yes; I yield to the Senator from Kentucky.

Mr. CHANDLER. I am quite certain that the Military Affairs Committee has not had sufficient information to permit it to pass intelligently upon the question of the pay of the Army. Every member of the Committee on Military Affairs is anxious to give every soldier of the United States and every sailor of the United State adequate and fair pay for the services he renders. It seems to me to be a pity, though, that the matter is brought in to be tacked on to an emergency measure—one which I believe is an emergency measure—which was fully and carefully explained to the committee, based on General Marshall's statement that we must keep the present members of the Army in service a while longer. Now, we are going to keep them for 12 or 18 months; but the question of pay should first come before the committee. The pay of every man in the Army or the Navy or the Marine Corps of the United States should be carefully studied. If it is not fair, it should be made fair; but it is my opinion that a provision for increased pay should not be put on this joint resolution. We cannot do it.

Mr. HILL. I think I am correct in saying that when the committee rejected the amendment of the Senator from California, it said at the time that there was not time to go into all these questions and to obtain the information the committee must have, but that the committee felt sympathetic toward the purposes of the Senator from California, and would be glad to go into the question presented by him, and all kindred questions with reference to the pay of the soldiers, with reference to any bonus for the soldiers, or with reference to any other matters affecting the men in our armed forces.

Mr. CHANDLER. And if the Senator will introduce his bill there will not be any question of lack of diligence. The committee will give him ample time in which to present it.

Mr. HILL. The committee will be glad to go into the bill, get all the facts, and then bring it to the floor.

Mr. TUNNELL. Mr. President, I have listened to the discussion with a good deal of interest. I am not opposed at all to the general plan of the Senator from California. I think, however, with the two Senators who have just spoken—the Senator from Alabama and the Senator from Kentucky—that there has not been sufficient consideration to enable us to determine upon a policy, and there must be a determination of a policy as to how the Army is to be paid.

I will admit that we have sent rather discouraging news to the boys in the camps. We have told them from the floor of the Senate within the last 24 hours that they may be there 5 years or 10 years or for a generation, and, if it appears that that is to be the situation, there may be some adjustment of the pay. But I think that it should not be tacked on to a measure of this sort without consideration by any committee of the Senate, fixing the policy for the Nation.

Mr. LEE. Mr. President, it is strange to me the different reasons given by different Senators for voting against the amendment. It is crystal clear and there is no reason to try to confuse the issue. It is simply a proposition that there shall be given every man in the armed forces $30 a month more after the first 12 months. Is it necessary to have committee hearings and a long rigmarole in order to decide whether or not we are willing to do that? Let this draft bill go out of the Senate and then if the Senator from California hopes to get up a bill on the subject, it is "good-bye blackbird." He will never get it up.

We vote $7,000,000,000 for a lease-lend program—and I believe it was right and I supported it because I believe we are threatened—but we quibble over giving a selectee $2 a day.

We vote billions of dollars for defense in this country and we let the contractors make the contracts. We do not go into the contracts; we do not know much about the contracts; but we vote billions of dollars to go into defense contracts. With all the intricacies in the terms of contracts, if the great Senator from Alabama [Mr. HILL] had one of those contracts and wanted to throw confusion over the Senate, he certainly could do it in the case of a contract and the possibilities of making profit under it. Believe me, the contractors are making profits, and Lord help them if I have anything to say about recovering those profits. But I believe when we are asking the extra service of these men we should, at least, allow them $2 a day. War is a community effort, and the burden of war should be distributed as equitably as is humanly possible.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. BARKLEY. I should like to ask my friend from Oklahoma a question. I am trying to think this matter through on some logical basis. I am in favor of paying the soldiers whatever we ought to pay them.

Mr. LEE. Two dollars a day?

Mr. BARKLEY. Yes; $2 a day.

Mr. LEE. Then, let us vote.

Mr. BARKLEY. I would rather pay them the $2 a day beginning the day when they began their service than to pay it a year after they began their service and then pay them $2 a day.

Mr. LEE. Will the Senator support it if we make it retroactive?

Mr. BARKLEY. I am not trading with anybody on this proposition. I am asking the Senator if he does not think we ought to fix the pay of the soldiers on a scientific, logical basis, beginning when they enter the service. That is the thing that worries me about this proposition.

Mr. LEE. Therefore the Senator would not give them anything?

Mr. BARKLEY. What we ought to do is to readjust the pay not for any particular class of soldiers, but to treat them all alike from the day they enter the service and not hold over them for 12 months the idea that after a year they can go out and get $360 at the rate of $30 a month. If we are to pay them $60 a month, we ought to start when they begin their service.

Mr. LEE. This proposal treats them all alike.

Mr. BARKLEY. No; it does not treat them all alike.

Mr. LEE. The distinguished Senator says it does not treat them all alike, but for every month of service after 12 months every man would get $30. I do not know why it does not treat them all alike. That is just another means of justifying a vote against the amendment.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. DOWNEY. I wish to suggest to my distinguished leader from Kentucky, who is so very much interested in the soldiers, and who is trying to aid them, that I will agree to change my amendment to conform to the suggestion of the majority leader and say $60 a month.

Mr. BARKLEY. The Senator seems to be on the bargaining counter today and is willing to make any change in order to have the amendment adopted. I am not bargaining with the Senator or making any attempt to do so, but I do say that the pay of the soldier is a question that ought to be worked out justly, fairly, and on some logical and scientific basis, and ought to be given considera-

tion by a committee. I do not expect what I say or what I think to influence my friend from California, but I want to assure him that I am not making these suggestions in order that he may grab them up and amend his own amendment so as to get my vote, because I want to vote on it on its merits and not as the result of any bargaining enterprise.

Mr. LEE. Mr. President——

Mr. DOWNEY. Mr. President, will the Senator yield to me further?

Mr. LEE. Yes.

Mr. DOWNEY. I wanted to say that the Senator from Kentucky always influences me, one way or the other. [Laughter.]

Mr. BARKLEY. And nearly always "the other." [Laughter.]

Mr. LEE. Mr. President, every other business of which I know operates on the basis that a man is worth more after he has the experience of a year than when he goes in without any experience. On that basis, I cannot see why this is not a good amendment. I am ready to vote.

Mr. LANGER. Mr. President, I was very much impressed by the argument of the Senator from Oklahoma [Mr. LEE] and what he said about the billions of dollars given to England. I, therefore, move to amend the amendment of the Senator from California to Senate Joint Resolution 95 by changing the figure in line 7 from $30 to $100 a month.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from North Dakota [Mr. LANGER] to the amendment of the Senator from California [Mr. DOWNEY].

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from California [Mr. DOWNEY].

Mr. OVERTON and others demanded the yeas and nays.

The yeas and nays were not ordered.

Mr. LEE. Mr. President, I ask for a count.

The PRESIDENT pro tempore. The Chair did count.

Mr. LEE. I ask for another count.

The PRESIDENT pro tempore. The Chair will count again. All those who are in favor of the yeas and nays will raise their hands. [A pause.] Only five hands have been raised.

Mr. HATCH. Mr. President, a parliamentary inquiry. On what was the yea-and-nay vote requested; was it requested on the amendment of the Senator from California or the amendment of the Senator from North Dakota?

The PRESIDENT pro tempore. It was requested on the amendment of the Senator from California.

Mr. HATCH. The Chair announces that the request was on the amendment of the Senator from California. I think the Senators acted on a misunderstanding, and I request, in the light of that, not questioning the count of the Chair, for I think the Chair was correct, that the request be put again.

The PRESIDENT pro tempore. Very well. The Chair will try it again. All who are in favor of the yeas and nays will raise their hands——

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry. Is the request for the yeas and nays on the amendment of the Senator from California or the Senator from North Dakota? No announcement has ever been made of the vote on the amendment of the Senator from North Dakota.

The PRESIDENT pro tempore. Well, there was not any vote much. [Laughter.]

Mr. CLARK of Missouri. That may be, Mr. President, but, nevertheless, it is the duty of the Chair to announce whether the amendment of the Senator from North Dakota had been carried or lost.

The PRESIDENT pro tempore. The Chair distinctly announced that it was lost.

Mr. CLARK of Missouri. The Chair did not so announce.

The PRESIDENT pro tempore. The Chair did announce it.

Mr. CLARK of Missouri. Then nobody could hear the Chair.

The PRESIDENT pro tempore. The Senator from Missouri did not hear it.

Mr. HATCH. Mr. President, the question is whether there is a second to the request for a yea-and-nay vote on the amendment offered by the Senator from California; that is correct, is it not?

The PRESIDENT pro tempore. It is. The Chair has put the question three times, and will put it a fourth time. All those who favor a yea-and-nay vote on the amendment of the Senator from California will hold up their hands. [A pause.] Twelve—not a sufficient number. The question is on the amendment of the Senator from California. [Putting the question.] The "noes" seem to have it.

Mr. DOWNEY. I ask for a division.

On a divison, Mr. DOWNEY's amendment was rejected.

Mr. MEAD. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from New York will be stated.

The LEGISLATIVE CLERK. On page 5, after line 9, it is proposed to insert the following new section:

SEC. 9. Any person inducted into the land or naval forces of the United States for the training and service provided for by the Selective Training and Service Act of 1940 shall, in addition to the amounts otherwise payable to such person with respect to such training and service, be entitled to receive the sum of $10 for each month of such training and service in excess of twelve.

Mr. HUGHES. Mr. President, I have not heard a word of the clerk's reading. Can we not have order?

The PRESIDENT pro tempore. Apparently, we cannot.

Mr. HUGHES. I ask that the clerk restate the amendment.

The PRESIDENT pro tempore. The Senate will please be in order; and the clerk will again read the amendment.

The legislative clerk again read the amendment.

Mr. MEAD. Mr. President, I shall not detain the Senate very long in the consideration of this amendment, nor shall I welcome any bargaining suggestions with reference to the amount stated in the amendment.

The amendment is a simple one. It is not at all complex. It merely provides a $10 monthly pay raise for all those who are detained in the service beyond the 12 months originally specified in the Selective Service Act. In other words, if a trainee remains in the service 10 additional months, he will earn, as a result of my amendment, $100.

For many years it has been the policy of the Congress to provide a bonus for members of the armed forces for reenlistment in the service. I understand that the Army provides amounts ranging from $50 to $100 for a reenlistment. I understand that the Navy provides a bonus up to $300, and there is in contemplation legislation which would even increase that amount. I am one who believes the same treatment should be accorded the selectee. I believe a man who serves 12 months, and who intended that his service should terminate at the end of 12 months, ought to be rewarded for a continuation of that service.

Mr. President, I believe this amendment is in the nature of economy, because the Appropriations Committees of the Congress will realize, in drafting future appropriations for the armed forces, that there is a penalty, as it were, on the retention longer than necessary of the selectees in this particular type of service. I believe it will be very helpful from every standpoint, and in my judgment it will be a welcome addition to the very meager pay now drawn by the selectees in the service.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. MEAD. I shall be glad to yield.

Mr. WALSH. Does the Senator's amendment apply the increase solely and alone to the so-called draftees or selectees?

Mr. MEAD. It does.

Mr. WALSH. If the Senator's amendment should be adopted, would we not be confronted with the situation that a Regular Army or a Regular Navy enlisted man would be working side by side with, but drawing less money than, a selectee or draftee?

Mr. MEAD. As I said in the beginning, I understand that a bonus ranging as high as $300 is now offered for reenlistment in the Navy.

Mr. WALSH. That is true. A bonus is paid for the purpose of encouraging reenlistments in the Regular Army and Regular Navy.

Mr. MEAD. In view of the fact that the selectees have no bonus, and in view of the fact that the average selectee will not remain in the service more than 12 or 15 months, he would not be able under my amendment to receive the amount which is now given to the man who re-enlists in the Regular forces.

Mr. WALSH. I rose only for the purpose of finding out the scope of the amendment.

Mr. MEAD. I will say to the Senator from Massachusetts that I have a similar amendment applying to the National Guard.

Mr. WALSH. Is the Navy included?

Mr. MEAD. In the amendment which has just been read, those inducted into either the Army or the naval service are both included.

Mr. WALSH. But up to date no draftees or selectees have been assigned to the Navy.

Mr. MEAD. I have great confidence in the leadership and wisdom of the chairman of the Naval Affairs Committee of the Senate; and if, in rewarding the selectee by this very meager amount—which, in my judgment, does not approximate the reward provided for reenlistment in the naval service—any injustice should be done to selectees who may hereafter be assigned to the Navy, I am confident the chairman of the committee will bring the matter to the attention of the committee, and I shall be very happy to support any legislation he may recommend.

Mr. WALSH. I did not rise for the purpose of opposing the amendment. Very shortly there will be laid before the Senate a Senate naval bill to which the House has added two amendments increasing the bonus for reenlistment. I wanted to know the scope of the Senator's amendment; and let me say that shortly, when I obtain the floor after pending amendments shall have been disposed of, I intend to express some views I have on the matter of wages and salaries in the Naval and Army Establishments.

Mr. MEAD. I am sure the distinguished chairman of the Naval Affairs Committee knows that I would not extend the scope of this amendment beyond the subject matter before the Senate and into the realm of the authority of his committee, because I know he will attend to the responsibilities and duties of that committee far better than I myself could hope to do.

Mr. WALSH. I thank the Senator.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MEAD. I shall be glad to yield to the Senator from Missouri.

Mr. CLARK of Missouri. I will state to the Senator from New York that I am in favor of his amendment; but let me ask him why he does not include the National Guard in the same amendment along with the selectees, so that we can mass strength for the amendment and dispose of the whole thing at one time. Certainly the case of the National Guard is fully as appealing as that of the selectees. On an average, the members of the National Guard probably are a little bit older than the selectees.

Mr. MEAD. I will say to my distinguished colleague that I will send the second amendment to the desk to be read at this time. This amendment covers the National Guard, the subject the Senator has in mind.

Mr. CLARK of Missouri. It seems to me the whole thing ought to be disposed of in one bite.

Mr. MEAD. That is a very good suggestion.

I ask that the second amendment be read.

The PRESIDENT pro tempore. The second amendment offered by the Senator from New York will be read.

The legislative clerk read as follows:

The provisions of this section shall also apply to any enlisted personnel of the National Guard of the United States ordered into the active military service under the authority of Public Resolution No. 96, approved August 27, 1940, for any such service so rendered by any such personnel in excess of 12 months.

Mr. MEAD. Mr. President, I modify my amendment to include the provision just read.

I desire to conclude by saying that I have now included the selectees and the members of the National Guard. I have purposely avoided interfering with the responsibilities of the Military Affairs Committee and the Naval Affairs Committee, because they will take care of them much better than I can.

Mr. WALSH. We shall be glad to have the precedent of increased wages and salaries to the Army personnel, because it will help us get it for the Navy.

Mr. MEAD. That is fine.

I will merely repeat that I believe this amendment is a just one, a reasonable one, and one that I hope will be very favorably received by the Senate, by the other House, and surely by the country.

Mr. ADAMS. Mr. President, will the Senator yield for an inquiry?

Mr. MEAD. I shall be glad to yield.

Mr. ADAMS. Does the Senator feel that this amendment, if adopted, will have any effect upon the number of men in the Army?

Mr. MEAD. When the Appropriations Committee in the future contemplate appropriations for the Army, they will, of course, take into consideration——

Mr. ADAMS. I am thinking of the existing situation. Some men are going out within the present fiscal period, and to that extent the Senator's amendment would reduce the number of men in the Army. In other words, the number of men in the Army is determined now not by a fixed amount but by the appropriations for the pay of the Army. If their pay is increased, it will result in decreasing the number of men in the Army.

Mr. MEAD. Mr. President, in view of the fact that the Senate is in continuous session, that the Committee on Appropriations are sitting constantly, and that every few days they bring before the Senate a bill appropriating large or small sums of money, I am sure that this amendment would have no detrimental effect upon the numerical strength of the Army, but it would have a good effect, in my judgment, upon the retention of the selectees over and above the necessary training period.

Mr. ADAMS. Mr. President, I was merely calling that matter to the attention of the Senator, because I knew that if he had it in mind he would follow his customary generous policy and see that the appropriations were made.

Mr. MEAD. The Senator would, as he has in the past, depend upon the Committee on Appropriations, because I believe that the present Committee on Appropriations, of which the distinguished Senator from Colorado is one of the most able members, has broken the all-time record in the history of the country for providing adequate appropriations. So I have never had to worry about the appropriations.

Mr. ADAMS. We probably have broken more than the record. [Laughter.]

Mr. MEAD. That remains to be seen. I am attempting now to keep you from breaking the selectees.

Mr. JOHNSON of Colorado. Mr. President, I have an amendment on the desk which I desire to offer as a substitute for the amendment offered by the Senator from New York. The part of my amendment which I desire to offer reads as follows:

Beginning August 1, 1941, the monthly base pay of enlisted men of the Army, and of persons inducted for training and service under said act, shall be increased by 25 percent.

The amendment is on the desk of every Senator. It is in two parts, and I am presenting only the second part of the amendment for consideration by the Senate at this time.

I apologize to the Committee on Military Affairs for not having presented the amendment to them when they were considering the joint resolution, but conditions over which I had no control prevented me from so doing.

As has been stated on the floor, the Army pay system is a very complicated matter. As a matter of fact, in the grades below those of commissioned officers, there are 35 different rates of pay. The men are on a different scale of pay in 35 grades, and my amendment takes that fact into consideration.

Much has been said about working out a scientific pay basis. Such a basis has been worked out for the Army, and to some extent at least the men are paid according to the merit of their service to the Army. I do not interfere with that formula whatsoever by increasing the pay of men in each one of the grades by 25 percent.

For instance, the conscript, the draftee, when he first enters the Army receives $21 a month. Under my amendment he would receive $26.25. After a private has been in the Army 4 months he receives $30, and under my amendment he would receive $37.50; and so on up the line. As those who are familiar with Army pay know, there are these different rates of pay, and I shall put into the RECORD a table showing the different rates, if I may.

Mr. President, there is a special rating for certain men in the Army. Some of them receive a bonus of $30 a month and some a bonus of $3 a month. There are six of these special ratings. My amendment would not affect that formula in any way, except that a man would receive 25-percent increase of his present pay.

This would not extend to commissioned officers. It would reach merely the enlisted men, the men who have been drafted, National Guard men, or anyone else who is in the Army below the grade of commissioned officer. It would extend to sergeants, master sergeants, technical sergeants, staff sergeants, corporals, privates (first class), privates, and all draftees.

In this connection it should be remembered that Canada, one of the nations which has been receiving large amounts from us under the lend-lease law, I am

informed, finds it possible to pay its privates and its trainees, when they first enter the army, $1.30 a day, as compared with our pay of about 75 cents. Their lance corporal, which grade corresponds with that of our private, first class, receives $1.50 a day.

I do not mean to state to the Senate that my amendment would at all result in the soldier receiving what he should be paid, but I think it is a short step, a very short step, in the right direction.

The pay of soldiers should be increased, and, as has been stated here time and time again, the adjustment should be made on a more or less scientific basis. My approach to it is on that basis.

The matter has not been considered by a committee. Whether we want to raise the pay of the Army or not is a rather simple matter to settle. It should not require much deliberation, or many hearings on the part of a committee, provided we do not make maladjustments in the pay. My amendment would not result in maladjustments. It accepts the formula laid down by the Army, as worked out by the Army on a scientific basis, and merely makes the increase on a per centum basis.

Mr. President, it is my opinion for a long time, that if we paid the men in the military service a higher rate of pay, we would not have any legislation before us such as a selective-service measure.

I wish to call attention to some rather startling figures: On June 30 of this year our Army consisted, roughly, of about 1,418,000 men. It may be surprising to the Senate to know that only 358,200 of those men were drafted. All the rest of them were volunteers.

In 1939 our Army, which now numbers more than 1,418,000 men, numbered only 174,079, and it has been built up to the present high total of 1,418,000, largely by the volunteer method.

Mr. WALSH. Mr. President, will the Senator state how many enlisted men there are in the Regular Army?

Mr. JOHNSON of Colorado. On June 30, 1941, there were in the Regular Army 494,000 men, there were 266,000 in the National Guard, and 597,000 under the selective service. But the men under the selective service were not all drafted. Many of them volunteered. Many of them were not eligible to be drafted. Many of them were less than 21 years of age, but they desired to get back of them their year of service so that they could proceed with their college work.

Mr. WALSH. So of the 494,000—is that the correct number?

Mr. JOHNSON of Colorado. That is the number in the Regular Army.

Mr. WALSH. Of that number, a goodly percentage are young men who volunteered for 1 year, under the provision of the law permitting those within the age of 21 not to wait for call under the draft, but to volunteer?

Mr. JOHNSON of Colorado. Some of them are 1-year men, but for the most part they are 3-year men.

Mr. WALSH. Can the Senator state how many of them are 3-year men?

Mr. JOHNSON of Colorado. No; I cannot state that, because the War Department was not able to give me the information. The men to whom the Senator has reference are in another classification, that is, they are in a selective service class.

Mr. WALSH. If I were asked what constituted the Regular Army, I should say the men who have enlisted for 3 years are the backbone of the real Regular Army force.

Mr. JOHNSON of Colorado. Yes; that is my understanding also.

Mr. WALSH. Can any Senator give us the exact number of 3-year enlistments?

Mr. JOHNSON of Colorado. I think that almost all of the 494,000 are 3-year men.

Mr. WALSH. That includes the 1-year enlistments?

Mr. JOHNSON of Colorado. The War Department gave me the figure of those in the selective service as of June 30, 1941, as 597,000 men. I asked how many of them were drafted and was told that 60 percent of them were drafted and 40 percent of them were volunteers, but those inducted under the selective service are kept separate from the Regular Army for some reason or other.

Mr. WALSH. I should like to have the RECORD show some figures with respect to the number of volunteers in the Regular Army for a 3-year period on October 1 last, before the draft law became operative and how many we have today.

Mr. JOHNSON of Colorado. I do not have those figures, and I was not able to obtain the figures from the War Department for the compilation which I have.

Mr. WALSH. The compilation which the Senator has is very helpful, but I think it would be important—and I put a great deal of stress on the importance of the Regular Army—to know just what we can rely upon as being the strength of what I choose to call the Regular Army, which is composed of men who have voluntarily gone into the service for at least 3 years.

Mr. JOHNSON of Colorado. Yes; I think that would be very valuable. However, the Congress passed a law which permitted men to enlist for 1 year. Until 1940 the War Department did not extend that privilege to the men who wanted to enlist in the Army. They wanted men for 3 years, and the Army was exactly right in that respect. The Army could not very well use 1-year men. But after the passage of the Selective Service Act they did invoke that law and enlisted a certain number of men for 1 year in the Regular Army.

I wish to break down these figures somewhat, because I think they are rather startling, when we find out how few men we really have drafted and how many of the men have really volunteered.

As I said, the 494,000 men in the Regular Army on June 30, 1941, are all voluntary enlistments. The 266,000 in the National Guard are all voluntary enlistments. That is, they were not conscripted into the National Guard, and when the National Guard was called to the colors these men had an opportunity to get out of the National Guard, but they did not do so. They stayed in it. Therefore they are in the class of volunteers.

The selective-service group then consists of 597,000 men and, as I said, 238,800 of the 597,000 men were volunteers, and only 358,200 were really drafted.

So I think there is a basis, Mr. President, for the statement that if the pay in the Army were increased, if we handled the matter as the Navy handles it, and paid the men more nearly what they are worth, and gave them an opportunity to learn a trade, to become tradesmen, to get an education in the Army, I do not think the Army could accommodate all the men who would want to get into it, and we would not be troubled by such laws as the Selective Service Act, which was before us last year, and the amendment to it which is before us at the present time.

Mr. President, I ask to have the figures to which I have referred placed in the RECORD at this point.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Personnel of the Army, 1939–June 30, 1941

1939: Regular Army	174,079
1940: Regular Army	249,441
June 30, 1941:	
Regular Army	494,000
National Guard	266,000
Selective Service	597,000
Total	1,357,000
Increase since June 30, 1941:	
Regular Army	14,700
National Guard	21,800
Reserves	55,000
Total	91,500
Grand total	1,448,500
Men in selective service, June 30, 1941:	
Total number	597,000
Drafted	358,200
Volunteers	238,800

Army pay

Private, first class:	
First 4 years	$36.00
Second 4 years	39.60
Third 4 years	41.58
Fourth 4 years	43.66
Private:	
Four months	21.00
First 4 years	30.00
Second 4 years	33.00
Third 4 years	34.65
Fourth 4 years	36.38
Special rating, privates and privates first class, in addition to regular pay:	
1	30.00
2	25.00
3	20.00
4	15.00
5	6.00
6	3.00
Master sergeant:	
First 4 years	126.00
Second 4 years	138.60
Third 4 years	145.53
Fourth 4 years	152.80
Technical sergeant:	
First 4 years	84.00
Second 4 years	92.40
Third 4 years	97.02
Fourth 4 years	101.87
Staff sergeant:	
First 4 years	72.00
Second 4 years	79.00
Third 4 years	82.95
Fourth 4 years	87.10

Personnel of the Army, 1939–June 30, 1941—Continued

Sergeant:	
First 4 years	$60.00
Second 4 years	6C.00
Third 4 years	69.30
Fourth 4 years	72.77
Corporal:	
First 4 years	54.00
Second 4 years	59.40
Third 4 years	62.37
Fourth 4 years	65.50

Mr. JOHNSON of Colorado. Mr. President, the war in Europe has demonstrated over and over again that not a huge mass army but a completely mechanized and motorized army, supported by an invincible air force, is the requisite of the hour.

THE EXPLOIT OF BERNARD EARLY AT CHÂTEL-CHÉHÉRY, FRANCE

Mr. DANAHER. Mr. President, a few days ago the senior Senator from Tennessee [Mr. McKELLAR] presented in the Senate a bill authorizing the commission of colonel to be issued to Sgt. Alvin C. York. At that time I asked the Senator from Tennessee if he had known at all of the participation of Bernard Early, of New Haven, Conn., in the exploit for which Sergeant York would receive such an appropriate commendation. The Senator from Tennessee very generously stated that he was certain there were others connected with the exploit, but did not know the names of many of them, and, so far as Corp. Bernard Early's name was concerned, it was strange to him.

I then offered to get for the RECORD what seemed to me to be an interesting and appropriate record of Bernard Early's participation in that particular event, and, in view of the fact that today we have been talking about treating men equally, it seems to me singularly appropriate that we take notice of the exploit of Bernard Early.

Representative JAMES A. SHANLEY, of Connecticut, has long been interested in Mr. Early's situation, and has sent to me certain material from which I wish to read.

Under date of March 22, 1935, The Adjutant General wrote Representative SHANLEY a letter, from which I quote this sentence:

> The records of this office show that Bernard Early (Army serial No. 1910216), formerly corporal, Company G, Three Hundred and Twenty-eighth Infantry, Eighty-second Division, was awarded the Distinguished Service Cross by the War Department on October 5, 1929, for extraordinary heroism in action near Châtel-Chéhéry, France, October 8, 1918.

The citation, or at least the recommendation upon which the award was based, reads:

> The advance of his company being held up in the valley west of Hill 223 in the vicinity of Châtel-Chéhéry, France, by converging enemy machine-gun fire from the front and both flanks, Corporal Early led a detachment of 17 men, sent from a support platoon, with the mission of silencing the hostile fire on our left flank. He skillfully moved his men through the sparsely wooded country to a position on the left of and somewhat beyond our lines, coming suddenly upon a group of some 50 to 75 of the enemy in a small clearing. Though greatly outnumbered, in a dangerous situation, in which he risked annihilation, he courageously opened fire with his small detachment and forced the surrender of the enemy group. While giving instructions for taking these prisoners to the rear, he was shot down with three bullets through the body in a storm of fire of enemy machine guns, from the hill to his rear, which killed six and wounded two other of his men. He later walked out, aided by the survivors of his detachment, now under command of Corporal Alvin C. York, who had silenced and captured the remaining enemy guns and gunners, while he (Early) was out of action.

Mr. President, that particular recommendation came from E. C. B. Danforth, Jr., major in the Infantry Reserve, but who had formerly been the captain commanding Company G of the Three Hundred and Twenty-eighth Infantry.

Col. G. B. Duncan, of the Twenty-first Infantry, on March 26, 1920, had written to Gen. Robert C. Davis, Adjutant General of the A. E. F., in Washington, and had called attention at that time to the fact that Early, because of his wounds, had been hospitalized, and did not return to the division, and on that account his name was overlooked in considering awards. The colonel pointed out that he had no doubt that many wounded men were overlooked in just that way.

Mr. President, because of the remarkable degree of participation by Corporal Early, who had originally commanded the detachment, in the expedition, for which Sergeant York was later so properly and appropriately awarded recognition, it seems to me that these facts should be called to the attention of the Congress and also that appropriate notice be given to Corporal Early.

There was pending at one time—whether there now is I do not know—a bill for an award to Corporal Early of the commission as major in the United States Army, to the end that he may be retired with that status and placed on the retired list, to receive the emoluments of that grade.

Since I called this situation to the attention of the Senator from Tennessee [Mr. McKELLAR] the other day I wish to supplement my then brief remarks with this fuller explanation of the background of that particular exploit.

Let me say further, Mr. President, that while I did not have the opportunity to attend the showing of the motion picture upon the invitation of the Senator from Tennessee, I was told the following day by one of the Senate official reporters who had seen the picture that Corporal Early was recognized in the film itself. I think that was no less than a right and proper result.

Mr. President, I shall take steps to supplement the efforts of Representative SHANLEY to the end that Corporal Early be given proper and just recognition for his participation in this now famous exploit.

EXTENSION OF SELECTIVE SERVICE

The Senate resumed the consideration of the joint resolution (S. J. Res. 95) declaring the existence of a national emergency, and for other purposes.

Mr. WALSH. Mr. President, I have waited for an opportunity to express some general views which I entertain with relation to the Army as an arm of our national defense. The remarks which I shall make do not relate to the amendment of the Senator from New York [Mr. MEAD], which is pending.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WALSH. Yes.

Mr. BARKLEY. We hope to vote finally on the pending measure today, and I am asking Senators to remain until we have concluded consideration of the joint resolution.

Mr. WALSH. I appreciate that; and I hope it can be accomplished.

Mr. BARKLEY. It is the plan to adjourn until Monday if consideration of the joint resolution can be completed today.

Mr. WALSH. I shall be brief.

Mr. President, as we have proceeded with this debate from day to day a popular phrase has been flashing through my mind. "Where do we go from here?" The suggestions about the inadequacy of pay and the general plan of how long should the draftees be retained prompt that inquiry.

I shall not repeat what I have previously said with respect to my objections to the pending measure, but I wish to point out what I think is a fatal defect in our military policy. This is no criticism of the Committee on Military Affairs. I know that some of the members of that committee feel as I do about this matter. I am sure that that committee is like my own committee, in that much of our direction and advice must be obtained from military experts.

If the system we have adopted means a perpetual draft army in the United States, in my opinion it will be ruinous to the defense of our country That is a strong statement. If the present system, which was speedily inaugurated a year ago, is for the purpose of sending our Army to foreign countries to wage war, that is one thing. Any Senator who so believes can defend his vote for the joint resolution.

Is the objective in building up our Army to make it an offensive organization or a defensive organization? If it is to be offensive, then, while not complete and imperfect, no serious objection can be made to legislation of the kind proposed. If our objective is to do everything necessary for the defense of the United States, I repeat that to rely upon an ever-changing draft-personnel Army from year to year would be fatal.

In speaking of the defense of our country I am not speaking of hastily providing troops to go over to some foreign country and invade that country and participate in the war now going on in Europe. If that is the objective and purpose, we need to move with haste and do everything that is being done and much more than has been proposed.

I wish to analyze what I have learned to believe from my study of the national defense of our country as to what are our defense needs. First—and everybody agrees to it—is our Navy. No one can invade the United States while we have a powerful, efficient Navy which can meet any hostile fleet and destroy it before it reaches our shores.

Who would suggest a personnel in the Navy made up of draftees? Who would suggest that we draft men for the Navy, changing them every year, and having a constant procession of persons who are unwilling to volunteer, rather than men who are devoted to the Navy, who want to fight in it, and who want to become efficient? Who would suggest a conscript personnel in our Navy?

The Navy alone is not sufficient as our first line of defense. Equally important, if not more important in view of present war methods, is the air force. Who would suggest drafted pilots, coming and going every year or two in an ever-changing stream, to serve and protect us in the air?

I am glad the Senator from Colorado [Mr. JOHNSON] is present, because a few minutes ago he expressed some of the sentiments I have in mind. With a strong and efficient Navy and a powerful air force we are safe. If we can repel an invading force from the air or the sea nothing can disturb us. We are secure, and no hostile foot will ever be placed upon our shores.

Those are our first two important lines of defense. The business of the Navy and of the air force and the duties of the personnel of the Navy and the air force are highly technical and extremely important. Service in those branches is a lifetime career. It requires the service of men who desire that kind of work and who are willing, as long as they are physically able, to remain and give able service to their country. They should be paid, and must be paid, adequate compensation for the qualities which they are required to possess. Under the conditions of modern warfare the men in that service require technical education and training.

Yesterday the Senator from Missouri [Mr. CLARK] very properly called attention to the fact—and I think the Senator from Colorado reiterated it in another way—that Army and Navy officers want long terms of enlistment for soldiers and for naval personnel. They are correct. Their position is sound. In my opinion, that is the only way to build up a strong Navy and a strong Army. So important is it that a bill now lies on the desk, which will be called up in a moment, when I shall make a motion to agree to the amendments, increasing the bonus which is to be given to men who reenlist in the Navy when their term expires. Why? Because they are so valuable and so indispensable that we cannot let them go in a crisis such as this.

Will not the same arguments confront us a year from now when the time comes to dismiss the selectees? Will not the argument be made, "Why, these are our best-trained men. These men have been 2 years with us. These men have known the present methods of warfare. We cannot let them go. You will destroy our Army."

Where do we go from here, I repeat. We are just leading up to the day and time when we shall have another similar extension of this law, in my opinion, if my theories are correct—a time when it will be said, "It requires skill and training and high technique in order to be a soldier today."

Let us assume now, and I am applying the knowledge that has come to me from Government experts, that some hostile nation or combination of nations declares war upon us. It is obvious that a potential enemy can invade us only by crossing the Atlantic or Pacific Oceans. Many real experts believe it is physically impossible to invade this country because of the thousands of miles of ocean on either side; they believe also, notwithstanding the rapid advance in aircraft, that naval vessels or airplanes would be unable to reach this continent because of the necessity of operating so far from their base in Europe or Asia.

Assuming, however, a real attempt at invasion is made, it would have to be by a naval force because troops could be successfully landed on our shore only by first destroying or evading our powerful naval fleet. This is the reason our Navy is considered and generally spoken of as our first line of defense. It must meet and destroy any enemy approaching by sea. Our naval fleet must be of such strength and power that it will not be obliged to wait until the enemy arrives at our shores but will be in a position to go out to sea, meet the hostile fleet, and destroy it before it reaches our coast. As I have said repeatedly, we now have a Navy of great power and strength: but the naval fleet we have under construction will provide us in the near future with a Navy of superstrength, one which will be the largest and most powerful in the world.

Our Navy must possess not only the most modern and most invincible types of naval vessels we can produce, but also it must have a trained personnel second to none. Wars are not won by steel and ammunition alone. In the last analysis, manpower wins battles. I am pleased to say, from my personal contact with the naval officers and enlisted men, there is no group of naval officers from admirals to ensigns or enlisted men in the world superior to ours in courage, in knowledge of naval warfare, and in devotion and pride in our Navy. This was and is being accomplished by voluntary enlistments.

THE AIR FORCE

But what is our next line of defense, assuming that the Navy fails? It is our air force, the airplanes of both the Army and the Navy combined. This second line of defense will not be impenetrable unless we have planes of every known combatant type manned by skilled, experienced pilots. The air power must be prepared to meet and crush any military forces that may attempt to reach our shores through the air, just as the Navy must be prepared to fight and destroy fleets which may seek to reach us by sea. This second line of defense, our air force, is, I repeat, of equal if not greater importance than our Navy. Until the present we have been woefully deficient in numbers and types of planes. Frankness compels me to state that we are far from strong; there is much, very much, to be done to build up this particular defense. However, we have embarked on an extensive program calling for aircraft construction on a large scale. This branch of defense is progressing and can continue to progress through the voluntary system.

ANTIAIRCRAFT DEFENSE

What if we fail, however, in our efforts to control the sea and the air? Then we turn to the third important line of defense consisting of antiaircraft guns (Coast Artillery), and the trained personnel to man them. With these it is possible to seal our ports against any invader. It is my contention that here, too, the voluntary system alone will be successful.

If the defenses I have named are impregnable, our safety and our security are assured. No country or combination of countries can successfully attack us. This is why naval and other experts have always maintained that our country needs only a relatively small Regular Army.

ARMORED DIVISIONS OF ARMY

Assume, however, the worst: That forces of a hostile nation penetrate the Navy, the air forces, and the coastal defenses, and attempt to land troops. At this point we turn to the fourth line of our defense, the armored divisions of the Regular Army, in other words, motorized and mechanized units trained to operate the latest and most modern type of hellish war engines that science has produced. We have heretofore barely recognized this need. We are only just beginning to move effectively. This defense can be made powerful and effective alone through long extended volunteer service.

I am talking to you, not for the purpose of criticizing the Army or our Government, because, as I have said before, it was practically impossible before to arouse public opinion in America to a realization of the inadequacy of our national defenses and to support the necessary appropriations.

To what extent will a conscript army contribute to these necessary and primary military defenses? Service in our armored divisions cannot be performed by "transient mobile personnel." It must be in the hands of men who volunteer to enter this difficult service, and who are well paid, for it is a highly dangerous, extremely technical, and most adventurous job. The same is true of the Air Corps and antiaircraft units. Will 2 year's training of new soldiers each year give us the permanent personnel which we must have in these vital branches of our Army? Do you know any private concern which changes the operators on its machines or any commercial air line which changes its pilots every 1 or 2 years?

FOOT SOLDIERS

I want now to bring to your attention our fifth or last line of defense, our "foot soldiers." Information about the European war has again and again illustrated that without the other powerful defenses which I have mentioned infantry alone is no defense. It is for this reason that experts have repeatedly testified this country does not need in time of peace a large standing army. It does, however, need pilots, antiaircraft guns, and mechanized units in large numbers, and these services must be permanent and they must be well led and trained to the highest degree.

If the present European war has proved anything, it has established that the nations which have depended on huge masses of troops with insufficient equipment have lacked the offensive spirit necessary to win battles after the fighting starts, especially against air attacks and tanks. Only by the development of an armored spearhead will we be able to perfect the technique and spirit of the best kind of defense—a fast-moving, hard-hitting offensive against any enemy who may land in our hemisphere.

VOLUNTARY PROFESSIONAL SOLDIERS NEEDED

Effective air and armored units are only maintained through the voluntary professional system. The enlisted men and officers of such a military team function best when they are engaged in a life service. They should be well paid. They must not be a changing group, but, I repeat, men engaged in a life service, a definite professional career. All experts agree that the necessary foot soldiers can be assembled and trained after war begins in a few months' time with comparative ease, for there is absolutely no question that the patriotic youth of America will come to the country's defense whenever we are threatened. Pilots, mechanics, and other specialists, however, are in a different category—they must be career men.

What am I saying? I am saying that the business of defending the United States of America through an armed military force is a life job. It is a specialty. It requires men who will make it their career, who will be induced to come into the service and give to it their full time and best efforts, and who will be paid to do it—just as the mechanic is induced to work in the machine shop and the tool maker at his trade.

Mr. President, now what have we? Let us be frank. Have we anything resembling what I have indicated is a need for our defense at this hour? We have what? We have a combination of the Regular Army, the National Guard, and civilian soldiers drafted for a year, in many cases against their will because the life is not attractive to them. We have these, together, to form what? To form what I call a draft, disjointed army, and not a regular permanent army for defense.

I am pleading today, as I pleaded a year ago when the selective-service bill was under consideration, that we establish, rather than our present Army, a professional Regular Army of the United States, made up of volunteers, and forming a basis on which we can build up a Regular Army whose personnel is committed for life to service in the military force of our country.

Thus, briefly, I have mapped out the defense system which I have been authoritatively informed our country needs.

The rapid German victories of the last year took the whole world by surprise. Military men the world over had been in the habit of thinking in terms of the last war, of trench warfare, in which the rifle, the machine gun, and the artillery ruled the battlefield. In modern war one break-through means victory. Only by the possession of armored divisions and overwhelming air power is it possible for a country to be safe on the battlefield today. We should, I repeat, concentrate on a permanent, well-drilled, and well-paid voluntary enlistment army of sufficient strength to protect us.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. CLARK of Missouri. Does the Senator from Massachusetts know of any nation in the world which has ever attempted in modern times to build up an army of professional soldiers—that is, an army composed of soldiers serving for life, so to speak—except on a voluntary basis?

Mr. WALSH. I have never heard of any other basis.

Mr. CLARK of Missouri. Does not the Senator from Massachusetts regard this joint resolution as an attempt to start an army of professional soldiers, not on a voluntary basis or on a basis of compensation for the devotion of their lives to the service but on a purely conscript basis?

Mr. WALSH. Absolutely. Of course, as is known by the Senators who have been sitting on this floor, when this subject was before us last summer we supposed—or at least some of us did—that the draftees and conscriptees were to be trained to be an auxiliary to, not for actual service with, the Regular Army.

When is the day coming when we will be able to let the draftees go? In my opinion, not until the day comes when we can say we have a Regular Army of life volunteers.

We are just postponing it. The Senator from Michigan [Mr. VANDENBERG] has called attention to what the Senator from Missouri has said, that the Army is discouraging enlistments. If it is discouraging enlistments and if it is not building up a life tenure of personnel, what is the alternative? The alternative is continuous change, year after year, training and the developing of a Regular Army composed of conscripted draftees.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. WALSH. I will yield in a moment. I will suggest the advantage of some such system as that which I have hastily tried to outline. What did Germany do? When the Versailles Treaty was signed and she was permitted a regular army of 100,000 men, what did she do? She trained a regular army, trained it to perfection, adopted the most modern methods of modern warfare and defense; and when the limitation of 100,000 men was removed she had 100,000 men highly trained and highly skilled to train her draftees and her selectees and her volunteers.

In my opinion, we would be in a safer and better place today had we never allowed the draft law, or, at least, postponed its action for at least 6 months, and sent our Army officers to some school to become trained in the modern methods of warfare.

Mr. SHIPSTEAD. Mr. President——

Mr. WALSH. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. I want to compliment the Senator for giving the most intelligent discussion of national defense I have heard since I came into the Senate.

Mr. WALSH. It seems to me the case is as clear as can be. We have the Navy, air-force units, mechanized units, and foot soldiers. Everybody agrees the Navy's personnel should not be frequently changing; all agree that the air force should not be changing pilots and mechanics every year or two; and, I claim, we ought to agree that we must have them supplemented by draftees and selectees who should go into camps for a year, or for whatever period may be required, and be trained by the highly trained and developed men who are making the Army and the Navy their careers. In that way we would have a permanent, modern, up-to-date, efficiently trained personnel for the most dangerous, the most technical, the most important part of the Army, namely, its modern mechanized units. In my opinion, training and knowledge of technique are as important in the case of the mechanized units of the Army as they are in the case of the Navy.

Mr. SHIPSTEAD. I am so impressed that I am inclined to say, with all due respect to the General Staff, that I have come to the conclusion this afternoon that what we need is a new General Staff. There has been plenty of time for the General Staff to act.

Mr. WALSH. I am saying this not in criticism of the General Staff. They have some justification, for the conditions came on them suddenly. They were ordered to get ready for war or ready to defend us against possible attack from Europe. They had to do the best they could, and they had at hand no adequate Regular Army. But they have postponed some such plan as I have suggested; they have been continuing the policy which might be justified temporarily, and I am speaking now in the hope that the Army will come here with a plan leading toward a permanent, continuous military organization, with inducement for the men to make life careers of the service by a scale of pay which will permit them to remain in the Army.

The Navy is greatly in need of increasing its personnel. It has some difficulties due to several reasons—one, the matter of small pay, because of the increased pay in private industries, so much so that the Navy recommends increasing to $400 the bonus given to men who serve 6 years in the Navy. A bill providing for that is on our desks, and will probably come up this afternoon. The Navy cannot let them go. It would be a handicap. Why? Because service in the Navy should be a life career. Mechanics cannot be made in a year or 2 years. What I am saying is that today, in my opinion, there is no difference between the Army and the Navy, in respect to the technical knowledge, the training, and the experience which are required.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. CLARK of Missouri. May I express the hope that when that meritorious measure comes before the Senate for consideration we will, at least, be able to secure a yea-and-nay vote on it?

Mr. WALSH. Mr. President, I have spoken longer than I had expected. I know it is useless to discuss the pending joint resolution any further. I gave my views on Tuesday. We know what action is to be taken; but I want to say, in closing, that I hope there will be some effort made to end the reliance for our defense on a draft army, and that there will be adopted some kind of program under which a Regular Army, highly trained, well skilled, and well paid, will be our first line of land-force defense, and then, behind them, trained and prepared by the Regular Army officers and men, the civilian soldiers, the selectees, and the draftees, whatever auxiliary force we may adopt to supplement the Regular Army force.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WALSH. I am glad to yield to the Senator from Illinois.

Mr. LUCAS. The Senator gives certain reasons why men are failing to enlist in the Navy at the present time.

Mr. WALSH. Some of the reasons.

Mr. LUCAS. I should like to make this observation, even if the Senate does not agree with me. As I recall the testimony before the committee, an admiral testified that four out of five men who were volunteering for the Navy were rejected because of physical reasons.

Mr. WALSH. The Senator is correct.

Mr. LUCAS. And that the high standard which the Navy required of physical and mental qualifications had kept many a man out of the Navy. I merely wanted to have that fact noted in the argument.

Mr. WALSH. I was trying to develop the thought that it is supremely important that well-trained sailors and well-trained men in the Navy be continued in the Navy for life. The Senator agrees with me, I am sure.

Mr. LUCAS. I do not disagree with the Senator on that question at all.

Mr. WALSH. The point I am making is that the same thing applies to the Army.

I do not want to have to rely on a temporary changing draft force for the Navy, on reserves, and, possibly, draftees, and neither do I want that condition to prevail as to the Army, but I want to have them as auxiliaries, although they may have to be separate from what may be called the Regular Navy, Army, and air force. We have not an up-to-date modernized Army. What is the use of deceiving ourselves? I am not complaining; I am making this statement only in the hope that we will take notice, look to the future, and see to it that we have a Regular Army composed of a personnel who will devote their whole life to it.

Mr. President, I have spoken longer than I had intended. I am only speaking as I have in the hope that when a measure similar to this comes back here a year from now or 18 months from now we will not be confronted by the same situation, but will then have before us some plan under which we may have a Regular Army and that the selectees and draftees, or whatever policy we decide upon for auxiliary training, will be separate and distinct from the Regular Army.

Mr. LUCAS. Mr. President, I desire to speak for merely a moment because I do not want the country to understand that men are failing to enter the Navy only for the reasons suggested by the distinguished Senator from Massachusetts. He gave three reasons why men are failing to enlist in the Navy and why the Navy is running short of men at the present time. It is true there is somewhat of a shortage in enlistments in the Navy, but that is primarily because of the tremendous increase in the number of men necessary for Navy work. The same statement applies to the Army. It is difficult to get men, regardless of what may be said, for the enlistment period that is necessary and in the number necessary in the emergency in which we are drifting at the present time.

But getting back for a moment to the Navy, Mr. President, the evidence before the Naval Affairs Committee distinctly shows that the real reason why so many men are being denied the opportunity to serve in the Navy is that they have physical defects. As I recall, four out of five men are turned down because of bad teeth, strange as that may seem. The requirements are so rigid that a man must be almost perfect from the standpoint of both physical and mental capacity to get into the Navy. Obviously, that is one of the reasons why we have such an excellent Navy, and one that is so highly respected throughout the world; but I call attention to the tremendous number of men who are trying to get into the Navy and who are being turned down primarily because of physical defects.

I pass that on as an observation in answer to the Senator from Massachusetts, because I am positive that if the standards were lowered just a little, there never would be any question about the number of men who are needed by the Navy so far as enlistments are concerned. It seems to me that this statement of fact may answer to some degree the statement of my able friend from Massachusetts.

Mr. CLARK of Missouri. Mr. President, before the joint resolution passes, in view of the fact that under the practice of the Senate and the rulings of the Chair the Senate was denied an opportunity to express on record its opinion in regard to the amendment of the Senator from California [Mr. DOWNEY], I feel it incumbent upon me at this time to state for the RECORD—which is the only way in which I can now protect myself—that if we had been afforded the opportunity for a yea-and-nay vote, it was my purpose to vote for the amendment of the Senator from California.

Mr. President, I think that question is one that should very greatly concern the Congress in the passage of such a measure as the one now before us. I do not shed any crocodile tears about the fate of the American soldier when he is not engaged in actual warfare, because I know very well indeed that the American soldier—whether he be a selectee or a National Guard man or a Regular Army enlisted man—gets the very best pay, incomparably higher pay than any other enlisted man in the world of similar status. I also know that the American soldier is better fed than any other soldier in the world. In fact, I am frank to admit that a good many soldiers get better food in the Army than they are accustomed to get at home. They are ordinarily very well housed, certainly at this time.

I put in nearly a year in a tent camp, passing through midwinter with the thermometer much of the time down around zero. I am informed that the new cantonments which are now being constructed are very excellent in their accommodations for the enlisted men. Nevertheless, we cannot overlook the fact that the men have been taken willy-nilly from opportunities to acquire an education, from opportunities to establish themselves in their professions, from opportunities to promote themselves as skilled mechanics, from opportunities to advance themselves, under a pledge of 1 year's service—which is now being extended to two and a half years' service—which will mean that many of the boys who were taken out of schools and universities will never go back to school. It will mean that many of the lawyers or doctors or dentists who were in the process of establishing themselves will never be able to establish themselves again; that many of the mechanics who had good jobs will never get them back; that the life of many a man has been changed, and in many cases ruined, by the action of the Congress on this joint resolution.

Therefore, Mr. President, I say that the proposal of the Senator from California [Mr. DOWNEY] was an extremely moderate one. As a matter of fact, I was one of those who voted for the proposal of the Senator from North Dakota [Mr. LANGER]. I believe the Congress should give the most serious consideration to the rights of these men, or these boys—for many of them are still boys—in changing the whole course of their lives by the action we are taking today.

Mr. President, while I am on my feet I also wish to put on record my views, in view of the incident which happened today, about two practices of the Senate which, to my mind, completely violate two provisions of the Constitution of the United States.

I should like it to be understood that in this discussion, which I have had in mind for a long time, I am not in any manner reflecting on the distinguished Senator from Virginia [Mr. GLASS], the President pro tempore of the Senate, who occupies the chair and who occupied it at the time of the incident to which I am referring. I may say that there was a question of fact between the Senator from Virginia and myself; that I was in my seat listening very attentively, and not only listening attentively but watching the mouth of the Senator from Virginia; and I did not hear or see him declare the amendment of the Senator from North Dakota [Mr. LANGER] lost. That, however, is entirely a minor matter. The fact is that there are two practices in the Senate—which the Senator from Virginia was entirely within his rights in following—which I

regard as a violation of the Constitution of the United States.

The first practice of the Senate to which I refer is the practice which does not regard the question of the presence of a quorum as a question of fact, but proceeds by an arbitrary rule that unless some business has intervened since the last quorum call a quorum is conclusively presumed to be present; and we have all seen instances in this body with only seven or eight Members on the floor, as anybody could easily see by the naked eye, when a quorum call was denied on the ground that a quorum was conclusively presumed to be present.

In the House, which in this regard proceeds much more nearly in accord with the Constitution than the Senate does, the presence of a quorum is a question of fact. There is not an arbitrary roll call in the House for a quorum. If any Member makes a point of no quorum in the House, the Speaker or the Presiding Officer says, "The Chair will count," and he counts as a physical fact whether or not a quorum is actually present.

Mr. SHIPSTEAD. Mr. President, will the Senator yield for a question?

Mr. CLARK of Missouri. I shall be glad to yield to the Senator from Minnesota.

Mr. SHIPSTEAD. Does the Senator mean to say that when a vote is about to be taken, if there is a demand for a quorum call, on the ground that no quorum is present, it can be denied on the ground that no business has been transacted since the last call?

Mr. CLARK of Missouri. The Senator has served in the Senate longer than I have. He has frequently seen a demand for a quorum call refused on the ground that no business had taken place since the last quorum call.

Mr. SHIPSTEAD. The denial of a quorum call if a vote is about to be taken is a very reprehensible practice, indeed.

Mr. CLARK of Missouri. I was just about to read to the Senate, to refresh the memory of its Members, what the Constitution of the United States says on the subject.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. Yes; I shall be glad to yield.

Mr. BARKLEY. Of course the Senator realizes that even in the House, until a point of no quorum is made, a quorum is supposed to be present.

Mr. CLARK of Missouri. There is no question about that; and there is no question that under the practice of the House, when a quorum is obviously present, the Chair may overrule the point of no quorum on the ground that it is dilatory.

Mr. BARKLEY. But until someone has made a point of order in the House that no quorum is present, and the Chair has counted, a quorum is presumed to be present.

Mr. CLARK of Missouri. That is certainly true.

Mr. CONNALLY. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I am glad to yield to the Senator.

Mr. CONNALLY. Is it not true that the rule of the Senate requiring an automatic calling of the roll is merely a time killer, for no purpose, and that the Chair should be allowed to count a quorum? If there is a quorum, and everyone can look around and see the quorum, what is the use of calling the roll?

Mr. CLARK of Missouri. The Senator from Texas and I are in entire agreement in that regard.

The argument I was trying to make, and was just about to conclude by reading from the Constitution——

Mr. CONNALLY. I agree with the Constitution, as well as with the Senator.

Mr. CLARK of Missouri. The argument is that the presence of a quorum is a question of fact which should be ascertained by the Chair, and not by an automatic roll call, or by the assumption that since a quorum may have been developed 3 or 4 hours before, and no business might have intervened in the meantime, a quorum is present.

Mr. BARKLEY. Not only is the presumption I spoke of a moment ago true of the practice in the House and in the Senate, it is as a rule generally followed in all parliamentary bodies, that until a point of order has been made that a quorum is not present, a quorum is supposed to be present, except where, as a preliminary to the transaction of any business at all, the rules and regulations of the body require that the presence of a quorum must be ascertained.

Mr. CLARK of Missouri. There is no question about that. I think I have not made myself clear to the Senator from Kentucky. In the first place, I object to the practice in the Senate—and when I say I object, I mean I am merely suggesting the matter to the Senate, because it is something I have intended to do for a long time—I object, in the first place, to the fact that in the Senate, when every seat may be filled and the Chair by looking over the Senate can very easily see that a quorum is present, he is required by the practice of the Senate to order a roll call whenever anyone, with 95 Senators in their places, rises and says, "I suggest the absence of a quorum."

I object equally to the practice that with only seven or eight Senators in their seats, which also can easily be ascertained with the naked eye, if no business has been transacted since the last quorum call, the Chair is required, under the Senate practice, to refuse to have the roll called to develop the presence of a quorum, when obviously the constitutional provision that a majority of the body shall be required for the transaction of business has not been complied with.

Mr. BARKLEY. Will the Senator permit me to interrupt at that point?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. I agree that there is apparent folly in having to call the roll automatically when every seat in the Senate is filled, and everyone knows that a quorum is present. That has been the rule of the Senate, however, from time immemorial.

Mr. CLARK of Missouri. It never has been a rule, so far as I have ever been able to discover. It is a practice of the Senate.

Mr. CONNALLY. No; it is the rule. It is in the book.

Mr. BARKLEY. On the other point, of course, the Senator realizes that in the transaction of business it has been necessary to adopt somewhat different rules in the Senate from those prevailing in the House of Representatives.

Mr. CLARK of Missouri. But not different rules from those provided by the Constitution of the United States.

Mr. BARKLEY. I understand that; but I am talking about the comparison between the House and the Senate. The Senate, under its rules, as we sometimes see, has a greater facility for delaying legislation than the House of Representatives.

Mr. CLARK of Missouri. Certainly, but no greater facility for delaying legislation than by a quorum call.

Mr. BARKLEY. The practice or rule under which the Senate operates generally, that where a quorum call has ensued, and a quorum has been developed, the presumption of the presence of that quorum must continue until there has been another call——

Mr. CLARK of Missouri. Where is that rule?

Mr. CONNALLY. I have the rule before me. It reads:

> If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

That is paragraph 2 of rule V, and it cites Jefferson's Manual, section 7.

Mr. CLARK of Missouri. That is not the question the Senator from Kentucky raised.

Mr. CONNALLY. That is the question the Senator from Missouri said there was no rule on. It is a rule of the Senate.

Mr. CLARK of Missouri. What the Senator from Kentucky was discussing was the practice, after there had been a quorum call, of not permitting another quorum call unless business had been transacted. That practice was changed after the memorable filibuster of the elder Senator La Follette, then senior Senator from Wisconsin, by a ruling of the Chair in the Senate—I think possibly on an appeal from a decision of the Chair—without any amendment of the rules.

If the Senator will permit, what I was trying to get down to was the constitutional provision. I first read the provision for a quorum call, but what I am particularly interested in is another violation of the Senate practice and a specific violation of a provision of the Constitution of the United States. The Constitution of the United States also provides, in paragraph 3, section 5, of article I:

> Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays—

I wish the Senators would listen to this—

> and the yeas and nays of the Members of either House on any question shall, at the

desire of one-fifth of those present, be entered on the Journal.

Mr. President, there can be no possible dispute among reasonable men, so far as I can see, as to what that means.

The yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

It means the yeas and nays. Today there was a demand for the yeas and nays on the amendment of the Senator from California [Mr. DOWNEY]. Many Senators desired to record their views on that very important question of justice to the men who are being held in the military service long past the obligation of the Government. I am frank to say that there were many other Senators present who did not desire to record their views. Nevertheless the Chair announced that 12 Senators had held up their hands asking for the yeas and nays, asking that every Senator be put on record on this matter of doing justice to these draftees—12 Senators—and I dare say there was not a man or woman in this Chamber, on the floor, or in the gallery, who did not know that 12 Senators were very much more than one-fifth of those present.

The Constitution provides:

And the yeas and nays of Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

I repeat, I dare say there was not a person within view of this Chamber who did not know that 12 Senators constituted more than one-fifth of those present; but under the arbitrary practice of the Senate it was held that the number was not sufficient—I stated in the beginning that I did not intend this to be in the slightest degree taken as any reflection on the President pro tempore, because he was following the well-settled practice of the Senate, which I say is wrong. That practice of the Senate is violative of the provision of the Constitution of the United States, when by an arbitrary practice the Senate decides that the number of hands held up has to be one-fifth, not of those present, as the Constitution provides, but one-fifth of the number shown on the last quorum call, which may have taken place 4 or 5 hours before.

I regret delaying the Senate in the vote on the very important measure now before it, on which I have hitherto taken very little time, and I do not intend that my remarks shall be taken as any reflection on the President pro tempore of the Senate, but this is a matter which I have had in mind for a long time, and the practice to which I have referred is one which I think the Senate should change, because, in my opinion, the practice is clearly in violation of the specific provision of the Constitution of the United States in two different regards.

Mr. BONE. Mr. President, if I may ask the Senator one question, is there any language in the Senate rules which attempts to define the meaning of the expression "transaction of business"? What is "the transaction of business"?

Mr. CLARK of Missouri. There have been many decisions on the subject, but I will say I do not know of any rule regarding it. There have been many decisions as to what was "transaction of business." For instance, if a Senator has the floor and yields to another Senator to place something in the RECORD, that has been construed to be the transaction of business.

Mr. BONE. Must there be a decision by the Chair with respect to withholding or permitting something to be placed in the RECORD in order to constitute the transaction of business?

Mr. CLARK of Missouri. There have been many conflicting decisions. For instance, it has been held that a Senator, by yielding to another Senator for the purpose of making a point of no quorum, was transacting business, and therefore came in the purview of the rule against a Senator speaking longer than a certain time or more than twice on a certain matter.

The PRESIDENT pro tempore. The Chair will say that he is advised by the parliamentarian that the last roll call showed 75 Senators present. Therefore there must be 15 Senators advocating or seconding the request for the yeas and nays, and the Chair counted with great particularity only 12 Members who seconded the request, and therefore decided as he did.

Mr. CLARK of Missouri. Mr. President, I thought I made that matter clear in my remarks. I should like to have it understood that I recognize completely that the Chair was proceeding under the practice of the Senate. My remarks were directed to the fact that I think the practice of the Senate is not only wrong but absolutely unconstitutional and ought to be changed. I intended no reflection whatever upon the President pro tempore of the Senate.

Mr. WHEELER. Mr. President, I shall not take the time of the Senate except briefly. I particularly wish to call attention to an article published in today's Washington Times-Herald in the Washington Daily Merry-Go-Round column. I am sure no one can successfully accuse the authors of the Merry-go-Round, Drew Pearson and Robert S. Allen, of being anti-New Dealers, nor can anyone correctly say they are opposed to the President's foreign policy. They have supported the administration in its foreign policy and almost everything the President has initiated. Likewise they have been antagonistic to me and to nearly everything I have done in the last few years.

I call attention to what they say in their article today with reference to the soldiers whom they interviewed. Senators will recall that General Marshall, I think it was, and others, have testified to the effect that 80 or 90 percent of the soldiers wish to remain in the Army. If 80 or 90 percent of the soldiers wish to remain in the Army there would be no excuse for extending the service of the draftees, and they should be permitted to volunteer or go home. If 80 or 90 percent wish to stay they will stay regardless of what we do with respect to the extension measure now before us.

Mr. CLARK of Missouri. Mr. President will the Senator yield?

Mr. WHEELER. I yield.

Mr. CLARK of Missouri. Does not the Senator agree that the very last person in the world to whom we should appeal for an expression of opinion on the part of the buck private is a full general?

Mr. WHEELER. Of course.

Mr. CLARK of Missouri. And that the next last ones to whom we should appeal are any lieutenant generals who might happen to be around; and that the next last class would be the major generls. It seems to me that there has been a very remarkable thing going on in connection with the testimony, when a full general, and lieutenant generals, and major generals, have come forward to express the opinions of buck privates. That has never been my observation of the way to find out the opinion of the buck private.

Mr. WHEELER. Not only that, but we had a committee listening to testimony with respect to the joint resolution, and the committee called before it every general and officer who wanted to be heard, but not once did the committee hear those who will really do the fighting and the dying, and who really will be obliged to give up time and opportunities in civilian life.

Mr. CLARK of Missouri. That would be treason.

Mr. WHEELER. Yes; of course it would be treason to do anything of that kind. But think of it. It is proposed to take these men and keep them in the Army—for how long? Why, the Senator from Florida [Mr. PEPPER] yesterday made an emotional appeal on the floor of the Senate, in which he said it may be necessary to keep the men in the service for 5 or 10 years. Many persons laugh at that idea and think that the Senator from Florida was simply expressing his sentiments at that particular time. I do not, because, as I have said before, when the Senator from Florida speaks, he generally is expressing the opinions of those at the other end of the Avenue. I have seen it happen time and again that he has expressed the views of the administration a few days or weeks or 6 or 8 or 10 or 12 months in advance. So when the Senator from Florida says that the present situation will continue for 5 or 10 years, and that these boys are going to be kept in service for that length of time, I think he has inside information as to what is intended.

Mr. President, here is the Merry-Go-Round article. As I say, I have disagreed with the writers of the Merry-Go-Round on a great many occasions, and they have certainly disagreed with me. I do not believe that in this particular instance they would be reporting something which was contrary to the administration viewpoint if they did not know it was a fact. I quote from the Merry-Go-Round:

Most attentive listeners in the crowded Senate galleries during the debate on retaining selectees were little groups of sunburned, khaki-clad young men from the draft Army.

On leave from nearby camps, they took time out to visit the august Chamber and listen to the discussion that was deciding their future.

To find out what they themselves think about being kept in the Army more than 1 year, the Merry-Go-Round interviewed 100 of them as they left the Senate galleries.

Certainly the writers of the Merry-Go-round were guilty of treason for interviewing these soldiers and asking them what their views were—under some recent definitions of treason.

All of those soldiers interviewed were from Eastern States.

They were not from the so-called isolation territory, from States out in the sticks, in the West, Colorado, Montana, or the Dakotas, or even Illinois. They were from the east.

All of those interviewed were from Eastern States and represented practically every branch of the Army. They were asked: "What do you think about the bill you have just heard debated?" Here are the results:

Almost without exception they said they wanted to return to civilian life at the end of 1 year's service.

Mr. President, I shall not read the whole article. They quote from statements made by the soldiers.

Mr. President, I have received not one, not one hundred, not five hundred, but more than a thousand letters and petitions, some of them containing names of officers, some containing as many as 100, 200, 300, and 400 names of men in a camp. They tell the same story—they consider the proposed legislation as a betrayal. I have before me on my desk now a stack of letters which was just brought in by my secretary. They are letters and petitions in opposition to the proposed legislation, because the signers of the petition feel it to be a betrayal.

The Merry-Go-Round article continues, and this is very significant:

This does not mean that these boys are unpatriotic—

Of course it does not—

but it does mean that the United States Army so far has neglected the most important conclusion to be drawn from the lesson of France and the lesson of Russia.

In France, battalions, companies, entire regiments surrendered almost en masse. The world was astounded. The French Army had been heralded as the best in the world. Its officers had been trained for years. Its equipment, while not as good as the Nazis', was the next best in Europe.

Yet the French Army collapsed in 11 short days.

So, instead of thinking and acting emotionally in this matter, instead of being carried away by our emotions, we ought to face the facts. When we go back on our word to the boys, given by Congress a year ago, we ought to think what it will mean not only to the 600,000 or 700,000 men who are in the Army as draftees but also what it will do to the other millions of boys who face induction. It would do more to break down the morale of the young men of this country, who will be the future voters, than anything else the Congress of the United States could possibly do.

We talk about subversive elements, "fifth columnists," and Communists. What do we expect if the Congress of the United States goes back on its word to the boys? It is the breaking of faith that makes Communists and subversive groups.

Mr. President, I ask that the entire article be placed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Times-Herald]

WASHINGTON DAILY MERRY-GO-ROUND

(By Drew Pearson and Robert S. Allen)

Most attentive listeners in the crowded Senate galleries during the debate on retaining selectees were little groups of sunburned, khaki-clad young men from the draft army.

On leave from near-by camps, they took time out to visit the august Chamber and listen to the discussion that was deciding their future.

To find out what they themselves think about being kept in the Army more than 1 year, the Merry-Go-Rounders interviewed 100 of them as they left the Senate galleries.

All of those interviewed were from Eastern States and represented practically every branch of the Army. They were asked: "What do you think about the bill you have just heard debated?" Here are the results:

Almost without exception they said they wanted to return to civilian life at the end of 1 year's service.

About 30 percent were very emphatic they should be "let out," repeating Senator WHEELER's phrase that the Government was "breaking faith."

The remaining 70 percent, while desirous of returning home, were not insistent. About one-third of this group volunteered that they were willing to abide by the action of Congress.

DON'T UNDERSTAND DANGER

From the brief chats with these boys, two significant attitudes stood out:

1. Soldiering has no appeal. The Army definitely has not sold itself to them as a way of life. With one possible exception, no selectee indicated that he would reenlist voluntarily if discharged.

They had no complaints about their treatment. Food was good, they were not overworked, some were in better physical condition than ever before. But soldiering just wasn't popular.

Not one of these youngsters seemed aware of what was happening in the world; that their country might be in danger; that they should make some sacrifice for their country.

Said a stocky Signal Corps man: "If we see that things are urgent, we're willing to stay, but who knows? The President says they are urgent. Wheeler and Lindbergh say they aren't. Until they can decide they ought to let us out."

"THESE GUYS OUTSIDE"

Said an Air Corps corporal: "These guys outside who are making good dough and striking for more while they keep us in the Army—that's the thing that bothers me."

"There are plenty of men who like the Army," said a cavalryman. "Why not let them volunteer? And besides, what are they going to do with all the new men coming in? They won't have enough room for them."

Said a pugnacious Brooklynite: "They made a deal with us, and they ought to keep it. You can write this—if they'll let you—we're pretty hot about this business of keeping us in the Army longer than they promised, pretty damned hot about it."

THE RUSSIANS HAVE IT

This does not mean that these boys are unpatriotic. But it does mean that the United States Army so far has neglected the most important conclusion to be drawn from the lesson of France and the lesson of Russia.

In France, battalions, companies, entire regiments surrendered almost en masse. The world was astounded. The French Army had been heralded as the best in the world. Its officers had been trained for years. Its equipment, while not as good as the Nazis, was the next best in Europe.

Yet the French Army collapsed in 11 short days.

Frenchmen who went through that catastrophic surrender now tell us that more important than Hitler's panzer divisions, more important than Stuka dive bombers, was French morale. French troops did not want to fight.

The country was torn by dissension. Men in the trenches had no idea why they were fighting. If they knew anything, it was that they were fighting for the Comite des Forges (Steel Trust) or the Deux Cent Families (the 200 families who ruled the Bank of France.)

So France fell. One year later an entirely different story comes from Russia.

There, a huge, unwieldly, green army facing the pick of Hitler's mechanized veterans, has retreated, but not surrendered. At times isolated and hopelessly cut off, Russian troops have continued fighting—fighting so desperately that the Germans have complained that they did not obey the rules of war.

Obviously Russian troops have been defending something which they cherished. They have had what the French lacked—morale.

WE DON'T HAVE IT—YET

And to date, judging by our poll of selectees, plus the War Department's own frank fears, the American Army also lacks morale. They have no idea that the country is in danger. They have little realization why they were drafted.

We have spent a year building up cantonments with most of the comforts of home. We have provided better than average food, good clothing, and fair equipment. But we have neglected morale—the most important thing of all.

Nine months ago this column published a series on lack of morale inside the draft Army. Nine months ago Mrs. Roosevelt addressed an inquiry to Chief of Staff General Marshall, got the reply that the situation was O. K. About the same time Harry Harrison, who ran the Smileage Book campaign for camp morale and entertainment during the last war, proposed a new program but was rebuffed.

In other words, with the country facing an urgent crisis in both the Atlantic and the Pacific, the War Department has given the boys no conception of what is happening in the world, has made no attempt to show them why they are called upon to serve. It has completely fallen down on the one big weapon which makes a modern army fight.

Mr. WHEELER. It is said the situation has changed. The joint resolution declares—

That the Congress, acting in accordance with the provisions of section 3 (b) of the Selective Training and Service Act of 1940, hereby declares that the national interest is imperiled.

Is the national interest imperiled more today than it was a year ago? Has anybody been given any facts by the Army or the Navy experts? Has anybody been given anything but conclusions and wild emotional statements by propagandists who are denouncing everybody who wants to keep the country out of war? Has anybody been given any facts? No facts have been given to the Senate. So far as I know no facts have been given to any committee of Congress to show that this Nation is now imperiled more than it was a year ago.

Along that line I should like to read an editorial from the Washington Herald. Nobody can say that Mr. Joe Patterson,

the editor of the New York Daily News, is antiadministration. Joe Patterson has supported this administration more consistently than has any other newspaper editor in the United States of whom I know. He supported it in 1932. He supported it in 1936 and again in 1940. Today he has taken a stand opposing our entrance into the war. He opposes President Roosevelt's foreign policy. This is the first and only time that I know of that he has disagreed with the President of the United States. No man in the United States has supported social legislation and for the underdog more sincerely and effectively than has the publisher of the New York Daily News. At times he has been branded as a Socialist because of his liberal views on economic questions facing this country. He calls attention to the battle of Russia:

THE BATTLE OF RUSSIA

The German high command yesterday issued four special communiques from Adolf Hitler's headquarters, and broadcast them from loudspeakers all over Germany at noontime. These reports added up to a detailed summary of results to date in the Battle of Russia, as claimed by the Germans.

895,000 PRISONERS

Most important of the figures given by the German high command were: Prisoners captured, June 22–August 6, 895,000; tanks captured or destroyed, 13,145; artillery pieces captured or destroyed, 10,388; airplanes captured or destroyed, 9,982.

The figure of 895,000 Russians captured, said the German report, "can be evaluated in its entirety only if it is borne in mind that the bloody losses to this tough, bitterly fighting opponent are many times the number of prisoners."

Insisting that their chief aim is to destroy Russian fighting power, the Germans passed lightly over the fact that they have not yet taken Leningrad, Moscow, or Kiev. That those cities would fall in due time was the inference; and meanwhile the Russians were being hewn down or captured in numbers far surpassing the bloody harvests at Tannenberg and the Mazurian lakes in September 1914.

We feel constrained to believe that the Germans actually have taken as many prisoners as they say they have—895,000.

We also think they must be telling the truth when they say the fiercely fighting, fanatical Russians have lost many times that number in killed or badly enough wounded to be out of action for some time.

HOW HEAVY ARE GERMAN LOSSES?

The German high command, unlike the German Navy and the Luftwaffe, has had a reputation for issuing truthful communiques ever since the war began. We know of no reason to doubt the essential truthfulness of this series of communiques.

However, it seems highly significant to us that the Germans have not yet stated their own losses in the Battle of Russia to date. In previous campaigns they have reported their own losses as well as their enemies'—and in all previous campaigns those losses have been light.

We think the German losses in the Battle of Russia must, therefore have been heavy up to now.

I do not see how anybody who reads the newspapers can come to any other conclusion than that the losses of the Germans must have been tremendous.

Another communique, promised for today, may serve to clear up this question. But just now it seems a fair guess that the Russians have lost perhaps 3,000,000 men and that the Germans have lost perhaps 2,000,000.

These German soldiers, most of them, would have been first-class troops, we should think. The Germans would hardly send in second-raters at the start of a campaign which they hoped to win quickly against an opponent known to have huge reservoirs of manpower.

And it seems a fair guess that the Germans, at this cost, have made gains averaging 250 miles along a 2,000-mile front. Around Smolensk, they have penetrated as far as 500 miles into Russia; down in Bessarabia, less than 100 miles at some points.

We think all this makes hollow and false the statement that the United States is in greater danger from Hitler than ever before. That claim simply will not hold water at this time.

Do Senators think for one moment that the American people believe that the country is in greater danger now than it was a year ago, and that the country is imperiled at this particular time, when Mr. Hitler has spread himself over most of Europe? The more he spreads himself out, the weaker he becomes. With the loss of something like 2,000,000 men and many tanks and much military equipment, he is much weaker than he was. He cannot help but be weaker than he was a year ago. Yet we find Senators shivering in their boots for fear that he is coming over here to attack the United States. So it is necessary to say that the Nation is more imperiled now than it was a year ago.

Of course, the reason that statement was included in the joint resolution is because an excuse was desired to keep the men for a longer period of time. That was the only reason it was put in.

Do Senators think that American boys do not know it? Do Senators think they can fool anybody by putting a declaration of that kind in the joint resolution? Do they think that the opposition will be lessened because such a statement is written into the joint resolution? If they do, they have far less confidence in the intelligence and integrity of the boys serving in the Army than I have.

At the present time we have the pick of the American boys in the draft. They are of the highest type from the standpoint of health and intelligence. Many of them are college graduates. They are just as intelligent as is any Senator, and their reasoning is just as sound as that of any Senator. We will not fool them by that. The only thing we shall do by putting in that statement is to make the men have less confidence in the Congress of the United States than they would have had if we had simply said, "We will violate the promise made to you, and we will just take you, regardless of our promise." In my judgment, they would have had more confidence in us if we had done that because we would have been more frank with them and with ourselves, and yet that statement is the reason why Senators say they will vote to pass the joint resolution.

Mr. President, the argument has been advanced that we must extend the service of the boys because the Army says we should do it. We are taught a new philosophy with reference to what the Congress of the United States should do. We are told that when the Army comes here and asks for something we should blindly follow what the Army tells us, regardless of what may be the consequence. That is what we were told.

EXPERTS SHOULD BE ON TAP, NOT ON TOP

I have confidence in General Marshall as a fighting man; but how many people in this country want to follow the advice of an Army official? General Marshall said that of course, when this thing is over, if he were to be investigated he would want to be investigated because he went too far rather than that because he did not go far enough.

If we are to follow to a logical conclusion what the Army asked us for, let us consider what they did ask us for. They asked us to declare a national emergency. They asked us to permit these boys to be sent anywhere in the world. If we are to follow them blindly on one issue, we should follow them on all the issues. We cannot blow hot and cold, and say we will follow them on this matter but will not follow them on something else. We should either take their word and go down the line with them, or else vote in accordance with our own convictions, based not upon the conclusions of someone else but upon common sense.

The Senator from Florida again is correct, because he wants to do exactly what the Army asked for; and he was correct in taking that position, rather than in compromising and saying first one thing and then another.

It is significant, it seems to me, that prior to the time the pending joint resolution came before the Senate two British generals said that if they were to win the war another A. E. F. from the United States would be necessary. That statement was made only a short time before this joint resolution was offered, granting authority to send our boys anywhere in the world.

The population of the British Empire is 485,685,244, according to Rand-McNally's Atlas, copyrighted in 1933. There are 485,000,000 people living in the British Empire, and yet the British say they must have an A. E. F. from the United States in order to save the British Empire. If they are such great people, and if they have conducted themselves in the interest of Christianity and democracy, why is it that they cannot raise in the British Empire all the men they need to fight their battles? Why should they be crying to us, asking us for men and asking us for ships?

As I have said, the British Empire is the richest and most powerful empire in all the world; yet every time they ask for something, we give it to them.

The Army and General Marshall wanted us to repeal that portion of the statute which provides that our boys cannot be sent anywhere in the world. This provision was taken out by the committee; and the statute, as I understand, remains as it is. But I am also told that some Senators are already planning to introduce in the Senate a bill to permit the Government to send the boys anywhere in the world. The only reason

such a provision was not put in this joint resolution at this time, I suppose, is because those who favor such a provision did not think it could be adopted. As General Marshall testified, it would take a year to get such a bill through Congress. The reason why the Army officials are not asking for an A. E. F. to be sent anywhere in the world is because they want to have the pending joint resolution passed.

As I pointed out, what difference does it make what the Members of the Senate of the United States think as to whether we are breaking faith with these men? That is not the question. The question is, What do these 600,000 men think about it? The overwhelming sentiment, according to every report we receive, whether from newspapermen who have visited the camps or from any outsider, is that the men want to go back into private life, and they think it will be a betrayal of faith to keep them in the Army.

That is the real issue. It is not what we think about it. Senators may differ on that matter, but that is not the question. The question is, Do we want to leave these men with the idea that we are breaking faith with them, and have the impression go out not only to the 600,000 men who are in the Army today, but to all the other boys who may be taken into the Army that we are going to keep them in the Army for 5 or 10 years, or for life, regardless of what we wrote into the law?

I subscribe to the views expressed by the Senator from Massachusetts [Mr. WALSH] this afternoon with reference to building an army. I know, and all of us know, that it is difficult today for the Army to get mechanics and keep mechanics in the service, because they are not paid enough. Good mechanics cannot be obtained by the Army and kept in the Army for any length of time, because they are not paid enough.

If we are to have a mechanical war we must get good mechanics, and we must pay them a good price in order to keep them in the Army or in the Navy.

I shall not talk any longer, because I know that nothing I may say in the Senate on this subject at this time will change the views of any Senators or of anyone else.

I desire to say, in closing, that I know that those who disagree with me are just as conscientious and just as patriotic and just as sincere in their views as I am, and some of them really believe this country is in grave danger. Some persons believe that Hitler will come over here and take this country almost any day. Some of them have not even looked at the map, I venture to say. They think the Germans will cross Siberia and then enter Alaska and then come down to the United States and take this country. Some of them believed, a short while ago, that the Germans would cross into Africa, go to Dakar, and then come up through Brazil and South America over roadless mountains and endless swamps and jungles. They were sincere; they were honest. Some of them think today it is necessary to extend the service of the men in our Army, and they think Mr. Hitler will come over here. I cannot subscribe to such views.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. PEPPER. I should like to ask the Senator from Montana how strong he thinks this country should be.

Mr. WHEELER. Let me say to the Senator that I think we should build a volunteer army.

Mr. PEPPER. How large?

Mr. WHEELER. I am perfectly willing to let that remain, temporarily at least, in accordance with what the generals say they want to have, provided it is a volunteer army, and provided they do not keep these men in service longer than we said we would keep them. Let me say to the Senator that I do not want to see an army for overseas service. I want to see an army that will be big enough to protect the United States of America, and possibly the Western Hemisphere; but I am not in favor of building up a force to send to Singapore, or to China, or to any other place outside the Western Hemisphere.

Mr. PEPPER. Mr. President, will the Senator further yield?

Mr. WHEELER. I yield, very gladly.

Mr. PEPPER. The Senator said, I believe, that he wanted to see an army strong enough to defend this country and this hemisphere.

Mr. WHEELER. That is correct.

Mr. PEPPER. Against whom?

Mr. WHEELER. Against anybody. As a matter of fact, let me say to the Senator—I think I called attention to it before—that when we were building and enlarging the Navy at different times I did not think it was necessary to build big battleships. I was in favor of building a great air force, and have been in favor of that practically ever since I have been in the Senate. On the Navy I disagreed. I thought many of the great battleships were obsolete, and I believed so because I had talked with men in the air force in whom I had confidence. But I feel that we must build up the Army to a point where it is strong enough to protect the United States. I do not know exactly what that strength is any more than the Senator from Florida does; but I say we are not going to build a strong army and we are not going to build a strong navy by giving billions of dollars and machinery and equipment and arms and guns and tanks to Russia, or to China, or to Great Britain, or to South America. That is not the way to build up an army to protect the United States of America.

The PRESIDENT pro tempore. The time of the Senator from Montana has expired.

Mr. WHEELER. I have half an hour on the joint resolution. I will take that time.

Had the Senator from Florida finished his questions?

Mr. PEPPER. No. I wanted to ask the Senator if he meant to imply that two questions are involved. The first is whether America should be strong. The second is the method by which America should be strong.

Mr. WHEELER. First, I agree that America should be strong. I think that is the most important thing; but I do not think we need particularly to fear Mr. Hitler's coming over here and taking this country. I think, however, we ought to be strong enough so that no nation or combination of nations would dare to come over here, regardless of whether they wanted to or not. But we are not making America strong by keeping the selectees in service beyond the time originally contracted for. We are breaking down the morale of the people when we do it, and we are breaking down the morale of our Army when we do it; and we are not building up a strong army, and giving the men the proper training, when we give away everything to somebody else to such an extent that we have not anything with which to train them.

Mr. PEPPER. Mr. President, will the Senator further yield?

Mr. WHEELER. I yield.

Mr. PEPPER. Confining the discussion for the moment to the question "Should America be strong?" the question I asked the Senator a moment ago was, how large an army would the Senator support, leaving out the question of how the Army was raised?

Mr. WHEELER. At the present time, until something happened that showed that we did not need it, I would support an Army as large as General Marshall asked for, 1,700,000 men, because I am taking his word for it. What does he say?

Mr. PEPPER. The Senator said a moment ago that he would not take General Marshall's word; did he not?

Mr. WHEELER. Oh, no; I never did, and the Senator from Florida is not going to put those words in my mouth, because I did not say that, and I never intended to say it. I said that we should not follow General Marshall's judgment just because he said a certain thing.

Mr. PEPPER. Mr. President, will the Senator yield for another question?

Mr. WHEELER. I yield.

Mr. PEPPER. The Senator then would support, if it were raised in accordance with his judgment, an army of 1,700,000 men?

Mr. WHEELER. I will state my position. General Marshall first testified that we needed an army of 375,000 men. He eventually raised the number to 500,000, with a backlog of draftees. Now he has the 500,000 men, as I understand, and he has the backlog. I say to the Senator, if we want to draft an army of 1,500,000 men, or an army of a million men, let us pass the law. Let us say that all the men coming into the Army in the future will have to stay for 6 months, or for 2 years, or for 5 years. What I am complaining about now is that we made a promise to the American boys, and now, in my judgment, we are breaking the promise.

Mr. PEPPER. Mr. President, will the Senator further yield?

Mr. WHEELER. I yield.

Mr. PEPPER. I am hoping the Senator will be good enough to confine his remarks to the immediate question I

wanted to inquire about; namely, building up the strength of America. The Senator stated, I believe, that he would favor an army of 1,700,000 men if it were raised in the way that suited his judgment. That is correct; is it not?

Mr. WHEELER. No; that is not correct.

Mr. PEPPER. How large an army would the Senator support?

Mr. WHEELER. I have tried several times to say to the Senator that I would take General Marshall's word, and I am basing my statement upon what General Marshall himself said previously—that we needed, for the defense of the United States, a well-mechanized army of 500,000—and then he said he wanted a backlog of drafted men.

SEVERAL SENATORS. Vote!

Mr. WHEELER. Mr. President, I am going to conclude by simply saying that I appreciate the fact that this proposed legislation will pass. I think it is a great mistake, not only for the morale of the boys in the Army, but for the morale of the people in the country generally.

I yield the floor.

Mr. BAILEY. Mr. President, before the Senator yields the floor I desire to ask him some questions.

The Senator said he would vote to maintain an army of 1,700,000 men. Is that correct?

Mr. WHEELER. I said it has not been recommended, as I understand, that we should maintain an army of exactly 1,700,000 men.

Mr. BAILEY. I am talking about what the Senator agreed to.

Mr. WHEELER. I said I was willing to follow the judgment of General Marshall upon the subject of how many men we need at the present time, and we are following his judgment; but, as I understand, he has not said that he needs at the present time an army of exactly 1,700,000.

Mr. BAILEY. The Senator agreed to that. I wish to ask the Senator just one question: If the country is not imperiled, what use have we for an army of 1,700,000 men?

Mr. WHEELER. I do not think the country is imperiled, and I cannot believe in my heart that the Senator from North Carolina believes in his heart that the country is imperiled.

Mr. BAILEY. Mr. President, has the Senator yielded the floor?

Mr. WHEELER. I have, Mr. President.

Mr. BAILEY. Mr. President, I did not intend to make a speech, but I shall have to respond to that statement.

The Senator from Montana stated, I thought, quite clearly, that he would be favorable to a volunteer army in our country of 1,700,000 men. That predicates that he thinks, as I do, that the country is imperiled.

Mr. WHEELER. Not at all. Will the Senator yield? It does not mean that I think the country is imperiled. We are building up a great navy, not because I believe the country is imperiled at the present time at all, and I have not voted for these appropriations because I think the country is imperiled. I voted for them because I felt that we ought to be on the safe side. It may be imperiled in the future. Our preparedness would be insurance for that.

Mr. BAILEY. Now the Senator has placed himself in the position of advocating presently an army of 1,700,000 trained men for some remote contingency in the future.

Mr. WHEELER. I do not think the Senator can put that construction upon what I said, if he will pardon me.

Mr. BAILEY. I think that is the logical inference. However, I will leave that to the Senate. The Senator said he did not think I considered that the country is imperiled. I have not thought anything else about this country for a year except that it is in extreme peril. I have not thought anything about the United States of America with reference to other nations, and with reference to the world revolution, except that unless we proceed with the least possible delay to make this country, in the words of the Senator himself just now, so strong that no nation and no combination of nations would dare to attack us, our peril will be instant. The only safety we have is in proceeding with the utmost energy and sacrifice to summon from the Nation as a whole every capacity it has for defense—homes, industries, organizations, politicians, political parties, and the young men.

I did not intend to speak, but I think I will elaborate on that. This country is in peril. The Senator referred to the Navy. We have increased our Navy, but we lack a great deal of having built the Navy up to the necessary strength under the new conditions in the world.

He speaks of the attack of the Germans upon the Russians. We will all agree that that has been the source of some relief, but I do not think anyone here would say that we would predicate the national policy on either theory, that is, that the Russians will whip the Germans, or that they will so weaken them that they and their allies in the Axis will not continue to be a menace to civilization.

We are in the hour of world contest. I thought we all recognized that. Nations are stretching forth their hands for what they call "living room," and the grand prize of conquest in the world is the United States of America. Here is the wealth, here is the opportunity, here is the strength. In our present situation, could we alone resist an attack from the east and an attack from the west? In such event we would be overpowered on the sea in tonnage 2 to 1. So far as land is concerned, we would be overpowered with respect to the foot soldiers 5 to 1.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WHEELER. Will the Senator tell me where he gets those figures, that we would be overpowered on the sea by 2 to 1?

Mr. BAILEY. Yes; I can give the Senator the figures very quickly. The Germans have most of the French Fleet, they have the German Fleet, they have the Italian Fleet, they have the Axis Fleet, and if England falls they will have a large portion of the British Fleet. There is no question about that.

Mr. WHEELER. Mr. President——

Mr. BAILEY. I have given the Senator the figures. The British tonnage is equal to ours.

Mr. WHEELER. I do not believe that the English tonnage at the present time is equal to ours by any manner of means. Not only that, it is one thing for our Navy to go over there; it is another thing for their navy to come over here.

Mr. BAILEY. Undoubtedly.

Mr. WHEELER. The Senator talks about our Navy being outnumbered 2 to 1. I have yet to find a naval officer who says that we would be outnumbered by the Germans. The Senator may have some figures different from those I have.

Mr. BAILEY. I have the general information, and I will give it to the Senate. We test the matter on what we ourselves know.

The Japanese Fleet is very nearly as large as our fleet. If the United States News is to be believed—and I think it is a most reliable publication—the Japanese Fleet is likely to be larger than ours 18 months from now. We are growing, but they are also growing.

The British Fleet may not at the present moment be as great as ours. Great Britain has lost some ships, but she has been building ships. She does not disclose her present strength. But the British Fleet is practically equal to our fleet. I think she has lost two battleships. She last lost one aircraft carrier. She has lost some cruisers. But do not think Great Britain has not been building. She has been building, and she has acquired some of the French ships. I think we can say that the British Fleet is reasonably equal to ours. We can say that the Japanese Fleet is reasonably equal to ours. There are two. Then there are the German ships. None of us knows how many there are. We do know that she has now one very great battleship, the *von Tirpitz*, of the *Bismarck* class. Probably the *Bismarck* was the foremost battleship in all the seven seas the day she went down. She was built on a new plan. But I will not go into that.

The Germans have the Italian Fleet, and the theory that the Italian Fleet has been smashed out of existence will not hold water. A great deal of that fleet is still in existence. I think they have the French Fleet very largely in their power, just as they have France in their power.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WHEELER. The Senator is assuming something with which I do not agree, when he refers to the combined power of the navies, because the best advice I have had from the Navy with reference to the German submarines is that the German submarines are not built for long-range service, but are built for service around the Baltic, and along the coast, while ours are built for long-range service across miles of water. I have very definite information that the Germans have not a very good fleet.

The Senator is assuming that the English Fleet would be turned over to the Germans. If that is a sound assumption, then certainly we never should have given them 50 destroyers, and should not

give them any more battleships or anything else, if, in case of defeat, the Germans would take their fleet and get away with it. I have greater faith in the British than to believe that they would turn their fleet over to the Germans under any circumstances.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BAILEY. I should like to respond to what the Senator has said, then I will yield.

The Senator from Montana states two propositions. He does not think that the British Fleet, in the event of the defeat of Britain, would be delivered over to the Germans. The old rule is that to the victor belong the spoils.

Mr. WHEELER. What did the Germans do with their fleet after the last war? They sank it, did they not?

Mr. BAILEY. They sank it. I think they would profit by their own experience, and prevent the British from sinking theirs. That was a piece of carelessness on the part of Great Britain.

Let us get back to my point. I have given the Senator the summary of the fleets which might possibly be arrayed against us. Then the Senator said to me that if the British Fleet should be surrendered, or was likely to be surrendered, to be sure we should not be adding to it. That is plausible, but it is also superficial. So long as there is a possibility that Britain may be defeated and thereby lose her fleet to Germany, it is the obligation of the United States to send to Britain whatever it can, not to save Britain, but to save the United States by preventing such a catastrophe from happening. That is the theory of the Lend Lease Act.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WHEELER. If I believed, as the Senator from North Carolina does, that our Nation depends upon Great Britain and the British fleet for its protection, I would not simply vote to keep the men in the service, I would not only vote to give material aid to England, but I would vote for a declaration of war. We should either quit saying that our defense depends upon the British Navy or vote for a declaration of war.

Mr. President, it seems to me that we should recognize that if any country depends upon some other country for its defense, it is no longer a free nation.

Mr. President, I do not agree with the statement that this country's safety depends upon whether England survives, or Russia survives, or China survives. I wish to see England survive just as much as the Senator from North Carolina does. I deplore Japan's aggression in the Orient and Germany's aggression in Europe. I wish to see Mr. Hitler defeated just as much as anyone else in this body does. But I simply do not believe that our Nation is dependent upon Great Britain or any other nation for our defense or for the survival of our civilization.

Mr. BAILEY. The Senator wishes to see Mr. Hitler defeated, and the method he proposes to pursue is to sit here and do nothing, and let Hitler take the world, and in that way be defeated.

Mr. WHEELER. Oh, no. The Senator says that is my attitude. I submit that is not my attitude, and the Senator is not expressing my views, and he knows it.

Mr. TYDINGS. Mr. President——

Mr. WHEELER. Let me finish. What I say is that if I believed as the Senator from North Carolina does, then I would vote for a declaration of war. But I do not believe that this Nation or our civilization depends upon England or upon any other country. We can stand on our feet. We have courage and wisdom and will. While I should like to see Hitler defeated, I am not willing to send American boys overseas, I am not willing for this country to get into the war for the purpose of seeing some other country win a particular battle or the war. That is my position.

Mr. BAILEY. Mr. President, the Senator takes the view that if he believed what I believe, that is, that this country is imperiled by the world situation, and that it is within the possibilities that upon the defeat of Great Britain such power would pass into the hands of Mr. Hitler as to enable him to dominate the seas and dictate terms to us—he says if he believed that he would be for a declaration of war.

Mr. President, that is not necessary. We do not have to go to that extent if we take the position I take. We are hoping to avoid the ordeal of actual belligerency by aid to those nations which are in position directly to resist Mr. Hitler, and our theory at present is that by such aid they will be enabled either to arrest his progress or to destroy him, in which event we do come through.

Senators, hear me. But if we pursue the policy of weakness, if we continue only to make this country strong, if we fail to give to those nations still resisting what we can give, without war, there is nothing more certain under the sun than that Hitler will defeat them, and then he will fight us, and we will have to fight alone.

Much has been said in America about the road to war. The road to war is the pathway of weakness and not of strength. Make this Nation strong, and strengthen those nations which are resisting, and we may avoid war. Make this Nation weak, and we give Hitler and Japan and Mussolini an open invitation to surround us and to subjugate us.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. TYDINGS. It seems to me that those who argue on this question are prone to paint in the darkest colors the dangers we are threatened with on one hand, and not to paint the picture dark enough on the other hand. For example, taking the figures of the Senator from North Carolina, that the combined navies of the world are about two and a half times that of the United States, it is only fair to say that the striking distance of a navy from its base is approximately 1,500 miles, and as it is about 3,000 miles across the ocean, of course, that figure is not an exactly comparable figure, assuming that the battle were fought in American waters.

For example, our fleet would not be half as strong fighting Japan in Japanese waters as it would be fighting Japan in the middle of the Pacific Ocean. So when we consider the relative naval strength of the rest of the world with reference to our own country, for the sake of the record, we must take into consideration what the mission of our Navy is; whether it is to defend our shores or seek out the enemy fleet wherever it is and destroy it there.

Mr. BAILEY. Mr. President, let me call the Senator's attention to this fact about the Navy: The Navy has another function. It is not only the mere matter of defending our shores, nor is it the mere matter of going to foreign waters. It is supremely the matter of maintaining the rights of American citizens on all the waters of the earth.

Mr. TYDINGS. Of course. No one will dispute that.

Mr. BAILEY. Let the other man get a combination of ships and airplanes by reason of which we have to stay within four or five hundred miles of our shores, and what will happen to the United States Navy?

Mr. TYDINGS. Oh, yes; but with all fairness, that is a different argument from the one my friend the Senator from North Carolina was just making. The other fellow has to stay in his waters also, for the minute he comes into our waters to fight us he runs the chance of being defeated, because his lines of communication are so long that the necessary fuel and the necessary munitions are not coming to enable him to keep up the engagement until it is fought to a decisive conclusion.

So, as I see it, there should be a little temperance in the argument by those on the extremes of both sides. The same thing applies to airplanes. Hitler cannot simply start airplanes from Europe and fly them 3,000 miles over to this country and bomb our cities on the Atlantic coast. The air force must not only do that, but it must fly 3,000 miles back, for if the planes came down on our shores they would never rise again. There are not enough planes in all the world to fly in any considerable number either the Pacific or the Atlantic Ocean to the shores of America.

If the attack came from Africa to South America it is true that there would not be the degree of resistance which there might be if it came from Europe to North America, for the reason that South America does not possess the weapons and the defensive material with which to resist. So that the possibility of an air attack on America, North America particularly, is a remote one, it could only be a sporadic one, and could not result in a victory.

The next thing to consider is the matter of sending out an army. To send out an army requires a tremendous amount of tonnage. During the World War, before our Army went abroad, engineers were sent in great numbers and they built the great docks at Brest and St. Nazaire. Indeed, they built hundreds of miles of standard-gage railroads and transported American locomo-

tives and American boxcars—to do what? To maintain a front thousands of miles away? No; to maintain a front three or four hundred miles from the base at Brest, with its great warehouses. All those things are necessary as a matter of elementary military study in order to engage in a successful campaign.

I do not mean by these remarks to differ with the Senator from North Carolina in his basic argument, or with the Senator from Montana. I think we must look to our knitting. We must build up our Army, our air force, and our Navy so that, as the Senator so aptly says, in case they should be needed, they will be there. However, I think we should approach this question with some idea of the realities. Sometimes on the floor of the Senate I feel that we do not follow that practice.

I do not see much danger today of America being invaded. What I do see is what the Senator himself points out, namely, that if England were to fall and Germany were to obtain possession of a large part of the British Navy, that navy, in conjunction with the Japanese Navy, would sew us up pretty well in the Western Hemisphere, a condition with which we would not want to be confronted.

But even if Germany should obtain the other navies I do not necessarily see a victory over the United States. I see us living, so to speak, in a ball park, with a high fence around us; but I do not see armies coming from the east or the west to invade our country. Under the emotionalism of the terrific world drama which is taking place I think sometimes we lose all sense of fact and reality. I know I myself do at times. We cannot very well legislate or plan unless we have more of an accurate sense of reality in these matters.

Mr. BAILEY. Under certain circumstances the Senator sees us in a ball park.

Mr. TYDINGS. That is correct.

Mr. BAILEY. Under those circumstances can he see us ever getting out of the ball park?

Mr. TYDINGS. Yes; I can.

Mr. BAILEY. I should be glad to hear the Senator on that point.

Mr. TYDINGS. I shall be glad to tell the Senator about it.

First of all, Germany's strength is her weakness. Every country she conquers is a powder keg. The farther the perimeter of her activities is extended the harder it is for her to keep order and to supply all the diverse armies in Norway, Greece, Rumania, Russia, France, Holland, and Belgium, and even in Africa. All those things make the problem of supply a terrific problem. If Germany should conquer Russia and drive the Russian Army beyond Leningrad and into the Urals, she would have an equally great problem in maintaining her communications up to that Army, because as soon as she withdrew the Russians would come out of the mountains again.

Japan is a perfect example of what I am attempting to explain. The Japanese have conquered China and have driven the Chinese Government back to Chungking.

Mr. BAILEY. They have them in the ball park.

Mr. TYDINGS. How many men have they in that ball park in China? They have about two and a half million men in the ball park; and they cannot get out of the ball park without ending the baseball game.

I receive letters on both sides of this question. Some of them come from persons who feel that we do not need a soldier or a battleship, and can sit here and take no notice of what is happening. On the other hand, I receive letters from persons who indicate that they fear that tomorrow morning 100 bombing planes are coming to blow the United States out of existence.

It seems to me that we have lost all semblance of reason and logic in this emergency. We are confronted with the possibility of a British defeat, a Russian defeat, and a Chinese defeat. We must prepare for such an emergency. Anything we can do within reason to meet that possible happening—which I pray God will not take place, and which I do not believe will take place—we should do, just as a man should carry fire insurance on his home even though there is no fire in the block in which he is living.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WHEELER. I have repeatedly stated on the floor of the Senate that I am perfectly willing to go along with the administration in building up our defenses. I have repeatedly stated that I am opposed to becoming involved in the war and sending American soldiers, American sailors, or American pilots into the war. I do not believe we ought to do that, and I do not believe it is our business to do so. I feel that we ought to be prepared, not because I am afraid of an invasion but simply as an insurance policy, as the Senator so well said, during this particular time when so many nations are at war. I do not believe that any nation or any combination of nations is coming to attack us. I think we should be so strong that they would not dare to do so.

Mr. TYDINGS. Mr. President, I supported the lease-lend bill not because I wanted to get into the war, any more than does my friend the Senator from Montana; but we were totally unprepared on land, and largely unprepared in the air. England, that was standing against the only threat I could possibly see to our independence, needed every bit of help we could spare, and it seemed to me that we were but selfish in giving that help to England, because I knew, as every other Member of this body knew, that Germany, Italy, and Japan had entered into an alliance to which Russia at one time was also a party. I knew that we could not take chances, as one of those forces was in the Pacific and another was in the Atlantic. It seemed to me to be good sense to go that far to bolster our own defenses, to gain time, and to hold in check any possible combination of enemies until we could prepare.

I am in complete sympathy with the Senator from Montana in one respect. Simply because we have done the things which I have described as a part of our defense effort does not mean that we want to get this country into any war. I am not in sympathy with those who are hunting war. Insofar as we can do so I would aid those who seem to be fighting our battles, and not invite attack, but be ready for it if it should come.

Mr. WHEELER. A short time ago the Senator stated that at one time Russia had an alliance with Germany.

Mr. TYDINGS. That is correct. Also at one time France had an alliance with England.

Mr. WHEELER. Yes. It seems to me that when Russia had an agreement with Germany we were certainly in greater danger than we now are, when they are fighting among themselves.

Mr. TYDINGS. Mr. President, I did not intend to enter this argument, and I shall briefly conclude.

It is a matter of extreme regret to me that although I know the committee is acting in the best of faith, it is insisting on an amendment to make it possible to keep the boys in service for 18 months beyond the original year. In my judgment, that is an unnecessary length of time. First of all, the first men who went in will not come out until next November. Their year will not be up until November, 90 days from now. In my humble opinion, it is unnecessary to extend for an additional 18 months the term of service of the men who are now in service.

Mr. CONNALLY rose.

Mr. TYDINGS. I will yield in a moment.

It would be an unnecessary extension of the time limit, for this reason: If we were to extend it for a shorter period, and if during such time the national emergency were to become more serious or more dangerous, when the expiration of the time approached I should be glad to vote for a further extension. But I think Congress has been rather generous in following the blank-check idea, and I think the time has come when we should proceed more with policies framed on this floor, and not policies given us by others who are not a part of the legislative establishment.

Therefore, unless the time limit is lessened from 18 months, I am of the opinion that I will not be in a position to support the joint resolution on final passage.

Mr. THOMAS of Oklahoma. Mr. President, I realize that some Senators want to vote. I have listened for hours to some of the same Senators, and I now will occupy only a few minutes in my own time.

Mr. BARKLEY rose.

Mr. THOMAS of Oklahoma. I yield to the Senator from Kentucky.

Mr. BARKLEY. No; I do not desire to cut off the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. I expect to take but a moment.

This afternoon a colloquy between the distinguished Senator from Massachusetts [Mr. WALSH] and the distinguished Senator from Missouri [Mr. CLARK] led, in my opinion, to an incorrect impression. The impression I received was that the German Army, the Italian Army, and the

armies of the other warring nations are volunteer armies. If that opinion prevails in the mind of the distinguished Senator from Massachusetts and in the mind of the distinguished Senator from Missouri, I am sure that they are in a grievous error. The German Army is not a volunteer army. In Germany youngsters are born, bred, and trained from infancy to be soldiers. The same thing is true in Italy. The same thing is true in Russia and in Japan, and in every other nation that fears the might of gigantic powers the same policy prevails. In some of those countries conventions are forgotten and subsidies are provided for those who produce boys for the army.

In America we have 130,000,000 people. Boys are not bred in America to be soldiers. They are not born and trained to be soldiers.

What do we find here today? We find 130,000,000 people in this great Republic made up largely of men until recently too fat to run and too fat to fight. Of course, I am speaking figuratively. [Laughter.] That is the condition which confronted the United States until a year ago. That is not the condition today. Now, after only 1 year of training and preparation, the United States is getting tough and we are now ready for any emergency.

So, Mr. President, I have supported the joint resolution from its inception, and I shall vote for it when my name is called upon final passage. This afternoon we have heard it said time and time again by the distinguished Senator from Maryland [Mr. TYDINGS] and the distinguished Senator from Montana [Mr. WHEELER] that America is safe. I hope it is.

Mr. TYDINGS. Mr. President, if the Senator will yield to me, I did not say America is safe; and I hope the Senator from Oklahoma will not put words in my mouth. I try to view the matter realistically, and I said I felt the situation was serious enough so that we should prepare. But I did say that we are not in danger of any invasion, and I hope the Senator from Oklahoma will quote me correctly when he does quote me.

Mr. THOMAS of Oklahoma. I accept the Senator's statement, but I got the impression that the Senator said we were in no danger.

Mr. TYDINGS. Mr. President, I must again interrupt the Senator from Oklahoma, if he will yield to me. I did not say we were in no danger. On the contrary, I said there is enough in this situation to make us take heed and to make us put an insurance policy on our house, even though there is no fire in our particular block.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WHEELER. What I said was that we were in no danger of an invasion, and I still say so. I think there is no question but that we are not in danger of an invasion.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I will yield in a moment.

I am not prepared to answer the question as to whether or not we are in danger. But in my own time I shall ask to have read at the desk an article appearing in today's paper, written by a man who should know. Before the article is read I am glad to yield to the Senator from North Carolina.

Mr. BAILEY. The Senator from Maryland [Mr. TYDINGS] said he did not say we are in any danger of invasion. The Senator from Montana [Mr. WHEELER] said he did not say we are in danger of invasion. I did not say we are in danger of invasion. So no one said that. I do not know how that question came up.

The question is not whether we are in danger of invasion. The question is whether the United States is imperiled. It can be imperiled in many ways without invasion.

Mr. THOMAS of Oklahoma. On the direct question of invasion, Mr. President, I send to the desk a short article on this identical question appearing in today's newspaper, and I ask that the article be read in my time.

The PRESIDENT pro tempore. The clerk will read the article.

The clerk read as follows:

[From the Washington Times-Herald of August 7, 1941]

COLONEL HUTCHINSON TELLS HOW NAZIS COULD INVADE US—ATLANTIC FERRY PILOT OUTLINES ATTACK ON NEW YORK

NEW YORK, August 7.—Lt. Col. George R. Hutchinson, who has piloted many American bombers to Great Britain, said today that invasion of the United States by German planes was entirely possible.

If bombers can be ferried from this country to Europe, he said, bombers can be flown from Europe to this country.

CITES VULNERABILITY

Hutchinson, head of Baltimore's flying family, told a luncheon meeting of the New York Rotary Club that such cities as Buffalo, Detroit, New York, and Chicago were especially vulnerable because they have no adequate barrage balloon and other antiaircraft defenses.

Hundreds of Nazi bombers, crossing the Atlantic in 11 or 12 hours at altitudes of 20,000 to 25,000 feet, could drop about 10,000 troops in vital areas and pick them up again after they had done their demolition work, he said.

Hutchinson said he recently flew a plane from England to Canada with 27 passengers in 13 hours and said better time could have been made.

EXPLAINS POSSIBILITY

Hutchinson, who served as a ferry pilot from last November until recently, said he made one ocean crossing in 8 hours and 55 minutes.

Citing LaGuardia Field here as an example of the vulnerability of key points in this country, Hutchinson said 5,000 or 6,000 troops could easily be landed there some dark or foggy night in black parachutes.

These troops, he said, could hold the airport while the transports which brought them landed and refueled. Then, after destroying hangars and power plants along the East River, the parachutists would reembark for the return flight.

DETROIT IMPERILED

Transports coming in at 25,000 feet would not be detected until they were over the field, Hutchinson said, and could cut their motors and sweep down quietly to land their troops.

In such centers as Detroit, Buffalo, or Chicago, he said, the Nazis could do even more effective destruction opposed only, in most instances, by the local police.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CLARK of Missouri. I should like to ask the Senator from Oklahoma whether Lieutenant Colonel Hutchinson is a lieutenant colonel in the United States Army or the British Army or any other army? I ask that question of the Senator from Oklahoma since he is offering him as an authority.

Mr. THOMAS of Oklahoma. The article states that the gentleman is a colonel. He is from a famous Baltimore flying family and, as I understand, he has heretofore belonged to the United States Army, but has recently been engaged in ferrying planes across the Atlantic, from America to England.

Mr. CLARK of Missouri. Mr. President, if the Senator from Oklahoma will yield to me, let me say that the officer referred to is engaged in ferrying planes for hire; in other words, he has been working for pay for the British Government. Apparently in pursuance of his general activity, he is now doing a little work in trying to scare the American people. I should like to know who Lieutenant Colonel Hutchinson is and in whose employ he is at the present time.

Mr. TYDINGS. Mr. President, if the Senator will yield to me——

Mr. CLARK of Missouri. The Senator from Oklahoma has the floor.

Mr. TYDINGS. If he will yield to me, I shall be glad to answer the question insofar as I can do so. The Hutchinson family is known as the Flying Hutchinsons; and the husband, wife, and children have flown a great deal all over the world. Indeed, I believe the whole family has flown all over the world.

Mr. CLARK of Missouri. They have been flying for pay for the British Government?

Mr. TYDINGS. They are a very celebrated flying family. But I do not believe that Lieutenant Colonel Hutchinson had that title until very recently. Whether he is a former officer of the British Government, I do not know, but I do believe that originally the family came to this country from England.

Mr. CLARK of Missouri. When information is presented to the Senate by the Senator from Oklahoma, I think we are entitled to have identified the person who is the source of the information, whether he is a British Army officer or a United States Army officer.

The term "Lieutenant Colonel Hutchinson" or, as the British say, "Leftenant Colonel Hutchinson," apparently makes a great deal of difference. Of course, if this gentleman is in the employ of the British Government and, more particularly, if he is an Englishman, I would not blame him at all for trying to steam up a little propaganda in this country, because he would only be following the example of Lord Halifax, Lord Lothian, and other British representatives. Of course, we all know that there are more British representatives in Washington today than there were when the British burned the Capitol. [Laughter.]

Mr. WHEELER. Mr. President, if the Senator will yield, I merely wish to say that if it is as easy as all that for the Germans to come over here and land men and have them blow up everything in the city of New York and in Buffalo, why in the name of God do not the British send men over to Germany and blow up Berlin, and then pick them up again and bring them back?

Mr. CLARK of Missouri. It would seem to me, in view of the much longer trip that would be involved in a flight across the Atlantic to New York or Buffalo or Detroit or St. Louis or Chicago, that the British might very easily bomb not only Berlin but also certain places in Czechoslovakia.

Mr. TYDINGS. Mr. President, if the Senator will yield, why do not the Germans close the Suez Canal?

Mr. CLARK of Missouri. I understand that the Suez Canal has been temporarily closed at various times.

Mr. BARKLEY. Mr. President, I should like to close this debate and let the Suez Canal take care of itself. I wonder if we cannot vote on these amendments and then on the joint resolution.

SEVERAL SENATORS. Vote!

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. JOHNSON] in the nature of a substitute for the amendment offered by the Senator from New York [Mr. MEAD] to the committee amendment, as amended.

Mr. JOHNSON of Colorado. Mr. President, I call for the yeas and nays on my amendment. I also call attention to the fact that it provides a very modest increase in the soldiers' pay. It is so modest that I am almost ashamed to offer it. It amounts to only $7.50 for an ordinary soldier.

I call for the yeas and nays on the adoption of my amendment.

The yeas and nays were ordered and the legislative clerk proceeded to call the roll.

Mr. LUCAS (when his name was called). I transfer my pair with the Senator from Vermont [Mr. AIKEN] to the Senator from New Jersey [Mr. SMATHERS], and will vote. I vote "nay." I am advised that, if present, the Senator from Vermont would vote "yea."

The roll call was concluded.

Mr. STEWART (after having voted in the affirmative). As previously announced during the consideration of this joint resolution, I have a general pair with the junior Senator from Oregon [Mr. HOLMAN]. Being unable to secure a transfer, I shall have to withdraw my vote.

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Iowa [Mr. HERRING], the Senator from Utah [Mr. MURDOCK], the Senator from West Virginia [Mr. ROSIER], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from Arkansas [Mrs. CARAWAY] has a general pair with the Senator from New Mexico [Mr. CHAVEZ].

Mr. AUSTIN. I announce the following general pairs:

The Senator from Nebraska [Mr. BUTLER] with the Senator from Georgia [Mr. RUSSELL];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Mississippi [Mr. BILBO]; and

The Senator from Oregon [Mr. MCNARY] with the Senator from Alabama [Mr. BANKHEAD].

The result was announced—yeas 36, nays 37, as follows:

YEAS—36

Bone	Johnson, Colo.	Reynolds
Brooks	La Follette	Schwartz
Brown	Langer	Shipstead
Bunker	Lee	Taft
Capper	McCarran	Thomas, Idaho
Clark, Idaho	McFarland	Tobey
Clark, Mo.	Maloney	Vandenberg
Davis	Mead	Van Nuys
Downey	Nye	Wallgren
Eastland	O'Daniel	Walsh
Hughes	O'Mahoney	Wheeler
Johnson, Calif.	Pepper	Wiley

NAYS—37

Adams	Ellender	McKellar
Andrews	George	Overton
Austin	Gerry	Peace
Bailey	Gillette	Radcliffe
Barbour	Glass	Smith
Barkley	Green	Thomas, Okla.
Brewster	Guffey	Thomas, Utah
Bridges	Gurney	Truman
Burton	Hatch	Tunnell
Byrd	Hayden	Tydings
Chandler	Hill	White
Connally	Kilgore	
Danaher	Lucas	

NOT VOTING—23

Aiken	Herring	Rosier
Ball	Holman	Russell
Bankhead	Lodge	Smathers
Bilbo	McNary	Spencer
Bulow	Murdock	Stewart
Butler	Murray	Wagner
Caraway	Norris	Willis
Chavez	Reed	

So the amendment of Mr. JOHNSON of Colorado, in the nature of a substitute for the amendment offered by Mr. MEAD to the amendment reported by the committee, as amended, was rejected.

The PRESIDENT pro tempore. The question now is on agreeing to the amendment offered by the Senator from New York [Mr. MEAD] to the amendment reported by the committee, as amended.

Mr. MEAD. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MEAD. I have two amendments at the desk providing increase in pay of $10 a month for selectees and enlisted personnel in the National Guard, and I should like to ask unanimous consent that both amendments be considered at once.

The PRESIDENT pro tempore. The Senator has already modified his amendment.

Mr. MEAD. On the amendment I ask for the yeas and nays.

The yeas and nays were ordered; the legislative clerk proceeded to call the roll, and Mr. ADAMS voted in the negative when his name was called.

Mr. O'MAHONEY. Mr. President, I desire to ask the Senator from New York a question in order that I may be enlightened as to how I should vote on this matter.

Does the amendment which he proposes create a distinction between those who volunteer and those who are chosen under the Selective Service Act, so that only those who are chosen under the Selective Service Act would receive the benefit of his amendment?

Mr. MEAD. No. I do not believe that it makes that difference, because under existing law we now grant a bonus running as high as $300, and I understand that is to be raised to $400, for those in the Regular service who enlist and serve longer than their initial term. This is a form of a reward for their added experience and for their added duty, and in no case, even though they serve a full year, would it amount to more than $120.

In my judgment, the amendment would not place the selective-service personnel or the National Guard personnel in a special category, because one of the regular committees of the Senate is now considering a classification of salary bill, and I did not want to interfere with their work. This is in the form of a bonus for added service not contracted for or not expected initially.

Mr. O'MAHONEY. I thank the Senator for his statement, but it still leaves the matter very much in doubt. It does me no good to have the Senator answer my question by saying that some committee of the Senate is considering some other legislation. Here is a proposal which is made to us to be voted upon this afternoon, and the best I can get from the Senator's reply to my question is that it does not create uniformity, that there is a difference in the form of reward of one type of soldier from that which is proposed for another type.

Mr. MEAD. Plus the fact that I stated that perhaps for 100 years we have been rewarding with money soldiers in the Regular Army and sailors in the Navy for reenlisting in the service after their terms of service expired. We do that today to the extent of $300, and I understand that $400 is now in contemplation. So we reward the members of the Regular services, and if there is any readjustment necessary, I am sure we could leave it to the regular committees of the Senate to take care of that.

Mr. O'MAHONEY. My feeling about the matter is that the amendment which the Senator from New York offers does not provide the uniformity which we should have in legislation of this gravity. I was one of those who supported the original amendment offered by the Senator from California. I supported the amendment just offered by the Senator from Colorado. But I am very much afraid that the amendment just offered by the Senator from New York creates a distinction in the Army which I doubt very much I could feel justified in voting for. I dislike discrimination

Mr. SCHWARTZ. Mr. President, I should like to say a word or two about the measure under consideration. I

have not said anything about it for days while Senators have discussed everything on earth.

We are about to vote on a proposal that the selectees and the National Guard shall be paid a certain salary, and that the men who volunteer, who belong to the Regular Army, are not to be included. I should like to quote from one statement which confirms my opinion, a statement of Mr. Grenville Clark, chairman of the National Emergency Committee of Military Training Camps Association of the United States. Testifying before the Committee on Military Affairs when this very proposition was presented, he gave his judgment about it, and it is my judgment. It will not take long, and I desire to read just what he said. He stated:

One word about the suggestion that there is some possibility of paying a bonus to men who go on beyond the 12 months' period.

There are in our armed forces roundly 275,000 men in the Navy; 52,000 now in the Marine Corps—I am speaking of enlisted men—and in the Regular Army, 468,000. The 476,000 figure one sees includes Philippine Scouts—a little difference.

Now, there you have in round figures 800,000 men in our armed forces you see.

In the whole Army there are now, in round figures, 1,400,000 enlisted men. In the Navy and Marine Corps, in round figures, there are 325,000 men, and in the Regular Army, 468,000.

The entire armed forces—Army, Navy, and Marine Corps—are composed, on the one hand, of about 900,000 men, as you said, Mr. Chairman, with relation to whom this 1-year limitation applies, and about eight-hundred-thousand-odd men to whom it doesn't apply.

What would be the position if, as to men who had been drafted into the service, you paid them extra pay and didn't give a corresponding increase to 800,000 volunteers.

Of course, you couldn't do it; it would break down your morale and break up your whole organization instantly.

It couldn't be done, and it oughtn't to be done. Those are the men who step forward. Somebody may say they like the military life, but many of them don't. They have gone into it because they think the country needs them, and they have gone in ahead of the draftees.

Surely it is an almost ludicrous proposition that Congress could vote to pay 600,000 draftees an extra bonus for staying in and neglect corresponding increases to the 800,000 men who volunteered in our other forces.

I think that is enough to say about that proposal.

We would have this situation, that in one platoon, with buddies side by side performing exactly the same sort of service, one set of them, because they were drafted and dragged in, would be getting more pay than the men who volunteered.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. SCHWARTZ. I yield.

Mr. MEAD. I am in thorough accord with the sentiments which the Senator has expressed, and it was my intention to include the Regular services, including the naval service, but I was told that one of the regular committees had a pay classification bill under consideration, and that I might disturb some of the classifications. But I am willing to accept an amendment to include members of the Regular Army, if it is agreeable to my distinguished colleague.

Mr. SCHWARTZ. So far as I am concerned, I am perfectly willing to vote for the amendment, if the Senator will include them all.

Mr. MEAD. Very well.

Mr. BARKLEY. Mr. President, if a regular committee is now considering the question of readjusting the pay of the Army, why would it not be better to let that committee deal with the entire subject rather than deal with a part of it now?

Mr. MEAD. As the distinguished chairman of the Committee on Naval Affairs stated, if we adopt this amendment it will help them in their work of reclassifying the salaries of the enlisted personnel of the Navy. So I feel that if we are really in favor of increasing the salaries of the members of the Regular Army this is one way to help accomplish that object. But I am willing to accept any amendment agreeable to the Senate which will broaden my amendment to include the Regular Army and the Regular Navy. But I did not want to get into conflict with the committees assigned to that task.

Mr. SCHWARTZ. It seems to me the logical course to follow, if a committee is working on the matter now, would be to let this matter go before that committee.

Mr. MEAD. The Committee on Naval Affairs will not touch this matter, and I want to take care of it now. I am sure the Committee on Military Affairs will follow the Committee on Naval Affairs and take care of the Regular Establishment if we take care of the National Guard and the draftees.

Mr. SCHWARTZ. As I understand, the Senator's proposal has been amended to include the Regular Army.

Mr. MEAD. No; but I stated that, if agreeable, I would accept such an amendment, and include the Regular Army.

Mr. SCHWARTZ. Is there objection somewhere?

Mr. MEAD. I ask unanimous consent to include the Regular Army in the amendment which I have at the desk.

The PRESIDENT pro tempore. Is there objection to the modification? The Chair hears none.

Mr. THOMAS of Utah. Mr. President, I have been loath to speak, and I have not spoken on other amendments which have been offered on this subject. The situation is a very practical one, as every Senator present knows. The House of Representatives is quite jealous of all matters which have to do with money. The Members of the House like to initiate ideas of this sort.

The pending joint resolution undoubtedly will go to conference, and I do think we should take it into conference in its original form, so far as possible, and not offer gestures.

This is no argument, of course, in answer to the amendment; it is no argument against extra pay; it is no argument for extra pay. It is merely a statement on behalf of the Senator who has the joint resolution in charge, a suggestion that we are proceeding in a way which the House of Representatives does not like to have followed.

Mr. GUFFEY. Mr. President, does it require unanimous consent for modification of the amendment? If so, I object. I am entirely in sympathy with the soldiers, but I think the present proposal is a very slipshod way to enact legislation.

Mr. BARKLEY. Mr. President, I am opposed to the Senator's amendment in its original form and as he has sought to modify it, but he does not have to have unanimous consent to modify his own amendment. He has done so, and it is before the Senate now in its modified form.

The PRESIDENT pro tempore. The yeas and nays were ordered, and the Senator had no right to modify his amendment after the yeas and nays were ordered. It had previously been modified by unanimous consent.

Mr. BARKLEY. That is undoubtedly correct. I think the Senator from New York modified his amendment before the yeas and nays were ordered.

Mr. McFARLAND. Mr. President, I do not care to make a speech upon this question, but I do want to explain my vote. I voted for the amendment of the Senator from California [Mr. DOWNEY] providing for a $30 bonus, and I voted for the amendment of the Senator from Colorado [Mr. JOHNSON], but I will have to vote against this amendment unless it makes uniform provision for all soldiers.

Mr. ADAMS. Mr. President, may we find out what the amendment is?

The PRESIDENT pro tempore. The amendment of the Senator from New York [Mr. MEAD], as modified, is before the Senate.

Mr. ADAMS. I should like to have the amendment stated.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5, after line 9, it is proposed to insert the following new section:

SEC. 8. Any person inducted into the land or naval forces of the United States for the training and service provided for by the Selective Training and Service Act of 1940 shall, in addition to the amounts otherwise payable to such person with respect to such training and service, be entitled to receive the sum of $10 for each month of such training and service in excess of 12. The provisions of this section shall also apply to the Regular Army and to any enlisted personnel of the National Guard of the United States ordered into the active military service under the authority of Public Resolution No. 96, approved August 27, 1940, for any such service so rendered by any such personnel in excess of 12 months.

Mr. ADAMS. Mr. President, as I heard the amendment read I have some very serious doubts whether the modification which has been made fits in with the original amendment. I think the proposal is a mistake. I am one of those who proposes to vote against the joint resolution. I think those who are interested in the measure least of all should try to protect it against unsound amendments. The matter of the pay of the men in the Army ought not to be fixed by a last-minute casual amendment without reference to the War Department, without reference to the Treasury Department, without consideration by the Military Affairs Committee, or the Committees on Appropriations.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. ADAMS. I will yield in a moment. It is proposed to put in the measure a provision which, until and unless appropriations are made, will reduce the number of men in the Army. The number of men in the Army is determined by the appropriations made. When we increase the pay per man necessarily we reduce the number of men.

Entirely regardless of the merits of the increase in pay, it seems to me it is unwise at this time, with the lack of consideration and the lack of study, to take the proposed action and perhaps accomplish results which are not desired. Of course, generosity to those in the service is naturally a very alluring thing, but it is a thing which under the circumstances, I think the Senate ought to resist.

Mr. MEAD. A parliamentary question.

Mr. HATCH. Mr. President, I had asked the Senator from Colorado to yield. Who has the floor?

Mr. ADAMS. I am yielding to the Senator from New Mexico.

Mr. HATCH. The Senator from Colorado has covered the point I desired to cover. I supported the amendment offered by the Senator from California [Mr. DOWNEY]. That amendment was presented to the committee. The committee had a chance to consider it. As I understand, the amendment offered by the junior Senator from Colorado had never been submitted to the committee, and neither has the pending amendment. I simply wanted to say that I agree with the senior Senator from Colorado [Mr. ADAMS] in that I do not like to legislate on important matters in this manner at this late hour, when no one knows exactly what we are legislating on. Therefore, I shall vote against this amendment as I voted against the amendment of the junior Senator from Colorado.

Mr. MEAD. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MEAD. I should like to know if the modification of the amendment including the Regular Army men, which I offered, was offered in time, or whether because the yeas and nays had been ordered it cannot be considered a part of the pending amendment.

Mr. ADAMS. Mr. President, may I say upon that question, if the Senator wants to be exact, that the call of the roll was begun, and I had voted, before the modification of the amendment was offered. If the Senator really wants to get the information, that is what happened.

Mr. MEAD. Mr. President, I am sure the Chair will have that information. That is why I made the inquiry.

Mr. ADAMS. Therefore the modification of the amendment was not in order.

The PRESIDENT pro tempore. The Chair has held that the modification of the amendment was in order.

Mr. MEAD. A parliamentary question.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from New York, as modified, to the committee amendment, as amended. The clerk will call the roll.

Mr. LEE. Mr. President, would that include the last modification? The Senator from New York modified his amendment twice. Would that include the last modification?

The PRESIDENT pro tempore. Yes. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LUCAS (when his name was called). I have a general pair with the Senator from Vermont [Mr. AIKEN]. I transfer that pair to the Senator from New Jersey [Mr. SMATHERS] and will vote. I vote "nay."

Mr. STEWART (when his name was called). I still have a pair for which I have been unable to get a transfer. I therefore withhold my vote.

The roll call was concluded.

Mr. HILL. I announce that the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Iowa [Mr. HERRING], the Senator from Utah [Mr. MURDOCK], the Senator from West Virginia [Mr. ROSIER], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

The Senator from Arkansas [Mrs. CARAWAY] has a general pair with the Senator from New Mexico [Mr. CHAVEZ].

Mr. AUSTIN. I announce the following general pairs:

The Senator from Nebraska [Mr. BUTLER] with the Senator from Georgia [Mr. RUSSELL];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Mississippi [Mr. BILBO]; and

The Senator from Oregon [Mr. MCNARY] with the Senator from Alabama [Mr. BANKHEAD].

The result was announced—yeas 39, nays 34, as follows:

YEAS—39

Bailey	Johnson, Colo.	Radcliffe
Bone	Kilgore	Reynolds
Brooks	La Follette	Schwartz
Bunker	Langer	Shipstead
Capper	Lee	Taft
Clark, Idaho	McCarran	Thomas, Idaho
Clark, Mo.	McFarland	Tobey
Danaher	Maloney	Tydings
Davis	Mead	Van Nuys
Downey	Nye	Wallgren
Eastland	O'Daniel	Walsh
Hughes	O'Mahoney	Wheeler
Johnson, Calif.	Pepper	Wiley

NAYS—34

Adams	Ellender	McKellar
Andrews	George	Overton
Austin	Gerry	Peace
Barbour	Gillette	Smith
Barkeley	Glass	Thomas, Okla.
Brewster	Green	Thomas, Utah
Bridges	Guffey	Truman
Brown	Gurney	Tunnell
Burton	Hatch	Vandenberg
Byrd	Hayden	White
Chandler	Hill	
Connally	Lucas	

NOT VOTING—23

Aiken	Herring	Rosier
Ball	Holman	Russell
Bankhead	Lodge	Smathers
Bilbo	McNary	Spencer
Bulow	Murdock	Stewart
Butler	Murray	Wagner
Caraway	Norris	Willis
Chavez	Reed	

So Mr. MEAD's amendment, as modified, to the committee amendment, as amended, was agreed to.

The PRESIDENT pro tempore. The question now is on agreeing to the committee amendment, as amended.

Mr. EASTLAND. Mr. President, I move to reconsider the vote by which the amendment of the junior Senator from Texas [Mr. O'DANIEL], inserting certain sections on page 5, after line 9, was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Mississippi [Mr. EASTLAND] to reconsider the vote by which the amendment of the junior Senator from Texas [Mr. O'DANIEL] was rejected.

Mr. O'DANIEL. Mr. President, it has been very interesting to listen to the arguments as to how the war has been won, or is to be won. However, it appears that the soldier boys have very few friends in the Senate. I humbly rise to speak a few words on their behalf.

Just before coming to the Senate I visited the training camps and defense industries in the State of Texas. I visited with the boys in the ranks, with the generals, and with a great number of the population of Texas. Therefore I feel that I can bring a view fresh from the people to this august body.

I am also moved by the wisdom which is prevalent in this body. I feel that if Senators actually knew what the desires of the people back home are, and if the desires in their States are the same as those of the folks in Texas, they would be moved to give greater consideration to the amendment which I offered earlier in the day.

The amendment which I then offered breezed through the Senate faster than Hitler went through Holland. [Laughter.] Many Senators have told me that they had no opportunity to vote. They did not even know that the amendment had been voted upon. So, all I ask, Mr. President, is that Senators have an opportunity to vote on the amendment which I offered. I ask for the yeas and nays so that they may have such an opportunity.

The amendment does not concern the pay of the boys. The boys are very loyal and patriotic, and are working hard. Even though they do not receive increased pay, and even though they must serve more time, as determined by Congress, I think they would feel much better satisfied if they could know that they were on a somewhat more equal footing with civilians. However, when they are training without the necessary equipment, as testified to by generals in the Army camps in Texas, who say that the boys must use broomsticks and branches of trees because they do not have guns and ammunition, and when they know that they are short of guns, ammunition, and other vitally essential equipment because of strikes and slow-downs which

are permitted and sanctioned by the Congress, those boys do not feel satisfied.

The amendment which I offered is a very simple one. I made no explanation of it because it is so easily understood. All my amendment provides is that whenever a free American citizen anywhere in the United States wants to take a job and work at it to produce the equipment, ammunition, and other essential implements of training for war he shall have the opportunity to pursue that duty without fear of being hit over the head by some radical communistic labor-union leader or one of his cohorts. That is all the amendment provides. It seems to me that when we are asking the boys to continue their service without additional pay, and they are willing to do so, we should see to it that the industries of the United States are operated at full capacity instead of being turned over to wild-eyed, communistic union-labor leaders who are slowing down the works and shutting down the factories. Men not only go on strike, but after they go on strike they stand in line and refuse to allow others to take their places.

The amendment which I offered does not deny the right of labor to strike. It does not deny any right which labor has. All it does is to insure to those who wish to labor the right to labor without being kept from doing so by force or violence or the threat thereof.

With that explanation I believe that Senators should understand the amendment. I believe that along with the penalties which we are placing on the boys in the ranks of the Army we should also place some penalties on those in the ranks of civilians who should be at work manufacturing the things which are needed.

Mr. ADAMS. Mr. President, will the Senator yield for an inquiry?

Mr. O'DANIEL. No. I merely wish to make this statement, and that is all I have to say.

I ask for the yeas and nays on the motion, in order that Senators present may have an opportunity to register their position. A reading of the amendment which I have offered leaves no doubt as to what it means. It needs no further explanation.

Mr. ADAMS. Mr. President, the Senator declined to yield to me in order that I might make an inquiry, which had to do with one statement of fact. I wished to ask the Senator for verification of his statement that soldiers are drilling with broomsticks and branches of trees.

Mr. O'DANIEL. I refer the Senator to the testimony before the Texas Legislature, wherein General Weathered, in command at Camp Bowie, Tex., testified to that effect.

Mr. ADAMS. Mr. President, there are 3,000,000 rifles in the armories of the United States. There is no shortage of rifles. There are 2 rifles for every man in the United States service. If the men in Texas are drilling with broomsticks, it is not because Congress has not made provision for the rifles. The fault lies somewhere else—either with the Army officers for not asking for rifles in Texas, or with transportation. There are nearly 300,000 Garand rifles of the semiautomatic type, and 3,000,000 regular rifles.

I am not debating the remainder of the Senator's statement. However, I dislike to have go unchallenged the statement that the boys must train with broomsticks, which is not in accordance with the facts.

Mr. O'DANIEL. Mr. President, I ask for the yeas and nays on the motion.

The yeas and nays were not ordered.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Mississippi [Mr. EASTLAND] to reconsider the vote by which the amendment of the Senator from Texas [Mr. O'DANIEL] was rejected.

The motion to reconsider was rejected.

The PRESIDENT pro tempore. The question now is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDENT pro tempore. The question now is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDENT pro tempore. The question now is, Shall the joint resolution pass?

Mr. BARKLEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. LUCAS (when his name was called). I have a general pair with the junior Senator from Vermont [Mr. AIKEN]. I understand that if he were present he would vote "nay." I transfer that pair to the junior Senator from New Jersey [Mr. SMATHERS] and will vote. I vote "yea."

Mr. STEWART (when his name was called). As previously announced, I have a pair with the junior Senator from Oregon [Mr. HOLMAN]. I understand he would vote as I intend to vote. Therefore I am free to vote. I vote "yea."

The roll call was concluded.

Mr HILL. I announce that the Senator from South Dakota [Mr. BUSLOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Utah [Mr. MURDOCK], the Senator from West Virginia [Mr. ROSIER], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent.

The Senator from Arkansas [Mrs. CARAWAY] is paired with the Senator from New Mexico [Mr. CHAVEZ]. I am advised that if present and voting, the Senator from Arkansas would vote "yea" and the Senator from New Mexico would vote "nay."

I am further advised that if present and voting, the Senator from Alabama [Mr. BANKHEAD], the Senator from New Jersey [Mr. SMATHERS], the Senator from Georgia [Mr. RUSSELL], the Senator from Arkansas [Mr. SPENCER], the Senator from West Virginia [Mr. ROSIER], the Senator from Utah [Mr. MURDOCK], and the Senator from New York [Mr. WAGNER] would vote "yea."

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. HOLMAN], the Senator from Massachusetts [Mr. LODGE], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Vermont [Mr. AIKEN] is absent on official business.

The Senator from Indiana [Mr. WILLIS] is absent on account of an injury.

I announce the following pairs on this question:

The Senator from Nebraska [Mr. BUTLER], who would vote "nay," with the Senator from Georgia [Mr. RUSSELL], who would vote "yea."

The Senator from Oregon [Mr. MCNARY], who would vote "nay," with the Senator from Alabama [Mr. BANKHEAD], who would vote "yea"; and

The Senator from Indiana [Mr. WILLIS], who would vote "nay," with the Senator from Minnesota [Mr. BALL], who would vote "yea."

I also announce the following general pair:

The Senator from Massachusetts [Mr. LODGE] with the Senator from Mississippi [Mr. BILBO].

The Senator from Kansas [Mr. REED] would vote "yea" if present.

I have a special request to make on account of the absence of the Senator from Indiana [Mr. WILLIS] who suffered a fracture of his arm today and, therefore, is unable to be present. He asked to have his position stated in the RECORD. He sums up his statement with this sentence:

> Under that conviction I would cast my vote against extension of the period of training under the present law.

Mr. President, I ask unanimous consent that the statement of the Senator from Indiana be inserted in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The statement of Mr. WILLIS is as follows:

> Mr. President, inasmuch as I shall be unavoidably absent from my seat in the Senate at the time of the vote on Senate Joint Resolution 95, to extend the term of service of draftees for a longer period than 1 year, I desire to have presented to the Senate a very brief statement of the reasons why, if I were able to be present in the Senate, I should vote against the resolution.
>
> I believe the enactment of this amendment to the Selective Service Act would constitute an actual breach of faith with the men now in training. They have a firm conviction that the term of training for which they were chosen was to be for 1 year. This resolution extends the period.
>
> It is true that the selective-service law carries a provision that the term of service may be extended if Congress finds that the national safety will be imperiled by the release of the selectees at the end of the 1-year period of training.

On this point I wish it made clear that I am in no wise convinced, either by testimony before the committee or by the debate upon this amendment in the Senate, or by other information, that the national safety would be imperiled by the release of the trainees at the end of their 1-year period of service. Consequently, with due regard to my conscience and to my oath of office as a Member of this Senate, I cannot vote to extend the period of service because I think national safety is imperiled.

On Tuesday I supported the amendment for extension of service for a term of 6 months. I voted for that extension with the reservation that when the amendment came up for final action I would vote against extension of time beyond 1 year. My purpose in voting for the extension for 6 months was to provide a less serious breach of contract, if such were possible, in the event that the 6-month extension was adopted, over the extension as provided in the amendment now before the Senate. In deciding to vote for the 6-month extension of service I also had in mind the statements of high Army officials who said that 18-month training would be sufficient and that rotation of trainees could thus be had without in any way affecting the strength of the Army.

On Wednesday I voted against the amendment to extend the period of training for 12 months. I did this because I could not believe that the breach of faith would be less onerous if the extension of time was for 12 months or for 18 months.

It seems to me that the underlying error in all this discussion is that the men now in training were drafted for the definite purpose of giving needed military experience to our citizens. That program has been markedly changed. Those in command of the Army have changed their objective from that of training to that of adding to the forces now under arms and in the service of our country. Our original objective was not to build up our Army but to give training to our citizens so that they would be better soldiers in the event an emergency arose. Furthermore, it seems to me, those in command of the Army have unfortunately presumed that the period of training would be lengthened at the end of 1 year and have further presumed to send our citizens into far away lands under a policy not properly made known to the Congress or to the people of the country. Under this changed program they cannot now foretell when these men can be released, nor can they limit the extent to which men may be sent to points of service outside the country.

I believe the problem calls for a complete congressional review of the policies affecting training and enrollment in the armed forces of the country. This can be done immediately without any serious break-down in the present strength of the Army, inasmuch as not more than 20,000 of the men now in training can be released prior to January 1, 1942.

At this time I believe there is a danger confronting our country more grave than the danger of weakening our defenses by the release of selectees at the end of a training period of 1 year. That danger is the loss of faith in the integrity of our Government which the young men now in training will have unless we strictly adhere to the spirit of the selective service law enacted.

Certain it is that if our country is in greater peril today than it was a year ago, it is high time that we give more serious consideration to the importance of defense here in America rather than scattering our equipment and our men into the far corners of the world.

Under that conviction I would cast my vote against extension of the period of training under the present law.

RAYMOND E. WILLIS.

The result was announced—yeas 45, nays 30, as follows:

YEAS—45

Andrews	Gerry	Maloney
Austin	Glass	Mead
Bailey	Green	O'Mahoney
Barbour	Guffey	Overton
Barkley	Gurney	Peace
Brewster	Hatch	Pepper
Bridges	Hayden	Radcliffe
Bunker	Herring	Schwartz
Burton	Hill	Stewart
Byrd	Hughes	Thomas, Okla.
Chandler	Kilgore	Thomas, Utah
Connally	Lee	Truman
Eastland	Lucas	Tunnell
Ellender	McFarland	Wallgren
George	McKellar	White

NAYS—30

Adams	Gillette	Smith
Bone	Johnson, Calif.	Taft
Brooks	Johnson, Colo.	Thomas, Idaho
Brown	La Follette	Tobey
Capper	Langer	Tydings
Clark, Idaho	McCarran	Vandenberg
Clark, Mo.	Nye	Van Nuys
Danaher	O'Daniel	Walsh
Davis	Reynolds	Wheeler
Downey	Shipstead	Wiley

NOT VOTING—21

Aiken	Chavez	Reed
Ball	Holman	Rosier
Bankhead	Lodge	Russell
Bilbo	McNary	Smathers
Bulow	Murdock	Spencer
Butler	Murray	Wagner
Caraway	Norris	Willis

So the joint resolution (S. J. Res. 95) was passed.

The title was amended so as to read: "Joint resolution to extend the periods of service of persons in the military service, and for other purposes."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House insisted upon its amendments to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAY, Mr. THOMASON, Mr. HARTER, Mr. ANDREWS, and Mr. SHORT were appointed managers on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1261) to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes.

COMMITTEE SERVICE

On motion of Mr. BARKLEY, and by unanimous consent, it was

Ordered, That the Senator from South Carolina [Mr. PEACE] be assigned to service on the Committees on Appropriations, Immigration, Interoceanic Canals, and Rules.

EXTENSION OF ENLISTMENTS IN THE NAVY

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 353) to provide for the extension of enlistments in the Navy, which were, on page 1, line 3, after "Navy", to insert "and Marine Corps"; on page 2, after line 16, to insert:

SEC. 2. During war, or a national emergency declared by the President to exist, an enlistment allowance, equal in amount to that provided for enlisted men of the Marine Corps by section 9 of the act approved June 10, 1922 (42 Stat. 629; U. S. C., title 37, sec. 13), and by section 10 of that act for enlisted men of the Navy and Coast Guard, and to be in addition to the enlistment allowance so provided, shall be paid to every honorably discharged enlisted man of the Navy, Marine Corps, and Coast Guard who reenlists, within 24 hours after such discharge, on board the ship or at the station, marine barracks, or other naval, Marine Corps, or Coast Guard activity from which he was last discharged.

SEC. 3. The provisions of sections 1, 4, and 5 of this act shall apply to personnel of the Regular Coast Guard in relationship to the Coast Guard in the same manner and to the same extent as they apply to personnel of the Regular Navy in relationship to the Navy, and the same authority vested in the Secretary of the Navy by this act with respect to the Navy and Marine Corps shall be, and is hereby, vested in the Secretary of the Treasury with respect to the Coast Guard.

SEC. 4. That portion of section 1422 of the Revised Statutes (18 Stat. 484; 34 U. S. C. 201) which reads as follows: "All persons who shall be so detained beyond their terms of enlistment or who shall, after the termination of their enlistment, voluntarily reenter to serve until the return to an Atlantic or Pacific port of the vessel to which they belong, and their regular discharge therefrom, shall receive for the time during which they are so detained, or shall so serve beyond their original terms of enlistment, an addition of one-fourth of their former pay:" shall not apply to enlistments which are extended pursuant to this act.

On page 2, line 17, to strike out "2" and insert "5"; on page 2, line 18, after "of", to insert "section 1 of"; and to amend the title so as to read: "An act to provide for the extension of enlistments in the Navy, and for other purposes."

Mr. WALSH. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

COMPENSATION FOR DISABILITY OR DEATH OF PERSONS INJURED WHILE EMPLOYED AT CERTAIN MILITARY, AIR, AND NAVAL BASES

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1642) to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes, which were, to strike out all after the enacting clause and insert:

That except as herein modified, the provisions of the act entitled "Longshoremen's and Harbor Workers' Compensation Act," approved March 4, 1927 (44 Stat. 1424), as amended, and as the same may be amended hereafter, shall apply in respect to the injury or death of any employee engaged in any employment at any military, air, or naval base acquired after January 1, 1940, by the United States from any foreign government or any lands occupied or used by the United States for military or naval purposes in any Territory or possession outside the continental United States, including Alaska, Guantanamo, and the Philippine Islands, but

excluding the Canal Zone, irrespective of the place where the injury or death occurs.

SEC. (a) That the minimum limit on weekly compensation for disability, established by section 6 (b), and the minimum limit on the average weekly wages on which death benefits are to be computed, established by section 9 (e), of the Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927 (44 Stat. 1424), as amended, shall not apply in computing compensation and death benefits under this act.

(b) Compensation for permanent total or permanent partial disability under section 8 (c) (21) of the Longshoremen's and Harbor Workers' Compensation Act, or for death under this act to aliens and nonnationals of the United States not residents of the United States or Canada shall be in the same amount as provided for residents, except that dependents in any foreign country shall be limited to surviving wife and child or children, or if there be no surviving wife or child or children, to surviving father or mother whom the employee has supported, either wholly or in part, for the period of one year immediately prior to the date of the injury, and except that the United States Employees' Compensation Commission may, at its option or upon the application of the insurance carrier shall, commute all future installments of compensation to be paid to such aliens or nonnationals of the United States by paying or causing to be paid to them one-half of the commuted amount of such future installments of compensation as determined by the Commission.

SEC. 3. (a) The United States Employees' Compensation Commission is authorized to extend compensation districts established under the Longshoremen's and Harbor Workers' Compensation Act, approved March 4, 1927 (44 Stat. 1424), or to establish new compensation districts, to include any area to which this act applies; and to assign to each such district one or more deputy commissioners, as the Commission may deem necessary.

(b) Judicial proceedings provided under sections 18 and 21 of the Longshoremen's and Harbor Workers' Compensation Act in respect to a compensation order made pursuant to this act shall be instituted in the United States district court of the judicial district wherein is located the office of the deputy commissioner whose compensation order is involved if his office is located in a judicial district, and if not so located, such judicial proceedings shall be instituted in the judicial district nearest the base at which the injury or death occurs.

SEC. 4. This act shall not apply in respect to the injury or death of (1) an employee subject to the provisions of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916 (39 Stat. 742), as amended; (2) an employee engaged in agriculture, domestic service, or any employment that is casual and not in the usual course of the trade, business, or profession of the employer; and (3) a master or member of a crew of any vessel.

And to amend the title so as to read: "A bill to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and on lands occupied or used by the United States for military or naval purposes outside the continental limits of the United States, including Alaska, Guantanamo, and the Philippine Islands, but excluding the Canal Zone, and for other purposes."

Mr. REYNOLDS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

ORGANIZATION OF MILITARY UNITS IN HAWAII, ALASKA, PUERTO RICO, AND THE CANAL ZONE

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 173) to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940, which were, on page 1, line 5, after "Territory", to insert "nor Puerto Rico or the Canal Zone"; on page 2, line 3, after "Territories", to insert "and Puerto Rico and the Canal Zone"; on page 2, line 10, after "Territory", to insert "or Puerto Rico or the Canal Zone"; on page 2, lines 13 and 14, after "Territory", to insert "or Puerto Rico or the Canal Zone"; and on page 2, line 23, after "Territory", to insert "or Puerto Rico or the Canal Zone".

Mr. GILLETTE. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

ORDER OF BUSINESS—EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, it is my purpose to move that the Senate adjourn until Monday; and on Monday I hope bills on the calendar will be considered. So far as I can see, there is not much business of any importance to be taken up by the Senate next week aside from that. That statement, of course, is subject to the qualification that if the joint resolution we have just passed should come back to the Senate with amendments, we might have to send it to conference, or take some other action with respect to it.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Lincoln MacVeagh, of Connecticut, to be Envoy Extraordinary and Minister Plenipotentiary of the United States to Iceland.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

SOCIAL SECURITY BOARD

The legislative clerk read the nomination of George E. Bigge, of Rhode Island, to be a member of the Social Security Board for a term expiring August 13, 1947.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. BARKLEY. I ask that the nominations in the Public Health Service be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, it is so ordered.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I make the same request about the nominations of postmasters.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. WALSH. I ask that the nominations for promotion in the Marine Corps be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BARKLEY. I ask that the President be notified of the confirmation of all nominations acted on today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

That completes the calendar.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, August 11, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 7 (legislative day of July 28), 1941:

DIPLOMATIC AND FOREIGN SERVICE

Lincoln MacVeagh, to be Envoy Extraordinary and Minister Plenipotentiary of the United States to Iceland.

SOCIAL SECURITY BOARD

George E. Bigge, to be a member of the Social Security Board.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE PASSED ASSISTANT SURGEONS

Edward B. Gall
Joseph S. Spoto

TO BE SANITARY ENGINEER

Ellis S. Tisdale

TO BE PASSED ASSISTANT SANITARY ENGINEERS

Allen D. Brandt
Vernon G. MacKenzie

TO BE ASSISTANT SANITARY ENGINEERS

Sterling M. Clark
Ralph Porges

POSTMASTERS

NEBRASKA

Edward C. Kavanaugh, Columbus.

UTAH

Mary S Steed, Centerville.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

To be first lieutenants

George R. Newton	William M. Frash
Richard D. Weber	Benjamin S. Hargrave, Jr.
William A. Houston, Jr.	Robert S. Howell
William H. Doolen	Elmer A. Wrenn
Daniel C. Pollock	Thomas L. Ridge
Harvey B. Atkins	Jackson N. Butterfield
Morfurd K. Peyton	Byron V. Leary
Lawrence V. Patterson	Merrill M. Day
Bruce B. Cheever	Lowell E. English
John P. Haines, Jr.	Albert H. Follmar
Ralph A. Collins, Jr.	Robert F. Steidtmann
Edward N. Rydalch	Alvin S. Sanders
Raymond G. Davis	James R. Christensen
Ransom M. Wood	William E. Benedict
Robert A. Abbott	George H. Cannon
Walter S. Osipoff	James C. Magee, Jr.
Jess P. Ferrill, Jr.	Albert J. Roose
Guy H. Kissinger, Jr.	George A. Graves
Harold R. Warner, Jr.	Maurice W. Fletcher
Edward H. Hurst	Charles W. McCoy
Donn J. Robertson	John W. Burkhardt

To be second lieutenants

Laurence D. Gammon
Frank A. Gunner, Jr.
David A. Van Evera

To be chief marine gunner

William A. Lee

To be chief quartermaster clerk

Louie F. Shoemaker

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 7, 1941

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou source of every good and perfect gift, as Thou hast stretched out Thy hands toward us in blessing and in benediction, so wilt Thou also enlarge our hearts with gladness and gratitude.

Thou hast given unto all of us a life of the highest vocation, for we have been created in Thine own image and with a capacity to be one with Thee in spirit.

We pray that this may be a day of unclouded vision as we face its challenging demands and may it be the goal of all our aspirations to do Thy will more perfectly.

In the name of the Christ, our Saviour, we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Frazier, its legislative clerk, announced that the Senate insists upon its amendments to the bill (H. R. 1852) entitled "An act for the relief of Fred Weybret, Jr., and others," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 3121) entitled "An act for the relief of the Automatic Temperature Control Co., Inc.," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROWN, Mr. TUNNELL, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 3774) entitled "An act for the relief of Fred Spencer," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROWN, Mr. ROSIER, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate having proceeded to reconsider the bill (S. 1580) entitled "An act to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes," returned by the President of the United States with his objections, to the Senate of the United States, in which it originated, it was

Resolved, That the said bill pass, two-thirds of Senate having voted in the affirmative.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1579) entitled "An act to authorize the President of the United States to requisition property required for the defense of the United States;" requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REYNOLDS, Mr. HILL, Mr. CHANDLER, Mr. AUSTIN, and Mr. BRIDGES, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1261) entitled "An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes."

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 1692. An act for the relief of William F. Kliewe;

H. R. 3827. An act for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher; and

H. R. 5300. An act to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

SWEARING IN OF A MEMBER

The SPEAKER laid before the House the following communication from the Clerk of the House:

AUGUST 7, 1941.

The honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEAR SIR: The certificate of election in due form of law of Hon. ARTHUR G. KLEIN as a Representative-elect to the Seventy-seventh Congress from the Fourteenth Congressional District of New York to fill the vacancy caused by the death of Hon. M. Michael Edelstein is on file in this office.

Yours very truly,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

Hon. ARTHUR G. KLEIN appeared at the bar of the House and took the oath of office as prescribed by law.

TO REQUISITION PROPERTY REQUIRED FOR NATIONAL DEFENSE

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, with House amendments, insist upon the House amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. MAY, Mr. THOMASON, Mr. HARTER, Mr. ANDREWS, and Mr. SHORT.

AN EFFICIENT ARMY

Mr. MAY. Mr. Speaker, in the Infantry Journal for the month of August there is printed an editorial under the heading "The infantry mind." It so clearly expresses my own views as to what constitutes an efficient army that I desire to include that with my remarks, and in connection therewith include another clipping from the Philadelphia Inquirer of Tuesday, August 5, 1941, by Mr. Paul Mallon, and to extend my remarks in the RECORD by including the two matters I referred to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. ROBERTSON of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks and include therewith excerpts from testimony before the Ways and Means Committee on the subject of inflation. I have complied with the rule about getting an estimate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MAIL HANDLED UNDER CONGRESSIONAL FRANK

Mr. BOEHNE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

[Mr. BOEHNE addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter from Mr. J. A. Smith, president, Independent Petroleum and Consumers Association, and also Tyranny in Action, by Byron C. Hanna, president of the chamber of commerce, Los Angeles.

The SPEAKER. Is there objection?

There was no objection.

CALIFORNIA OIL PRODUCERS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I want to call the attention of the House to a letter received from the president of the Independent Petroleum and Consumers Association of California, and to a pamphlet entitled "Tyranny in Action," by Byron C. Hanna, past president of the Los Angeles Chamber of Commerce covering a mock trial that oil men were given in California, where the newspapers were excluded and where the decision was handed down 2 hours before the hearing ended.

This is nothing short of a dictatorial, communistic, high-handed, and unfair manner of handling these matters. If they expect the people of this country to have confidence in them, justice must be meted out as contemplated under the Constitution of the United States. My people have not become so communistic-minded or so softened by their departmental communistic propaganda as to accept the kind of mock trial they received in San Francisco.

I hope every single Member will read this and realize what is happening under your form of government, under Henderson's administration of price fixing.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. JARRETT. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Oil City (Pa.) Derrick.

The SPEAKER. Is there objection?

There was no objection.

(Mr. WOODRUFF of Michigan asked and was given permission to revise and extend his remarks.)

CIVILIAN CONSERVATION CORPS

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article from the Camden Herald and a letter from Harriet Mundy.

The SPEAKER. Is there objection?

There was no objection.

[Mr. BALDWIN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief excerpt from the Merry-Go-Round column of August 5.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address made by the Governor of my State.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SANDERS. Mr. Speaker, I desire to submit two requests: First, to place in the RECORD a brief editorial from the New Orleans Times-Picayune on the Mississippi Inland Waterway; and, second, to place in the RECORD a resolution commending the Ways and Means Committee on the tax bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WHEAT MARKETING QUOTAS—CONFERENCE REPORT

Mr. FULMER, from the Committee on Agriculture, submitted a conference report and statement on the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress relating to wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, for printing under the rule.

EXTENSION OF REMARKS

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein the action of the Republican conference on yesterday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial appearing in the Bergen Evening Record, of Hackensack, N. J., Friday, August 1, 1941, on the St. Lawrence white elephant.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE PRESIDENT GOES ON A VACATION

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, when a President takes a vacation in the midst of one of the most trying periods of national history, that is really news. But when his vacation coincides with a seemingly mysterious "vacation" from his customary haunts by the Prime Minister of Great Britain, that is no longer merely news. That is a sensation.

If Mr. Roosevelt and Mr. Churchill have met somewhere on the Atlantic during the last week, the people of our country should know something about it. What more convincing illustration do we require to demonstrate the miseries of secret diplomacy than the last war? When peace came in 1918, we inserted a demand for "open covenants openly arrived at" among our few objectives.

Today, there is strong suspicion that we are engaging ourselves in commitments which will not prove to be "open covenants openly arrived at." Those covenants may be with Britain and Russia, but they are too secret for American tastes today.

EXTENSION OF REMARKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a statement on the St. Lawrence seaway and power project.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial appearing in this morning's Washington Post entitled "Alas, Mr. Wickard."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, a day or two ago I got permission to extend my remarks in the RECORD and to include therein some testimony before the Committee on Rivers and Harbors. It exceeds the usual two pages. I have an estimate of cost. I ask unanimous consent that it may be printed in the RECORD.

Mr. RICH. Mr. Speaker, reserving the right to object, since the gentleman puts so much in the RECORD, I should like to know what this extension is going to cost. The gentleman has the estimate; let us all know what it is.

The SPEAKER. Without objection, the gentleman from Mississippi is recognized for 1 minute.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I sent down to the Government Printing Office and they sent back this estimate—that it would take 4⅝ pages of the CONGRESSIONAL RECORD. Taking into consideration the entire cost of printing the RECORD, its pro rata cost would be $217.50, but that it would only be a certain number of pages of the RECORD, and the additional paper it would take to print it would cost $29.24, and the additional ink would cost $1.34.

The only actual cost it adds is the additional paper and ink, since we have the machinery and the employees, and this will amount to $30.58.

Mr. RICH. The gentleman disagrees with the estimate given by the Public Printer.

Mr. RANKIN of Mississippi. Certainly I disagree with that estimate.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PROGRAM FOR THIS WEEK AND NEXT

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN]?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, may I ask the majority leader if he can tell us the program for the balance of this week and the first of next week?

Mr. McCORMACK. Today the veto message on the road bill will come up. Then there is a resolution in relation to the Cole of Maryland committee, to which I understand there is no objection, also a conference report on the stolen cattle and poultry bill, a matter that was considered by the House within the past 10 days or so.

If the Senate passes the extension of the inductee service bill today, we will meet at 11 o'clock tomorrow, and I will submit a unanimous-consent request to that end. We will proceed during the day with the hour on the rule, and assuming the rule is adopted, general debate will run on during the afternoon in the hope that general debate may be disposed of, but should an hour or so remain, then we will adjourn over until Monday. I am going to immediately submit a unanimous-consent request that when we adjourn tomorrow we adjourn to meet on Monday.

Of course, on Monday there will be a continuation of consideration of the extension of the inductive service bill, if the Senate passes it today. If the Senate does not, that bill will not come up until Monday.

Mr. MAY. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Kentucky.

Mr. MAY. As chairman of the Committee on Military Affairs, in charge of the bill that will come up tomorrow, if it could possibly be done, I would like to expedite the time of general debate, so that when we meet on Monday we will have nothing to do but read the bill under the 5-minute rule.

Mr. McCORMACK. I think probably the gentleman from Kentucky did not hear the gentleman from Massachusetts say that he hoped general debate will be disposed of tomorrow, but if not, and say an hour remains, we will of course go over until Monday. The important thing is that we are going to recess tomorrow until Monday anyway and the bill will not come up tomorrow unless the Senate passes it today.

Mr. MICHENER. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. MICHENER. Does the conference report on the agricultural bill, which has some amendments in it dealing with the wheat quota, have any place in the picture?

Mr. McCORMACK. I did not get the last remark.

Mr. MICHENER. There is an agreement or something between the conferees and there is a report. When will that conference report be called up?

Mr. McCORMACK. I cannot inform the gentleman from Michigan as to when it will come up, but if the extension bill passes the Senate today that will be called up tomorrow. I assume then the conference report will wait until after disposition of that bill.

Mr. MICHENER. Assuming that the draft bill does not pass the Senate today, can we not take up the agricultural conference report tomorrow?

Mr. McCORMACK. I see no reason why it cannot be done, but that is a matter for the committee. In connection with the last observation I simply express my own personal opinion. I do not want that to be considered as a promise to the House. If the extension of the inductee bill does not come up tomorrow, the other may. Naturally the chairman of the committee would be the determining factor as to when a conference report comes up, provided his desires coincide with the situation that the leadership of the House can properly meet.

Mr. RANDOLPH. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. In view of the fact that the last District day on July 28 went over until next Monday, and in view of the fact there are two measures on our calendar dealing with an attempt to combat the crime situation, and I do not believe they are controversial, may I ask the gentleman whether it would be possible to take a few minutes on the District Calendar Monday?

Mr. McCORMACK. Rather than make a statement in response to a question that has not been addressed to me before and make an answer that would commit me, may I ask the gentleman to take it up with me a little later. Of course, if we are going to recess, as I am hopeful and very confident, next week, the leadership will do everything possible to bring up immediately what appear to be noncontroversial District bills before we recess.

Mr. RANDOLPH. I am sure the District Committee wants to cooperate.

TIME OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, as I understand the situation, no matter what happens in the way of debate this week the reading of the bill or resolution under the 5-minute rule and the final vote on the extension of the inductee bill will be deferred until next week?

Mr. McCORMACK. It will not come up until Monday.

Mr. RICH. Mr. Speaker, reserving the right to object, several weeks ago we were given the impression that we would get some legislation in here to govern these strikes that are going on. I thought we would have legislation of that kind before now where we would try to prohibit strikes against national defense.

Mr. EBERHARTER. Mr. Speaker, I demand the regular order.

Mr. RICH. I want to know if you are going to regulate the high prices that are going to come about. You do not regulate labor but you try to regulate everything else.

The SPEAKER. The regular order has been demanded. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

ADJOURNMENT FROM FRIDAY TO MONDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourns to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 281), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on the Merchant Marine and Fisheries, acting as a whole or by subcommittee or subcommittees appointed by the chairman of said committee, is authorized and directed (a) to conduct thorough studies and investigation of the progress of the national-defense program, insofar as it relates to matters coming within the jurisdiction of said committee, or administered by the United States Maritime Commission, or any other agency under the jurisdiction of said committee, with a view to determining whether such program is being carried forward efficiently, expeditiously, and economically; (b) to make such inquiry as said Committee on the Merchant Marine and Fisheries may consider important or pertinent to the merchant marine or fisheries of the United States or any of the Territories thereof, or to any matter coming within the jurisdiction of said committee.

For the purposes of this resolution, the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies, inquiries, and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a series of editorials from Michigan newspapers on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day, and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a recent radio speech.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement by the Secretary of Agriculture before the Committee on Rivers and Harbors.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

DEFENSE HIGHWAY ACT OF 1941—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (S. DOC. NO. 103)

The SPEAKER laid before the House the following communication from the Senate:

AUGUST 6 (LEGISLATIVE DAY, JULY 28), 1941.

The Senate having proceeded to reconsider the bill (S. 1580) entitled "An act to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes," returned by the President of the United States with his objections, to the Senate of the United States, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the Senate having voted in the affirmative.

Attest:

EDWIN A. HALSEY,
Secretary.

The SPEAKER. The Clerk will read the message from the President of the United States.

The Clerk read as follows:

To the United States Senate:

I return herewith, without my approval, S. 1580, a bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

One of the major provisions of this bill involves authorization of $125,000,000 to correct critical deficiencies in lines of strategic network of highways and bridges with the further provision that these funds are to be apportioned among the several States in accordance with the existing Federal Aid Act. The critical deficiencies in highways and bridges that may require prompt correction in the interest of our national defense cannot be reasonably related to the population of States or the other factors which enter into ordinary apportionment. The result, therefore, is the necessity for the appropriation of a far larger sum of money to meet immediate requirements than would be necessary if these funds were applied to critical deficiencies without the apportionment method. In fact, it is quite possible that the most critical deficiencies in some areas may not be corrected even with the sum authorized in this bill. I am unable to approve this method of expending money for the immediate national defense and for which I recommended a total of $25,000,000 without apportionment.

Another item to which I wish to call attention is the provision for off-street parking facilities. This provision authorizes the expenditure of Federal funds to aid in buying and developing parking areas of such size as to accommodate vehicles prohibited by local authority from parking within any political subdivision on the street portion of any section of the strategic network of highways. I feel that it is not a proper expenditure of Federal money to aid in providing for the parking of vehicles in the various political subdivisions of the United States that happen to be on the strategic network of highways, particularly where the possible benefits of such expenditures are dependent upon local enforcement of parking laws or regulations.

There are other provisions of this bill which raise questions of public policy or depart from established practice, such as (1) the authorization of $25,000,000 to reimburse local communities for highway damages resulting from Army maneuvers, (2) the recall of retired employees notwithstanding the provision of the Civil Service Retirement Act, and (3) the unlimited detail of employees as students at technical institutions at the expense of the Federal Government.

The authorization of appropriations of $150,000,000 for access roads to military and naval reservations and defense industry sites, while $50,000,000 more than was recommended, is not objectionable, since under this authorization estimates of appropriation may be submitted, and appropriations may be provided, in such amounts and for projects in such areas as will best meet our most important defense needs. The entire reverse of this desirable procedure is set up, however, in the authorization of $125,000,000 for correcting critical deficiencies in the strategic network of highway. Under this latter authorization the entire amount is required to be apportioned among all the States in accordance with the population and other distribution provisions of the Federal Highway Act, and becomes, without any further review by the executive or legislative branches, an obligation of the Federal Treasury. Such a distribution formula entirely disregards, it seems to me, the main purpose to be accomplished, which is that of providing highway construction in particular areas, and in those areas only, where there is immediate need of such construction in the interest of our national defense.

In the light of these considerations, I find myself unable to approve this legislation in its present form.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *August 2, 1941.*

The SPEAKER. The objections of the President will be spread at large upon the Journal, and the message and the bill will be printed as a House document.

The question is, Will the House on reconsideration agree to pass the bill, the objections of the President to the contrary notwithstanding?

CALL OF THE HOUSE

Mr. BENDER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 102]

Bates, Ky.	Flaherty	O'Day
Beam	Gavagan	O'Hara
Boren	Hancock	O'Neal
Bryson	Hartley	Pfeifer, Joseph L.
Buck	Izac	Rabaut
Buckler, Minn.	Jackson	Rankin, Mont.
Byrne	Jenks, N. H.	Robinson, Utah
Camp	McArdle	Rodgers, Pa.
Case, S. Dak.	McGranery	Romjue
Celler	Maas	Rutherford
Chapman	Maciejewski	Scott
Collins	Magnuson	Sheridan
Culkin	Marcantonio	Thomas, N. J.
Domengeaux	Mitchell	Vreeland
Doxey	O'Connor	White

The SPEAKER. Three hundred and eighty-four Members have answered to their names, a quorum.

On motion of Mr. McCORMACK, further proceedings under the call were dispensed with.

DEFENSE HIGHWAY ACT OF 1941

The SPEAKER. The gentleman from Oklahoma [Mr. CARTWRIGHT] is recognized for 1 hour.

Mr. CARTWRIGHT. Mr. Speaker, more than a year ago the President directed that a study be made of defense-highway needs in the United States. The Public Roads Administration, the State highway departments, and the Army engineers made a careful survey, and in February they reported that of the 234,000 miles of roads on the Federal-aid system there were 78,000 miles that had military value; that on those 78,000 miles there were over 2,400 weak bridges that would not carry medium Army tanks, and over 5,000 miles of highways less than 18 feet wide, and that 14,000 miles were too narrow.

To put the 78,000 miles in shape it would take $458,000,000, but they recommended that only $100,000,000 be made immediately available. That amount is what the House committee unanimously reported; that is what unanimously passed the House. But in conference the Senate conferees insisted on $150,000,000, and we compromised on the $125,000,000 which was then unanimously adopted by both Houses.

Yesterday the Senate voted to override the veto, 3 to 1, and yesterday the House committee voted unanimously to follow suit.

The President vetoed the bill because it does not give him the power to spend it where in his judgment it is most needed. Now, I have great respect for the President's judgment when he gives a proposition matured thought, but in this instance there is little or no doubt the Budget Bureau is back of the wording of the veto message.

Some have said this is "pork-barrel" legislation. It is the most non-pork-barrel, non-log-rolling, and nonpolitical legislation we can possibly pass.

Mr. Speaker, no better system of distribution of Federal funds has ever been devised by the minds of men.

Personally, I prefer the judgment of the States, because they know the weak places in their highways. I prefer the judgment of the Public Roads Administration engineers. I prefer the judgment of the Army engineers—especially do I prefer their judgment after 6 months of careful investigation and survey.

Last, but not least, I prefer the judgment of General Pershing on such a national-defense-highway program which he recommended over 20 years ago.

This bill has the approval of the War Department, it has the approval of the Navy Department, it has the approval of the Public Roads Administration, and it has the approval of the Transportation Division of the Advisory Division of National Defense.

We have a lingering suspicion that this bill is opposed by the National Resources Planning Board, of which Mr. Delano is Chairman. We know this bill is opposed vigorously by the Budget Bureau. I ask you, What does the Budget Bureau know about building highways, defense or civilian?

It all simmers down to whether or not Congress shall maintain the policy established 25 years ago, or admit the Bureau of the Budget knows more about highways than the State highway departments, the Public Roads Administration, the United States Army engineers, and the Congressmen who come directly from the people.

In conclusion, I wish to remind you that we have three branches of the Federal Government—legislative, executive, and judicial—and there is no twilight zone between the three branches. I believe in our system of checks and balances.

I have no criticism of the Executive when he exercises his prerogatives, but after Congress has spent many months working out a bill and the President vetoes it, it becomes the duty of the legislative branch to either override it or yield to the Executive.

I know not how other House Members may vote, but as for me I am glad under the circumstances to vote to override the President, and I sincerely hope you will all do likewise.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Does not the gentleman believe it is well for the House to know that the Federal aid program, which has worked out so splendidly for a long period of years, has been opposed by the President, and on at least two occasions he has intimated that he would veto bills which have been passed on this subject, but this is the first bill he has actually vetoed?

Mr. CARTWRIGHT. I thank the gentleman for his contribution to my speech.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from Missouri.

Mr. SHORT. I believe anyone who has visited Germany in recent years or who has read reports coming out of there will have to admit that one of the things that has contributed most to the success of the German Army has been the new autobahns, wide arterial highways with overhead passes and underpasses and tunnels, highways comparable to the road from Harrisburg to Pittsburgh, that have enabled the Fuehrer to transport the equipment of his army with great celerity and on time. As far as the national-defense program of this country is concerned, I do not believe we could spend a dollar that would aid as much as in the construction of these highways, particularly the passes around the cantonments that have been constructed in recent months.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. As I understand the gentleman, it is the opinion of his committee that this bill is in the interest of our own national defense.

Mr. CARTWRIGHT. It most certainly is; every item in it.

Mr. ROBSION of Kentucky. I concur in the action of the gentleman's committee and in the statement of the gentleman. I do not know of anything we could do that would contribute more to our own national defense than to improve these highways and make them militarily valuable.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Do not the figures already show that even outside of military matters the load on the highways has increased tremendously in the last 5 or 6 months?

Mr. CARTWRIGHT. It certainly has.

Mr. Speaker, I yield 10 minutes to the ranking minority member of the Committee on Roads, the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, the House Committee on Roads and the Senate Committee on Post Offices and Post Roads have given weeks of consideration to this measure. It was introduced primarily because of the report by the Federal Works Administration appointed by the President, which made a very careful study of the need of highways in connection with national defense.

It is my opinion there has never been a bill presented to this Congress since the so-called emergency arose which is as vital to national defense as this bill. This report of the Federal Works Administration shows that not only $125,000,000 is needed, but $458,000,000 is needed. According to this report, to take care of the whole problem, to put the strategic network in such shape that we can move even light tanks over it from one section of this country to another, they need $458,000,000. So you can see how conservative we have been in starting this program with a modest recommendation or authorization of $125,000,000.

Who is there to say where or at what time this Nation is going to be invaded? All of our defense is predicated upon statements by those high in administrative counsels that we are eventually going to be invaded. Does the War Department know where we are going to be invaded when M-day comes? Does the Secretary of War, does the Secretary of the Navy, yes, the President himself, or any Member of Congress, know where or at what point we are going to be invaded? No. Is it going to be in the vicinity of a cantonment which has an adequate supply of tanks and heavy machinery? We do not know. We have got to create facilities for the moving of weighty equipment from one section of this country to the other, and we find with our system—not we, no, but the Federal Works Administration, those in authority, those who are going to have the responsibility of moving this equipment, that it is not going to take $125,000,000, but $458,000,000, and the amount which we set up is merely a start.

Let me call your attention to one incongruity in the veto message. On page 1, of Senate Document 103, which is the veto message of the President, in which there is objection to the amount, he says as follows:

> In fact, it is quite possible that the most critical deficiency in some areas may not be corrected even with the sum authorized by this bill.

Now, what justification is there for any reduction in the amount when those charged with the administration of this bill admit that this sum is not adequate to meet even the utmost critical deficiency in the strategic network?

We have seen pictures in the papers recently of commercial trucks lying on their sides in streams because bridges have collapsed under them. The rotogravure section of one of the local papers just recently carried a picture which was very interesting to me because we were considering this bill at that time, of a truck not nearly as heavy as a medium tank, which went through a bridge on the strategic network, and if that truck had gone through at the time of the year when the floods were carrying the ice down, it would have created a nice mess.

There are 2,436 bridges on this strategic network over which this heavy equipment must travel if we are going to have adequate defense of this Nation which will not carry a medium-sized tank which are posted not to carry over 9,000 pounds, or 4½ tons. Can you imagine

it? Yet we are expected to do this job with even this small amount.

I am for economy. I have voted for economy right down the line, but when it came to authorizing hundreds of millions, yea, billions of dollars to defend this country, I thought that was justified.

You talk about pork barrel in respect of this bill. Let me tell you that if this method of distributing these funds is adopted, the States are going to put up at least 25 percent and we will get at least 25 percent more road mileage built than we will if it is done by some bureaucrat here in Washington.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman.

Mr. JENNINGS. Is there not a serious threat of a shortage of railroad cars to move the commerce of the country, which will be remedied by the building of these roads?

Mr. WOLCOTT. We cannot get enough railroad cars to get gasoline enough in the District of Columbia and we have got to conserve gas. We have seen that as an evidence of a shortage. So if we are to get an adequate supply of gasoline in the District of Columbia, we have got to use the highways to get it.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Missouri.

Mr. SHORT. I think the most doubting Thomas would be thoroughly convinced of the absolute and imperative necessity for these highways if he would just take a little trip and visit Fort Knox or Fort Wood or Camp Shelby or any other great cantonment in this country to see the horrible bottlenecks and congestion of traffic in and near these camps.

Mr. WOLCOTT. Just let me cover one more point before I finish. Should there be any objection on the part of the Federal Government to reimbursing the States for the destruction of State roads because of the movement of equipment used in maneuvers which destroy those roads? Is there a Member of Congress here who does not think it fair and equitable that the Federal Government should reimburse the several States that have gone to tremendous expense in building these roads, if, in these maneuvers, the equipment destroys them? Let me call your attention to participation by the States in this program. The States have contributed since 1933, to the Federal highway network, the sum of $3,837,557,000. They have an investment in national defense, in that respect, wholly out of line with the total amount expended by the Federal Government during a comparable period, which amounts to $1,886,490,000.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. CARTWRIGHT. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, I am told by Members it is futile to rise here today and urge the House to sustain the President's veto in connection with the authorization for appropriations for highways amending and supplementing appropriations during the national emergency for immediate construction of roads needed for national-defense purposes. I have read the President's message with extreme care, and I think he is fully justified in his objections. If all Members will study that message carefully, they will agree with me.

First, let it be remembered that this is only the start. As we move along and gain experience by reason of the construction of strategic and access roads, we will be in a better position later to authorize additional appropriations.

There is such a demand for time that the chairman of the committee was only able to allocate to me 5 minutes, 3 minutes of which the gentleman from Mississippi [Mr. WHITTINGTON] gave me of his time, which I greatly appreciate, as I do feel that some Member of this House, at least in part, should analyze the President's objections. Practically all speeches will assail the veto message with the exception of mine and one other.

The outstanding objection of the President, in my opinion, is the provision wherein we authorized $125,000,000 for correcting critical defenses in the strategic and network of highways. Now, let it be understood that this legislation is for highways needed for national-defense purposes, but under the provision authorizing the $125,000,000, the executive branch of the Government has no alternative but to divide this $125,000,000 among the States of the Union in accordance with the population and other distribution provisions of the Federal Highway Act. This must be done, understand, regardless of whether or not national-defense highways are needed in a State. Now it seems to me, while I admit that it was an excellent bait to get votes, that the Congress should have specifically advised that the $125,000,000 be used where it was most needed rather than allocated among the States regardless of whether it was urgently necessary, and that is the President's view.

You have in the bill a provision which enables the expenditure of part of these funds for off-street parking facilities.

Mr. WHITTINGTON. There is no appropriation here for street parking—no amount set aside.

Mr. COCHRAN. While the gentleman from Mississippi [Mr. WHITTINGTON], advises me there is no specific amount, nevertheless the provision is there and the money can be spent as the President says—

> developing parking areas of such size as to accommodate vehicles prohibited by the local authorities from parking within any subdivision on the street portion of any section of the strategic network of highways.

The President insists that this is not a proper expenditure of Federal money and in that I fully agree with him.

You have a paragraph in the bill authorizing the expenditure of $25,000,000 to reimburse local communities for highway damages resulting from Army maneuvers. All the States of the Union provide for a gasoline tax and for a license tax on automobiles and in the great majority of the States that money is used exclusively, as it is in my own State and always will be unless the Constitution is amended, for the construction and maintenance of State highways. There are States in the Union where we all know that money collected from gasoline taxes and so forth is diverted for general revenue purposes despite the paragraph in existing law that Federal aid shall not be granted where the State diverts money for purposes other than construction and maintenance of highways.

It is my opinion that there will be litle delay if the President's veto is sustained because the committee is in a position to bring in a bill immediately that will eliminate, at least in part, some of the President's objections, some of which I have been unable to quote in the short time at my disposal and that bill will pass by the House and Senate within a few minutes.

I feel that there are certain places in my State, and in fact one in my district that should and will benefit under the provisions of this legislation, but if it is determined in the end that we are not entitled to recognition then the State of Missouri must and will do the job itself as it is absolutely necessary.

Let us not lay down a formula here that we might regret hereafter. Day after day we hear of the waste of public funds appropriated for national-defense purposes. Where, let me ask, could there be more waste in allocating money to a State or States for roads needed from a national-defense standpoint, when a careful survey of that State has clearly indicated there is no necessity for an expenditure for that purpose. Rather than allocate this money among the 48 States of the Union let it go to those States regardless of where they are located where the need is most urgent.

At a future date, if the gentleman from Oklahoma, the chairman of the committee [Mr. CARTWRIGHT], and the gentleman from Michigan [Mr. WOLCOTT], are correct that the amount carried in this bill is insufficient, authorization for an additional amount can be brought in, but above all, let us spend the money that we authorize and appropriate wisely and not let one penny go for the construction of roads in any State where there is no need for the building of such roads from a national-defense standpoint.

Feeling that the President was justified in vetoing this bill and the reasons he gives in his message are sound, it is my purpose to support him and I hope that the House as a whole will do likewise.

Mr. CARTWRIGHT. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I am in favor of sustaining this veto. I can see no possible justification for the authorization of $295,000,000 beyond that now authorized for highways at this time, when we need to save every single dollar that we can save for the preservation of this country. Any small outlays that may be required for camps or approaches or anything of that kind can be easily provided out of the $100,000,000 that the President has available to him to allot for national-defense purposes. If he would use that money for that purpose, he could take care of every possible need that could be

completed at any time where it might be used for national-defense purposes. The small item that has to do with national defense in connection with this bill is no excuse for putting in 6 or 8 or 10 or 12 times as much as may be needed for that purpose.

Let us vote to sustain this veto and head the way for some kind of salvation for the financial structure of America.

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Speaker, I yield 7 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, as a supporter of the administration, as one who has consistently voted to sustain the vetoes of the President, often when the vote hurt, I shall vote to override this veto. I am one of those who voted to sustain the President when he vetoed the soldiers' bonus; I supported the Economy Act; but I am constrained to vote to override the veto in this case, because in my judgment I believe the President has been misadvised. I am going to give you the reason for the faith that is in me.

In his message the President emphasizes two matters in vetoing this bill. This is not an appropriation, but this is an authorization bill. The first of these matters is the provision for authorizations amounting to $125,000,000 for strategic highways. I will return to that ground of objection in a moment.

The second ground of objection is an authorization amounting to $25,000,000 for reimbursing for damages by the War Department to existing Federal-aid highways. The answer to that objection is that if no damages are done in maneuvers, for instance, in Louisiana, where 500,000 men with tanks and guns are now being assembled, there will be no appropriation desired. But who is there who would say that if the large tanks and motorized equipment damage the roads in Alabama or New York, or in any other State where they have been constructed by the States, with Federal aid, or by the State alone, the Federal Government should not make good those damages?

I repeat the President has been misadvised. The gentleman from Missouri [Mr. COCHRAN] referred to the authorization for off-street parking. That applies to the great cities of the country, and in my judgment it provides for economy, otherwise it would be necessary to widen the narrow streets, the narrow highways, and to straighten highways in the cities and in the industrial areas near the great cities so as to provide that the employees who come to the industrial plants to work could park their cars along the highways. The provision in the bill for off-street parking would be much more economical to the Government than widening the streets.

Under the provisions of the bill as vetoed, the States are required to match the funds to acquire lands for off-street parking. The representatives from the great municipalities are interested. Federal aid for highways is not confined to the countryside. It provides for the construction of Federal-aid highways through the cities and municipalities. The purpose of the bill is to provide not only for defense highways but for defense plants. Off-street parking would promote the objective. It would enable the Public Roads Administration to provide parking for employees in order that they might work in the defense plants.

Off-street parking is for the benefit of municipalities. It will aid in the congested centers. The States must match the funds for acquiring off-street parking facilities. It will be more economical to provide for such parking than it would be to widen the existing strategic highways to provide for parking along these highways. It would be less expensive to get cheaper lands away from the highways than to widen existing streets or to widen existing highways. The States match the funds for parking facilities.

I have mentioned the principal objections. The President refers to other provisions of the bill in his veto message. He states that they are departures from the established practice. The President was misadvised. For years the War Department has been authorized to detail students. The practice obtains in the Corps of Engineers. There is precedent for the detail. Personally I think there should be a limitation. No authorization is involved; the detail will have to be paid out of administrative funds. There is no increase in the funds for this purpose. If the Public Roads Administration abuses the privilege a limitation may be inserted in the next highway act, but it is erroneous to say that detailing students involves a departure from established policy. It follows established policy.

Again, the provision in the bill for recalling retired employees is not a departure from the established policy. Many employees are being taken under the Selective Service Act. The War Department has been authorized to recall retired employees. The public interest would be promoted by recalling these employees when they are able to work. Instead of being a departure it follows a policy that has been established. If there was no limitation upon the provision as to students the section with respect to recalling retired employees does not go as far as existing legislation with respect to recalling employees by the War Department.

Section 15 has to do with detailing Army and Navy officers. The President makes no objection to this provision. It is on all fours with the detail of students and with the recall of retired employees.

The President in his veto message referred to the allocation of the authorization for strategic highways among the several States according to population, and other factors. The President did not mention the other factors. Population is the largest of one of three factors that determine the distribution. The other two are area and postal mileage. The three go together. No one has suggested a fairer or a more equitable yardstick than population, area, and postal roads combined. The bill vetoed follows the yardstick that has obtained since 1916.

What is the chief difference between the bill and the recommendation of the President? What is the matter at issue? The President recommended that we appropriate $25,000,000 for strategic highways. That money has to be matched. That money is to be spent on the highways shown on the map that has been approved in the bill, and those highways are in every State of the Union. The difference between the bill as passed by the Congress and the bill as recommended by the President is the difference between giving the advisers of the President the right to say whether all of that money shall be spent in Alabama or New York, or a few States, or whether that money shall be spent so as to improve all strategic highways, reasonably, in every part of the country. All are entitled to equal treatment. We authorize $125,000,000 for that purpose, and the President of the United States, himself, in his message to Congress on June 2 of this year, stated that in this strategic highway system, located as it is in every State in the Union, there are 19,095 miles of deficient highways. Are you going to spend $25,000,000 in one or two or three States in making good those deficiencies, or are you going to give all the States an opportunity to have their defense highways repaired and their deficiencies removed?

There are 2,436 bridges that are too narrow for tanks; that are too narrow for the use of the armed forces of the country in their maneuvers.

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Speaker, I yield to the gentleman 2 additional minutes.

Mr. WHITTINGTON. Who is there that would say you could reasonably repair any small part of the 2,400 bridges with all of the $25,000,000 recommended by the President? The President in his message said it would take $458,000,000 to repair strategic highways, and he recommended an authorization of $25,000,000.

The bill carries $125,000,000. All who know admit that $25,000,000 is utterly inadequate. The hearings disclosed that the $125,000,000 authorized will not do the job. Under the President's recommendations his advisers would allocate the $25,000,000. It would have to be matched by the States but it is entirely possible that no part of it would be spent in widening the defective bridges and in removing the bottlenecks in many of the States of the Union. The War Department and the Navy Department maintain that strategic highways in all of the 48 States are important. The strategic highway system should either be adequately provided for or it should be abandoned. If strategic highways in one State are to be promoted they should be promoted in all States. One of the main arguments for Federal-aid highways is to provide roads for national defense. It is essential that the deficiencies in all of the States be removed. There need be no fear that more money will be appropriated than will be needed. Instead of $125,000,000 being sufficient, it will require $458,000,000. The Public Roads Administration knows every bridge and knows every bottleneck in the entire system in all of the States of the Union. The hearings disclosed that additional

authorizations during the emergency would in all probability have to be made.

Under the recommendations of the President the States would have to match dollar for dollar. Inasmuch as the improvements are primarily for national defense, the provisions of the bill vetoed requiring the States only to provide one-fourth are more economical.

Let me say that the Committee on Roads conducted hearings. They are published. They are available to the Members. Not a single representative of any agency in the Government, not a single spokesman for the President not a single citizen of the United States appeared before that committee and endorsed, recommended, or approved $25,000,000 as an amount adequate to provide for the strategic highways. If the President in his message has followed those who advised him to limit the authorization to $25,000,000, I submit his advisers should have appeared before the committees of the House and Senate and supported his recommendation.

Mr. SHORT Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. SHORT. If no one believes that it is a waste of money for the Federal Government to spend billions of dollars constructing these huge army camps all over our country, then why should one object to spending a few millions to construct highways to make the camps available?

Mr. WHITTINGTON. I stand for economy, I stand for efficiency, I stand for the reduction of nondefense appropriations, but I call attention to the fact that probably the most satisfactory expenditure of money by this Government is on the highways of the country. When the emergency is past and when other amounts appropriated have been expended our highways will remain. This money is not going to be wasted.

One further thing in conclusion. The President recommended $100,000,000 for the construction of access roads. The bill vetoed carries $150,000,000. The hearings disclosed that it would take $350,000,000 to construct the necessary access roads.

Highways are essential to transporting soldiers and armaments. They are imperative in mechanized warfare. A highway is no better than its weakest link; a highway is no better than its weakest bridge. All bottlenecks and defective bridges must be removed if highways are to aid in national defense.

In the bill vetoed Congress followed the recommendations of the Public Roads Administration. In connection with the War Department the highway problem has been studied for 18 years. No funds will be expended except to provide highways that are needed to industrial plants and cantonments and no funds will be expended except to strengthen the existing Federal highways by widening bridges, by removing bottlenecks, and by the correction of deficiencies wherever they occur on the strategic system in all of the States of the Union.

Adequate highways are essential to national defense. Under the bill the authorizations are confined to the existing emergency. If the money is expended it will not be wasted. It will be unlike other defense expenditures. The works will remain. Highways are as essential in peace as they are in war.

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Speaker, I yield 10 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Speaker, the House today, in my opinion, faces the most serious task that has confronted it in the whole history of highway legislation—that of passing the defense highway bill over the President's veto.

I speak to you not as a partisan. For 8 years I have been a member of the Roads Committee. In this committee partisanship has never played any part. Politics never has entered into the consideration of any highway bill, and as long as we continue to operate under the chairmanship of the gentleman from Oklahoma [Mr. CARTWRIGHT] I am sure no politics will enter into the committee's considerations.

And so it is entirely from a nonpartisan viewpoint that I want to say to my friends, both Democrats and Republicans, that I think in this instance the President has been very, very seriously misled and misadvised. All of us on the committee, Republicans and Democrats alike, regret that finally the President has succumbed to this bad advice and that he has at last been influenced to exercise the veto on a road bill which we believe to be vital to the national security.

This veto does not come to us entirely as a surprise. For 8 years we have been having this same trouble. For 8 years there has been a conflict between the President and the Congress on the fundamentals of road legislation. The effort of a group of bureaucrats here in Washington to influence the President to veto every road bill so that they could have the entire control of Federal road building has been continuous during all of that time. When this bill passed the House and Senate by unanimous votes and went to him for approval last week, we know to whom he referred it for advice. He referred it to the National Resources Planning Board. He did not refer it to his highway experts. He referred it to this group of incompetent political amateurs. Those who have had experience with the National Resources Planning Board know what that body has always been in the habit of doing with all legislation referred to it, unless it is the purpose of that legislation to confer absolute discretionary authority on the President.

What is the necessity for this bill at this particular time? And just what is this bill which the President has vetoed? It is a very simple thing, and the reason for its necessity is also simple. Through 16 years of operation under the basic highway act—the Federal Aid Highway Act—the people of the United States have built up a highway system unmatched by that of any country in the world.

These roads have all been built, not by the general taxpayers but by the road users of this country, through the imposition of State and Federal gasoline taxes and other automotive taxes. Today more than 125,000 miles of improved highways span the country in every direction, and this system of highways is known to the Federal Bureau of Roads and the War Department as the strategic highway network. Twenty years ago the War Department undertook to make a study of the situation to see what ought to be done to bring the highway system up to military requirements, and as a result of this investigation and survey, which was conducted by General Pershing, the War Department adopted what is known as the Pershing map, a copy of which, brought up to date, is before you on this blackboard. This latest edition of the map was approved by the War Department in June of this year.

The testimony before our committee shows there are 75,000 miles of this strategic highway network which has been designated by the War Department as essential to the national defense and which, as soon as possible, ought to be brought up to military requirements. Of these 75,000 miles, 20,000 are unfit for military use—20,000 miles of the most important strategic highways in the United States are inadequate to serve the transportation needs of the Army. You cannot transport an army with its equipment over that 20,000 miles of this network. In addition to that, there are more than 20,000 bridges upon this strategic highway network which will not support a modern tank or even a light tank, and over which an army with modern artillery and supply trains cannot move. If, for example, we were confronted with a war tomorrow in which it were necessary to concentrate large bodies of troops on the Pacific Coast, the testimony of the responsible Army officers shows it would be a physical and mathematical impossibility to move an army from Los Angeles to Puget Sound, because there are no less than 50 bottlenecks along that important military highway which an army could not negotiate.

For more than a year the Committee on Roads studied this question. After we had been engaged in our studies for several weeks it was suggested that the President ask the Commissioner of Public Roads, Mr. Thomas MacDonald, the President's principal highway adviser and the outstanding road expert of this country, to make a survey and to report to him what was needed. Mr. MacDonald undertook that survey, which is, I think, one of the most complete and thoroughgoing surveys that has ever been made. In this he had the cooperation of the Army and the Navy and of all the recognized road experts in the country. He submitted to the President, at the conclusion of his survey, an exhaustive report showing what was the matter with the strategic network and advising the President what was necessary to bring it up to military requirements. He reported that something like $500,000,000 would be required to correct the deficiencies in the strategic highway network so the Army could use it; and he recommended that as a very minimum $100,000,000 be authorized to commence this work. He recommended that this be done under the direction of the regularly established State highway departments,

because they are the only organizations in the country which have had adequate and continuous experience in the building of these roads. The highway departments of the several States are responsible for the building of all the main highways we now have.

These roads are built on a 50–50 Federal and State matching basis, and they could be improved and brought up to military requirements now on that basis if we had enough time and if the States had enough money. But because it was considered a military necessity that this work be done immediately, Mr. MacDonald recommended that the State contribution in this highway defense program be 25 percent and that the Federal Government contribution be 75 percent.

This particular point was exhaustively investigated by the committee, and it was the unanimous opinion of every member of the House committee and every member of the Senate committee, as well as every Federal road expert who appeared before us, and of the State highway officials and of the War Department, that this was the only way in which this work could be done since, these strategic highways existed in every State, and since they were all State roads. We decided that the money should be allocated to the States, under the Federal Aid Highway formula, except that the respective contributions of the States and the Federal Government should be modified. It is not possible under any consideration to do this work in any other way or by any other method of procedure.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not true that those allocations are made not as suggested in the message with regard to population but with regard to population, area, and post roads?

Mr. MOTT. Yes; that is true.

Mr. WHITTINGTON. The three of them are all considered in making the distribution?

Mr. MOTT. Yes. There is another provision which the opponents of this bill seem to have entirely ignored. No road can be improved under this act unless it appears on the Pershing map. Unless it is a road which has already been designated as a road of primary military importance by the Secretary of War it cannot be built, and no road can be improved under this bill unless it has the approval not only of the State highway commissions but of the Federal Bureau of Roads and the War Department. So there is nothing to that argument. The plain provisions of the bill itself contradict it.

Mr. RANDOLPH. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Is it not a further fact that those who lead us to believe that this is a new formula are mistaken; in fact it is an old formula and has been in existence since 1916?

Mr. MOTT. Since 1916, and it is the formula under which we have constructed the greatest highway system in the world; but the possibility of war, the national emergency, in the opinion of the War Department and of the Federal commissioner of roads, who are the President's only official advisers on this subject, make it necessary that these roads be improved without delay. They say that 20,000 miles of this highway must be improved now or the Army cannot use it. That is what this bill is for. It is a military necessity.

Mr. MAY. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Kentucky.

Mr. MAY. Do I understand that the State highway department of each of the States must confine the expenditure of this money to the roads that are designated on this map?

Mr. MOTT. Yes; that is definitely provided in the bill. Not only that, but they cannot build or improve any road without the authorization and approval of the War Department.

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and to include an address on highways made by my husband, the late William D. Byron.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland [Mrs. BYRON]?

There was no objection.

Mrs. BYRON. Mr. Speaker, I would like to read one paragraph from this speech:

> The problem of roads surrounding congested areas and roads leading into Washington is an immediate emergency and of vital importance. Possibly every one in this area has traveled the Washington-Baltimore Boulevard and realizes its inadequacy for present-day traffic. I cite this particular project only to show the need for immediate action. It has been discussed and talked about and possibly planned, but to my mind the roads officials of the Government and the State of Maryland should tell the public what they are going to do.

The address of the late Representative William D. Byron follows:

I feel that I have a duty to speak to the people of this great area upon a subject I have called the Nation's Capital and its National Defense Problem. In so doing, I wish to make it clear that I am approaching this matter entirely free of a critical spirit toward any group or individual. I speak with the sole objective of directing attention to a problem, which is really a series of problems, with the hope that some kind of effective action will result.

This defense problem involves the Federal Government and the District of Columbia on the one hand and the State of Maryland and, in part, the State of Virginia on the other. The dimensions of the problem, stated in geographic terms, embrace a triangle with the base extending from Frederick to Havre de Grace on the north with the apex at Indian Head Arsenal to the south. Within this area is included the metropolitan districts of Baltimore and the Nation's Capital, the nerve center of this great defense effort.

Likewise included are such projects as Fort Meade, with its thousands of troops, the Navy Yard and Naval Air Station, the Medical Center and the Marine Barracks in Washington, the powder factory at Indian Head, the Dahlgren Proving Ground, Marine Barracks at Quantico, and similar activities.

These projects are being rapidly expanded and developed. And on top of all this activity, nearly $400,000,000 in defense contracts have been awarded to industries and services largely within the triangle I have just described.

Within this area, the population has increased by nearly 400,000 during the past 10 years, according to official census data. And, I suspect, that this information already is obsolete as the census returns were made prior to the initial stimulation of the defense program. Moreover, a recent survey, estimates that in Washington area alone the population may increase 200,000 during the next 2 years, because of the expanded Federal activities due to the defense program. And it should be remembered, this estimate is based upon known and existing plans. According to a survey made recently by the Baltimore Evening Sun, Maryland employment has expanded by approximately 50,000 since the defense program got started 8 months ago. And, defense contracts are just beginning to really get into the production stage.

What demands the future will bring in terms of needed labor and facilities cannot be prophesied. This much is certain—we should prepare for the maximum.

And now that I have sketched the dimensions of the problem, what is its nature? Perhaps I can best indicate this by raising a few questions. First a general question:

Does this area have sufficient facilities to adequately accommodate the human needs of the great influx of population that is predicted?

And, specifically, are there adequate plans for new housing?

What about the schools?

What is the situation on essential services, such as fire and police protection?

Is anybody doing anything about medical care?

Are recreational facilities adequate?

And an extremely important problem to this area are transportation and highway facilities adequate?

Now, I have no doubt that a great many of these problems are receiving consideration from many sources—many of our Federal agencies, staffed by competent personnel, are engaged in fundamental planning activities looking to solutions of these problems. We have the Defense Housing Coordinator, the Bureau of Public Roads, a Defense Advisory Commission for the District of Columbia, a Defense Committee for the State of Maryland, and other agencies dealing with some aspect of the questions which I have raised. But the important question is—and I have found no applicable synonym for this overworked word—coordination. Are these activities, this planning, if you please, being developed on a national basis, so that each agency—State and Federal and local—has a real concept of the nature of the problem? Is there adequate machinery so that each knows what the other is doing or what they themselves should be doing? Where is the division of responsibility and where rests the authority for action? These questions must be answered and they are difficult.

The difficulty is made no less by the fact that in this area we are operating under a dual government. The imaginary line which appears only on the map that separates the District of Columbia from the State of Maryland has too frequently divided responsibility for a common problem. And the result too often has been a lack of effective cooperation. Such a condition is bad enough under normal circumstances. In this hour of national crisis it cannot be tolerated.

At the risk of repetition but for the sake of emphasis, I would like to restate with greater particularity the problem in physical terms. The "defense triangle" which I have described

may be divided into three general geographical subdivisions:

First, what might be termed the Baltimore-Washington axis, a heavily congested area including the two cities, extensions south into Arlington County, Va., and north into Baltimore County, Md., and the contiguous areas in Montgomery, Prince Georges, Anne Arundel, and Howard Counties which lie between the cities along the Baltimore-Washington Boulevard.

Second, a secondary area, which is only slightly less affected, including the more remote sections of the four Maryland counties named, Fairfax County, Va., and parts of Frederick, Carroll, and Harford Counties in Maryland.

Third, there is a contributing area stretching in Maryland as far west as Cumberland, north toward Phalidelphia, and south in Maryland into Charles County and in Virginia toward Norfolk.

The demands that have been and will be made upon these areas have, in my judgment, only begun to be realized. The impact of the defense program with its hundreds of millions in contracts and thousands upon thousands of new workers staggers the imagination. And it cannot be imposed upon the peacetime economy without serious shocks and the necessity for sweeping adjustments. It is the duty of the Government to minimize these shocks and to so plan that there will be adequate services for those engaged in defense projects. The Federal Government may be forced to the extreme of rationing raw materials to civilian users because they are necessary for defense. But no system of priorities can function in the field of human needs. If expansion is essential, it must be planned for in advance. Moreover, such services as transportation and highway facilities must be provided if production for defense is not to become bogged down.

The problem of roads surrounding congested areas and roads leading into Washington is an immediate emergency and of vital importance. Possibly everyone in this area has traveled the Washington-Baltimore Boulevard and realizes its inadequacy for present-day traffic. I cite this particular project, only to show the need for immediate action. It has been discussed and talked about and possibly planned, but to my mind, the roads officials of the Government and the State of Maryland should tell the public what they are going to do.

I speak as one who had the privilege of serving on the Maryland State Roads Commission under the late Governor Ritchie. With the thousands of people living in Baltimore and Washington and the various camps going between the two places, something should be done immediately.

I could amplify this bill of particulars and, perhaps, spend the rest of the evening discussing the problem of housing alone. However, I trust that I have at least indicated the nature and scope of the problem.

And now the important question: What is to be done about it? As I have stated, I know that a lot of competent individuals in the Government and the State are giving attention to various aspects of the complex problem of defense in this important area. But, so far as I know, a real integration of the needs of this area and plans to meet them have not been worked out. I am not interested in attempting to point a finger and fix the blame. And, besides, I wouldn't know where to point it. My primary concern is to be satisfied that the job is being done. If a specific problem involves some course of action by the officials of Montgomery County let them find it out and take steps to get it done. If the State of Maryland, with its legislature now in session, has some specific duties to perform, let's get busy now.

And, in this connection, let me make it clear that as a Marylander I glory in the traditions of the Free State. But today our State assumes a new and a national significance. Its importance in the defense program is so tremendous that the national interest must prevail even at the expense of our old traditions.

The difficult question of financing the needed projects should not stop the immediate construction of such projects.

Obviously the citizens of Maryland cannot be expected to finance projects which are necessary for defense only. Maryland citizens, in common with all other Americans, will bear the burden of Federal taxes.

Recognition of this principle was given only yesterday by the President, when he requested the Congress for a supplemental appropriation of $150,000,000 to improve public facilities and services in areas where there will be a concentration of military forces and civilian workers will lay a heavy burden on the existing facilities.

However, it may be assumed, I think, that these funds will not be available unless an adequate plan is developed for extraordinary needs.

Recognizing the peculiar and unique situation that exists in this particular area, I think the President is acting wisely in asking for the money, and I will, naturally, be glad to support this appropriation and to cooperate in any way possible to see that it is used for purposes for which it is intended.

So I therefore suggest that the appropriate representatives of the State of Maryland and its affected political subdivisions, together with representatives of the District of Columbia and Virginia, develop, in conference with the proper Federal officials concerned with national defense, a broad plan of action. This should include a rapid acceleration of the surveys now under way and should bring together all relevant information as to what is required of the area I have described.

There is involved an administrative problem of great complexity, which can be met only if those who have responsibility sit around the table and, uninhibited by the artificial boundaries of State lines, agree upon a program.

I have said that this problem has national significance. As a Representative from Maryland, I am naturally concerned with any problem that involves my State. As a member of the Military Affairs Committee, I have attempted to consider the question as in relation to the broad national effort. Its importance to the national program cannot be overstated. Consider the consequences if, because of inadequate planning or lack of understanding of any political subdivision, congestion and confusion result in this area. The repercussions in the Nation as a whole would be swift and perhaps disastrous. If no evidence of tangible progress results from the course I have suggested, it will then be my purpose to ask the Military Affairs Committee of the House of Representatives to investigate the causes. This problem cannot be neglected. The country has too much at stake.

Mr. CARTWRIGHT. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Speaker, during my tenure in office I have voted consistently for the measures advocated by our President. I consider him the outstanding man of judgment of this decade. It is my opinion, however, that when the President vetoed the Cartwright road bill, he was heavily burdened with his many official duties, was making preparations to go on a much-needed vacation, and, therefore, he was not sufficiently informed on said bill.

This bill is for strategic defense and military highways, and, as I view it, is much more necessary than the $35,000,000 War Department building that Congress voted a few days ago.

Therefore, I am going to vote to override the veto.

Mr. CARTWRIGHT. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, various appeals have been made to the Members of the House to override the veto of the President. Some of those appeals have been directed to your pride so that you will uphold your previous action. Other appeals have been directed to the general benefit coming from a road program.

I hope, Mr. Speaker, that the Members have read, with much more than the usual attention, the veto message of the President.

His veto of this so-called emergency or defense roads bill caused a good deal of surprise, but it is evident that the surprise was only among those who are not thoroughly familiar with the provisions of the bill.

Mr. Speaker, it is wrong to say that this legislation will correct deficiencies in the strategic and necessary defense highways because any correction in deficiencies would be only incidental in the expenditure of the $125,000,000 authorized to be appropriated by section 2. This bill provides that the funds shall be apportioned among the States according to population and the existing Federal Road Aid Acts.

Stop for a moment and consider what this means. On the one hand it means that States which are not in any need whatsoever of funds for defense highways will automatically be entitled to a proportion of the $125,000,000, based upon their population, area, and number of post roads—while, on the other hand, States wherein there is urgent and dire need of immediate and large-scale construction of defense highways, will be limited to an amount far below their absolute need. The same result as is provided in section 2 of the bill could have been obtained merely by an appropriation of $125,000,000 under acts now on the statute books. What in the world has such a method of allocation got to do with defense highways; what has it got to do with defense bridges; what has that sort of method of allocation got to do with any emergency. I say to you that this bill, under the guise of an emergency, would pay out millions of dollars for road purposes to every State in the Union, without any regard whatsoever to their needs and without any regard as to whether or not it will help to relieve the congestion in the particular areas where defense projects are being operated, or defense materials being manufactured.

Furthermore, those Members of both parties who honestly want to curtail and curb nonessential expenditures have a great opportunity to do so in this instance, because a large proportion of this money will necessarily be spent in improving nondefense highways. If the Congress wants to expend $125,000,000 for strategic highways, I am sure there

could be no objection; but when we attempt to distribute $125,000,000 without regard to emergency needs, that is altogether different.

I know that many Members are timid about voting against any so-called emergency appropriation or authorization, but this is an instance wherein the word "emergency" is being used to tap the till of Uncle Sam for nonessential construction and improvements.

Another strongly objectionable feature is that by this bill the United States government would provide parking facilities for local communities at Government expense. This is certainly going pretty far, and to me, shows to what an alarming extent the Congress can go when beguiled by the awe-inspiring word "emergency."

Mr. Speaker, I hope the Members will give a little thought to what we might do in overriding the veto of the President, and I call upon all Members who are pledged to a curtailment of nonessential expenditures to sustain the hand of the President in this instance.

An attempt has been made to fool the public regarding the expenditures authorized by this bill by naming it an "emergency roads bill." Let us, as Members of the House, not be fooled by a misnomer.

Mr. CARTWRIGHT. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, it seems to me that the Members who, according to the roll call record of March 19, saw fit to give Britain $7,000,000,000, should not by any stretch of the imagination prohibit us here in America from spending on the highways of the Nation in our defense 5 percent of that amount, merely the interest on that sum, for 1 year.

I ask you Members of this House to search your hearts and see if you can find justification for turning down this authorization for approximately $300,000,000 for our own defense highway system, while you vote for $7,000,000,000 across the seas.

Mr. Speaker, I ask unanimous consent to include in my remarks at this point a letter from Mr. M. J. Hoffmann, State highway commissioner of the State of Minnesota, in respect to this matter.

The SPEAKER pro tempore (Mr. HART). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The letter referred to follows:

STATE OF MINNESOTA
DEPARTMENT OF HIGHWAYS,
St. Paul, Minn., August 6, 1941.

Hon. H. CARL ANDERSEN,
Representative in Congress,
House Office Building,
Washington, D. C.

Re: Defense Highway Act.

DEAR MR. ANDERSEN: The President's veto of the Defense Highway Act (S. 1580) has, in my opinion, given rise to a matter of grave concern. The veto not only jeopardizes the entire program for Nation-wide development of strategic network highways, deemed by the War Department and the Public Roads Administration to be essential for Western Hemisphere defense, but, for the time being at least, it has completely stymied the building of access roads, admittedly and immediately necessary for defense industries and military establishments.

The President's contention that the $125,000,000 for strategic network highways is not, under the terms of S. 1580, properly apportioned in accordance with defense needs seems to us to be without sound or valid foundation. This item for strategic network improvements, and the $10,000,000 companion item for plans and surveys on these projects, are the only defense-highway authorizations over which the Congress has sought to reserve for itself the right to determine the basis for apportionment among the States.

In the Defense Highway Act, $185,000,000, involving expenditures for access roads, emergency repairs, and flight strips, is left to the discretion of the President for apportionment on the basis of necessities which may arise. This is unquestionably proper, as there is no obvious formula upon which comparative needs for the use of such funds, within the various States, could be predetermined. An entirely different and almost opposite situation prevails, however, with regard to moneys provided for development of strategic network highways. This network of national-defense routes has been carefully worked out jointly and in great detail by the War Department and the Public Roads Administration, solely on the basis of defense transportation requirements. Desirability of highway improvements from the standpoint of State or local interests was not a factor in the determination or designation of any of these routes.

The federally designated network extends into every State in the Union. Both the War Department and the Federal Works Administration are in possession of detailed information as to the comparative importance of the various routes, the extent of their shortcomings, and the improvements required to bring them up to standards of defense adequacy. With this information at hand, the Federal agencies concerned have been in position to wisely recommend, and the Congress has been provided with adequate data upon which to competently determine, a definite and proper basis for apportionment of these funds among the various States.

Under the existing Federal Aid Highways Act every State has been charged with a share of responsibility for the development and improvement of roads which the Federal Government has determined are of strategic necessity. It should naturally follow that each State has a right, through its duly elected representatives in Congress, to assure itself of a fair and just proportion of the Federal funds made available for carrying out these improvements.

It is my understanding that the comparative needs for individual improvements on strategic network highways are to be determined by cooperative action of defense authorities, Public Roads Administration officials, and the highway agencies of the States, and that the specific projects are to be initiated and carried out through the existing highway departments of the various States. If this is the case and if it is desirable to expedite the improvement of the more important defense roads, then there arises a still further reason why each State should know from the beginning approximately how much Federal money will be available for such projects. Under the provisions of S. 1580 each State would know approximately how much State and Federal money would be available to meet the more urgent needs of its strategic necessity routes and could proceed accordingly to determine the scope of its program, purchase necessary right-of-way, and prepare preliminary plans and specifications.

For your information I might also cite briefly the effect of the Presidential veto upon the access roads situation in Minnesota. While the highway department has given its full cooperation to the Federal authorities in the preparation of surveys and plans for the improvement of access roads leading to Wold-Chamberlain Field and to the Northern Pump Co.'s naval-gun mounting plant at Fridley, we have been faced with a situation under which, up to the present time, no funds have been available for financing either the acquirement of necessary right-of-way or the construction of the highways themselves. Both Wold-Chamberlain Field—with its naval-aviation base and its potential importance in the defense picture—and the Northern Pump Co. plant, with its contracts to supply some $70,000,000 worth of defense materials, are defense functions which have been in operation for some time, yet both are still seriously handicapped by the lack of adequate access highways. Formal application was filed as long ago as April 28 by the naval authorities at the Northern Pump plant, urging construction of access roads, and officials in charge have expressed considerable apprehension over the delays already experienced. The outlook is obviously uncertain as funds for access-road construction cannot be provided from either local, State, or regular Federal-aid highway sources.

Now, with work commencing under rush orders on the new $30,000,000 Federal Cartridge Co. small-arms ammunition plant at New Brighton, need for access-road funds becomes even more urgent.

In the interest of sound and logical progress in the carrying out of the defense-highway program, I feel that it is imperative that Congress repass the Defense Highways Act, retaining its original strategic network provisions, and thereby eliminate some of the uncertainty and delay which thus far have marked the highway phases of the national-defense program.

Respectfully yours,
DEPARTMENT OF HIGHWAYS,
M. J. HOFFMANN,
Commissioner of Highways.

Mr. CARTWRIGHT. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, when I brought in the rule making this bill in order, I called attention to some of the inequities in the bill. I objected especially to the provision appropriating $25,000,000 for the repair of roads.

I directed attention at that time to the fact that since 1917 the Federal Government has appropriated the sum of $3,484,000,000 for the construction of roads in the various States, over a billion dollars more than the States themselves have contributed. To me it appears ridiculous that after we have voted these hundreds of millions for the building of these roads, without the Government using or needing them during all those years, that now, when during the course of military training and the transportation of defense materials after a few months use by the Government, it is immediately called upon to pay for the repair of the roads. I fear that this will set a precedent for us in the future to appropriate for the maintenance and upkeep of the roads.

I have advocated and am for good roads, but I am unwilling to continue to vote millions when it is not necessary. Day in and day out, the administration is criticized for expending unnecessarily, as is claimed, large sums of money, yet I observe that some of these gentlemen are advocating the passage of this bill over the President's veto, which calls for an

expenditure of $285,000,000. I shall watch how these critics vote on what I should term a "pork barrel" bill. The gentlemen of the committee complain that the Bureau has recommended a veto of the bill and that we must show them that they do not possess greater power than Congress. Oh, yes; that will appeal to many of the Members, but they fail to mention the pressure and the lobby that has been active—not connected with the Government, but with industry, who have been strenuously working for the passage of this legislation. They say the President has been misinformed. I will not deny that there are some gentlemen who try to misinform and mislead him at times, but such is not the case in this instance. I feel that his veto message is clear and to the point and set forth the reasons which compelled him to veto the bill. I ask, What possible excuse can the would-be economy advocates give in not voting to sustain the President?

The gentleman from Mississippi points out that a provision is contained in the bill that will aid the cities with parking spaces. I do not know of a single city or of any Representative coming from a city district that has requested such questionable aid. As I stated a few days ago, the only benefit that the city taxpayers derive, and especially out of this measure, would be the privilege to foot the bill.

Regardless of how hard the proponents of this bill have tried to make it a defense measure, they have failed. I feel that there are sufficient emergency funds to provide for such necessary roads as may be needed and I, therefore, hope that the President's veto will be sustained.

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Speaker, I yield such time as he may desire to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield to no one, not even my distinguished and affable friend from Chicago, in my devotion to and respect for the President of the United States, but I shall join what I hope will be more than a two-thirds majority of the Members of this House in voting to override the President's veto in this instance.

The record will show that I have consistently and enthusiastically supported the entire national-defense program for the country. It is in keeping with that record that I am giving my support to this defense-highway measure. Moreover, I am fully convinced that the President has been misled and misinformed concerning this important legislation.

It is a source of much regret to differ on so important a measure as this defense-highway bill with such distinguished and able Members as the genial and affable gentleman from Illinois [Mr. SABATH] who argues so feelingly against overriding the President's veto. I know that the gentleman from Illinois is sincerely devoted to the President but, frankly, it is amusing to me to hear several Members on both sides of this aisle who seldom, if ever before, have been known to support the President under any circumstances, suddenly come to the defense of the President concerning this special highway legislation that is so vitally important to the defense of every State in the Nation.

The gentleman from New York [Mr. TABER] appears today in the role of the administration spokesman. [Laughter.] Can you imagine the distinguished ranking minority member of the Appropriations Committee, who has heretofore at all times and under all circumstances been bitter and uncompromising in his denunciation of the President and every major administration measure sponsored by this administration, demanding of Members of this House that they stand by the President?

You heard my distinguished and able colleague from Oklahoma, the popular and hard-working chairman of the Roads Committee of this House, tell you that this bill has the enthusiastic support of the Army, the Navy, the Public Roads Administration, and the various State highway commissions; in fact, every board, bureau, and expert in Washington or the entire country who is even supposed to know anything about roads and highways. Frankly, I am willing to take their advice and counsel in this particular instance rather than the Bureau of the Budget or the National Resources Board, who apparently have misadvised and fooled the President in this particular. [Applause.]

Despite the determined opposition of some of these bureaucrats in Washington, I have actively supported all road legislation that has come before this House during the several terms that I have had the honor of being a Member of Congress. I feel very keenly that money expended for good all-weather roads is always a good investment, but especially are good roads essential at this particular time, when the Nation is threatened with war, which we hope and pray will not actually blight our land. In case of a real emergency, nothing would be more essential than a system of highways on which we could depend in all weather and under all circumstances.

Frankly, it is appalling and disheartening to know that while we are voting for billions of dollars for national defense our highways are in such a deplorable condition. A recent survey, made by the United States highway engineers at the request of the President, has shown that some 75,000 miles of highways in the United States have real national-defense value. Of these 75,000 miles, some 20,000 miles are so inferior and dangerous that we would not dare attempt to send an army over them. We are also told upon good authority that the same survey shows that more than 20,000 bridges are so weak, narrow, or dilapidated that we could not possibly send Army tanks or even Army trucks over them.

The gentleman from Missouri [Mr. SHORT] referred a few minutes ago to the highways of Germany and mentioned the important part they played in swiftly moving the German Army in any direction. Only a few months before the Munich conference I went from one end of Germany to the other after attending, as a delegate from the United States Congress, the Interparliamentary Union Conference in the city of Paris. When I saw those three- and four-lane highways leading almost in every direction as straight as a crow can fly, from the city of Berlin, I knew that Germany was really preparing for war. That was an important phase of national defense that France and many of the other countries overlooked. It is a thing that the United States has seriously neglected, a matter that this bill seeks to, in part at least, cure.

We are told by the Public Roads Administration that its Nation-wide survey shows that the country should have $500,000,000 to construct the defense roads that are actually needed. In my judgment, that would be a much better and a far more reasonable investment than to build $35,000,000 buildings to house the Department of War, or to spend $100,000,000 for one battleship that might go down with one direct hit from a giant bomber. These highways will be here when the emergency is over and at the same time will put thousands of unemployed people at work in every State of the Union.

The State of Oklahoma, which I have the honor to represent, in part, in Congress, has received practically nothing as compared with the Atlantic and Pacific seaboards as a result of all this national-defense expenditure. It is only fair, just, and reasonable that Oklahoma, and other States similarly situated, should be given the consideration they deserve.

In view of these facts, I shall not only vote to override the President's veto but, as one member of the Appropriations Committee, I am perfectly willing to accept my part of the responsibility of immediately reporting an appropriation bill to make such an authorization available to construct these strategic highways that are so vitally essential for the defense and general welfare of the country. [Applause.]

Mr. HOBBS. Mr. Speaker, before beginning a discussion of the pending issue there are a few words which to me seem crying for utterance. In the first place, I wish to pay a sincere tribute to the great committee which, after mature and expert consideration, has reported the Defense Highway Act of 1941, which has been vetoed, and its distinguished chairman, able, conservative, and diligent, the gentleman from Oklahoma, Hon. WILBURN CARTWRIGHT.

Also I would like to praise without stint the Public Roads Administration, its distinguished and able Chairman, the Commissioner of Public Roads, the Honorable Thomas H. MacDonald, and each member of the personnel of that great organization. Never during all of my years of contact with Mr. MacDonald, his associates and helpers, have I known of a one who was not thoroughly efficient, accommodating, and devoted to the public interest in the highest sense of that term. Similarly, I do not think it amiss to mention in this laudatory vein the forgotten men of the highway world who cooperate with our congressional committees and with the Public Roads Administration with amazing efficiency and devotion to duty—namely, the personnel of the State

highway commissions, the probate judges and courts of county commissioners.

These are they who have borne the heat and brunt of the fight for a scientific highway system designed to serve the whole people of the United States to the best possible advantage with the means available. These are they who have dedicated their lives to this great cause. These are they who, through long years of experience, have become experts in their respective fields, and are therefore competent advisers with reference to good-roads measures. These are they who, with unanimity of patriotic purpose, in response to the request of our great President of the United States, worked out this bill as the irreducible minimum of authorization to make effective the stupendous defense effort of America in this crisis.

Ice would sell high in hell if you could get it there. But there is but one highway leading to that hot destination, and that one runs through the realm of immorality, and is wholly unsuited for the transportation of ice. Of what practical use is it to produce ammunition and munitions of war for the defense of the Nation unless we can transport this matériel to the places where it is most needed in time of sudden attack? What good would a million tanks be without means of transportation to the Mexican border if our country were being invaded across the Rio Grande? In time of such a crisis we need all the means of transportation that will enable us to concentrate defense matériel where it is most needed. When the attack comes it is too late to make these means of transportation efficient. In time of peace we must prepare for war or else abandon our hope of continuing as a free people. Therefore, now is the time when we should provide adequate and suitable means of transportation by air, rail, and highway.

The accusation that this bill is pork-barrel legislation is not new. Such a claim has been repeatedly made. But it is just as false now as it has ever been. This bill is just the antithesis of pork-barrel legislation. It is an intelligent modification of the formula which has prevented log rolling and pork-barrel practices ever since the formula was adopted in 1916. That formula, as we all know, requires that as to the regular Federal-aid system of strategic highways the funds provided must be equitably divided among the several States on the basis of population, area, and road mileage. If there were States which did not need the share which this formula would make available to them, then there might be justification for the cry that these funds should be allocated on the basis of need. But there is no State which does not need—and need urgently—at least twice as much as the formula will provide. At the request of the President more than a year ago a study was made of the needs of the several States for the improvement of their respective highway systems with a view to making them serviceable for national defense. A study was made by the highway experts and it was found that $458,000,000 was actually needed. But with a view to the most rigid economy possible in this crisis, the amount made available for defense purposes in this bill is only $250,000,000. That part of the $250,000,000 total authorized for the improvement of the strategic highway network, which amount is to be allocated under the formula, is $125,000,000. The amount authorized for the construction and improvement of access roads and bridges to military and naval reservations, to defense-industry sites, and to the sources of raw materials and for the acquisition of new and additional rights-of-way for such projects—and then only when certified to the Federal Works Administrator by the Secretary of War or the Secretary of the Navy—is $150,000,000. This amount is not allocable under the formula but strictly upon the basis of need. Therefore it is clearly seen that this bill includes the distribution of a part of the funds authorized on the basis of the scientific formula and also of a larger share of the funds for distribution on the basis of need for important national-defense purposes made imperative by reason of our expanding defense establishment. Hence it combines, in a way made necessary by the present emergency, the best and most equitable methods of distribution, but both methods in every case grounded upon the bedrock of actual imperative need for adequate national-defense preparation.

I do not think, and I would not for a moment imply, that the Bureau of the Budget opposes the method of distribution with respect of the funds authorized for improvement of the strategic highway network because of any desire on its part to allocate these funds for political or pork-barrel purposes. I think that the Bureau's insistence is based upon a sincere belief that they know more about the highway needs of the Nation than do our experienced and qualified highway experts. On this issue I disagree most cordially with the Bureau. I am confidently sure that the experts know more about the needs in the field of their specialty than does the Bureau.

The real questions involved in this issue seem to me to be: Shall the Budget or the Congress do the Nation's legislating? Which group is most competent to advise us on this issue, the highway experts who have built for us the best system of highways on earth, or the Budget, that has never built a mile of road? Shall the Budget or the people rule? [Applause.]

[Here the gavel fell.]

Mr. CARTWRIGHT. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas [Mr. ELLIS].

Mr. ELLIS. Mr. Speaker, in answer to the gentleman from Pennsylvania and the gentleman from Illinois, may I remind you that it took about a year to convinced the War Department and the Office of Production Management that there are other sections in the United States capable of contributing to the defense of this Nation than the concentrated industrial areas. We members of the Roads Committee who have studied this question are fearful that unless this formula is retained we may not see any of this money out in the territory comprising that part of the 75,000 miles of strategic highway system away from the concentrated industrial areas. We have given the concentrated areas $150,000,000 through the access roads provision. Why, then, should we not give to the whole system of 75,000 miles, in all the States, the smaller sum of $125,000,000?

I regard Franklin D. Roosevelt as the greatest living intellect and one of the two greatest Presidents in our history. I regret to vote to override his veto, but the best interests of my State demand it.

Mr. CARTWRIGHT. Mr. Speaker, I yield the remaining minute to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker, certainly this House today, if it overrides the veto of the President, will act with good judgment, because the Committee on Roads has studied the measure for many weeks, and the experts of the Roads Administration and the military forces of America have given their O. K. However, notwithstanding all of that support, we are now asked to take the word of the Budget Bureau and sustain a veto which certainly is not founded on a knowledge of the subject.

May I point out that $10,000,000 is included in this bill as an authorization for experimental flight strips, something we are going to need in the future in connection with the construction of highways in this country.

[Here the gavel fell.]

The SPEAKER. All time has expired.

The question is, Will the House, on reconsideration, agree to pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be taken by the yeas and nays.

The question was taken; and there were—yeas 251, nays 128, not voting 54, as follows:

[Roll No. 103]

YEAS—251

Allen, Ill.	Cooley	Geyer, Calif.
Allen, La.	Cooper	Gibson
Andersen, H. Carl	Copeland	Gifford
Anderson, Calif.	Costello	Gilchrist
Anderson, N. Mex.	Courtney	Gillie
Andresen, August H.	Cox	Gore
Angell	Cravens	Gossett
Arends	Crawford	Granger
Arnold	Creal	Grant, Ala.
Barden	Crosser	Gregory
Barnes	Crowther	Guyer, Kans.
Baumhart	Culkin	Haines
Beckworth	Cunningham	Hall, Edwin Arthur
Bender	Curtis	Hare
Bennett	D'Alesandro	Harrington
Bishop	Davis, Ohio	Harris, Ark.
Blackney	Davis, Tenn.	Harter
Boggs	Day	Hébert
Bolton	Dewey	Heidinger
Bonner	Dies	Hill, Colo.
Boykin	Dirksen	Hill, Wash.
Bradley, Mich.	Ditter	Hinshaw
Brooks	Domengeaux	Hobbs
Brown, Ga.	Dondero	Hoffman
Brown, Ohio	Douglas	Holbrook
Burch	Dworshak	Holmes
Burdick	Eaton	Hook
Butler	Edmiston	Houston
Byron	Elliott, Calif.	Howell
Cannon, Mo.	Ellis	Hull
Carlson	Elston	Imhoff
Carter	Englebright	Jacobsen
Cartwright	Fellows	Jarrett
Chenoweth	Fenton	Jenkins, Ohio
Chiperfield	Fish	Jennings
Claypool	Flannagan	Jensen
Clevenger	Ford, Leland M.	Johns
Cluett	Ford, Miss.	Johnson, Calif.
Coffee, Nebr.	Ford, Thomas F.	Johnson, Ill.
Cole, Md.	Gale	Johnson, Luther A.
Colmer	Gathings	Johnson, Lyndon B.
	Gearhart	
	Gehrmann	
	Gerlach	

Johnson, Okla.	Patrick	South
Johnson, W. Va.	Patton	Sparkman
Jones	Pearson	Spence
Jonkman	Peterson, Ga.	Starnes, Ala.
Kee	Pierce	Steagall
Keefe	Pittenger	Stearns, N. H.
Kefauver	Plauché	Stefan
Kilday	Ploeser	Stevenson
Kleberg	Poage	Stratton
Kunkel	Powers	Sumners, Tex.
Lambertson	Priest	Sweeney
Lanham	Ramspeck	Talle
Lea	Randolph	Tarver
Lesinski	Rankin, Miss.	Taylor
Lewis	Reece, Tenn.	Tenerowicz
McGehee	Reed, Ill.	Terry
McGregor	Rees, Kans.	Thomas, Tex.
McIntyre	Rivers	Thomason
McLaughlin	Rizley	Tibbott
McMillan	Robertson, N. Dak.	Tolan
Maciora	Robsion, Ky.	Traynor
Mahon	Rockefeller	Treadway
Manasco	Rodgers, Pa.	Van Zandt
Mansfield	Rogers, Mass.	Vincent, Ky.
Martin, Iowa	Rogers, Okla.	Vinson, Ga.
Mason	Rolph	Vorys, Ohio
Merritt	Russell	Welch
Meyer, Md.	Sanders	West
Mills, Ark.	Sasscer	Wheat
Mills, La.	Sauthoff	Whelchel
Monroney	Scrugham	Whittington
Mott	Secrest	Wickersham
Mundt	Shafer, Mich.	Williams
Murdock	Shannon	Wilson
Murray	Sheppard	Winter
Nelson	Short	Wolcott
Nichols	Simpson	Wolfenden, Pa.
Norrell	Smith, Maine	Wolverton, N. J.
O'Brien, Mich.	Smith, Ohio	Woodruff, Mich.
Oliver	Smith, Wash.	Worley
Pace	Smith, W. Va.	Youngdahl
Patman		Zimmerman

NAYS—128

Andrews	Green	Osmers
Barry	Gwynne	O'Toole
Bates, Mass.	Hall,	Paddock
Bell	Leonard W.	Peterson, Fla.
Bland	Halleck	Pheiffer,
Bloom	Harness	William T.
Boehne	Harris, Va.	Plumley
Boland	Hart	Ramsay
Bradley, Pa.	Healey	Reed, N. Y.
Buckley, N. Y.	Heffernan	Rich
Bulwinkle	Hendricks	Richards
Burgin	Hess	Robertson, Va.
Canfield	Hope	Sabath
Cannon, Fla.	Hunter	Satterfield
Capozzoli	Jarman	Scanlon
Casey, Mass.	Johnson, Ind.	Schaefer, Ill.
Chapman	Kean	Schulte
Clark	Kelley, Pa.	Shanley
Clason	Kelly, Ill.	Sikes
Cochran	Kerr	Smith, Conn.
Coffee, Wash.	Kilburn	Smith, Pa.
Cole, N. Y.	Kinzer	Smith, Va.
Connery	Kirwan	Snyder
Cullen	Klein	Somers, N. Y.
Dickstein	Knutson	Springer
Dingell	Kocialkowski	Sullivan
Disney	Kramer	Sumner, Ill.
Downs	Landis	Taber
Drewry	Larrabee	Thill
Duncan	Leavy	Thom
Durham	LeCompte	Tinkham
Eberharter	Ludlow	Voorhis, Calif.
Eliot, Mass.	Lynch	Wadsworth
Engel	McCormack	Walter
Faddis	McKeough	Ward
Fitzgerald	McLean	Wasielewski
Fitzpatrick	Martin, Mass.	Weaver
Fogarty	May	Weiss
Folger	Michener	Wigglesworth
Forand	Moser	Woodrum, Va.
Fulmer	Myers, Pa.	Wright
Gamble	Norton	Young
Graham	O'Brien, N. Y.	
Grant, Ind.	O'Leary	

NOT VOTING—54

Baldwin	Doxey	McArdle
Bates, Ky.	Flaherty	McGranery
Beam	Flannery	Maas
Belter	Gavagan	Maciejewski
Boren	Hancock	Magnuson
Bryson	Hartley	Marcantonio
Buck	Izac	Mitchell
Buckler, Minn.	Jackson	O'Connor
Byrne	Jenks, N. H.	O'Day
Camp	Kennedy,	O'Hara
Case, S. Dak.	Martin J.	O'Neal
Celler	Kennedy,	Pfeifer,
Collins	Michael J.	Joseph L.
Delaney	Keogh	Rabaut
Doughton	Koppleman	Rankin, Mont.
Robinson, Utah	Schuetz	Thomas, N. J.
Romjue	Scott	Vreeland
Rutherford	Sheridan	Wene
Sacks	Sutphin	White

The SPEAKER. The Chair thinks this vote is close enough so that, if there is no objection, there will be a recapitulation. The Clerk will call the names of those voting in the affirmative.

Mr. CASEY of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CASEY of Massachusetts. May we hear the present vote?

The SPEAKER. We are starting a recapitulation to determine whether or not the vote is correct. The Clerk will call the names of those recorded as voting "yea."

Mr. NICHOLS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NICHOLS. Mr. Speaker, will Members who come on the floor while this recapitulation is being taken be permitted to vote?

The SPEAKER. Members cannot qualify unless they were here before the roll call was completed.

Mr. ALLEN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ALLEN of Illinois. How could you have a correct analysis of the vote if a Member were out of the Chamber now who had voted "nay" and he is recorded as voting "yea" and he is not here to correct it?

The SPEAKER. That is not the business of anybody in the House except the particular Member involved.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRADLEY of Pennsylvania. Is it permissible for any Member to change his vote now?

The SPEAKER. This roll is being called now for the purpose of correction only.

Mr. CASEY of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CASEY of Massachusetts. Is it permissible to change a vote until the recapitulation is finished, under the rules of the House?

The SPEAKER. The Chair thinks the rule is that a Member can change his vote up until the time the result of the vote is announced, but under the present circumstances it would not be in order until the recapitulation is completed.

Mr. COCHRAN demanded the regular order.

The SPEAKER. The regular order is for the Clerk to call the names of those recorded in the affirmative.

The Clerk called the names of those voting "year."

Mr. JACOBSON. Mr. Speaker, I voted "yea," but I did not hear my name called.

The SPEAKER. The gentleman is recorded as voting "yea."

Mr. LEAVY. Mr. Speaker, I thought I heard the Clerk call the name of JACKSON, of Washington, voting "yea."

The SPEAKER. His name was not called at voting "yea."

Mr. HUNTER. Mr. Speaker, I wish to be recorded as voting "nay."

Mr. MICHENER. Mr. Speaker, a point of order——

The SPEAKER. This proceeding is only for purposes of correction. No Member can change his vote until after the yeas and the nays have been called.

Is there any Member voting "yea" who is incorrectly recorded?

Mr. CURTIS. Mr. Speaker, I was listening to the recapitulation of the vote. I originally voted "yea," but I did not hear my name on the last call.

The SPEAKER. The gentleman is recorded as voting "yea."

The Clerk will call the names of those recorded as voting "nay."

The Clerk called the names of those voting "nay."

The SPEAKER. Are there any corrections to be made where any Member was listening and heard his name called as voting nay who did not vote nay? (After a pause.) The Chair hears none.

Mr. HARNESS. Mr. Speaker, I would like to ask if I am recorded as voting "nay"?

The SPEAKER. The gentleman is so recorded.

Mr. KEEFE. Mr. Speaker, am I recorded as voting "nay"?

The SPEAKER. The gentleman is so recorded.

Mr. KEEFE. Mr. Speaker, I desire to change my vote from "nay" to "yea".

Mr. MICHENER. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. As I understand the rules, at the conclusion of the calling of the roll, the rules require the Speaker to announce the result.

No business can intervene between the calling of the roll and the announcing of the result of the roll call. After the result has been announced and it is known whether or not the vote is close, the Speaker may, of his own volition, order a recapitulation of the roll call. While this is not a privileged motion, yet it can be made by a Member from the floor. It has been held that a recapitulation will only be ordered where the vote is close. Consequently, it seems imperative that the House should be advised as to what the vote is before a recapitulation is ordered. In the instant case the roll call has been completed. If my vision does not deceive me, the reading clerk has handed to the Speaker the card giving the result of the vote. While possibly the Speaker has the right to even decline to entertain an appeal from his decision concerning a recapitulation of the vote, yet it seems to me from a sound parliamentary standpoint and a knowledge of the present Speaker's usual attitude that he will not be arbitrary in this matter.

It is fundamental that a Member cannot change his vote after the result of the roll call has been announced. A re-

capitulation is for the purpose of correcting any errors in the vote as recorded, and not for the purpose of giving an additional opportunity to Members to change their votes. The fact that Members who failed to answer the roll call are not permitted to qualify and vote after the announcement of the result of the roll call would seem to make it clear that there can be no change of vote after a recapitulation, which is but a resurvey of what appears on the written record. A recapitulation is for the purpose of correcting clerical errors.

To hold otherwise would be to lend encouragement to effective filibuster in order that one side in a closely contested vote might bring influence to bear and cause Members to change their original votes. To hold otherwise would do violence to the democratic processes of the House.

May I ask the Chair if I have not correctly appraised the situation?

The SPEAKER. The Chair certainly, is not in a filibuster. It has been held time and time again that any Member may change his vote before the vote is announced, and I read from page 415 of Cannon's Procedure in the House of Representatives, and this is exactly what the Speaker operated under:

The motion that a vote be recapitulated is not privileged, but either before or after the announcement of the vote, the Speaker may, in his discretion, order recapitulation. (If more than four votes different, in the absence of other considerations, recapitulation will not be ordered.)

The Speaker did not order a recapitulation until he asked if there was objection by any Member of the House.

Mr. MICHENER. There was no announcement to see whether there was a difference of but a few votes. The effect of this procedure is to interrupt an incomplete roll call and proceed with a recount. No votes should be changed in a recount and no new votes should be added during a recount or a recapitulation.

The SPEAKER. The Chair is following this book. The Chair is going to hold that up until the time the result of this vote is announced by the Chair any Member may change his vote, because that is merely following the precedents of the House. Any Member who desires to change his vote before the vote is announced, may do so.

Mr. KEEFE. Mr. Speaker, do I understand the request has been granted that my vote be changed from "no" to "aye"? I made that request.

The SPEAKER. The gentleman from Wisconsin changes his vote from "no" to "aye."

Mr. HUNTER. Mr. Speaker, I change my vote from "aye" to "no."

Mr. KRAMER. Mr. Speaker, I change my vote from "aye" to "no."

Mr. PRIEST. Mr. Speaker, I rise to inquire whether I am recorded as voting "aye"?

The SPEAKER. The gentleman is so recorded.

Mr. HEIDINGER. Mr. Speaker, I change my vote from "no" to "aye."

Mr. PLOESER. Mr. Speaker, may I inquire whether I am listed as voting "aye"?

The SPEAKER. The gentleman is so recorded.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. Would it be in order for the Clerk now to call the Speaker's name?

The SPEAKER. That is a matter entirely in the discretion of the Speaker.

Mr. SCHULTE. Mr. Speaker, I change my vote from "aye" to "no."

So, two-thirds not having voted in favor thereof, the bill was rejected.

The Clerk announced the following pairs:

Mr. White and Miss Rankin of Montana to override, with Mr. Keogh to sustain.

Mr. Hartley and Mr. Robinson of Utah to override, with Mr. Baldwin to sustain.

General pairs:

Mr. Doxey with Mr. Hancock.
Mr. Gavagan with Mr. O'Hara.
Mr. Wene with Mr Vreeland.
Mr. Sutphin with Mr Maas.
Mr. Doughton with Mr. Case of South Dakota.
Mr. O'Neal with Mr. Thomas of New Jersey.
Mr. Rabaut with Mr Jenks of New Hampshire.
Mr. Bryson with Mr Scott.
Mr. Delaney with Mr Rutherford.
Mr. Martin J. Kennedy with Mr. Buckler of Minnesota.
Mr. Collins with Mr Marcantonio.
Mr. Camp with Mr Michael J Kennedy.
Mr. Izac with Mr. Flaherty.
Mr. Kopplemann with Mr Mitchell.
Mr. O'Connor with Mr McArdle.
Mr. Schuetz with Mr Jackson.
Mr. Beam with Mr Sacks.
Mr. Magnuson with Mr Celler.
Mr. Bates of Kentucky with Mr. Joseph L Pfeifer.
Mr. Buck with Mr Romjue.
Mr. Maciejewski with Mrs. O'Day.
Mr. Beiter with Mr Flannery.
Mr. Sheridan with Mr Byrne.
Mr. McGranery with Mr. Boren.

The result of the vote was announced as above recorded.

The SPEAKER. The message and the bill, together with the accompanying papers, will be referred to the Committee on Roads and ordered printed, and the Clerk will notify the Senate of this action.

INTERSTATE OIL COMPACT

Mr. COLE of Maryland. Mr Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 228, consenting to an interstate oil compact to conserve oil and gas.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The joint resolution is as follows:

Resolved, etc., That the consent of Congress is hereby given to an extension and renewal for a period of 2 years from September 1, 1941, of the Interstate Compact to Conserve Oil and Gas, executed in the city of Dallas, Tex., the 16th day of February 1935, by the representatives of Oklahoma, Texas, California, and New Mexico, and thereafter recommended for ratification by the representatives of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and subsequently ratified by the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, which said compact was deposited in the Department of State of the United States, and thereafter such compact was, by the President, presented to the Congress and the Congress gave consent to such compact by House Joint Resolution 407, approved August 27, 1935 (Public Resolution No. 64, 74th Cong.), and which said compact was thereafter extended and renewed for a period of 2 years from September 1, 1937, by an agreement executed in New Orleans, La., the 10th day of May 1937, by the representatives of the States of Oklahoma, Texas, Kansas, and New Mexico, and was duly ratified by the States of Oklahoma, Texas, Kansas, New Mexico, Illinois, and Colorado, and was deposited in the Department of State of the United States, and thereafter such extended and renewed compact was, by the President, presented to the Congress and the Congress gave consent to such extended and renewed compact by Senate Joint Resolution 183, approved August 10, 1937 (Public Resolution No. 57, 75th Cong.), and which said compact was thereafter extended and renewed for a period of 2 years from September 1, 1939, by an agreement duly executed and ratified by the States of Oklahoma, Texas, Kansas, Colorado, New Mexico, and Michigan, and was deposited in the Department of State of the United States, and thereafter such extended and renewed compact was, by the President, presented to Congress and the Congress gave consent to such extended and renewed compact by House Joint Resolution 329, approved July 20, 1939 (Public Resolution No. 81, 76th Cong.)

The extended and renewed compact, dated the 1st day of May 1941, duly executed by the representatives of the States of Oklahoma, Kansas, Texas, Colorado, New Mexico, Illinois, Michigan, Arkansas, Louisiana, New York, and Pennsylvania, and which extended and renewed compact has been deposited in the Department of State of the United States, reads as follows:

"AN AGREEMENT TO EXTEND THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"Whereas on the 16th day of February 1935, in the city of Dallas, Tex., there was executed 'An Interstate Compact to Conserve Oil and Gas' which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

"AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"ARTICLE I

"This agreement may become effective within any compacting State at any time as prescribed by that State, and shall become effective within those States ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing State may become a party hereto as hereinafter provided.

"ARTICLE II

"The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

"ARTICLE III

"Each State bound hereby agrees that within a reasonable time it will enact laws, or if laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

"(a) The operation of any oil well with an inefficient gas-oil ratio.

"(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas in paying quantities.

"(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

"(d) The creation of unnecessary fire hazards.

"(e) The drilling, equipping, locating, spacing, or operating of a well or wells so as

to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

"(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

"The enumeration of the foregoing subjects shall not limit the scope of the authority of any State.

"ARTICLE IV

"Each State bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order, or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

"ARTICLE V

"It is not the purpose of this compact to authorize the States joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

ARTICLE VI

"Each State joining herein shall appoint one representative to a commission hereby constituted and designated as the Interstate Oil Compact Commission, the duty of which said Commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said Commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection

"The Commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said States, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

"No action shall be taken by the Commission except: (1) By the affirmative votes of the majority of the whole number of the compacting States, represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: Such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

"ARTICLE VII

"No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining therein.

"ARTICLE VIII

"This compact shall expire September 1, 1937. But any State joining herein may, upon 60 days' notice, withdraw herefrom.

"The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory States.

"This compact shall become effective when ratified and approved as provided in article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.

"Done in the city of Dallas, Tex., this 16th day of February 1935.

"Whereas said interstate compact was heretofore duly renewed and extended for 2 years from September 1, 1937, its original expiration date, to September 1, 1939; and

"Whereas said interstate compact was again duly renewed and extended for 2 years from September 1, 1939, its second expiration date, to September 1, 1941; and

"Whereas it is desired to again extend and renew said interstate compact to conserve oil and gas for another period of 2 years from September 1, 1941, its present expiration date, to September 1, 1943: Now, therefore, this writing witnesseth

"It is hereby agreed that the said compact entitled 'An Interstate Compact To Conserve Oil and Gas' executed in the city of Dallas, Tex., on the 16th day of February 1935 and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of 2 years from September 1, 1941, its present date of expiration, this agreement to become effective within those States joining herein when executed by any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico, and consent thereto is given by Congress.

"The signatory States executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States.

"Executed as of this the 1st day of May 1941 by the several undersigned States, at their several capitols, through their proper officials thereunto duly authorized by statutes, resolutions, or proclamations of the several States."

SEC. 2. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

Mr. SHEPPARD. Mr. Speaker, will the gentleman from Maryland yield?

Mr. COLE of Maryland. I yield to the gentleman from California.

Mr. SHEPPARD. Is there any difference between this compact and the former compact?

Mr. COLE of Maryland. It is about the same as the previous compact except for additional States.

Mr. SHEPPARD. Have any other States been taken into the compact?

Mr. COLE of Maryland. Yes; five.

Mr. SHEPPARD. What States are now in the compact other than those that were in originally?

Mr. COLE of Maryland. New York, Pennsylvania, Illinois and Louisiana.

Mr. SHEPPARD. California is not included in the compact?

Mr. COLE of Maryland. California is not in the compact.

Mr. Speaker, this resolution was reported unanimously by the Committee on Interstate and Foreign Commerce. In order for the membership to understand exactly what the resolution is, I shall read the committee report which is as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the joint resolution (H. J. Res. 228) consenting to an interstate oil compact to conserve oil and gas, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

The original oil compact, of which the one accompanying this report is a renewal, was approved by Congress August 27, 1935, and was again extended on August 10, 1937, for 2 additional years, and later in 1939 was further extended to September 1, 1941.

The special subcommittee of the Committee on Interstate and Foreign Commerce which conducted an investigation of the petroleum industry pursuant to House Resolution No. 441, filed a report in July 1935 wherein the following statement is contained:

"As the initial report of the subcommittee will disclose, they gave, during the investigation, considerable encouragement to the formation of the interstate compact and are glad to state in this report that which is known to many Members of the House, that through the efforts of many progressive Governors of a number of the oil-producing States, and we feel to some extent as a result of the encouragement of the subcommittee, such a compact has been entered into."

Again, in 1937, the committee, in recommending to Congress the renewal of the compact (Rept. No. 1360 of the 75th Cong.), stated:

"A single State, however, is not willing to impose upon its people legal restrictions in the recovery of this resource from their land—which recovery can be restricted as the courts have well defined, provided such statutes are for the purpose of preventing waste thereof—unless neighboring and other oil-producing States are willing to do likewise. The Federal Government has too great an interest not only in its own activities but in those of the consuming States and the problems of industry and individuals not to lend encouragement to the efforts on the part of the great producing States of the country to solve their problems through concerted action of this character."

In transmitting the compact reported herewith, the President of the United States addressed to Congress the following message:

To the Congress of the United States:

I transmit herewith a certified copy of an agreement, executed by the Governors of the States of Oklahoma, Texas, Kansas, Colorado, New Mexico, Illinois, Michigan, Arkansas, Louisiana, New York, and Pennsylvania, to extend for 2 years, commencing September 1, 1941, the interstate compact to conserve oil and gas. The original of this agreement, in accordance with a provision contained therein, has been deposited in the archives of the State Department.

The original compact between the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas was first executed in February 1935 and received the consent of the Congress in August 1935. Since that time the original compact, with the consent of the Congress, has been twice extended and renewed for 2-year periods, the last extension period expiring September 1, 1941.

It is interesting to note that the original compact first ratified by 6 States has now been ratified by 11 of the States. The increasing membership in this compact is particularly heartening in view of the need for the conservation of these resources.

I hope that the Congress will, by appropriate legislation, sanction this extension agreement, as required by article 1, section 10, of the Constitution of the United States.

FRANKLIN D ROOSEVELT.

THE WHITE HOUSE, *August 2, 1941.*

Upon receipt of the foregoing message, Speaker of the House, SAM RAYBURN, released to the press a statement, wherein he said, in part:

"It is particularly gratifying at this time to find 11 of the great States of our Union, controlling most of our petroleum resources, joining together in a determination to protect our vast and valuable oil possessions at

this time because of conditions throughout the world. I hope the Compact Commission will direct its attention to the situation in the great eastern portion of our country, where drastic curtailment in use of oil is suggested as necessary. We have an abundant supply of oil, and this strong State effort can, I am sure, assist materially in transporting it in sufficient quantities to the major consuming section of the United States."

Article I, section 10 (3), of the Constitution of the United States provides, in part, as follows:

"No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into an agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay."

The foregoing provision in our Constitution permits the States to join together in an effort to solve the problems of common concern and interest, but which, singularly, could not be adequately governed. It evidently had in mind a situation such as this before the oil-producing States of this country, and which is attempted to be reached and solved through the concerted action of the States definitely affected. Congress should cheerfully acquiesce in and approve an effort of this character. With 11 States entering into such an agreement, they admittedly have a serious responsibility and one which if not solved to the satisfaction of the country as a whole might very readily become the subject of greater concern from a legislative standpoint by the Federal Government. The committee, as heretofore, again offers encouragement to the States with the hope that as little encroachment as possible by the Federal Government upon State functions and prerogatives associated with the subject embodied in this compact will be necessary.

The subcommittee which at the direction of Congress has heretofore investigated the petroleum industry and is still functioning in that capacity under authority of House resolutions has taken considerable testimony with reference to the activities of the Interstate Compact Commission. It can be found in the printed hearings. The committee has confidence in the Interstate Compact Commission and its effort to influence proper legislation to prevent waste in the production of petroleum. The success of their effort is all the more necessary at this important period in the life of our Nation.

We recommend the enactment of the resolution which extends the Interstate Compact Commission to Conserve Oil and Gas from September 1, 1941, to September 1, 1943.

Mr. SPEAKER. Does the gentleman from New Jersey desire any time?

Mr. WOLVERTON of New Jersey. There have been no requests for time on this side, Mr. Speaker.

Mr. COLE of Maryland. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time; was read the third time and passed, and a motion to reconsider laid on the table.

GENERAL LEAVE TO PRINT

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent that 5 legislative days be allowed for Members to extend their remarks on the veto message.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that, following the address of the gentleman from Massachusetts [Mr. TINKHAM], I be permitted to address the House for 10 minutes and read a letter from a Government official.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks by including a statement by 15 prominent Republicans on foreign affairs.

The SPEAKER. Is there objection?

There was no objection.

OLD WORLD WARS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I present to the House the petitions I hold in my hand. These I present as token of approximately 100,000 others and representing the earnest prayers of God-fearing, patriotic citizens in thousands of cities and towns in this Nation. Their circulation and endorsement were inspired by the hope that by this presentation the Congress would be moved to rise to its responsibility and provide a check upon those who would take us into the ghastly wars of the Old World. These petitions represent the hopes and the prayers of the fathers, the mothers, and the wives of this Nation; they represent their faith in our constitutional republican form of government; they represent the hope that this constitutional government may be preserved; and above all, they represent the bitter opposition to the policy of those who would depart from our constitutional form of government and set up a dictatorship in its stead.

I ask unanimous consent to print as part of my remarks a letter from Gerald L. K. Smith, the great leader and national chairman of the Committee of One Million, together with notarized certification of the correctness of the matters set forth in said letter.

Mr. Speaker, this is the voice of America which I hereby present to the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The letter follows:

COMMITTEE OF ONE MILLION,
Detroit, Mich., August 2, 1941.

The Honorable ROY O. WOODRUFF,
Member of Congress,
Washington, D. C.

DEAR MR. WOODRUFF: The Committee of One Million, which is a crusading and patriotic movement of the people, enrolls approximately 3,000,000 constituents. Our people are highly sensitized and alert to the issues of this critical hour. This vast constituency is concentrated in the great, middle area of the United States, although we enroll constituents from every one of the 48 States.

Our national headquarters is in Detroit, Mich. We sponsor a radio broadcast which reaches a population area of from thirty to forty million twice each week. This crusade is founded on seven basic principles, as follows:

1. To rebuild the spirit of America.
2. To wipe out to the last vestige communism, nazi-ism, and fascism in all forms. (Oppose all attempts to unite our Government with the government of any foreign nation.)
3. To redefine the American national character.
4. To instill a new spirit in American youth, dedicated intellectually and physically to the maintenance of American institutions.
5. To issue a call to farmers and laborers to resist what is now known to be an international plot to make them part of a world revolution.
6. To rededicate the citizenry of America to the family altar and to the spirit of the church.
7. To secure the maintenance of a well-defined standard of American living.

With the above principles as a foundation, our committee undertakes to arouse public sentiment and educate our people concerning vital issues as they arise. At present we are devoting our energies to four basic appeals:

1. No foreign war for America.
2. A national defense second to none.
3. No military alliance with communistic Russia.
4. A just wage for the American soldier, making extended conscription unnecessary.

It is concerning the threat of a military alliance with Russia that I present herewith affidavits, documents, and petitions.

Inasmuch as you are from the State of Michigan, which domiciles our national headquarters, we would consider it an honor to our cause, and we would consider it an honorable and patriotic gesture on your part, if you would function as our spokesman in this respect in presenting these facts, these petitions, and these documents to the lower House of the Congress of the United States.

Attached herewith is the keynote address which I delivered over the radio at the time we launched our attack on the attempts being made to bring us into a military alliance with communistic Russia.

I present herewith affidavits and certifications to the effect that in our national headquarters are petitions signed by people from thousands of post-office communities. These petitions have been circulated and signed within a period of about 30 days. I present herewith the token petitions representing about 500 post-office communities. The petition, as you will see, reads as follows:

"Emergency petition to Congress and President Roosevelt. No alliance with Russia.

"We, the undersigned American citizens, opposed to our entrance into a foreign war and favoring a national defense second to none, appeal to our Congress and President to avoid all steps that might lead to a military alliance with communistic Russia and Dictator Stalin.

"We renew our intense opposition to nazi-ism, as well as communism, and appeal to our elected officials to avoid any entangling alliance with a foreign power."

We of the Committee of One Million are aware of the fact that the work you have done in Congress concerning the vital issues of this hour has been courageous and statesmanlike. Our purpose in presenting these petitions, which symbolize the will of our people, is not to bring any influence upon you. That is unnecessary. But it is in order that you, a statesman of a high order, may be given an instrument with which to influence your colleagues in Congress.

My mail is heavy. It requires from 25 to 50 people to do the mailing and handling necessary to meet the demands that the public makes upon our national headquarters.

Most of our people are very religious, being Catholic and non-Catholic. In recent days

they have been very apprehensive, and their correspondence has manifested it, concerning President Roosevelt's generous comment about Stalin's Russia. They have been shocked beyond description at seeing Joseph Stalin pictured in the papers alongside Harry Hopkins, President Roosevelt's personal representative.

Clergymen of all religious beliefs deplore the thought of America fraternizing with the head of a government who was jointly responsible in effecting the slaughter and persecution and liquidation of 16,000,000 Christians in Russia.

Our people do not believe that Mr. Roosevelt can establish the four freedoms as a partner of Joseph Stalin.

Therefore, it is the will of our committee that the attached material be used, if practical, to aid in the passage of any resolution that might be deemed necessary in order to limit the authority of President Roosevelt under the lend-lease bill, in order to serve notice upon him that the sacrifice of the American people in the defense effort is not to be appropriated to the underwriting of atheistic communism and Stalin's Russia.

Sincerely yours,

GERALD L. K. SMITH,
National Chairman,
Committee of One Million.

CERTIFICATION

We, the undersigned aides, clerks, and mail handlers in the national headquarters of the Committee of One Million, do certify that we have seen and handled the petitions to Congress and President Roosevelt which have been circulated and received by the Committee of One Million, having to do with the opposition of the Committee of One Million and its constituents to any military alliance with Communistic Russia.

MARY KENNEDY.
BERNARD DOMAN.
BONIFACE FOLGARELLI.

State of Michigan,
County of Wayne:

Certified to in my presence this 5th day of August 1941, by Mary Kennedy, Bernard Doman, and Boniface Folgarelli.

KATHRYN L. TICE,
Notary Public, Wayne County, Mich.
My commission expires, January 18, 1944.

PUNISHMENT OF PERSONS TRANSPORTING STOLEN CATTLE IN INTERSTATE COMMERCE

Mr. WALTER. Mr. Speaker, I call up the conference report on the bill (S. 1261) to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1261) to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, and the title amendment.

HATTON W. SUMNERS,
FRANCIS E. WALTER,
JOHN W. GWYNNE,
Managers on the part of the House.

PAT MCCARRAN,
ERNEST W. MCFARLAND,
WILLIAM LANGER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1261) to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes, submit the following explanation of the effect of the action agreed upon in conference, and recommended in the accompanying conference report:

The House amendments broadened the scope of the bill to include sheep, hogs, horses, and fowl. The conferees were of the opinion that these additions should not be made and the conference report therefore recommends that the House recede from its amendments.

HATTON W. SUMNERS,
FRANCIS E. WALTER,
JOHN W. GWYNNE,
Managers on the part of the House.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. MICHENER. As I understand, the conferees have stricken out poultry, sheep, hogs——

Mr. WALTER. And horses.

Mr. MICHENER. Therefore, under this law, if it becomes a law as recommended by the conferees, it will be perfectly lawful, as far as the Federal Government is concerned, to steal chickens, horses, sheep, and hogs and take them across State lines, but it will be unlawful to perform in the same way with cattle. May I ask the gentleman what is included within the term cattle?

Mr. WALTER. During the course of the debate on this bill, my friend from Michigan [Mr. MICHENER] stated that in a moment of facetiousness the Judiciary Committee had agreed to place in the bill those things which would surely result in a Presidential veto. In reaching the agreement we did with the Senate, we felt that we carried out the ideas and wishes expressed by the gentleman from Michigan.

Under the report, those things are included which it has been the intention, for many years, of Senator MCCARRAN and the gentleman from North Dakota [Mr. CASE] to deal with; things which they feel the State laws have not made it possible to adequately deal with. We feel that we have gone as far as we can without inviting a veto such as was done on two other occasions when the measure passed the House. This applies only to cows and to carcasses of cows.

Mr. MICHENER. As I understand, the gentleman feels that in this hour, when our F. B. I. is exceptionally busy, we should not impose upon that agency the duty of running down all chicken thieves in the country, running down all the horse thieves and all the sheep thieves and all the hog thieves, but this bill imposes upon them the duty of running down all the thieves of carcasses of cattle, if taken across State lines.

Mr. SUMNERS of Texas. Mr. Speaker, will the gentleman yield for a suggestion?

Mr. WALTER. I yield.

Mr. SUMNERS of Texas. May I say to my colleague from Michigan [Mr. MICHENER] that Senator MCCARRAN initiated this legislation. It was passed in the Senate on two different occasions. It was amended in the House, and it met a veto. As one of the conferees, I felt that, since we have agreed with Senator MCCARRAN with reference to his bill, making it unlawful to transport stolen cattle in interstate commerce, that was as far as we should go, and that, if we wanted to include these other things, we ought to draw a bill of our own and not continue to load down the bill introduced by Senator MCCARRAN with regard to cattle. I think that was the attitude of the conferees.

Mr. MICHENER. It is the notion of the distinguished chairman of the Judiciary Committee that when this bill goes to the White House the President would veto it if it made a Federal offense out of stealing sheep or hogs or horses, but that he will not veto it if it makes a Federal offense out of stealing the carcasses of cattle?

Mr. SUMNERS of Texas. I would rather state it as I did state it.

Mr. MICHENER. I am sure the gentleman would.

Mr. SUMNERS of Texas. That is that Senator MCCARRAN, who is interested in this matter, initiated the legislation, growing out of situations that exist in his country. I felt that the Committee on the Judiciary should not continue to load this bill down when, as heretofore, it would result in a veto. If we want to make it unlawful to transport in interstate commerce these other things, then we ought to write a bill, and not continue to load this bill down.

Mr. MICHENER. But this bill would not have been reported from the committee if it had not included those other things which I have suggested were put in at the time the bill was under consideration.

Mr. SUMNERS of Texas. I do not think so.

Mr. GWYNNE. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. GWYNNE. We have here a very definite problem in regard to cattle. Apparently we do not have that problem, at least not so acutely, in regard to these other animals.

Mr. MICHENER. Come up to my country. The gentleman lives out in Iowa. If he wants to know whether or not the stealing of chickens, sheep, and hogs in States like Michigan, which is close to Ohio—Toledo, for instance—and places like that, is not an acute problem, I invite him to spend a vacation with me and talk with my farmers.

Mr. GWYNNE. I come from the greatest hog State in the Union. We

take care of our own hog stealing out there. But the whole situation is this, as I understand it, that we now have an opportunity to successfully put a law on the books that will take care of this problem. It might be that these other problems could be taken care of later without jeopardizing this thing which we feel we can do.

Mr. EATON. Does this legislation throw any light on the question of goats?

Mr. MICHENER. What kind of goats?

Mr. SUMNERS of Texas. No, I do not believe it does. We take care of them by the odor.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. COFFEE of Nebraska. The cattle associations throughout the whole United States have been pressing for this bill for a number of years. It is of tremendous importance to them. If it is sent to the White House confined to cattle, there is a chance of its being approved. If it is approved, these other things can come along in other bills, but this bill in particular has been sponsored by the Cattlemen's Association, and I hope it will pass.

Mr. MICHENER. Do I understand the chairman of the committee to say that if this bill does pass he will try to get it signed by the President; and if the President does sign it, he will come back and advocate a bill to make it unlawful to steal horses, sheep, and hogs?

Mr. SUMNERS of Texas. I say if the gentleman from Michigan wants a bill that will cover his sheep, cattle, goats, and things, I will try to get it through, but I do not think we ought to try to load down Senator McCARRAN's bill. That is the way we feel about it.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. SUMNERS of Texas. I yield.

Mr. TABER. Is the gentleman able to give us an estimate of the additional number of F. B. I. men that will be required to enforce this statute?

Mr. SUMNERS of Texas. No; I am unable to.

Mr. MICHENER. There was no report here that this bill was in keeping with the program of the President or that it had been submitted to the Budget; was there?

Mr. SUMNERS of Texas. I do not believe there was. I do not know.

Mr. MICHENER. I hope the President takes judicial notice of all this debate.

Mr. SUMNERS of Texas. So do I.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

ANNOUNCEMENT

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. If there is no objection on the part of the gentleman from Massachusetts [Mr. TINKHAM] and the gentleman from Missouri [Mr. COCHRAN] the gentleman from Connecticut [Mr. KOPPLEMANN] may proceed for one-half minute.

There was no objection.

Mr. KOPPLEMANN. This afternoon when the vote was taken on the Presidential veto of the defense highway bill I was unavoidably detained. I tried to get here in time to vote but could not. Had I been able to get here in time to have voted I would have voted "Nay."

The SPEAKER. Under the previous order of the House the gentleman from Massachusetts [Mr. TINKHAM] is recognized for 10 minutes.

PRESIDENT ROOSEVELT KEEPS HIS PROMISE TO THE BRITISH GOVERNMENT AND REPUDIATES HIS PROMISE TO THE AMERICAN PEOPLE

Mr. TINKHAM. Mr. Speaker, President Roosevelt has faced a most serious dilemma in the last few months. His move on Iceland shows that he has settled it in favor of war. He has had to decide whether he would keep a promise made to the British Government or a promise made to the American people. Evidently he has chosen to keep his promise to the British Government and to repudiate his promise to the American people.

His promise to the British Government, made before the present European war started, was that the American Fleet would be "pooled" with the British Fleet for joint action in the event of war in Europe. His promise to the American people, reiterated again and again before the last election, was that he would keep the United States out of war.

That he had a secret commitment with Great Britain for the "pooling" of the American Fleet with the British Fleet in case of war in Europe was revealed by Winston Churchill in Parliament as long ago as March 7, 1938, when he stated:

> Owing to the excellent relations which have grown up with the United States of America, and the fact that the United States Navy is not being allowed to fall behind British naval expansion in any way, we are, I think, entitled to measure our naval power against the naval power of European countries. We are, therefore, in a far stronger position on sea relatively to any navy in Europe, or to any likely combination of navies in Europe than we were with the much larger fleets we had in 1914.

Only one conclusion can be drawn from Mr. Churchill's statement: An understanding had already been reached that the British and American Fleets would be "pooled" in the event of war. This meant war for the United States and the President knew it. He had no moral or legal right to make this commitment. The Constitution gives the Congress alone the right to declare war. The President did not hesitate to treat the Constitution as a mere scrap of paper.

Having secretly committed the country to war, the President then proceeded to promise in many speeches made before the last election that American blood would not be shed in the wars of Europe and Asia.

In an address delivered in Philadelphia on October 23, 1940, the President said:

> We are arming ourselves not for any purposes of conquest or intervention in foreign disputes. I repeat again that I stand on the platform of our party: "We will not participate in foreign wars and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack."

In an address delivered in Boston on October 30, 1940, the President said:

> I have said this before, but I shall say it again and again: "Your boys are not going to be sent into any foreign wars."

On Wednesday last, July 9, Winston Churchill announced the joint occupancy of Iceland by British and American troops and the joint operation of the British and American Navies around Iceland, whose waters are infested with hostile submarines. These facts clearly demonstrate that President Roosevelt is pursuing a policy, secretly agreed upon long in advance, of armed intervention of the United States in the present war in Europe and has shamelessly repudiated his promise to the American people.

The SPEAKER pro tempore (Mr. NORRELL). Under the previous order of the House, the gentleman from Missouri [Mr. COCHRAN] is recognized for 10 minutes.

ACTION ON RENTS BY HOME OWNERS' LOAN CORPORATION

Mr. COCHRAN. Mr. Speaker, I was very much exercised the other day when I heard the gentleman from Ohio, [Mr. YOUNG], make the statement that the Home Owners' Loan Corporation had arbitrarily increased the rent of all their properties in Ohio 15 percent. It was a blanket indictment.

I got in touch with Mr. Fahey of the Home Owners' Loan Corporation regarding the matter and he denied that that was the case. I asked him to send me a letter in reference to it, and he sent me a copy of a letter he had written to the gentleman from Ohio, [Mr. YOUNG], which I propose to read as I have been granted that permission.

It is evident that the gentleman from Ohio, [Mr. YOUNG], must have been misinformed.

Mr. YOUNG. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Certainly I yield to the gentleman from Ohio, as I am referring to his remarks.

Mr. YOUNG. I assume the letter the gentleman refers to is the same letter I received about 5 minutes ago and which I have not, of course, had time to answer as yet. The facts are, however, and I reiterate and reaffirm the statements I made on the floor of the House, that there was an order from the Federal Home Loan Bank Board to increase the rents in Ohio. That order came through at about the same time our President was seeking to have us set a ceiling on rents. I refer to the Cleveland Press of August 5, 1941, and in that newspaper the statement is made that one H. O. L. C. renting agent in Cleveland said a 15-percent increase had been ordered in property he handled. I say again that Home Owners' Loan Corporation officials and employees in Ohio objected to the order issuing from Washington. This is the same John H. Fahey who is decentralizing the H. O. L. C., taking it from Washington to New York, to get away from congestion.

Mr. COCHRAN. Mr. Speaker, let me say I played perfectly fair with the gentleman from Ohio. I sent word to him I would refer to his speech so that he would be here and I am pleased he is here. I was exercised over the speech because the President had asked the Congress of the

United States to put a ceiling on rents. I agree with the President the rise in cost of living must stop. I did not want the rents raised in my city, St. Louis. Mr. Fahey states specifically in the letter to the gentleman from Ohio that he contacted the regional manager for Ohio, whose headquarters are at Cincinnati, and he said no such order had gone out. He states in the letter the increase of rentals since January 1 in Ohio has averaged 5 cents on each piece of property in that State. That does not look like a 15-percent raise.

I am very glad that the gentleman has made the statement and he has quoted from the Cleveland Press, an outstanding newspaper. It is up to Mr. Fahey now to show that the Cleveland Press is wrong, and if he cannot show that the Cleveland Press is wrong, it is up to Mr. Fahey to correct the letter that he sent to the gentleman from Ohio and which he sent to me at my request when I made inquiry as to whether or not they proposed to increase the rents of the poor people in the country who are occupying the Home Owners' Loan Corporation property.

Mr. YOUNG. Will the gentleman yield briefly?

Mr. COCHRAN. I yield again to the gentleman from Ohio.

Mr. YOUNG. I thank the distinguished gentleman from Missouri for his courtesy and fairness. The 5-cent increase that is referred to in his letter is, no doubt, accurate, but that was the increase before this order came through. My information, I assure the gentleman, came direct from Home Owners' Loan Corporation officials and employees in Ohio, and from newspaper reporters, and is accurate. I hope very much that rents will not be increased on H. O. L. C. properties in Ohio.

Mr. COCHRAN. I am not speaking about what some official in Ohio might have done or said. I am referring to Mr. Fahey's denial.

May I say that I hope this colloquy will have the result that no increase in rents will take place at this time in Home Owners' Loan Corporation property either in the State of Ohio or any other State in the United States. The cost of living is high enough now without making it higher.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. In view of the fact that the Government is by far the biggest owner of real estate now in the Nation, what would be wrong with the Government boosting its rents a little, now that it has boosted everything else?

Mr. COCHRAN. We are not boosting everything else but taxes, and we are justified in doing that in an effort to save this country from inflation.

Now, as far as moving the Home Owners' Loan Corporation and affiliated offices to New York is concerned, Mr. Fahey did not do that. The truth about the matter is the President has had the Bureau of the Budget and Mr. Carmody, of the Public Works Agency, making a survey of Government agencies in this city to see what can be moved to other parts of the country. In that I am in full accord. I am with him in decentralizing agencies where it can be done without impairing the efficiency of the agency. I think we all should feel that way. I think Ohio should want some of those agencies.

Mr. YOUNG. Does not the gentleman believe, however, that the Federal agencies in Washington could be decentralized in a far better manner by taking them to some other towns and cities in the country than to No. 2 Park Avenue, New York City?

Mr. COCHRAN. I do not think so, for this reason: If the gentleman will make an investigation, he will find that about seven-tenths of the business of one of the boards, the board that supervises and has control over savings and loan associations, is right in New York and the New England States. That is a matter of record. Why not move the organization close to the place where it has the most business? That seems to be sound and wise.

As far as the property is concerned, remember, we are liquidating this property just as fast as we possibly can; and when we get rid of it, the Home Owners' Loan Corporation goes out of business.

Why not move the agencies to where the bulk of business is. I want to decentralize some of these agencies. Why should they all be here in Washington? You can save considerable money, including traveling expenses and everything else, by placing them in the central part of the country.

Ohio is rather centrally located. You have some large cities in Ohio, and there is no reason why that State should not be considered. I want my State of Missouri, and especially the city of St. Louis, to be considered, because they are right in the heart of the United States.

Mr. YOUNG. I heartily concur in what the gentleman has to say as to the advisability of decentralizing and moving a great many Federal agencies from Washington to the Middle West and to other sections of the country.

Mr. COCHRAN. In connection with this article in the Cleveland Press, I do not think that the gentleman can couple criticism of Mr. Fahey for decentralizing and moving the Home Owners' Loan Corporation and affiliated organizations to New York with this other matter, because the fact of the matter is—and I know it to be so—that Mr. Fahey was not very enthusiastic about the move to New York, but he was a good soldier and obeyed orders.

The letter I refer to is as follows:

AUGUST 5, 1941.

Hon. STEPHEN M. YOUNG,
House of Representatives,
Washington, D. C.

DEAR MR. YOUNG: I have noted your remarks addressed to the House yesterday on the rental of properties owned by the Home Owners' Loan Corporation in Ohio. This Corporation has no intention whatever of increasing rentals arbitrarily to an unwarranted level, and we would appreciate it very much if you would furnish us, at your convenience, with the facts concerning any cases brought to your attention which you think justify the complaint. These cases will be looked into carefully and a full report will be furnished to you promptly in each instance. Until such information is at hand it is, of course, impossible for us to say what the truth may be with respect to the cases which you had in mind.

No instructions have been issued from this office affecting any part of the country, including Ohio, to raise rents arbitrarily. We have checked with the regional manager in Cincinnati, who states that no orders to raise rents in the State of Ohio 15 percent, or any blanket percentage, have been issued at any time to his knowledge or on his authority. Each case where a readjustment is called for anywhere in the country is considered on its merits. A review of rental rates in Ohio shows that as of January 1, 1941, the average was $26.53 per month; as of June 30, 1941, we had 1,255 units available for rental in your State, and the average rental was $26.58, or 5 cents a month more than at the first of the year. In the United States as a whole the average rental in January 1941 was $34.54 and as of June 30, 1941, $35.22. These increases plainly do not indicate any great change in rentals received on properties owned by this Corporation.

I know you will appreciate that the properties owned by the Home Owners' Loan Corporation were acquired during a period when real-estate values were greatly depressed. As a result, it has been necessary for the Corporation to rent most of its holdings at rates far below normal figures. In most instances the rental received has not been sufficient to meet the cost of carrying the property.

While the Corporation has no intention of holding its tenants up for unwarranted rents, I am sure you will agree it is precluded by its public responsibility from renting these properties at prices less than reasonable rates and below fair figures for comparable properties in a community. When a reasonable return is available, the Corporation cannot deliberately subject itself to unnecessary loss by continuing to rent these properties at depressed values. It should be remembered in connection with this matter of rentals that in many instances it is necessary for the Corporation to do an appreciable amount of reconditioning on the properties it is obliged to take over and in most instances make expenditures which previously were made by the tenant. In such cases rental adjustments are absolutely necessary.

As I have suggested, if you will inform me of any cases which have been brought to your attention, we will investigate them thoroughly and at once and furnish you with the facts in each case. Moreover you may be sure that if an error has been made by our people in the field, it will be corrected without delay.

Sincerely yours,

JOHN H. FAHEY,
Chairman.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SHANLEY asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. LAMBERTSON asked and was given permission to extend his own remarks in the RECORD.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. CANFIELD]?

There was no objection.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the University of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BUTLER]?

There was no objection.

ADJOURNMENT

Mr. HOOK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 3 o'clock and 14 minutes p. m.), under its previous order, the House adjourned until tomorrow, Friday, August 8, 1941, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

825. A letter from the Secretary of Commerce, transmitting the draft of a proposed bill to provide for reciprocal privileges with respect to the filing of applications for patents for defense inventions; to the Committee on Patents.

826. A letter from the Secretary of the Interior, transmitting the draft of a proposed joint resolution transferring the administration of homestead projects established in the Virgin Islands from the Government of the Virgin Islands to the Department of Agriculture; to the Committee on Insular Affairs.

827. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 27, 1941, submitting a report, together with accompanying papers, on reexamination of North River, Mass., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 22, 1938; to the Committee on Rivers and Harbors.

828. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on reexamination of Chincoteague Bay, Va., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted June 23, 1939; to the Committee on Rivers and Harbors.

829. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on a preliminary examination of Anasco River, P. R., authorized by the Flood Control Act approved August 11, 1939; to the Committee on Flood Control.

830. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on a preliminary examination of Neskowin Creek, Oreg., authorized by the Flood Control Act approved August 11, 1939; to the Committee on Flood Control.

831. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on a preliminary examination of Neshaminy Creek, Bucks County, Pa., authorized by the Flood Control Act approved August 11, 1939; to the Committee on Flood Control.

832. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 3, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of inland waterway, Beaufort, N. C., to the Cape Fear River, including waterway to Jacksonville, N. C., with a view to providing a channel from the inland waterway to Banks Channel at Wrightsville Beach, and thence via Masonboro Inlet to the ocean, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 29, 1940 (H. Doc. No. 346); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

833. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 6, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of Brazos Island Harbor, Tex., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted October 24, 1939 (H. Doc. No. 347); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

834. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 9, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Santa Barbara Harbor, Calif., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 29, 1940 (H. Doc. No. 348); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

835. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 3, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of Mystic River, Conn., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted October 24, 1939 (H. Doc. No. 349); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

836. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 4, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Depoe Bay, Oreg., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted January 19, 1940, and the Committee on Commerce, United States Senate, adopted January 26, 1940 (H. Doc. No. 350); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FULMER: Committee of conference on the disagreeing votes of the two Houses. H. R. 5300. A bill to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended (Rept. No. 1133). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 281. Resolution authorizing the Committee on the Merchant Marine and Fisheries to investigate the progress of the national-defense program insofar as it relates to said committee; without amendment (Rept. No. 1134). Referred to the House Calendar.

Mr. MOTT: Committee on Naval Affairs. H. R. 5464. A bill to authorize transfer of enlisted men of the Naval and Marine Corps Reserve to the Regular Navy and Marine Corps; without amendment (Rept. No. 1135). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUTPHIN: Committee on Naval Affairs. H. R. 5463. A bill providing for the security of the United States naval vessels, and for other purposes; with amendment (Rept. No. 1136). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COCHRAN:

H. R. 5507. A bill to revise and amend existing laws with respect to printing and binding, duplicating and processing, and the distribution of reports, publications, and informational material for the executive branch of the Federal Government; to the Committee on Printing.

H. R. 5508. A bill to discontinue certain reports now required by law to be made to Congress to the Committee on Expenditures in the Executive Departments.

By Mr. BLAND:

H. R. 5509. A bill to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use; to the Committee on the Merchant Marine and Fisheries.

By Mr. TOLAN:

H. R. 5510. A bill to regulate private employment agencies engaged in interstate commerce; to the Committee on Labor.

By Mr. DICKSTEIN:

H. R. 5511. A bill to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; to the Committee on Immigration and Naturalization.

By Mr. LELAND M FORD:

H. R. 5512. A bill making retroactive the exemption from the provisions of the Social Security Act and related acts of service performed by certain students; to the Committee on Ways and Means.

By Mr. GIFFORD:

H. R. 5513. A bill to authorize the donation of certain land to the town of Bourne, Mass.; to the Committee on Military Affairs.

By Mr. McGEHEE.

H. R. 5514. A bill to amend the District of Columbia Unemployment Compensation Act to provide for unemployment compensation in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. PETERSON of Florida:

H. R. 5515. A bill providing for a preliminary examination and survey of a new channel route leading from Tampa Bay Channel to the vicinity of Maximo Point near St. Petersburg, Fla.; to the Committee on Rivers and Harbors.

By Mr. SCHULTE:

H. R. 5516. A bill to permit the importation into the District of Columbia of cream produced and handled in accordance with the provisions of the United States Public Health Service milk ordinance; to the Committee on the District of Columbia.

By Mr. SMITH of Virginia:

H. R. 5517. A bill to enable the United States Commission for the Celebration of the Two-hundredth Anniversary of the Birth of Thomas Jefferson to carry out and give effect to certain approved plans; to the Committee on the Library.

By Mr. VINSON of Georgia:

H. R. 5518. A bill to amend section 5 (a) of the act entitled "An act to expedite national defense, and for other purposes," approved June 28, 1940, relating to overtime pay of employees of the Navy Department and Coast Guard; to the Committee on Naval Affairs.

By Mr. WEISS:

H. R. 5519. A bill to amend the Veterans' Act of June 24, 1936, to provide for full (100 percent) compensation where disability is 50 percent or more; to the Committee on World War Veterans' Legislation.

By Mr. BARRY:

H. Res. 292. Resolution authorizing an investigation of propaganda disseminated by the motion-picture and radio industries tending to influence participation of the United States in the present European war; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEITER:

H. R. 5520. A bill for the relief of Ethel Hartman; to the Committee on Claims.

By Mr. CREAL:

H. R. 5521. A bill for the relief of Edward H. Smith; to the Committee on Claims.

By Mr. DOWNS:

H. R. 5522. A bill granting a pension to Lydia M. Richards; to the Committee on Pensions.

By Mr. HEALEY:

H. R. 5523. A bill for the relief of James Smith; to the Committee on Claims.

By Mr. HOFFMAN:

H. R. 5524. A bill granting a pension to Leota M. Avery; to the Committee on Pensions.

By Mr. JENNINGS:

H. R. 5525. A bill for the relief of E. Elmer Mynatt; to the Committee on Claims.

H. R. 5526. A bill for the relief of James E. Savage; to the Committee on Claims.

H. R. 5527. A bill for the relief of Gerney M. Claiborne; to the Committee on Claims.

By Mr. KEAN:

H. R. 5528. A bill for the relief of Norman W. Leard; to the Committee on Claims.

By Mr. KILDAY:

H. R. 5529. A bill granting a pension to Creed M. Click; to the Committee on Invalid Pensions.

By Mr. MASON:

H. R. 5530. A bill granting a pension to Dessa Howell; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1745. By Mr. HOPE: Petition of Leo Davenport and 119 others, requesting certain changes in farm legislation; to the Committee on Agriculture.

1746 By the SPEAKER: Petition of the Indiana Committee for National Defense, Indianapolis, Ind., petitioning consideration of their resolution with reference to the policies of the Indiana Committee for National Defense; to the Committee on Foreign Affairs.

1747. Also, petition of the city of Cleveland, Ohio, petitioning consideration of their resolution with reference to the problem of decentralization of the large industrial cities; to the Committee on Public Buildings and Grounds.

1748. Also, petition of the National Retail Credit Association of St. Louis, petitioning consideration of their resolution with reference to the national-defense program; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 8, 1941

The House met at 11 o'clock a. m.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou Divine Spirit, who art ever calling us to give ourselves unreservedly to Thy leading, inspire us to be more responsive to Thy voice, for the ways which Thou hast marked out are the ways of righteousness and peace.

Hitherto Thou hast helped us and we have dwelt under the canopy of Thy providence. We pray that the memory of Thy loving kindness may hallow all our days and encourage us to live them in faith and in faithfulness.

Grant that in some clear and unmistakable way the minds and hearts of these Thy servants may be the sanctuaries of Thy truth and enable them by Thy grace to find a happy solution to all the difficult problems confronting our day and generation.

Hear us in the name of Him who is the Light of the World. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed a joint resolution and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. J. Res. 95. Joint resolution to extend the periods of service of persons in the military service, and for other purposes; and

S. Con. Res. 15. Concurrent resolution authorizing a change in the enrollment of the bill (S. 752) to provide for the establishment of the Coronado International Memorial, in the State of Arizona.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 173. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940;

S. 353. An act to provide for the extension of enlistments in the Navy; and

S. 1642. An act to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes.

PRINTING OF PROCEEDINGS OF UNVEILING AND ACCEPTANCE OF STATUE OF HUEY P. LONG

Mr. JARMAN. Mr. Speaker, from the Committee on Printing I report back favorably, without amendment (Rept. No. 1137), a privileged resolution (S. Con. Res. 11) authorizing the printing, with illustrations and binding, of the proceedings held in Statuary Hall of the Capitol upon the occasion of the unveiling and acceptance of the statue of Huey P. Long presented by the State of Louisiana, and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed, with illustrations, and bound in such form and style as may be directed by the Joint Committee on Printing 5,900 copies of the proceedings held in connection with the unveiling of the statue of former Senator Huey P. Long in Statuary Hall, Capitol Building, Washington, D. C., on April 25, 1941, together with such other matter as may be relevant thereto, of which 1,250 copies shall be for the use of the Senate, 3,750 copies for the use of the House of Representatives, and 900 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Louisiana.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. JARMAN asked and was given permission to extend his own remarks in the RECORD.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address I delivered last evening as part of a Missouri State program over station WINX, Washington.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Star of August 5.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. BISHOP. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio speech I delivered last night over station WOL.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Lord Halifax before the Federal Bar Association in June of this year.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

STRIKES IN DEFENSE INDUSTRIES

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, we have the sorry spectacle in New Jersey at the present moment of more than 16,000 workers vitally needed in defense production being on strike. The walk-out, which began some 36 hours ago, stops vital production on 13 vessels on order by the Government, involving nearly a half billion in preparedness contracts. I am not attempting to point the finger of accusation at any group or any leader.

I say what I have repeatedly urged on this floor since November of last year, that this Congress, this administration, and all those in authority should have the courage to see that the defense industries of our land keep running. Troubles can and must be settled by mediation while work continues, and not by calling men off the job. Would that we could

realize that some day we shall pay dearly for our dereliction of duty.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial on Why Canadians Do Not Favor the St. Lawrence Seaway.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMERICAN MERCHANT MARINE

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. BRADLEY of Michigan addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial on the subject from the Los Angeles Commercial News of July 18.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects; in one to include a resolution from the California Elks Association of Santa Cruz asking that communism be outlawed, and in the other to include an address by Andrew Furuseth at the University of California on Labor Day 1927.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GILCHRIST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial appearing in the Des Moines Register of August 6 written by Mr. Waymack, its editorial writer.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

WORK IS WORSHIP

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, may I read just a short excerpt from Andrew Furuseth's address, Work Is Worship? This will show the great difference between this great labor leader's concepts and mentality and that of the destructive Harry Bridges and others of the Bridges type:

Work is worship—to labor is to pray, because that is to exercise the highest, the divine faculties implanted in us as the sons of God. It matters not if the labor be the writing of a thesis or the digging of a ditch, it is the use of the same divine faculty to labor—to create—and upon its proper and free use depends the life of individuals, nations, and races. Those that have been untrue have shared the fate of the tree without fruit. They have passed away because they encumbered the earth. Those that have been true have lived, and according to history and to religious belief they are to live. Let us try to profit by this lesson and so live that labor shall be free, that it shall come into its own.

STRIKES IN DEFENSE INDUSTRIES

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I could not help but pay a lot of attention to the remarks made by the gentleman from West Virginia [Mr. RANDOLPH] a few moments ago when he said it was the duty and the responsibility of the Congress to see that defense materials are produced. To that end strikes against defense industries must stop. I have been insisting on that all along, and when you are now going to consider in the House of Representatives a bill whereby you propose to pay the inducted men $21 a month and keep them in the service for 2 or 3 years and at the same time you permit labor to go out and make demands for wages with the sky the limit, or else the labor unions are going to compel a close down of industry so you cannot get the necessary defense materials produced, I say there is something wrong in the Congress of the United States, because you do not enact the right kind of legislation. It seems to me that the majority party in Congress is afraid to enact proper legislation, or else they have wishbones where their backbones ought to be.

[Here the gavel fell.]

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, I received a telegram yesterday which I believe has a lot of merit. I want to read this telegram to the House. It is from a man I have known for a number of years and one whom I consider to be very intelligent:

What must our boys think of a Government that drafts them from their jobs to serve 1 year and then, with neither camps to house them or munitions to arm them, insists on breaking its agreement and kidnaps them for an indefinite period, particularly when that Government permits the highest-paid labor in the world to work but 40 hours a week and strike on vital defense projects? If any real emergency necessitating continuance of military service exists, let's hear Congress propose that if the boys stay indefinitely labor shall work 60 hours per week at basic pay, no overtime. Someone must do something for the boys that have no John L. Lewis to front for them and no well-paid thugs to threaten the Government. How about it, BEN? This is a swell time to investigate the actual existence of an emergency. Is this a government of the people, for the people, by the people, or are our boys drafted just to provide a labor shortage? Frankly, I am bewildered and I am just asking you as a friend, Is Congress going to run this fairly and squarely, or have our representatives anything to say about it?

EXTENSION OF REMARKS

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the San Francisco News of July 22.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

AIR BASE IN ALASKA

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, just a year ago this week, together with three members of my committee, I visited the Army air-base construction work in Alaska. I received a report yesterday as to the progress the Army engineers have made and I ask unanimous consent to extend that report with comments in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania to extend his remarks in the pendix of the RECORD.

There was no objection.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an editorial entitled "Observations From the East."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert a statement by the Finnish Legation.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

(Mr. PATRICK asked and was given permission to revise and extend his own remarks in the Appendix.)

STRIKES IN DEFENSE INDUSTRIES

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, let me carry one step further the thought expressed by the gentleman from West Virginia [Mr. RANDOLPH] who called attention to the interference by strikes with our national-defense production program.

Today the House is considering legislation to continue in service the drafted men. We are about to violate the promise made them when the law passed. Or

at least to do violence to the understanding which existed in the minds of the drafted men, the Members of Congress, and the people generally when this legislation was enacted for the purpose, we were told, of keeping us out of war.

Shall we break faith with the men who have been drafted, with their families, their dependents, and keep them in the service? Shall we of the minority sit idle while the majority party and its leadership permit these strikes, which make less effective the service of the drafted men, to continue?

The administration and the majority party intend to keep these men in the Army and there do all kinds of work. Keep them there to fight and, if necessary, to die on foreign soil. That same administration and that same majority party and its leadership permits unions, working on national-defense contracts, to either lessen or completely deprive those drafted men of the equipment which is absolutely essential if their services are to be of value to the country. It permits those union men to strike to quit the defense work whenever they wish.

At the shipyards today the administration and the majority party are permitting a union to prevent the launching, for only the Lord knows how long, of a Government battleship, needed to aid Britain, needed in our national defense. How unfair to the drafted men. Draft men, keep them in the service at $21 a month and at the same time other men do not only refuse to work, themselves, but prevent others working for national defense.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. No.

Now does that sort of a program, that sort of inaction, make any sense at all?

[Here the gavel fell.]

CALL OF THE HOUSE

Mr. JENSEN. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. Evidently there is no quorum present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 104]

Baldwin	Flaherty	Mitchell
Bates, Ky.	Flannery	Myers, Pa.
Beam	Forand	Norton
Boren	Gerlach	O'Brien, N. Y.
Bryson	Geyer, Calif.	O'Connor
Buckler, Minn.	Green	O'Day
Buckley, N. Y.	Hancock	O'Hara
Byrne	Hart	O'Leary
Byron	Healey	O'Neal
Camp	Hébert	O'Toole
Capozzoli	Heffernan	Patton
Case, S. Dak.	Hendricks	Pfeifer,
Celler	Holbrock	Joseph L.
Claypool	Izac	Rankin, Mont.
Coffee, Wash.	Jackson	Robinson, Utah
Cole, N. Y.	Jarrett	Romjue
Collins	Jenks, N. H.	Rutherford
Culkin	Kennedy,	Sasscer
Cullen	Martin J.	Satterfield
D'Alesandro	Kennedy,	Scanlon
Delaney	Michael J.	Scott
Dickstein	Keogh	Sheppard
Dingell	Klein	Sheridan
Disney	Lynch	Simpson
Doughton	McArdle	Smith, Pa.
Doxey	Maas	Somers, N. Y.
Edmiston	Marcantonio	Stevenson
Englebright	Merritt	Sutphin
Sweeney	Treadway	Whittington
Taber	Vreeland	Williams
Thomas, N. J.	Ward	Wright
Traynor	Welchel	

The SPEAKER. On this roll call 341 Members have answered to their names. A quorum is present.

On motion by Mr. COOPER, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Walter Lippmann which appeared in the Washington Post of August 7, 1941, entitled "A Strange Oversight."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SECREST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Dr. Gallup on the subject of old-age assistance.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial in the August bulletin of the Burton County Chamber of Commerce.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, Mr. HOOK was granted permission to extend his own remarks in the RECORD.)

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article, The Experts in Democracy, by Prof. William F. Roemer, of the University of Notre Dame.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Montreal Gazette.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks and include the Gallup poll that is out today on old-age pensions.

The SPEAKER. Is there objection?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks by including a radio address given by myself.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING THE SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. SABATH. Mr. Speaker, I call up House Resolution 290 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the joint resolution (H. J. Res. 222) declaring a national emergency, extending terms of enlistments, appointments, and commissions in the Army of the United States, suspending certain restrictions upon the employment of retired personnel of the Army, making further provision for restoration of civil positions to members of the Army on relief from military service, and for other purposes, and all points of order against said joint resolution are hereby waived. That after general debate, which shall be confined to the joint resolution and continue not to exceed 6 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Military Affairs, the joint resolution shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Military Affairs nor in the joint resolution, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the joint resolution or committee substitute. The previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I am going to yield later on to the gentleman from New York [Mr. FISH] 30 minutes.

The SPEAKER. It appears to the Chair that there is a typographical error at the end of line 7, on page 2; the word "nor" should be "now." Without objection, the correction will be made.

There was no objection.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield for a question?

Mr. SABATH. I yield.

Mr. COCHRAN. I notice in this resolution where we are to consider a House bill. We waited until the Senate passed the companion bill. It seems to me there should be embodied in this resolution, in the interest of orderly procedure, a provision that would enable the House to substitute the Senate resolution after the language has been agreed to by the House, by striking out all after the enacting clause in the Senate bill and substituting the language of the House. That can only be done now by unanimous consent, and if anybody objects, you are going to send the House bill to the Senate, which will require consideration by the Senate. It is not the proper way to proceed, and it is not treating the Senate with courtesy when that body passed the bill first.

Mr. SABATH. Mr. Speaker, I desire to be informed when I have used 7 minutes.

Mr. Speaker, this rule makes in order House Joint Resolution 222, to amend the Selective Training and Service Act of 1940 and declares that the national interest is imperiled. It is an open rule providing for 6 hours of general debate and the resolution is open for amendment under the 5-minute rule.

The resolution authorizes the President to extend the time of service of those inducted for training, the time of service of the National Guard, the enlisted and Reserve forces, as well as the Regular Army, for such time as may be needed. Since this resolution was reported and a rule granted for its consideration the Senate has passed Senate Joint Resolution 95 which limits the time of service to 30 months.

Section 2 of the House joint resolution carries a provision that the authority conferred upon the President may be revoked upon the passage of a concurrent resolution by Congress. Section 3 provides that the Secretary of War may release from active service those men who might suffer undue hardship if retained and, also, authorizes the release of men from active training who on July 1, 1941, attained their twenty-eighth anniversary or who have become 28 years of age. Any person so released who has served satisfactorily shall be entitled to a certificate to that effect. Other provisions of the bill provide authority to the President to order the retired personnel of the Regular Army to active service; to extend certain reemployment benefits to persons entering the service subsequent to May 1, 1940, and prior to the termination of the authority conferred by section 2 of this joint resolution; a limitation is set on the number of men who may be in active training and service at any one time and provides that the Secretary of War report to the Congress the number actually in training and service; and extends the period of service 6 months after the termination of the authority of induction. I shall leave the further detailed explanation of the provisions of the bill to the chairman of the Committee on Military Affairs.

Mr. Speaker, I agree with the gentleman from Missouri [Mr. COCHRAN] in what he suggests could be done. I have asked for the opinion of the chairman of the Committee on Military Affairs, and he feels it will be the wisest thing to do so as to enable the committees going into conference without delay.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. The gentleman is in charge of this legislation, not I.

Mr. COCHRAN. But will the gentleman yield?

Mr. SABATH. I yield.

Mr. COCHRAN. How are you going to conference on the House joint resolution, which has only passed the House, until it passes the Senate? You cannot do it by any stretch of the imagination. Therefore, the Senate would have to pass the House joint resolution, considering the question a second time. But if you substitute the Senate joint resolution, striking out all after the enacting clause and putting in the language agreed upon by the House, then you could go to conference.

Mr. SABATH. The rule provides it shall be in order to consider, without the intervention of any point of order, the substitute amendment recommended by the Committee on Military Affairs, or the joint resolution, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. However, the point made by the gentleman from Missouri is well taken, and at the proper time I shall offer an amendment to the rule making that action possible. Under this rule they have the right to offer the Senate bill as a substitute if they so desire.

Mr. COCHRAN. If the gentleman does that, he is liable to find himself in a bad position at the end. Let us recall what happened at the time the reorganization bill was under consideration. It passed the House and went to the Senate. After the Senate bill was considered, the Senator from South Carolina [Mr. BYRNES] asked to substitute the House bill and insert the Senate language. Unanimous consent was refused, and the Senate bill came to the House, and, after days of considering the subject, mind you, a second time, the bill was passed. Is that orderly procedure?

Mr. SABATH. I appreciate what the gentleman states. We reported this rule before the Senate acted, but I have confidence that the Committee on Military Affairs will not delay and postpone consideration of this important legislation. I deprecate the statements made by some gentlemen from time to time in an effort to defeat this legislation when they charge that the Government is breaking the pledge and promise it has made to the selectees. It was believed originally that 1 year's training would suffice, but unfortunately, due to conditions as explained by General Marshall and others, it is absolutely necessary that the time be extended not only of the selectees but of all those who are now in the service. I repeat, Mr. Speaker, it is unfortunate that the statements to which I have alluded should have been made on the part of those opposed to this legislation.

Mr. Speaker, it is regrettable that so many of our honest and well-meaning people should be misled by the falsehoods and untruths emanating from Nazi-Fascist propagandists. I have my sympathy for them, but not for the men in high positions who should know better than to recklessly use these untruths to mislead honest and loyal citizens and should realize the harm they are causing. However, we have those who wrap themselves with the flag to hide their affiliations with the Nazi-Fascist subversive organizations within our midst. It is only in a free country like ours that they are permitted and tolerated to carry on their treasonable and un-American pursuits. Surely they would not be allowed to do so in the Hitler-controlled countries, because they would be thrown into concentration camps and even dealt with more severely. I rejoice in the liberality of our freedom of government, the freedom of speech and the press, but in these dangerous and grave days when we are spending billions of dollars, when we encourage thousands of our young men to enlist, and force hundreds of thousands into training to be prepared against the threatening danger, I feel it is unjustifiable and reprehensible that these secret Nazi-Fascist agents and misled people continue to attempt to weaken our unity by their activities.

For 2 years I have urged and requested the Dies committee to penetrate the Nazi-Fascist subversive activities in our country instead of devoting publicity to investigations of labor organizations and labor leaders. Up to a few weeks ago some of the newspapers continued to harp about communistic activities, and it is, indeed, gratifying that during the last few weeks they have desisted, but they are not giving the right publicity to the activities of Hitler's agents. I cannot grasp the reason why our press has given so little publicity to Nazi and Fascist activities, but has devoted much space to minor and absurd charges based upon the purported activities of the Communists and near-Communists emanating from the publicity bureau of the Dies committee.

Personally I am just as much opposed to the communistic activities in our land as I am against the Fascist and Nazi activities. Having read Hitler's Mein Kampf, and many of his interviews, and also the pledges and assurances he has made from time to time with the deliberate intent to cover up his real aims, it is very evident, from the past, that he is determined to destroy all of the democracies and democratic governments so that he may become the overlord of Europe and the master of the world.

So I wish that the Members of the House, and the people of our country, would read the statements of Hermann Rauschning, formerly the president of the Danzig Senate; of Thyssen, the great German industrialist; and of Douglas P. Miller, the former commercial attaché of the United States in Berlin; and many others who know the aims and workings of Hitler; for I feel that they would then realize and recognize the fact that there is a very real danger of Hitler's double action—by subversive propaganda from within and military action from without. President Roosevelt has realized this danger for the past 4 years and called attention to the fact that we must protect our country against the Nazi-Fascist-Japanese conspiracy.

No one is so blind that he will not see and no one is so deaf he cannot hear the Fascist and Nazi propaganda in the United States, and yet there are so many well-meaning people who do not realize the real danger confronting our freedom and liberty.

Mr. Speaker, I repeat the statement I have made several times on the floor that the President is just as loyal, patriotic, and sincere as the Nazi-misled gentlemen, and has much more information than they can possibly have. The President, upon the advice of the Chief of Staff of the United States Army, recommends this legislation and I, for one, though opposed to war, ask for the adoption of the rule and thus show to these misguided Hitlerites, and to Hitler himself, that we have a united country and are ready and willing to defend it.

In view of the great and expensive Nation-wide propaganda that is now being carried on in the hope of bringing about disunity and the weakening of our defense, I shall demand an investigation of all these subversive organizations, of those who are cooperating with them,

and of any individuals, for the purpose of ascertaining where the money is coming from for the furtherance of this propaganda.

Mr. Speaker, had it not been for those who are trying to weaken our position in the eyes of Hitler, this legislation and the expending of billions of dollars would not be necessary. Hitler believes the same as Kaiser Wilhelm believed, that our country is divided, that we cannot oppose anything he may desire. We are placed, therefore, in a position whereby we must prove beyond any doubt that we can prepare and that we are ready as I have stated to defend our country and our possessions, and to give real aid to Great Britain, China, and Russia. I hope sincerely that in the future these gentlemen who have created dissension or who are trying to create it will desist in the interest of our country and save us the necessity of sending the boys across. I am against sending the boys across. That is the reason I favor this legislation. If we adopt this legislation it will not be necessary to send the boys across.

[Here the gavel fell.]

The SPEAKER. The gentleman from Illinois has consumed 7 minutes.

Mr. SABATH. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I yield myself 16 minutes.

The SPEAKER. The gentleman from New York is recognized for 16 minutes.

Mr. FISH. Mr. Speaker, this is a fair rule; it is a wide-open rule for the consideration of a highly important bill. There is no reason whatever for any opposition to the rule. Everyone will be given ample opportunity, I assume, on both sides, to offer amendments. We have been assured that today will be given over to general debate. There probably will be an hour or so of general debate left over for Monday, and then we shall reach the 5-minute rule. I trust the House leadership—and I have every reason to think they will—will be most liberal under the 5-minute rule. There are literally scores of amendments that will be offered to this bill, and they should be considered. I believe the Members of the House have the ability and efficiency to write an adequate bill, and I think they want to do it, as far as possible, free from any partisanship. I believe numerous constructive, worth-while amendments will be offered on both sides, and I hope that in the end we shall have a bill that everybody can support. The pending bill naturally will be opposed by a very large part of the membership. Whether it will be a majority or not I do not know.

The Congress faces an exceedingly serious issue the right determination of which may affect the entire destiny and security of America. If there is any nation worth living in and defending it is the United States. I have no quarrel with General Marshall who is a good soldier and like a good soldier he must obey orders and be loyal to his superior officer the Secretary of War.

I do emphatically deplore and repudiate all the alarms and inspired propaganda that the Nazis are about to overrun and seize the various nations in South America. That is an insult to those nations and to ourselves. The President already has authority to send our Regular Army and National Guard to South America and they are more than ample to cope with any military contingency that might arise there. We have been and still are securing control of the Nazi air lines and airports in South America by peaceful means in order to establish an all-American hemispheric defense and prevent the establishment of Nazi air bases within striking distance of the Panama Canal. I have repeatedly urged such action in Congress and introduced legislation to that effect 6 months ago.

The American people are united in maintaining and upholding the Monroe Doctrine and safeguarding this hemisphere from foreign invasion. They insist that the Congress provide an Army of sufficient strength to guarantee the security of America and this continent.

Every Member of Congress, irrespective of party, is in favor of making our national defense so powerful that no aggressor nation can ever set foot on American soil.

We now have an army of 1,500,000, and have provided for an air force of 152,000 in addition. This tremendous armed force is all we need for purposes of defense. If it is the policy of the administration to go out looking for wars all over the world then we may need an army three or four times as big to serve as expeditionary forces to support the interventionist and war policies of Secretary of War Henry L. Stimson.

I know of no military authority who will venture to say that any foreign nation or nations could successfully attack us or land troops in America. General Marshall is reported as having stated in March 1940, that our national defense could be adequately taken care of with an army of 480,000 plus the National Guard of 300,000, if properly trained and equipped, even if we lost control of the seas and against any combination of nations. He has since then stated that an army of 1,400,000 would take care of all of our defense needs. A month ago he only asked for a maximum of 1,700,000. Why then is the Congress asked to abdicate its constitutional powers?

I am opposed to that part of the pending bill which gives the Secretary of War the power to raise an army of unlimited size without further authority from the Congress. Secretary of War Stimson is the leading war maker in the United States, and if the Congress gives him this authority he could raise an army of 5,000,000 soldiers or more, not for defense but for foreign wars.

I believe that this bill is part and parcel of a gigantic conspiracy which has for its main purpose our involvement in European, Asiatic, and African wars without the consent or approval of the Congress and the American people, who are overwhelmingly opposed to such action.

During the crisis which confronts us Members of Congress should speak out without fear or evasion, as the very security and destiny of America is at stake.

Secretary Stimson is an estimable old gentleman who has an obsession amounting to a passion to involve us in wars all over the world. That is his right as a free American, but the Congress should understand that in surrendering its constitutional powers to raise armies to Secretary Stimson it is practically placing in his hands the power to declare war. If Congress gives our leading war maker the power to raise an unlimited army he will find a way to use it in spite of the Congress and American public opinion and then it will be too late.

If I were to name the leading war makers in the United States I would place Secretary of War Stimson at the head of the list, followed by Secretary Knox of the Navy, Secretaries Ickes, Wickard, and Field Marshal Harry Hopkins, all three of whom are invincible in peace but invisible in war. These interventionists are only for national unity provided it results in war.

The Fight for Freedom Committee is sending out large numbers of propaganda post cards urging the passage of the extension of military-service bill. In doing so they uncover the real motive and let the cat out of the bag by saying "Unless you act our Army will be hampered in its task of defending the country by having its acts restricted to this hemisphere." Every war maker is for this bill for that reason—to provide sufficient troops to act as expeditionary forces and to police the world.

This is not a bill for national defense but to crusade all over the globe. The real issue involved in this breach-of-promise bill is a carefully and skillfully directed plan to take us into another overseas war. The Congress, representing the will of over 80 percent of the American people, is the last stronghold and safeguard against sacrificing the lives of American soldiers in A. E. F. crusades for freedom and democracy in China, India, Soviet Russia, and Africa.

Senator PEPPER is right; if this bill goes through unamended, the selectees "will be in the Army for at least 5 years, and maybe 10 years, and maybe a generation." What about their jobs and their families? Is it fair to discriminate against them after the assurances we gave them that they were being called for only 1 year's peacetime service? Why is it that in Canada, which has been in the war for almost 2 years, conscription is limited to 4 months and not for overseas service? If Canada can train its troops in 4 months for purposes of defense, why cannot we train our soldiers in 1 year?

The fact is that we can and are doing it in every training center in the Nation. I know of American regiments that are doing a good job in training selectees in 3 months. I submit if we can train officers in 3 months or 6 months, we can certainly train soldiers in less time.

The four Roosevelt boys, in defiance of the democratic principles of the draft, became officers almost without training, but they are exceptions to the rule of no favoritism and no politics in the Army.

I take no stock in the argument that if we released our selectees at the end of a year's service it would disrupt or disorganize the Army. If we cannot furnish

replacements in peacetime, how can we do it under war conditions when casualties may amount to 30 percent or more?

I propose to offer an amendment to permit the release of all married soldiers, National Guard and selectees, an amendment providing for a maximum army of 2,000,000, and an amendment to release selectees after 12 months' service provided that at the discretion of the War Department no more than 45,000 selectees shall be discharged in any 1 month. This would limit it to 5 percent and could not possibly disrupt Army efficiency or team work. And also an amendment to permit the War Department to retain all noncommissioned officers among the selectees at its discretion for a period not in excess of 6 months—and, mind you, these noncommissioned officers are paid from $54 to $120 a month.

The proposal to retain the selectees for another year or more is a repudiation of the principle of universal service. The selective-service bill provided that the selectees should serve for 1 year and then go into the reserve for 10 years subject to the call of the President. He can call them back at any time without an act of Congress.

Why not comply with the law and build up a much needed reserve and provide military training for a new batch of selectees?

I am convinced that unless we go out looking for trouble and war with a chip on our shoulder we need have no immediate fear of being attacked or involved in war. We are incomparably stronger than a year ago. The facts are that our Army, Navy, and air force are much bigger and better equipped than a year ago, that England now claims control of both the seas and the skies, and every day is getting stronger, and that Germany has squandered the flower of her army and equipment, including her best panzer divisions, artillery, and air force on the vast steppes of Russia and is in no position to attack England this year and naturally not North or South America.

Last year we said all we needed is a year to get prepared. We have had that, so why should Congress break faith with its citizen soldiers when Nazi Germany has her hands full and will be unable to even attack England 20 miles away before next year?

I am convinced that the extension of the term of service for selectees beyond 1 year is not necessary for purposes of national defense. It may cause temporary inconvenience and some loss of efficiency to a few units, but not many. It will definitely not disorganize or disrupt the Army. The actual practice would be to have the released selectees position taken over by replacement troops with 3 months training in the same branch of the Army. The continuation of the selectees for 30 months is much more likely to undermine the morale of the citizen army and cause discontent from within and bitterness from without among the boys' families who believe they have been deceived and lied to by the administration and Congress.

Nine months ago President Roosevelt told a huge radio audience of sons and parents on registration day, "It is a program obviously of defensive preparation and defensive preparation only," and 12 days later he spoke of the "young men who must profit by 1 year of experience as soldiers." Let us keep faith with our citizen army. We need have no fear of the loyalty of our youth if we keep faith with them. I shall keep faith with 80 to 90 percent of the American people no matter in what form this bill passes by doing everything in my power to prevent sending American Expeditionary Forces abroad and keeping America out of war unless attacked.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 8 minutes to the gentleman from Georgia [Mr. COX.]

Mr. COX. Mr. Speaker, since there is no opposition to the adoption of the pending rule, I shall address myself to the bill which the rule is intended to make in order.

Mr. Speaker, it will be easier for me to support this bill to retain selectees in the Army beyond the 1 year period for which they were drafted than it will be for many Members of this House. This is so because of the different interpretations that we have given to what has been said and the meanings we have attached to what has been done.

I have had the conviction throughout that war is inescapable; that events over which we have no control will decide this for us. Others, however, have believed that a way would be found to fulfill the promise to keep us out of war, and that the youth of the country would not be sent to foreign battlefields to participate in the broils of Europe and Asia—broils that have become the concern of the entire world.

Of course, it is denied by those in control that we have any warlike intentions, but to some that which has been done spells out a different story. The draft, the destroyer transaction, the lease-lend bill, and the occupation of Iceland many believe to have been invitations for attack on the part of the enemy.

Now, I am not complaining of what has been done, for I supported everything; but I did not do so under the hypocritical contention that those moves were in the direction of peace. They were made in defense of the country. I have believed that our security was and is imperiled and that it is necessary that we make every effort to contribute to our security. Public sentiment has overwhelmingly supported the President in what he has done, and if this means war, there is little reason for the public to complain.

But, Mr. Speaker, for those who have taken the other view of things I feel compelled to say that the retention of draftees beyond the 1-year period is difficult to justify except in the face of an immediate and impending emergency. And, although Congress has been informed by the President and high-ranking Army officers that a national emergency exists, they who differ with me seemingly are not convinced that the emergency is immediate and impending.

Now, Mr. Speaker, I am not trying to find a way out for those who find it impossible to support this bill. I am trying to speak with complete candor and to do so without being offensive to anyone. To try to arouse prejudice against those who may differ with us on this question would be most cowardly.

Mr. Speaker, I am convinced that if ever there were an occasion in the history of the Republic when probity of conduct, rectitude of purpose, and sincerity of intent should prevail between the Government and the people that occasion is now. Government should deal honestly and fairly with the people. Confidence in our leadership must be maintained. The people must be united.

It perhaps might be easier were the President able to say that because of unpredictable and unanticipated events, commitments had become necessary that prevent him from fulfilling the promise to keep us out of war. But apparently he is not able to say this for the present at least, and for the sake of national unity we must act upon the information furnished us by those in authority.

To say that selectees understood that they were being drafted into the Army for 1 year is legitimate argument, for it is true. But to contend that the Government contracted with selectees that they would not be called upon for further service after the expiration of this draft period is not legitimate argument, for it is not true. But in order to avoid the criticism that the Government is breaking faith with draftees, it would be better to let them out after the 1-year training period if this could be done without weakening the Army and endangering the Nation. Can this be done?

The President says not, and the military experts say it cannot be done. But, independent of what the President and the military experts might say, do we not know that we are daily going deeper and deeper into the war, or, at least, drawing nearer and nearer to war?

If this be true, then would it not be folly to disintegrate our trained forces when we are faced by the enemy?

Why were selectees drafted, and why have they been in training, if not to bear arms in the event of war? And if we are not in the war or threatened by war, then why this spending of billions on top of billions, aiding the Allies and making preparation for an all-out war?

To those of you who falter, who hesitate to go ahead, how can you justify your support of measures to provide for an Army equal to that of any nation and the building of a navy the like of which the world never has dreamed and, at the same time, do that which would disorganize and weaken our trained forces? It does not make sense.

You talk about breaking faith with draftees, but what about breaking faith with the Nation? When our country calls, who will dare refuse to answer?

I want to see this country come through the storm safe and sound. I want to see the American spirit emerge from the fog that engulfs us and lead us to a glorious and mighty destiny.

So let us, as nearly as possible, present a united front. Let us say to the world that we are Americans and that we mean business.

This, Mr. Speaker, is my conviction with respect to the moral principles that are involved in the proposal now before the House of Representatives. But, Mr. Speaker, if this were not sufficient to move the Congress into the most deliberate and careful consideration of this measure, then I would appeal to the Members of this body upon the basis of a necessary consideration of our national economy seriously menaced and disastrously threatened.

Although there has been established an Office of Production Management, our production for defense has been so diffuse in some respects and so highly congested in others that, despite the vast appropriations provided by Congress for the emergency, we have seen no adequate results in the form of the matériel of war; certainly none commensurate either with appropriations or expenditures.

In addition, our citizens are daily threatened with curtailment of those industrial products to which they have become accustomed, upon which our national economy depends, and without which there would be a serious derangement of our ordinary and customary activities, with concomitant delay in the production of materials of defense. Our leaders threaten us with a curtailment of those essentials and necessaries that have become a part of our national existence. Gradually it is beginning to dawn upon us, Mr. Speaker, that at a time when the farmers of the Nation should be encouraged and aided, as an arm of our national defense, to increase the productiveness of their farms in order to provide for the emergency which we are told confronts us, a national survey, I am sure, would reveal that the absorption of the young men of the Nation, thousands of whom have been taken from the farms, has tended to disrupt, harass, impede, and threaten our national farm economy.

At a time when the administration is urging our farmers to increase their production of pigs, dairy and poultry products, and vegetables, men needed on our farms are being drawn off by the draft or lured into defense industries by wages entirely beyond the economic possibilities of our farmers. I am fully aware of the fact that the Secretary of Agriculture has brought this condition to the attention of draft officials and that local draft boards have been asked to give most serious consideration to the request of farm workers for deferment.

But, Mr. Speaker, I know, as we all know, the difficulties that attend deferment even in a selective-service army. And there are thousands of farm workers beyond the draft age who cannot resist the lure of the higher wages paid by industry. Nor is it any great consolation to our farmers to tell them that they must devise ways and means to pay wages more commensurate with those paid by industry. In our national economy the farmer still carries on a severe struggle to make both ends meet.

Although it has been suggested that farm laborers be deferred by draft boards during the crop seasons, I am not aware that any blanket occupational deferment is possible under the terms of the Selective Service Act, and I am inclined to believe that selective-service officials would rule that it is not.

In every agricultural State of the Nation there is at present a shortage of farm labor. The dairy sections of the Nation suffer from a migration of competent help. Defense industries in every area are bidding more for semiskilled and even unskilled labor than dairymen or farmers can afford to pay to hold their help. This condition prevails throughout the Nation. High wages in defense industries constitute a leading factor in drawing off farm labor. Perhaps there is nothing that our defense officials can do about this condition; but Congress should do something about it, especially when thousands who can and should work in national defense industries walk out on strike. It is asserted that so long as we continue to pay our present farm wages it is difficult to keep men on the farm. But I predict that if we do not find some way to provide labor for the farm it will be difficult to keep men in industry or anywhere else.

Despite a tremendous shortage in farm labor, our Government, according to official figures, still carries more than 1,000,000 persons on the rolls of the W. P. A.—a total larger than our Army—and the appropriation made to carry on W. P. A. during the coming year is $875,000,000. This simply does not make sense. It indicates a haphazard management of the Nation's economy at a critical time. It is as inconsistent as W. P. A. itself. Labor will not work on farms when it can work for W. P. A., regardless of wage. W. P. A. has deprived men of the initiative to work. It has set up false standards of hours and wages. There is no shortage of labor in America today; there still are many unemployed; but false standards of short hours and little effectual work established for those on W. P. A. rolls and on the rolls of other Federal agencies, have destroyed the incentive to honest work at a fair wage. Our farmers generally are finding it constantly more difficult to hire men at a wage they can afford to pay for the hours required by farm work. Nature, not man, determines the length of the farmer's working day and his growing season.

I see no reason why W. P. A. should not be abandoned entirely for the duration of the emergency. Then the indolent, the lazy, and the shiftless soon would be weeded out, and be compelled to make a choice, and our local governments, now beset with the burden of matching Federal dollars for their relief could resume a more normal fiscal existence. Our people who are willing to pay heavy taxes and to make sacrifices for the sake of national defense should not be compelled to pay to keep others from doing the work which needs to be done. There can be no justification for W. P. A. or any other form of governmental relief at this time, except for those unfortunates who may be unemployable.

According to a report issued by the Department of Agriculture on June 24, the cash farm income for 1941 is estimated at approximately $10,000,000,000. Should this prospective income be realized, states the report, it will be the highest for any year since 1929, when the income was eleven and two-tenths billion dollars. Although the estimated income for 1941 thus will fall short of the income for 1929 by only slightly more than $1,000,000,000, the report points out that farm costs, especially farm wages, have gone up sharply; and even though the experts of the Department of Agriculture originally estimated that the cash farm income for 1941 will have a purchasing power in excess of that of 1929, there now begins to appear reasonable doubt whether that estimate will be substantiated.

It has been estimated by the National Industrial Conference Board that the average hourly pay of workers in 25 industries has risen nearly 8 percent since the beginning of 1941. Although highly profitable industries may be able to absorb such increases in labor costs, for the great majority of producers such wage increases will necessitate price increases unless plants are to operate at a loss. For the farmer they are utterly impossible.

The effects of our preparation for defense are beginning to dawn upon us. We are threatened with a constant rise in prices. Our farmers are confronted with increased prices for the things they must buy and increased wages for the labor they must employ. They have begun to fear for their economic welfare and for their economic security. The hysteria and propaganda that have attended the preparations for our own defense and our aid to Britain appear to have deprived us of our national ability to think or to reason. Apparently we have ignored completely the disastrous effects which our war economy must exert upon our farmers. Of course, there is a prediction of increased income for farm products, but there already exists an increase in the cost of farm production, and in innumerable cases the inability of the farmer to secure labor at any price.

Even though there has been an increase in the consumption of agricultural products, with corresponding increase in prices in some cases, America's farmers are faced with a problem as serious as any in the history of our agriculture. For the years 1940–41 there appears to be a potential carry-over of 400,000,000 bushels of wheat, and as of August 1 of this year there appears to be a carry-over of about twelve and one-half million bales of cotton.

This is not entirely the result of war. We were losing out in our world markets long before the war began. The war simply has made it worse. We have adopted a national policy that has sustained our wheat and cotton growers and our tobacco producers only by means of loans. But some day these loans must be paid.

Today the United States is calling upon all our farmers to aid in defense and, as usual, our farmers are responding to that call as they always have responded before. We expect our farmers to produce food and the raw materials for clothing as cheaply as possible. They must provide for their own families, and we expect them to maintain their soils. In every way our farmers are cooperating with the Federal Government in the national farm

policy. They are operating their farms in accordance with programs worked out by the Department of Agriculture. They are willing to accept cheerfully and willingly the new burdens that have been imposed upon them, realizing that industry and the military service must expand quickly and operate at full speed, but they should not be made to accept unaided, the additional burden which this measure will impose upon them.

The propaganda that has emanated from the Department of Agriculture during recent years has tended to mislead the general public of the Nation as well as the farmers themselves as to the aid which Government has extended to farmers. As a matter of fact, every dollar paid our farmers under the various schemes of Federal aid has been secured by collateral demanded of our farmers by Government, or else it has imposed tasks involving labor that must be furnished either by the farmer himself or by others whom he has been compelled to hire and whom he must pay.

Our farmers have in one way or another paid for every dollar of Federal aid they have received. They are overwhelmed with mortgages, real and chattel, held by private individuals or by the Federal Farm Mortgage Corporation. They are confronted with the burdens of interest and taxation. And a Government mortgage is no less a mortgage than one held by a private banker or a private individual. Every benefit payment made to our farmers under the programs fostered by the Department of Agriculture our farmers have been compelled to spend in accordance with the directions of that Department and under the immediate supervision of its agents. Benefit payments to farmers have not constituted lump sums from which they could pay wages; they have of necessity been utilized in accordance with the conditions under which they were granted.

Even though surpluses of agricultural commodities do prevail, this does not mean that the farmers of America have been able to cease work until such surpluses are consumed, nor is there any evidence that the Department of Agriculture at any time has recommended that our farmers cease work entirely Even while recommending farm programs and practices that have tended to take thousands of acres out of cultivation, they never have recommended that farmers cease work. Ditching, terracing, and shelterbelt provisions—all these have called for work by the farmer; and although it is intended that these practices ultimately will contribute to our soil fertility, they are not income-producing practices. They require large expenditures of time and work. On the contrary, W. P. A. workers have been compensated not only at a rate higher than farmers can afford to pay but they have a workday far shorter than that under which farmers can carry on. Our normal agricultural economy has been upset entirely by the whole W. P. A. program.

It has been asserted recently that the next step in the agricultural program will be a bold request for legislative authority to set up labor-and-leasing standards for farm workers and sharecroppers. It is asserted that the administration intends to enforce compliance with such standards by withholding grants-in-aid, crop loans, and other Federal benefits from farm operators who fail to comply with the terms of the program.

It is said to be the purpose of the administration to request legislation that would authorize the Secretary of Agriculture to enter this unregulated field of labor, but that it is being held in abeyance until its sponsors decide the time is ripe to press for its enactment. This proposal is said to be based on the hypothesis that farmers have profited by the crop control programs which have been put into operation to the disadvantage of tenants, sharecroppers, and laborers. It is contended that the crop-reduction programs—especially those affecting cotton—have encouraged farm operators to transfer from the sharecropping system to the use of day laborers.

Bureaucrats who propose such measures ignore entirely the fact that America is not a land of industrialized farms. They appear to ignore the fact that in too many instances Government has been responsible through its W. P. A. and other relief programs for the discontent and disaffection among farm laborers and that these programs have made it impossible for farmers to meet the conditions which such agencies have established—a 6-hour day, and wages far in excess of those payable on the farm. These bureaucrats seem to forget that wages must be paid out of income; that when Government pays excessive wages for short hours it can tax all its citizens, including farmers; whereas farmers first must earn the income with which to pay for the labor they need so badly. To authorize the Secretary of Agriculture to establish and enforce labor standards in agriculture would, in my opinion, constitute a power no less vicious than the power granted to the National Labor Relations Board, whose program during recent years has been characterized by all the mischief of bureaucracy. Too many farm laborers already have left the farms either because of the draft or because of the lure of the higher wages paid by industry.

Bureaucrats who urge such a program apparently ignore the fact that at a time when the defense program of the Government calls for increased production they are endeavoring to set up conditions which no farmer possibly could meet. To inaugurate a program of regulated farm wages through administrative control would be no less onerous, no less bureaucratic, than the program now in effect in industry, with all its resulting disorder. If it be the purpose to place such power exclusively in the hands of the Secretary of Agriculture, it is obviously nothing more than a bureaucratic scheme designed to enable the Secretary of Agriculture to enforce his regulations by denying the farmer any benefits to which he is entitled under legislation enacted by Congress and which Congress desires him to have.

It is said that the bureaucratic officials of the Department of Agriculture allege that so long as government sponsors farm programs that assure farmers better returns than they otherwise would receive, it should have the right to require that such returns be distributed in accordance with their dictates. In a Government-regulated economy such as now prevails individual farmers are powerless. They already have been thrown out of a normal economy by governmental programs of production. They will be thrown out even further by the governmental program of defense. And though there may be surpluses of some farm crops, there is no surplus of rural labor. I think the time has come in our national economy when it may be necessary for Congress to strike from the Federal Budget every dollar for W. P. A. expenditures, or to prevent further expenditures for relief purposes, even though appropriations already have been made, until these paradoxes in our national economy have been eliminated.

At present there is work—an abundance of work—for every man and woman who wants work, not only in our defense industry but upon our farms, as essential to defense as are the great industrial plants that are today turning out munitions of war. By the national economy that bureaucrats have imposed upon us we have induced our workers to believe that a curtailment of hours and a limitation of the work week is the most desirable thing for their own and the public welfare. Yet we have come to realize that in reality there is never a time for a slackening of work, for governmentally enforced leisure, for governmentally fixed hours of wages.

During the past 23 years, Mr. Speaker, the per capita income of our nonfarmer population has risen 20 percent. Within recent months it has risen far in excess of that. During this entire period, however, the income of our farmers has fallen 40 percent. The slight increase in prospect for the year 1941 will not begin to offset the increase of income among our nonfarm population during the 23-year period. While farm prices declined constantly, the rate of industrial wages increased to almost double. While the buying power of the average industrial worker has risen 133 percent during this 23-year period, the purchasing power of the farmer has fallen 33 percent. Our farmers are urged by government now, as during the first World War, to increase the production of their farms. They are asked to increase America's supply of poultry products and corn and hogs. Yet every Member of this House must recall the time when an outstanding bureaucrat, Mordecai Ezekiel, caused the slaughter of pigs, the dumping of tons of hog products in the Atlantic Ocean, and a deliberate curtailment of the pig population. The day has come when our Department of Agriculture should be compelled to clean house of these inefficient bureaucrats—enemies of the farmers of the Nation.

The President of the United States, in his power to regulate the Federal departments should eliminate from the Department of Agriculture, as well as from every other department of this Government, every agency whose function and activities are not directly conducive to the progress of national defense; and

every individual whose activities are found to be antagonistic to the progress of national defense should be removed from the Federal pay rolls.

If the President is unable to do this, then Congress should prohibit by law the expenditure of all further funds save for national defense. We need to restore our erstwhile economic balance, the economic equality between agriculture, industry, and labor. There should be a prohibition of all departmental propaganda intended to mislead the consuming public as to the status of our farmers and their ability to pay wages; and as to the amount of aid our farmers receive from the Federal Government. In my opinion, it might be well to prohibit entirely all propaganda from the Department of Agriculture and from all other departments. The time has come when Congress must adopt a policy of its own, when it must prepare a program of its own, when it must follow its own wisdom. The time has come for reform in bureaucratic procedure; in bureaucratic regulation of our national economy. We must restore the system of individualism traditionally American; we must resist the encroachments of a new social order planned by dreamers of Utopia and imposed upon our people by bureaucratic despots.

I think the Congress should note that although we now are engaged in the production of war matériel upon an unprecedented scale, while we are converting our plants into efficient units for the production of machines or war, there was not a single provision in the entire farm program inaugurated by the administration and carried on since 1933, nor any demonstrable effort to furnish our farmers with efficient farm machinery. Not a single industrial plant producing agricultural machinery was requested or encouraged to devote itself to the production of agricultural machinery for small-sized farms, for small farming operations, for little farmers.

On the contrary, indeed, there was every inducement not to produce agricultural machinery for little farmers. They were to be exterminated as marginal producers under the programs of agricultural bureaucrats who had determined upon an economy of scarcity. Had our vast Department of Agriculture adopted a program of producing agricultural machinery for little farmers we should not find our farmers in the predicament they are in today. I think it would be well if, while we are converting our industrial plants into units for the production of the machinery of defense, we include in that category small farm equipment for little farmers. Our farmers never have had sufficient farm machinery at prices within their reach. We failed to provide it ourselves; we failed to develop a program under which it could be provided; and by excessive and prohibitive tariffs we made it impossible for our farmers to import it.

The Honorable Paul V. McNutt, Federal Security Administrator, estimates that there still are about 15,000,000 persons depending on public assistance, while 30,000,000 persons in the low-income groups are economically little better off than those who are depending on aid from social agencies. Altogether, he estimates, there are at least 45,000,000 persons today on inadequate diets primarily because their incomes are so low that they cannot afford to buy sufficient quantities of dairy products—leafy vegetables, and other rich-vitamin foods. And while we look to our farmers to supply these 45,000,000 persons with an adequate diet and sufficient food we provide no means by which they can do so.

According to our Secretary of Agriculture, the Honorable Claude R. Wickard, the national-defense program has drawn heavily upon the supply of farm workers for the production of essential foods required for national defense. In outlining the conditions in various sections of the country, Secretary Wickard said the program of agricultural production already is very serious in some areas. He pointed out that there was a reduction of 21.6 percent in the supply of available farm labor in the East North Central States between April 1, 1940, and April 1, 1941. In 1920, 11,362,000 persons were employed on farms. Of those, 8,479,000 were family workers and 2,883,000 were hired workers. In 1940 there were only 7,995,000 family workers and 2,450,000 hired workers.

Every loyal American farmer recognizes the need for strengthening our national defense. He realizes that the present wars in Europe and Asia are matters of deep concern to the United States and that they threaten our safety as a nation of freedom-loving people. He realizes that it is necessary to arm ourselves quickly. He is making every effort within his power to aid the Federal Government in its national defense. But does our Government recognize his needs? It seems difficult to understand why men who are working in the various industries directly connected with defense, receiving large wages, are permitted either to strike or to be placed in a deferred status, while thousands of our farm boys are compelled to enter the Army at a wage of $21 a month.

Mr. Speaker, I do not oppose, except upon the principles which I have stated, any extension of the present period of selective service, but upon the basis of these principles I do beseech the Members of the Congress to consider thoughtfully and seriously any proposal which will tend to disrupt too greatly our national economy at this time. While I have stated that I do not oppose the method adopted for the selection of the draftees, may I not, with all propriety, suggest to the military authorities that the present method could be improved upon; and, indeed, had a different method been adopted in the beginning, we should not now be confronted with the possibility of the disruption of the present military organization by the discharge of the trained selectees en mass on a given day.

It was my idea originally—and it still continues to be my idea—that had the selective-service army been assembled continuously and progressively from the first draft of last October, and were plans in readiness at this time for the progressive induction of the selectees into the service, we should not face the contingency that now causes the Chief of Staff of the Army to appear before the Congress and recommend a continuation of the selective draftees in service.

Each month since last October hundreds of young men in the Nation have arrived at the age of 21, and each month from now on hundreds more will continue to reach the age of 21. Our military authorities should have made arrangements for some plan by which these young men arriving monthly at the age of 21 could have been inducted into service automatically. Had such a plan been put into effect we should now find that each month a certain number of selectees, having reached the end of their 1-year period of training, could be dismissed automatically without disrupting the total military organization; and there still would be left behind a number of selectees large enough to meet the requirement which the Chief of Staff of our Army now regards as requisite. Indeed had we adopted such a plan the number of selectees in service at this time would be far greater than at any previous time and the condition which the Chief of Staff of the Army now finds so alarming would not have developed.

Mr. Speaker, it has been estimated that the shortage of manpower necessary for our midsummer harvest alone can be measured in the thousands. The fields of the South need men; the fields of our Atlantic coast farms, the fields of the great peninsulas that extend into our bays—all need thousands of men to aid in harvesting the midsummer crop. Large parts of our vegetable crops already have gone to seed because of the lack of men to harvest them. Still larger parts are going to waste daily. Thousands of men who formerly were engaged in planting, cultivating, and harvesting our crops have been drafted into the selective service or have been induced to enter upon industrial activities and to abandon our farms. Industry has taken the men from the farms and the fields and left the farmer, in many instances, almost destitute—and this at a time when an abundance of labor should be available for the farmer.

Mr. Speaker, it is my purpose, of course, to vote for this measure. I do so upon the representations made by the President of the United States and the recommendations of our Chief of Staff. In addition to this, I do so because I believe that the security of the Nation is imperiled. But I do so also with the hope that the Congress of the United States, through its appropriate Committees on Military Affairs, will urge upon our military leaders the adoption of some process by which we may at all times be assured of the number of selectees which they regard as essential to our national defense, or that, if such a process is impossible under existing law, they recommend to Congress such amendments as will correct the condition that has developed.

Mr. FISH. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I agree with my colleague, the gentleman from New York [Mr. FISH] that this is a fair

and open rule and that it should be adopted in order that the House may proceed in its determination of this very important question.

When the President asked Congress to extend the 1-year period of service of the draftees he said that the responsibility is on Congress. And in the very same message he initimated that he might be in possession of information that Congress does not have. What I want to know and what the draftees want to know is, just what is this information that we are not permitted to have? If we are to carry the responsibility and make the sacrifice, why are we not entitled to know the facts, if there are any facts? Certainly, if the enemy have any plans against us, they know what they are. So we are not keeping anything secret from them. It seems to me that about the only people being kept in the dark are the Congress and the country, not only on this question but on many other questions. Is that because a real case cannot be made? For myself, I shall of necessity make my decision on the basis of information before me. If the President has any other or further information it is within his power to act on it.

The only way that the Congress and the President can honorably keep the draftees beyond their year is to find that the national interest it imperiled to such an extent as to justify that action. I have listened to testimony, both secret and open. No one, to my knowledge, is now suggesting an attack on us here at home. All we hear is a lot of talk about intrigue in South America and the Japanese menace, all of which we have heard for years. And no one can deny that recent events in Europe are far from discouraging when compared with what they were a year ago. I have heard them present the best case they could, and I just do not believe the national interest is now so imperiled as to justify us in holding the men beyond their year.

One thing that disturbs me is that the request for the draft extension was first coupled with a demand that the limitation against taking our men out of the Western Hemisphere be removed. That demand, at least for the moment, has been abandoned, but does the fact that it was made indicate the intentions of those who are seeking this extension? In other words, are they afraid of an attack here at home, or in this hemisphere, or are they wanting this extension to get ready as quickly as possible to send another A. E. F. to Europe? I have fought the moves for another A. E. F. and shall continue to fight them. In my campaign for nomination and election, I pledged my best efforts to keep this country out of foreign war. I shall keep that pledge. And I just cannot help it if I am a little suspicious of those in high places in the Government whose idea of national defense and national interest is to begin immediately to fight in foreign waters and on foreign soil.

There is no question but what the men who were drafted believed that they would be released at the end of the year unless we were actually at war, or war was definitely imminent. I do not believe they have been given any facts or information to convince them that, in the national interest, they should be kept indefinitely in service. In that state of affairs, what about the morale? Will our Army be better or worse? Might it not be much better if new men came in gradually to take the place of those who have served their time?

All of us are for national defense. The men who have been drafted will make any sacrifice for national defense. They want our Army to be strong and ready for our national defense. If and when the facts prove the case, there will be no question about their decision or my decision.

Mr. PATRICK. Will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Alabama.

Mr. PATRICK. I want to hark back to one thing, and it is being asked again. We are asked, "Are you trying to get us into a foreign war?" Or, "Are you trying to prepare for another A. E. F.?" We always answer "No." Then when the answer "No" is given, it seems that you come on back as though the question were not answered and say it over and over again. Is that showing faith in what we are asked or is it merely propaganda to help carry out the opposition to this legislation?

Mr. HALLECK. The gentleman will agree with me that frequently actions speak louder than words and I just wish that on occasion, and I am not speaking of the gentleman, many of those or some of those who profess so much of a desire to keep America from sending another A. E. F. to Europe would do a few more things in the direction of making that policy effective.

Mr. GIFFORD. Will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I am in general accord today with what the gentleman from New York and the gentleman from Indiana state. We are flirting with the Monroe Doctrine, and we have been placed on record to protect the Monroe Doctrine. In judging whether we need a trained and a larger force, does the gentleman approve of the occupation of Iceland and the declaration that we are to repel any occupation of the Azores and Dakar?

Mr. HALLECK. Of course, the gentleman from Massachusetts is a brilliant man. He knows that question has nothing to do with the particular issue before us. Since he has asked me the question, I am not going to duck it. If I had had my way about it, I would not have occupied Iceland at all. My position in favor of hemisphere defense is well known. Right or wrong, it did not seem to me that the occupation of Iceland is essential to defense of our hemisphere. Of course, some contend that we can only protect our hemisphere by fighting another war in Europe. I just do not subscribe to that view.

It is said that the majority of our people approve the occupation of Iceland. If they do, it is because they are willing to give the benefit of the doubt to those who contend it is for hemisphere defense. As bearing on the truth of that contention, I cite the testimony of General Marshall, which clearly recognizes that Iceland is not in this hemisphere.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, it is not my intention to make any lengthy statement on this occasion. I intend to speak later during general debate and express my views in greater detail. But there are one or two observations that I want to make at the outset of this debate, which to me seem to be of such import that they should address themselves to the minds of each and every one of us, not as a Democrat or as a Republican, but as an American.

We are the trustees of a Government that serves 133,000,000 Americans. This generation is on trial. This generation of Americans, whether we like it or not, cannot escape the fact that we are on trial and that we have inherited a government from brave men who fought for independence during the Revolutionary War; who conceived this Government, and who have passed it on to various generations of Americans until we inherited it.

It is our job, whether we like it or not, to preserve that which we have inherited, not only for ourselves but for generations to come.

In referring to General Marshall, the gentleman from New York [Mr. FISH] stated "the general is like a good soldier; he must obey orders, he must obey the Secretary of War." I think the gentleman on reflection should correct that statement. I do not think any man would want to leave the statement remain that way. I do not think any man who has the job as chief officer of the United States Army, whose job it is to protect our country, is subservient to the will of any other man. I doubt if my friend [Mr. FISH], who is an officer of the Army as well as a distinguished Member of this body and an American, with whom I disagree on some occasions, wants to leave the impression, or the bold statement in the RECORD, that any Chief of Staff of the United States Army, if his opinion differed, felt compelled to obey the orders of any man, the Secretary of War or the President of the United States.

But that statement shows there are some who would substitute their own opinion for the opinion of the Chief of Staff. We must keep in mind during this debate that what we are debating is the recommendations of the Chief of Staff of the United States Army approved by the President of the United States.

I can conceive of no President of the United States, in an impending or actual crisis, refusing to approve and support any recommendation in relation to our national defense made by the Chief of Staff of the United States Army, or the appropriate officers of the United States Navy, the men who are charged with the duty of defending our country. These are the men to whom we and our people must look when a crisis confronts us, and to challenge their opinions and recommendations, without profound knowledge that justifies an opinion to

the contrary, is a dangerous course for any person and particularly a Member of the Congress, to take.

The argument about dictatorship on the part of President Roosevelt that we have heard from time to time cannot be advanced against the recommendations of General Marshall. We are debating and considering the recommendations of the Chief of Staff of the United States Army, whose job and whose duty, and whose sole job and duty, it is to defend our country and preserve our institutions of Government when danger from other nations confronts us.

When I hear the utterances of those who, knowing nothing, laymen like me, would substitute their opinion for the opinion of the Chief of Staff, General Marshall, my mind goes back in history to the Revolutionary days. History shows—and we all know that once there was a man who was a general in the Revolutionary War by the name of Washington. In those days he was criticized; in those days envy was directed against him; in those days there were members of the Continental Congress who thought they could run the Revolutionary War better than Washington. We know what Washington is today—the immortal Washington, the Father of our Country; but in his lifetime he was attacked, he was vilified, and his motives were impugned, just as happens to men today. He was the chief general during the Revolutionary War, and he made recommendations to the legislative body of those times, the Continental Congress, but the Continental Congress refused on many occasions to accept his recommendations.

We know that historians record that the Revolutionary War continued for 2 years longer than it would have if the Continental Congress had accepted the recommendations of the Chief of Staff in those days, Gen. George Washington.

We also know that the dark days at Valley Forge, and the suffering which Washington and his officers and men underwent during that terrible winter—which history records—were due to the fact that the Continental Congress refused to accept and to act favorably upon the recommendations that General Washington made at that time. We also know, as history records, that due to the hostility and inactivity, or whatever you want to call it, by members of the Continental Congress, that Washington was hindered in such a way that grave doubt existed at all times, until Yorktown, of the success of those brave men who fought for and established the independence of our Nation.

Let Members of the Congress today look back to the history of those days and recall the dreadful results which flowed from the legislative body of the Revolutionary days, refusing to follow the recommendations of General Washington. Let us not be put in a position now, in this time of crisis to our Nation, of having it said in the future that this Congress refused to follow the recommendations of General Marshall, Chief of Staff of the United States Army.

In the debate on this bill, let us keep in mind that the Chief of Staff has recommended this, and we cannot repudiate his recommendations without full responsibility resting upon our shoulders.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Speaker, I do not rise for the purpose of opposing the rule. In my judgment, the rule is fair and liberal and hardly subject to any criticism. I do, however, want to address myself to the tremendous issue which I believe is before us in the consideration of this measure.

I was impressed with the statement of the gentleman from Massachusetts [Mr. MCCORMACK] to the effect that we, as the representatives of the people, are the trustees of the Government of 130,000,000 people. I agree with him. As the trustees of the Government of 130,000,000 people, I am inclined to believe that the most important duty we hold is to keep faith with these 130,000,000 people. A republican form of government, a free and representative government must be based upon a foundation of faith. This bill, while not technically breaking a legal promise, certainly does break an implied promise.

The argument has been put forth that the emergency is greater today, and that could probably be the only excuse for a change in position on the part of this Government. No evidence has been submitted that we are in any greater danger today than we were a year ago. As a matter of fact, world conditions are evidence to the contrary.

I was not a Member of the Congress which passed this original selective training and service law, and, therefore, my vote would not be breaking faith, no matter how I voted. I made no specific pledges in my campaign except that I did pledge myself to take every step possible to build strong the defense of this Nation and to prevent it from taking part in any European war. I intend to keep that promise.

While I do not hold this same obligation to the youth of this land or to the balance of the 130,000,000 people concerning the selective-training law and its 1-year-service period, it is my firm conviction that the successors to the Members of the prior Congress, upon the assumption of their obligations and their oaths here, assumed also that obligation to the people of this Nation. It is on that basis that I say to you that unless this bill is drastically amended I shall not be able to support it.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Michigan.

Mr. MICHENER. I call the attention of the gentleman from Missouri to the statement made by the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], urging the House to follow the recommendations of the Chief of Staff, the expert, and not follow the guidance of the layman of the House. The resolution now before the House, House Joint Resolution 222, contains General Marshall's recommendations. Every one of those recommendations has been stricken out by the committee, and we are now considering the committee's substitute, which does not embody the recommendations of the Chief of Staff but is the recommendation of that committee of laymen. If you follow the advice of the majority leader, you will vote against this substitute and for the resolution as introduced.

Mr. PLOESER. I thank the gentleman for his observation. I am more than glad that he pointed to this situation. I might add to it that I think it is time that the administration, that the majority leadership in this House, learn to assume the full weight of the responsibility of the trusteeship of the Government of 130,000,000 people. They could well write into their doctrine that it is the first and most important duty of the American Government to keep faith with Americans. I shall vote to keep faith with the American selectees and the American people.

Mr. FISH. Mr. Speaker, the floor leader on the majority side, the gentleman from Massachusetts [Mr. MCCORMACK], seems to be under the impression that the Chief of Staff does not take his orders from the Commander in Chief. I should like to know when the Chief of Staff has ever disobeyed the instructions or the orders of the President of the United States, who appointed him and who is his Commander in Chief, or of the Secretary of War. Of course, he takes orders, and if he does not take orders he would lose his job and he ought to, or resign. An army cannot function if the generals and the Chief of Staff do not take orders from the President and from the Secretary of War. General Marshall is a good soldier, but he is also a good politician or statesman. This is what General Marshall had to say on the 22d of last July before the Committee on Military Affairs in answer to a question:

> I went on to say I would be willing to compromise on 15 months, but that we must have at least 12 months. I went from cold military reason to plain political expediency.

I do not think less of General Marshall for making use of plain political expediency, nor do I think less of him if, like every other Army officer, he obeys the orders of his superior officers. I am mindful of the fact that he asked Congress to proclaim a national emergency which in effect would give to the President the same powers that he would have under a declaration of war. The House committee struck out the whole Marshall bill. Under the pending bill neither the President, Secretary of War, nor General Marshall has the authority to send any American expeditionary forces abroad. If they do, it will be in violation of congressional action and American public opinion. Congress, I hope, would then fulfill its duty to the American people and hold those responsible accountable.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, it seems rather astonishing to me that we should sit here today and gravely debate the question of whether or not the national peril is involved in our present

situation. If there is anybody here who doubts that the national peril is involved, what is all the shooting about? Why have we appropriated $40,000,000,000 for the national defense? Of course, our national peril is involved, and everybody knows it. Everybody reads the newspapers, and I want those gentlemen in this debate who think the national peril is not involved to justify their votes for the tremendous expenditures which we have made for national defense.

There has been a lot of talk about this bill, and there will be a lot more, to the effect that somebody has treated the draftees unfairly in that we propose to keep them over 12 months. I do not think there is anybody here who does not deplore very much the need for putting anybody in the Army. We all deplore that. We all hope that this emergency is going to end soon, but we all realize that our first consideration must be the defense of this Nation.

Now let us see whether anybody has been deceived about what the Congress was doing. One would suppose that we had some little obscure clause hidden away in the draft bill which might permit us at some future time to keep these boys in more than 12 months.

As a matter of fact, the very sentence that fixes the 12 months' time also proposes the extension in case the national interest is imperiled. I would like to read it to the House:

Section b: Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months, unless sooner discharged—

And in the same sentence—

except that whenever the Congress has declared that the national interest is imperiled, such 12 months' period may be extended by the President to such time as may be necessary in the interest of national defense.

Now, what does our bill do? This bill, logically and in conformity with the Draft Act itself, simply declares that the national peril is involved and authorizes the President to act in accordance with the provisions of the original Draft Act.

Let us not debate the question of whether somebody got double-crossed; let us debate the question of whether the national peril is involved; and if you think the national peril is involved, then do not let us sit around here and talk about whether we are going to defend America for 6 months or if we are going to defend her for 12 months or for 18 months or whether we are going to defend her at all; but let us meet this issue squarely. If we are going to give all-out aid to Great Britain, let us also give all-out aid to the United States.

Mr. SABATH. Mr. Speaker, the gentleman from Missouri has called attention to how we can expedite consideration and simplify action on this measure. I want to explain that at the time the Rules Committee granted the rule on the House resolution the Senate had not yet acted; but since that time the Senate has acted and has limited the time of service to one which I feel is acceptable to a majority of the Members and, in order to bring about quick action and provide against any unnecessary delay, I offer an amendment to the rule, as suggested by the gentleman from Missouri, and hope the same will be accepted. The amendment will permit our taking up Senate Joint Resolution 95 instead of the House joint resolution and will allow the chairman of the Committee on Military Affairs to move to strike out all after the enacting clause in the Senate joint resolution and substitute therefor the House joint resolution, which will be open for amendments. By this action it will be possible to send the resolution to conference which, otherwise, could not be done as we would have two resolutions to act upon. I therefore hope that the amendment which I have offered and the rule will be adopted, and I now move the previous question.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SABATH: On page 2, line 18, after the period, insert: "After the passage of the joint resolution, House Joint Resolution 222, it shall be in order in the House to take from the Speaker's table the joint resolution, Senate Joint Resolution 95, and to move to strike out all after the resolving clause of said Senate joint resolution and to insert in lieu thereof the provisions contained in House Joint Resolution 222."

Mr. FISH. May I inquire of the gentleman, this is simply to expedite sending the bill to conference?

Mr. SABATH. Yes; to simplify action on the matter.

The amendment was agreed to.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that all Members who speak during the debate on this bill may have permission to revise and extend their remarks, and that all Members of the House may have 5 legislative days within which to extend their own remarks in the Appendix on the measure.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution (H. J. Res. 222) declaring a national emergency, extending terms of enlistments, appointments, and commissions in the Army of the United States, suspending certain restrictions upon the employment of retired personnel of the Army, making further provision for restoration of civil positions to members of the Army on relief from military service, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution, House Joint Resolution 222, with Mr. COOPER in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent the first reading of the joint resolution was dispensed with.

Mr. MAY. Mr. Chairman, I yield 30 minutes to myself.

Mr. ANDREWS. Mr. Chairman, will the gentleman from Kentucky yield to me for a moment?

Mr. MAY. Yes.

Mr. ANDREWS. I may say to the Members of the House that I am taking this time at this moment so that the House may be informed of what the chairman of the committee, the Speaker, and the majority leader, and I have agreed on. It is our understanding and agreement that we will limit debate to 4½ hours today, 2 hours and 15 minutes to be allocated to the majority and the same amount of time to the minority members of the committee, with the understanding that we will have an hour and a half debate on Monday next, and that the House on that day will convene at 11 o'clock in the morning.

Mr. MAY. That is my understanding.

Mr. Chairman, when I reported this resolution, as chairman of the House Committee on Military Affairs, I was asked by a number of gentlemen of the press the question, Will the resolution pass? I said, very emphatically, "Yes." They then wanted to know on what I based my prediction, and I said very promptly that I had enough confidence in the sound, hard-headed common sense and inherent patriotism of the membership of the House of Representatives of the United States to believe that they are not going, either for political or other consideration, to disintegrate, disband, and demobilize our national-defense setup in the face of great peril. As to whether I was right in that prediction will remain to be seen after we have exercised the right of democrats here; and when I speak of democrats in this case, I am talking of men who have the right to think as they please, to act as they please, and vote as they please. With that idea in mind, I hope to proceed quietly and orderly and explain if I may the provisions of this resolution, not necessarily in detail but enough so that the House, after reading it, would understand exactly what the issues are that are presented. It is not a question of what my preference might be, nor is it a question of what might be the preference of those who have been called to the service under the Selective Service Act. That is all beside the issue. The issue is whether the Congress will go along, move forward with what it started to do last year when we passed the original act.

After many years of experience in the courtroom, with a number of lawyers on each side of the case, I have learned that sometimes the other fellow would steal your thunder before you get started. That happened in this case, because the gentleman from Virginia, Judge SMITH, just a little while ago, put his finger exactly upon the issue, and stressed it with such force that I hesitate now to undertake to develop it further, but it will be doubtless asked in the course of the debate, and it may be urged in the course of debate, that the Congress made a promise to the men who are now inducted under the Selective Training Act, that they would be relieved at the end of

12 months. That is not true, that is not the fact. The Congress made no such promise, and nobody made it so far as I know, unless somebody seeking reelection to office other than Congressmen, of course, may have told his constituents that. I did not even do that.

What is the situation; what are we considering? We are considering one question and one only, and that is the question of the extension for a longer period than 12 months of the training and service of the selectees, the National Guard and the Reserve Corps. I call attention to some of the provisions of the original act as a basis for what I shall say hereafter. The Congress declared a policy in that act, and it declared first—

The Congress hereby declares that it is imperative to increase and train the personnel of the armed forces of the United States.

What does the word "imperative" mean? It means that it is imperative, because there is something impending that makes it imperative. At that time we perhaps knew of the fall of France, knew of the fall of Belgium, we knew of the wreck and ruin of Poland, we knew a lot of things then, but we know vastly more now, as the great dictators of Europe march forward but with little resistance, and with ever-increasing and triumphant successes.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. MAY. I shall have to yield to my genial colleague, but I hope that I will not be further interrupted.

Mr. ARENDS. Mr. Chairman, I call attention to the statement the gentleman made awhile ago with reference to the fact that no promise was made. I read to the gentleman now from page 11368 of the RECORD of September 3, 1940, where as chairman of our committee, the gentleman from Kentucky said:

Under that provision, those who are trained under this legislation, at the expiration of their training period automatically go back home.

Then later the gentleman from Oregon [Mr. MOTT] asked the question:

This bill confines the actual service of the man selected for 1 year.

To which the gentleman from Kentucky, our chairman, made reply:

That is right. Under the provisions of this bill the service is limited to 12 months.

Mr. MAY. The answer to that is that I was talking about the provision as a whole. The gentleman has failed to observe the exemption contained in subsection (b) of section (c) of the act, which I shall now discuss briefly.

Now, let us see what it says.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. MAY. Just a moment. I will not yield now. I am trying to answer the gentleman from Illinois [Mr. ARENDS] before I answer you. Then I shall be glad to yield to the gentleman from Pennsylvania [Mr. DITTER].

Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months unless sooner discharged, except—

Except what?—

except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

And that is the very purpose of this Resolution 222. It declares that the Nation is imperiled; and in explanation of it let me show how cautious and how careful and how prudent the gentleman from Illinois [Mr. ARENDS], the gentleman from Indiana [Mr. HARNESS], and other gentlemen on that side of the House, members of the Military Affairs Committee, were when the bill was under consideration and when the question came up. Here is another exception that was yielded to by the majority of the House Military Affairs Committee on the solicitation of the minority. Here is what it is:

That the Congress, acting in accordance with—

And here is the phrase that was inserted on an amendment coming from the minority and agreed to by the majority—

and solely for the purpose of—

That was inserted in the language of that amendment—

That the Congress, acting in accordance with and solely for the purpose of carrying into effect the provisions of section 3 (b) of the Selective Training and Service Act of 1940, hereby declares that the national interest is imperiled.

Now, why was that phrase, "and solely for the purpose of," inserted? It was done because we learned in the hearings, as perhaps the average Member of the House does not know, that there were nearly 50 statutes that were enacted during the World War that are still the law of the land, that would give the President, for instance, the power and authority to order men beyond the continental limits of the United States, as he did during the World War, and gentlemen on that side and gentlemen on this side were determined to set at rest forever the question of an expeditionary force to the continent of Europe, as has been urged today by some of these gentlemen.

Someone, I think it was the gentleman from New York, said that General Marshall, or perhaps somebody in the administration—I would not say that he said General Marshall—was seeking an expeditionary force again. Well, what is the testimony on that? I wonder where is the man, either Republican or Democrat, who would disbelieve Gen. George C. Marshall? Here is what he said in discussing the annual report he made to the Secretary of War, and through the Secretary of War to Congress. He had been discussing the difficulties of building and keeping and operating an army. In the course of it he said something, and the newspapers picked it up and stressed it by headlines and magnified it and multiplied it and agitated it and wrote it up that he was in favor of an expeditionary force. Then when he came before our committee, here is what he said:

Apparently that heading was read at a glance and the conclusion reached that I was recommending an A. E. F., and it was so circulated on the press wires. I was doing nothing of the kind.

That is the answer of our greatest active general today.

Do you believe that?

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to my colleague.

Mr. ELSTON. It is a fact, however, that General Marshall testified just recently before our committee that he was in favor of lifting the restriction which requires our soldiers to remain in the Western Hemisphere and in continental United States. I would like to know what the difference is.

Mr. MAY. I do not recall that he gave that testimony. He may have done it. If he did, I will not say that he did not, because the gentleman from Ohio [Mr. ELSTON] is such a distinguished Representative and such an able lawyer that he probably remembers something I do not. But if he made that statement, I have no recollection of it. But I do know he said it was useless to talk about an expeditionary force, because he knows as I know and you know and as every citizen knows, there is no place today on the continent of Europe where we could land an expeditionary force, and we are not going to run our heads into a fire and burn our brains out.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from South Carolina.

Mr. HARE. Regardless of what General Marshall may have said or regardless of what he may have intended, do not the provisions of this bill make it impossible for an A. E. F.?

Mr. MAY. This bill does not allow an expeditionary force or any other force except in the Western Hemisphere.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. MAY. Not now.

Mr. RICH. Just for one question.

Mr. MAY. I beg your pardon. I cannot yield now. I am sorry.

Now let us see where we are and whose counsel we are going to take. You know, a certain old man away back down the centuries may have had long hair and whiskers, but he was not a fool by any means. He said that "in a multitude of counsel there is wisdom"; and they called him Solomon. What are we going to do about advice as to operating and maintaining an army? Are we going downtown and hunt a surgeon and ask him whether we have the right kind of army or not? Are we going out on the plains to the ordinary farmer and ask him whether the Army is what it ought to be to meet its opposition? Or are we going to take the sound, deliberate, and well-considered judgment of the Chief of Staff of the United States Army, a professional soldier, who knows what we have and what we have not, who knows the defects, who knows the virtues and the power

that he has? Are we going to take his advice or are we going to listen to the high-sounding phrases of "Keep us out of war," "Keep us out of war," and disregard the well-grounded judgment and advice of men of skill and experience such as our Chief of Staff and other military experts? Or are we going to listen to the fanatic who comes around and says, "You are going to get us into war," and that is all you can get out of him? When I go to seek advice as to what my property rights are, I go to the best lawyer I can find. Why? Because he had his academic course in school, he had his years in college, he had that plus his law course of training, and those were all years of training and preparation. When he got his law degree and then his license to practice at the bar, he was able to serve; and I am going to him because he has the right to serve. When I want a soldier to fight, I want one that has been trained the length of time necessary to enable him to understand the difficulties of the operation of mechanized units here or a difficult piece of machinery there. I want a soldier who is seasoned and hardened and toughened until he can march all day and fight all night if it is necessary. I do not want a mollycoddle that is too fat and too heavy to move with action swift and prompt when the time comes; I want a trained soldier, and I want him equipped. This is the meaning of this legislation—that we shall train them until they are equipped. Are we going to march raw recruits, like we did during the World War, to a battle front for training? Or are we going to train them here in our own homeland, in the great cantonments which we have built, so they may be prepared when they are called to go—trained in peacetime, instead of before an oncoming, ruthless mechanized foe with powerful striking force?

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield.

Mr. GIFFORD. I congratulate the gentleman on his presentation of his case; but the Commander in Chief of General Marshall has declared that we will repel any taking of Dakar. If we send a force to repel the taking of Dakar, would it be an expeditionary force?

Mr. MAY. I may say to the gentleman from Massachusetts that in my judgment the Commander in Chief of the armed forces of this country has adopted a policy that an outpost in modern warfare susceptible of being planted down and sowed down with powerful bombers of long range and fast speed is just as dangerous as an intrusion upon one of the States of this Union. Modern air power has brought the nations of the earth face to face and we are fortunate in having a President who is pursuing the policy of not allowing any enemy to move closer to a jumping-off place.

Mr. GIFFORD. And I agree; but answer my question: Would it be an expeditionary force should we go there? That is one place we could send an expeditionary force, is it not?

Mr. MAY. To Dakar?

Mr. GIFFORD. To Dakar or the Azores, those outposts.

Mr. MAY. Yes; you could send them there, but nobody has sent one yet.

Mr. GIFFORD. But the gentleman told us a moment ago that there was no place on earth where we could send an expeditionary force.

Mr. MAY. I said no place on the continent of Europe. I said that because Hitler has the continent of Europe under his feet.

Mr. GIFFORD. I am glad the gentleman says that now, if that is what he means, although I do not believe he said that.

Mr. MAY. I said a few moments ago there was no place on the continent of Europe, and I say it again now.

Mr. GIFFORD. But the gentleman suggests now that the sending to Dakar of an armed force would not be sending an expeditionary force.

Mr. MAY. If we are menaced from that direction and it became necessary to send an armed force to Dakar I am in favor of it, and I do not believe the gentleman himself feels any differently.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield.

Mr. RICH. Was our act in sending troops to Iceland the sending of forces into the Eastern Hemisphere? Or is Iceland in the Western Hemisphere?

Mr. MAY. I have never been to Iceland and I should not care to hazard a judgment or express an opinion as to which side of the line Iceland is on; but I will risk the judgment of the President of the United States who has his fingertips on wires connected with every capital in the world and who gets daily, hourly, and almost every minute, reports as to what is going on here, there, and yonder. He knows better than I, and I am going to follow my Commander in Chief.

Mr. McKEOUGH. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Illinois.

Mr. RICH. Mr. Chairman, will the gentleman yield further to me? I want to follow my question up.

Mr. MAY. I have already yielded once to the gentleman.

Mr. McKEOUGH. I was very much interested in what the gentleman had to say about the necessity of having properly trained men—men trained in the use of modern weapons and equipment. In order to facilitate that kind of training, I wonder if the gentleman does not agree that the first requisite is a sound morale.

Mr. MAY. Yes; I agree that there must be good morale in the Army, but I see nothing in this resolution to affect morale in the service.

Mr. McKEOUGH. Does the gentleman believe the morale of the Army now is sufficiently sound, affected as it is by reason of this threatened extension, to assure that kind of training?

Mr. MAY. I am quite confident from the evidence I have heard that there is more noise on the outside about what is going on on the inside by people who do not know what they are talking about than is actually happening on the inside.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. MAY. I do not like to take up so much of my time, but I will be glad to yield to the gentleman from Pennsylvania.

Mr. DITTER. In line with the colloquy that was engaged in by my distinguished friend from Massachusetts and the chairman of the committee, would the chairman of the committee state that the sending of an expeditionary force to Dakar would be an A. E. F., as the gentleman from Kentucky understands the term "A. E. F."?

Mr. MAY. I think that is quite irrelevant to the discussion here, and I do not make any further answer.

Mr. DITTER. Would not——

Mr. MAY. I decline to yield further now. The gentleman can get time from his own side.

Mr. DITTER. I am surprised at my friend's refusal to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. MAY. Mr. Chairman, I yield to my friend from Pennsylvania for a question.

Mr. VAN ZANDT. I wonder if we may think for a moment about the enlisted man in the Army.

Mr. MAY. Yes; that is a matter we must think about.

Mr. VAN ZANDT. If this bill becomes a law, he will be frozen into the Army service, of course.

Mr. MAY. That is right.

Mr. VAN ZANDT. If my memory serves me right, the gentleman several years ago recognized an Army enlistment as a contract between a citizen and his Government. Now, by reason of the language of this bill that practically will be violated and the men will be retained in service indefinitely. I wonder why the gentleman's committee has not granted to the enlisted man of the Army who reenlists within a period of 24 hours the same reenlistment gratuity as this House and this Congress will grant the man in the Navy who reenlists within the period of 24 hours?

Mr. MAY. We did not know the House was going to grant a bonus to anybody in the Navy or we might have given consideration to it; but that was not an issue in the hearings before us. We had a bill that was introduced that did not involve that question. Furthermore, and speaking personally, I am not in favor of gratuities except that when you grant gratuities they should be uniform as to everybody—selectees, National Guard men, Reserve officers, and the Regular Establishment—all the same, instead of being somewhat like a bill that has been adopted by the other body which discriminates against one group and in favor of another group. I am not in favor of that kind of legislation.

Mr. EATON. Will the gentleman yield for a question?

Mr. MAY. I cannot resist yielding to the amiable gentleman from New Jersey.

Mr. EATON. I thank the amiable gentleman from Kentucky. A year ago when we passed the selective-service bill, all the requirements for a trained soldier were then as necessary as they are now.

Why, under those circumstances, did we not then arrange enough time for these men to be properly trained instead of coming now and doing it a bite at a time?

Mr. MAY. My recollection is there was an election approaching then, and I am just afraid that somebody, I do not know who it was—I think it was outside of Congress—was influenced by that consideration.

Let me go a little further with this comparison of a trained, seasoned, equipped, brave, courageous, fearless soldier. I have talked about going to get a lawyer to look after my property rights. Suppose that I need a surgical operation. Do you find me downtown hunting a nurse to do the surgery? No. Do you find me walking around the hospitals looking for the janitor to perform this surgery? No. I look for the best-trained surgeon I can find and that surgeon has had his years of culture, training, and preparation in the academic courses, in his college courses, in his premedical course, in his medical course, and then his internship in some hospital like Mayos or Johns Hopkins. Then, and not until then, I become willing to trust him. Why? Because he is not only trained but he is ready for service. That should apply specially to our armed forces.

What I want is a fighting man, not a man who goes to Sunday school 6 days a the week. I want a man to go up against a machine of trained veterans of many years, because if we do not have them, if we have an army which is in the slightest degree less prepared than our opponents, we might as well have no army at all; therefore, we have to have the best army in the world, the best-equipped army in the world, and the best-trained army, because if they are not trained, they do not know how to fight. Let me call your attention again to the fact that today's warfare is not like it was during the Civil War. Then it was bayonets and rifles. Today it is machines and motorized equipment and technical things that require skill and training in every direction. Why, I cannot fire a machine gun, consequently I would not be worth anything in the Army if I were in it if I had to operate a machine gun.

Mr. HARNESS. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from Indiana.

Mr. HARNESS. I think the distinguished gentleman from Kentucky, chairman of the Committee on Military Affairs, will admit that there was not one single military authority who appeared before our committee when the Selective Service Act was under consideration who did not say that 12 months was all that was necessary to train these men.

Mr. MAY. I am afraid the gentleman may have done like I did awhile ago when I was asked by some gentleman a question. I may have forgotten something, but I think the gentleman has evidently forgotten that Gen. George C. Marshall said that 18 months was the minimum, but he might accept a compromise on 15 months. Just last week, when he was before our committee, when you were looking him in the eye, he was asked by me if he did not advocate such a thing, and he said "no." The thing has changed.

Mr. HARNESS. The chairman of the Committee on Military Affairs knows very well that he advocated 12 months. He said he could make a good soldier out of a man in 12 months, and that was just a year ago.

Mr. MAY. All right. Let us see whether he did or not. I know that General Marshall said the other day to my committee that he was certainly opposed to any politics in the thing, and when one member of the committee asked about politics, he resented it, and I do not blame him, because if the time ever comes in this country when our Military Establishment must become political, like the Congress, then God save the country.

Mr. ANDREWS. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from New York.

Mr. ANDREWS. He took 12 months because he could not get any more, and there are a good many on this side who would not vote to give him 12 months.

Mr. MAY. I thank the gentleman from New York for his very beneficial contribution to the debate, because that is the point. It is the fact.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield 30 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Chairman, in my explanation and discussion of the pending resolution I trust that I may be as clear and cogent, as lucid and logical, as it is possible for me to be. Though I speak with a great deal of feeling on this resolution, above everything else this afternoon I hope to be temperate and factual.

The two principal arguments advanced for the passage of Senate Joint Resolution 222 are, one, that the national interest is imperiled; and, two, that unless the resolution is immediately enacted into law our Army will rapidly disintegrate.

No pancake was ever so flat that it did not have two sides. While there is some validity to each one of these arguments I think upon close and careful examination they will not stand the test of reason; and I appeal to the Members this afternoon as reasonable men and women.

Of course, when a world war of such gigantic magnitude as the present one is raging, the national interest of every country is more or less imperiled, but after listening to the testimony and reading not only that testimony offered before the House committee but also that offered before the Senate Committee on Military Affairs, I am thoroughly convinced, as are many Members of the House on both sides of the aisle, that we are not warranted in declaring that the national interest is now imperiled, which is equal, in my judgment, to declaring a national emergency.

The President in his message to this body on July 21, 1941, less than a month ago, issued the blanket statement that our national peace and security is in grave danger, in fact, that our danger is, and I quote him exactly, "Infinitely greater than it was 1 year ago."

Gen. George C. Marshall, Chief of Staff, also in his testimony before our committee said that we are "in the midst of a national emergency."

The danger confronting our country today is real, but I do not see how anyone, if he faces all the facts, can declare that the danger is "infinitely greater" now than it was at the time we passed both the National Guard and the Selective Service Acts.

When pressed to give specific data or detailed evidence for that dogmatic statement, General Marshall's reply was:

> It is not in the public interest to publicly state all that we know.

While there is some truth to that, if we are in grave danger, if we are facing imminent peril or actual invasion, then the enemy must know as much as we do and nothing can be gained by withholding information from the American people. Certainly no harm would be done for the Members of the Congress of the United States to be given the evidence to substantiate such a contention. We should know as much as Hitler himself must now know. But when pressed for that evidence and that data, neither the President nor the Chief of Staff elaborated on their broad, blanket, dogmatic opinion.

We not only feel that our danger is no greater now than it was a year ago, but we feel that if you consider all the facts and evidence, we are actually in less danger today than we were a year ago. Let us be specific and definite. Let us give facts to warrant an assumption and to corroborate an opinion. What about our own preparedness?

When the National Guard and Selective Service Acts, which were approved in August and September of last year, were enacted into law, we had less than 300,000 men in actual military service in this country. Today we have approximately 1,500,000 men in actual military service, 400,000 National Guard men and Reserve officers, 476,000 Regulars, and 600,000 selectees, or a total of more than 1,476,000 men.

Our air force has been enormously increased, and we have already provided for an additional 152,000 men for that arm of our service. Matériel for these men has been astonishingly increased.

The Navy has made great strides. We have 270,000 men engaged in our naval services today, all of them volunteers, because we have had a sufficient number of volunteers to meet our present demands. We have recently launched the *Washington* and the *North Carolina*, our two mightiest battleships, and other large numbers of both naval and cargo vessels have been put into actual service within recent months.

Although we are still sadly lacking in equipment and totally unprepared for a shooting war, no one will deny that we have made tremendous progress in the production of ordnance. So, as far as our own defenses are concerned in the United States, we have made great progress not only on the land and in the air, but also on the sea, and no one can deny that America is infinitely stronger at this hour than we were when we passed both

the National Guard and the Selective Service Acts a year ago.

Certainly, it must be obvious to reasonable men that each day as the warring nations spend their strength and grow weaker, we in the United States each day, as we increase our production, are growing stronger.

Let us see now about the condition of England as compared to a year ago. Only last week Winston Churchill informed Parliament that the strength of England had been doubled, and that they were making progress on all fronts. He did not claim that the battle of the Atlantic had been won, but he stated, and I quote, "It has moved impressively in our favor." He declared that naval construction was meeting war demands, that the superiority of Germany in the air had been broken, and that the Valley of the Nile was much safer.

In addition to our own increased preparedness and strength, in addition to the marvelous progress that Britain has made largely due to American aid that has been extended, there is another great factor which will not corroborate the blanket, dogmatic opinion of either the President or the Chief of Staff that our danger today is "infinitely greater than it was a year ago." What is that fact? A year ago when we passed the Selective Service and the National Guard Acts Russia and Germany were allies. Of course, all informed persons well knew that such an alliance was based solely upon political expediency. There is nothing in common between the German and Russian peoples. Teuton and Slav do not mix any more than oil and water.

Today they are bitter and mortal enemies engaged, perhaps, in the greatest battle that any two armies ever waged, and these millions of Russian mechanized troops have shown a resistance which both the President of the United States and the British Prime Minister have said is magnificent; in fact, all the world has been astounded at the stubborn resistance offered by the Soviet troops, and it is quite obvious that the Nazis miscalculated the strength of the powerful nation to their east.

How, then, I want to ask Members, as representatives of your constituencies in the United States, can anyone claim that we are in "infinitely greater danger today than we were a year ago" after the progress that we have made at home, after the increased strength of England at this hour, and particularly because of this devastating contest between Germany and Russia, when that mighty war machine of the Soviets is sapping the strength of the Nazis?

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I would prefer to continue, but I will be glad to yield later if I have the time. Please let me finish my statement.

That is the first argument, that our national interests are imperiled. We will admit they are imperiled, of course, but we cannot accept the contention of the President or the blanket, dogmatic statement of the Chief of Staff, who never offered any evidence whatever, but gave it simply as his own individual opinion that the situation is more grave now than when we passed these acts less than a year ago.

Now, let us turn to the second argument advanced by the proponents of this legislation. They say that unless this legislation is immediately passed the Army will rapidly disintegrate. The President said in his message of July 21 last, and General Marshall offered as testimony before our Committee on Military Affairs, that unless we continued the selectees for more than 12 months in service, two-thirds of the men in our Army and three-fourths of its officers will suddenly disappear.

This statement is very misleading. Of course, we all admit that should all these selectees be discharged in one day, then it would be a grave danger and it would indeed be a catastrophe and a calamity, but the truth of the matter is, as every Member of this body knows, these men were not all inducted in one day. They were inducted beginning last November up until June, and I have the figures that will be revealing to some of the Members if they have not already examined them. Not only did we stagger their enlistments, but their demobilization will be staggered over a period of months that will not cause disintegration of our Army. In November 1940, 13,000, in round numbers, were inducted, 5,000 in December, 73,000 in January, 90,000 in February, 153,000 in March, 123,000 in April, 56,000 in May, and 79,000 in June. Now, it is obvious that the greatest number of men that will be released from active duty in any one month will be 153,000 men, and that will not be until next March. And between now and then, 7 months away, a sufficient number of these registrants can be inducted into the military service to take their place. Indeed, if we make the registrations and the inductions in a slow, gradual, efficient, orderly, and intelligent manner, we can so provide that even a far less number than this will be discharged in any one month.

So, Mr. Chairman, while our failure to retain these selectees for more than a 12-month period might cause the Army some inconvenience, certainly it will not cause disintegration. The Army is constantly faced with the problem of replacing men. Some men in a squad or in a platoon or a company or battalion or regiment or division, naturally, fall ill and have to go to the hospital, some are absent without leave, a few desert; sometimes they are killed, you know, in the Army, and, naturally, those ranks have to be filled by rotation; and the contention of the minority, or most of the minority, of your committee, after giving serious study to this problem, is that we are convinced, instead of weakening our national defense, this rotation of inductees will actually strengthen it by building up a large reserve of trained men.

One of the stipulations of the Versailles Treaty at the close of the last World War was that the German Army should be reduced to 100,000 men, to act simply as a police force; but the Germans, smart as they are and scientific as they are, immediately set out, particularly after Herr Hitler came into power, to make an officer out of every one of those 100,000 men, and by a short period of intensive training they had a quick turn-over and built up a huge reserve that has produced the mightiest war machine in the history of the world.

So we are forced to conclude that this failure to continue the selectees for more than a 12-month period will not imperil national defense but will actually insure a quick turn-over in our Army, and will give us many more trained men. In fact, to prolong the period of service of these selectees, and to freeze them in the Army, would produce a static Army, which is the thing we do not want. It would seem that we could create a mighty military machine by taking in different groups of young men each year and building up this powerful reserve. In fact, General Devers, one of the youngest, ablest, and most brilliant military men in our present establishment, who has been in command of the triangular division at Fort Bragg, testified before our committee that this division is highly trained and well equipped today, and could be ready on short notice for combat service, although half of that division is composed of selectees who have had much less than a year's actual military training.

General Marshall testified before the committee that the garrisons in the Philippines, Hawaii, and Panama are for the most part manned by men of the Regular Army, and that only a comparatively few selectees have been sent into these distant posts. He testified that if we failed to pass this resolution only 1,200 selectees would have to be brought back from Hawaii and only 1,800 from Alaska, and I cannot for the life of me see how the bringing back of 3,000 selectees from these two distant posts in Alaska and Hawaii would disrupt our present army of a million and a half men.

Certainly the Chief of Staff must have known when he ordered those men out there when their term of enlistment was going to end, and I think perhaps a mistake was made by not holding Regulars in reserve to send to those distant posts. In fact, I cannot understand why selectees, with little or no training, were sent to Alaska and Hawaii, when they would have to be brought back in a comparatively short time. I do not say they were sent to force the passage of this resolution, but there is a bug under the chip.

Mr. Chairman, while the minority cannot accept the argument that our national interests are imperiled today, more than they were a year ago, and that we are in the midst of a national emergency that would give war powers to the Executive in time of peace, and while we cannot accept the statement that our danger is "infinitely greater" than when we passed the National Guard and Selective Training and Service Acts; while we cannot agree that the failure to retain these selectees for more than 12 months would cause disintegration of our Army, yet we do realize that America today faces a real danger. Believing in national defense, wanting to protect our interests, wanting to make secure this Nation, wishing to promote national unity, desiring to avoid a shooting war, and above

all else, eager to maintain the morale of our Army and citizenry, we are in favor on the minority side of going further than some of my Democratic colleagues to whom I have talked about these matters have been in favor of going. While we are not in favor of extending the time of selectees beyond a 12 months' period, we are in favor of giving the President the power to authorize continued service of the National Guard, the Reserve officers, the reserve components, and the retired personnel of the Regular Army.

Section 1 of the resolution declares a state of national emergency, or in other words, following the language of the Selective Service Act, it states that "the national interest is imperiled." We object to this section for reasons already stated. We reject that part of section 2 of the resolution that would give the President power to continue in service these selectees, but we would give him the power to continue the National Guard, the reserve components, and the retired personnel of the Regular Army during the emergency he declared, provided you keep in that section the provision that the authority of the President could be revoked by a concurrent resolution of Congress.

Mr. Chairman, all this resolution is not bad. There are other provisions of it that are good ones, with which we are in sympathy and would like to see enacted into law. Section 3 provides that the Secretary of War, when not inconsistent with the national defense, can release from active military service those men who are suffering undue hardship, which would include men with dependents, perhaps some married men, and secondly, that group of men who have attained the twenty-eighth anniversary of the day of their birth on or before July 1, 1941. We are in favor of section 3 of the resolution. We also believe that section 4 of the resolution should be adopted, because the retired personnel of the Regular Army are needed just as much as the National Guard, to train these raw recruits, or these "rookies," as they are inducted from time to time. Section 5, likewise, is a good provision and we are in favor of extending those benefits of unemployment to the men who enlisted subsequent to May 1, 1940, in order that they might have the same rights and privileges as those men who are inducted under the Selective Training and Service Act itself.

Section 6 of the act is a dangerous one to which we are unalterably opposed. Section 6 provides for lifting the lid from the 900,000 selectees who are now, under existing law, permitted to be in training at any one time. Recent testimony before our committee, while considering this resolution, by the Chief of Staff himself, was that with 1,700,000 men he could successfully defend the Western Hemisphere. Well, gentlemen, if you keep in mind that we have 1,500,000 men in our Army now—476,000 Regulars, 400,000 National Guard and Reserve officers, and only 600,000 selectees, and 152,000 other men who have been provided for the Air Corps, it is evident that with 300,000 more selectees in reserve, who have not yet been called into service, we could have an Army far in excess of the 1,700,000 men which General Marshall testified himself are all that are necessary in order to defend the Western Hemisphere.

So I want to ask you this question, Why should we lift the lid off 900,000 men on selectees, freeze our Army at that point and then build up a vastly greater Army, far beyond that number, the sky the limit, unless it is to have another expeditionary force; unless it is to send those men who are not needed to defend the Western Hemisphere, to fight the battles in Europe, Africa, and Asia? The passage of this resolution is simply the prelude to another A. E. F.

General Marshall testified before our committee that he had never, for one moment, had an A. E. F. in mind. I believe General Marshall is an honest man, and I do not dispute his word, but unfortunately that decision is not made by the Chief of Staff. It is made by the Commander in Chief of the American Army and the Secretary of War and the Secretary of the Navy. Only the Congress can hold them in check, and that, gentlemen, is what we should do in this resolution. This thing must not pass in its present form.

We object to section 6, in lifting that 900,000 limit on selectees; that is not needed, according to the Army itself.

Section 7 permits the Army to induct these men as members of the Army of the United States, instead of assigning them to any particular component. The minority likewise agrees that that is a good provision, because flexibility in the assignment of personnel is essential to the building of a strong army.

In the few minutes that remain, after telling you what provisions of this resolution we favor and what provisions we are against, and after offering you or attempting to offer you specific data and detailed information and corroborative evidence to support our contention, I want to say that we feel this resolution is wholly unnecessary. I want to speak particularly to the good lawyers of this House, because I am not one, but I am looking at one now. The National Guard Act, which was approved in August 1940, clearly states in section 1 that the President of the United States is authorized, up until June 30, 1942, to call into active military service all reserve components or any parts of them, in the United States Army. Section 3 (c) of the Selective Training and Service Act, that was approved 1 month later, in September 1940, clearly states that those selectees, at the expiration of their 12 months' period of training and service, are transferred to a reserve component of the land or naval forces of the United States. Therefore, if those selectees are needed for national defense, they can be called back by the President under the provisions of these two measures at any time he chooses. So why have the act at all? It is wholly unnecessary. He has the authority; why does he not accept the responsibility? After all, he is Commander in Chief of the Armed Forces.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I gladly yield to the gentleman from New York.

Mr. ANDREWS. I wonder, if the gentleman were a selectee and the Army produced an order saying that he should go into the reserves and come back 1 minute later, would the gentleman employ a lawyer, or, being a good lawyer himself, take the position that the proviso in the Selective Service Act gave him redress against being called back?

Mr. SHORT. I do not know what that proviso of redress is. I would like to have it pointed out to me.

I merely have stated the provisions of the two laws. I want to say this: I know that when we passed the Selective Service Act, as our good chairman knows, it was stated that after serving a 12 months' period of training and service, if the Congress should decide that our national interest is imperiled, then the selectees could be held on in the service. But the chairman knows that that provision of the bill was played down and that the 12 months' period of enlistment was played up, and I do not care what the law says. I stand here to say to you as reasonable men that what was in the minds of the young men who were inducted, the thing that was in the minds of their parents and of the public generally, yea, the argument of many Members on this floor who voted for the passage of the Selective Training and Service Act, was because they were to serve for a period of only 12 months. They left their farms, their businesses, their vocations, with this understanding, and made their plans accordingly. If we break faith with those men in our Army now, I fear that the morale of our forces will be seriously disturbed. I cannot feel, for the reasons already enunciated, that by the discharge of these soldiers, the first of whom are to leave in November, we are going to disrupt the Army of the United States. Our Army will not be disintegrated, but if we break faith with those men and hold them beyond the 12 months' period of service, I do fear the demoralization of our Army. Demoralization is as bad as disintegration.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield gladly.

Mr. ROBSION of Kentucky. What reason does the War Department give for not calling in these 300,000 more they had a right to call in and train?

Mr. SHORT. I am glad the gentleman from Kentucky has asked that question. Simply because we do not yet have equipment for them; and I want to say to the Members of this body that some of our highest military officials have told me in the presence of other Members of this House—on the q. t. of course—that they do not want the personnel of the Army increased until we catch up with equipment. Modern mechanized warfare has demonstrated that a small force of highly trained and well-equipped men are far more effective than millions of ill-equipped men.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield to the gentleman from Ohio [Mr. HARTER] 15 minutes.

Mr. HARTER. Mr. Chairman, I care not how many of the opposition to this bill may rise and state that the national interest of this country is not in peril, all of us know that the people of this

country are troubled. They are disturbed over conditions throughout the world. We have heard it said here today that the situation, so far as we are concerned, is much better than it was a year ago at the time of the passage of the Selective Service Act. What has occurred during the past year? And is the situation any better so far as the United States is concerned? What has happened? We know Japan is on the move, and many people who are informed upon our foreign relations feel that Japan in the Far East is much more of a threat to our national security and to our involvement in war than anything that is occurring elsewhere in the world today. We have seen her move her troops, her military forces, into territory in Indochina, outflanking the Philippines, getting ready perhaps to move into the Netherland East Indies and to attack Singapore. I do not think the United States is going to stand idly by if she makes an ultimate move in that direction. What has happened in Europe in the last year? We have seen the entire Balkan Peninsula brought under the domination of Hitler. We have witnessed the British chased out of Greece and out of Crete. They say the situation is better in northern Africa. What does the history of the past year show there? Why, when the Germans moved their mechanized units into northern Africa they recovered most of the territory the Italians had lost to the British, and the battle still goes on in that part of the world. The Battle of the Atlantic is far from being won. The shipping losses are tremendous week by week and month by month, and this today is one of the very serious threats to the ability of England to maintain herself as a nation and as a fighting unit.

I want to discuss this bill in the light of some of the statements of General Marshall and in the light of the Selective Service Act itself. As has been so often and so truly said, when we need advice on matters where professional opinion only is competent to give advice we should go to those who are trained; and that is why in times like these we have to depend upon the knowledge and the counsel of those who are trained in the arts of war. I would rather have the opinion of General Marshall than that of thousands of laymen who gather about the street corners and fight the wars of the world, because it is Marshall's responsibility to advise the Commander in Chief and to chart a safe course for the people of this country. General Marshall, in his appearance before the Military Affairs Committee in discussing the biennial report of his first 2 years' stewardship as Chief of Staff of the Army, had this to say:

> My recommendations were based on military necessity only, and I was especially concerned that they be made in a manner that was clearly nonpolitical. I consulted no one with respect to them and no one knew that I was going to make them. I thought that my action was in the best interests of national defense.

In testifying before the Committee on Military Affairs General Marshall stated that he would prefer an initial period of training of at least 18 months, or 15 months, rather than 12 months. Perhaps the gentleman from Indiana, when he interrogated the chairman of the committee a few minutes ago, failed to remember that. The record discloses that that was the recommendation of General Marshall at the time the Selective Service Act was under consideration before the Military Affairs Committee of the Senate and the House. The sponsors of the bill, however, had originally substituted 8 months as the initial period of training and service, and explained that regardless of the length of the initial period a provision would be inserted under which Congress could extend such initial period should it deem any such extension advisable.

Certain statements have been made recently which indicate a lack of understanding of General Marshall's position with respect to the extension of service. Some people have apparently felt that General Marshall has taken the position that 12 months is not sufficient time within which to train the men, but that 18 months are required for proper training, and that as soon as a man is properly trained he will be immediately sent to the Reserves. Such persons have therefore suggested that the initial 12 months' period be changed to 18 months, and that immediately upon completion of such 18 months the men will be forthwith transferred to the Reserves. This is an entirely erroneous concept of General Marshall's views on the matter. It is my understanding that he desires an extension of the 12 months' period, not on the basis that the men necessarily need additional training, but that he desires to retrain on active duty men who are trained and seasoned, so as to have a sufficiently large army on active duty during these perilous times. It is, however, his intention to induct and train as soon as possible additional selectees who, when they have received proper training and seasoning, will be used to replace other selectees who have been on active duty for longer periods of time. It is not General Marshall's intention to in any way modify or change the theory of the Selective Service Act. It is his desire to build up a large reserve of trained selectees at the earliest practicable time, but to do so without at any time depleting the number of trained and seasoned men which he believes should be on active duty. In other words, to have an army in being for any perilous situation that might confront the Nation. It is, however, his intention to induct and train as soon as possible additional selectees.

I quote from General Marshall's testimony before the Military Affairs Committee, which testimony you will find on page 11 of the hearings:

> We wish to pass the selectees out of the service as rapidly as we can after they have completed their 12 months of service.

And, of course, the objective there is to build up a reservoir of personally trained men so we may have in this country, in view of the conditions that confront us throughout the world, a reservoir of partially trained young men who can in time of the Nation's need be called upon for service, who can be given refresher courses from time to time.

Second, to create a large reservoir of trained reserves, who will be available to be reordered to active duty and to be seasoned in the event they should be required to increase the number of men who are on active duty or in the event they should be needed to replace losses in the event we should engage in actual warfare.

They may never have to be called out as Reservists, but they are ready in case of need, so that we will not be in the position that we were in a year ago when we had a mere handful of Regular Army soldiers without any trained reserves or partially trained reserves upon which we could depend.

We all recognize that should we become engaged in a war, and should we suffer losses, we must have available reserves who can be reseasoned within a comparatively short period of time and used to replace such losses. There is no question but that we would be faced with a very difficult situation if we were forced to replace such losses with completely untrained men. Consequently, there is no question but that General Marshall will transfer trainees to the Reserves at the earliest practicable time and with the least possible extension so as to build up this large and necessary reservoir of Reserves. This procedure is absolutely in accord with the rotation theory of the Selective Service Act.

Charges have been made that if Congress provides for an extension of the initial 12 months' period it will be guilty of a breach of faith and a breach of contract with respect to the selectees.

We have heard a lot of talk about that and I think we should examine the record and find out what the facts are.

At the start of the debate on the Selective Service Act last summer, Senator Sheppard, after reporting the bill, presented a detailed critical analysis in which he clearly and definitely disclosed the fact that the 12 months' period was subject to extension by Congress. On page 10094 of the CONGRESSIONAL RECORD for August 9, 1940, appears the following statement by Senator Sheppard:

> Section 3 (b) provides for a peacetime training period of 12 consecutive months, with a provision for an extension of such period by Congress, should Congress declare the national interest to be imperiled during such 12 months, such extension to end when Congress declares that the national interest so permits. Representatives of the War Department, including General Marshall, recommended a training period of 18 months, and have definitely stated that a 12-month training period is the minimum which would be of any benefit. Congress has control over the length of any extension of the training period, for it is provided that no such extension shall continue until further declaration by the Congress.
>
> Section 3 (b) further provides for the transfer of a trainee after completion of his training period to a trainees' reserve until the act becomes inoperative, or for 10 years or until discharge therefrom, whichever shall occur first in time; and during the time that the trainee shall be in a reserve component he will be subject to such additional training as is now or may hereafter be prescribed by law.

Remember that is not a recent statement. That was the statement made at the time of the passage of the act in the Senate last summer.

Subsequently, and from time to time during the course of the debate, it was clearly and definitely brought to the attention of the Senators that the initial 12-months' period was subject to extension, and that there was no assurance that it would not be so extended.

This point was also clearly and definitely brought out from time to time during the debate on the floor of the House.

Brig. Gen. Lewis B. Hershey recently testified before the Senate and House Committees on Military Affairs concerning the pending service-extension legislation. In his capacity in the Selective Service System he has quite a responsibility concerning the welfare and morale of selectees, and, therefore, his opinion and statements concerning this question of whether or not there would be a breach of faith, are most certainly entitled to the greatest consideration. He very definitely stated to both committees that in his opinion there would be no breach of faith with the selectees if Congress felt that the national interest was imperiled.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield the gentleman 7 additional minutes.

Mr. HARTER. Mr. Chairman, we have heard so much about this subject and that there is a breach of contract here; that we are not keeping faith with the men in the camps; that they did not have any idea but that they were going to be inducted for a period of a year and no longer. I believe we should examine the public press at that time. Fortunately we have an alert press in this country. The young men who cover the sessions of the Congress do it in an admirable manner.

The press of those days, and at the time of the passage of the Selective Service Act, carried full accounts of just what the terms of the act provided. I quote from the Washington Daily News of August 29, 1940, from an article entitled "This Is How the Draft Will Work" by United Press:

Length of service 1 year. This could be extended indefinitely if the country became engaged in war or Congress declared the national interest was imperiled. Conscripts would become members of the Reserves after completing their year of active duty.

That is from the United Press.

The Associated Press in an article appearing in the Washington Post of Sunday, September 15, 1940, and carried through the country by the Associated Press wires stated, and this article is entitled "Section by Section Analysis Clarifies Military Conscription Bill":

Fixes the training period at 12 months, except that it may be lengthened when Congress has declared the national interest imperiled.

Here is an article carried by the United Press on August 28, in which the length of service is discussed:

One year. This could be extended indefinitely if the country became engaged in war or Congress declared the national interest imperiled.

Here is a feature story in the issue of the Times-Herald, Sunday, September 15, 1940, entitled "Summary of Service Law":

Length of training period, 12 consecutive months. If the Congress declares that the national interest is imperiled, that period may be extended by the President to such time as may be deemed necessary in the interest of national defense.

Then from the magazine Time, of September 23, 1940, we find this:

But if the Congress finds the Nation imperiled before their initial year's service ends, they can be held under arms indefinitely.

Surely in an enlightened nation like ours, where the great majority of our citizenship is literate, people must have read of these analyses of the Draft Act.

Certain persons have indicated that the pending legislation is unnecessary inasmuch as a selectee upon completing his 12-month period will be transferred under section 3 (c) to a reserve component and may be immediately reordered to active duty for another year under Public Resolution No. 96. I am definitely of the opinion that a selectee who has served 1 year and has been transferred to the Reserves under section 3 (c) can without question be immediately ordered to active duty for another year under Public Resolution No. 96. However, it is my understanding that Congress did not intend to have a selectee remain on active duty by this procedure if during his 12-month initial period Congress determine that the national interest was imperiled, and that the selectee should remain on active duty for a longer period of time.

I am confident that when the Congress passed the Selective Service Act having the 3 (b) section written in the law it was clearly the purpose and intent of Congress that that should be taken advantage of if the national interest so dictated. We should be men enough to face the situation as it is and make this declaration if we feel that the interests of the Nation are imperiled.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDREWS. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, it is evident from the large attendance here this afternoon that we are all interested in this bill. Possibly most of us have already made up our minds how we intend to vote.

Following the gentleman from Missouri [Mr. SHORT], who spoke to you for half an hour a short time ago, taking the same position that I here take, there is possibly nothing much more I can add except to reemphasize several of the points he brought out in his discussion.

The gentleman happens to be from Missouri. While I do not happen to be from that State, I nevertheless have to be shown the necessity for this legislation and, to date, such has not been the case.

One thing I should like to say before I start my remarks during the few minutes allotted me, is with regard to the statement the chairman of the committee made in his opening remarks concerning the patriotism and loyality of the various Members of the House. I do not believe he intended in any way to leave the impression that he questioned the integrity, the loyalty, the patriotism, or the love of country of any Member of this body, regardless of the position we may take on this bill. We are all sincerely motivated by one desire, all turning toward one objective, namely, doing the best thing for our country at all times.

I call the attention of the House to the minority report, and I hope you will take the time, if you have not already done so, to read it carefully from beginning to end. Those of us who happened to sign this report after some diligent work and thought, set forth very clearly, precisely, and to the point several of the arguments which we herewith present to the Congress for consideration. We base our argument against this legislation on two premises, namely, that the national peril at this time is no greater than it was a year ago, and, second, that the discharge of the selectees from the service will in no way immediately disrupt or disintegrate the Army. It may to a certain extent upset the program temporarily, but not to any serious degree.

If you will go back into history about a year ago and recall our position at that time relative to the number of men we had under training and the number we have at the present time, and then further find out what our status was then in regard to materials and supplies, ammunition, and equipment, and then realize what we have available today, I believe you will come to the same conclusion I have, namely, that we are now much better off from the standpoint of defensive warfare than we have ever been before, and that certainly includes our condition as it existed before the World War.

I, like other members of the Military Affairs Committee, have the utmost respect and regard for the ability, honesty, and sincerity of purpose of General Marshall. He is a great American and an outstanding soldier. I am glad he is the Chief of Staff of our Army. However, in his testimony before our committee he did not point out to my satisfaction the necessity for the passage of this legislation.

If these two arguments of ours will hold water—and I shall not enlarge upon them at the present time—you might well say, "What alternative do you have to offer?" It is simply this, that if it is true that the President can do what I think he has the right to do, then he has the opportunity to keep these selectees in service after they have once been placed in the reserve components of the Army, which will take place after their 1 year service and training.

Let me read to you a résumé of a research I recently had made by some legal experts relative to this point:

In asking the Congress to declare an emergency to exist or to declare the national in-

terest imperiled in order to enable the President to retain in military service longer than 12 months the men inducted into the service under the Conscription Act, the President is asking the Congress to do something he himself already possesses the power to do under the Selective Training and Service Act.

Section 3 (c) of the act provides that upon the completion of the period of training and service under section 3 (b), the conscriptee shall be transferred to a reserve component of the land or naval forces of the United States and shall remain in such component for 10 years, or until he reaches the age of 45, or until he is discharged from such component. While he is a member of such reserve component he may be subject to such additional training and service as may now or hereafter be prescribed by law.

Thus immediately upon the termination of his year of training and service the conscriptee becomes a member of the Reserve Forces of the Army or Navy. If the 12-month period of a conscriptee were to expire, let us say, at 12 o'clock noon on a given day, at 12:01 he would be a member of the reserve component. As such he would be subject to recall for continued military training and service as prescribed by law. The law on the subject covering the reserve forces of the Army is found in chapter 20 of title 10 of the United States Code, as amended. Section 43 of chapter 20 of title 10 provides, concerning the Organized Reserves, that "members of the Regular Army Reserves may be ordered into active duty only in case of emergency declared by the President, and when so ordered shall be furnished transportation and subsistence allowances, etc." The law further prescribes that these Reservists must be discharged within 6 months after the termination of the emergency declared by the President.

President Roosevelt has already declared an unlimited emergency. Therefore if a conscriptee completed his 12-month term of selective military service at 12 o'clock noon, he could be served with an order of the President of the United States at 12:01 o'clock ordering him immediately back into the service for an indefinite period of training. Consequently no further action of the Congress is needed to enable the President to serve notice of continued service and training on these conscriptees under their status as members of the reserve component 1 minute after their 12-month period of draft service has expired.

These conditions do not apply to the National Guard.

The National Guard men are, however, in a different category than the conscriptees. The members of the National Guard enlisted voluntarily. They have had years of training in the rudiments of military tactics. They knew when they enlisted they were eligible to be called by the President for active duty to suppress insurrections or to repel invasions in the United States. Thus they were aware they might be called to active duty at any time. When the National Guard was covered into the service married men and those who had dependents who would suffer by reason of their induction into active military service were permitted to resign.

Therefore if the President and the General Staff desire to retain the National Guard in the service, they should prepare a bill to that end and let it be considered on its own merits by the Congress.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from New York.

Mr. ANDREWS. I think the Members of the House will all be interested when they have an opportunity to turn to page 6738 of the RECORD for August 5 and read the opinion of the Senator from Ohio [Mr. TAFT] opposing the idea that the President could discharge them at 12 o'clock and call them back at 12:01.

Mr. ARENDS. One day this week it was my privilege to spend 3 hours down at the War Department. The House Committee on Military Affairs, regularly, every 3 weeks, go down to the War Department to have a résumé presented to them by graphs and charts by General Ayers, who puts before them all available information as to the position which existed as to materials, supplies, equipment, personnel, and the like when we started in on this program, where we are today, and where we expect to be in the next year or year and a half. After that conference we went to another "off the record" meeting, and from these two conferences I came away, as I mentioned the other day to some of my friends, with a rather heavy heart because, as I told them, it was very clearly proven to me and the thought pounded into our minds that the crying need now is for time, time, time. They emphasized continually that if we are to place ourselves in a position of better and adequate preparedness we must have more and more of that precious thing called time. Therefore, I say to you, it is not a question of the trained personnel of the Army right now as much as it is the question of getting prepared with all manner of equipment so that these boys in training will have something to do with.

Our Navy and our air force, of course, are the two arms of the service that must at the present time be put out in front. The Army at the moment comes behind these two other forces of defense. If we do not expect to send our Army somewhere to foreign soil to fight, and if we are not preparing for another A. E. F., then I ask, in all fairness, what the need is of building up a potential Army of 3,000,000 men at the present time. We have available now under arms approximately 1,500,000 men. In answer to a question which I propounded to him during the hearings on this legislation, General Marshall stated that 1,700,000 men would be adequate at any time to defend the Western Hemisphere or our possessions.

The Army still has the opportunity of bringing in under the selectee law 300,000 more men under this first-year program which permits training 900,000 selectees a year, but which they have not done to date, and further, you might well know—and you should know—that under this program they can still get in these 300,000 before the next 6 months expire, during which time only approximately 180,000 would be discharged for having been in training for 12 months.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield 3 additional minutes to the gentleman from Illinois.

Mr. ARENDS. This week one of the so-called recognized spokesmen of this administration attempted to warn the people, in his discussion of the selectee extension bill, that America must draw its sword and fight to defeat Hitler, the champion of darkness and tyranny. He continued that "the whole campaign is shaping in that direction." Of course, if we are making thereby a champion of right and justice out of Joey Stalin, then I give up, for it looks like six of one and half a dozen of the other, and both are bad.

Then the great spokesman continued by saying that our boys might well expect to remain in the Army for 5, 10, and maybe a generation of years. God forbid such will ever be the destiny or fate of our own wonderful young American manhood. If I ever prayed that I hoped a man might be 100-percent wrong in his predictions then I trust this ardent "war-desiring individual" will be completely repudiated in what he says will happen. Gentlemen, I ask you, what direction is our thinking taking today when we hear such remarks as those just mentioned to you?

Only this week a band of citizens—most of them Republicans, it so happens, but nevertheless great Americans in my eyes—headed by that great stalwart from Illinois, former Gov. Frank O. Lowden, than when there is no finer and more patriotic citizen, appealed to the Congress to put a stop to this step-by-step projection of the United States into undeclared war.

I agree with that statement 100 percent. While I have consistently voted, as most of you have, for all appropriations for national defense, believing we must be prepared for any eventuality, I nevertheless have vigorously opposed these various pieces of legislation which I felt singly contributed to form a link in the chain now being welded to force us into a foreign war. I want no part of another war where our boys must die on foreign soil, fighting for something we are not sure will bring that everlasting peace on earth which we in America so deeply desire.

Members of the House, I repeat, passage of this legislation is just one more step to bring us closer to war. As earnestly and sincerely as I can, I say let us not do anything more that might contribute to our active participation in a shooting war abroad. To my way of thinking, this legislation is not now necessary to build up proper defenses for our country. If we need a large trained reserve force, we can best obtain such a state of being by training more and more selectees and not now freezing into the Army the boys who already happen to have been inducted. And these selectees, as you and I both know, were led to believe their period of service was for 1 year and no longer.

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY of Massachusetts. Mr. Chairman, it has been most difficult for me to reach a decision on this particular piece of legislation. As most of you know, I have fought as hard as I know how to fight for the rights of the individual in this country. I have sought to allay hysteria and emotion and to preserve the rights of the little people during this period of stress. I believe that when the Selective Service Act was passed, regardless of technicalities, it was pretty well and generally understood that these boys would go in for 1 year. That is

what has caused me a great deal of worry. Shall we break faith with these boys, one of the speakers on the other side asked. You and I can make a lot of pretty fair arguments in behalf of not breaking faith with these boys; but the issue, as I see it, is squarely this: Shall we prolong the service of these selectees for so long a period as our experts say is necessary, on the one hand, or shall we not do that and sacrifice the welfare of our country, on the other? That seems to me to be the plain choice.

Now, I hear so many of these speakers tell about the emergency not being so great now as it was when the draft was passed, and I notice that most of these speakers who oppose this bill that is before us, and who say we have a great Army and we are not so weak as we were formerly, are men who did not vote for this Selective Service Act. If they had prevailed, we would not have the present Army we have today. We would not have any Army to be disrupted, as they claim this Army is going to be.

Mr. HALLECK. Mr Chairman, will the gentleman yield?

Mr. CASEY of Massachusetts. I only have 10 minutes, and I cannot yield.

Those who oppose this bill say that the Battle of the Atlantic has been won by Great Britain, and therefore no present emergency exists; but, mark you this, they voted almost to a man against lifting the arms embargo; they voted against the lease-lend bill; and so the Battle of the Atlantic could not have been won if their speeches and their votes had prevailed. The battle would have been lost if their philosophy, as expressed by their votes, had prevailed.

I am going to consider this whole question from a practical standpoint. We train men at West Point. We spend the Government's money to train them. They become experts. It is their life work. They are men of intelligence and they are men of patriotic zeal. Day in and day out, during peacetimes and during wartimes, they have war and the Army in their thoughts. It is their daily work. They are truly experts and it seems to me to be very peculiar that so many of us in Congress, who never give a thought to war or the Army or the Navy, but, suddenly, finding the country confronted with an emergency become military experts overnight. We go back home to our districts and we discourse on this bit of military strategy and that and as the little crowd gathers around and hears these pearls of wisdom dropping from our lips as to how the Army should be run, maybe a few in the audience think, "The wonder grew and grew that one small head could hold all he knew."

So we have these lay experts on the one hand and the military experts on the other, and whom shall we follow? I think our duty is clear. I know the politically profitable vote on this matter, and I do not want to challenge the motive of anybody here, but I merely state that I know what is politically profitable. I know my way around in political expediency. I know that the boys and their families and their friends are not going to like a vote to extend this service. I know the politically profitable vote is going to be a vote against this. But, Mr. Chairman, this is a crisis, when our country's life is at stake. There are many of us, a great majority of us, who are willing to lay our political future upon the altar of our country and our country's cause when it demands it, and the times demand it now. We have got to approach this question from the standpoint of patriotic Americans and not from any other standpoint or judge it by any other consideration.

We are all in this country descended from a great many races. We have men in this country who are more British than American and we have them considering the problem from the standpoint of what is best for Great Britain and they would plunge us into a war tomorrow if they could. We also have people of Italian extraction whose ancestors came from that land of culture and civilization before it became a vassal state of Hitler's, and naturally they have an affection for the land of their ancestors. We have men in whose veins flow Irish blood and I am one of them and I am very proud of it. Sometimes our clarity of thought is muddied by the memory of the grave injustices inflicted upon Ireland by Great Britain, but I say, and I say it with all solemnity, the time has come for us Americans to think of only one thing, to think of Uncle Sam 24 hours a day. Let us think of what is best for the United States of America and have no other thought or consideration. I hope and I believe that the vast majority of the Members of this House will have the courage to rise above partisanship, but I was very sorry to learn from one member of the Republican Party that only 20 Republicans would vote for this extension. There is nothing political about this. There is nothing Republican or Democratic about it. It is the welfare of our Nation that is at stake, and I hope and I know that if we approach it from the standpoint of what is best for the United States of America, we will vote to extend this law.

Something has been said about danger to the United States today as compared with what it was before the Selective Service Act was passed. I tell you that since that Service Act was passed, Germany has entered into a treaty with Japan, that makes her stronger. Most of the military experts whom I know do not believe, although I hope they are in error, that Russia can withstand the military might of Germany. Is the danger greater or less with Russia's vast resources in the hands of Hitler?

Some other speaker has said that Germany's strength has been sapped by the Russian campaign. This is wishful thinking. Here is our War Department's information: The German Army on September 1, 1939, had a total of 54½ divisions; on July 16, 1941, it had a total of 260 divisions. Does that look as though the German strength is being sapped? She has more tanks, panzer divisions, and planes than she had in 1939. I tell you that Germany is infinitely stronger today than she was in 1939, and the emergency here is in direct proportion so much greater. She has all the resources of these conquered countries—Denmark, Belgium, Poland, The Netherlands, Norway, Greece, Estonia, Latvia, and Czechoslovakia. What could be clearer than that the danger is greater? In addition, we have Japan now on our backs. Another possibility that is fast becoming a probability is the Spanish factor. Spain will be used by Hitler in his plan for world domination. Franco will become a central figure to rally around, to bring back the glory that was Spain. And what effect will that have in South America, where the people there are mostly of Spanish descent? The infiltration in South America has already begun. It is only the beginning. Our duty—no matter how painful—is to have the very best army possible.

The State Department and our Army experts tell us that the way to get the best Army possible is to remove this 1-year restriction. They say that their plan is not to keep these boys in the service—that the vast majority of them will get out in a comparatively short time. Because I believe that the emergency is growing greater day by day, because I believe in the defense of the Western Hemisphere, I am going to follow the Army experts' counsel. They may be in error, but the chances of their being in error are much less than the chances of the self-appointed, self-annointed, overnight military experts in the legislative halls being in error.

The majority of those who opposed the extension of selective service have opposed every single step in our foreign policy. They have opposed lifting the embargo. They have opposed the lend-lease bill. They have opposed the occupation of our island bases for Western Hemisphere defense, and they opposed the original draft law. I am for all of these things as being absolutely the best program for the defense of the Western Hemisphere and the United States of America.

I am amazed that the opponents of this legislation are so absolutely confident and self-assured in view of the fact that they have been consistently in error in the past with respect to our foreign policy. I am tempted to say to them, "Think, men, think. Good God, you might be wrong."

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDREWS. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, I was very much interested in the speeches that have been made. I know that everybody is speaking from the bottom of his heart and is trying to put before the Members the facts. When you go back to your offices I wish you would read the testimony in this case, with a pencil in your hand, and mark down the facts and point out the issues as they appear in the record. That record in my opinion will conclusively prove to you that the selectees have no part in this legislation. In other words here is this bill before us. It is not here because the selectees are going to leave the Army. It is not here because of anything that General Marshall or anybody else suggested about any

impending emergency, but it is here because the National Guard was ordered into the service, one of the first units, on September 16, 1940. Under the law of the United States they cannot be kept in after September 16, 1941—those parts of the Guard who were called in on that date—unless legislation is passed at this time which will permit their continuance in service. That is a fact, and that is what the record shows.

Let us look at the selectees and their position. None of them was inducted until November, and very few in November, 1940. A smaller number came in December, but from January 1941 large numbers came each month. Those are the facts. There is no emergency that brought the selectees into the picture, and if you look at the history of this legislation you will find that at first two resolutions were offered by the chairman of the Committee on Military Affairs, one which dealt with the selectees and one which dealt with the others. Why was that? Why are they put together today? They are put together because there is no sufficient case for continuing the selectees in the service at the present time.

They tell us that there is no politics in the General Staff; that nothing is done there except for military purposes. I ask you to look at the biennial report of the Chief of Staff and turn to page 6. General Marshall stated that the authorization for the National Gurd to be called into Federal service was officially given on August 27, 1940. The first five units were inducted on September 16, the same day that the Selective Service Act was signed by the President. Incidentally, the War Department would have preferred to delay these inductions for about a month, or at least 2 weeks, in order to put certain money to work. Now comes the significant thing:

> This action was precluded by the advice that the announcement of such plans would probably defeat the passage of the Selective Service Act.

Does the General Staff play politics? Who were those advisers to tell the Chief of the General Staff if he did not call out the National Guard a month before he should have, the Selective Service Act would be defeated? Of course, they play politics. The history of our country has proven that in the past, and it has proven it again today.

Now, with regard to our Army. The gentleman from Illinois [Mr. ARENDS] has already pointed out, as General Marshall has testified, that the entire number of men needed in the United States Army to defend the entire Western Hemisphere—and that is our only obligation—is 1,700,000 men. So far as the 1,700,000 men are concerned, we have in our Army today, according to a statement issued by the War Department, 1,531,800 persons. In other words, you have only 170,000 more persons that you can take into the Army if you are going to limit yourself to the number needed, according to General Marshall, for the defense of the Western Hemisphere. You are entitled to take in practically 300,000 more selectees under the Selective Service Act. Those are the facts. If he does not want any more men than 1,700,000, why should we lift the lid from the 900,000 selectees, which is the limitation under the present law, until the Army can take in just as many as they want to? Look at the record and you will find General Marshall said in the hearings that he did not want any lifting of the 900,000 limit. That is his position. They do not need it.

He also testified—and you will find similar testimony in connection with questions asked Major General Reckord—that practically all selectees are expected to be released within 1 or 2 months after their 12 months' service is over. That is the record. Why do they want to lift it so that there is no limitation on time whatsoever? Why do they talk about 18 months additional? Not a single general—and you can look through this record as long as you will—has said a word in there that indicated that they needed these boys for 18 months additional. The Chief of Staff has said there is no intention to keep them that long.

Let us look at the voluntary enlistments of this Army. Why have we not got a sufficient number of Regular men in our Army at this time to take care of this situation without all this trouble? I was interested in the remarks of the last speaker, the gentleman from Massachusetts [Mr. CASEY], for within his district lives one of the great distinguished Senators of the United States, a man with great military experience, the chairman of the great Naval Affairs Committee of the Senate. He feels—and I agree with him, this great Senator—that we should have a larger and a better Regular Establishment in the Army. That is the cure for our troubles, and that is the protection we ought to have and not a group of selectees whom we are playing with and whom we pull out of every vocation, every profession in life. We ought to have a large Regular Army, large enough at any rate to take care of our needs. General Marshall says that number is just 800,000. That is all they need. They claim they have 476,000 today. Why are they not nearer that 800,000 mark, which is all they need, according to our Chief of Staff?

Look at the records. You go to The Adjutant General of the Army for the figures on enlistments and the reasons why they are not enlisting more men at the present time within the Regular Army. He shows, and the record will show, by answers to questions, that they got up to 43,000 enlistments in 1 month back in October 1940. The reason given, according to the record, is because they went out to get them. They put on a real campaign, and they got the men. General Marshall testified that they voluntarily enlisted at the rate of 39,000 a month, from which you should deduct 9,000 to make good the replacements, the men who had finished their 3-year enlistment in the Regular Army. They were making gains in the number of your Regular Army at the rate of 30,000 a month. These numbers dropped off decisively as soon as the selectees came into the picture. While you may read something here and there and elsewhere about why they dropped off, you call up The Adjutant General's office and ask them what the trouble was. You will find it is because they have not had any real campaign for enlistments since the selectees came into service. If you deduct the 9,000 that General Marshall says you have to take out of the number of enlistments since November 1940, you will find that they have only been taking in about 6,000 additional troops monthly for the Regular Army since that date. The reason is because they have not campaigned for them. That is the fact.

Before the Senate committee General Marshall testified that under present conditions we should have a minimum of 640,000 3-year volunteers. This number will have to be increased progressively to approximately 800,000 as we occupy the Atlantic bases. On page 21 of the House hearings, he testified that our garrisons for the Philippines, Hawaii, and Panama require 3-year men. Unless we recruit 3-year volunteers for the Regular Army, these bases cannot be properly taken care of; unless the Army goes out and gets needed volunteers.

On page 23, General Haislip testified in effect that the Army does not desire to build up a Regular Army by ordinary recruiting methods, but that the Chief of Staff desires through legislation to place the inductees in the position of 3-year service men. He testified that the Chief of Staff is trying to get all his troops on the same basis; then they can be used interchangeably for any mission that happens to come. I do not believe that the Members of the House feel that the Selective Service Act has been passed to furnish garrisons for Army bases which presumably are to remain on an effective basis for the next 99 years. What other missions does the Chief of Staff wish to keep the inductees in service to perform? On page 29, General Marshall testified that unless you refer to the Iceland proposition as an American expeditionary force he does not see any expeditionary force at all today; and later I asked him, "You do not expect any activity on the part of American troops in any foreign country in the near future?"

> General MARSHALL. No; I do not foresee any such activity.

On page 19, General Marshall testified in answer to a question as to the number of men he would expect to have in all branches of the Army by July 1, 1942, under his present plan. He replied, "About 1,700,000."

If the Army is given the privilege under this resolution to keep these selectees in service beyond the 12-months' period provided in the present law, obviously we are not going to carry out the very purpose for which the Army told us that the act was originally passed. That purpose was to permit the building up of a well-trained reserve force, not men with 3-year training in the Regular Army, but men with 1-year training, which would permit them to fit into the needs of our Army in case of emergency in the future.

I still understand General Marshall's testimony as meaning that he desires to build up this reserve and to release every inductee when he has had 12 months' training, allowing for any transportation difficulties and delays. The testimony

before the House Military Affairs Committee is full of statements which maintain my position that Congress at this time should not include any reference to the selectees in this resolution.

In closing I would like to point out that, on page 3 of the hearings in his prepared statement, General Marshall stated that—

> Measured in ship tonnage, Iceland is a long way from home. In other respects it is very close to the Western Hemisphere.

That language can only mean that, in his opinion, that while Iceland is close to the Western Hemisphere, it nevertheless lies outside the Western Hemisphere. Therefore only Regular troops can be used lawfully to garrison a base in Iceland. Obviously, if it is our outpost which is nearest to the European theater of war, only Regular Army men should be sent there to relieve any American sailors or marines who may now be in Iceland on duty today.

I do not believe that a single Member of this House will believe that this bill should be passed and include selectees in its provisions on the ground that the American Army should have the right to send American boys who are not fully trained members of the Regular Army to that relatively dangerous and exposed position. I therefore hope that the Members of Congress will see to it that this resolution is amended carefully to bring it into line with the purposes of the Congress when it passed the National Guard and Selective Service Acts in 1940.

Mr. MAY. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, a great majority of the people of America, wisely or unwisely, endorsed the foreign policy of this administration. When they endorsed that foreign policy they committed this country to the obligation of aiding the democracies in every possible way short of war. Evidently many people in this country and some of those connected with this administration did not appreciate the implications of that policy. Evidently there are still many people in America who construe the defense program as a glorified W. P. A. project. But the time has come in this country when all of us must begin to realize that the only way we can carry out that policy and the only way we can preserve freedom in this country is to frankly and truthfully to tell the American people that they must be prepared to sacrifice without stint for the preservation of this country.

It is not a question as to whether or not Congress was wise in the manner in which we proposed the original draft law. We have declared that there is a national emergency. We have challenged the supremacy of the greatest military power on earth. Adolf Hitler has welded the manpower and the resources of Germany and the whole continent of Europe into a single unprecedented striking force. He has not only done that but he has made tremendous progress in South America.

Two years ago upon information which I had received from reliable sources I stated that the Germans had made great progress throughout South America, that hundreds of thousands of Nazi agents had been sent to South America for the purpose of building up nazi-ism in those countries. At that time my statement was ridiculed. Subsequent events have shown however, that my statement was an underestimation of the truth, and evidence secured by the Government of Argentina has definitely shown the existence and the activities of a well-organized and powerful Nazi minority in those countries. It would seem to me therefore that we are now face to face with the necessity of keeping our Army intact. It is not a question of a breach of faith, it is not a question of pleasing the draftees or their families, it is simply a question of preserving our country and of carrying out the promise we made to the democracies throughout the world. If we did not mean it, we should not have made that promise. If we believe in it, if we intend to carry it out, the time has come when the President must speak frankly to the American people.

We must tell labor that labor must be prepared to sacrifice. We must tell industry that industry must be prepared to sacrifice. We must tell all of our people that now has come the time when we must place upon them the largest tax burden ever known in the history of this country; and we might as well be frank with them and tell them that we cannot begin to finance this stupendous undertaking without the heaviest kind of taxes. We must tax every man and woman in the United States if we hope to prevent the inevitable consequences of our financial and economic policies. I say this frankly because I am amazed that in the presence of a great danger and at a time when democracy is gravely menaced throughout the world so many of our people still cling to the Utopian idea that they can get something for nothing from the Federal Government. There still prevails throughout this country the erroneous and fallacious idea that the Government has an inexhaustible reservoir of money and that if we have someone to tap it we can live in plenty and in luxury. This conception has become so widespread that it reflects itself in all of the polls. People are demanding more and more pensions, higher and higher wages, lower and lower prices. Many people think we can carry out the policy of preserving all our social gains, maintaining W. P. A. projects, relief funds of all kinds, and giving to everyone what he wants; and at the same time defeat the aspirations and ambitions of Adolf Hitler. I say to you it cannot be done.

The time has come when this Congress must be prepared to face the facts. Congress of course has a difficult problem ahead because we are the representatives of the people and pledged to carry out their will and their wishes; but we must talk honestly and frankly to our constituents; and our President must speak honestly and frankly to the American people and set an example to this country, an example of courage, of frankness, and of candor, telling the American people that everyone of them must pay, and pay; and their children must pay, and they must sacrifice. There is no alternative.

We may avoid it temporarily by failing to put on widespread and general taxation or by refusing to economize on nondefense expenditures, but I say to you, Mr. Chairman, that there are certain natural laws that always assert themselves. In a healthy and strong country the day of reckoning may be postponed but not avoided. The country must, either through high taxation or uncontrolled inflation, pay the bill. It seems to me that we must frankly say to the American people that now is no time for us to debate whether or not this man or that man will be pleased or displeased if we hold him in the service longer. We must realize that all of us—C. I. O., A. F. of L., business, people of all degrees and of all economic stations of life—must be prepared to make great sacrifices. If we are not, then we ought to abandon our foreign policy and frankly say that we were speaking without knowing the consequences of our talk. How can you stop the mechanized barbarism of Adolf Hitler? How can you stop it if we imitate the disastrous steps that led to the downfall of France? If there is a man in this House who has not carefully studied the 10-year period preceding the collapse of that republic, he should do so at the earliest opportunity, and I will guarantee that he will recognize a strong similarity between the cowardly attitude in that country and our own—for it is nothing more nor less than cowardly to preach all-out defense and then say to organized labor: "You can have all you want, you are not going to surrender anything, you can have high wages, low taxes, and low prices." The man who is put in charge of the task of seeing that prices do not rise too high has a record of membership or sponsorship in some four Communist-controlled organizations. I would not put him in charge of a dog-catching unit. Now I say to you, Mr. Chairman, I think the time has come when we must speak frankly if we are going to preserve this democracy in an era when dictatorship is triumphing over democracy. Democracies have become soft and their peoples continue to clamor for bounties and subsidies and an easy life, and lying politicians constantly promise them things they know they cannot fulfill.

We are now about to reach the moment of sacrifice in America, when we must tell our people that for every right there is a corresponding duty, that there is something to citizenship besides the clamor all the time for bounties, subsidies, and money out of the Treasury. Citizenship means honesty, and there is one form of dishonesty that is almost as reprehensible as stealing, and that is to undertake to get something for nothing by using the ballot box to accomplish this purpose. Now, my views may not be popular. I found that out in Texas. But whether popular or not, they are true. The politicians of France under Leon Blum, every one of them, ought to have been driven out of France. They betrayed their country by their cow-

ardice and by their cheap demagoguery during the critical period when France should have been preparing. What did they do? The popular front, initiated by and controlled from Moscow, composed of radicals and professional reformers of every shade and description, and led by Moscow, the country that we now propose to make our partner in the great task of defending democracy, undermined the national unity of France. During that period when the people of France should have demonstrated their love of liberty, they were confused and weakened by dissensions of all kinds and character, strikes, sit-downs, prolonged stoppages of work, and the incessant clamoring for more Government aid and subsidy, and an unwillingness on the part of the Government to properly direct the energies of the people and tell the people the truth.

Let us be frank with the soldiers. Let us be frank with the draftees, and above all things, let us be frank with the American people. We are now entering into the pay-off period which some of us have been deceived by appearances into believing would never come. We failed to realize that this was a strong, a healthy, and a prosperous country. Generations of thrifty people had accumulated surpluses in America. We have been blessed by God as no other people on earth. But our people have become soft, our people have become indifferent. Oh, we are for liberty; we are for democracy. What man is there who stands before any audience today and proclaims these truths who does not receive applause? But stand before the same audience and say: "You must pay; not your neighbor, but you must pay; you must pay by your sweat, your toil; your children must pay." What man is there who will stand in front of an audience and tell them that?

I say this, Mr. Chairman, because I am sincerely and deeply alarmed by the mental attitude of this country, an attitude that is to my mind dangerous for the future liberty of our people. I know from my study of the democracies that have fallen across the water that in nearly every instance it was the same cause that led to their downfall. I am not proposing any reactionary doctrine. I am merely saying that we must tell all of our people—labor, industry, all alike—that we must make equal sacrifices. I will say it to the industrialist, and I will say it to the labor leader. The man in this country who is unwilling to make his share of the sacrifices has no right to claim the privileges and the rights of American citizenship.

I would abandon this hypocritical, inconsistent attitude of attempting to play politics with this group because it has more votes than that group, of trying to have the cake and eat it too, of trying to please everybody politically, while at the same time trying to prepare America. I say to you, Mr. Chairman, that we have antagonized all of the dictator countries on the face of the earth. Whether we want to or not, we cannot draw back. Our course is fixed, our future has been determined by our own people. They and they alone fixed it, not Roosevelt, not the Congress. It was the American people who, by their deliberate action through the ballot box decreed that America should enter into this period of undertaking to shape the affairs and the destinies of the world. They fixed that course. Having made our bed, there is but one course left, and that is the course of brave and courageous Americans, to be prepared to make sacrifices. When we do, we will begin to put the taxes on this country, and make no mistake about this, this tax bill that we passed the other day was a sop—it was just the beginning—the beginning of what almost inevitably will follow. You and I and every other man in this country will be paying, directly or indirectly, 50 percent of his total income before long to sustain and to support our democracy. As for me, I am prepared to make any sacrifice, because I love this country and I want to see it preserved. I do not want the people to make the great mistake of opposing totalitarianism in Europe and embracing it in America.

[Here the gavel fell.]

Mr. ARENDS. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. JONKMAN].

Mr. JONKMAN. Mr. Chairman, the people of the United States are slowly but surely being led into a situation which I regret to mention, and which no Member of this Congress should be driven to mention, but which must in the public interest be discussed. That situation is the slow but steady trend toward an involvement in a shooting war—in a war which might almost be called, now, the administration's World War. This is so because it has apparently been the studied policy of the administration to tell the people nothing, and to tell the Congress nothing about what the executives of the Government are doing in the way of foreign policy.

We at this time as a Nation and a people, and we Members here, as Members of the Congress, are completely without any information as to the whereabouts of the President of the United States, or as to the objective of his secret mission. We learn, not from Washington, but from London, that in all probability the President has gone out to sea to meet the Prime Minister of Great Britain, Mr. Churchill. We understand from statements in the press also, Mr. Speaker, that Harry Hopkins, the super-Administrator of the lease-lend program, which is leasing and lending and giving away $7,000,000,000 worth of goods and materials, supplies and munitions of war, and so on, to other nations and other peoples—we understand that he is with Mr. Churchill.

The American people were completely ignorant of the fact that Mr. Hopkins had gone to London at all until it suddenly was reported that he was over there. He made a speech over there in which he stated over the radio, I am informed, that American naval boats are patrolling alongside—I am quoting that term "alongside"—British naval craft or—and I quote again—"parallel" with the British craft. If this is true, it is in absolute contradiction of testimony given directly to committees of the House of Representatives and of the Senate by responsible members of the Cabinet. If Mr. Hopkins' statements were true, then the will of the American people and the constitutional authority of the Congress of the United States have been flaunted and set at naught by the President, because certainly there is no question about how the American people feel on this question of United States naval boats patrolling the oceans and convoying supply ships to Britain, Russia, and other countries.

Almost immediately following Mr. Hopkins' speech to the British people, and through them, to America, the British Prime Minister, Mr. Churchill, made a speech over the radio in a world-wide hook-up in which he told the American people, as well as the British people, that America is rising in wrath and marching to the verge of war with the Axis Powers. Mr. Churchill's assertions have not been denied by any responsible spokesman for the American Government. Under the circumstances, if his statements are allowed to stand—and thus far they have been allowed to stand—then Mr. Churchill must know more about American policy than the Congress has been told, or than the American people have been told. Mr. Hopkins must know more about what the Navy is doing than the Congress has been told by the Secretary of the Navy, or than the American people have been told.

But this is not the whole of the picture, Mr. Chairman. Mr. Hopkins went from London on to Moscow. What irony, that he as the representative of free government should be over there posing for his picture beside the bloodiest, most ruthless, most unprincipled despot of modern times—Joe Stalin, of Russia. Nevertheless, Mr. Hopkins went to Moscow. He consulted with Joe Stalin, and his aides. He posed for his photograph with Joe Stalin. He promised Russia aid—and that aid is going to Russia. I read in the papers of last Wednesday that the Russians are now contemplating again invading little Finland. When Russia does invade Finland, she probably will use some of the oil we have shipped over there to propel her military mechanisms. She will use munitions of war that we are sending her to again overrun the brave people of that little republic, which, throughout all of the rigors and depression following the World War, scrupulously and honorably met their obligations to the United States when other and much richer and bigger nations defaulted and called us Uncle Shylock.

I say, Mr. Chairman, what irony it is that we should now be furnishing supplies and munitions of war to England and to Russia with which to shoot down the brave Finnish people.

But this, Mr. Chairman, is not the whole of this sordid, I should say ghastly, picture. Nothing about it adds up to make any sense. Nothing about it has any semblance of a civilized, humane, intelligent action. It is all just as senseless as nazi-ism and communism and fascism have been senseless. It all goes counter to every human impulse which we know. It all is directly opposed to every principle of Christianity we know.

There is another development here in the United States, Mr. Chairman, that

has caused me more disquiet than anything that has happened in the last several months. This development in and of itself might not seem so important. But when we put it in its place along with the rest of this jigsaw puzzle of a move by one department in this direction, and a statement by another department in another direction, and the action of some other department in some other way, we see here a very definite pattern unfolding, and it is not a pattern of democracy; it is not a pattern of a free people; it is not a pattern of the continuance and maintenance of free constitutional government; it is the unfolding pattern of a design that leads straight to military despotism in this land of the free and home of the brave.

The announcement recently of the appointment of Gen. John F. O'Ryan as senior adviser to Henry L. Stimson, Secretary of War, is another piece in this very curious jigsaw puzzle. This appointment is a development very much more significant than appears on the surface. According to the newspapers announcing his appointment, General O'Ryan, at a congressional hearing last January 25 advocated the immediate dispatch to Europe of the American Navy and air forces, and in a speech on May 30 said that "only morons" thought the United States was not already in the European war.

A very illuminating disclosure has been called to my attention, Mr. Chairman, a disclosure which was made in another body and which is to be found in the pages of the CONGRESSIONAL RECORD—CONGRESSIONAL RECORD, August 22, 1940, page 10718. This was a disclosure concerning General O'Ryan and others. General O'Ryan has admitted publicly that he has for quite a long time been the special agent, or the economic adviser, or American representative of the Japanese Government. In his position, as agent of the Japanese Government, General O'Ryan must have had—undoubtedly he did have—a great deal to do with the continued ability of Japan to purchase American gasoline, American scrap metal, and other materials and munitions of war. It could well be that the bombing of the gunboat *Panay* and the more recent bombing of the gunboat *Tutuila* may have been accomplished with the aid of gasoline sold to Japan by the United States, propelling airplanes manufactured from materials received from the United States, dropping bombs made from steel recovered from the metal scrap bought from the United States.

This reference in another body is exceedingly interesting because it was made nearly a year ago. It has proved to be almost prophetic. It was, in part, as follows, and I quote:

> It was at the Harvard Club (New York City) on the 22d day of May (1940) that these patriots met to start the conscription drive. Who do we find was there at that time? We find Mr. Grenville Clark, of the proletarian law firm of Root, Clark, Buckner & Ballantine.
>
> Who else was there? Gen. John F. O'Ryan. Let me read to you what General O'Ryan said before the last war as to why we should draft boys and have them ready for war. This is the exact language of General O'Ryan then, and I want to read it:
>
> "The first thing that must be done is to destroy all initiative, and that, with the training, fits men to be soldiers.
>
> "The recruit does not know how to carry out orders. His mental state differs from that of the trained soldier, who obeys mechanically. We must get our men so that they are machines.
>
> "We have to have our men trained so that the influence of fear is overpowered by the peril of an uncompromising military system often backed up by a pistol in the hands of an officer.
>
> "* * * the recruits have got to put their heads into the military noose. They have got to be jacked up. They have got to be bawled out."
>
> General O'Ryan, as most of you know, has already advocated the entrance of the United States into this war. He is in favor of the United States going over there now. He is for conscription, and was present at the Harvard Club when this committee was set up.

Mr. Chairman, I am continuing the quotation from the CONGRESSIONAL RECORD:

> Who else was there? Let us go down through the list of some of them.
>
> Who else was there? Henry L. Stimson, the Secretary of War, who is carrying out in the Cabinet the wishes of those who want us to go to war. No matter how much he proclaims otherwise to the public, Henry L. Stimson would be for war today if he felt he could get a declaration of war through the Congress. Henry L. Stimson has been present at all of these meetings to push America a little closer to the precipice. Henry L. Stimson was present at the meeting, as he was at the meeting that set up the infamous Clark-Eichelberger-William Allen White committee—Committee to Defend America by Aiding the Allies. Was that why he was appointed to the Cabinet, because they knew his record so well?

Mr. Chairman, I am still quoting from the RECORD:

> Who else was present at this meeting to draft American boys? Robert P. Patterson, who is now Assistant Secretary of War. He was present. No wonder Mr. Stimson wants him as his assistant in the Department of War.
>
> Now let us see what they did. They knew where to get money. What did this committee do? On the 3d day of June they met again. They met to raise money. It is hard to tell how much they raised, but they said they were going to raise one-quarter of a million dollars. What for? Why should men in business have to raise a quarter of a million dollars to drive a conscription bill through the Congress of the United States? Why, I ask again, should businessmen raise a quarter of a million dollars to drive a conscription bill through the United States Congress?

Thus we have gathered together in the War Department, Mr. Chairman, a group of men who apparently want to extend the draft in order that General O'Ryan's theory of training soldiers may be carried out to the point where the fear of our drafted boys of, and I quote, "an uncompromising military system often backed up by a pistol in the hands of an officer," will compel these boys to give up all initiative as American citizens; to be jacked up and bawled out until their mental state is that of dumb, driven machines.

Mr. Chairman, it is developments of this sort that are making millions of good Americans wonder what has happened to civilization; to mankind; to the American spirit, and the American tradition.

It is this sort of thing that makes us wonder whether the charges that there are deep plots being hatched by the administration advisers to get us into a shooting war may have some foundation in fact.

It is developments of this sort, Mr. Chairman, that make us wonder if there are men in the United States who are willing to send our boys, untrained, unequipped, to foreign lands to be massacred by the airplanes of the Axis Powers while they are utterly unable to defend themselves. Can it be possible, Mr. Chairman, that we have forgotten the massacre of the British soldiers, and the French soldiers, and the Belgian soldiers, and the Dutch soldiers, and the Polish soldiers, and the soldiers of other nations who were mowed down in cold blood by machine-gun fire from diving airplanes against which those soldiers had not the slightest defense?

We have here, Mr. Chairman, and I as one Member of the House of Representatives believe the American people should have their attention called to this situation, we have here in charge of the War Department a group of men all of whom are not only in favor of conscription, all of whom are not only in favor of extending conscription but who apparently share the same view that General O'Ryan holds, that the sons of American fathers and mothers, the very flower of our American manhood, should have destroyed in them all initiative; should have their mental state altered from that of men to that of machines which obey mechanically; should have their fear of even airplanes, against which they yet have no adequate protection, overcome and overwhelmed by the "peril of an uncompromising military system often backed up by a pistol in the hands of an officer." Is this the kind of an army American fathers and mothers want? Is this the kind of an army the President of the United States wants? Is this the kind of an army that this Congress wants? It manifestly is the kind of an army Mr. Stimson, the Secretary of War, wants. It manifestly is the kind of an army that Assistant Secretary of War Patterson desires. It is the kind of an army that General O'Ryan wants.

If this is the kind of an army America wants, then, of course, the boys who were taken from the bosoms of their families, from their jobs, from their places in society, from their studies in schools and colleges, the men who bade wives and young children good-bye, those men, of course, have not been in the Army long enough to become that kind of soldiers. If this is the kind of an army that America must have, then of course these boys, within a period of 12 months of draft service, could not have received adequate training to be machines.

Mr. Chairman, you cannot take an upstanding American youth who has been educated that he is a free man, and make of him a dumb, driven, cowering machine in a period of 12 months. You may jack him up, or you may bawl him out or compel him to put his head into the military noose, as General O'Ryan advises,

or you may try to make him fearful of an officer standing at his back with a pistol pressed against his body, but it will take longer than 12 months to do that job. You cannot unmake upstanding young American citizens, you cannot make them over into dumb, driven, fearful human machines in a period of 12 months.

Now, I am rising in my place on the floor here today to ask, Mr. Chairman, whether this Congress, and whether the people of this country want us to extend this draft in order that those who hold with General O'Ryan's theory of training may finish the job of destroying all initiative in these young men; of jacking them up and bawling them out and threatening them with dire death at the points of pistols in the hands of officers, or whether we want an army of young men who are ready to lay down their lives, ready to charge into the face of the enemy, not because they are dumb, driven machines like the legions of the dictators, but because they love their country and are ready willingly to die for it if it is in danger. Do we want an army driven in front of the pistols of the officers, or do we want an American Army filled with esprit de corps, upright in its morale, proud of its organization, loving its country, and ready to do and die in defense of American traditions and American Government?

I can speak only for myself, Mr. Chairman. But, speaking for myself, and I believe reflecting the sentiments of the overwhelming majority of the American people, I say that I want as defenders of America, if defense of America becomes necessary, an Army of men who will so love their country, who will so respect and trust their officers, who will be so trained and equipped that they will go forward to whatever struggle will be necessary with high heads, with courage and confidence in their hearts, and with the sense of glory that they can fight for their country in her hour of need.

I want to raise my voice here today, Mr. Chairman, to say that men who are trained to be dumb, driven machines are not patriotic soldiers. Fear is not patriotism; overcoming one fear with a greater fear is not building up morale or esprit d'corps. It is exactly the kind of training that the despots and dictators we are now opposing have in their armies. It is precisely the sort of discipline that these dictators whom we say are bad insist upon in their armies.

Now, it may be, Mr. Chairman, that in modern warfare men in the military forces must, first of all, have all initiative crushed out of them. It may be that they must put their heads into the military noose. It may be that they must be "jacked up" and "bawled out" and threatened until they live in mortal fear of that pistol in the hands of an officer. Those may be the requisites of a good soldier's training in these days; but I should like to remind General O'Ryan, Mr. Patterson, and Mr. Stimson that that was not the sort of training the soldiers in the Revolutionary War had, and they won that war, if history is correct. That was not the sort of training that the soldiers had in the World War; and they had considerable to do with the winning of that war, if history is correct. That is not the sort of training or discipline that the soldiers in the Civil War had, and on both sides of that great civil conflict men fought bravely and died bravely for what they believed to be right.

Now, it may be, Mr. Chairman, that times have changed. Or it may be that men have changed. Then, again, Mr. Chairman, and I am happy to suggest this, it may be that General O'Ryan and Mr. Patterson and Mr. Stimson, and the rest of these proponents of war who would throw our men unequipped and untrained into the conflict may be mistaken in their views. Maybe, after all, manhood—free manhood—does count above dumb, driven, machinelike, crushed, disciplined soldiers.

Now, Mr. Chairman, I want to say that, so far as I, as one Member of this Congress, am concerned, I shall stand on this floor and fight so long as I can fight against building any such kind of Army. I shall fight as long as I can fight against sending our boys outside of the United States untrained and unequipped to fight in any war. I shall fight as long as I can fight against permitting any of our boys to be sent to foreign countries to be mowed down in a welter of blood and mangled flesh by the murderous machine-gun fire of diving airplanes, against which they have no defense and no protection.

I am convinced, Mr. Chairman, that the American people—that American fathers and mothers and brothers and sisters and wives—do not want our boys sent into other parts of the Western Hemisphere, nor do they want them sent outside of the Western Hemisphere, to fight in the battle of Asia, or Africa, or Europe, or the Orient, or unequipped and untrained. They do not want these boys to be sent out to fight anywhere, even trained and equipped. The American people want to stay out of a shooting war if it is humanly possible, and I, Mr. Chairman, want to see the United States kept out of a shooting war if it is possible. We are now paying for these wars all over the world; and, colleagues, it is going to compel unnumbered generations of Americans yet to come to bend their backs and to drop rivers of sweat upon the ground in labor to pay the cost of what we are now giving to other countries to carry on these wars. Does someone say lease or lend? I doubt if there is a man or woman in this body who believes that we will ever get back a dime of what we lease or lend or give to these other countries.

Let me say to you, Mr. Chairman, that rivers of perspiration will flow down the furrows of America's farm lands before this war debt that we are taking on for all the other countries of the world is paid. Let me say to you, sir, that other rivers of perspiration will flow in the factories of America before the cost of this awful conflict which we have taken on for all the countries of the world which are opposed to the dictators shall have been paid. Yet there are some Americans who—earnestly no doubt, sincerely no doubt, but, I believe, mistakenly—are eager for us to send our manhood as well as our money into these wars.

If I believed that we could fight a war to end war, my views might be different. If I believed that Europe was ready for peace, my views might be different. If I believed that the people of Europe had learned anything from the last awful conflict, my views might be different. But, Mr. Chairman, Europe has been having wars, Asia has been having wars, for a thousand years. We in America have had more peace, we have made more progress spiritually, culturally, educationally, and materially than any other country in the world in a like period of time.

Let us not toss this all away in some wild, hysterical desire to rush into a shooting war. Certainly we ought not to endanger all of this and our liberties as well by rushing into a shooting war before we have anything like an adequate army properly trained and properly equipped.

I often wonder what has happened since a year ago when, it has been said and not denied, General Marshall told a committee of the House of Representatives that with a well-equipped and trained army of 480,000 men the United States could successfully stand off any nation or combination of nations, and that they could not land an army corps on our shores, even though they held command of the sea. I say, Mr. Chairman, I am beginning to wonder what is happening to all of these military experts who in 12 months have so changed their minds about fundamental, elementary military problems which cannot possibly have been changed by any developments in Europe.

In the matter of the draft both General Marshall and the President must have known 6 months ago that 12 months was a short time for men to receive training. They must have known 6 months ago that the fundamental, elementary question of short-term enlistments has been a military question ever since the Revolutionary War. It is not a new question at all. Every officer who has been trained in military science knows full well the effect and the results of short-term enlistments or short-term draft on the Army, where great numbers of men are taken in for short periods of time. They must have known this 6 months ago, and, if they did, then what are we to judge of their attitude then when they solemnly assured the people, the fathers and mothers and brothers and sisters and wives, and the men themselves, that they were going in for only a 12-month period and would be out of the Army at the end of that time? Nothing that has happened or could have happened in Europe possibly could have changed that problem, because, as I say, it has always been a fundamental, elementary military problem.

This proposed freezing of the selectees into a static army has all the earmarks of preparation for another expeditionary force to the Old World. If, on the other hand, we are preparing a defense, as stated in the minority report, rotation

of induction is the only method of producing maximum strength.

Frederick the Great, one of the greatest generals of all time, under compulsion, was limited by treaty to maintain an Army not in excess of 100,000 men. By intensive training for short periods he constructed a military machine that was without peer in his time and which later defeated some of the greatest powers in Europe. It would seem that we can create a mighty military machine by taking in different groups of young men each year and building up a powerful reserve. General Devers, one of the ablest men in our Military Establishment, who has been in command of the Ninth Division at Fort Bragg, testified that his division, half of which are selectees, are now ready for combat service with less than a year's training. Instead of weakening our national defense this rotation of selectees will actually strengthen it.

The real weakness in our training program is not lack of time in 1 year but lack of equipment necessary for effective training. This lack and failure must be laid at the door of the administration and not to the Selective Training and Service Act. Such equipment will be more and more available to the new selectees.

So, then, Mr. Chairman, in conclusion, let me say I felt, and I still feel that this jigsaw puzzle, parts of which show up here and other parts yonder and still other parts somewhere else, ought to be put together, at least in part, so that the American people may have some idea of what is going on and of what is going to transpire in the future. I say here now that no one has a better right to know whether or not there is going to be war in which American boys must lay down their lives, than those boys who have to do the fighting and the dying, than their fathers and mothers and sisters and brothers and wives who must undergo the agonies that they will undergo if our American youth does have to go to war and fight. I believe the American people, who must not only do the fighting but who must pay the bills, are entitled to know these facts. I am constrained to say that all too many of those who are "invincible for war are invisible in war."

Mr. ARENDS. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. HARNESS].

Mr. BENDER. Will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Ohio.

Mr. BENDER. The gentleman from Texas [Mr. DIES] referred to the American people being to blame for what has happened, not Roosevelt or anyone else. If the American people are to blame, it is because of the deception that was practiced by the President in the last campaign.

Mr. HARNESS. Mr. Chairman and members of the Committee, I want to preface my statement with a plea for tolerance and dispassionate thinking on these grave problems. There never has been a time when there was greater need to think calmly and to speak carefully, never a time when we should strive more earnestly to bring divergent groups into harmony in the interest of national unity and security.

I was disturbed to detect in the remarks of my distinguished chairman an inadvertent reference which might impugn the motives of some of us who are opposed to this measure. Quite unintentionally, I am sure, he questioned the patriotism of persons opposed to extending the period of service of the draftees.

Mr. MAY. Will the gentleman yield?

Mr. HARNESS. Very gladly.

Mr. MAY. I think the gentleman must be under a misapprehension of what I said. If he so understood it, I want to say it is not true.

Mr. HARNESS. I agree that it is not true.

Mr. MAY. I do not impugn the motive of any man in this House.

Mr. HARNESS. I think the chairman inadvertently left that impression. I dislike to impose a recital of my military service upon the House, but I was one of the average soldiers in the last war. I enlisted in the Army as soon as war was declared in 1917, and it was but a few months later that I was in the front-line trenches in France.

I defer to no one in the matter of patriotism or love of country. Fully accepting the assurances of my chairman, I deplore the numerous implications that have been made against thoroughly loyal Americans because they are urging that we stay out of this war. I believe the people who are working to keep this country out of war are doing a greater patriotic service than those who are urging a more aggressive course toward intervention.

There is just one main issue underlying the problem we are debating here today, one transcendent issue which we must resolve before we can hope to reach the right decision as to whether the men now in the armed forces shall be released to civilian life at the end of their present terms of service, as originally contemplated, or whether their periods of service shall be extended.

The President wisely recognized this fact in asking authority to keep the present forces intact. He based his appeal upon the statement that the national interest is imperiled, that the danger to national safety is infinitely greater today than it was a year ago.

If, on the facts that you are able to get, you believe this to be true, if you believe that war is imminent, then it is your patriotic duty to vote for this measure. If, however, you are not convinced that we are in a dire national emergency, with war imminent, then you should oppose this measure.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Pennsylvania.

Mr. RICH. What have the Members of Congress received that would cause them to believe that a national emergency exists, any more than the general public have received in the articles that are in the newspapers or the speeches that are made over the radio?

Mr. HARNESS. Speaking for myself, I have not received any information that would lead me to believe that the national interest is imperiled.

Mr. RICH. Neither have I.

Mr. HARNESS. If the peril to the Nation is actually greater than at the time the Selective Service and Training Act was passed, the President should unhesitatingly demonstrate that fact to the peoples' Representatives in Congress as the basis upon which this body could support his declaration of national emergency with a clear declaration of its own. If such evidence is presented, I have not the slightest doubt that Congress will support the President with whatever additional steps may be necessary to meet the peril.

To date, however, the President and the responsible heads of the Executive agencies charged with defense have failed to show this Congress in any particular how the degree of peril from forces outside our borders has increased. We are asked to take the President's simple, unsupported statement as the basis for keeping in service the hundreds of thousands of young Americans who have gone into training uncomplainingly in the reasonable belief that their Government would deal with them frankly and in good faith.

It would be considerably less than frank and honest to hold these men in service without showing them and their people at home, yes, without even showing their Representatives in Congress the definite proof that the safety of America demands their further service.

All of us realize, of course, that there is a solid background of truth in some of the implications of danger of which we are reminded. None is so stupid, of course, as to deny that world-wide war endangers our security to some degree. For this reason there is literally no opposition to our program to rearm America.

Mr. RICH. Will the gentleman yield for a further question?

Mr. HARNESS. I yield.

Mr. RICH. Is the gentleman alarmed or afraid that any country in Europe or Asia may come over here and attack America?

Mr. HARNESS. Of course, I am not afraid of that.

Mr. RICH. Then is the gentleman afraid that if we meddle in the affairs of other people we may implicate ourselves in a European or Asiatic war?

Mr. HARNESS. That is exactly where the immediate danger lies.

I am willing to keep the National Guard, the Reserve officers, and the retired Regular Army personnel in active service as long as it is necessary to effectuate our training program, but the main thing is to keep this selective service system as a training program to send a steady stream of trained men into the Reserve pool unless and until developments beyond our control force us to put our Army on a war footing.

The passage of this measure is argued on the ground that to release the selectees at the end of the original 12-month training period would disrupt the Army expansion program. Certainly none of us desires to hamper the Army or endanger its program, but it is hard to believe that our General Staff has planned its training and expansion program so short-sightedly. The Army knew a year ago that the majority of its trainees were to be inducted for a single year of service. I cannot believe that they have ignored that fact or that they have

planned from the beginning as though these men were to be kept in service indefinitely.

The Army now has one and one-half million men in service. It is authorized to increase the force by the induction of additional selectees to more than one and three-fourths millions, and may conceivably accomplish this increase by the time the early draftees complete their year of training commencing in November. That is still 3 months away, and in the beginning the Army would lose only from 1 to 6 percent of its total force per month. In the very peak month, coming next March, it would lose only 153,159 selectees, or roughly 10 percent of the present total force.

If the selective-service system is to serve its original purpose, namely, to supply a large, continually revolving supply of trained men for the reserve pool from a well-knit Regular Army, there is simply no basis for the argument that the defeat of this measure would threaten the Army with disruption. The argument is totally fallacious, or we ought to recognize the fact that we have not yet learned how to make a training system work. If the latter is true, then it is time we were taking steps to make it work.

A word for the men in training, whose vital interests are tied up in this measure. I have felt, and do feel, the keenest personal interest in their training and their welfare. I have visited Army posts and training centers at every opportunity to see the program in operation and to see how the men are faring. Just recently I had the pleasure of visiting Camp Shelby, where I spent a week end with several hundred selectees from my State. I found the morale remarkably good. I saw nothing there that would leave the slightest question about the patriotism and loyalty of those men. They are the type of fellows you could put a proposition to straight, and I say that to a man they will be ready to make whatever sacrifice their country's security requires of them. But first they want to know, and they deserve to be shown, that what sacrifices they are making and may be called upon to make are necessary. Naturally they want to return to their homes and their civilian jobs, for they went into this thing expecting future groups of trainees to take their places at the end of a year. They fully realize that they go into the reserves, subject to recall the minute their country needs them.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Alabama.

Mr. PATRICK. From a reading of this law, is it not apparent that those men could be mustered out and taken right back into the service the next day under the law as it now exists?

Mr. HARNESS. I do not believe there is any question about that. When we passed the National Guard bill, which became Public Resolution No. 96, we gave the President the right and authority up to June 30, 1942, to call into service for a period of 12 consecutive months the National Guard and the reserve components of the Army. When we passed the Selective Service Act just a month later we put the selectees after their discharge into a reserve component of the Army and provided that they might be called for further training or service under any existing law.

Mr. PATRICK. Will the gentleman yield?

Mr. HARNESS. I yield.

Mr. PATRICK. Does the gentleman feel there would be any sense with a crisis on and an emergency existing to go to the expense and the time necessary together with deteriorating effect, to muster these men out and bring them right back in again?

Mr. HARNESS. Of course not. If we are in that condition, as I said at the outset, vote for this bill. I do not, however, agree that we are in any such crisis or emergency, as the gentleman's question supposes.

Starting with the meager facts available, I have pondered the question for several days in an effort to determine if we are confronted with a national emergency in the sense that the Congress meant in the original act. If I conscientiously believed that we were facing such an emergency at this juncture I would wholeheartedly work to empower the President to call up just as many men as our defense heads deem necessary, and to keep them just as long as the emergency might last.

Mr. PATRICK. Just one other question, please. Does not the gentleman believe that if Germany is successful in breaking down Russia and annexing the Ukraine, with its natural wealth of wheat and all that sort of thing that will endanger this country and place us in a greater state of danger than we have been in at any time during this emergency?

Mr. HARNESS. Grant that the Nazis will destroy the Russian Army, that they will subjugate Russia completely and that they will turn to full and effective use the resources the gentleman mentions. I might in turn ask the gentleman to give me his most optimistic estimate as to the time required to accomplish these things. During that time, we are strengthening our own defenses, and steadily building up a competent reserve for the sole purpose of defense. And I remind you that there is no justification whatsoever for the assumption that we are going to undertake aggressive warfare.

If, on the other hand, the President and the executive heads of our defense agencies know that actual involvement in war is imminent, if you can conclude that we are altering our course to conform to Winston Churchill's remark that we are on the very verge of war, and to the statements of his two chief military leaders, Auchinleck and Wavell, that American manpower is inevitably to be needed in Europe, then you certainly ought not to hesitate in casting your vote for this measure.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Does not the gentleman feel that the reason we paid so little attention to this phrase last year, "the national interest being imperiled," as the one proviso in the draft law that would warrant an extension of service, was that we considered that that phrase meant war, and that if a situation arises where some other country is threatening our country so that our national interest is imperiled, then we ought to go to war with that country?

Mr. HARNESS. Absolutely.

Mr. VORYS of Ohio. And if the situation is not one that warrants a declaration of war, it is not the type of imperilment of our national interest that would warrant this?

Mr. HARNESS. The gentleman has expressed my thought exactly. In my opinion, a declaration by the Congress that the national interest is imperiled, as contemplated in the Selective Training and Service Act, is tantamount to a declaration of war.

Mr. VORYS of Ohio. That is right.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Massachusetts.

Mr. HEALEY. The gentleman has indicated that he was sufficiently interested in the whole question to go to a large Army cantonment to observe personally the training of these selectees. Did the gentleman reach the conclusion from his observations that these men will be sufficiently trained in modern warfare in a period of 1 year?

Mr. HARNESS. I am glad the gentleman asked me that question. I have never seen a finer group of men anywhere in my life than those at Camp Shelby, Miss. Those men, I think, have done a marvelous job. I was so impressed that I wrote a news release about my visit. There was just enough grumbling, most of it obviously casual, to make me know for sure that this was a real cross section of American youth in the Army. Actually the hundreds of men to whom I talked paid high tribute to their officers. It is perfectly obvious that the officers are uniformly proud of their men. I am convinced that within a year's time those fellows are going to be basically the finest soldiers in the world.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Pennsylvania.

Mr. RICH. Did not the gentleman from New York [Mr. FISH] make about the same statement here on the floor the other day in reference to a camp down in North Carolina?

Mr. HARNESS. Yes; he said that with respect to the Armored Force division at Camp Bragg, under the command of General Devers. General Devers testified before our committee that his division was now practically ready to go into battle and we have had them there only 6 months. Half of the men in his division, a highly mechanized unit of the Armored Force, are selectees.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Ohio.

Mr. ELSTON. Is it not a fact that when the gentleman was down at Camp Shelby, Miss., he found that virtually every man who was in camp had been out or was immediately going out and

taking part in Army maneuvers, in addition to firing on one of the finest rifle ranges in the United States almost daily?

Mr HARNESS That is right.

Mr. PATRICK Mr. Chairman, will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from Alabama.

Mr PATRICK. Did not General Marshall state that the men they needed most and were the most valuable and would contribute most greatly to the strength of the Army were those that were in great demand in civil life, rather than the ones who wanted out at the expiration now of the military training?

Mr HARNESS. Yes; and in this connection I would like to say that I have the highest regard for General Marshall. I think he is one of the ablest soldiers who has ever served as Chief of Staff. I want to make it perfectly clear that no criticism of General Marshall is implied or intended in these remarks. His is the viewpoint of the military specialist, who is trying to do the best possible job according to the blue prints which his Commander in Chief lays out for him with our consent. He will build the best possible Army with the tools we give him, and he naturally wants to keep the cream of the personnel now in service, weeding out only the least desirable and replacing them with new contingents of trainees coming up. From General Marshall's viewpoint, and with his special knowledge of events immediately ahead, his position is sound. From our point of view, which must consider total national welfare, I cannot agree that these selectees should be held in service.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. DREWRY].

Mr. DREWRY. Mr. Chairman, as it is manifestly impossible to cover a subject of this importance in the short time allotted me, I will have to ask leave to extend and revise my remarks to complete my statement on this subject.

In the meantime, however, I wish to read you an excerpt from a letter written by a young selectee, who is stationed in an Army camp, to his father. He had no idea that anyone else would ever see it, but it expresses so clearly the question involved in this legislation that I believe it will have a more persuasive effect than anything I may say:

From the above you will gather that I am rather pessimistic about our Army. In a way I am, because chiefly I'm judging from the actual training I have received since being in the Army. The future does look brighter, for the camp is becoming more organized and we are being more rapidly trained.

If Congress allows the trainees to leave at the expiration of 1 year, it will be an unqualified calamity. The recent recommendations made to Congress by President Roosevelt—i. e., that the National Guard, selective-service men, etc., be made to stay in the service for the duration of our national emergency—should be adopted and passed by Congress immediately. I frankly don't believe we shall be adequately prepared for a conflict until at least 2 years from now. To send us in at the present time would be suicide. Our Army can be compared with that of Russia: Manpower without organization and the proper weapons is certainly descriptive of us now.

The United States of America has got to wake up, and when I say the United States of America I mean the people. They have got to become democracy-and-defense minded. From all indications, it won't be long before we shall be in, and when we do, I and the rest of us want to have a fighting chance. We have the spirit and the morale, and we shall be fighting for a cause, and so, is it too much of us to ask our civilian Americans to give us some weapons?

The President has told the Congress and the people of the importance of continuing the training of the present Army; the Secretaries of the War and Navy have insisted upon its importance; the Chief of Staff of the Army, General Marshall, and the Chief of Naval Operations, Admiral Stark, have voiced their opinions to the same effect. Now permit me to add this unsolicited statement of a selectee to the impressive statements heretofore made. I, for one, do not feel that I should oppose the suggestions for the national defense, coming as they do from such authorities. I further believe that a majority of the people of the country feel as I do.

It is conceded by most military students that the present war is a continuation of the first World War. This thought should have a distinct bearing on the present conflict. Germany gave up for the time only that it could better prepare for the final attempt to conquer the world. Germany made peace before her territory was devastated and immediately began to prepare for continuation of that conflict. This fact should have its lessons for us. The conclusion is inescapable that a national criminal is at large on the earth and that this war must be fought to a finish if civilization is not to be destroyed and peace shall endure. The issue is between the rule of might of barbaric nations and the Golden Rule of Christianized countries.

The leaders of this country see this issue clearly and have alined America for the continuation of civilization under the good-neighbor policy and the destruction of the evil policies of nazi-ism. Germany, the mad dog of Europe, must not be allowed to endanger the security of a world wishful for peace and happiness and freedom from fear of the poisonous virus of a German autocracy.

There can be no middle ground in our position; there can be no halfway measures taken in our decision. If timidity exists, or a halting weakness unwilling to undergo the consequent sacrifices that must be made, then the glory of America will become but a byword among the nations of the earth.

In our preparation for national defense, the Congress, acting upon the recommendations of the Executive, put in effect a plan for drafting the manpower of the Nation. The Executive and the Congress were advised by the experts of our military forces. In the light of their information, as disclosed at that time, the Congress, hoping against hope that the conflict would not last more than a year, provided that enlistments should be only for 1 year. Congress, in a laudable desire to make the burden of war training as little of sacrifice as possible to the citizenry of the country, took the easiest way. Conditions now have changed; the danger is greater now than a year ago. Now it is realized that for the people of the Nation to remain free in an enslaved world there must be a people united in their unalterable intention to defeat any force that would endanger that freedom; a people united in their patriotic willingness to make any sacrifice that their way of life calls for so this freedom shall be maintained. The majority of the people are reaching this unity of purpose, but there are some hesitant individuals who want to put off the final decision. There are always people of such temperaments in every crisis. Procrastination, however, is not conducive to successful endeavor.

This is no time for indecision; the danger is too real and too close. The Executive tells you that our safety depends upon the uninterrupted training of our Army, which is now in the making. He has sources of information which the Congress does not possess; he has a strong, ever-present sense of his great responsibility for the welfare of this Nation and its 130,000,000 people, and he is our duly elected leader.

The commanders of our Army and Navy beg us not to hamper their efforts in defense of the country by interrupting the training of the unfinished soldiery. Those leaders, at great expense, have been trained for decades to make decisions of this nature. There is no need for trained and experienced military experts if inexperienced laymen refuse to heed their advice.

Your own common sense tells you that to interrupt now the training of your Army would be suicidal. No greater blow could be struck to the hurt of the national defense. The work now being done is vital; it cannot be interrupted.

Much has been said by breast-beating orators about breaking faith and breaking the contract with those who enlisted for a year if they are not released in that time. This, upon examination, will be found a specious plea. There is no breaking faith in the real meaning of the term, and no contract is being broken. Congress passed legislation directing every citizen within certain ages to perform a duty—the highest duty of all citizenship—namely, to prepare himself to defend his country. There was no contract in the sense that this legislation was unchangeable and irrevocable. The country called certain men to do their duty, to perform the obligations of citizenship. With patriotism most of these young citizens obeyed the call willingly, but even the unwilling had to obey; there was no opportunity for refusal, and there was no bargain to be made by any of them.

It is true that at the time the legislation was passed it was hoped that a year's training would be sufficient for those called. Conditions changed; the danger of being unprepared has come nearer to our shores. Other factors entered into the matter also, such as the lack of equipment to properly fit the men to carry out the duty they had been called to perform. Surely the duty of the citizen has not been performed until he fully prepared himself for his duty. If it be his duty to prepare himself for service to his country, he has not performed that duty if he only makes half preparation

or insufficient preparation. The enlisted man will not take such a position. Some who like to argue take that position for them. It would be laughable if it were not so serious, but the very existence of this glorious Nation is endangered by this quibbling.

Self-preservation is the first law of nature. Any country that would release its citizens from their duties because it would not change or vary its existing laws to meet changing conditions would be doomed. Let us take a simple illustration as between individuals, for nations are but masses of individuals. Suppose a man said publicly, "I will not arm myself for protection against my enemies." Then he hears that his enemy, fully armed, is looking for him to shoot him. Certainly no one would say that the man broke faith with his enemy or anyone else because he secured a pistol for his own defense.

When the original act was passed, it was thought that it would not be necessary to have an indefinite extension of enlistment. It is now found that the training did not proceed according to schedule and that it is necessary to extend the period of training. For the preservation of the Nation and its people, it is now found that the training must be continued—maybe indefinitely. Under such conditions it would be foolish to hold to the original legislation. Because an error was made in the first instance is no reason why it should not be corrected. In fact there is the greater reason why such error should be overcome by further action.

In my opinion there should be no time limit to the extension, but that the service should depend upon the duration of the emergency. Then the question would be settled, once and for all, and no further action would have to be asked of Congress. When the emergency was over then Congress could at once provide for demobilization.

However, there seems to be some sentiment for a limitation of the service, and as I understand it, the War Department has said that it could operate under an 18 months' extension, though not yielding its position that it were better to have no limitation. Anything short of the service of 30 months, we are informed by the War Department, will not get best results. Congress cannot afford to take such a chance in this crisis with the development of the Army.

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. GRANGER].

Mr. GRANGER. Mr. Chairman, I hesitate to impose any views I might have on this very important subject upon the membership of this House. I realize perhaps as many of you do that the expedient thing to do politically perhaps would be to vote against this resolution. However, I believe that this is not a partisan issue and certainly the middle aisle should have nothing to do with our judgment in this matter. We concede to each other the same privilege of expression and at the same time do not deprecate the loyalty or patriotism of those with whom we differ on this question. We may readily differ on whether or not the moment is more perilous now than it was a year ago, but we cannot deny the fact that the hour in which we find ourselves is a serious one, and we dare not trifle with the lives and the destiny of one hundred and thirty millions of our people.

I could weep for those young men who are called upon to serve. There is nothing very intriguing in being a soldier. I had an opportunity once, thank God, to serve my country. I do not think it would be pleasant to go into the Army again, but I would not take anything for the opportunity that I did have of serving at a time when our country was imperiled. I was impressed the other night, listening to an interview between the No. 1 hero of the war of 20 years ago, Sergeant York, of Tennessee, and his commanding officer of 20 years ago, and General Hershey, the present head of selective service. Sergeant York at the time of the draft law 20 years ago did not want to go to war because of religious reasons. He objected upon the ground of religion and was called a conscientious objector. A good judge on that draft board said to young York, "Before you determine what you will do, I suggest that you go home for a week and read your American history." Sergeant York said that he did go home and read his American history, and it was evidently sufficient for him that he became the No. 1 hero of the last war, and every one of us envy his great service to his country.

Mr. Chairman, it seems to me that if we read our history today we will find everything that we have been doing, everything that we believed sacred, dear, and decent in life is being again challenged, and I wonder if we of this generation could successfully meet what the historians might write if we did not at this time forget our own individual likes and dislikes and perform the duty of a citizen.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. ARENDS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I have listened with a great deal of interest to the very able presentations made on this floor on both sides of this controversy. I am one of those who never challenge the sincerity of those who differ with me in their opinions and questions relating to our country. I think that the Nation is fortunate that we have a membership here of 435 who give their patriotic thought to these questions as they arise. I am going to present my views as I see this question, in the light of the duty which I think I owe to my country.

It is my opinion that at the present time this Congress is confronted with one of the great moral obligations that go to the very basic principles of our national defense. The Supreme Court has held that a moral obligation is sufficient consideration to support a commitment made by the Congress relating to property. Here we are dealing with human lives. I recall vividly the debate that took place on the floor of this House when the Selective Draft Act was passed and the act relating to the National Guard, and I believe it was the opinion of a great majority of this Congress when those acts were passed, and surely it was of the country, that these young men were going to be called to service for 1 year, and 1 year only; that we were not building up an A. E. F.; that we were going to call them in by contingents and discharge them in the same way, until we had created a great backlog of men who had had some military training.

The important question now arises, Just where are we going? What was our commitment? Many Members of Congress were so thoroughly convinced that it was to be simply for 1 year's service that when parents wrote to them asking them about it and wanting advice as to whether or not they should have their son remain until he was called in the draft, Members of Congress wrote to those parents and said, "This is only for 1 year, and our advice would be to have them enter the Army now and have it over with in 1 year." Literally hundreds and hundreds of fathers and mothers and boys made their arrangements on that basis, trying to preserve and protect the business, perhaps, in which their son was engaged. Now it comes along without one scintilla of evidence presented to this Congress that we are in any way more imperiled; in fact, we are less imperiled than we were a year ago.

This very legislation convinces me that we are not building up an army for our own national defense. God knows I have preached on the floor of this House my convictions that our first duty is to the United States of America and to make impregnable our own national defense and not dissipate our forces and our materials and scatter our men to the four points of the compass. There is some evidence that we are building up an army for an A. E. F. I do not think any man who is informed will challenge this statement, that tanks are being built in this country, a model adapted only to operation in the deserts. Why is that? If we are building to arm only for national defense, why was one of the first orders for 4,000,000 or more identification death tags? It was not necessary for an army of national defense; I claim it is not. The evidence is preponderant that we are building an army to go abroad some time, and if that be true we have another responsibility and the people should know, and know now, that for which they should prepare.

We went into the last war some 24 years ago without preparation. We were catapulted into that war, and in the excitement of getting into that crusade we gave no thought to hospitals. We had none when the war was over, and what was the result? Of course, the dead were over there, but the maimed, the shattered mentally and physically, came pouring back—these young boys with their faces shot away, put into private homes, fed with medicine droppers through what were once handsome faces; the blind and the insane—we had no place to put them.

If this is an army for an expedition abroad, then we should be beginning now to lay out our hospital program. We should be organizing our forces now to

take care of the insane and to provide the artificial limbs that will be necessary. Death tags are not enough.

I remember that great crusade of some years ago when we violated all of our traditions and ideals as laid down by Washington. You men know what the spirit was at that time. Well, I have here a picture that was taken when I was across, taken by a French photographer who was with me. I now show you the picture. There lie some of the boys in the trenches and on the sides, like bags of meal. They did their bit. There they are, the trenches filled with them, and they are lying along the top of the trenches, dead, waiting for the quicklime and the gangs to cover them up.

Now, we had better figure the consequences as we are preparing to go into this war. The people of the country should know just what our intentions are. There is every evidence in these bills—this attempt to hold these draftees, break faith with them—for that is what we are doing—and if you want to devise some means to create communism in this country, then break faith with those young men. Show them that we are a government without character; that our obligations mean nothing; descend to the low level of Stalin and Hitler. The best thing we can do, if we want an army that is invincible, a navy and an air force that are invincible, is to adhere to those principles of honor that characterize any free government that is to survive. You cannot do what is proposed in this bill to the young men of this country. Let us start now on an honorable basis. Tell the young men and the people what we propose to do, and if you want unity, you can have it overnight. That is to declare that we will put all our men, all our wealth, and resources to the task of building up our own national defense to the exclusion of every other nation.

The CHAIRMAN. The time of the gentleman from New York [Mr. REED] has expired.

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Nevada [Mr. SCRUGHAM].

Mr. SCRUGHAM. Mr. Chairman, the Commanding General of the Army states that the selectees and National Guard men now in the Army of the United States cannot be properly trained in modern military science in a period of 12 months, and it is desired to extend their term of active service to 30 months.

If this statement is correct, the measure before us should be passed by the Congress, as the country does not want a half-trained army which only represents a vast waste of time and money.

It appears that, almost certainly, this delay in training is largely due to lack of necessary equipment. A searching examination should be made by the proper committees of Congress as to the reason for this grave lack of equipment. Is it because the essential airplanes, guns, tanks, tractors, fire-control apparatus cannot be manufactured in sufficient quantity, or is it because the modern combat equipment produced is being sent to Russia and England as fast as produced? I have recently spent several weeks in military training camps and cannot speak too highly of the generally efficient training personnel and of the competence of the commanding officers. On the other hand, I cannot too strongly condemn the lack of modern efficient mechanisms in most of the camps I have visited.

The Army press agents and public-relations officers are filling the newspapers with stories of successful trials of modern airplanes, tanks, guns, and other up-to-date equipment. Pictures are shown nearly everywhere of sturdy soldiers demonstrating their skill in handling the latest models of military mechanisms. The actual fact is that a very limited number of our soldiers have ever seen such mechanisms, much less acquired skill in their operation. War today is a war of mechanisms, controlled and operated by skilled specialists. What schools we have are excellently operated, but the number of men in specialist training is pitifully small as compared to the needs of the Nation. It may be primarily due to lack of equipment. But, as the gentleman from Mississippi, ROSS COLLINS, has said:

> Under our present system, too much time is given to traditional close-order drill and practice in the manual of arms. Men who are to be machine gunners, tank drivers, armored-car scouts, antiaircraft gunners, and so on are wasting precious hours when engaged in parade-ground marching. The Germans spend little time in close-order drill; their men are trained thoroughly in the highly specialized activities of actual combat.
>
> Here, in America, where we make four-fifths of the world's automobiles, and countless trucks, tractors, and other automotive equipment, where almost every boy is a mechanic and where horse collars are curiosities, our Army has two cavalry divisions and is contemplating two more. Vans are being provided for the horses to ride in, and tanks, with which the Germans have been winning battles, will protect the American cavalry's horses while en route in vans to the scene of action.
>
> Eventually the War Department contemplates 8 or 10 tank divisions. Would that it had that many now. Eventually we should have at least 25. And apart from those, instead of having, as we do, only 1 other fully motorized division, able to move on wheels at high speed, why shouldn't we have many?
>
> No democracy can afford both a powerful mechanized army and also such a mass army as the War Department is planning. Since we must choose one or the other, and since a mass army is helpless before a skilled mechanized land force working effectively with planes, I believe we ought to demand that our defense plans be revised at once. We should stop drafting men by the million, and concentrate on providing as swiftly as possible a smaller, more manageable army, with a much larger proportion mechanized and armored.

As a final word let me emphasize my deep conviction that more attention must be given to offensive weapons rather than to defensive weapons. We should have antitank mechanisms to attack tanks and armored cars before they get started on their missions of destruction. We should have more of an attacking air force, armed with heavy torpedoes and bombs, to take the aerial offensive if the times demand it. At the same time thousands of men must be trained to handle these weapons. Then, and then only, will America be safe from involvement in this European cataclysm that seems to be destroying our very civilization.

Mr. ANDREWS. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I wish to direct my remarks particularly to the proponents of this bill, because I am one of the Members from the left side of the aisle who since coming to Congress has supported every measure of the President's foreign-policy program. In this instance, however, I do not consider this bill comes under the heading of foreign policy. On the contrary, it comes under the heading of domestic policy, because I understood the chairman of the Military Affairs Committee to say today that we could not land an American Expeditionary Force anywhere if we wanted to. I have listened to the arguments of the proponents that this is solely for the defense of the United States of America. It must therefore be domestic and not foreign policy. If on the other hand it is foreign policy, or if it is for any purpose other than the defense of America, then it must be a build-up for an A. E. F. to some part of the world at some future date.

Two arguments primarily have been advanced in support of this measure: First, that the peril of the country is greater today than it was a year ago; second, that the Army will disintegrate if this bill is not passed. As to the first argument, the peril of the country, I will admit it is as great today as it was a year ago. This is hard to believe from the reports we get over the radio and through the press, and as a Member of Congress I am unable to get any other information; but I do say that as long as Hitler and his cohorts are loose in the world any nation is at peril, and Hitler will attack us whenever he thinks he can do so successfully. I wish therefore to direct my remarks to this bill purely from the defense angle.

What is best for the defense of the United States? Under this bill as proposed we would have just one Army, without any Reserve. We would train, and train, and train. We would have a perfect machine, well coordinated, that would look pretty and march beautifully. I realize when I say this that I am putting my judgment as an Army man against that of the Chief of Staff, and I do not propose to do this. I had only a little over 2 years' service as an officer of the Army in the first World War, and for about 3 years after that I served as an officer in the National Guard. I had the good sense to get out before my mind was set in the pattern that Army discipline results in where they want the men perfectly trained into one coordinated unit in order to make it look pretty. I recall that in 1917 they made an officer out of me, or thought they did, in 90 days; and I did not know the difference between a corporal and a sergeant when I went into the Army. I also remember that we brought raw recruits into the Army and in 6 weeks sent them away ready for overseas duty. Possibly those men would have been better if they had had more training, but no one can deny but what

they accounted for themselves splendidly in action. We hated to let those boys go at the end of 6 weeks. They looked well and they marched beautifully. We wanted to keep them; we did not want to surrender them. Then we got a second group. At the end of 6 weeks they likewise looked well and marched beautifully, and we did not want to surrender them. You will find today a desire to build up one of those perfect machines rather than to have the organized and trained reserve. Let us consider for a moment this matter of the country's peril, and I admit it is in peril.

If we are in peril, and if we are not considering an American expeditionary force, then the peril comes to us through the danger of invasion. Suppose there was an invasion and we had an army of a million, a million and a half, or two million men, and the invaders were successful in decimating our forces. We should be forced then to call into service and rely on untrained men from the farms, from the villages, and from the factories to come to the defense of our country; whereas if we keep the Selective Service Act as it is and do not pass this bill, we shall shortly have 900,000 men or boys of our country who have had a year of fine training ready to be called to service if they are needed, and also have about one and one-half million in training ready for action. In 2 years we will have 1,800,000 trained men in reserve, and so on.

But there is another matter I want to mention, something I have not heard stressed in the argument today. The thought came to me while the gentleman from Texas [Mr. DIES] was talking. You will recall that when Russia and Germany became involved in this conflict the octopus of communism apparently went to sleep. It did not die. Its activities in this country quieted down. But once this war between Russia and Germany is over the octopus will raise its head again in the United States; and if only 50 percent of the reports coming out of Moscow can be believed, there is at least a possibility that Russia may defeat Germany.

If she does, what will be the situation in this country in regard to communism? Mr. Chairman, what greater obstacle could be created to communism in this country than to have 900,000 or more of our boys infiltrated into our cities and our rural communities, who have had a year of splendid training in the United States Army, because I say that no man who ever served in the Army of the United States, whether it be now or during the World War, or at any other time, has any of the seeds of communism in him. These men, brought back as a great reserve army and living as citizen soldiers among the people, would do more to stem the tide of communism than anything else we could do. The passage of this measure will do more to interfere with the proper defense of the United States than its defeat and the retention of the Selective Service Act as it now stands.

I call your attention to the hearings before the Military Affairs Committee of a year ago, where Col. "Wild Bill" Donovan testified, on page 29, that 8 months was sufficient, and in no event more than a year; where General Shedd testified he would like to have it more, but a year was sufficient; where General Marshall testified that a year was sufficient, but from his Army point of view he would like to see it more; where Mayor LaGuardia testified that 10 months was sufficient, and he even advocated that the boys be sent home for a rest after a period of 4 months.

Mr. HARNESS. Will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Indiana.

Mr. HARNESS. I think the gentleman, in the beginning of his statement, mentioned the fact he served in the World War as a commissioned officer?

Mr. CUNNINGHAM. Yes.

Mr. HARNESS. If they got their officers during the World War in 3 months time, is it not reasonable to assume that they can train a good soldier now in 12 months?

Mr. CUNNINGHAM. I say that it is an indictment of the ability of the American boy to say he cannot be made a good soldier in 12 months. When the gentleman was speaking I remembered a trip I made recently to Camp Claiborne, La., and I found exactly the same situation exists in that camp as the gentleman testified exists in the camp he visited.

I notice that Mr. Baldridge on page 414 of the same hearings testified a year's training is sufficient. May I say, Mr. Chairman, that our boys are patriotic, and while their morale will suffer if this bill is passed yet they will serve and they will serve faithfully. But how much better they will feel toward this country, how much better they will be as Reservists, how much more willingly will they go to the defense of this country against communism and everything else if they feel they have a Government whose agreements can be relied upon and will be kept.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Chairman, the bill now before the House provides for redrafting the present draftees and an unlimited number of future draftees for an unlimited period. It declares that the national interest is imperiled. I have come to the conclusion that the real question involved in voting upon this bill is not whether we want an adequate national defense, not whether we want to defend the Western Hemisphere, but whether we wish to enter the wars in Europe and Asia.

General Marshall testified that we needed an Army of 1,700,000 by July 1, 1942, and that an A. E. F. was at present out of the question. We have today 1,531,000 men in the Army. Under existing law we could call 230,500 more draftees; 125,000 additional men for the Air Corps have already been provided for; and no limit has been placed upon the number which can be recruited by the Regular Army. Therefore, the force which General Marshall says he needs, 1,700,000, can be obtained under existing law.

There must be some other reason for seeking power to draft an unlimited number of men for an unlimited time. The final executive decision on the size of the Army and purpose for which it shall be used rests not with the Chief of Staff, but with the Commander in Chief.

The President in his message to Congress on July 21 gave three reasons for this legislation. First:

> The international situation is not less grave, but is far more grave than it was a year ago. * * * The danger today is infinitely greater.

Second:

> The elimination of approximately two-thirds of our trained soldiers and approximately three-fourths of the total officer personnel would be a tragic error.

Third:

> The responsibility rests solely with the Congress.

Let us examine these three reasons.

First. Is our danger greater than it was a year ago? Then we had approximately 300,000 men on active duty in the Army. Now we have 1,531,800. Then France had fallen, and the arms and equipment of the British Army had almost been totally wiped out at Dunkerque. Now the British Army is fully equipped; its air force is nightly bombing Germany while the Nazi Army is locked in a titanic battle with the Soviet forces. Whatever the outcome, the German Army is daily suffering terrific losses in men and material. We have two more battleships than we had a year ago, and our total naval strength has increased in spite of the destroyers and other craft we have "traded" away. Our production of aircraft, although it is still disappointingly low, is far above our production a year ago. With our possible enemies daily growing weaker and with our own defense daily growing stronger, it is hard to understand how anyone can say that "the danger today is infinitely greater" than a year ago.

Second. Will we lose two-thirds of our trained soldiers if we fail to pass this law? The figures given by General Marshall show that the greatest number taken into service in any one month was in March 1941 when 153,437 men were inducted. That is, 7 months from now we will have to replace not two-thirds, but one-tenth of our Army. By planning ahead this one-tenth could be replaced by draftees who would have 7 months' training under existing law, or by volunteers. Over half of our present Army of one million and a half are men who volunteered for service. The statement that we will lose two-thirds of our Army if we do not change our laws is not borne out by the facts.

Third. Is it true that "the responsibility rests 'solely' with the Congress"? The present law provides that every draftee upon finishing his year of service immediately enters the Reserve, and the President has the power under existing law to call him out as a Reservist immediately after he finishes his period in the draft. The President, as Commander in Chief, was solely responsible for sending

5,629 National Guard men and 8,116 draftees outside the United States during the past year. He was, under the law, solely responsible for their training and service. If the recalling of these men will disrupt the Army who is responsible? If the President now has power to retain these and other draftees beyond their year, by placing them in the Reserve, how can it be said that the responsibility rests solely with the Congress?

I recognize that Congress has responsibilities in connection with our national defense which it should not shirk. In the present situation, however, when Congress has no control over the training and service of our men, when the facts given to Congress show no reason for holding the draftees beyond the time they were told to expect, and when the President has the power to hold them, if he has reasons for doing so which he feels it is not in the public interest to disclose, then he must accept this great responsibility.

There are two other possible reasons for giving the President power to increase our Army without limit as to size or time of service. One would be so that we could go ahead with the preparation of a great expeditionary force so that it would be ready when American public opinion had been brought around to support an expeditionary force. Another reason would be to encourage the British to believe that we intended to prepare an expeditionary force even though we did not intend to do so. Both of these reasons involve an element of deception; the first would mislead the American people as to what we are going to do. The second would mislead the British as to what we are going to do. I consider neither of these a good reason for voting for this bill. I do not believe we have reached the place where our national defense requires deception of the American people or of the British.

I do not pretend that I know all of the secret factors involved in our present situation, but I have had the advantage of hearing our high Army officials in executive sessions, of hearing reports from our Army intelligence, of talking off the record with high Government officials. I do not intend to reveal statements which were made in confidence. I do not wish to imply or insinuate that the two reasons I have just mentioned have been given to me as arguments for this bill by Army officers or Government officials. None of the information I have obtained, however, on or off the record, from responsible officials, justifies to me the passage of this bill in its present form. We are in no danger of invasion. Our hemisphere is in no danger of a full-dress military invasion. There is a possibility of infiltration and trouble in South America. I do not pretend to be an expert on the force necessary to cope with such threats. It is perfectly clear to me, however, that the force which the experts say we need can be most efficiently raised under existing law.

Our Navy is our first line of defense. We passed this week a bill to give a bonus to Navy men for reenlistment. The Navy wants only volunteers. Their highly technical service can only be performed by men who are willing to serve and to serve a long time. Equally important with the Navy is the air force. No draftee has ever yet been a pilot or an airplane mechanic, and the Army does not plan to use draftees in this highly technical service. Our air forces want men who are willing to serve and serve a long time. Our mechanized ground forces are comparable in technical needs to the Navy and the air force. The nucleus of our mechanized forces should be men who are willing to serve and serve a long time. General Marshall testified that we obtained 30,000 volunteers a month, net, under the impetus of a real recruiting campaign. Thirty thousand regulars a month would produce over 200,000 men by next March, when 153,000 draftees will be finishing their year of service. If we would authorize the reenlistment of draftees for 2 years more, counting the year in the draft as their first year of a 3-year enlistment, insofar as promotion and pay are concerned, we would have no difficulty in securing men who were willing to serve, and serve a long time in our Army.

Instead of this, the Army wishes to hold men in the service against their will. This, no doubt, is more convenient for the administration of the Army, but I believe that the convenience of the Army is not an essential element of our national defense. In a republic at peace, even at a time like this, the Army exists to serve the republic; the citizens do not exist for the sake of the Army. Our generals are experts on military matters. That does not mean that we must accept their judgment on questions of civilian morale. The effect of the proposed unlimited redraft upon the morale of our selectees and their families will be very serious. I believe that these men and their families, if they are called upon to make this extra sacrifice, will do it patriotically. I do not believe we are justified in putting their morale to this terrible test in peacetime.

In 9 months after I entered the service in 1917 I had been loaned to the Royal Naval Air Service and was considered good enough to be sent on war patrols over the North Sea. I realize that times have changed, and that many of us had too little training in those days, but I am convinced that, with an adequate Regular volunteer Army, Navy, and air force, and with a constantly growing reserve of young men with a year's training, we can be ready for any emergency which imperils our national interest.

This bill, which would make possible a permanent Army, unlimited in size, composed of perpetual conscripts, should be radically amended or defeated.

Mr. ANDREWS. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. MARTIN].

ESSENTIALS OF SUCCESSFUL NATIONAL DEFENSE

I. Our objective

Mr. MARTIN of Iowa. Mr. Chairman, at the outset I will state that my own views of the objective of our present preparedness effort is, or should be, to make our Nation so powerful that no international bully, or combination of bullies, will dare attack us. To build our armed forces and our armament to that degree of strength without becoming aggressors ourselves will require constant and alert care at all times. Our Nation has thus far been remarkably free from the domination of a military autocracy or bureaucracy. Our good fortune in this regard is no doubt due to our historic policy of maintaing a small Regular Army and Navy. This same policy of maintaining a small professional armed force has led us to the brink of international danger on many occasions through the lack of preparedness of our great citizenry. The World War taught us this lesson so vividly that steps were taken immediately thereafter to provide for a huge reservoir of citizens having military training. The National Defense Act of 1920 provided for this reservoir of trained manpower, and we can today thank the framers of that legislation for our good fortune in having an adequate and well-trained officer personnel for our armed forces. Conscription for training was stricken from the National Defense Act of 1920 before it became law, and, so far as I can determine, no great effort was made to build a reservoir of trained enlisted personnel until the summer of 1940. The absence of highly trained and experienced noncommissioned officers in 1940 has had a tremendous effect upon our entire national-defense effort. It was the absence of this reservoir of highly trained enlisted personnel that forced the Army to advocate taking our conscripted men directly into the armed force. The battle I waged against the Conscription Act in 1940 was not directed against conscription for training at all but rather against the creation of a huge armed force. It has always been my view that if we have a sufficient reservoir of trained men, together with a highly trained and conditioned, though not large, armed force, we can successfully defend our Nation against attack. I will concede, of course, that a very large armed force may make the matter of our defense from attack a bit safer, but the huge armed force carries with it many problems, such as maintaining the morale of the force and avoidance of aggressor-mindedness, and the tendency toward domination of our international policies by those in control of our armed forces.

The bill before us today involves far-reaching factors in our foreign policy, and, together with that, it involves many policies having far-reaching effect upon our domestic economy, and yet the only witnesses called before the Committee on Military Affairs in support of this legislation consisted of five general officers and one civilian, Mr. Grenville Clark, who is widely known for his outspoken militarism.

Mr. ELSTON. Will the gentleman yield?

Mr. MARTIN of Iowa. I yield to the gentleman.

Mr. ELSTON. Granville Clark testified before our committee it was the association to which he belonged that drafted the original conscription act, and in that act they provided for 8 months training rather than 12.

Mr. MARTIN of Iowa. That is right.

I am willing to concede that matters of military policy and military administration should be determined only after careful consideration of the views of the

military experts, but I hope our Nation succeeds in confining the dominance of high military officials to that field alone. I am willing to give serious consideration at all times to the advice of recognized military leaders in military matters, but I seriously hope that our Congress will not plunge headlong into the declaration of a national emergency or anything akin to a national emergency declaration on the advice of military leaders alone, especially in view of the fact that we have a wide range of legislation outside the military field that will be directly affected by any congressional declaration of a national emergency. I do not wish to be limited in this regard to the views of the Army officials who appeared before our committee, and I will strongly support any amendment or amendments that have for their purpose the elimination of any declaration of national emergency at this time. I have not been convinced that an all-out national emergency exists.

II. Factors of military power

The existence of military power is dependent on existing morale of the armed force and of the civilian population backing them up, individual training, equipment, development of teamwork, and administrative efficiency. Morale of the armed force and civil population is probably the most important single factor. Great Britain illustrated following Dunkerque that, notwithstanding the loss of most of their heavy equipment at Dunkerque and notwithstanding a frightful pounding from the air, that morale alone can carry a nation on in the face of terrific odds against it. On the other hand, France demonstrated that even a large, well-trained army can be rendered practically ineffective through the loss of a nation's morale.

I agree wholeheartedly with General Marshall in his statement before the Committee on Military Affairs, appearing on page 26 of the hearings, when he said:

> The longer we freeze the men in the ranks of the Army the more difficult it will be to maintain morale, unless real trouble starts, and then the morale takes care of itself.

It is my opinion nothing will destroy the morale of our armed forces in this critical time more disastrously than the violation of that undeniable statement of fact. The crushing effect of an indeterminate extension of the service period of our conscripted men will destroy their morale far more than can be built up by any means at our disposal short of an outright declaration of war, and I sincerely hope that this proposed indefinite extension of the training period is not a prelude to such a declaration of war.

So far as individual training is concerned, our experience in the World War and the best opinion of recognized military authority today seems to be that the average individual solider can be taught the fundamentals of the school of the soldier and the smaller units in approximately 3 months, and from General Devers' testimony in the hearings on this bill I gather that the individual can be fitted into a team as large as a battalion and complete most of the combat training for units of that size in approximately 3 months following the completion of the basic individual training. The rate of training from that period forward is very largely dependent upon the season of the year and other factors determining whether or not maneuvers of large bodies of troops can be had.

I do not need to dwell at length upon the importance of adequate equipment, but I do wish to say that there is little excuse for an inadequate supply of equipment and ammunition for training 2 years after the present war started in Europe. We did not start preparations soon enough. The shortage of equipment and ammunition, and especially the latter, is a serious matter, and if there is a real basis upon which to request the extension of training, it is in order to hold the boys until they can complete their training program with adequate equipment and with adequate development of fire power for the units to which they belong. The development of fighting teams possessive of real firing power is, of course, the real object of the entire program. General Marshall, in his biennial report of the Chief of Staff of the United States Army to the Secretary of War, dated July 3, 1941, stated, on page 11, that:

> * * * in accordance with plans of long standing, we have reached the point of availability of troops and matériel where we can and now urgently should organize and train certain task forces against the possibility of the necessity arising for their use.

In other words our armed forces today have reached the point where the final stage of team development can be made, and from this point forward we should expect such development of team work as to enable these teams, whether they be divisions, army corps, or armies, to withstand the shock of armed conflict, including battle casualties and other casualties, to whatever extent they may be incurred. However, I submit that it will be very difficult to maintain large combat teams at battle efficiency, either in training or morale, for any long period of time in peacetime, and for that reason I favor stressing the training feature of this program and the compressing of that program into as short a time as possible to develop adequately trained men and then to return them to civilian life and to replace them at once with more trainees in order to build up as large a reservoir of trained men as possible. It is my belief that these trained men can be recalled to service when and if war is declared and that they can be reformed into effective combat units with greater morale and finer spirit than the same boys would have if they were retained in service indefinitely.

In regard to the administration of the military program and the management of troops, I wish to call your attention to the great emphasis of the hearings to the destructive effect of the rapid turn-over of troops in our forces stationed outside the continental limits of the United States. So much emphasis was placed upon this in the hearings that I feel that the problem has been presented in somewhat distorted form. I am privileged to state that our total National Guard and selective service forces in the Philippine Islands, Panama, Alaska, the four new bases, Puerto Rico, and Hawaii, are 5,629 National Guard men; and 8,116 selective-service men. In an army of more than 1,400,000 men it seems strange to me that the disposition of 13,745 men outside our continental limits should create such a furor. If our system is so inelastic as to make it impossible to replace all National Guard men or selective-service men stationed outside our continental limits, with members of the Regular Army, then we should revise our entire organization. We have a Regular Army of 497,000 and 3 percent of that number would replace every National Guard man and selective-service man now serving outside the continental limits of the United States. I cannot believe that such assignment of Regular troops, together with requirements for setting up the various training cadres will disrupt our Regular Army nearly as much as they must be prepared to absorb in any possible future venture into combat. Another factor that has been somewhat overemphasized is the discharge of selective-service men after their year of service expires. So far as selective-service men are concerned the total number now in the service is 613,000 and their length of service is for 1 year, which means that during the next 12 months if no change in the length of service is made the average discharge of selective-service men will be 50,000 per month in an army of 1,400,000. It is true that the year of service will expire for most of these men in the 6 months from January 1 to July 1, and that the average discharge during those months will be approximately 100,000 per month, but it is also true that there is authorization for approximately 300,000 additional selective-service men and that these additional 300,000 men can be called to duty in time to have completed their basic training by the time selective-service troops now in service have completed their year of service.

After listening to all of the testimony and after reading that portion of the testimony that has been published, I have come to the conclusion that our greatest need today is to build a large reservoir of trained men, and that large reservoir cannot be developed unless we greatly increase the size of our armed forces or unless we replace men who have completed their training with new men. It seems to me that it is entirely unfair to call upon the 1 percent of our population that is in uniform to carry the entire brunt of our military program to the exclusion of millions of eligible young men who should be trained and held in reserve.

Somewhere along the line in the past 2 years the statement was made by a high military authority that a force of 480,000 men was entirely adequate to defend our shores from invasion. Our Regular Army now numbers 497,000, and with the training program advanced as far as it has gone today, I believe our Regular Army can successfully defend against invasion and carry on the training program at the same time. If the purpose of this legislation is to prepare for a military expedition of any sort—and General Marshall assures us it is not so intended—our trained reserve can surely be brought back to duty in time to replace the Regular Army fighting units

and enable them to move forward to combat as rapidly as our shipping facilities can take care of them, because it has been demonstrated very strongly that shipping facilities are a serious impediment to replacing the 13,745 National Guard men and selective-service men now serving outside the continental limits of the United States.

III. Conclusion

I have gone into these inconsistencies at this time only in the hope that we can effectively analyse the real needs of the day in the proper development of our armed forces, and if we have to choose between long service of 1 percent of our population for efficiency's sake at the risk of the losing of morale on the one hand and the development of a large reservoir of trained men of 1 year's service, who know that the Government has done everything within its power to make good its word to these trainees, on the other hand, I will decide in favor of rapid turn-over of trainees and the large reservoir of trained men.

So far as any factors beyond the military factors involved in this legislation, I will say that no declaration of a national emergency should be made without at least some further evidence proving the need for such declaration of emergency. There are two or three things that I do not wish to leave wholly in the control of our high-ranking Army officers. One is the building of morale in our civilian population; another is legislation affecting the economic structure of our country, or legislation for that matter reaching beyond the administration and management of the armed forces; and another is the determination of our foreign policy. Before approving this legislation or any other legislation that has been supported exclusively by our generals, I must reserve the right to examine that legislation in the light of its true objective and its effect, or probable effect, upon the people whom it is my honor to represent here in Congress.

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. LYNDON B. JOHNSON].

Mr. LYNDON B. JOHNSON. Mr. Chairman, we are here today to consider a measure which admits—

First. That the national interests and welfare of the United States of America are in peril.

Second. That all enlistments and appointments of limited time or tenure be extended and remain in force until after the emergency has passed.

I am confident that, at this time, every American knows his country is an island in a world of danger and that every American man, woman, and child is engaged in a great battle.

Our Commander in Chief this summer declared we are in a state of unlimited national emergency. We have turned ourselves into an arsenal of democracy. We have established the policy that England must not fall, and that wherever freemen are fighting the war against dictatorship and tyranny, our lend-lease program will extend them every aid short of actual participation in their battles. We have made it our policy that we will meet our attackers away from our shores. We will not wait until enemy bombers are over our cities and coasts.

To prevent a reenactment of these tragedies which, for 2 years, have shocked the world, all over the face of the globe we have pushed our areas of defense out into the seas and there we shall be ready to stand our ground. Great forces of men and equipment are needed for these purposes.

We have two choices.

While we have been mustering our industrial and agricultural and administrative forces at home, taking every advantage of every minute spared to us, our young men have been training in our Army camps to operate this defense machine.

If we vote down this proposal to retain reserve components and selectees in military service beyond 12 months, we will vote to send two-thirds of our present Army home. It is just getting on its feet. It is just reaching a point where we may begin to think of it as approaching adequacy. But we will send it home and start all over again with new and fresh recruits.

If we vote to put this proposal into effect, we will vote to keep the good Army we have started, to conserve the time which is so valuable, and to go forward, rather than backward with the whole defense program into which we have put so much of our hope and our wealth.

Some say we should release our boys when their year is done. There is, of course, some reason to what they say. But we do not know what is coming. The future is too far away for any of us to see. A great many promises which have been made to all of us, may go through change in this world of storm.

I say we should keep our present Army and add new members to it. We want the best. And to have the best we must all make sacrifices. We must all give up the things we love. When the salvation of America is the question, we can think of none other. In such a time, I am going to vote for the best.

A few months ago we took these young men into the service of their country for what was assumed a period of 1 year of service. It was our idea and our hope that we should train them and build a great reservoir of trained men, ready to act. In the months which have passed, conditions have changed.

One after another unprepared and improperly defended nations all over the earth have been whipped to their knees by the expanding and destroying Nazi war machine. Every free country of Europe has paid its toll to that machine.

Now Hitler is forging ahead with his war in Russia, and he is reaching through Vichy and Africa closer and closer to our American shores. His ally in the Far East, Japan, stretches its long arms out to Indochina and sets itself across the pathways over which we can obtain the things we must have to keep our defense organization operating and growing. Berlin and Tokyo would choke off our tin and rubber, destroy our free passage to China and the Orient.

No one knows how long Russia will survive, or if it will be successful in holding back the death machines of Berlin. When will Berlin and Tokyo join hands in Siberia, in China, and India? And, joining hands there, when will they join them across the Pacific, through South America, to leave us one lone island of democracy in all the world, with England strangled in the net?

It does not necessarily take an expert to tell us the facts about our present situation. The average layman, with no specific inside information, knows that we are in a world of war and must be on the alert every minute. He knows that all the machines in the world, with no men to operate them, will give us nothing better than France or Poland or Czechoslovakia or England had. He knows that every American, trained and ready, but without the things he needs to fight with, will bring us no safety and no security in this world of war.

The average layman can see and realize that we must insist on being masters of everything—masters in men and machines.

Last year, as President Roosevelt has told us, we took into consideration the fact that our armed forces were small and that they were seriously underdeveloped. He called on us to take two steps to insure the security of this country, and we did. The selective service began annual military training as a duty of citizenship, and we began training and organizing field armies. What we wanted was, on a minute's notice, an organized and integrated personnel of over a million men.

Now the Commander in Chief and the Chief of Staff call our attention to the fact that, in the face of increasing world dangers every day, we are about to go back where we started and start over again. Can we afford to wait another year until we can build our Army up to its present condition?

Mr. Chairman, I do not believe we can wait. I feel that the times are so dangerous and so increasingly dangerous that we dare not take a chance. We are working against time—a time schedule which allows no leeway. The penalties of national hesitation are visible in the dead nations everywhere we look. We must go on.

Historians have shown us clearly the agonies through which General Washington passed because the Colonies hesitated in maintaining an army for him. They show us that if Washington had been allowed to retain his trained men in 1775 General Howe might have been defeated in 1776 and the distress and sacrifices of 1778 and 1779 averted. But Washington's army was always sending the men who were its bones and its sinews back to their homes and farms. Both sides in the War between the States and the American Army in the Mexican War suffered from continual expiration of service terms.

What is the situation today? The American Chief of Staff, General Marshall, tells us very clearly in his statement. Let me quote you a few words of it:

> I referred to the Coast Artillery regiment of the National Guard which we had to send to Alaska. We have to reinforce that garrison and do it quickly. * * * That regiment must be returned from Alaska, and the deadline for its relief to start north is about

August 5. If there happen to be bad fogs at that time, I may find myself in a technical violation of the law. There is no other National Guard unit available for that particular relief. Therefore I will have to send a Regular unit with some forty to fifty percent of selectees in its ranks, because there are no 3-year men available.

That is but one small problem of our armed forces today. Our Army, our Navy, our Marine Corps, all are struggling valiantly to reach the peak of perfection and safety—for you, and for me, and for all of us. I think we must do our part, as they are doing theirs.

Our first admission when we all determined to defend this democracy of ours was that in a world on fire we must have unity of effort and complete defense at all costs. Party barriers have fallen before that doctrine we have all adopted. Those unable to agree on other matters of national importance agree upon that—Republican and Democrat, conservative and liberal, big and little. Unity behind our elected leadership has been the battle call to defense. It is still the battle cry.

The question still is freedom or slavery. There is no way to escape it. Some cry out for appeasement, but there is a 100-percent record of destruction and death in every attempt toward appeasement of the Axis Powers. It is life or death for democracy wherever dictatorship challenges it in the world today. And I believe America's choice is, and always will remain, death before slavery and the destruction of all enslavers who endanger us.

Down in my State, in Texas, we have given 81,075 volunteers to the regular United States armed forces and 19,000 volunteers through selective service. We are training about 12 percent of all the soldiers now in training in the United States there.

I know how Texas boys feel. I am one of them. Texas boys come from a race of men who fought for their freedom at the Alamo and Goliad and San Jacinto. They fought those battles to establish the Republic of Texas with their strength and their blood. They had little equipment, and what they had was poor. Every time they fought they were greatly outnumbered. But they fought anyway, because they were battling for their homes, for their religion, their liberty of conscience and action, for a government of, by, and for the people.

Texas boys who come from such stock and are inculcated with such democratic ideals are not going to grow technical. They are not going to require a discharge from the Army on any abritrary date indicated in their papers and let their country take the hindmost in a time of peril.

Yes, Mr. Chairman, Texans know about this emergency, and they are not disposed to gamble in it. They hope this world war will soon be over and that the day will never come when another American boy will be called upon to lay down his life, here or anywhere else. But they are also determined that this Government shall not perish from the earth.

For that reason, I repeat the world is in a war to decide freedom or slavery for the world. We are in that world. That war may wash nearer to our shores anytime. Darker days than these may lie ahead for us. I hope not, but perhaps they are nearer than we think.

Young men are fighting this war and young men will live in the peace which follows it. These young men think of these things, and so do their mothers and fathers and all who are interested in them. The time to do the job for America is now. We cannot be prepared without the best. Texas boys prefer extended service now to slavery hereafter and our best insurance against slavery is the best trained and equipped Army anywhere in the world. So, in my opinion, do the majority of American boys.

I do not want to see our boys go home and our country left unprotected when protection means life. And just for the sake of a few votes I might get in the future sometime, I shall not vote to send them home now.

I regret the changes time has brought in the last 2 years, and still brings us every day. But still, in the face of them, I cannot sell out the welfare of my country.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. LANDIS].

Mr. LANDIS. Mr. Chairman, I am opposed to extending the period of service for our selectees while America remains at peace and in doing so submit the following reasons:

First. I believe Congress should keep its contract with the selectees. This country would be better off by keeping its word than by breaking it.

Second. By releasing them it will build up morale in camp, thereby making better teamwork in the Army.

Third. Unity and morale will be increased in the homes of America.

Fourth. The danger of a large standing Army might mean another A. E. F.

Fifth. Our defense is in much better shape than it was a year ago.

Sixth. Canada only has a 4-month compulsory military training act.

Seventh. Our 8,116 selectees located on island bases can easily be replaced by volunteers or new draftees.

Eighth. By training new men every year we can build up greater reserves.

Ninth. Congress should not surrender any more power to the President.

Tenth. Under the present law the selectees are to be placed on the Reserve list at the end of 12 months, and are subject to recall.

Eleventh. If we discharge the selectees at the end of a year's service, they can be replaced each month by new draftees.

Twelfth. The only hope left for the 80 percent of our people who are opposed to war lies in the House of Representatives.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. CHIPERFIELD].

Mr. CHIPERFIELD. Mr. Chairman, when the Congress passed the Conscription Act it was the distinct understanding that selectees were to remain in training for a period of only 12 months, unless sooner discharged, except that "whenever the Congress has declared that the national interest is imperiled such 12 months' period may be extended by the President to such time as may be necessary in the interests of national defense." It therefore seems to me the sole question for us to determine at this time is whether the national interest is so imperiled it is necessary to extend the period of time for training these inductees. In determining this question it is only fair to compare the dangers with which this country is faced now with those which we faced last September, when we placed the 12 months' limitation in the act.

Last September England's chances looked hopeless. Almost no one would predict she would not collapse any day. She was terrifically short of essential war material. She was taking a terrific bombing day and night. A successful invasion of England was greatly feared. Then Russia was an active ally of Germany and the bubble of Italy's military strength had not been burst.

What is the situation now? Since the passage of the lend-lease bill early this spring and the appropriation of $7,000,000,000 for England's aid, great quantities of war material are reaching England and her armies in the Near East.

Churchill recently stated war materials were reaching England in "gigantic" quantities, and the R. A. F. was almost equal to Germany's air force and soon would surpass it.

Now Hitler and Stalin are at each others' throats and have been since June 22, giving England a breathing spell. No sign of a quick decisive victory is in sight after over 6 weeks of terrific fighting.

On August 1 President Roosevelt hailed the "red" stand as "magnificent."

Even if Hitler should finally defeat Russia, he will have suffered terrific loss of men and material. He must rest his men, replace lost planes, and police a vast area in Russia before he can again turn his attention to England and western Europe.

How do our defenses compare as of last September and now? Then we had a miniature, poorly equipped Army and a good Navy. Now we have the best Navy in the world and an Army of 1,531,800, which is rapidly becoming equipped with the most modern weapons and is being splendidly trained.

We now have strategic air bases and troops in Newfoundland, Greenland, Iceland, Alaska, Trinidad, and so forth, for our defense.

Apparently we are not now in as much danger as we were last September.

The situation certainly did not seem desperate to General Marshall, Chief of Staff, as late as June 24 of this year. In an interview which appeared in the Washington Post of that date he is quoted as saying:

"We want the selectees to continue to come in in annual increments. We want to keep them flowing into the camps and then back home again. When we send a man home, we will make room for another.

"It may be necessary, however, to keep some trainees in service and release others, depending on where they are and the unit in which serving."

Marshall explained that if a selectee were serving near Chicago, for example, he could be sent home without difficulty. Were he

stationed in the Aleutian Islands off Alaska, on the other hand, he said, it might be necessary to hold him 2 or 3 months longer in service.

It is rather significant on that same day a general order was issued informing all the commanders in all corps areas to discourage the reenlistment of 3-year Regulars because fully trained and wholly competent troops "offer little benefit to the Army" after their training is completed.

It seems to me of the utmost importance that as late as 6 weeks ago General Marshall believed we could safely release the selectees at the end of the 12 months' training period, but he was confronted with the problem of relieving those who had been sent outside the continental United States, such as Alaska, Newfoundland, and so forth. He felt it would require 2 or 3 months' additional time to arrange the release of these men.

It is apparent from the general order issued on June 24, General Marshall was not worried about retaining the 3-year enlisted men in the Army but was discouraging their reenlistment.

Now what has happened during the last 5 or 6 weeks which has brought about the sudden demand to retain the men in the Army for an indefinite time? What is this awful peril with which we are confronted? The only international complication outside of the Far East, which seems to be momentarily settled, is that Hitler and Stalin are destroying each other.

I know the great majority of you are not only ready to advocate passing legislation which would effectively carry out General Marshall's program of June 24 but would go far beyond it. I think most of you would agree it would be a very simple matter to pass legislation which would insure the large majority of our selectees being returned to their homes at the end of 12 months and those who are stationed outside of the United States be compelled to remain in the service 2 or 3 months longer so their return could be accomplished in an orderly fashion. Personally, I am in favor of a much more stringent program to maintain the efficiency of our Army:

First. I am willing to retain as many of the Reserve officers and retired personnel of the Regular Army beyond the 1-year period. The pay of the commissioned officers is adequate. When they went into the Reserves they voluntarily submitted themselves for such length of time as their services were required.

Second. I am willing as many of the National Guard units as necessary be retained beyond the 12-month period but believe a reasonable and definite time should be fixed for their discharge. National Guard units, in a sense, are semiprofessional soldiers, and when they volunteered to enter that service they knew they might be called out for active duty for the Regular Army for as long as necessary.

Third. I would be willing to extend the time beyond the 12-month period for selectees who are stationed outside of the continental United States if shown to be necessary. In my opinion, such an extension should not be beyond a 3-month period. However, there are only 8,116 selectees stationed outside the United States, so it seems to me there would be no serious difficulty in replacing these men from the Regular Army, consisting of 476,000 men.

Fourth. As to the remainder of the selectees now inducted into the service, I feel the situation is entirely different. These men were conscripted in peacetime and it was understood by everyone they were to serve for 1 year only. General Marshall indicated on June 24 that he would arrange for these men to be returned to their homes without serious difficulty. I have heard no valid reason why he changed his mind since that time, and I heard every word of his testimony before the House Military Affairs Committee.

Fifth. After the selectees have completed their service I am willing they should render some military service each year, if conditions warrant, probably from 3 to 5 weeks, so as to keep them in first-class military training and condition. This would be following a plan somewhat similar to the National Guard being called to camp every summer and would not seriously interfere with the peacetime occupation of these men.

Sixth. I would favor the discharge of all men over 28 years of age as soon as possible; also those who are married and have dependents or any other hardship cases.

However, I am unwilling to pass this bill calling for a national emergency and stating that our national interest is imperiled. For us to do so would invoke powers on the President which I am sure the Congress of the United States would not want to invoke at this time. This legislation should be entirely confined to those powers which are necessary to extend the period of training of the armed forces without vitally impairing their efficiency.

President Roosevelt in his message to Congress recently implied that the Army is threatened with the sudden disappearance of its men on practically a single day. This picture is not an accurate one. The selectees were inducted as follows:

November 1940	13,806
December 1940	5,521
January 1941	73,633
February 1941	90,238
March 1941	153,159
April 1941	123,207
May 1941	56,896
June 1941	79,522

In the first place when the selectees are discharged they automatically go into the Reserves. They are not lost to the country for service. If an emergency arises which demands their return the President can call them back to the Army on a moment's notice.

Second. Those who say that two-thirds of our Army would melt away are overlooking the fact that a large percentage of the selectees would be willing to voluntarily reenlist. A recruiting drive for such a purpose has not been sufficiently tried out. A Nation-wide appeal for volunteers generally, and at the same time urging the selectees to reenlist would, in my opinion, greatly relieve the problem of releasing large numbers of these selectees at any one time in the near future.

Third. An examination of the table just referred to will disclose it is necessary to release only 19,327 of the selectees before January 1, 1942 (unless some that are stationed outside of the United States, which would require time to return them home). This table also discloses that it will not be necessary to release more than 183,198 before March 1, 1942, assuming none of them were to reenlist.

Fourth. To take the places of those who have concluded their 1 year of service there are now available 300,000 young men who have just reached the age of 21, who could be immediately placed in training and would have 6 months or more of basic training by March 1 of next year, and before it would be necessary to discharge in any one month 100,000 men.

We must keep faith with the draftees. If these young men feel they have been let down by the Government, I feel it will seriously imperil the morale of the Army. A fighting force does not consist merely of tanks, planes, and other matériel. The matter of personnel is of even greater importance. Play fair with these men and you will have an army with the finest morale in the world. We should not keep these men in for an indefinite period. If any extension is necessary, it should be for a definite period and as short as possible.

We were told, not a year ago, by General Marshall all we needed to properly defend this country was the necessary matériel and 900,000 men would be sufficient. We now have an army of 1,531,800. We are told we need an army of 1,750,000 in the immediate future.

Last week we passed a bill to equip an army of 3,000,000. It makes some of us stop and wonder whether we are preparing an army for our own national defense or for an expeditionary force in Europe.

You will recall it was suggested that we lift all limitations prohibiting the sending of our troops beyond the Western Hemisphere. Temporarily that is not being insisted upon, but only because those in power realize that Congress, at the present time, would not lift such restrictions. Why would this be necessary except for another A. E. F.?

In conclusion, let me say while I am perfectly willing to vote for any necessary legislation to permit the orderly discharge of the selectees in such a fashion that it will not vitally impair the efficiency of our Army or in any way sabotage our national defense, I am not willing for the Congress to declare a national emergency that the national interest is imperiled which would give the President additional powers not needed to meet the situation. Why freeze these thousands of men now in the service for perhaps years to come? Why should not we be building up reserves of trained men and permit those who have so faithfully performed their duties to return home?

We all want to make ourselves impregnable from any force which might attack us, but we also want to be fair and not place hardships upon these thousands of young men which the exigencies of the situation do not require.

I feel that we have an obligation to impose a definite limitation on the services of our Army and that we cannot delegate that obligation by giving the President unlimited power to extend their time to an unlimited period. Our obligation is not to extend that army beyond the necessity of an efficient army for our defense. We want an army that is large enough and entirely adequate for all purposes of national defense, but not one large enough to send an A. E. F. to Europe.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. BLACKNEY].

Mr. BLACKNEY. Mr. Chairman, fathers and mothers in the United States have a right to be alarmed over the present attempt to extend the conscription period of our boys in service for a longer time than 1 year. You will recall, last year when the conscription bill was before Congress, that it was repeatedly stated by the proponents thereof that this bill was to provide for 1 year's training, and 1 year only, subject to the right of the President to retain the draftees for a period beyond a year as reserves during a national emergency; that this 1 year's selective-service training was to be a part of a young man's education and at the same time make him more valuable to the Government from the citizen standpoint. Now, however, we are confronted by the proponents of House Joint Resolution 222 to continue the period of service longer than 1 year in spite of the specific promise made to the boys that they were being drafted for 1 year only.

Much indignation has arisen throughout the country over this apparent attempt to deceive the boys, who, when drafted, fully expected the Government to live up to its promise of 1 year of service only.

The President, on July 21, in his message to Congress, said:

> I need scarcely emphasize the fact that if and when an organized and integrated company, battalion, regiment, or division is compelled to send two-thirds of its members home, those who return to civil life, if called to the colors later on, would have to go through a new period of organization and integration before the new unit to which they were assigned could be depended on for service.

This statement by the President is the main point brought forth to date by the President and the Chief of Staff, Marshall, in their pleas for power to strike out the limit of 1 year of active service for draftees. The implication of the President's statement is that the Army is threatened with the sudden disappearance of the Army's officers and men on a single day—which indeed would be a calamity if true, but it is not true. The picture is not an accurate one.

The fact is that the approximate 600,000 draftees now in service entered the Army in this fashion: November, 13,806; December, 5,521; January, 73,633; February, 90,283; March, 153,159; April, 123,207; May, 56,896; June, 79,522. Therefore, the largest number of draftees who would leave the Army in any one month up to next July, under the present law, would be 153,159, scheduled to leave next March. This would be a shade over 10 percent of our Army; nowhere near the 66⅔ percent stated by President Roosevelt and Chief of Staff Marshall as quitting on one day. It is plain to be seen that a little more frankness should be recommended by these high officials.

Today, we have in the United States Army approximately 476,000 Regulars, 400,000 National Guards and Reserve officers, and 600,000 selectees, a total of nearly one and one-half million men in active training and service. Our air force has been greatly increased and already we have provided funds for 152,000 men for this branch of the service. Not only our land and air forces, but our naval forces have been strengthened during the past year. So, out of our present Army the monthly decrease, due to return of the draftees as they retire each month, would not be significant. Not only that, but under the law as it now stands, the limit on the draftee ceiling was placed at 900,000; inasmuch as only 600,000 young men have been called to service the Government, under the present law, has 300,000 more that could be called at any time. General Marshall has testified that 1,700,000 men would be a sufficient force to defend the Western Hemisphere. The Army that we already have plus the 300,000 more that could be called would give us an army which, under General Marshall's own statement, would be sufficient to defend the Western Hemisphere. Under the terms of House Joint Resolution 222 the limitation on the number of men who may be in active training is suspended; therefore, a much greater army could be raised.

Modern mechanized warfare has demonstrated that a few men, well trained and highly equipped, are better than millions of men who are ill-equipped. Is it possible that it is the intent of the Government to steadily increase our Army to 2,000,000 or 3,000,000 or even 4,000,000? Is it possible that it is the intent of our Government to provide for another American Expeditionary Force? Does General Marshall desire this?

You will recall that General Marshall, the Chief of Staff, some time ago requested an authorization for troops to be used outside of the United States and Western Hemisphere. Much popular indignation was aroused over this proposal; and now for some reason the matter seems to be quietly submerged.

This bill before us today might not be so significant if it were not considered as part of the general military scheme of this country. Practically every military bill that is passed contains new and additional delegations of power to the President. Practically all you have to do to get a bill passed in Congress is to allege that it is in the interest of national defense or is required by our so-called great emergency. If our public men had been more discreet in their statements, the public, generally, would have less cause to be alarmed, but practically each day some new proponent of new and greater power makes known his desire to give new and greater delegations of power to the President or to declare war or to take our Army and Navy all over the world in the so-called interests of humanity.

On September 11, 1940, the President said:

> We will not participate in foreign wars, and we will not send our Army, Navy, or air forces to fight in foreign lands outside of the Americas, except in case of attack.

Again, on December 29, in his fireside chat, the President stated:

> There is no demand for sending an American Expeditionary Force outside of our own boundaries. There is no intention by any member of your Government to send such a force. You can therefore nail any talk about sending armies to Europe as deliberate untruth.

And again, on July 10, in his message to Congress, the President stated:

> That we are opposed to war is known not only to every American but to every government in the world. We will not use our arms in a war of aggression. We will not send our men to take part in European wars.

And yet, General Marshall, the head of the United States Army, is asking authority to lift the restrictions on the Western Hemisphere and transport American troops to Europe. If his request is endorsed by the President, then the President has certainly changed his mind since his speeches quoted above.

I cannot help but feel that the draftees entered the service under a specific contract of the Government for a year of service. The President has, as late as 2 months ago, reiterated his promise that the draftees were required for 1 year of service, and 1 year only. Fathers and mothers of the boys have a right to rely upon the contract entered into with the Government for 1 year of service. I feel that any attempt now to keep the boys in for an indefinite length of time would be unwise and unnecessary, particularly in view of the fact that this Nation is not in war—and if we can trust the President, probably will not be at war.

Not only that, but we know definitely and positively that our Army is not properly equipped for the essential training for warfare. What is the need then, of constantly drafting boys and more boys when our main thought and attention should be centered on producing for the boys in service the necessary equipment to make their training efficient and satisfactory?

There can be no doubt that in many instances our draftees are not provided with proper maintenance or with proper sanitation. Instances are frequent where draftees are required to walk long distances, sometimes a mile, for breakfast, dinner, and supper in addition to their regular training. Instances are frequent where toilet facilities exist several blocks away. I am simply calling attention to these facts for the reason that, instead of having a constant war cry of boys and more boys, let us perfect our cantonments, equipment, and sanitation so that our boys at least have the fair average necessities of life and the requisite equipment to make their training effective.

I cannot help but feel that had the Congress tried the volunteer system last year, as it originally planned, that we would have had no difficulty in securing

bright, clean, patriotic boys who were willing to volunteer for a year, but the powers that be would not consent to such a plan; therefore, this draft, which, in its inception, was filled with imperfections and which imperfections still exist in some degree.

It is refreshing to consider, in the midst of all this excitement with reference to the extension of the draft period, that it has been the policy of the Navy during our 150 years of existence, to rely upon the volunteer system, and as a result of that volunteer system, the United States Navy personnel is unquestionably the best on earth, and as a result of this fine personnel and the building of modern battleships, the United States Navy stands today the No. 1 navy in the world in size, in efficiency, and in personnel. It is unfortunate that the Army could not have placed equal emphasis on the willingness of bright young men to volunteer.

Another thing that seems strange is that the official staff of the Army is apparently allowed to utter any and all statements that they desire, propaganda or otherwise, and yet, if a draftee, located in some cantonment in some section of the country, feels free to write to his Senator or Congressman, there are those higher up in the Army who think that that should not be done; in other words, just because our boys have been drafted into military service, do they lose all of their rights of expression as American citizens?

I have received many fine letters from draftees selected from my district, and they express their willingness, naturally, to protect their own country to the limit, but they do resent, however, the attempt to change the original year's enlistment and they do resent the apparent attempt by those higher up to constantly take courses of action which would have a tendency to lead us into war.

I have also received many fine letters from my constituents home, who are willing, naturally, that their boys should be in service during the year's original enlistment, but who do feel that the exigencies of the situation do not require their retention during the so-called emergency. One particularly fine letter from a leading constituent of mine summarizes the selectee situation substantially as follows:

1. That so far as selectees are concerned the proposal would involve the gravest injustice to these young men. Regardless of any legalistic quibbling, there can be no doubt at all as to the representations made to them at the time they were inducted into service. As late as 2 months ago, the President himself said that the boys would be sent home at the end of a year. It may be that many of them would desire to volunteer for further service; but this should be of their own free choice, with such inducements as the Government may see fit to hold out.

2. A proposal to declare a national emergency and thus avoid the direct issue in the Congress would be cowardly and would place in the hands of the President further vast powers over the youth of our Nation. He has shown himself to be quite too flighty and irresponsible in foreign affairs to justify any such delegation of power.

3. So far as draftees are concerned, there is no occasion for any haste whatsoever in this matter. Only about 19,000 were inducted up to January 1, 1941. The whole matter could well wait until late fall for determination. It may well be that by that time the whole international picture may have changed. It is not outside the range of possibilities that Germany and Russia may have rather thoroughly defeated each other by that time and such threat to the world as exists from either of these belligerents may have become much less acute.

4. The fact is that distrust of the war party, including Knox, Simpson, Ickes, Pepper, et al., is so complete in these parts as to amount to virtual unanimity with the portion of our population which gives any thoughtful attention to our foreign affairs.

As usual, the war propagandists are continuing their appeal to the American people through the newspapers, by radio, and otherwise, to precipitate this country in the European war. They appeal to the youth of the land and tell them that war is filled with thrills and adventure; that it is a great show. They speak about higher wages and wider employment and better trade in the stores, higher rents and higher prices, only to interest those directly affected.

They neglect to speak about the horrors of war, the tremendous loss of life that would result, and the fine American youth that would have to make the supreme sacrifice; the thousands and thousands of injured boys who would return home incapacitated for life's work; the tremendous taxes that would be foisted upon the American people, with the immense national debt steadily increasing. They neglect to tell you that war would subject the American people to unbearable hardships, to the inevitable annoyances and abuses by petty tyrants—little men with much ego, with small capacity, placed by political favoritism in big and important jobs. They neglect to tell labor who are anxious to work that war might mean not only price fixing but the fixing of wages of the workers as well.

The great majority of people in the United States favor aid to the European democracies, but, on the other hand, the great majority of American people bitterly object to the precipitation of the United States into the European conflict.

It is fervently to be hoped that the so-called warmongers of the Nation will moderate their hectic appeal in favor of war and will begin to use the same judgment that the substantial average citizens of the country use.

We will all agree that the United States should be adequately prepared in national defense in all of its phases, in Army, Navy, and Air Corps, and that we want our Nation so strong that no foreign foe dare attack us here; but, on the other hand, we do not want to become needlessly embroiled in the European affairs and we do want to preserve this great American heritage of ours.

It is to be hoped that House Joint Resolution 222 will not pass in its present form, that our draftees may be returned to civilian life at the expiration of their year, and that other fine American boys, if necessary, can be drafted for their year, until we have secured a splendid body of citizen soldiers, loyal to America, willing and capable of protecting our country to the fullest extent, and thereby preserving the American way of living.

Mr. ANDREWS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER of Michigan. Mr. Chairman, there are many reasons on which I base my opposition to the pending legislation. I have not been given a sufficient amount of time to discuss all of these reasons. I might say, however, that I am in complete agreement with everything that has been stated in the minority views in the report accompanying this legislation, signed by myself and six other members of the Military Affairs Committee. I wish every Member of this Congress would read the minority report and that it might be placed in the hands of every citizen in America. I am sure that those who do have the opportunity to read the minority views will agree that our opposition to this legislation is based on sound reasoning.

Mr. Chairman, this legislation is peculiarly obnoxious to me because I am convinced that its enactment would be the prelude to another A. E. F. It would declare a national emergency by Congress that would give the President virtually undefinable personal power under which he could conduct an undeclared war that would take our boys to fight and die in every corner of the globe, and would bring upon this Nation untold suffering and a complete change in our constitutional form of government.

If this legislation is enacted, this Congress will declare that the national interest is imperiled, thus enabling the President, at his sole discretion, to extend for an unlimited time the period of services of selectees, National Guard men, and Reserve officers now in the Army, removing all limitations on the number of selectees who may be drafted for service in the future, at the same time removing all limitations as to where these men are to be sent to duty.

The great majority of the American people, Mr. Chairman, are opposed to sending our youth to war outside of the Western Hemisphere. I have recently taken a poll of my district, and the tabulations show that of a total of 44,675 who have answered the questionnaires, 41,606 are against participation in the European war, while only 3,069 are in favor of entering it. Figured on a percentage basis, 93.1 percent of the people of my district are looking to this Congress to keep this Nation out of any European mess. Letters inspired by this poll indicate very clearly that the temper of the majority of the people right now is such that the Congress will do well to abide by their wishes. It will do well, also, to live up to its agreement with its selectees and discharge them after 1 year of service. If their services are needed for a longer period than that which was set by Congress when it passed the original Conscription Act, the President is now armed with the power to bring them back for further training. No witness before the Military Affairs Committee denied that the President has this power under existing law.

In the original conscription bill it was specifically stated that after the service of 1 year these men were to be placed in a reserve which would become a component part of our Army. The National Guard Act gives the President specific authority to call any component of the Army to duty if the President deems it necessary to strengthen the national defense. As stated in the minority views, it would seem, therefore, that, so far as the continuation of the services of selectees is concerned, this legislation is unnecessary.

In my opinion, 1 year of service is all that this Congress has a right to demand of our selectees until such a time as this Nation is imperiled by some outside power, and there is no testimony before the Military Affairs Committee to date to show that such a peril exists at this time. In fact, all of the evidence points to a day-by-day lessening of the peril. If the President and the Chief of Staff possess any information that this Nation is imperiled, they have not given it to Congress or the people of the United States. As has been stated before, if any nation is planning to invade the Western Hemisphere shortly, the heads of that nation know it, and the President would not be revealing any military secrets if he made that fact known to the American people.

In the hearings before the Military Affairs Committee the intrigues and revolutions of South America, with and without the stimulus of European warring nations, were used to incite the Congress to pass a resolution declaring a national emergency. These revolutions have been "a dime a dozen" occurrences during the life of this Nation, and have never, in our lifetimes, been considered a peril to our security.

In conclusion, Mr. Chairman, I believe the passage of this legislation would weaken the morale of our Army because it would undermine the faith of these selectees, who were given to understand that they were to remain in the Army but 1 year following their induction. At the same time it would undermine the faith of the citizens of the Nation, the majority of whom want to keep out of war. No; the American people do not want war. I do not believe there is a man in this House who did not promise, during the campaign of 1940, that he would make every effort to keep America out of war. All of us condemned the sending of American youth to foreign shores to fight and die. That is the reason why we are here today. If we had not made those promises, our opponents would have been here in our stead. Those who sent us to Congress are depending upon us to keep faith. They are depending upon us to keep our election promises. They sent us here to keep America out of war. Let us keep our promises and at the same time keep faith with those boys who were drafted, in peacetime, for 12 months' military training.

This Congress will, indeed, have lost its sense of proportion if it ignores the people and grants the demand for authority to declare an undeclared war contained in this legislation.

Mr. FADDIS. Mr. Chairman, I yield 15 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, the Good Book says, "How beautiful upon the mountain are the feet of him that bringeth good tidings, that publisheth peace."

Mr. Chairman, that saying is just as true today as it was 2,000 years ago; but the "good tidings" that we get today are not the tidings of peace. The news that is published is not that of peace. From east of this Nation, across the waters of the Atlantic, comes to us the news of a great war. We get news of the Russo-German war; we get news of the struggles between England and Germany; and have received news of the struggles of some 13 other nations that have succumbed to the German totalitarian government.

On the west of us is war. Within the week we have read of the Japanese action in taking over Indochina. We have received news of threats of war and threats against Australia, New Zealand, and other countries in the far away Pacific. The news from the south is of war between the southern republics, and of rumors of war; and we get news of subversive activities of the most active sort. So the news that comes to us is not news of peace but news of the greatest conflict this world has seen.

When we realize that on the east, on the west, and on the south of us is war and rumors of war, how can we say in fact that the United States of America is perfectly secure and that it is not imperiled? That is the proposition, Mr. Chairman, that is presented to this body at this time.

A year ago when Congress passed the Selective Service and Training Act it proclaimed a policy of bringing into selective service young men throughout the Nation for the purpose of giving them a year's training, with the possibility of service following that training. Specifically, the act itself said:

> Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months, unless sooner discharged, except that whenever Congress shall declare that the national interest is imperiled, such 12 months' period may be extended by the President to such time as may be necessary in the interest of national defense.

The bill before us today presents the problem of whether or not the interest of the country is in such peril as to justify the extension of the term of service of the men who were brought in a year ago for training. When you analyze the proposition of whether or not the interest of the Nation justifies the retention of these men in service, you naturally want to know the strength of the Army and what are its component parts.

In the first place, Mr. Chairman, when these hearings, a copy of which I hold in my hand, were held in July of this year, the Army consisted of 1,400,000 men. Of this number, the National Guard constituted 260,000; the selectees, roughly, 600,000; and the Reserve officers approximately 50,000. The 3-year enlisted men in the Regular Army constituted 476,000. The Regular Army officers and the 1-year volunteers constitute the balance. That is the composition of your Army. It is true that since the hearings occurred these figures are slightly higher, but substantially the relative proportions are what I have just stated to you.

At this crossroads of legislative policy it is proposed that we either release the men who 1 year ago were brought into training or avail ourselves—not break faith, as someone has just said—of the provisions of the act which we ourselves wrote in this House and in the Senate of the United States, which constitutes the law of the land.

Suppose we should say the interest of the Nation is not imperiled; that it is not necessary to take this action today; what would be the result? Immediately 600,000 selectees, upon the termination of their 12 months' training, would be released; that is, 600,000 out of a total of 1,400,000 would be released. What would you do with the 150,000, approximately, American boys who volunteered in anticipation of being drawn into service under the terms of the Selective Service Act? Would it not be fair, if they volunteered under such circumstances, to release them also? And if it is fair to release them also, then does not that give you a total of 750,000 men to be released out of a total army of 1,400,000 men? Yet this means that every other man standing shoulder to shoulder in the ranks will be released, and that his place will be taken by a green American boy brought into service for training purposes.

But it goes further than that, Mr. Chairman. Suppose you assume there is no peril to the Nation, that there is no necessity for further trainings or further service on the part of these men. What is the fair thing then to do for the National Guard? Is it fair to keep them in service longer than a year, if there is no peril to the Nation or if there is no emergency such as would make it necessary for us to keep up our Army and our defenses to the utmost efficiency? Suppose then you would say that we should release our National Guard of 260,000 more men and our Reserve officers, 50,000 in number, making a total of over 1,000,000 men to be released, under these figures, leaving an army of some 400,000 or 500,000 well-trained, seasoned men.

I may tell you this. I have had just a little military experience and the Members of the House who have had similar experience know that no army is seasoned and trained and is a fit fighting force that carries in its ranks one seasoned man out of every three men in the ranks. Suppose you have a gun crew and suppose there are four men in that gun crew and all four are seasoned men; and then suppose you take out two men and put in two new men, leaving two seasoned men. Your gun crew then becomes an untrained, unseasoned crew, because the lack of training of 2, or 50 percent of the squad, brings the whole crew down to an untrained squad. If you take a tank or an airplane, the same thing is the case; and when you put 50 percent or 75 percent of untrained personnel in those groups, you then have an untrained group. There is no answer to this.

So I say the proposition today is whether or not you want to continue with a seasoned army and allow an orderly retirement of these men or whether you want to maintain the Army in this hour of crisis up to its utmost standard of efficiency.

Mr. Chairman, the original bill which we passed a year ago contemplated that these men should be trained a year and then should be retired to civilian life. This is still my thought, and when I read General Marshall's testimony I am convinced that we are right in asking an amendment to the bill.

I want to take the opportunity of reading just two paragraphs from General Marshall's testimony which I am willing to accept and believe at its face value. On page 11 of the testimony General Marshall says:

We wish to pass the selectees out of service as rapidly as we can after they have completed their 12 months' service. We definitely wish to take the older men out as rapidly as we can, and we think we can almost meet a deadline as to them.

Then, again, farther down on the same page, General Marshall, who is the chief officer of our Army and whose testimony we must believe, if we have confidence at all in the ranking officials of the Army, states:

The units of our field forces have different priorities depending upon probable tasks that have been assigned them and also depending upon their location. In those divisions that are on a low priority as to the possibility of use, we can proceed with speed in the replacement of selectees. In those divisions engaged on special work or located so that sea transportation is involved, we might be behind schedule. We want to be able to use our own judgment in applying a flexible rule. If we are compelled by law to meet a mandatory deadline we will be in a hopeless situation and will have to do many things actually against the public interest. There has been a good deal of talk at cross purposes. The very things that have been talked about in opposition to this resolution are the very things that we want to do as incidental to the immediate public demand but for our own purposes. We want to bring in new selectees, so it follows that we must release men in order to make room for them.

I say again, Mr. Chairman, I am willing to take the testimony of the Chief of Staff of the Army at face value. I am willing to believe it. I believe he knows best. I believe this is his sincere conviction and as I stand here this afternoon I believe that the fundamental purposes of this act which was passed a year ago are correct and that we should continue to rotate and build up a large reserve of efficient, trained Army units as quickly as possible. But in releasing these men, Mr. Chairman, I do not think we should force the Army to release them immediately upon the expiration of their 12-month period. It may be some are in Panama. It may be that some are being trained to operate an airplane or a tank or other mechanized equipment, and 3 months more will complete their training and make it possible for the Army to replace them with other men, thereby preserving the efficiency of the Army that we have struggled very hard to build up during the last 12 months. So I say, Mr. Chairman, in conclusion, I favor this bill because at the present time I believe it would be perilous to disband our Army and to release some million men out of a possible million and a half men now in service.

Finally, I want to make this statement. The obligations of national defense may not be so pleasing and at times they may be burdensome, but in the final analysis the obligation of defending one's land is, perhaps, the highest obligation that a citizen in a democracy owes to his country. It is a hard thing, perhaps, to require one man to bear a larger proportion of this obligation than should any other man. It is not fair that this group of men should be taken out of society, perhaps against their will, and caused to remain in service and carry the load of national defense. As soon as practicable the Army should retire them to the Reserve component of the Army and they should be allowed, if they care to, to return to their normal civilian pursuits.

At the same time, in this perilous hour, the safety of the Nation is the prime consideration. We must not break down our organized defenses at the very moment that Germany strikes at Russia and the little yellow people of the Pacific threaten Australia, New Zealand, Russia, and this Nation. This is the very time when we must have an adequate armed force at our command. It is in my opinion the hope of keeping the United States out of war.

Mr. Chairman, the horrors of "civilized warfare" are in the minds of everyone. The German bombing of the great cities of Europe, including London, will not be forgotten as long as you and I live. The untold loss of life, the terrible destruction of property, the loss of liberty and of government are events which brand our time as "the tragic era." These are things which must not happen in America.

Mr. ANDREWS. Mr. Chairman, I yield now to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, the resolution before the House today is not surprising to me. It is what I anticipated when the original conscription bill was passed; and, on September 4, 1940, in a discussion of that measure before the House, I said:

One who studies its provisions—and who went through the World War—realizes better than youth can possibly realize today that, as soon as it goes into effect, they will find themselves regimented, and there will be no turning back.

They will soon hear the bands playing martial music, the flags will fly everywhere, and we, once a free people, may march under the head of a totalitarian Government as much as the people of Europe are marching today.

Later on, in the same address, I said:

Dictators like large standing armies and large navies. They are safer with them.

I also quoted from an address of Abraham Lincoln, delivered at Edwardsville, Ill., on September 13, 1858, and that quotation is just as appropriate today as it was when I quoted it on September 4, 1940. In that address he said:

What constitutes the bulwark of our liberty and independence? It is not our frowning battlements, our bristling seacoasts, our Army and our Navy. These are not our reliance against tyranny. All of these may be turned against us without making us weaker for the struggle. Our reliance is in the love of liberty which God has planted in us. Our defense is in the spirit which prizes liberty as the heritage of all men, in all lands, everywhere. Destroy this spirit and you have planted the seeds of despotism at your own doors. Familiarize yourselves with the chains of bondage and you prepare your own limbs to wear them. Accustomed to trample on the rights of others—you have lost the genius of your own independence and become the fit subjects of the first cunning tyrant who rises among you.

In my campaign last fall I said to the young men that, although everyone was talking about them going in the service for training for 1 year, I felt that they need not be optimistic about 1 year's training, because, under the law, they could be kept for a period of at least 11 years—1 year to train and 10 years longer if there was an emergency to hold them. I do not believe that many of them realized, nor did their fathers and mothers realize, that the bill provided for anything of this kind, but some of them have come to a full realization of that fact here recently. It has been said that we have a national emergency. I have only been around here about 2½ years, but ever since I have been here there has been an emergency of some kind, and I understand that during the last 8½ years we have had 44 emergencies and 14 tax bills. It seems to me it is about time we had something else than an emergency at the seat of government.

There is no doubt that everybody talked 1 year of training. It was definitely understood by the young men who entered the service that they were going to be trained for a year, and not only was this their understanding but their employers understood that they were to have training for 1 year. In many instances employers, with this understanding, said to the men who went into the service, "Your jobs will be waiting for you at the end of the year." They did not say that if the Government kept them for 18 months, 24 months, or 2½ years their jobs would be waiting for them.

Now, if this Government ever expects to build an army and have the confidence of the citizenry who make up that army, it must keep faith with its citizenry. There is no reason why these men should be trained for a longer period than 1 year, in my opinion, but if it is held to be necessary for them to be trained for a longer period in some instances, there is no reason why they could not be trained at home in their own cities. They could have a day's training a week or do the training in the evening. That is the way the National Guard was trained and they seem to have gotten along pretty well.

Let these boys go back home and take the places of some of the men who are now drawing large salaries or wages, and let those men, in turn, take their places in training. If an emergency should arise where it is necessary to call these men back into service, I do not believe there are any of them now in training who

would not gladly return to serve their country.

This bill should, in its present form, be defeated. The Government should keep faith with its citizenry. If it cannot do that, we are not going to have much of an army, even though these men are kept in the service indefinitely.

Mr. ANDREWS. Mr. Chairman, I yield 10 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I rose a few moments ago to ask a Member who had just stated that they made an officer out of him during the World War in just 90 days if it were not true that many lives had been lost during the World War because officers had not been properly trained and men had not been properly trained. War Department experts estimate that approximately 15,000 men were lost during the World War because of a lack of proper training. The gentleman who spoke had a very gallant record and was a very able officer, but there were men who were not sufficiently intelligent along that line to take proper care of their men. I remember, in 1917, in France, men just coming over from the United States, coming over as officers to take charge of the youth of our Nation, and those men were not trained enough, and they did not know how properly to take care of our men.

Mr. Chairman, my duty today is to decide what is best to do for our Nation, and my duty is to decide what is best for the men in our service, the men who must bear the greatest brunt, who must make the greatest sacrifice in this emergency. Every mother and father in this country wants to give their children the best possible education and the best possible training to fit them for life. Our duty today is to give the men whom we have drafted into the service the best we can to protect themselves as well as the country against the enemy—the greatest opportunity to know how to do it.

I was very much interested and very proud of the fact that I have received only one letter from a selectee asking me to vote against this bill. I am very much interested, because if any great number of the selectees in my district felt aggrieved—and Fort Devens is one of the largest forts in the country—I feel sure that in some way they would have been able to send me word if they wanted me to vote against the passage of this bill. They would have found some way to send word to me that they were being dealt with unfairly.

Someone had said that it is an unwise thing to do politically to vote to keep these selectees longer in the service. I do not believe that it is an unwise thing spiritually or morally to do that, or politically, either, for that matter; but that does not count when their welfare or the Nation's welfare is at stake.

I now refer to some testimony of General Scott in 1916, over a year before our entrance into the World War. His testimony was taken before the House Committee on Military Affairs on January 10, 1916. An extremely able patriot, Mr. Julius Kahn, a beloved Member of Congress from California, was then the ranking minority member of that committee, and Mr. Kahn conducted the examination. Mr. Kahn said:

[Extract from statement of Maj. Gen. Hugh C. Scott, Chief of Staff, United States Army, before House Committee on Military Affairs, January 10, 1916]

Mr. KAHN. You said something about compulsory military service. How long a time would you compel a young man to go into the military service?

General SCOTT. For so long as would be necessary for him to get the greatest advantage from his training.

Mr. KAHN. How long would that be?

General SCOTT. I notice that in Germany they keep a man in the army for 3 years.

Mr. KAHN. Has not Germany cut down her intensive training to 2 years?

General SCOTT. France went 3.

Mr. KAHN. Was not that due to this fact, that because of the enormous increase in Germany's population she can put into the field as many men with 2 years' training as France can put in the field with 3 years' training?

General SCOTT. She wants to keep her army to the larger size.

Mr. KAHN. It was on account of that increased force that France increased her enlistment period to 3 years, was it not?

General SCOTT. It had a great deal to do with it.

Mr. KAHN. There are a great many men in the German Army who have been trained for only 1 year?

General SCOTT. Yes.

Mr. KAHN. Those who can pass a satisfactory examination at the end of 1 year?

General SCOTT. Yes.

Mr. KAHN. The men who are in the service now, fighting in Germany, have, to a large extent, been 2-year men, have they not?

General SCOTT. Yes.

Mr. KAHN. How long would you expect to train the American youth if we had compulsory service?

General SCOTT. Two years.

That was in 1916 when the tempo was very much slower than it is today, when they did not have the highly mechanized training that must be gone through, the highly mechanized army that we must have if we are to be efficient and strong. The complications, for that reason, are much greater, the training problem is much more complicated.

The Army of 1918 consisted principally of artillery and infantry. Tanks played a minor part, and the air service was just beginning. A division of the last war had 3,000 mules, 3,000 horses, and 200 motor vehicles. A present division, with only one-half the strength of personnel, has no animals, some 1,500 pieces of motor equipment, with triple the number of 37-millimeter guns and infantry motors, plus the 50-caliber machine guns, which were not included in the old organization.

The tanks of the first World War were slow-moving vehicles. We all remember them who saw them in 1917, with limited radius of action, employed almost solely in support of foot groups. The tanks of the present day have the speed of modern automobiles and are organized into divisions of their own, capable of independent action and with almost unbelievable radius of operation. The percentage of our young men who can drive an automobile probably compares favorably with the number of young men who in 1917 were familiar with the handling of animals, but driving an automobile and operating a tank or other motor vehicle in the field or on the march requires much training and practice. Whereas the normal march for an infantry division, not motorized, is 15 miles per day, our present motorized divisions, not properly trained, have made marches in excess of 300 miles. This great increase in tempo is an integral part of the modern army in all of its arms and services. The general efficiency, intelligence, and natural hardihood of the soldier is no less today or no greater today than it was in 1918.

We have at the head of our Army as Chief of Staff a general who has been more praised by the Congress than any general I have ever heard praised, with the exception of General Pershing.

I believe we should follow that general's instructions.

When compulsory military service was first considered by the Congress in 1916, over a year before our entrance into the World War, Maj. Gen. Hugh C. Scott, Chief of Staff, stated that in his opinion 2 years was necessary for the proper training of the American youth.

The present authorized period of 12 months' training was not the period desired by the War Department, but was agreed to in the interests of expediency. General Marshall stated that he would like to have 18 months, although he would compromise on 15 months, but would take 12 months if that was the best he could do. If, in the considered opinion of his predecessor in 1916, a period of 2 years was deemed essential for the proper training of a man who had only one weapon to master and who had to fit himself into a team that was geared on a 15-miles-per-day basis, the difficulty of accomplishing the training of individuals who must be adept with many weapons and must be geared to function as a team on a 300-miles-per-day basis, and with only 50 percent of the time of the 1916 estimate of time allowed for training, is rather obvious.

The question as to whether or not our national interests are imperiled, or whether or not the emergency is greater or lesser at the present time than it was in September 1940 when the Selective Training and Service Act was passed, has been the subject of much debate. The fact that the issue is debatable in itself should enjoin caution. The people, if any, who threaten our national interest are realistic in their policy and apparently committed to definite lines of action. Our military preparations should be determined chiefly by the broad political consideration affecting the relations of this country with the other nations with whom we must live. If it be our mission to put this country in a state of military preparedness to meet a possible emergency, due consideration should be given to the increased complexities of the modern army, with its airplanes, tanks, antiaircraft guns, and its "stepped-up" speed of operation, and sufficient time should be allowed for the proper and thorough training not only of the individual but of the team. Any mistake that we choose to make at this time will be paid for later in human lives.

The story of enlistments with time limits in our emergencies has been the story of defeat and useless loss of life and treasure. The wretched extremities to which George Washington was put in our Revolutionary War arose largely from this besetting sin. His army was continually evaporating just before a planned battle or campaign—just when he needed it most—because the time of the soldiers had expired. Here is an extract from one of his letters, "To expect the same service from raw and undisciplined recruits as from veteran soldiers is to expect what never did and perhaps never will happen." That is just as true today as it was in 1776.

For example, let us say that a general has a division of 15,000 men, and at a certain time he loses 7,000, 8,000, or 9,000 of those men, receiving in their places raw recruits. Among the thousands who have left him have been bright young soldiers who have advanced upward in the noncommissioned ranks to where they have become first-rate instructors. Just where is that commander going to find persons who will carry on the instruction after the previously trained men are gone? He certainly cannot draw on the other divisions of the service, which will be as stripped as his. He will be compelled to spread his instructions so thin that it will be of low grade in comparison to that which he has been building and progressively achieving during the past year. This is but one illustration of what will happen to the Army by any sudden withdrawal of large numbers of selectees. There are other drawbacks in the shape of makeshifts, added movements of troops, and general weakening of combat efficiency which will be difficult to resurrect.

I need not dwell on this condition to men who are familiar with what the loss of 50 percent of experienced employees or more would mean to any firm in any single day. I have found Army men, as a rule, to be frank, wholehearted, and very jealous of the best interests of the Government. They want to do a good job. If we do not pass this resolution, we will be, as I see it, preventing them from doing that good job, and the blame will squarely rest on our shoulders.

I think many people have erroneously assumed that when we say the national interest is imperiled we mean that our country is about to be invaded or that enemies from without are about to commit some overt act against us leading to war. But national interest can be imperiled in many other ways It can be imperiled by wholesale inefficiency and by violating true and tried principles internally. Of course, the mere fact that we called these selectees out and made an Army of 1,700,000 possible. shows an attitude certainly not of normal serenity. Nor can we assuredly say that in the year since the Selective Service Act was passed we are in better condition internationally than we were then.

Some will say we are not in an emergency. Well, we thought we were in one enough to call out 1,700,000 men, and we still think we are in one sufficiently to keep the Army that size, and expand it more, if need be. If the matter is that urgent and vital, I feel it is urgent and vital enough to have enlistments prolonged for the sake of efficiency. The War Department can then let men go out of service as they become trained and when their absence would not vitiate the general program of building the most efficient Army.

It seems to me that the least we can do now is to extend the enlistment of these men under the promise of the Chief of Staff to discharge as soon as possible the 1-year men, releasing the most urgent cases first.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I rise at this time to state that the decision as to my vote on this measure has not yet been fully made. Much of it will depend upon some of the amendments which I hope will be submitted, and accepted, namely, for the benefit of the men in the training camps. I cannot vote for the bill if it does not provide for a substantial raise in pay for soldiers. I cannot vote for it without a provision added to give free transportation to the boys on furlough.

It is my fervent hope that features such as the ones I mention will be included. Otherwise, I will never approve keeping these American boys in camp for 2½ long years.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, the House is considering House Joint Resolution 222, which was introduced by Mr. MAY, chairman of the Military Affairs Committee, at the request of the War Department, as I understand.

In the beginning, be it remembered that the President is the Commander in Chief of the armed forces of the United States, that Secretary of War Stimson is the chief executive officer in the War Department, and that General Marshall is the Chief of Staff of the Army.

It is therefore clear that when the War Department asked the Congress to pass this resolution the request was that of the President, the Secretary of War, and the Chief of Staff. In the hearings before the Military Affairs Committee, General Marshall appeared for the President and the Secretary of War.

I call your attention to the fact that the hearings were held on War Department resolution and not on the substitute resolution later proposed by the committee.

The vital part of section 1 of House Joint Resolution 222 is the provision that "a national emergency exists," and the "President is empowered to employ the armed land forces of the United States, in addition to the Regular Army, in the national defense."

A declaration by Congress of a national emergency, as in this section provided, is tantamount to a direct declaration of war by the Congress insofar as bestowing emergency war powers on the President is concerned. I think no one will dispute this assertion. Such a declaration by the Congress will vitalize something like 50 laws, heretofore enacted, granting emergency powers to the President in time of war. The enactment of this section would also permit the selectees, the Reserve officers, the National Guard, and all other components of the military forces, to be used anywhere in the world where the President has authority to use the Regular Army in the national defense.

Section 2 freezes all enlistments in the Regular Army and every component thereof, which includes draftees, Reserve officers, and so forth, "for the period of the national emergency hereby declared and for 6 months following its termination." It is provided, however, that the President, at his discretion, may terminate such period. In brief, this section would remove the time limit so far as those now serving in the Army and its components are concerned.

Section 3 removes all limitation by law as to the size of the Army and the number of selectees. That is all left up to the President.

These three sections are the gist of what the President and the experts in the War Department are demanding of Congress in this resolution. The Committee on Military Affairs, however, after hearing these experts, refused to recognize their demands and substituted the committee resolution, which is found on page 3 of the resolution as reported. The vital part of section 1 of the committee substitute is that the Congress "declares that the national interest is imperiled" to such extent only as to make possible the retaining of the draftees in the military service beyond the time for which they have been drafted.

This section contemplates sort of a nebulous condition, where no definite emergency exists but where sort of a twilight zone obtains, by virtue of which the country is justified in breaking faith with the draftees, the Reserve officers, and the National Guard in active service under existing law.

Section 2 gives the President complete authority to extend—

for such periods of time as may be necessary in the interests of national defense, the periods of service, training and service, enlistment, appointment, or commission of any or all persons inducted for training and service under said act, members and units of the reserve components of the Army of the United States (including the National Guard of the United States), retired personnel and enlisted men of the Regular Army, and any other members of the Army who are now, or who may hereafter be, in or subject to active military service or training and service: *Provided*, That the authority hereby conferred may be revoked at any time by concurrent resolution of the Congress.

In other words, the committee asks that the Congress abrogate to the President its right to fix the time of service for these selectees, National Guard men, and others. Once this section becomes a law the President will make all orders, rules, and regulations pertaining to the time of the service of these components

of our Army. This authority continues until the Congress, by a majority vote, revokes the power granted to the President in this regard.

I do not believe that this proviso as drafted is constitutional. It takes the joint action of the Congress and the President to make a law. Nothing less than the same power can repeal the law so made.

Sections 3, 4, and 5 of the committee substitute are, generally speaking, not controversial.

Section 6 lodges in the President the right to control the size of the Army. This power is subject to the right of Congress to reclaim the power by concurrent resolution.

My purpose in calling your attention to both the War Department resolution and the committee substitute is to impress upon you that there is a vast and material difference. This fact becomes important in view of the arguments of the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK], and others, to the effect that it is the duty of the Congress to follow the advice and yield to the judgment of the experts in matters pertaining to our national defense. It is insisted that the administration should be given the power it demands with reference to the size of the Army and its composition. It has been argued that those opposing this legislation are laymen and controlled by the advice and counsel of laymen rather than by military experts like General Marshall.

If this is true, then it logically follows that the proponents of this philosophy will vote against the committee substitute, which is the recommendation of a committee of laymen in the Congress, and for the War Department original resolution, which embodies not only the recommendations but the demands of the War Department and the experts; that is, you cannot justify a vote for the committee substitute on the ground that you are following the advice of the military experts, because the military experts are demanding a declaration by Congress of a national emergency and the powers incident to such a declaration. In short, the committee bill is the creation of a majority of the members of the Military Affairs Committee and is not the product or the child of the experts in the War Department.

Mr. Chairman, I think the most troublesome vote I have been called upon to cast since I have been in Congress was the vote on the original draft law. This was because our country for the first time was adopting peacetime military conscription. The vote on the resolution before us is almost as difficult.

This extension of the service of the selectees has been propagandized to the country in such a way as to give the impression that its purpose is simply to continue this service for the duration of an emergency. There is much more than that tucked away in the language of the resolution.

We have been told in this debate that the two principal reasons for the passage of such a law are that the national interest is imperiled and that unless this resolution is immediately passed our Army will rapidly disintegrate.

Is our national interest imperiled? Generally speaking, many of our people are of the opinion that it has been imperiled for the last several years, primarily because of our economic situation. Added to this are the troubles of a war-ridden world. Is it not true that every government throughout the world is more or less imperiled today? It is just a question of degree. Is this country in greater peril today than it was when the draft law was passed a year ago? This all depends upon what we mean by peril and the factors contributing to the peril. Our national debt is billions more than it was a year ago. Our national economy has ceased to function normally. The morale of our people is impaired. Our people were led to believe that there was no possibility of this country getting into the present World War. They relied upon the assurance of those in high places that our boys would not be sent to fight on foreign soil and that this country would engage in no foreign wars except if and when it was attacked. The people now begin to doubt the truth of these promises, and well may they entertain such doubts.

The President, Secretaries Stimson and Knox, and General Marshall want Congress to declare that a national emergency exists for the sole purpose of giving to the President all of the war power he would have if Congress declared war. The committee substitute attempts to proclaim sort of a quasi emergency; that is, it attempts to limit the effect of the declared emergency to the Selective Service Act of 1940. I cannot appreciate the difference between a declaration that a national emergency exists and a declaration that the national interest is imperiled. Surely, if the national interest is imperiled, a national emergency exists. This is just some more toying with words, some more indirection and lack of forthrightness.

In short, if a national emergency exists, then the Congress should have the courage to say so and accept all that goes with such a declaration. On the other hand, if the Congress declares that our national interests are imperiled, then it must do so with a realization of the fact that an Attorney General of the United States will have little difficulty, in case of Presidential request, in holding that when Congress has declared the national interest is imperiled, it has in truth, and in fact, declared that a national emergency exists. I need only cite the opinion of Attorney General Jackson in response to a request from the President asking for legal justification of the transfer of destroyers to the British a few months ago.

Those who are opposing this extension of service believe that the passage of this law will break faith with the draftees who, they insist, have a contract with the Government. The draft law unmistakably states that the draftees are to serve for 12 consecutive months—

> except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

Many of the proponents of the draft law gave the impression that the draftees were only to be held in service for 12 consecutive months.

In substantiation of this, I call attention to the statement made by Chairman MAY, of the Military Affairs Committee, when the draft bill was under debate in the House. This statement is found on page 11368 of the CONGRESSIONAL RECORD of September 3, 1940. Chairman MAY said:

> Under that provision, those who are trained under this legislation, at the expiration of their training period, automatically go back home.

A little later in this debate the gentleman from Oregon [Mr. MOTT] asked the chairman of the Military Affairs Committee this question:

> This bill confines the actual service of the man selected to 1 year?

To which the gentleman from Kentucky replied:

> That is right. Under the provisions of this bill, the service is limited to 12 months.

Could any answer be more definite?

Did or did not the draftee and the draft boards throughout the country have the right to believe that these boys were being drafted for but 1 year? Surely if they accepted the statement of the chairman of the Military Affairs Committee, in charge of the passage of the bill in the House, they could arrive at no other conclusion. If they did so believe and were justified in so believing, then, from a moral, if not a legal, technical standpoint, they are entitled to consideration by Congress at this time.

I think every one of us has received many, many letters from draftees, boys subject to the draft but who volunteered, and from the draftees' parents, employers, and friends calling attention to the fact that they relied on Chairman MAY'S statement.

Well, I am not chairman of the Military Affairs Committee, and in debate I disagreed with Chairman MAY in interpreting this time limit. The House naturally accepted the chairman's view and, time has proven, without careful study of the law. In that debate on September 4, 1940, I said:

> Now, the advocates of this measure tell us that it is a selective compulsory military training and service bill. The people have been led to believe that this is intended, and will be, merely a training period for the conscripts. As I see it, this is a service law and the training is only important as it is incidental to the service. I have received correspondence from constituents who fully believe that this is a universal military-training bill. It is nothing of the kind. There is nothing universal about it other than bringing together the group from which reservoir the conscripts will be drawn. If this were a universal military-training bill, providing that all youth in the land were to receive 1 year's training in the military forces of the United States at some period provided in the law, that would be universal military training. All young men would receive discipline and training. Under this bill but 1 in 10 will do service, not for 1 year but possibly for 10 years. He will then be inducted into the

service for at least 12 consecutive months, and as much longer as the Congress may feel he is needed.

If there is no emergency at the end of his year's service, he will be returned home. However, he will be bound for a period of 10 years; that is, the hand of the Government has been placed upon him and he owes 10 years of military service to the Government if and when the Government calls him. During this 10-year period he can make no definite plans. He is given notice that he must respond to service at any time during the 10-year period. It just does not seem democratic or even fair to me that this one boy should be singled out for 1 year's actual service and possibly 10 years' actual service, while the other boys go free. This is certainly not universal training and places an uneven burden on the one boy. In time of war we do not view these matters in quite the same light. But, remember, this is peacetime conscription.

Again, if this were simply a training bill, of course, the men could be best trained in continental United States. However, inasmuch as this is a service bill, this service in the Army will be performed in connection with the National Guard called to Federal service and the Regular Army, anywhere in the Western Hemisphere, in the Philippines, and in the possessions of the United States; that is, these conscripts are to be assigned as replacements in component parts of the Regular Army and the National Guard. The boys coming from a given locality, for instance, will not go to camp as a unit. Some of them will be detailed to the Artillery, some to the air service, possibly some to Alaska, some to the Philippines, and to the various forts and camps throughout the Western Hemisphere. If I read the future correctly, our troops are to be garrisoned at strategic positions throughout the Western Hemisphere from Nova Scotia to Cape Horn, as well as in the Pacific. If I am correct in this conclusion, then it must be agreed that this is a service bill and not a training bill. If this conscription is for war service, why not say so?

If this service is necessary and if we are in the World War or contemplate getting into that war, then I think that the people should be taken into the confidence of the administration. You can always trust the American people when they are fully advised. They do not like subterfuge. They surely will rebel against being led into a war blindfolded. The people elected Wilson in 1916 because he kept us out of war. They no more want war in 1940 than they did in 1916.

Certainly I made it clear at that time that in my opinion, the draftees were being taken, not for 1 year, but for a possible 11 years, at the discretion of the Congress in one instance, and at the discretion of the President in another instance.

If the Congress declares a national emergency, or its equivalent that our national interests are imperiled, then these boys can be held beyond the year which they were promised by the chairman of the Military Affairs Committee. If the President were to invoke the authority given him in the National Guard Act, after these draftees have served their year and become members of the reserve component of the Army, he could immediately recall them to duty for an indefinite period. If these men are needed in the service now, why should not the President exercise this authority? Why should he insist on additional law? In my judgment his reason is primarily that he realizes a majority of the American people are opposed to this additional service and he wants to place the responsibility on the Congress. No one has denied, and no one will deny, that the President has this authority now.

Mr. President, you have more information than the Congress or the country about our national affairs. All agreements, understandings, and arrangements with foreign nations are made by you, and if it is necessary to retain these boys in the service for more than the agreed year, then I hope you will exercise your power and make the necessary order. For my part—and I believe that I am expressing the view of a large part of my constituency—I am unwilling to give to the Executive the additional war-making and war-carrying-on power embodied in this resolution. We are opposed to Presidential undeclared wars.

In passing, we must not forget that this resolution does not deal with draftees only. Even enlisted men in the Regular Army, those who have 3-year contracts, are denied by their Government the right to have their enlistment contracts respected. I am in receipt of a letter dated August 10, 1941, from a man now in the service who resides in my congressional district. He is a fine, outstanding young man. He says:

I was the first draft man to volunteer for service in * * * County, Mich., and was accepted for service last November 23. Since that time there has been considerable pressure put on us to reenlist for 3 years. In June of this year I took a short discharge and thought I was signing for only 3 years. Now the act before Congress is not only not going to allow the selectees to leave in November, but will keep the National Guard, Reserve officers, and Regular Army on for an additional 18 months, which would mean that the least I will spend in the Army is 5 years. Perhaps the Congress has forgotten that this also would be a breach of promise with us. I do believe that some consideration should be shown the selectees who, in view of the world situation, offered to give 3 years of their life for their country.

Translated, the above letter means that this young man was drafted into the service; that while in the service he voluntarily enlisted in the Regular Army for a period of 3 years, whereupon he received his discharge as a draftee. He was willing to volunteer for 3 years. Now it does not seem fair to compel this young man to serve at least 5 years in the Regular Army. If this country were at war, then this young man would not want to be discharged until the war was over. However, he surely should not be taken out of civil life for 2 years longer than he voluntarily agreed to serve unless there is a national emergency tantamount to war. I have not given this young man's name or the county from which he comes because I do not want to do him any injury in the service. I can assure you, however, that he is a high type young man and before entering the service held a good position.

These draftees, the National Guard, Reserve Officers, and the enlisted men, are all wondering, and have a right to be concerned, about the time they are to be required to serve in the Army. There are those in public position who speak with more authority than others in like public position. Some Members of Congress are closer to the President than others. It is, therefore, not surprising that the men in the service, their relatives, friends, and employers back home, were shocked and alarmed when one of the recognized spokesmen of the administration in foreign affairs, debating this resolution in another body, announced to the country:

Some folks talk about these boys going home. Mr. President, they will be in the Army for at least 5 years, and maybe 10, and this war will last at least 5 years, and maybe 10, and maybe a generation. And the man lies, consciously or unconsciously, to the youth of America, who would give them reason even to hope that the struggle is not growing worse with the passing of each sad hour.

I should like to give the name and the title of the one who made that statement. It is not necessary so far as the House is concerned because every one of us knows who it was and where and when the statement was made. The people of the country, however, do not realize that in debate, under the parliamentary rules of the House, a Member is not permitted to use the name of a Member of the other branch of the Congress.

That statement undoubtedly caused consternation in every military camp in the country where draftees were enrolled. It caused great consternation and alarm in many homes in the Second Congressional District of Michigan, and I am sure it had the same result elsewhere in the country.

I cannot see my way clear to giving the President the additional authority provided in this resolution, which would make it possible to carry out the statement just quoted from one of his recognized spokesmen. Then man making that statement undoubtedly knows what he is talking about. He was talking in support of giving this power to the President.

I think it is generally recognized that if our country gets into the shooting war, we will be in that war from 4 to 10 years. However, it remained for this distinguished spokesman to assure the country that these boys might be kept for a generation.

My colleagues, think what such a statement means coming from that source.

Will this help the morale of our people or of our Army? Is it fair to these boys to be inveigled into the service under a misapprehension of the facts, and then have the Congress give the President authority to retain them in the service for a generation?

I cannot concur in such action at this time.

The proponents of this resolution have spectacularized to the country the idea that if these boys are permitted to return home after 1 year's service, as provided in the law, our Army will be destroyed. Nothing is further from the truth. Let us take a look at the figures and see. We now have an army of 1,476,000. Included in this number are approximately 600,000 draftees. These draftees were inducted into the service as follows: November, 13,806; December, 5,521; January, 73,633; February, 90,238; March, 153,159; April, 123,207; May, 56,896; June, 79,522. The year's service period

will expire and these men will be released from active duty in the same order in which they were inducted. The largest number to leave the Army in any one month up to July 1942 will be 153,159. These men will immediately be replaced by new draftees; that is, the men returning home will have had 1 year's training in the rudiments of warfare and will take their place on the inactive list, to be called into service whenever the President so desires or in case of war. The men taking their place in the service will, after 1 year's training, do likewise. That is what the Congress and the country were told—and in most cases made to believe—when the draft law was placed on the statute books. The purpose of the pending resolution is to freeze indefinitely into the service all the men now in the service, and to continue admitting more draftees. If it is the purpose of the administration and the War Department to maintain a standing army of four or five million men in this country in peacetimes the country should be so advised.

Mr. Chairman, again I impress the fact that if the Congress does not pass this resolution the Army will not be disintegrated. These 600,000 draftees will not pack up their belongings and return home as a unit. Their discharge will be staggered over a whole year, and do not forget that every time a draftee returns home to take his place in civil life another young man from that same community will respond in turn for his year's training and service.

General Marshall tells us that about 1,200 draftees have been sent to Hawaii and about 1,800 to Alaska. These men will have to be returned if the present law is not changed. This may be a slight inconvenience but certainly will not disrupt the Army. When these selectees were sent to those points the President, the Secretary of War, and General Marshall knew that they could not be kept there for more than 1 year unless the law was changed, or the President exercised the discretion given to him in the National Guard Act. It may be an inconvenience to the Army to withdraw these selectees and replace them with others. It will be more than an inconvenience to the selectees to be compelled to remain in service indefinitely in peacetimes.

Yes, there is difference of opinion throughout the country as to the advisability of this legislation. Generally speaking, that part of the press which favored repeal of the neutrality law urged the original draft law, the lend-lease bill, convoys, and believes that this World War is our war, and that we should get into it, is supporting this resolution. It is impossible to agree with all of our constituents because they do not agree among themselves. Therefore, about all a Member of Congress can do is to follow the dictates of his own conscience, and cast his vote accordingly. The problem before us is not easy of solution. There are cogent arguments on either side.

In conclusion, the study which I have made, based upon the information at hand, makes it impossible for me to support this resolution in its present form. In a general way I have outlined my reasons for this decision. I am not yet prepared to go along with those who believe that the United States should participate actively in any foreign war beyond protecting the Western Hemisphere. It seems unthinkable that the Congress should abdicate, by indirectly passing a law, the effect of which will be to permit our soldiers to engage in war anywhere in the world just because the President is of the opinion that this is necessary in the interest of our national defense. I am not criticizing the President. I am not impugning his motives. I do not find fault with those who do not agree with me. I have respect for their views. I only ask like consideration. I am not unmindful that most legislation is a matter of compromise between the views of our 435 Members. It would be unnatural if we all thought alike, and possibly when the resolution is read for amendment changes will be made removing some of my fundamental objections. In that case, of course, I shall support it. I feel sure that in the same spirit the young men affected, their parents and friends, will accept the composite judgment of the Congress in the true democratic spirit. After all, no law is perfect. No law suits all of us. In the final analysis, however, we are all aiming at the same goal, and that is the preservation of America as we have always known it and as we hope it always will be.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, the most vital need in America is an impregnable national defense at the earliest possible moment. It is vital in event of attack by another nation. It is vital as the best possible insurance against attack by another nation. It is particularly vital, in my judgment, in view of the course pursued under the present administration during the past 2 years, which has greatly increased the possibility of attack by other nations.

I have been and am opposed to plunging this country into war. I have opposed administration measures conducive to this end. I have been and am in favor, however, of a 100-percent national defense.

As we all know, the original selective-service and training law, approved September 16, 1940, provided for a training period of 12 consecutive months "except that whenever the Congress has declared that the national interest is imperiled, such 12 months may be extended by the President to such time as may be necessary in the interest of national defense." The period of 12 consecutive months was 6 months less than the minimum recommended by the General Staff.

We are confronted by a request from the President in the interest of national defense for authority, in his discretion, to extend the periods of training of those now in our active military forces. To the extent that the President already has this authority under the National Guard and Selective Service and Training Acts of 1940, we are asked to confirm our action of a year ago. The question as I see it is whether or not, having in mind the urgency and the supreme importance of an impregnable national defense, we can afford to deny the requested authority.

I have considered the matter, in the time available, as thoroughly as I know how to, Mr. Chairman. I have studied the hearings before the Senate Committee on Military Affairs. I have studied the hearings before the House Committee on Military Affairs. I have studied the debate on the floor of the Senate. I have studied other available evidence. I have come to the conclusion that we cannot afford to deny extension. I shall vote to authorize reasonable extension of training periods in the discretion of the President. I feel compelled to do so regardless of consequences.

It is not an easy or pleasant conclusion to come to. All of us sympathize with those compelled to make sacrifices at this time. All of us would very much prefer to vote against the further sacrifice entailed in the proposed extension of training, particularly by those inducted under the Selective Service and Training Act of 1940, who did not seek to be soldiers and who hoped that a training period of 12 months might be all that would be required of them. I regret, in the light of the evidence before us, that I cannot vote against extension.

We are all familiar, Mr. Chairman, with the course of the conflagration that has been steadily spreading throughout the world overseas—a conflagration which has overwhelmed 13 nations, with a population of something like 159,000,000 inhabitants—a conflagration which threatens to break out in the Far East, in Latin America, and in other places. We are all familiar also with our lamentable state of preparedness for defense purposes when our defense program was started 15 months ago. It is an unfortunate but inescapable fact that we are far from prepared today in terms either of essential weapons or trained manpower. If the truth were known, the country would be amazed at the lack of progress made in respect to major items vital to defense.

Against this general background, Mr. Chairman, I cannot support a course of action which the expert testimony before us indicates will result in the disorganization of the Army we are now building just when it is beginning to become efficient and the release of thousands now in active service before they have been fully trained.

I shall not take the time, Mr. Chairman, to go into all the evidence in detail. The President has stated in his message to the Congress that a grave national risk will be involved unless the Congress makes it possible to maintain the present full effective strength of the Army and during the coming year, as a precautionary measure, to give training to as many additional men as we can.

General Marshall, our Chief of Staff, a brilliant officer and an outstanding American, for whom I have had the highest regard ever since the World War, has given his deliberate professional opinion that to release the men from the service

at the expiration of 1 year will be to seriously injure the Army, releasing men not fully trained, leaving large gaps in its personnel, and filling those gaps with wholly untrained men. He has advised us that under existing limitations of law almost two-thirds of our enlisted men and three-fourths of our officer personnel will have to be released after completing 12 months of service. "The loss of numbers involved is one thing," he says, "the breaking down of practically all existing units is another." He has gone as far as to warn that failure to permit extension might well imperil the safety of the country and has told us that the most effective service we can render to national defense at this time is to free the Army of the strait jacket in which it now finds itself as a result of the rigid termination of training periods.

General Marshall's opinion is concurred in by other military experts. As far as I am concerned, I am not willing to take the risk involved in opposing the experts who are responsible for the building of an efficient Army for defense purposes at the earliest possible moment.

The evidence does not establish, Mr. Chairman, any necessity for an unlimited extension of training periods such as is called for by the bill in its present form. I am opposed to authorizing any unlimited extension. I think we should definitely impose a limitation on the authority to extend.

On the basis of the record I think that a maximum limitation of 6 months might be sufficient in view of the fact that Congress will be in continuous session. I am impressed by the analysis made on this basis by the senior Senator from Ohio, appearing in the CONGRESSIONAL RECORD of August 5, at page 6738, based on an army of 1,700,000, on the gradual retirement of the National Guard and on a turn-over from selectees in active service to reserve components of about 50,000 a month.

If 6 months cannot be agreed upon, a maximum limitation of 12 months should be sufficient, in my judgment, affording as it would a period of 18 months for training, the training period always desired by the Chief of Staff, and 6 months in addition to overcome the handicaps of a slow start in the first year and to permit of the orderly readjustment within units to avoid disorganization. A maximum limitation of 12 months would meet the prevailing opinion in the House insofar as the National Guard and Reserve officers are concerned and would afford the President no greater authority in respect to the selectees than he now possesses as a result of the action of Congress a year ago. I shall vote for either limitation and hope for the adoption of one or the other.

I do not consider, however, that a maximum limitation of 6 or 12 months is vital, because if we follow the example of the other body, as I assume we shall, the extension authorized will not be mandatory but an extension in the discretion of the President within the maximum limitation adopted. And if such a limitation be adopted we have a right to rely upon the testimony of the Chief of Staff for the policy which will be pursued under it.

What is the testimony, Mr. Chairman? What is the policy which the War Department is to pursue under the limitation for example adopted by the other body? Again and again throughout the hearings conducted by the Senate and House Committees on Military Affairs the Chief of Staff makes this policy clear.

The Department wishes to take the older men and the hardship cases out of active service as rapidly as possible. A start has already been made in this direction. This bill should accelerate the process.

The Department also wishes to pass all selectees and members of the National Guard out of active service and into reserve components of the Army as rapidly as possible after they have completed their initial period of 12 months, provided, of course, that we are not at war. It desires to rotate selectees and members of the National Guard as fast as possible in order to build up a reserve and to maintain morale. The Chief of Staff states repeatedly his general policy to discharge individuals as soon after the completion of the 12 months' period as they are properly trained but in his own way and in his own time in order not to destroy efficiency. It would seem to be a fair inference that selectees and members of the National Guard will be released from duty after an average period of training of 18 months.

In other words, Mr. Chairman, as a practical matter even if we should follow the other body and adopt a maximum limitation as great as 18 months, one of two things will happen. Either we shall find ourselves involved in war before the training and replacement of those now in service is completed, in which case those retained will not be compelled to fight without proper training but will have the benefit of added experience and opportunity for advancement; or we shall not become involved in war in which case those now in service will be transferred to reserve components and sent home as soon as possible after the completion of their training without reference to the expiration of the maximum limitation adopted.

Under the bill in its present form Congress retains the right to cancel the entire authority to be accorded the President at any moment by joint resolution of both Houses. Under the bill in its present form Congress retains the right to determine the size of the Army at any time in the light of monthly reports of the total number of men in active training and service from the War Department. It does this under its general powers to control appropriations and specifically under section 6 of the Selective Training and Service Act of 1940, which provides that—

> The President shall have authority to induct into the land and naval forces of the United States under this act no greater number of men than the Congress shall hereafter make specific appropriation for from time to time.

The original demand for a congressional declaration of national emergency, I am happy to say, has been deleted. The original demand for authority to use the National Guard and selective-service forces outside of the Western Hemisphere, I am happy to say, has been deleted.

The Chief of Staff testifies that he does not foresee any activity on the part of American troops in any foreign country—Iceland excepted; that he does not know where an A. E. F. could land or where it could obtain the necessary shipping for a long time to come; that his objective is to keep the country out of this war; that he is strongly of the belief that our chances of keeping out of the war will be increased by the increased strength of our Military Establishment; that each step we have taken toward providing for our defense has had a profound effect upon nations that are hostile to our purposes; that we must not forfeit that advantage; that we must not sacrifice the tremendous strides we have made.

The Chief of Staff tells us that he is trying to build an armed force sufficient for the adequate protection of the United States and the Western Hemisphere, that he is being as conservative as he dares, and that what he wants is an Army of 1,700,000 men, about half of which will be required for our newly acquired bases and overseas possessions, and the opportunity to train them without disruption.

I believe that Congress should see to it that he has that Army of 1,700,000 men at the earliest possible moment, and that that Army is thoroughly trained before transfers are made to our Reserve forces. I believe that this result should be assured, not only in the interest of the Nation as a whole but in the interest of those now in active service themselves. All military history demonstrates the crime of using badly trained troops against seasoned forces.

During the last World War, Mr. Chairman, I spent some 27 months in uniform. I know what it took to train a soldier in those days. I think I can appreciate how much more it takes to train a soldier for present-day warfare. I think I also understand something of the soldier's point of view. I can well appreciate the sentiments of many soldiers under existing conditions.

What is needed, Mr. Chairman, in my judgment, is real equipment and real matériel, real training under really efficient officers, real incentive and real opportunity for advancement. If these things can be provided in the near future—and they must be provided—I do not believe that those now in service will in the long run regret the extra few months which have been asked of them under the policy laid down by the War Department to enable them the better to defend themselves and the Nation, if unhappily we should be plunged into war.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. HOFFMAN].

NATIONAL SUICIDE

Mr. HOFFMAN. Mr. Chairman, accompanied by closing of factories, unemployment, want, privation, and disastrous involvement in a foreign war we are committing national suicide by blindly following the President.

Long ago, the utter folly of the New Deal philosophy was pointed out. Nevertheless, at the last election, the few who accepted it, joined by the many who were receiving temporarily, at the ex-

pense of others, benefits through relief, made work and subsidies, to the number of some 27,000,000, reelected for the third time the chief exponent of wasteful spending, Franklin Delano Roosevelt.

Everyone who stopped to think and to reason—but few did—knew that spending to create prosperity was a false doctrine. Farmers know that a suckling calf must be sometime weaned. Every American with an ounce of brain, an iota of sense, knows that a nation—no more than an individual—cannot continue to live on a deficit; nor can an ever-increasing number of our people continue to suck the life-blood—tax money—of the worker, the farmer, and the businessman.

AN ALTERNATIVE

When the consequences of its waste and extravagance caught up with the New Deal and it appeared that the Nation was due for a depression greater than any ever experienced in the history of our country, Roosevelt, seeking a way out, thought to distract the people's attention from their domestic troubles by fabricating a national emergency, due, he said, to a threat of the invasion of this country by Hitler.

NOW

Of the older generation few there are who do not remember mother's old-fashioned treatment for a stomach ache, other aches, and pains. It was a simple remedy, an effective one, of a mustard plaster which irritated and burned until you forgot all about the original complaint. Hitler is the President's mustard plaster.

Unfortunately, Roosevelt's remedy is worse, far worse, than our original trouble. His treatment will kill the patient, our Nation. A depression, no matter how great, could not be fatal to the American people. They have courage. They have fight in them. They are willing to work, to save, when once the necessity is pointed out to them. In the past we have whipped more than one great depression, and the one brought on by the World War, intensified as it was by the New Deal until national bankruptcy was staring us in the face, we could, by effort and sacrifice, have safely surmounted.

THE REMEDY

But this remedy of the President's of attempting to make us forget our domestic troubles by frightening us with a war scare does not end there. He intends to send an army, another A. E. F., to fight wherever Churchill and "Bloody Joe" Stalin may direct. Read this statement from one of his spokesmen on August 6:

> Some folk talk about these boys going home. Mr. President, they will be in the Army for at least 5 years, and maybe 10, and this war will last at least 5 years, and maybe 10, and maybe a generation.

An army of two or three million men to serve 5 or 10 years is not needed unless the President proposes to use it across the sea. What an attempt by our men to invade and conquer Europe—and that is the announced program—means to our Nation and its future; to you as an individual, you—far better than dreamers and confusionists—know.

THE WAR SCARE FAILS

The result of turning our pockets wrongside out and giving the contents to foreign nations not only does not cure our domestic ills or divert our attention, but brings home to us a realization that this administration, while thinking of and aiding the people of the Eastern Hemisphere, is bringing disaster to American business, unemployment to the American worker.

It is now admitted that the administration's program of issuing priorities would "close 5,000 plants and displace 1,000,000 workers." That is a conservative estimate. One administration spokesman places the number who would be thrown out of work at 2,000,000.

Into my office last week came a representative of an industry in the Fourth Congressional District of Michigan. He was in Washington pleading for material so that the factory which he represented could continue to operate and give employment to the people of his home town. He was told in no uncertain terms that the necessary materials shortly would be denied to him.

The representative of another concern located at St. Joseph, Mich, which makes 1,300 electric washing machines a day, was told that the production of his plant must be curtailed because of lack of materials, and, if it is, some 400 men will be thrown out of work.

O. P. M. officials announce that diverting materials from factories engaged in nondefense work, for the use of Britain and Russia, and I quote, "Will assume perfectly appalling proportions before many weeks."

Now, just apply the result of this program of giving so much to China, to Britain, to Russia, and to every other country which demands it, to our domestic situation. You and all business concerns will shortly be required to make provision for additional tax burdens. If the factories in your home towns are to be closed or their production limited—and they are to be closed or production limited—and men thrown out of work—and they will be thrown out of work, the administration states, to the number of a million or 2,000,000 or more—just how can the owners of those factories pay the taxes which will be assessed against them? Just how can the men thrown out of work support their families, buy the fuel, the food, the clothing, all those things which carry a hidden tax, if they have no work?

CHOOSE NOW

We have now reached the point where this Nation, through its elected representatives, must decide whether we shall strip ourselves of all of our defense materials, jump into the world war, send a million or more men to Europe, or whether we shall think and act for America first.

No man can serve two masters. We must choose whom we will serve. Europe, Asia, and Africa, or the United States of America? Shall we work and save and give and fight for the present generation of war lords of Europe, for the restoration to their thrones of the royalty of Europe, or shall we strive and endure and prepare to fight to the last man for home and fireside, for church and for state, for the preservation of our freedom?

For myself I intend to act for the safety and the preservation of our own people, our own Nation, and I hope that all the folks back home will calmly and earnestly take note and consider what is happening and then, with determination, in conversation with friends, in public meeting, through the press, let it be known throughout the land that those of their elected representatives who do not think of and act for America first will never again aid in guiding the destiny of this Nation.

Mr. ANDREWS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, I should like the RECORD to show that I advised the gentleman from Kentucky [Mr. MAY] that I intended to make an observation or two with reference to him. In other words, I am reluctant to refer to him in his absence, but since I have discharged what I believe to be the ethical niceties that most of us recognize here in the House, I feel at liberty to proceed.

I hope at some future time during the course of the debate to make a more extended statement with reference to the resolution before us, but two statements made by the distinguished gentleman from Kentucky [Mr. MAY] prompt an observation at this time.

I think it was most regrettable that the gentleman from Kentucky admitted that political considerations were factors which prompted the framing of the legislation as we enacted it a year ago. I think it is deplorable if the country feels that that very serious problem was determined on the basis of political advantage.

As regrettable as that admission was, however, Mr. Chairman, the other observation of the distinguished gentleman from Kentucky prompts even a more extended statement. Those of us who were here during the course of his presentation of the merits of the bill will remember that he took occasion to boast of his experience as a lawyer, and that he had had courtroom practice.

During the course of his presentation, I addressed a question to the gentleman as to whether or not an expeditionary force to Dakar would be an A. E. F. according to his understanding and his reply was that the question was irrelevant. Well, I have had a bit of experience myself in the law courts. I would not be presumptuous enough to boast of anything to compare with the long experience of my distinguished friend from Kentucky, but I do happen to know what the plea of irrelevancy is when resorted to by a lawyer. When the evidence begins to be damaging, when there is no evidence at hand to answer the claim of an opponent the usual resort of the trained and seasoned practitioner is to claim that the evidence submitted is irrelevant. It is a defensive move, but not an answer. While that question may be irrelevant to the gentleman from Kentucky, it may be irrelevant according to his courtroom experience and he may be satisfied with that as an answer to the American people, nevertheless I have a rather deep-seated conviction that

there are thousands of American mothers and American fathers, and American boys to whom the question as to whether or not an expeditionary force to Dakar is to be an A. E. F. is relevant. I say those thousands of mothers, fathers, and boys will feel that this question is most relevant and most material; and it becomes the more relevant as these words come from the distinguisned gentleman from Kentucky, charged as he is with the chairmanship of this committee that brings this legislation to the floor, charged as he is with the responsibility and a knowledge far, away and above that of the ordinary Member of the House who does not enjoy the same confidences the gentleman from Kentucky does.

Does the gentleman intend to give the impression to the country that an A. E. F. only can include the British Isles or France? Where, I ask the gentleman, is Dakar? Is it in the Western Hemisphere or included as a part of continental United States or its possessions? No, Dakar is across the Atlantic, 1,400 miles at least from the nearest point of South America, in equatorial Africa, a possession to which we have no claim and in which we have no right.

Despite the efforts of the distinguished gentleman from Kentucky to class as irrelevant an inquiry on an A. E. F., I am convinced that it is a question which is more disturbing than any other to those whose interests are directly affected. That question may be insignificant to some men. Mr. Chairman, it may be a question that some men are satisfied to classify as irrelevant; but to those who are concerned about the future of their boys, to those who will suffer the heartache of separation, to those who have dreamed dreams and have seen visions of the future for their sons, I say, Mr. Chairman, to these worthy and patriotic parents what an A. E. F. includes is a direct, personal, important, and most relevant question.

With Harry Hopkins consorting with Joe Stalin in Moscow, the relevancy of the question becomes all the more certain. Time and again we have been told that certain information cannot be divulged to the Congress or the country because of its importance from a military standpoint. We have not been privileged to have the commitments made by Hopkins to the Communist leader. Shall it be said that the resort to irrelevancy was prompted because of these commitments? Have we reached the point where a pertinent inquiry must be sidestepped by a plea of irrelevancy because of understandings between Mr. Hopkins and the representative of the most ruthless and brutal tyranny—a Government that has defied God and set itself to the task of creating world chaos and revolution? Is it irrelevant to inquire what an A. E. F. may be, and whether Dakar is to be the first step in a march by which the flower of American manhood is to stand shoulder to shoulder with an army carrying the emblem of the "red" Soviet—the emblem that has meant the enslavement of millions, the persecution of innocents, and the bloody execution of anyone and everyone who dared defy its program or who attempted to disclose its diabolical purposes?

Mr. Chairman, I would not attempt to establish a standard for other men. They may be satisfied with the specious, the convenient, the defensive plea of "irrelevancy," but as for myself I refuse to let that be my answer to the mothers, the fathers, and the boys of America. It must be obvious to everyone that the sorry plight in which the proponents of this resolution find themselves is indeed a serious one; yes, I might say even a suspicious one, if the distinguished gentleman from Kentucky, the chairman of the committee which sponsors the resolution, can find nothing more assuring, nothing more convincing, nothing more satisfying than "irrelevant" as an answer to the question of the destination of an A. E. F.

Mr. FADDIS. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, of course we hoped a year ago that the peril would now be over, but it is not. What is the use of building a roof for the storm and taking it down before the storm breaks? More than that, this represents a show of strength. Should we advertise to the totalitarian world today that we are weakening our support of these ramparts we watch?

And I wanted to say something else: No man should get up on this floor and state that those in authority, because they do not agree with this or that plan of national-defense policy, are trying to pull this Nation into a war. Some uninformed, misinformed, and nervous people might believe it. Such statements can only do harm and cannot possibly do any good. It is demagoguery. Today one of the Members stated on the floor that he believes this to be part of a gigantic plan of some people in high places in America to get us involved in a foreign war. I do not see how any well-informed man can make that kind of statement on this floor or anywhere else. I believe that the America First Committee and such groups are doing inestimably more to get this country into a war than any of the wishful warmakers, by their weakening process and by their invitation to those responsible for the peril that hangs over us.

And then this matter of breaking faith with the boys. The gentleman from New York [Mr. FISH] speaks proudly of the strength we have attained on the sea, in the air, and on the land, but now on the plea that, theoretically but not actually, some faith has been broken, he is willing that we should relinquish it when we need it if we ever have needed it, telling the boys they should stay in the Army for a year only. Who stated that to the selectees? Who made that representation? I never did. I was frank and sincere with them, and I am not now embarrassed here nor back home, but even if I were embarrassed, my sincere love for my country and my patriotism would make me rise above it in an hour of peril like this and declare that we must still watch our ramparts and keep up our strength. After all, the boys are not volunteers but draftees, taken into the Army in an extraordinary move for reasons of peril. I believe we could take the boys out right at the expiration of their year's service and, as the law reads today, call them right back into service again, but then they certainly would feel they had been double-crossed, that they had been dealt with unfairly, to say nothing of the expense to the Nation and the weakening process of the turning out and in operation. They say, "Well, it was a moral promise, some theoretical promise, one that actually does not exist and never did exist," but that is not what they said on the radio and in talking to the folks. I heard their speeches. They said in public addresses the boys had been fooled. If there is anybody who is doing anything to disturb the morale in the Army it is those persons in high place or low, making pleas to the people, sending word to the men in the Army that they have been fouled, double-crossed, and that they have not been justly treated; that we were not keeping faith but deserting our word. That will do more than anything that could be done to weaken or to ruin morale. It is downright wicked, misleading, and should never be indulged in.

When the time comes that we can restore these boys to civil life, as soon as conditions can justify it being done, you may be sure it will be done, of course. I do not believe anybody believes anything else. We have so many laymen who think they know more regarding military matters than those of a lifetime in the work and those upon whose shoulders we rest the responsibility of attending them.

We have now, of course, a little breathing time while Russia for a few moments is holding Germany, but a breathing time should be a building time. Germany may at any time knock Russia out, annex the rich resources of the Ukraine, and come forth stronger and more dangerous than ever. And so I want to state in conclusion that there is no responsibility resting on any lawmaker greater than his responsibility of acting to keep the safety and security of his Nation intact.

Mr. ANDREWS. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, the gentleman from Texas [Mr. LYNDON B. JOHNSON], in his statement a few moments ago, said:

> We do not know what is in store for us.

Well, I agree with him. I say "Amen" to that. With an unpredictable administration in the White House, surely we will never know just exactly what is in store for us.

Today's Washington paper carries an editorial in which it is stated:

> The Senate votes to add 18 months for those who, failing to read the fine type, thought they would be home in a year.
>
> The sin of the whole sorry chapter was a sin of omission; a political sin, chargeable to Congress.
>
> The Draft Act was passed just before an election. It called for 1 year's service, unless—the unless referring to certain circumstances that might arise.

The politicos took to the hustings stressing the "year of training" and leaving out the "unless." What happens to the politicos who failed to put all cards on the table will be written, come November 1942. It's their funeral. And a lot of political undertakers may be needed.

In that connection, I would like to call attention to the administration spokesman in Washington, Senator PEPPER, who, on the floor of the other body, made the statement that he expects the Selective Service Act to be extended to 5 or 10 years. With this administration spokesman speaking of 5 to 10 years, we do not know what is in store for us. .

The article continues:

What about after those extra 18 months? That brings us to Senator PEPPER.

"Talking about these boys going home," he shouted in the debate on extension. "They will be in the Army for at least 5 years, and maybe 10, and maybe a generation."

Furthermore, the Senator predicts one hundred billions a year in money, and calls the forty billions already authorized a drop in the bucket.

"Gird your loins," he cries. "We are just approaching Armageddon. How long is it going to take to shackle Hitler, to bind his arms and legs with the chain of society's retribution, to throw him back into the impotency of the Teutonic forest where he may find companionship with the pagan gods of an earlier day, before whom he kneels?"

Yes, there are clauses in the original Selective Service Act which no one seemed to notice a year ago. Yes, there are sentences in the law by which our boys may be kept in training camps longer than the 12 months for which they bargained. But there is no law which justifies a national government in breaking its faith with the mothers and fathers, no less than the sons whom it seeks to govern. There is no law by which sharpshooters' tactics can be justified when they are practiced by a great nation.

Mr. PATRICK. Mr. Chairman, I rise to make a point of order.

Mr. BENDER. Mr. Chairman, I do not want this taken out of my time. I do not yield.

Mr. PATRICK. The gentleman has violated a rule of the House.

The CHAIRMAN (Mr. COOPER). The gentleman cannot help himself.

Mr. PATRICK. The gentleman has violated a rule of the House.

The CHAIRMAN. The gentleman will state his point of order.

Mr. PATRICK. The gentleman referred specifically to a Senator of the United States, naming him, and he stated a position taken and words spoken on the floor of the Senate.

The CHAIRMAN. The gentleman will proceed in order.

Mr. BENDER. Mr. Chairman, the plain truth should be spoken. When the National Government pushed through the original Conscription Act it did so with mental reservations, with tongue in cheek. Those who sponsored this legislation knew full well that they never anticipated the release of our selective-service draftees at the end of their year of service. They knew that any effort to write legislation which would inform the Nation that their sons were about to leave for an indefinite period would arouse violent opposition, particularly in the light of the fact that our neighbor, Canada, immediately to our north, which is actively engaged in the war, had not passed such a conscription statute. What was done was subtle but hardly ethical. Throughout the Nation's press a vigorous campaign was waged to rouse our people to the "peril" before them. They were led to believe that there was imminent danger ahead. And, to top it all, they were given to understand that the 12-month limited training period, which would do the boys "a world of good" and would simultaneously assure the protection of our country, would be written into the law. The other phrases by which extensions of the service might be enacted were skillfully ignored. To be sure, they were there, but everyone in the administration pretended to be unaware of their presence. They were scarcely touched upon in the debate, and the Nation's press, largely interventionist in sentiment, joined the conspiracy of silence.

Today the military experts of America assert there is a menace to our independence. The assertion should not go unchallenged. Who is there who would say that our security is more seriously endangered now than it was a year ago? Today Germany and her Axis partners find themselves faced by Soviet Russia, infinitely stronger than anyone had anticipated. A year has gone by in which Europe's food supplies have been acutely diminishing. British and American production of military machines has been stepped up. Throughout Europe movements are rising in every country occupied by Nazi Germany which threaten the German conquest. In far-off Asia, Japan is still being stymied by a determined China. In all these new developments only those who will not see can read any growing threat to our security. No one for a moment urges a cessation of our defense program, but the hysteria which emanates from Washington today with respect to new "national emergencies" is completely divorced from the fact.

Our Constitution provides that no law may be passed in derogation of existing contracts. In effect, we have made such a contract. If we break it, then we have broken our faith with those who have made America the last stronghold of freedom.

Mr. ANDREWS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, on July 21 the President sent a message to the Congress and transcribed a broadcast to the people of this Nation. On that day I was back in my district, the first time since last fall's election. I read the President's message as it was teletyped to the daily newspapers and I understood the President to say:

I do not believe that the danger to our national safety is only about the same as it was a year ago. I do believe—I know—that the danger today is infinitely greater.

I also heard him say that when we passed the Selective Service Act less than a year ago "the objective was to have ready at short notice an organized and integrated personnel of over 1,000,000 men." And then I recalled that the President stated:

In the absence of further action by the Congress all those involved must be released from active service on the expiration of 12 months. This means that, beginning this autumn, about two-thirds of the Army will begin demobilization.

Now, Mr. Chairman, it so happened that on this same day I had to prepare a transcribed radio speech for my own district, and I stated frankly it was my opinion that, in all probability, the President would have his request granted by the Congress. At the same time I said in effect that if the conditions were as he described, I did not see what other choice the Congress could make. In fact, I likened our Army to a football team composed of a veteran backfield and a green line, and I said then that I did not see how, the coach having trotted the team out on the field, we could pull that green line off the field and send in an entirely untrained, green line just about when the whistle was to blow for the opening kick-off.

I assumed, Mr. Chairman, that the President, and perhaps the Chief of Staff, would give the Congress definite evidence that our Nation is in infinitely greater peril today than it was a year ago. Not one shred of evidence has been given by either of the men, or any other witness, before the Military Affairs Committee in either the House or the Senate, in either open or closed session, which would indicate this to be true. On the other hand, we know that a year ago we had about 300,000 men on active duty. Today we have on active duty 1,898,000 men, which includes 476,000 Regulars, 400,000 National Guard men and Reserve officers, and 600,000 selectees; and, in addition to that, we have over 270,000 volunteers in the Navy, have tremendously augmented our air force, and have recently provided for an additional 152,000 men in the Air Corps.

A year ago our supply of arms, ammunition, and equipment for these men was truly pitiful. Admittedly, there is not even sufficient equipment available today to adequately train these men, but the situation is rapidly improving, and it will grow steadily better when and if the Congress shows sufficient intestinal fortitude to insure that labor stays on the job in defense industries. So, I cannot subscribe to the statement that we are in greater peril here at home.

Now, what is the situation elsewhere? Winston Churchill only this week told Parliament that Britain's strength has doubled and that she is making progress on all fronts, although he did not claim that the Battle of the Atlantic had been won but that it had "moved impressively in our favor" and that shipbuilding is keeping pace with war demands. Then he claimed that Germany's air superiority "has been broken" and that the Nile Valley "is much safer." True, the Balkan states have been overrun, thus one possible avenue for direct land invasion of Germany has been closed to Great Britain. But, on the other hand—possibly of the greatest importance—is

the fact that whereas a year ago the bloody hand of Hitler was clasped by the equally bloody hand of Joe Stalin, today they are at each other's throat, and they bid fair to continue their bloody death struggle indefinitely. Meanwhile this certainly does not make Japan any greater threat today than she was a year ago. Italy has still further proven her utter impotency in modern warfare against proper equipment and properly trained forces. Meanwhile it must be clear to everyone that the Axis Power must of necessity have had to go deep down into the cream at the top of her bottle of trained soldiers and her modern equipment and must of necessity be approaching the skim-milk stage of reserves which she has had to spread ever farther and ever thinner as a police force over the conquered peoples of Europe, and now she finds herself seriously in danger from sabotage behind the lines. So, Mr. Chairman, I cannot subscribe to the unsupported and dogmatic statement that we are in greater peril today than we were a year ago.

If the President and General Marshall have facts to substantiate their statement, then it is about time that the Congress—and certainly the people of the United States—be given these facts, because it must be obvious to every thinking person that if these facts do exist, surely Hitler must be aware of them and there is nothing that we will be hiding from him by the further disclosure of these facts.

After all, let us remember this, that the charge has been made repeatedly—and not denied—that we ourselves have been charged with guilt in the original rearmament of Germany and the creation of this Hitleresque Frankenstein monster. We helped, ourselves, to create it. Surely the President was warned time and time again that it was being created, and he should have then come before the American people and told us that it was time for us to start rearming ourselves rather than continue to waste money on sociological, ideological "boondoggling." You say it could not have been done. Of course, it could have been done had he called into his counsel acknowledged opposition Republican congressional leaders and the facts frankly and fairly presented to them, and through them to the minority Members of this House. The facts are that the President was unwilling then, and he is unwilling today, to take either the Congress or the American people into his confidence.

Now, Mr. Chairman, I still like the illustration of the football team. Every football team must have five essentials to it. It must have, first of all, physically equipped manpower material. The physical examinations of the boys called in the selective service in the past year proved that our team has that manpower.

Second. It must have equipment. I have told you that we are approaching the stage where we will have that equipment, providing we do not give it all away to other teams in the league—at least before we have had an opportunity to train with it ourselves.

Third. That football team must have training. It is getting that training in fundamentals, in teamwork, and in scrimmage. The general impression given the public by the Presidential message of last July 21 was that these boys would be sent out of the Army without having had sufficient training. Well, if so, that is not their fault that they were taken into the service before there was sufficient equipment on hand to train them adequately.

But on the other hand, we know from the testimony of General Devers, one of the ablest men in our Military Establishment, who has been in command of the Ninth Division of Fort Bragg, that his division—half of which are selectees—is now ready for combat service with less than a year's training, if it had sufficient combat equipment. The trouble with too much scrimmage, Mr. Chairman, is the fact that the coach may get an itch to get into the real game before he has sufficient equipment with which to properly play the game. And the American people do not want their team playing on somebody else's field.

The fourth thing any good team needs is adequate reserves. If this bill passes as it is presently drawn, you will not have your reserves excepting in the form of those who are absolutely green, men who have not even reported to the squad. In this bill you will provide for a static army—and that army will go stale. I am told by many military men that our biggest lack of training today is in our commissioned and noncommissioned officer material and that is the reason why the minority insist that these components be kept in service for further training.

Now the President stated that beginning this autumn about two-thirds of the Army will begin demobilization. This is simply not so because as fast as these men are being sent home after their year of training, just so fast should others be called up to replace them. And while I am on this subject, let us bear this in mind, that these men, if they are sent home, will be sent home in comparatively small components when viewed as a whole. For instance, beginning not until November, only 183,000 would find themselves at home at the end of the next 6 months—183,000 out of over a million and a half—and half of these would go home in the month of February.

The President indicated that the Army would be "disintegrated" because it was scattered in so many outposts. The facts are that practically all are Regulars who are on outpost duty and there are only 1,200 selectees in Hawaii and 1,300 in Alaska, with a few being stationed in Puerto Rico. Surely we must have sufficient troops stationed in these outposts so that the removal of but 3,000 of them should cause no "disintegration."

Also, let us remember that we have not yet called up 300,000 of the men authorized to be inducted a year ago, and this is simply because we have not the training facilities for them. And so it seems to me that we should be engaged in giving more boys training rather than in keeping those who will have trained still engaged in scrimmage practice. Thus will we be building up a trained reserve, rather than rely on one entirely untrained; and, after all, let us remember that as the act was originally written the President can call these boys back into the service, back into their regular units—National Guard, Reserves, and so forth—which they left, on a moment's notice should our Nation be truly imperiled.

Lastly, Mr. Chairman, what any team needs most of all, in addition to the other necessary ingredients, and which is of inestimable importance, is its morale. It is perfectly true that literally the Congress will not be breaking faith with these boys if they are kept in, but morally we will be breaking faith with them. We will be breaking faith with these boys because of the fact that a year ago, when you passed this bill, you played up the fact that they were going into training for a year, and you played down the fact that they were going into service for a year and could be kept in after that year was up. You did this because there was a political campaign in the offing, and you dared not then tell the voters of America that you were advocating then, as you are today, the creation of an indefinitely large Army which you now propose to be held in service for an indefinite period, and that is what you are providing if you take all the limits off as originally desired by the proponents of this legislation. In fact, one generally acknowledged administration spokesman in the other body said these boys might be kept in for 5 or 10 years or a generation.

No, Mr. Chairman, a football team, no less than an army, is useless without morale. Nothing will destroy teamwork faster than a shattering of the morale. And the greatest thing you can do to insure the highest possible degree of morale in our Army today is to send word down to these camps that the Congress of the United States has not morally broken faith with the selectees. I have not broken faith with these boys nor my people back home. I shall not now. I hope that our team will not have to play in this league in which we have no business. But if they do have to play, insofar as I am able, I intend to see to it that that team has the five necessary ingredients of all good teams—manpower, equipment, training, reserves, and morale—and in addition to that they will have to play the game on our own field. Mr. Chairman, my campaign pledges were not "mere campaign oratory."

Mr. MAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. GIBSON].

Mr. GIBSON. Mr. Chairman, listening to the varied theories advanced by opponents of this bill I am brought to wonder what the courageous people of our Republic must think of their National Congress. I interpret the efforts of such opponents only as another effort to condemn the foreign policy of the administration. I am and have been in perfect accord with such policies, but aside from this fact our course has been chosen and we have now executed the principles of this policy too far to retreat. To falter or weaken now would, in effect, be a complete surrender to Hitler and his gangs. I say to you and to this House that there

is no place for political expediency here; we are dealing with the future of a nation—of the rights of a free people, if you please—and to sacrifice our courageous endeavors to the cause of our national defense to selfish political greed, would, in my opinion, be equal to treason in its worst form.

We have spent millions of the taxpayers' money to try to train an armed force to defend our principles of freedom, admitting that we were miserably unprepared. Now in less than a year when we all know we are closer to a shooting war than we have ever been, an argument that we should disband our Army is childish and ludicrous. Soldiers cannot in 1 year become truly efficient and prepared to meet a foe trained as the armed forces of the dictators have been trained. You would release, as you say, "the son of a mother" who is partly trained to at least defend himself and place in his stead a younger son of that same mother who is totally untrained physically and mentally and send him out to meet men skilled in offense and defense to be slaughtered like a helpless babe. You would be more human to kill him and bury him in his own backyard.

Such action on the part of the Government would, if we do become engaged in combat, precipitate the most inexcusable and merciless mass murder of American youth the sin of any man has ever caused.

The direct result of the defeat of this measure would be, as analyzed in brief:

(a) Advance the proficiency of the aggressor forces at least 20 percent by the resulting stimulas of morale.

(b) Retard the proficiency of the Allied forces at least 20 percent by resulting weakening of morale.

(c) Carry a message to the heart of Japan as well as all aggressor nations that we were a bunch of resistless weaklings without courage to defend our own firesides and invite her to attack us.

(d) Cast upon the patriotic youth of America an inference that they were not willing to fight for the freedom they received as a birthright.

How childish the argument that we are breaking faith with the youth of our country. Are we deciding what games we will play at a school picnic, or are we, in the positions of statesmen, dealing with the future of a nation. The provision of the original act to terminate the service at 12 months was conditional and surely the crisis is greater today. Why did you pass the original bill causing the expenditure of billions and taking young men from their homes and positions if you were going to holler "Wolf" and turn them loose right at the time their apparent need is the greatest?

My vote will be for the retention of our armed forces at its full strength, with the hope that my beloved land will, throughout this daily increasing threat, prove the courage and strength of its people to a cruel, selfish, and bloodthirsty world that the Stars and Stripes may through the years float proudly in the breezes of a free America and stand as a token to all assassins of love and freedom that the American eagle is yet king of the birds of the world.

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. Chairman, this is a very important matter that we are debating here today. It is one that is important not only to this country but to the entire world. There is one thing that must be obvious and certain to all of us, and that is that Hitler is either going to win or he is going to lose. If Hitler wins this war, there is no one, not even the strongest opponent of this measure, but who will admit and say readily that our condition will be very perilous and that our continuation as a nation will be doubtful. If, on the other hand, Hitler loses this war, we have a chance to go on in our American way and preserve for the generations to come the heritage that has been handed down to us for our protection.

It has been stated—and there is no argument being made here today to the contrary—that we would be more secure, we would be better protected if we did not disintegrate our Army at this time, that if we kept the draftees in service for a while we would have a better chance of protecting ourselves.

There is one thing that has given Mr. Hitler a lot of encouragement, and that is the inclination today of bringing factionalism and politics into this debate. There must be another thing that is giving him lots of encouragement, and that is the statement of some Members here that even though we should be less secure we should let our boys out a little sooner. Do we want to admit to him that we are too soft to make a sacrifice? That is what we will be saying to the world if we fail to pass this measure. These oppressed people who are just now beginning to try to throw off the yoke of tyranny will receive no encouragement if we, the great citadel of liberty, are unwilling to fully prepare.

Mr. Chairman, I believe we are underestimating the stamina and the Americanism of our young men. I think our young men want to be better prepared. I think our young men feel that if America would be safer if they served 2 years, or 3 years, or even 10 years longer, every man who is a good American in our Army would be willing and glad to do it.

I have heard Members opposing this measure today criticize France and Norway, saying they did not prepare well or soon enough, they did not equip, they did not see the obvious, they did not build munitions; yet these very same persons who criticize France, Norway, and England would lead us into that same road of insecurity and let us not fully prepare to take care of ourselves when that fateful hour shall come.

You say we are not in any more danger now than we were a year ago. It does not take military or expert information to see that we are in greatly more danger. Can anybody deny that we are in more danger from Japan today than we were a year ago? Can anybody deny that if Hitler wins the granary of Russia, the great munitions factories and resources of that country, he will be much stronger and more able to attack us? That is the situation that has developed since last year. Yet because we have a few weeks or a few months, maybe, of relaxed tension, there are some who would let us sleep and let this dear country be led into the position of France or of Norway.

We may not be in danger of being immediately attacked. I do not know. I hope we are not. This is an unprecedented war. Who here thought that Norway would be attacked? Who thought that France's Maginot line would crumble as if it were a toy balloon? Who thought that Crete could be taken as easily as it was? These are times when we have to prepare for the worst and take into consideration the unprecedented events that have been happening and may happen to us.

Mr. Chairman, the issue is too close and the risk is too great to take any chances. It may be that we will not need any Army at all. It may be that Hitler will be defeated. But as long as he is running rampant over the face of the earth we had better make the best preparation we can.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the joint resolution (H. J. Res. 222) declaring a national emergency, extending terms of enlistments, appointments, and commissions in the Army of the United States, suspending certain restrictions upon the employment of retired personnel of the Army, making further provision for restoration of civil positions to members of the Army on relief from military service, and for other purposes, pursuant to House Resolution 290, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein two letters bearing on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HOFFMAN] be permitted to extend his own remarks in the Appendix of the RECORD and include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Brooklyn Tablet.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my own

remarks in the RECORD and include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio speech delivered by the Congressman from the Ninth District of Alabama.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

HOUR OF MEETING ON MONDAY

Mr. McCORMACK. Mr. Speaker, under an order granted on yesterday, when the House adjourns today it adjourns to meet on Monday next. I ask unanimous consent that when the House adjourns today it adjourns to meet on Monday next at 11 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SCRUGHAM, for 5 days, on account of official business.

To Mr. SHEPPARD, for 10 days, on account of official business.

EXTENSION OF REMARKS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Chicago Herald-American.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 173. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940;

S. 353. An act to provide for the extension of enlistments in the Navy, and for other purposes;

S. 1261. An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes; and

S. 1642. An act to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and on lands occupied or used by the United States for military or naval purposes outside the continental limits of the United States, including Alaska, Guantanamo, and the Philippine Islands, but excluding the Canal Zone, and for other purposes.

ADJOURNMENT

Mr. MAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 24 minutes p. m.), under its previous order, the House adjourned until Monday, August 11, 1941, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

837. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to amend section 522 of the Tariff Act of 1930 so as to clarify the procedure in ascertaining the value of foreign currency for customs conversion purposes where there are dual or multiple exchange rates, and for other purposes; to the Committee on Ways and Means.

838. A letter from the Secretary of War, transmitting a draft of a proposed bill to provide for payments in advance to enlisted men of monetary allowance in lieu of quarters and subsistence under certain conditions; to the Committee on Military Affairs.

839. A letter from the Acting Secretary of the Navy, transmitting a report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department pursuant to section 10 of the act of July 2, 1926, during the fiscal year ended June 30, 1940, the prices therefor and the reasons for the award in each case; to the Committee on Expenditures in the Executive Departments.

840. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on a preliminary examination of waterway from Pleasantville, N. J., through Lake Bay, to deep water at Atlantic City, including connecting channel to Ocean City, authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

841. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on reexamination of Bayfield Harbor, Wis., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 19, 1940; to the Committee on Rivers and Harbors.

842. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on reexamination of Bogue Inlet, N. C., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 26, 1940; to the Committee on Rivers and Harbors.

843. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on reexamination of inlet channel to connect Eau Gallie, Fla., with the Atlantic Ocean, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 25, 1938; to the Committee on Rivers and Harbors.

844. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 2, 1941, submitting a report, together with accompanying papers, on reexamination of Westport Harbor and Saugatuck River, Conn., with a view to enlarging the basin at Compo Beach and also with a view to determining whether the existing project should be modified in any way, requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted February 16, 1939, and February 16, 1940; to the Committee on Rivers and Harbors.

845. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 26, 1941, submitting a report, together with accompanying papers, on reexamination of Duck Creek, Wis., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 26, 1940; to the Committee on Rivers and Harbors.

846. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel and certain Federal civil employees for personal property lost or damaged as a result of the hurricane and flood at Parris Island, S. C., on August 11–12, 1940," approved April 23, 1941; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JARMAN: Committee on Printing. Senate Concurrent Resolution 11. Concurrent resolution authorizing the printing, with illustrations, and binding of the proceedings held in Statuary Hall in the Capitol upon the occasion of the unveiling and acceptance of the statue of Huey P. Long, presented by the State of Louisiana; without amendment (Rept. No. 1137). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5448. A bill to define and punish vagrancy in the District of Columbia, and for other purposes; without amendment (Rept. No. 1138). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5447. A bill to amend section 907 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, relating to second conviction of criminal offenses; without amendment (Rept. No. 1139). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5377. A bill to amend section 111, title 18, of the Code of the District of Columbia, with respect to designation of deputy clerks by the clerk of the District Court of the United States for the District of Columbia; without amendment (Rept. No. 1140). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURCH: Committee on the Post Office and Post Roads. S. 1570. An act to further amend the acts for promoting the circulation of reading matter among the blind; without amendment (Rept. No. 1141). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURCH: Committee on the Post Office and Post Roads. H. R. 1793. A bill to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States; without amendment (Rept. No. 1142). Referred to the Committee of the Whole House on the state of the Union.

Mr. GIBSON: Committee on the Territories. H. R. 5076. A bill to empower the Legislature of the Territory of Hawaii to authorize the county of Kauai to issue improvement bonds; with amendment (Rept. No. 1143). Referred to the House Calendar.

Mr. ANGELL: Committee on the Territories. H. R. 5077. A bill to approve Act No. 112 of the Session Laws of 1941 of the Territory of Hawaii, entitled "An act to amend Act 101 of the Session Laws of Hawaii, 1921,

relating to the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, so as to extend the franchise to the districts of Kau and South Kohala in said county, and extend the term thereof as to the town of Hilo"; without amendment (Rept. No. 1144). Referred to the House Calendar.

Mr. FORAND: Committee on the Post Office and Post Roads. H. R. 2232. A bill to provide a differential in pay for night work to custodial-service employees in the Postal Service; without amendment (Rept. No. 1145). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHELCHEL: Committee on the Post Office and Post Roads. H. R. 1851. A bill limiting working hours of custodial service employees to 8 in 10 hours a day; with amendment (Rept. No. 1146). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 5531. A bill authorizing the Secretary of Agriculture to enforce the provisions of this act and to provide rules and regulations for the handling and disposition of animals and their products in interstate and foreign commerce when such animals are known to be infected with infectious, contagious, or communicable diseases; to the Committee on Agriculture.

By Mr. GATHINGS:

H. R. 5532. A bill to encourage home use and orderly marketing of certain agricultural commodities by providing for the extension of the stamp plan for the removal of surplus agricultural commodities to include authorization for the issuance to farmers of frozen food locker certificates; to the Committee on Agriculture.

By Mr. JONES:

H. R. 5533. A bill to amend the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

By Mr. KRAMER:

H. R. 5534. A bill to provide for reciprocal privileges with respect to the filing of applications for patents for defense inventions; to the Committee on Patents.

By Mr. KNUTSON:

H. R. 5535. A bill providing for compensation at the rate of $5 per day for members of local boards under the Selective Training and Service Act of 1940, as amended, and for other purposes; to the Committee on Military Affairs.

By Mr. BARRY:

H. R. 5536. A bill to abolish personal and deficiency judgments that have been taken by the Home Owners' Loan Corporation in foreclosures and to forbid the taking of said judgments in the future; to the Committee on Banking and Currency.

By Mr. GILLIE:

H. R. 5537. A bill to permit seeing-eye dogs to enter Government buildings when accompanied by their blind masters, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. HARRINGTON:

H. R. 5538. A bill to provide for the general welfare of the people of the United States by establishing the means to stabilize the purchasing power of money, to protect them and their property from the recurring evils of inflation and deflation and to promote a greater exchange of goods and services among them and with the citizens of other nations; to the Committee on Ways and Means.

By Mr. BLOOM:

H. J. Res. 229. A joint resolution granting permission to Hugh S. Cumming, Surgeon General (retired) of the United States Public Health Service to accept certain decorations bestowed upon him by the Republics of Colombia, Haiti, and Chile; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEITER:

H. R. 5539. A bill for the relief of Umberto Danta Annibali; to the Committee on Immigration and Naturalization.

By Mr. DIMOND:

H. R. 5540. A bill for the relief of the Healy River Coal Corporation; to the Committee on Claims.

By Mr. JENNINGS:

H. R. 5541. A bill for the relief of Joseph Kenney; to the Committee on Claims.

By Mr. MURDOCK:

H. R. 5542. A bill for the relief of Walter C. Smith; to the Committee on Military Affairs.

By Mr. HOOK:

H. R. 5543. A bill conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Zephyr Aircraft Corporation against the United States; to the Committee on Claims.

By Mr. PITTENGER:

H. R. 5544. A bill granting a pension to William Kiefer; to the Committee on Pensions.

By Mr. SHAFER of Michigan:

H. R. 5545. A bill for the relief of H. Earle Russell; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1749. By Mr. CANNON of Missouri: Petition of sundry farmers of Ralls County, Mo., stating that they are satisfied with the wheat-marketing-quota law as it now reads; to the Committee on Agriculture.

1750. By Mr. GRAHAM: Petition of 53 citizens of the county of Butler, State of Pennsylvania, to defend the United States of America by defending the health and morale of the youth called out under the Selective Service Act from what Gen. George C. Marshall, Chief of Staff of the United States Army, referred to as "A sordid business for the accumulation of money"—the trade in alcoholic beverages; and from the dangers of venereal disease incident to prostitution, by passing the Sheppard bill, S. 860, a reenactment of the protective legislation of 1917; to the Committee on Military Affairs.

1751. By Mr. HALLECK: Petition of sundry citizens of Logansport, Ind., and vicinity, opposing the proposal to retain men in the service beyond the 1 year for which they have been drafted; also opposing the sending of armed forces to foreign soil; to the Committee on Military Affairs.

1752. By Mr. TALLE: Petition of Rev. E. L. True, of Jesup, Iowa, and 55 other citizens residing in and near Jesup, urging the early enactment of Senate bill 860; to the Committee on Military Affairs.

1753. By Mr. VORYS of Ohio: Petition signed by J. B. Leach, of Columbus, Ohio, and others, urging passage of Senate bill 860; to the Committee on Military Affairs.

SENATE

MONDAY, AUGUST 11, 1941

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Lord God, who didst form man of the dust of the ground, making him a living soul capable of fellowship with Thee: Pour out upon us the spirit of Thy grace, that in our prayers we may seek to bend not Thy will to our desires, but in quietness to learn Thy purpose for us, and to further it in loving service for Thee. Make us great with Thy greatness, strong with Thy strength, humble with Thy humility, patient with Thy patience, merciful with Thy mercy, and loving with Thine everlasting love.

And vouchsafe, we beseech Thee, O Lord, that those who teach may first be taught of Thee, and that those who lead may first be led of Thee. So may they teach us Thy ways and lead us in Thy paths, until, quickened by Thy Holy Spirit, that which but for Thy grace would be dust of the earth shall glow with Thy fire divine and we shall live with Thee the perfect life of Thine eternity. Grant this, O Loving Father, in the name and for the sake of Jesus Christ, our Mediator and Redeemer. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, August 7, 1941, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Gillette	Overton
Aiken	Glass	Pepper
Andrews	Green	Radcliffe
Bailey	Guffey	Schwartz
Barkley	Gurney	Shipstead
Bone	Hatch	Smathers
Brown	Hayden	Smith
Bunker	Herring	Taft
Burton	Johnson, Calif.	Thomas, Idaho
Byrd	Johnson, Colo.	Thomas, Okla.
Capper	La Follette	Thomas, Utah
Clark, Idaho	Langer	Truman
Clark, Mo.	Lucas	Tydings
Connally	McCarran	Vandenberg
Danaher	McKellar	Van Nuys
Davis	McNary	Wallgren
Downey	Maloney	Walsh
Eastland	Nye	Wheeler
George	O'Daniel	White
Gerry	O'Mahoney	

Mr. BARKLEY. I announce that the Senator from South Dakota [Mr. BULOW], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senator from Mississippi [Mr. BILBO], the Senator from Kentucky [Mr. CHANDLER], the Senator from New Mexico [Mr. CHAVEZ],

the Senator from Louisiana [Mr. ELLENDER], the Senators from Delaware [Mr. HUGHES and Mr. TUNNELL], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. LEE], the Senator from New York [Mr. MEAD], the Senator from Arizona [Mr. MCFARLAND], the Senator from Utah [Mr. MURDOCK], the Senator from Montana [Mr. MURRAY], the Senator from South Carolina [Mr. PEACE], the Senator from North Carolina [Mr. REYNOLDS], the Senator from West Virginia [Mr. ROSIER], the Senator from Georgia [Mr. RUSSELL], the Senator from Arkansas [Mr. SPENCER], and the Senator from Tennessee [Mr. STEWART] are necessarily absent.

Mr. MCNARY. The Senator from Vermont [Mr. AUSTIN], the Senator from Minnesota [Mr. BALL], the Senator from New Jersey [Mr. BARBOUR], the Senator from Maine [Mr. BREWSTER], the Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. HOLMAN], the Senator from Massachusetts [Mr. LODGE], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent because of an injury suffered by him.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. Fifty-nine Senators have answered to their names. A quorum is present.

NOTICE OF ADDRESS BY SENATOR TRUMAN ON ARMY CAMP SITES AND CONTRACTS

Mr. TRUMAN. Mr. President, I desire to announce that on Thursday next, as soon as I can obtain the floor, I shall make a preliminary report to the Senate on the investigation of camp sites and camp contracts, based upon information gathered by the special committee investigating that subject

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

HOMESTEAD PROJECTS IN THE VIRGIN ISLANDS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation transferring the administration of the homestead projects established in the Virgin Islands from the Government of the Virgin Islands to the Department of Agriculture (with an accompanying paper); to the Committee on Territories and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President or presented by Senators and referred as indicated:

By the VICE PRESIDENT:

A letter from the mayor of Cleveland, Ohio, together with a resolution of the Council of the City of Cleveland, requesting that Congress give consideration to the problem of decentralization of the large industrial cities, particularly Cleveland, Ohio, and also that in considering post-war planning for the Nation thorough consideration be given to the causes and cures for the continuing deterioration of large American cities; to the Committee on Banking and Currency.

A letter signed by Leon Zwicker, regional director of the Greater New York regional office of the United Construction Organizing Committee (C. I. O.), commending the services rendered and favoring the reappointment of Edwin S. Smith as a member of the National Labor Relations Board; to the Committee on Education and Labor.

A letter in the nature of a memorial from Miss Glenn Trask, of Springfield, Mass., remonstrating against changing the income-tax base for single persons to $750 a year and praying for the making of joint income-tax returns by married couples able to pay increased taxes; to the Committee on Finance.

Letters in the nature of petitions from several citizens of the United States, praying that the United States keep out of foreign wars; to the Committee on Foreign Relations.

Letters in the nature of memorials from several citizens of the United States, remonstrating against the enactment of legislation to retain draft selectees in the military service for more than 1 year; to the table.

Petitions of sundry citizens of the United States, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

A telegram embodying a resolution adopted by a meeting of the Armenian-American Citizens League, California Division, assembled at Ward Park, in Tulare County, with about 5,000 citizens present, commending the policies of President Roosevelt throughout the present emergency, and favoring the retention of draftees in the military service for the duration of the emergency if the welfare of the country so requires; to the table.

By Mr. CAPPER:

A petition of sundry citizens of Beloit, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. VANDENBERG:

A petition of sundry citizens of the State of Michigan, praying for repeal of the 49-cent penalty provision pertaining to the 1941 wheat-marketing quota; to the Committee on Agriculture and Forestry.

A resolution of the Council of the City of Dearborn, Mich., favoring the enactment of legislation to the end that draft selectees for the military service be more fairly and justly compensated for their time and that a proper proportion of any additional compensation awarded be set aside and paid to such persons upon their discharge from the service so that they may have sufficient money to reestablish themselves in civil life; to the Committee on Military Affairs.

Memorials of sundry citizens of the State of Michigan, remonstrating against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

PETITION FROM MICHIGAN TO KEEP THE UNITED STATES OUT OF FOREIGN WAR

Mr. VANDENBERG. Mr. President, I present a petition signed by 1,600 citizens of the Detroit area in the State of Michigan, urging that American troops shall not be sent to fight on foreign soil. The signers for the petition were gathered by Miss Eileen Gleeson and Miss Winnifred Valentine, calling themselves and designated as the Committee of Two, who have been laboring in this cause for some time. I ask that the text of the petition be printed in the RECORD, and that the petition itself be appropriately referred.

There being no objection, the petition was referred to the Committee on Foreign Relations and the body thereof was ordered to be printed in the RECORD without the signatures attached, as follows:

As members of the Wives, Sweethearts, and Sisters Club of Michigan, we do hereby firmly object to any of our boys who were drafted in the United States Army and prospective draftees fighting on foreign soil. Yes; our boys will fight for their own country, when and if ever it is necessary and we will also be only too glad to do our part. But never do we want them to fight on foreign soil. We firmly believe in maintaining a strong Army and Navy for our United States of America.

DEVELOPMENT OF POWER AND INDUSTRIES IN THE WEST

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter to myself from the Honorable Harold L. Ickes, Secretary of the Interior, regarding the development of power and industries in the West; also, the statement made by Secretary Ickes before a subcommittee of the Senate Committee on Public Lands and Surveys on July 23, 1941, dealing in more detail with these problems.

I desire at this time to call particular attention to the following statements from Secretary Ickes' letter:

More defense plants should be located in the West—

He says—

More plants using labor as well as power should be located there. Arrangements should be made for the continuation of such plants after the defense emergency is over.

Mr. President, I think there can be no question as to the validity of that contention. Unless this is done the defense program, the extent of which none of us can foresee at the present time, threatens still further to accentuate the centralization of industries and population in a few areas of the United States. There is too much of that concentration already—a concentration that is decidedly unhealthy from both sectional and national views.

The proper development of industries in the West and in the great central basin between the Alleghanies and the Rockies is, to my mind, of supreme importance to the permanent development of a balanced civilization and a balanced economy for the Nation. There is much more involved than immediate defense needs, great as these are.

The West has vast resources of strategic materials, particularly minerals, some of which we now import in large quantites. As Secretary Ickes points out, if for any reason these imports were shut off or seriously curtailed, the battle of the West might easily become as important to the United States and its people as the battle of the Atlantic.

Defense activities have not been spread over the country in such a way as to

utilize the capacities of the West and Middle West. I realize that in a hurried effort to produce quickly, the way that seems easiest is simply to expand existing plant facilities. But to follow the short-cut method will leave us at the close of the effort with a more heavily industrialized and congested East, with a wider discrepancy between the East and an agricultural and raw-material-producing West, scantily populated and impoverished.

In his statement before the committee Secretary Ickes lays heavy emphasis upon the development of adequate and cheap power for a properly balanced industrial West and Midwest. He also makes certain recommendations as to changes in the mining laws and other laws and practices affecting conservation and utilization in the public interest of natural resources. As to the application of these to the main problem of a well-rounded national development of the Nation as a whole, I do not pretend to be an authority; but I believe Secretary Ickes' statement of the case, and his proposals for development of the West, are worthy of the attention and careful consideration of the Senate and the country. For that reason I ask that the statement as well as the letter from Secretary Ickes be printed at this point in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter and statement are as follows:

THE SECRETARY OF THE INTERIOR,
Washington, August 6, 1941.

Hon. ARTHUR CAPPER,
United States Senate.

MY DEAR SENATOR CAPPER: You will be interested, I believe, in several recommendations for the greater development of the West which I made on July 23 before a subcommittee of the Senate Committee on Public Lands and Surveys.

It seems quite clear to me that the present defense emergency not only represents an opportunity of some importance for the industrialization of the area west of the Mississippi but represents a danger that, if the opportunity is not utilized, the disparity between the industrialized East and the raw-material West will be increased rather than diminished. It seems equally clear that unless we give the matter some thought there will be a haphazard development on a boom-and-collapse basis.

In the statement I am enclosing I suggested that the low-cost potential power in the West could act as a great permanent inducement to its own industrialization, but that neither a mining boom nor a boom in the low-cost power in the West would of themselves give the permanent results we all desire. More defense plants should be located in the West. More plants using labor as well as power should be located there. Arrangements should be made for the continuance of such plants there after the defense emergency is over. Various changes in the mining laws will have to be made before we can prevent discoveries of minerals, even on public lands, from being locked up or monopolized. Further investigations of our resources should be made. The possibility that mining of western ores and clays can be opened up during the defense period and later run on a large-scale, low-cost basis rather than on a small-scale, high-cost basis should be considered. The necessity for low-cost credit for some developments, which the Nation needs but which cannot be made on the basis of a high interest rate, is also becoming clear.

We have before us the possibility of using the present opportunity intelligently. I hope that you will feel free to call upon me and this Department for any assistance which we can furnish in the interest of greater development of the West.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

STATEMENT BY SECRETARY ICKES BEFORE SUBCOMMITTEE OF SENATE COMMITTEE ON PUBLIC LANDS AND SURVEYS, JULY 23, 1941

The importance of a wise and full development of the West is becoming increasingly clear to the Nation. That is why I welcome this inquiry and offer the unreserved support of the Department of the Interior to this committee in its inquiry.

On June 16 I appeared before another special committee of the Senate (the Truman committee) and said that, at some later time, I should like to discuss the development of the whole area west of the Mississippi in connection with the defense program. I expressed my belief that the proper development of this region had been somewhat neglected, not by intent of the responsible agencies, not exactly by oversight, but by the policy of encouraging industrial plants to concentrate in the East. It seemed to me then, and it seems to me now that "if serious curtailments of our imports of minerals from overseas should occur, the rapid mineral and industrial development of the West would become a matter of life and death to us. We would find that the battle of the West was as important as the battle of the Atlantic."

Of course, the importance of the industrial development of the West is far greater than the immediate defense needs. It is a matter of special concern to the Department. Consequently I was very glad to hear of the formation of this committee, and to accept the invitation to open the discussion before it.

There are seven points that I wish to make today. I want to indicate them briefly at first and then expand upon them.

1. The future of the West depends upon a greater diversification and a wider use of its resources through the development of industries located close to the resources. No section of the Nation can prosper if it is treated as a colony; if its resources are pumped out of it and it is later left stranded. I believe that the West not only has many industrial opportunities but has the right to insist that these opportunities be utilized.

2. The immediate prospects favor a very considerable development of western mining and western power resources. Certainly an all-out defense effort, which I personally believe we will make, would call forth a very great mining effort in the West, particularly in strategic minerals, a few of which I shall indicate later. This great mining effort would involve low-grade ores and hitherto unused ores in many cases, as well as those already developed. It could reasonably be expected to call forth, in turn, an increased fabricating and processing development as soon as it became clear to industrialists that the West insisted that it would no longer remain a raw-material hinterland for the East and nothing else.

3. There are still great electric power resources in the West, which could aid its growth, its industrialization its increase in wealth. The Bureau of Reclamation, which has built such projects as Grand Coulee and Boulder, has, at my request, compiled lists of potential projects in the territory west of the Mississippi, which cover about 9,000,000 kilowatts of installed capacity and about half that amount of firm capacity. These are principally hydro, but call for steam installations to balance the systems, which would require western coal, oil, and gas.

These are multiple-purpose projects. They can provide power for defense. They can provide peacetime benefits such as irrigation, rural electrification, flood control, navigation, domestic and industrial water, and recreation. They represent settlement opportunities for many thousands of families. These power plants would not become stranded war babies, if we worked out in advance their postdefense uses. Even the present estimates of the Power Division and the Bonneville Power Administration of power deficiencies justify a large number of them already. An all-out defense and production effort would justify all of them in the near future. Unless we begin building these plants now, however, we will be facing even more critical shortages in a few years.

Both defense foresight and national peacetime foresight warrant our getting at the first of them rapidly. We need them now on the west coast, in the intermountain area, and in the Arkansas Valley.

4. The scientists of the Department could do far more for the West than they are now doing, if only they were given a greater opportunity. It has been stated on the Senate floor that there was a generally unrecognized monopoly in the West called the monopoly of information, concerning the value of western raw materials. A few companies had it. The Senators wanted it broken. I also want to have it broken, and believe that our scientists can do it.

Consequently I recommend that Federal encouragement to the mineral industries of the West be augmented through increasing by $5,000,000 the funds available to the Bureau of Mines and the Geological Survey for investigation and experimentation immediately and a substantially larger amount for next year. Such an increase would insure that practically all important minerals would be covered by the studies of the two bureaus, and that the number of pilot plants would be greatly increased, with resulting benefits to the national defense and the West.

5. At present any findings of ore on public lands, no matter how valuable they may be to defense or to the development of the West, as soon as they are discovered by Government scientists, or by others, may be locked up. That is, their development depends on the ability of the man who flies on the land to convince his bank to gamble with him. In view of this and other obstacles to orderly development of the mineral resources of the West, I recommend that these barriers which hamper the administration of the public lands by the General Land Office be removed. Amendments to the mining laws should be made (a) to broaden the coverage of the mineral leasing principles as opposed to the system of lode and placer claims, (b) to require the recording of outstanding mining claims in the General Land Office, and to require annual reports on assessment work on such claims, and (c) to bring lands acquired by various Federal Government agencies under the same mining laws as govern lands of the public domain.

I have always been a conservationist. Wise conservation does not mean hoarding of resources indefinitely. It means their intelligent, planned use for the permanent welfare of the whole community rather than for the temporary advantages of a few. We want no more short-lived boom towns and wastrel fortunes. We want growing, permanent communities.

The cream of the older metal mining has been skimmed off. Many people are defeatist because lower grade ores form the bulk of what remains. That fact should not discourage us from working out the development of the West. It should simply spell

out for us the truth that if we are going to undertake the development we cannot leave this job entirely to hazard or to individual efforts.

6. The defense activities have not yet been spread out through the West in such a way as to absorb all of the capacities of the West. Presumably they will be spread out somewhat more in the future. Otherwise, there will be an even wider discrepancy between a more heavily industrialized East and a mining, agricultural-forest, or cattle West. This would be as highly undesirable for the balanced economy of the Nation as the unbalanced economy of the South has been.

7. Neither a defense mining boom nor a defense boom in the use of western water powers by electrometallurgical industries will in themselves guarantee to the West the growth, the continuance, the security, or the increased wealth that it ought to have.

Unless the mining development is planned in the light of the common community good, it may simply frustrate the people's hopes. Unless the power development is similarly planned, it may simply mean that a few larger companies have permanently tied up all of the cheapest power in the Nation and have secured a leading advantage over their competitors.

The planning that I speak of consists of a series of steps which I will elaborate later.

I believe that by taking thought now and by working out a coordinated program for mining, industry, and agriculture in the Western States the West will enter a new era of responsible progress. One of the reasons that I feel confident of this progress is that the Western States have in recent years been shaking loose a little from the control of some of the monopolizing interests which have had them firmly under a check rein for so many years.

This shaking loose from monopolizing influences means to me that the people are now seeing that they have a common responsibility for the development of their States and that it is not always to the advantage of their States or communities to shove this whole burden of development onto a few private individuals and hope that will do well by everybody.

I wish to present to you a group of potential power projects, hydro and steam, which are available for defense and the development of the West, as soon as Congress is convinced that they are necessary and economically feasible. They total roughly 9,000,000 kilowatts of installed capacity. I also wish to point out in this connection that in many of these developments steam plants, which will use the coal, oil, and gas resources of the West, will increase the value of the hydro projects by many times their own cost. Future developments of the industries locating in certain parts of the West may later indicate the desirability of an even larger number of steam plants.

These potential projects are in addition to those now authorized or under construction and should be constructed first in the areas of greatest indicated deficiency.

For the same reason Congress may also wish to locate large superpower steam plants in the cheap-coal areas of the Eastern States, where there are power deficiencies. While such plants will not aid the development of the West, they may be necessary for national defense.

I am assuming here that the Western States are willing to bank on their own future and to create enough public power so that they will be permanently attractive localities to industries using large blocks of power and not merely temporary havens for industrial defense transients. Their low-cost power, once secured, will only offset in small part the haul to the eastern markets if all processed materials must be hauled to those markets. The assumption is that the Western States are determined to become larger markets themselves than they have been in the past, and these multiple-purpose projects will contribute to that objective.

These groupings are indicated on a map prepared by the Bureau of Reclamation. They could be completed in the course of a 6-year period if they were all begun now. I have asked Commissioner Page to go into the various projects in detail. I am submitting for the record a grouping by areas, with dates of completion, and estimates of forthcoming deficiencies of approximately 2,000,000 kilowatts in the area west of the Mississippi.

I have stated that I recommend amending the mining laws of the United States to remove certain obstacles to full development of the mineral resources of the West.

Congress throughout our national history has exhibited a tendency to place mineral lands in a separate category from agricultural lands and to adopt a different policy with respect to their use and disposition. Prior to the Civil War, however, there were frequent lapses in the pursuit of this policy; likewise available facilities were inadequate for prompt determination of the mineral values of the vast public-land area. Consequently practically all of the mineral resources of the public lands in the eastern half of the United States, and much in the Western States, passed into private ownership under laws providing for the disposal of agricultural or other nonmineral lands.

With the discovery of gold in California in 1848, the miners found practically nothing in existence in the way of a mining law. The Forty-niners, perforce, set up their own mining customs, which they enforced in typical frontier fashion, with a generous use of fist, gun, and hangman's noose. Eventually their local rules were recognized by the local courts and respected by State and territorial legislatures. In the act of July 26, 1872, these local usages were confirmed by the Congress of the United States.

Under the mining laws of 1866 and 1872 the mineral lands of the public domain, both surveyed and unsurveyed, are free and open to exploration, occupation, and purchase by all citizens of the United States, and those declaring their intention to become citizens. Mining claims are recorded in county recorders' offices. They may be maintained year after year if a minimum amount of "assessment" work, amounting to $100 a year, is done. They may be patented when proof of discovery has been furnished and when improvements amounting to $500 have been made, for a payment of $5 an acre for lode claims or $2.50 an acre for placer claims.

The mining laws of 1866 and 1872 apply to all minerals on the public lands, both metallic and nonmetallic, except the deposits covered by the mineral leasing laws. As you well know, deposits of coal, oil and gas, oil shale potash, sodium phosphate, sodium, and sulfur are no longer subject to disposal under the old mining laws, but are leased under the terms of various mineral-leasing acts.

I should like to compare conditions of the supply of the metallic minerals on the public lands, which are disposed of under the mining laws of 1866 and 1872, with those of the supply of those nonmetallic minerals which are subject to lease. Such a comparison takes on great significance at a time like this, when the need for increased production of certain minerals has become critical for national defense.

A statement of the supply of copper, zinc, iron, and other metallic minerals, including those classed as critical or strategic, in the public lands of the United States, can be made easily, but it may be startling to some of you. There are no known reserves of these metallic minerals on the unappropriated, unreserved public lands of the United States. Under the laws providing for disposal of mineral lands which I have just cited, practically all of the known deposits of these minerals have passed into private ownership or are under location by private individuals or groups of individuals. As soon as the existence of a mineral deposit becomes known it is covered by a mining claim and is no longer a part of the public domain. Even strategic minerals uncovered by investigations by the Geological Survey and the Bureau of Mines during the last 2 years now are under location by private claimants. Once a valid location is made, property rights, as secure in tenure as those conferred by a warranty deed, so long as the nominal amount of assessment work is performed, become vested and, regardless of pressing public need, the minerals may be developed only at the will of the locator.

In this connection, the question of monopoly should be considered. The mining laws do not limit the number of mining locations which may be made by any individual or corporation. Consequently, vast areas of public lands may be located and held under mining location by a single individual or corporation, for speculative purposes. True, the assessment work must be performed in order to prevent relocation by others, but it is a notorious fact that frequently claims are held by a mere pretense of performing assessment work.

Let us turn now to a consideration of supplies of those minerals that are subject to disposal under the mineral leasing laws. As the result of the operation of these laws, we still have substantial known reserves of such minerals on the public lands. Almost 35,000,000 acres in the Western States have already been classified as coal land and more than 24,000,000 acres in these States remain withdrawn awaiting examination and classification for coal. It is estimated that 700,000,000,000 tons of coal (chiefly lignite and subbituminous) or about 20 percent of the total reserves of the United States, are in public land, including land to which the Government has parted only with surface title. Almost 5,000,000 acres of the public domain are under oil withdrawals. Between 7 and 8 percent of the Nation's known oil reserves are estimated to be on Federal lands. Phosphate withdrawals aggregate almost 2,000,000 acres, potash withdrawals over 9,000,000 acres, and oil shale withdrawals almost 6,000,000 acres. These lands are all available for development under the Mineral Leasing Acts.

From the passage of the Mineral Leasing Act in 1920 to the close of the fiscal year 1940, more than 110,000 applications for permits and leases were filed. On June 30, 1940, more than 5,000 leases and permits were outstanding, covering more than 5,000,000 acres. Receipts under the Mineral Leasing Act from the date of its passage to June 30, 1940, aggregated $121,553,000. Receipts during the fiscal year 1940 were $5,020,000, of which $2,120,000 came from California and $1,742,000 from Wyoming.

Fifty-two and one-half percent of receipts under the mineral leasing laws are paid into the reclamation fund, and 37½ percent are paid to the States within whose boundaries the leased lands or mineral deposits are located.

Noteworthy progress has been made in unit operation of oil and gas fields on the public lands. The object of unitization under a cooperative or unit agreement, as opposed to competitive operation of several units in a single field, is to conserve the oil and gas resources and to lower the costs of their development. Nearly half of the current production of petroleum from public lands is developed under an approved cooperative or unit plan of development and operation.

With this background, I should like to suggest that the objectives stated in Senate Resolution 53 would be furthered substantially

by the expanding of the mineral-leasing principle to include all minerals, both metallic and nonmetallic, which have any commercial value. The old mining laws aided materially in the settlement and development of the West, but they no longer are effective for that purpose. There are certain defects inherent in them which should be corrected. These laws were enacted at a time when the individual prospector, so frequently portrayed trudging up a dry gulch carrying a pick and leading his faithful burro, was the principal factor in the production of at least the precious and semiprecious metals. Every attempt that has been made within recent years to revise the mining laws has met with the loud protest that any change in these laws would deprive this prospector of an opportunity to make a livelihood. As a matter of fact, the individual prospector no longer exists as a significant factor in the mining industry. Since few metalliferous mineral deposits of consequence have been discovered by superficial prospecting in the past 30 years, it appears probable that surface prospecting of the old-fashioned type is not likely to add appreciably to our reserves of minerals.

There remain, then, geologic and subsurface exploration as the most promising methods of the future for increasing these reserves. This class of work is costly; and highly skilled technical training is necessary to carry it on with any degree of efficiency and possibility of success. Should the Federal Government undertake such exploration on the public lands, existing laws would not protect its rights to the results against any person who might file a mining location on the public land, except for those few minerals now covered by the mineral leasing laws. Such protection can only be afforded by mineral leasing legislation to cover all minerals on the public lands. Under such a leasing system the Government would be in a position to obtain a substantial bonus from lease applications for its work in discovering new mineral deposits.

The proposed amendments to the mining laws of the United States would still leave thousands of outstanding mining claims on the public lands, about which, under existing law, the Department of the Interior has no means of acquiring any information, save through an exhaustive search of the records of several hundred county recorder offices in the Western States. Furthermore, there appears to be no adequate authority for the enforcement of the provisions of the law concerning annual assessments on these claims.

I therefore suggest that, in addition to the extension of the leasing principle to all minerals on the public lands, legislation should be enacted to require the recording of all mining claims covering these minerals in the General Land Office, to terminate all rights and interests in such claims on which the assessment work was not done during the current year, and to require the filing each year of a statement, under oath, that such assessment work had been done.

Administration of the mineral resources on lands owned by the United States is now hampered to a considerable degree by the fact that lands acquired by various governmental agencies through purchase, condemnation, or donation are not subject to the same laws governing disposition of minerals as lands reserved from the original public domain. Frequently the acquired lands and reserved lands lie side by side in the same administrative unit. Any broadening of the mineral-leasing principle, therefore, should include the acquired lands belonging to the United States as well as those reserved from the public domain. Attention also should be given to uniform legislation covering the development of minerals on Indian lands.

Turning to my recommendation for an increase in funds for certain research and investigation work in the Bureau of Mines and the Geological Survey:

Many deep-seated deposits of high-grade minerals are believed to exist, but for their discovery new techniques must be developed analogous to but differing from those devised for locating favorable oil structures. It is not difficult to visualize drilling for deep-seated ore deposits in areas indicated to be favorable by conventional geological procedures and improved geophysical technique.

Improved techniques in the mining, beneficiation, and processing of minerals attain greater importance as the supplies of high-grade ores are exhausted and lower-grade deposits must be utilized. In the present emergency, the search for strategic mineral deposits must be prosecuted diligently. Already the investigation of strategic mineral deposits financed by funds appropriated under authority of the Strategic Minerals Act of June 7, 1939, has yielded encouraging results. substantial quantities of antimony, chromite, manganese, nickel, and tungsten ores have been located, as a result of which private industry has begun production of antimony and tungsten from deposits revealed by this work, and development of a large chromite deposit for early production is being financed by R. F. C.

The expenditures authorized under the Strategic Minerals Act will have been completed June 30, 1942, and unless provided for by new legislation, exploratory work will cease. This work should be continued over a period of years on an increased scale. Appropriations for mineral research and investigation of the Bureau of Mines aggregate about $3,000,000 for the fiscal year 1942. I am recommending that such appropriations to the Bureau of Mines and Geological Survey be increased by $5,000,000 immediately with a further increase for 1943. I also should like to see an expansion in the technical aid now given by the Bureau to prospectors and small-scale operators.

The defense activities have not yet been spread out through the West to any great extent. I am attaching a tabulation indicating that 14 of the States west of the Mississippi are very much behind the national average in defense contracts, both in relation to their value of manufactures and their State income. The 3 water-power States, California, Washington, and Oregon, however, are above the national average. It is significant that the areas now ready for the new expansion of industry are the places where the Government has gambled on the future of a region, as it did in the Southwest, adjoining Boulder Dam, the Bonneville-Grand Coulee service area, and the T. V. A. region.

I am implying no criticism in pointing out the unevenness in the spread of defense contracts, but I am convinced that this is not a wise policy for the future. We should aim to narrow the disparity between industrialized and raw-material sections of the country rather than increase it.

If the power deficiencies I have mentioned before for the Western States were calculated on the basis of the low 14 Western States coming somewhat closer to the national average in defense contracts, averaging, say, up to 15 percent instead of approximately 2 percent of their 1939 manufacturing values, their power deficiencies would, of course, increase by several times their present ratings.

I suggest to you that in the event of an all-out defense effort, or in the event that our foreign imports of ores are interrupted, the consequent increase in mining in many parts of the West will be considerable. Five maps have been prepared to illustrate the mineral resources, and Dr. Sayres and Dr. Stabler will be available to the committee for detailed explanation of them.

I wish to add that very conspicuous work on northwestern minerals and industrial possibilities has been done by the engineers of the Bonneville Power Administration. They are convinced that the far Western States have all the materials available for the development of a light metals and steel industry. I am sure that they will be glad to present the results of their engineering work to the committee.

The prospects for the increased use of native ores is indicated by the deficiencies before us for the year 1942.

Even on the basis of spending $23,000,000,000 for defense in 1942, instead of the forty billions which would represent an all-out defense effort, we are encountering deficiencies in our capacities for producing strategic minerals. These deficiencies would be increased greatly by any interference with our imports. Copper shows a 1942 domestic capacity deficiency of 1,370,000 tons, but some 500,000 tons of this may be made up by imports, leaving a deficiency of 870,000 tons. Zinc shows a similar deficiency of 505,000 tons. Aluminum, before the new 300,000-ton program, showed a deficiency of 312,000 tons. Magnesium shows a similar deficiency of 83,000 tons in domestic capacity. Lead shows a 165,000-ton deficiency in mining capacity, although none in refining capacity. I am attaching to my statement a table indicating these deficiencies.

I have insisted that there can be no successful, coordinated development of the West simply through a brief mining boom or a brief power boom. I have said that there were a series of steps which would have to be taken to prevent a collapse and the consequent disappointment of all concerned. Those steps would do much to encourage sound and lasting development:

First. It is essential to the West that it insist that new fabricating plants be located close to its raw materials. As you know, there are now no aluminum fabricating plants near the big water-power reduction plants in the West. Instead of doing something which would bring jobs to the West, we are giving aluminum a joy ride around the country. Similarly, much of the Colorado, Utah, and Nevada zinc goes thousands of miles to be refined and then comes back to the West for use.

Second. It is essential that the prices of the metals developed by low-cost water power be brought down and kept down to levels where they will be more widely used than they have been in the past. That seems to me the hope that is inherent in the cheap water power of the West, that it will bring the prices of materials down to the place where they will be used to a greater extent. I hope that with the entrance of competitors into fields previously monopolized, and with the use of the low-cost water power of the West, a really free price and a relatively low price will be attained. The result should be that such industries would stay in the West and act as centers for fabricators. This would hold true of magnesium and those other metals and products whose prices have been controlled upward in the past. To put the matter in another way, the question is whether the Government money put into water power and steam plant is to go to the advantage of the whole West or simply to the companies which get the power contracts and to the relatively few individuals who get direct employment. I would be very reluctant, for example, to see these powers, built for the development of the West, turned over to the private utilities.

I understand that, in order to bring into production many of the ores essential to national defense, it will be necessary to have prices high enough to induce their production.

This is probably a necessary condition to bringing them into use. It would, however, be undesirable for the West to try to rest on a high-cost raw-material system. The high initial prices ought to pay for opening up the area. After that, large-scale production ought to result in lower prices. I do not think that the country will permanently go in for paying high costs for its raw materials if it can get them abroad for less. The West can, it seems to me, legitimately and advantageously, now start putting itself in to the position where it can produce on a large scale with the consequent lowered costs that would be involved. I think that large production and relatively low-unit profits, the recipe of the automobile industry, is the way of success for the future, rather than small production and high-unit profits, the way of the aluminum industry.

The third condition of the full development of the West is that there must be no monopolization of the raw materials. I have noticed that some of the Senators believe that when a large company has materials both in the East and the West it will hold back development of its western properties, unless it is forced by the threat of competition to open them up. I think that nothing would foreclose the full development of the West so much as the control by a single company in any area of the refining plants and also of the prices paid for ores or control of the deposits themselves. If everybody is to be encouraged to produce ores, and to get the advantages of large-scale production on his own property, there should be a custom mill which would take all ores on a basis of analysis rather than of ownership.

I do not believe in the Government doing things for people which they can do themselves, but I believe strongly in the Government taking down the hurdles and barriers so that people can do things for themselves. In Lincoln's time this meant taking down the barriers to the settlement of land. In later days it has meant making water available to farmers who could not live without it. So we passed the Reclamation Act, and its amendments. In the industrial age it means also making power available to the people and the communities, and now we are doing that.

Fourth. We have the problem of providing cheap credit for development of those resources which have not been a good financial risk up to the present. There is financial risk to the Government and to private bankers in some mining developments. If they are on a defense-boom high-price basis, they may be a great risk indeed. It is probably true that there are some long-term investments which the Nation needs which cannot pay out on a high rate of interest compounded annually. Yet at a low interest rate they could be financed, would give the Nation needed materials, would give work, and would pay out. I do not think that nature recognizes compound interest. Nor do I think that we should let the development of the West be conditioned, as at present, by the chance that here a man will be able to get a loan from a bank, and there he will not. I believe that Congress might consider establishing credit for long-term resource developments at a very low percent of interest, conditioned upon an examination of the ore by the Bureau of Mines and the Geological Survey, and a general observance of a socially desirable price and development policy.

Development of the mineral resources of the West would put the agricultural and livestock industries of the region on a sounder basis. An expansion of industrial production naturally would swell the nonagricultural population and create larger markets for farm and ranch products near at hand. Similarly it would provide opportunities for employment of these rural boys reaching maturity who are not now needed on the home farms and ranches.

There are other recommendations which the Department is considering, and I shall appreciate the opportunity of communicating them by letter to the committee before the close of its work.

The West, as the natural depository of so many raw materials and the physical resources to develop them, has enough to make itself a far more industrialized section than it is now, and with that, establish itself on a sounder basis of growth and development. I have made various recommendations to the committee to help in a new type of development of the West. Perhaps the most hopeful part of the prospect, however, is the fact that the West itself is not inclined to let itself be stopped forever by obstacles, if it can see a way of overcoming them.

I wish the committee every success. The chiefs of the bureaus stand ready at your call to discuss the subjects in which you are interested.

TABLE I.—*Grouping of potential-power developments (grouping by areas)*

Area	Installed capacity (kilowatts)
South Dakota	200,000
New Mexico	70,000
North Dakota	123,000
Montana	150,000
Northern California-Nevada	819,500
Southern Oregon-Northern California	80,000
Texas	168,000
Utah-Idaho	1,350,000
Pacific Northwest	3,863,000
Arkansas-Oklahoma-Kansas	1,056,000
Colorado-Wyoming-Northeastern Nebraska	322,000
Pacific Southwest	803,000
Total	9,004,500

Dates of probable completion (with construction starting in 1941):	Kilowatts
1943	656,000
1944	2,011,500
1945	2,495,000
1946	2,947,000
1947	895,000
Total	9,004,500

NOTE ON ESTIMATES OF POWER DEFICIENCIES

Estimates by the Federal Power Commission of the deficiencies in power facilities for the area west of the Mississippi on June 6, adjusted to allow for the new aluminum expansion and the current Federal installations, were 1,051,728 kilowatts for 1945 and 2,106,000 kilowatts for 1947. However, the Bonneville Power Administration, which has experienced a great demand for low-cost power from many companies, estimated in June that there was a greater need for peak capacity for the Pacific Northwest than the amount estimated by the Federal Power Commission at that time. The Bonneville figures indicated a need of 927,000 kilowatts additional for peaking by 1945.

Since its June estimates, the Federal Power Commission has increased its figures so that the deficiency now calculable for 1945 for the area west of the Mississippi stands approximately as follows:

	Kilowatts
Nevada, California, Arizona	661,000
Arkansas, Oklahoma, Texas, New Mexico	510,000
Washington, Oregon, Utah, Idaho, Montana	891,000
Total	2,062,000

The Federal Power Commission estimates are not on the basis of an all-out defense effort, and small portions of northeastern Nebraska and eastern South Dakota are not included in it. While these new Federal power estimates do not show, as the earlier ones did, deficiencies for 1947, they show deficiencies for the area west of the Mississippi of 2,455,000 kilowatts for the year 1946—an increase of about 400,000 kilowatts in that 1 year.

TABLE II.—*Defense contracts in Western States, through May 31, 1941*

[Department of Commerce]

	Contracts	Percent of State income, 1939	Percent of 1939 value of manufactures
Arizona	$9,377,000	4.2	0.4
Arkansas	22,499,000	4.8	1.2
California	1,735,692,000	33.9	53.3
Colorado	131,415,000	22.6	49.1
Idaho	2,799,000	1.2	.3
Kansas	87,142,000	11.8	0.6
Louisiana	82,676,000	10.1	8.7
Montana	2,054,000	.7	.13
Nebraska	22,439,000	4.1	2.7
Nevada	4,183,000	4.8	.03
New Mexico	12,684,000	7.5	
North Dakota	1,805,000	.8	
Oklahoma	189,060,000	23.7	53.7
Oregon	160,988,000	27.2	37.1
South Dakota	1,122,000	.5	.01
Texas	307,200,000	19.8	23.5
Utah	11,279,000	4.6	.11
Washington	591,657,000	56.8	82.7
Wyoming	2,970,000	2.0	.06
Total	3,579,041,000		

Total defense contracts in Nation	$15,530,016,000
Relation to national total of 1939 State income—percent	21.9
Relation to national total of 1939 value of manufactures—percent	22.3

TABLE III.—*1942 requirements and deficiencies*

[In short tons]

	Military and civilian requirements	Domestic production capacity	Domestic capacity deficiency
Copper	2,570,000	1,200,000	[1] 1,370,000
Zinc	1,465,000	960,000	505,000
Lead	1,120,000	1,178,000	[2]
Aluminum	900,000	588,000	[3] 312,000
Steel	112,000,000	96,600,000	[4] 15,400,000
Magnesium	159,000	76,000	83,000

[1] Approximately 450,000 to 600,000 tons of this deficiency will be covered by imports.
[2] No deficiency in refining capacity, approximately 165,000 tons deficiency in mining capacity and imports.
[3] Does not include the new 300,000-ton program, as it is not known now how much of it will be completed in 1942.
[4] The assumption is that 5,000,000 tons of the 10,000,000-ton program will come into effect in 1942.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURTON, from the Committee on the District of Columbia:

H. R. 4865. A bill to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the recorder of deeds of the District of Columbia; without amendment (Rept. No. 649).

By Mr. JOHNSON of Colorado, from the Committee on Mines and Mining:

S. J. Res. 101. Joint resolution consenting to an interstate oil compact to conserve oil and gas; without amendment (Rept. No. 650).

FUNERAL EXPENSES OF THE LATE SENATOR LUMPKIN

Mr. LUCAS. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably, without amendment, Senate Resolution 154, and ask unanimous consent for its immediate consideration.

There being no objection, the resolution (S. Res. 154), submitted by Mr. SMITH on August 5, 1941, was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual

and necessary expenses incurred by the committee appointed by the Presiding Officer of the Senate in arranging for and attending the funeral of Hon. Alva M. Lumpkin, late a Senator from the State of South Carolina, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

ROY DEMONTFREDY

Mr. LUCAS. From the Committee to Audit and Control the Contingent Expenses of the Senate I also report favorably without amendment Senate Resolution 151, and ask unanimous consent for its immediate consideration.

There being no objection, the resolution (S. Res. 151) submittted by Mr. JOHNSON of California on July 31, 1941, was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Roy deMontfredy, son of Albert L. deMontfredy, late a special employee of the Senate under supervision of the Sergeant at Arms, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL-DEFENSE PROGRAM—LIMITS OF EXPENDITURES

Mr. LUCAS. From the Committee to Audit and Control the Contingent Expenses of the Senate I also report favorably, with an amendment, Senate Resolution 146. The resolution was originally submitted by the Senator from Missouri [Mr. TRUMAN] on July 14, 1941, and relates to the investigation of the national-defense program, which is now being conducted. The committee has amended the resolution by striking out the amount "$50,000" and inserting in lieu thereof "$25,000."

I ask unanimous consent for immediate consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution (S. Res. 146).

The amendment of the Committee to Audit and Control the Contingent Expenses of the Senate was, in line 4, to strike out "$50,000" and insert "$25,000", so as to make the resolution read:

Resolved, That the limit of expenditures under Senate Resolution 71, Seventy-seventh Congress, first session, relating to the investigation of the national-defense program, agreed to on March 1, 1941, is hereby increased by $25,000. In addition to the authority heretofore conferred upon such committee, the committee is authorized to request the use of the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government.

The amendment was agreed to.

The resolution, as amended, was agreed to.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House having proceeded to reconsider the bill (S. 1580) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, returned by the President of the United States, with his objections thereto, to the Senate, in which it originated, and passed by the Senate on a reconsideration of the same, it was—

Resolved, That the bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

The message also announced that the House had passed a joint resolution (H. J. Res. 228) consenting to an interstate oil compact to conserve oil and gas, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to Senate Concurrent Resolution 11, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed, with illustrations, and bound in such form and style as may be directed by the Joint Committee on Printing, 5,900 copies of the proceedings held in connection with the unveiling of the statue of former Senator Huey P. Long in Statuary Hall, Capitol Building, Washington, D. C., on April 25, 1941, together with such other matter as may be relevant thereto, of which 1,250 copies shall be for the use of the Senate, 3,750 copies for the use of the House of Representatives, and 900 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Louisiana.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 173. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940;

S. 353. An act to provide for the extension of enlistments in the Navy;

S. 1261. An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes; and

S. 1642. An act to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes.

BILLS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. EASTLAND (for himself and Mr. O'DANIEL):

S. 1831. A bill to prohibit the purchase of foreign-grown cotton with public funds; to the Committee on Agriculture and Forestry.

By Mr. LUCAS:

S. 1832. A bill for the relief of Charles A. Straka; to the Committee on Claims.

By Mr. THOMAS of Utah:

S. 1833. A bill to promote the general welfare of the Nation by providing work on public projects to persons in need of employment, and for other purposes; to the Committee on Education and Labor.

S. 1834. A bill to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended; to the Committee on Military Affairs.

(Mr. HAYDEN introduced Senate bill 1835, which was referred to the Committee on Post Offices and Post Roads and appears under a separate heading.)

By Mr. HAYDEN:

S. 1836. A bill for the purchase of certain mining claims within the Grand Canyon National Park, Ariz.; to the Committee on Public Lands and Surveys.

By Mr. NYE:

S. 1837. A bill authorizing the conveyance of certain property to the State of North Dakota; to the Committee on Public Lands and Surveys.

By Mr. MALONEY:

S. 1838. A bill relating to shelter for farm laborers in certain cases; to the Committee on Appropriations.

By Mr. VAN NUYS:

S. 1839. A bill to provide for the orderly payment of conflicting claims and demands against the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. McKELLAR (for himself and Mr. HAYDEN):

S. 1840. A bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; to the Committee on Post Offices and Post Roads.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 228) consenting to an interstate oil compact to conserve oil and gas was read twice by its title and referred to the Committee on Mines and Mining.

CONSTRUCTION OF PUBLIC WORKS FOR THE NAVY—AMENDMENTS

Mr. LUCAS submitted two amendments intended to be proposed by him to the bill (H. R. 5312) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, which were ordered to lie on the table and to be printed.

REPORT OF COMMITTEE ON MINES AND MINING

Mr. JOHNSON of Colorado, from the Committee on Mines and Mining, to which was referred the joint resolution (H. J. Res. 228) consenting to an interstate oil compact to conserve oil and gas, reported it without amendment.

CONSTRUCTION OF ROADS NEEDED FOR NATIONAL DEFENSE

Mr. HAYDEN. Mr. President, in view of the notification received a few moments ago from the House of Representatives that Senate bill 1580 did not receive the necessary two-thirds vote in the House, I desire to introduce a bill and make a statement in regard to it.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1835) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes, was read twice by its title and referred to the Committee on Post Offices and Post Roads.

Mr. HAYDEN. Mr. President, the new defense highway bill replaces the bill S. 1580, the veto of which was sustained by the House of Representatives last Thursday. The new bill is designed to correct urgent and immediate deficiencies in the highway system occasioned by the national-defense effort and at the same time to meet the objections raised by the President to the earlier measure.

The President objected to the authorization of $125,000,000 for the strategic highway network on the ground that the critical deficiencies in the network were unrelated to standard Federal-aid factors of area, population, and mileage of post roads upon which the apportionments to the States are based. The President's original recommendation for the strategic highway network was $25,000,000 without apportionment to the States. The new bill retains an authorization of $125,000,000 for the correction of critical deficiencies in the strategic network. I have provided that of this sum 80 percent, or $100,000,000, shall be apportioned to the States not upon the standard Federal-aid-apportionment formula but upon the basis of the ratio of the mileage of the strategic network of highways in each State to the total mileage of the strategic network of highways as approved by the War Department on May 15, 1941. This money will be apportioned to the States precisely in the proportion that each State has road mileage on the strategic network of highways. The factors of population, area, and mileage of post roads are not considered.

The remaining 20 percent of the funds, or $25,000,000, is not apportioned to the States upon a fixed basis, but is authorized to be allotted to the States so as to supplement other funds which might not otherwise be sufficient to meet the most urgent improvements necessary to the strategic highway network. The entire $125,000,000 is to be matched by the States, as was provided in the measure which was vetoed.

Under no system of apportionment can $125,000,000 possibly correct all the critical deficiencies on the strategic highway system. The Public Roads Administration reports that the existing strategic road system has 2,436 bridges which will not support a medium Army tank. More than 5,000 miles of road on the strategic network is less than the minimum 18-foot width demanded by the Army. More than 14,000 miles are incapable of carrying a 9,000-pound wheel load, the minimum requirement for troop movements. The Public Roads Administration and the War Department estimate that a total of $458,000,000 is needed to bring the strategic system up to minimum standards. It is inconceivable that $25,000,000, as recommended by the President, will accomplish an improvement estimated to cost $458,000,000; but $125,000,000 apportioned to the States and matched by them as specified in this bill, will materially assist in correcting the worst of the critical deficiencies.

The revised measure retains the long-established provisions of Federal highway legislation under the terms of which money authorized to be appropriated by the Congress for highway construction is apportioned to the States for matching and for expenditure by them, and becomes, upon such apportionment and upon the submission and approval of projects by the States, a contractual obligation of the United States

The new bill makes no change in the provisions relating to access roads, but leaves an authorization for an appropriation of $150,000,000, as was originally approved by the Senate and House, and to which the President has not seriously objected. This money is not apportioned to the States, but is to be used to provide access to Military and Naval Establishments and defense-industry plants wherever, in the judgment of the Secretary of War and the Secretary of the Navy, such access is most urgently needed.

The Presidential criticism of the off-street parking provision of the original bill has been met by making it certain that there will be a saving of Federal funds under any such procedure, as against widening a highway. The new bill carries no specific sum of the payment of highway damages resulting from Army maneuvers, but eliminates another objection by authorizing the settlement of such claims when properly examined and certified to Congress for payment according to the procedure now followed in other instances.

The veto message also disapproved of two other features of Senate bill 1580. One, relating to the recall of retired civil-service employees, has been eliminated, even though it was copied verbatim from similar authority granted to the War and Navy Departments. The other, providing for the detail of employees of the Public Roads Administration as students at technical institutions, has been corrected so that it will not apply to more than 10 employees in any fiscal year.

It is believed that with the changes thus made the new bill substantially complies with every objection raised in the veto message.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Oregon.

Mr. McNARY. I regret that I did not hear the first portion of the Senator's statement. I wish he would tell me how he proposes to detour the President's veto message.

Mr. HAYDEN. The President's veto message, as I have stated, was based upon the fact that the military needs of the strategic network did not conform to the usual method of apportionment, which is based upon the area of the State, the population of the State, and the mileage of its post roads. To meet that objection, the money provided under the bill now introduced is to be apportioned among the States exactly according to the number of miles of strategic network which was approved by the War Department, so that if there are so many miles in a State out of a total of 78,000 miles in the United States, the State's share of $100,000,000 will be based upon the number of miles within the State.

Mr. McNARY. I know the old formula of the act of 1916; but how does the Senator reach the area of the extended network system?

Mr. HAYDEN. The network system was worked out after a study occupying about 6 months, and agreed upon by the War Department, by the Bureau of Public Roads, and by each State highway department concerned. Certain roads in the States are of high strategic importance, so that out of 225,000 miles on the entire Federal-aid system, 78,000 miles in the United States were picked as being on the strategic network. That is divided among 48 States.

Mr. McNARY. To what record does one have to resort to obtain the exact area in any given State?

Mr. HAYDEN. Resort should be had to the map approved by the Secretary of War, with the detailed statement accompanying it, which I shall be very glad to furnish to the Senator.

Mr. McNARY. I think we ought to have a record of that, if it is positive.

Mr. HAYDEN. It is a positive record, definitely fixed.

Mr. McNARY. That I understand is the base by which the Senator overcomes the President's objection?

Mr. HAYDEN. Yes; because it is in accordance with a military reason approved by the War Department.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Michigan.

Mr. VANDENBERG. I desire to ask a question for information, and I refer to the President's veto and the Senator's statement that he has met it. Is it not a fact that the difference between the viewpoint of the Senator from Arizona and that of the President is that the President does not consider it necessary to go into this map of strategic roads all over the country at the present time for national-defense purposes, and that he thinks that $25,000,000 worth of the work is all the emergency now requires? Obviously, as the Senator has appropriately stated, it is impossible to do $458,000,000 worth of work for $25,000,000, but does not that beg the question so far as the Presidential veto is concerned? In other words, is it not the President's view that only $25,000,000 worth of the program needs to be undertaken at this time?

Mr. HAYDEN. I do not construe the President's message to be based upon a difference in dollars and cents. That was not his objection. His objection was that the bill in the form it passed the two Houses did not fit the military needs of the country.

The extent of those needs is a matter about which we can argue. I insist that with only $25,000,000 all the nearly 2,500

bridges which will not carry a tank cannot be repaired; that roads which are less than 18 feet wide, with narrow shoulders, cannot be widened; and that 14,000 miles of roads which will not carry more than a 9,000-pound load cannot be properly improved. Regardless of any contrary view, that cannot be done with $25,000,000. It simply is not so.

Mr. VANDENBERG. I agree with the Senator that the maximum job cannot be done for the minimum appropriation. but I am coming back to the question that the President's point of view is that only the $25,000,000 worth is needed to be done at the present time.

Mr. HAYDEN. I do not know how the Senator arrived at that conclusion.

Mr. VANDENBERG. That is what the President said.

Mr. HAYDEN. But he could have sent to the Congress one $25,000,000 estimate, and a little later sent another, and then another, and then another, so ultimately the matter could be handled in that way. The President did not foreclose himself from asking for another dollar when he said, "At the moment I want $25,000,000."

Mr. VANDENBERG. I understand that. I so stated the other day when I was defending the President's viewpoint. While the map to which the Senator constantly refers was prepared by the War Department—there is no question about that—and represents the form of defense-highway problem, is it not a fact that the War Department has never said that the complete construction contemplated by the map is necessary now or in the immediate future so far as potential defense interests are concerned?

Mr. HAYDEN. The War Department joined with the State highway departments and with the Bureau of Public Roads in a study of the critical deficiencies in the various sections of the United States. The reason the War Department objected, the reason they did not want the money appropriated to be apportioned through them was that they could not exercise an uninfluenced and a free judgment in its disposal, for everyone who wanted a bridge would hurry to Washington and have a Representative or Senator see the officials, and pull and haul with respect to projects. They much prefer, therefore, to have the money decentralized in the manner indicated.

Mr. VANDENBERG. Let me ask the Senator a further question. The Senator's bill does not meet the President's veto objection insofar as it still appropriates $125,000,000 for a purpose for which the President said he needed only $25,000,000.

Mr. HAYDEN. I agree to that; yes.

Mr. VANDENBERG. Very well.

Mr. McKELLAR. Mr. President, I have just a word to say about this road matter. I have called a meeting of the Committee on Post Offices and Post Roads for 2 o'clock today. I see several members of the committee around me. I hope the members of the committee will all find it possible to be present. We have not yet passed upon a bill. The Senator from Arizona [Mr. HAYDEN] has introduced one, and I have introduced one. They differ somewhat, but not a great deal.

In the bill which the committee will be asked to consider we have reduced the amount to be used for strategic roads from $125,000,000 to $100,000,000.

We have left the method of computing the amount the States should contribute and the amount the Federal Government should contribute exactly as it was in the original bill. I think that is a matter of policy which has been established by the Congress, and that we ought to stick by it.

I told the Senator from Arizona that if he wanted to add $25,000,000 for a special fund for bridges it might be done, and I would have no particular objection. But that would seem to be in addition to the $100,000,000 which is provided for in the bill I have introduced.

So far as the airplane landing strips are concerned, I think the President was correct. I do not object to that provision in the committee; we voted for the provision as it was, but I see no harm in leaving out the provision for airplane landing strips.

So far as the provision with respect to damages payable to the States is concerned, it seems to me it is almost an invitation to the States to make claims, and perhaps we ought to eliminate that provision, and I have left it out of my bill.

So far as access roads are concerned, if the President desires economy, we can exercise economy there; and for that reason, in the bill I propose, that item is reduced by $50,000,000, from $150,000,000 to $100,000,000. So the bill will save approximately $100,000,000, and at the same time will provide for building strategic roads and the necessary access roads.

Mr. President, I think perhaps the provision outlined by the Senator from Arizona for $25,000,000 for bridges will be satisfactory. I have no objection to that item, and I expect to vote for it when it comes up in the committee today.

My principal purpose in rising was to ask members of the Committee on Post Offices and Post Roads to attend the meeting at 2 o'clock today. The matter is very important and should be attended to as early as possible. I therefore ask the members of the Committee on Post Offices and Post Roads to meet in the committee room at 2 o'clock. Let us act upon this matter while it is fresh in our minds.

PROTEST BY MOTHER OF SOLDIER KILLED AT FORT KNOX, KY.

Mr. NYE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a news item appearing in the August 5 issue of the Chicago Tribune, being a dispatch from Pendleton, Ind., under date of August 4, headed "Mother of slain Fort Knox soldier voices protest."

The VICE PRESIDENT. Without objection, it is so ordered.

The article is as follows:

[From the Chicago Tribune of August 5, 1941]

MOTHER OF SLAIN FORT KNOX SOLDIER VOICES PROTESTS—CHARGES "MISHANDLING" OF HER SON'S CASE

PENDLETON, IND., August 4.—The mother of a young Indiana soldier killed by guards at Fort Knox, Ky., protested tonight against what she declared was the mishandling of the case of her son, Pvt. Carl B. McClellan, 19 years old, who was fatally wounded Wednesday night in a guardhouse riot of 350 prisoners at the camp.

McClellan died of a wound which he received when guards fired over the prisoners' heads and a richocheting bullet struck him in the back.

Mrs. Mary McClellan Foster, of Pendleton, said she is writing a letter to Col. N. Butler Briscoe, post commandant, asking that he give her a full report of the manner in which her son was killed. Colonel Briscoe did not make public an account of the death or the riot until last night, 4 days after they occurred.

SUSPECTS SOMETHING'S WRONG

"It seems to me there's something strange about the whole thing," Mrs. Foster said. "Why should they have to lock up 350 men who are serving their country? There must be something the matter there that they haven't a better system of control, that hundreds of men have to be locked up, and that such violent methods as gunfire are required to keep them in hand."

Mrs. Foster, who is divorced from Carl's father and remarried, said her son had planned to make a career of the Army. He enlisted for 3 years in August 1940, she said:

FATHER CRITICIZES TREATMENT

The youth's father, Clarence McClellan, a W. P. A. worker who lives in Bicknell, Ind., also criticized the treatment of his son and said he would press to the limit of his meager resources for a full investigation. He declared the military authorities had dealt unfairly with him by telling him when he went to claim his son's body that the youth had been killed in a rifle-range accident.

Colonel Briscoe reported the trouble started when guards opened fire as a prisoner climbed over two wire fences surrounding the guardhouse and escaped. The prisoner was captured.

The other prisoners, most of them held for minor infractions, rushed out of their barracks and started throwing rocks, the commander said. The guards fired several shots over their heads but had to use a fire hose to halt the disorder.

DEFENDS GUARDS' ACTION

FORT KNOX, KY., August 4.—Col. N. Butler Briscoe, post commander of Fort Knox, announced today the release of the four military guards who fired shots during a guardhouse riot in which an inmate was killed. He said that although the guards acted within their duty they would be tried by court martial to prevent them being subject to action by a civil court.

NYE CRITICIZES "MORALE"

WASHINGTON, D. C., August 4.—Senator GERALD P. NYE (Republican), North Dakota, today mentioned reports of rioting at Fort Knox, Ky., in a Senate speech, as an example of the morale in Army camps. When told the father of a soldier killed in the riot reported he had been told at the camp his son was killed in a rifle-range accident, NYE said: "It is not surprising they told the father he was killed in an accident on the rifle range and tried to suppress the news of the riot. To reveal that the boy was killed in a guardhouse riot it was necessary to disclose that there were 350 guardhouse prisoners, most of them charged with having been A. W. O. L. This is a situation with respect to morale which the Army naturally would not wish to advertise."

ADDRESS BY K. SEWELL WINGFIELD AT DEDICATION OF KINGSLEY DAM, NEBR.

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address delivered by Mr. K. Sewell Wingfield, as the representative of Hon. John M. Carmody, Administrator of the Federal Works Agency, at the dedication of Kingsley Dam, in Nebraska,

on July 22, 1941, which appears in the Appendix.]

ADDRESS BY J. E. LAWRENCE AT DEDICATION OF KINGSLEY DAM, NEBR.

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address by J. E. Lawrence at the dedication of the Kingsley Dam, in Nebraska, on July 22, 1941, which appears in the Appendix.]

WEST POINT VISITING BOARD—LETTER FROM MAJ. GEN. WILLIAM C. RIVERS

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a letter on the West Point Visiting Board, by Maj. Gen. William C. Rivers, United States Army, retired, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Swanson, one of its clerks, communicated to the Senate the intelligence of the death of Hon. ALBERT G. RUTHERFORD, late a Representative from the State of Pennsylvania, and transmitted the resolutions of the House thereon.

AMERICAN PARTICIPATION IN THE WORLD WAR

Mr. NYE. Mr. President, I shall detain the Senate for only 3 or 4 minutes, but on a matter which seems to me to be particularly apropos at this time.

Liberty magazine of October 26, 1935, contains an article entitled "How I Helped Bring the United States Into the Last War."

The article is by D. Thomas Curtin, and a subheading reads:

An American confesses: An amazing revelation of tricks that turned the tide of events in 1917. Can such things happen again in 1935?

The opening paragraph of the article is as follows:

As an American newspaper correspondent writing for a British newspaper publisher, Lord Northcliffe, I deliberately schemed with Northcliffe and Lloyd George to bring my country into the World War—schemed to bring on unrestricted submarine warfare so that my country would be forced to fight.

He tells the story of his connection with the British newspaper, and then, bringing it down to its conclusion, we find a situation so paralle. with that confronting us at this hour that I wish to read the closing paragraphs:

Northcliffe was no longer content to wait for America to come in after Russia had gone out. That might be too late. "We must get your country into this thing," he said, "before Russia collapses."

Before the end of 1916, half a year before Kerensky, a full year before communism and Lenin, we knew the game in Russia was nearly up. Then Northcliffe made a decision that had a vital bearing on the lives of a hundred-odd-million Americans.

The war had now become a contest of commodities. It was obvious that Germany's necessity would force her ultimately into an unrestricted submarine warfare against neutral ships as well as belligerents. In time this would force America into the war.

But in time was not soon enough for Northcliffe. It might not be soon enough for the Allies. Or for America herself.

This was Northcliffe's big idea: Since the Germans were fine-tooth combing every line of mine that he printed, why not play a trick on them? We'd plant in German heads the belief that America and other neutrals, along with belligerents, were arming all merchantmen fore and aft against submarine attacks. This was the one thing the German admiralty dreaded at this time—the last straw that would force them into immediate unrestricted submarine warfare.

The rest would be easy. The British blockade had already shut off three hundred millions of America's foreign trade. Now, if the submarines cut off the other two thousand millions, America would have to fight—or collapse.

So I went to work to write articles that did accomplish all these things, that did bring America into the war.

"Make them think," Northcliffe cautioned me, "that we have made a slip and are inadvertently giving them an important piece of information."

Britain's own censor held up my first article. Northcliffe went personally to the Foreign Office.

"You're putting dangerous ideas into German heads," they said.

"Just what I want to do," he insisted.

Of course, he had his way. He always did in those days. But he was forced to explain just what we had in mind before we could get the article by. For a week we fed the Germans the bait about secret rush-order plans to arm all neutral ships, including, of course, American neutral ships.

It wasn't true. But it turned the trick. And it turned it just in time.

In February Germany turned loose her U-boats on neutral ships.

In March Russia went Kerensky.

In April America declared war.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. BARKLEY. Who is the author of the article?

Mr. NYE. D. Thomas Curtin, who was an American correspondent abroad during the World War, but writing for Northcliffe's London newspaper.

Mr. BARKLEY. He claims to have got us into the war?

Mr. NYE. That is his story.

Mr. BARKLEY. I suppose he had Germany sink American vessels and kill American people on the high seas.

Mr. NYE. The article quite definitely speaks for itself.

Mr. BARKLEY. He is a powerful man if he did all that—a modern Atlas who at that time had the world's destiny on his shoulders.

Mr. NYE. Operating as he was at that time, with very powerful British sources, I suppose he was playing a powerful part.

Mr. President, I ask unanimous consent that the entire article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW I HELPED BRING THE UNITED STATES INTO THE LAST WAR—WATCH OUT FOR FOREIGN DIPLOMATS

(By D. Thomas Curtin)

AN AMERICAN CONFESSES: AN AMAZING REVELATION OF TRICKS THAT TURNED THE TIDE OF EVENTS IN 1917—CAN SUCH THINGS HAPPEN AGAIN IN 1935?

As an American newspaper correspondent writing for a British newspaper publisher, Lord Northcliffe, I deliberately schemed with Northcliffe and Lloyd George to bring my country into the World War—schemed to bring on unrestricted submarine warfare so that my country would be forced to fight.

And when it became apparent that Wilson could not longer continue his policy of neutrality and delay, I persuaded Northcliffe and his friends to back Wilson instead of Hughes.

More, in order to bring America into the war, I deliberately used British gold and British propaganda to influence an American election.

Naturally, there were excuses for this conduct. There were even reasons. And they looked like mighty good ones, not only to me but to my two great and good friends, Walter Hines Page in the American Embassy at London and James W. Gerard in the American Embassy at Berlin, and to a lot of other patriotic Americans.

This is how it all came about. I was working on a Boston newspaper when I conceived a yen to be a great travel writer. In July 1914 I had got as far as the Austro-Serbian frontier when I suddenly found myself in the middle of the greatest crisis in the world's history.

Overnight I had become a war correspondent. All I needed was a paper to correspond with.

Working my way slowly across Austria and Germany, I reached Berlin on Sedan day, and found that usually unemotional capital in the throes of a wild community celebration. The German armies were at the gates of Paris. The capture of the city was momentarily expected. Berlin was mad with triumph and expectancy and beer.

Fortunately, I spoke the language like a native. When I hired a taxicab and decided to sit on top of it no one was the least surprised. It was the sort of thing that was being done. But the pictures I took from that cab top of wartime Berlin at play! By devices too complicated to describe, I got them on a Channel boat. I got myself on, too.

En route to Dover I ran into a fellow newspaperman—a Northcliffe courier. He insisted on my going up to London to meet his chief, Valentine Williams, of the Daily Mail. Williams listened to the story of my experiences in Sarajevo and with the Austrian and German Armies on their way to war without a flicker of interest. I was sunk. Then I happened to mention the high jinks in Berlin.

"Berlin on Sedan day," he almost shouted. He swept a table clean and I started to write.

Northcliffe himself read the story in proof and wanted more. Williams led me into his presence. From that moment began an association which was to change the entire course of my life. "I want to see this whole thing through your eyes," he told me. Well, if going back into Germany five separate times, each time at increasing danger to my life, and following the fortunes of all the belligerent armies on 15 different fronts was seeing things, he had his wish.

As I came to know him better I began to realize that it was the news he didn't and couldn't print that was making the biggest hit with him. In short, I had become 50 percent newspaper reporter and 100 percent newspaper spy. I didn't mind. My sympathies were entirely with the Allies. They still are, fundamentally. I felt wholly justified.

It wasn't until 1915 that Northcliffe actually began talking to me about America coming into the war. I had just returned to London from several weeks with the retreating Russian armies, and was telling him of my dismay at the demoralization that I had witnessed.

"Yes," he said, "we'll lose Russia, but your country will take her place."

I knew what he meant. The Allies' desperate need of munitions, food, and war supplies of all kinds had increased our trade with them nearly $2,000,000,000. Moreover, we had loaned most of the money which had been pa'd for these goods. We had, there-

fore, acquired a vested interest in allied success.

All this sounds pretty commercial, I suppose, in the light of the neutrality resolutions recently passed by Congress. But it is the cold, hard fact, and I fear it always will be. War profits are not confined to munitions profits. They aren't even mainly that. The British list of articles described as materials of war and therefore subject to seizure—a list which I happened to have a hand in drafting—included more than 400 products, many of which represented the basic industries of our country and the world.

For that reason, I do not believe that prohibitions of the sale of foodstuffs, iron, rubber, cotton, leather, aluminum, lead nickel, tin, and a couple of hundred other staples on which 90 percent of us Americans depend for a living will be any more effective than prohibition of the sale of intoxicating liquor.

I sincerely believe that if war breaks out today in Europe or Africa or anywhere else, it will be impossible to keep the depression-starved American businessman from doing his selling where the selling is good.

So long as this is true it will be easy to drag America into war. In fact, it will be a cinch.

But it wasn't either to Russia or to America that Northcliffe sent me on my first frankly admitted mission as a spy. It was to Sweden. He had just forced Lloyd George on the Asquith government as Minister of Munitions, but Lloyd George couldn't improve the munitions situation until he got more of a special kind of tool steel from a certain manufacturer in Sweden. It had been promised, but it didn't arrive—and his colleagues in the Foreign Office couldn't or wouldn't find out why.

I ran the mine and submarine zone to Sweden, got to know influential people, and finally heard from that manufacturer's own lips the boastful story of how he was playing fast and loose with Britain and sending her enemies the steel she was depending on.

With these facts in his hands Northcliffe was able to force Asquith and Lord Grey, the Foreign Minister, to bring the full strength of British authority to bear and make this manufacturer live up to his English contracts.

Incidentally, Northcliffe used this Swedish scandal as one of his most effective weapons to oust Asquith and Grey and put Lloyd George in as Prime Minister.

It may surprise you that a mere commercial item should upset a national government in time of war, but it is just the sort of thing which might not only do that but drag a neutral nation in.

The world was recently startled to find that an Englishman, Francis Rickett, had involved his country in a bad mess by walking off with two-thirds of Ethiopia. But there are always Ricketts running around behind the scenes—and in the World War most of them were Americans. It's a wonder one or more of them didn't drag us in before I had a chance. As a matter of fact, Britain's policy from the beginning had been to draw in as many nations as possible, but Northcliffe was never satisfied with the speed with which this was being accomplished. There was, for instance Rumania.

"Go down and see what the trouble is," he said to me. "Get next to Jonescu, the Foreign Minister, and tell him I'll back him with my papers and every power I have. Tell him £5,000,000 is nothing compared to what that'll mean to him—if he'll only come into the war."

Jonescu was O. K. But his countrymen weren't fighters. I reported to Northcliffe that Rumania wouldn't really go to war unless it was a nice day and she was sure that it would be all over by sunset.

Eight months later I told Franklin Roosevelt and Henry Breckinridge the same thing one night in Washington. I also told F. D. R. of my warm regard for Charley Vopika, our Minister to Rumania.

"When you get back to Bucharest," replied the then Assistant Secretary of the Navy, "tell Vopika to let us know what's going on. Tell him to loosen up and not be afraid to spend some government money on cables."

Well, Rumania came in in the end. But it didn't do much good. The "chocolate soldiers" melted and ran. I had better luck in Greece. Before I finished there, I had spent $25,000 of Northcliffe's personal cash to transform a Greco-Turkish revolutionist, Snouey Bey, into the secret agent of England's newspaper government, who was ultimately responsible for the overthrow of the pro-German King Constantine, the triumph of the pro-Allies Venizelos, and the belated entry of Greece into the war.

But the big time was calling.

"To hell with Rumania and Greece," Northcliffe was saying, in effect. "Give me the United States!"

One last trip to Germany—then throw off anonymity, and go after my own people under my own name. That was the program. But this time I must go to Germany by way of America. Northcliffe sent me to T. R., to Wilson, to Lansing. I told my story to them all, prepared their minds for what was to follow.

Then Germany. I got in all right, but I couldn't get out. My own country had passed a rule that American neutrals shouldn't go from one warring country to another. And I had to go to England. Well, that fearless American, Jimmy Gerard, said, "You fix it up with the British." And I did.

But not without a tacit agreement on my part that if the news of this rule breaking reached Washington I'd take the rap and leave the Ambassadors out—and that I was to "do something" for Wilson in the forthcoming election. I kept both agreements.

But when I went back to London and threw anonymity to the winds, and began writing sensational articles on Germany not only in the Times and Mail but in a large syndicate of American newspapers, diplomatic shivers began to run up and down the ambassadorial spines. I didn't involve the Ambassadors, but it must have been clear that I couldn't have got back from Germany to England without some help. Solemnly the boys at the Embassy took my passport away from me before an audience of fellow newspapermen, and they tried to get my identity card, without which I couldn't even have circulated freely in England.

Page's secretary, an Englishman named Hodson, tricked me into letting him see the card, and then wouldn't give it back. I had to catch a train to meet Northcliffe, and I had to have that card to get on the train. There was no time for diplomacy. I sprang at Hodson, grabbed the card, and beat it for the station.

I caught the train. Incidentally, Hodson caught hell. Within 5 minutes of my arrival Northcliffe had his friend Page on the phone. The result was a nice letter from the Ambassador regretting the incident and asking Northcliffe to bring me with him to the Embassy, so that he might personally apologize for the mistake.

Privately, Northcliffe was delighted by all this clamor over his little boy Curtin. Germany was threatening to shoot me on sight. The British Foreign Office was seriously considering deporting me. My own Government was taking away my credentials. Northcliffe rubbed his hands in glee. He enjoyed the publicity angle. I didn't. I felt a lot better when the excitement died down, and Page let me use his diplomatic pouch to apply for another passport, which my friend Lansing promptly sent me.

Northcliffe was no longer content to wait for America to come in after Russia had gone out. That might be too late. "We must get your country into this thing," he said, "before Russia collapses."

Before the end of 1916, half a year before Kerensky, a full year before communism and Lenin, we knew the game in Russia was nearly up. Then Northcliffe made a decision that had a vital bearing on the lives of a hundred-odd million Americans.

The war had now become a contest of commodities. It was obvious that Germany's necessity would force her ultimately into an unrestricted submarine warfare against neutral ships as well as belligerents. In time this would force America into the war.

But "in time" was not soon enough for Northcliffe. It might not be soon enough for the Allies. Or for America herself.

This was Northcliffe's big idea: Since the Germans were fine-tooth combing every line of mine that he printed, why not play a trick on them? We'd plant in German heads the belief that America and other neutrals, along with belligerents, were arming all merchantmen fore and aft against submarine attacks. This was the one thing the German Admiralty dreaded at this time—the last straw that would force them into immediate unrestricted submarine warfare.

The rest would be easy. The British blockade had already shut off three hundred millions of America's foreign trade. Now, if the submarines cut off the other two thousand millions, America would have to fight or collapse.

So I went to work to write articles that did accomplish all these things, that did bring America into the war.

"Make them think," Northcliffe cautioned me, "that we have made a slip and are inadvertently giving them an important piece of information."

Britain's own censor held up my first article. Northcliffe went personally to the Foreign Office.

"You're putting dangerous ideas into German heads," they said.

"Just what I want to do," he insisted.

Of course, he had his way. He always did in those days. But he was forced to explain just what we had in mind before we could get the article by. For a week we fed the Germans the bait about secret rush-order plans to arm all neutral ships, including, of course, American neutral ships.

It wasn't true. But it turned the trick. And it turned it just in time.

In February Germany turned loose her U-boats on neutral ships.

In March Russia went Kerensky.

In April America declared war.

Mr. NYE. Mr. President, the matter which I have read depicts the degree of propaganda that was practiced at that time. We have every right to suppose that propaganda is as effective upon our thinking today as it was then. I do not know that the printed word is doing as much damage as are some other forces. Much has been said of late regarding motion-picture propaganda. For the benefit of those who may want a little warning before they see the picture, I should like to read the first word that has gone out regarding the new issue of The March of Time. Under date of July 28, 1941, Louis de Rochemont, 120 Broadway, New York, one of the producers of The March of Time, wrote this under his letterhead:

The Hitler peace offensive is on, and lots of good well-meaning people will be taken in by it. We at The March of Time are not. We know the record of Nazi Germany and know that Hitler means war, not peace, and war against America at the end of it all.

I have had our staff put the whole thing down in film, and called it Peace—by Adolf

Hitler. It will be the next issue of The March of Time.

It isn't pretty, and it's no fun to see, but in it is the essence of what we've been saying for years, and must say again now—stop Hitler.

This film is so vital and brutal it will need friends who will talk about it to put it across to the American people. May I count on you?

Sincerely yours,

LOUIS DE ROCHEMONT.

We are amply warned. The picture March of Time has already been released in a few theaters. I have received no less than a dozen letters from persons who have observed it. They speak of it in just the language which its producers use. It is brutal to American thinking.

STRIKES IN DEFENSE INDUSTRIES

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from a previous day, which will be read.

The legislative clerk read the concurrent resolution (S. Con. Res. 12), submitted by Mr. BYRD on May 26, 1941, relative to strikes in defense industries.

Mr. BARKLEY. Mr. President, I have conferred with the Senator from Virginia [Mr. BYRD] with regard to this resolution, and at his suggestion I ask that it be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

The morning business is concluded.

THE CALENDAR

Mr. BARKLEY. I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none. The clerk will state the first business on the calendar.

WRITTEN NOTICE OF OBJECTION TO BILLS

The resolution (S. Res. 30) amending rule VIII so as to prohibit action by unanimous consent on bills in cases where a Senator has given written notice of his objection to their consideration was announced as first in order.

Mr. McNARY. Let the resolution go over.

Mr. ADAMS. Mr. President, I think the Senate ought to understand the resolution which has been objected to. While, of course, the Senate may pass it over, I propose at an early date to move that the Senate proceed to its consideration.

We are now taking up the calendar for the consideration of measures to which there is no objection. I think that a bill which passes by unanimous consent should actually have unanimous consent. The purpose of the Unanimous Consent Calendar is that bills as to which no Member of the Senate has an objection may pass. If a Senator objects, a bill should go over and be brought up in the regular way, so that those who oppose it and those who favor it may register their votes.

In this particular instance it happens that less than half the membership of the Senate is in the Chamber. A bill may be reached upon the call of the calendar, and some Senator who has been called away by sickness, by official business, or unavoidable occasion may have an objection to the passage of the bill, but by reason of his unavoidable absence the bill may be passed without objection.

The resolution reported by the Rules Committee provides that when a bill passes, theoretically by unanimous consent, it will actually have unanimous consent. Under the resolution, if a Senator finds upon the calendar a bill to which he has a definite objection, and he is willing to make his objection a matter of record, he may enter his objection upon the calendar. Thereafter such a bill would not pass by unanimous consent.

It seems to me only proper that the Senate should provide for itself a method by which a Senator who is called away and kept from the Chamber may enter his objection and have it made effective. A Senator may withdraw his objection at any time, and any Senator who wishes to have the bill considered may move to take it up in regular order.

Mr. BONE rose.

Mr. ADAMS. I will say to the Senator from Washington that it is proposed to make unanimous consent really mean what it implies. If a Senator is willing to attach his name to an objection and say, "I am opposed to this bill," it ought not to be passed under the guise of unanimous consent when there is not unanimous consent.

Mr. BONE. It has been my experience that when a bill is passed by unanimous consent on the call of the calendar, the following day any Senator may ask for reconsideration. I have never seen any reason to object to such a request. If a bill is passed by unanimous consent, any Senator who has an objection may voice it the next day by a motion to reconsider.

Mr. ADAMS. True; but the Senator may be in the State of Washington. He may be kept away by illness. He may not be here the next day.

Mr. BONE. I myself have had that experience.

Mr. ADAMS. What happens, I will ask the Senator, to bills upon the calendar? We have seen them carried along and passed over. It is known that there is objection to them, but some day the two or three Senators who may be opposed are absent, and the bills pass by unanimous consent. This resolution merely provides that the one who objects must be willing to put his own objection and his own name upon record, so that it shall appear definitely that there is not unanimous consent.

Mr. McNARY. Mr. President, I objected to the consideration of the resolution today. I suppose the remarks are directed largely toward me. I do not intend to object indefinitely. I have objected several times prior to today.

I do not think the resolution is one of very great importance. For many years, on behalf of Senators who were absent, I have noted for the RECORD objections to the consideration of bills on the calendar. I do not know of anyone who has gone without full protection. It is always a very happy privilege for me to intercede in behalf of some absent Senator and object to a bill; but probably the Senator has a remedy for an unimportant situation. Entertaining as I do a very high regard for the able Senator from Colorado, I shall not object at the next call of the calendar if the Senator desires to have his resolution considered.

The VICE PRESIDENT. The resolution will be passed over.

RESOLUTION AND BILLS PASSED OVER

The resolution (S. Res. 96) making rule XVI applicable to amendments to relief and work-relief bills was announced as next in order.

Mr. McNARY. Let the resolution go over.

Mr. BARKLEY. Mr. President, that is a resolution which may be less applicable now than it was at the time when it was first submitted. As I understand the resolution, it proposed to make applicable to relief appropriations rule XVI, which prohibits amendments increasing the amounts carried in regular appropriation bills except under certain circumstances. I think such an amendment of the rules probably ought to be discussed more at length than it can be under the 5-minute rule.

Mr. ADAMS. Mr. President, I know that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is opposed to this resolution, so it should go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments was announced as next in order.

Mr. OVERTON (and other Senators). Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 357) to provide for the rehabilitation of the anthracite-coal industry was announced as next in order.

Mr. TRUMAN. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

RELIEF OF LEADER OF ARMY BAND

The bill (S. 1568) for the relief of the present leader of the Army Band was announced as next in order.

Mr. WALSH. Mr. President, there has been some discussion with respect to this bill at previous calls of the calendar. It appears that the merits of the bill are contingent upon certain action to be taken by the Naval Affairs Committee upon somewhat similar bills before that committee.

Having talked with the junior Senator from Colorado [Mr. JOHNSON], he and I are of the opinion that the bill should be recommitted to the Military Affairs Committee, so as to remove the necessity of watching the calling of the calendar. Therefore, I ask that the bill be recommitted to the Committee on Military Affairs.

The VICE PRESIDENT. Without objection, it is so ordered.

QUINQUENNIAL CENSUS OF INDUSTRY AND BUSINESS

The bill (S. 1627) to provide for a quinquennial census of industry and business and for the collection of current statistics by the Bureau of the Census was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

Mr. BARKLEY. Mr. President, may I ask the Senator from Michigan, who I believe asked to have the bill go over, whether he will withhold his objection for a moment?

Mr. VANDENBERG. Certainly.

Mr. BARKLEY. Mr. President, this is a bill in which the Department of Commerce is very much interested. Section 17 of the original act providing for the decennial census authorized the Director of the Census to collect and publish, for every second year after 1927, statistics of manufacturing industries. The bill which has just been reached on the calendar substitutes wider authority. It authorizes and directs the Director of the Census—

to collect, compile, collate, and publish, for the year 1943 and every fifth year thereafter, statistics of the manufacturing and mineral industries, and of business, commercial, mercantile, service, and professional enterprises, and such other industries and enterprises as the Secretary of Commerce may deem it in the public interest to include * * *.

The need for this legislation grows out of the fact that there is now no adequate method by which the desired information may be collected for the benefit of those engaged in the production of defense articles and in the defense situation generally. At the present time the Director of the Census only has authority to collect every 2 years a census of manufacturers. This measure goes further and authorizes him, under the first section, to collect and collate the information as to all sorts of things that it may be important for the Department of Commerce and the War Department to know in connection with national defense. It also authorizes the Secretary of Commerce from time to time to direct the Director of the Census to gather information generally, and not to rely simply upon the decennial census—taken every 10 years, as we know—of manufacturers and industries and materials and things of that sort, so that the information may be more readily available and more currently available.

I hope the Senator from Michigan will not object to the consideration of the bill, for it is one in which the Department of Commerce and other agencies of the Government are very much concerned, and I hope that it may pass.

Mr. VANDENBERG. Mr. President, if there is a legitimate need for this activity, of course, I shall withdraw my objection. My general objection is to turning loose another army of inquiry and another flood of questionnaires upon business America, because I think American business has been standing about all it can stand under the circumstances. But in the face of the Senator's statement I withdraw the objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1627) to provide for a quinquennial census of industry and business and for the collection of current statistics by the Bureau of the Census, which had been reported from the Committee on Commerce with amendments.

The first amendment was in section 1, at the top of page 3, to insert the following new subsection:

(d) The Director of the Census is authorized to appoint, in accordance with the civil-service laws and rules but without regard to the provisions of the Classification Act, at rates of compensation to be fixed by him, as many temporary employees in the District of Columbia as may be necessary to meet the requirements of the work in connection with each such quinquennial census of industry and business. Such temporary employees may be so employed for a period of not to exceed 2 years from January 1 of each year during which such a census is required to be taken.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 13, after the word "Act", to insert "entitled 'an Act' "; in line 14, after the word "subsequent", to insert "decennial"; and in line 15, after the word "in", to strike out "Congress" and to insert "Congress.' "

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 17 of the act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress, approved June 18, 1929 (46 Stat. 21), is hereby amended to read as follows:

"SEC. 17. (a) That the Director of the Census be, and he is hereby, authorized and directed to collect, compile, collate, and publish, for the year 1943 and every fifth year thereafter, statistics of the manufacturing and mineral industries, and of business, commercial, mercantile, service and professional enterprises, and such other industries and enterprises as the Secretary of Commerce may deem it in the public interest to include; which shall be known as a quinquennial census of industry and business.

"(b) That the Director of the Census be authorized, when directed by the Secretary of Commerce, to collect, compile, collate, and publish current or periodic statistical data supplemental to any census or other statistical inquiry authorized by law. The collection of any such current or periodic statistical data shall be undertaken only if the Secretary of Commerce, after due investigation, shall find the inquiry necessary to serve a broad public need.

"(c) That the number, form, and subdivision of the inquiries in the schedules used to collect the statistical data authorized by this section, the date or dates to which such data relate, and the areas, including the Territories and insular possessions of the United States, and the classes of industries, enterprises, establishments, and individuals to be covered shall be determined by the Director of the Census, with the approval of the Secretary of Commerce; and the Director of the Census, with the approval of the Secretary of Commerce, shall be authorized to issue such regulations as may be necessary for the collection of such statistics.

"(d) The Director of the Census is authorized to appoint, in accordance with the civil-service laws and rules but without regard to the provisions of the Classification Act, at rates of compensation to be fixed by him, as many temporary employees in the District of Columbia as may be necessary to meet the requirements of the work in connection with each such quinquennial census of industry and business. Such temporary employees may be so employed for a period of not to exceed 2 years from January 1 of each year during which such a census is required to be taken."

SEC. 2. That the provisions for the decennial census inquiries relating to distribution and to mines provided for by sections 1 and 4 of the act entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929, are hereby repealed.

SEC. 3. That notwithstanding any other provision of law, any individual census report or any information contained therein may be used in connection with the national-defense program under such rules and regulations as may be prescribed, with the approval of the President, by the Secretary of Commerce. No person shall disclose or make use of any individual census report or any information contained therein contrary to such rules and regulations; and anyone violating this provision shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding $500 or be imprisoned not exceeding 6 months, or both.

BILL PASSED OVER

The bill (H. R. 3019) to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes. Approved October 6, 1917 (40 State. 385)" was announced as next in order.

Mr. McNARY (and other Senators). Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

INCREASES IN PENSIONS TO CERTAIN WIDOWS AND DEPENDENTS OF VETERANS

The bill (S. 876) granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection, was announced as next in order.

The VICE PRESIDENT. House bill 5339, Calendar No. 675, is an identical bill. Is there objection to the substitution of the House bill for the Senate bill and the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5339) granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection, which was ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 876 will be indefinitely postponed.

CLASSIFICATION OF SUBSTITUTE MECHANICS IN POSTAL SERVICE—RECOMMITTAL

The bill (S. 473) relating to the classification of substitute mechanics in the Postal Service was announced as next in order.

The VICE PRESIDENT. House bill 2077, Calendar No. 588, is a similar bill.

Mr. McKELLAR. Mr. President, I ask unanimous consent that both bills be recommitted to the Committee on Post Offices and Post Roads. They are substantially the same, as I understand; but some question has arisen about them. Therefore, I should like to have them recommitted to the committee. The committee will take them up at a very early date and report something back.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF TENNESSEE VALLEY AUTHORITY ACT OF 1933

The bill (S. 1539) to amend the Tennessee Valley Authority Act of 1933 was announced as next in order.

Mr. McCARRAN. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. BARKLEY. Mr. President, may I ask at whose request the bill was passed over?

Mr. McCARRAN. At the request of the Senator from Nevada. I want an explanation of it.

Mr. BARKLEY. Mr. President, this is a bill which, as I understand, was practically unanimously reported from the Committee on Agriculture and Forestry, and which takes the Cumberland River into the T. V. A., as was done in the case of the Tennessee River. The two rivers are almost parallel from their sources to their mouths, and the Committee on Agriculture and Forestry has reported the bill to include the Cumberland River in the development of that valley.

Mr. McCARRAN. I withdraw the objection.

Mr. CLARK of Missouri. Mr. President, it seems to me that a bill of such magnitude should be considered by the Senate at some length, and not while bills are being considered by unanimous consent.

Mr. BARKLEY. I am not insisting upon the consideration of the bill at this time.

Mr. CLARK of Missouri. Something like a billion dollars has been spent on the Tennessee Valley, and it seems to me that an authorization of this sort should be carefully considered by the Senate.

Mr. BARKLEY. I am not urging that the bill be taken up during the call of the calendar. It will be taken up soon, however.

Mr. OVERTON. Mr. President, I should like to address an inquiry to the Senator from Missouri. Does he not think a bill of this kind should also be referred to the Commerce Committee?

Mr. CLARK of Missouri. A similar bill was referred to the Commerce Committee and was considered by it in a previous Congress, when the measure was introduced by the Senator from Tennessee [Mr. McKELLAR]. While I do not think any vote was ever taken on it in the Commerce Committee it certainly was not considered favorably by that committee; and I think the present bill should go to the Commerce Committee.

Mr. BARKLEY. Mr. President, I will say to the Senator in that connection that the original T. V. A. Act was reported by the Committee on Agriculture and Forestry, and all subsequent legislation amending it has been reported by that committee. The Senate passed a bill similar to this one which was introduced several years ago by my late colleague, Mr. Logan; and when the Senator from Nebraska [Mr. NORRIS] introduced the present measure, which is in the nature of an amendment to the T. V. A. Act, it went to the Committee on Agriculture and Forestry, which sponsored the original T. V. A. legislation. I am not urging that the bill be taken up under the call of the calendar, but I do think it ought to be taken up at an early date.

Mr. OVERTON. Mr. President, I have not read the bill and do not know its provisions in detail, but from the statement made by the able Senator from Kentucky it certainly is a bill relating to navigation, and, I think, to flood control.

Mr. BARKLEY. Of course, it is so related, but it is primarily related to the Tennessee Valley program in that region of the United States.

Mr. OVERTON. That may be.

Mr. CLARK of Missouri. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Missouri?

Mr. OVERTON. I yield.

Mr. CLARK of Missouri. The only theory on which the Congress had any jurisdiction to create the original Tennessee Valley Authority was that it had to do with navigation. It has been so held by the Supreme Court of the United States; and certainly the subject of navigation is within the jurisdiction of the Committee on Commerce.

The argument of the Senator from Kentucky is that, having originally made a mistake in the matter of jurisdiction by having the Tennessee Valley Act referred to the Committee on Agriculture instead of the Committee on Commerce, it should be perpetuated in the case of what is essentially not an amendment to the Tennessee Valley Authority but a proposal really to set up an additional T. V. A.

Mr. BARKLEY. I do not concede that the original act was wrongfully referred, and I am, therefore, not willing to concede that it is a matter of correcting an original mistake by making another one. Of course, it did not only involve navigation, which at the beginning of this whole program was somewhat incidental, but involved the production of fertilizer, nitrates, and so forth.

Mr. CLARK of Missouri. I think the Senator will agree that the only authority in Congress to enact such legislation is on the theory that it is for the improvement of navigation. It has been so held by the courts.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. OVERTON. I am about to yield the floor, but I will yield to the Senator.

Mr. McKELLAR. I want to say that it is exactly the same bill or at least substantially the same bill—and I think it is exactly the same bill—as that which is now before the Senator's committee. It was introduced by me and it has been before his committee for the last 8 or 10 years. I see the chairman of the committee and other very prominent members of the committee present, and I am merely imploring them that they will call a meeting of the committee to consider the bill the committee has before it, and, if possible, report it favorably to the Senate.

Mr. OVERTON. Mr. President, was the suggestion addressed to me?

Mr. McKELLAR. I addressed it to the Senator from Louisiana because he spoke of it, but I see the chairman of the committee present, and I should like to ask if he will not call a meeting sometime soon of the committee to act on the bill, so that it may be considered by the Senate. I do not care how many committees consider it. What we want to do is to have the Senate pass it.

Mr. BAILEY. Mr. President, I will say to the Senator that the Committee on Commerce meets, as a rule, at least once in 2 weeks, and I was not aware that the bill referred to had been passed over. I will look it up right away and see about it.

Mr. McKELLAR. I thank the Senator.

Mr. BAILEY. I do not understand just what the situation is. While we are on this point, let me say it is very clear that the pending measure does relate to waters which are alleged to be navigable or which affect navigation. It is equally clear that the legislation must come under that rule or under the rule governing flood-control measures; but we have had this matter up here a great many times, and at present the Senator in deference to whom the Senate has always permitted the bill to be sent to the Committee on Agriculture and Forestry is absent. I refer to the senior Senator from Nebraska [Mr. NORRIS]. I question whether we should undertake to settle a matter of this sort in his absence. I believe it would be better to let the bill go over, and if a motion to commit the bill to the Committee on Commerce is made we can debate it in the presence of the senior Senator from Nebraska.

Mr. BARKLEY. I am not urging that the bill be taken up now. The Senator from Nebraska, the author of the bill, is absent, and it may be necessary and probably desirable to take this bill up under circumstances that will enable it to be debated more in detail than is possible under the present procedure. So far as I am concerned, the bill may go over.

Mr. BAILEY. All I wish to do is to protect the senior Senator from Nebraska. My view is—and I expressed the view here a year or two ago—that bills of this character ought, in regular course, to be referred to the Committee on Commerce; but if the Senate feels that it should refer them to the Committee on Agriculture and Forestry because of some special consideration, I shall not greatly grieve about it.

The VICE PRESIDENT. Did the Senator from Missouri ask that the bill go over?

Mr. CLARK of Missouri. I did.

The VICE PRESIDENT. The bill will be passed over.

PUBLICATION OF INVENTIONS IN THE NATIONAL INTEREST

The bill (H. R. 4784) to amend the act relating to preventing the publication of inventions in the national interest, and

for other purposes, was announced as next in order.

Mr. McNARY. I inquire what became of Calendar No. 588, House bill 2077, which precedes on the calendar the bill the title of which has just been stated.

Mr. McKELLAR. That bill has been committed to the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. Is there objection to the present consideration of House bill 4784?

There being no objection, the Senate proceeded to consider the bill (H. R. 4784) to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes, which had been reported from the Committee on Patents, with an amendment, on page 2, after line 17, to strike out:

"SEC. 5. Whoever willfully violates any order of the Commissioner made pursuant to the act approved July 1, 1940 (Public, No. 700, 76th Cong., 3d sess., ch. 501), or whoever with knowledge of such order, and without permission of the Commissioner, willfully publishes or discloses any information in respect of an invention to which such order relates, or files or causes or authorizes to be filed, an application for patent or for the registration of a utility model, industrial design, or model in a foreign country in violation of the provisions of section 3 hereof shall be fined not more than $10,000 or imprisoned for not more than 2 years, or both."

And insert:

"SEC. 5. Whoever, during the period or periods of time an invention has been ordered to be kept secret and the grant of a patent thereon withheld pursuant to the act approved July 1, 1940 (Public, No. 700, 76th Cong., 3d sess., ch. 501), shall, with knowledge of such order and without due authorization, willfully publish or disclose or authorize or cause to be published or disclosed such invention, or any material information with respect thereto, or whoever, in violation of the provisions of section 3 hereof, shall file or cause or authorize to be filed in any foreign country an application for patent or for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, shall, upon conviction, be fined not more than $10,000 or imprisoned for not more than 2 years, or both."

So as to make the bill read:

Be it enacted, etc., That the act of Congress approved July 1, 1940 (Public, No. 700, 76th Cong., 3d sess., ch. 501), be amended by adding the following sections:

"SEC. 3. No person shall file or cause or authorize to be filed in any foreign country an application for patent or for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, except when authorized in each case by a license obtained from the Commissioner of Patents under such rules and regulations as he shall prescribe.

"SEC. 4. Notwithstanding the provisions of sections 4886 and 4887 of the Revised Statutes, 35 U. S. C., secs. 31 and 32), any person and the successors, assigns, or legal representatives of any such person shall be debarred from receiving a United States patent for an invention if such person, or such successors, assigns, or legal representatives shall, without procuring the authorization prescribed in section 3 hereof, have made or consented to or assisted another's making application in a foreign country for a patent or for the registration of a utility model, industrial design, or model in respect of such invention where authorization for such application is required by the provisions of section 3, and any such United States patent actually issued to any such person, successors, assigns, or legal representatives so debarred or becoming debarred shall be invalid.

"SEC. 5. Whoever, during the period or periods of time an invention has been ordered to be kept secret and the grant of a patent thereon withheld pursuant to the act approved July 1, 1940 (Public, No. 700, 76th Cong., 3d sess., ch. 501), shall, with knowledge of such order and without due authorization, willfully publish or disclose or authorize or cause to be published or disclosed such invention, or any material information with respect thereto, or whoever, in violation of the provisions of section 3 hereof, shall file or cause or authorize to be filed in any foreign country an application for patent or for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, shall, upon conviction, be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

"SEC. 6. If any provision of this act or of any section thereof or the application of such provision to any person or circumstances shall be held invalid, the remainder of the act and of such section and application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

"SEC. 7. As used in this act—

"The term 'person' includes any individual, trustee, corporation, partnership, association, firm, or any other combination of individuals.

"The term 'application' includes applications, and any modifications, amendments, or supplements thereto or continuances thereof.

"SEC. 8. The prohibitions and penalties of this act shall not apply to any officer or agent of the United States acting within the scope of his authority."

SEC. 2. This act shall take effect 30 days after its approval.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 895) to provide for the registration of trade-marks used in commerce to carry out the provisions of certain international conventions, and for other purposes, was announced as next in order.

Mr. BONE. Mr. President, because some Senators who are not now present are interested in a suggested amendment, I ask that the bill be passed over.

The VICE PRESIDENT. The bill will be passed over.

UNITED DAUGHTERS OF THE CONFEDERACY

The bill (H. R. 2688) granting an extension of title to the United Daughters of the Confederacy was considered, ordered to a third reading, read the third time, and passed.

PROTECTION OF PURCHASERS OF PATENT RIGHTS

The bill (H. R. 3206) to afford greater protection to the purchaser of patent rights was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 4826) to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes, was announced as next in order.

Mr. BONE. Mr. President, because of certain suggestions which have been made respecting a desirable amendment, I will ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2665) to provide for apportioning Representatives in Congress among the several States by the equal-proportions method was announced as next in order.

Mr. McNARY. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

OFFICIALS AND EMPLOYEES ENGAGED IN PANAMA CANAL CONSTRUCTION

The bill (S. 1481) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal was announced as next in order.

Mr. ADAMS. I ask that the bill go over.

Mr. PEPPER. Mr. President, may I ask the Senator who objected if he will withhold the objection so as to permit me to make a brief explanation?

Mr. ADAMS. Certainly.

Mr. PEPPER. I shall not go into a detailed recital of the long history of the effort on the part of some who feel that they ought in justice to help some of the civilian employees who were engaged in the construction of the Panama Canal.

After the completion of the Panama Canal the Army and the Public Health Service received a very sizable proportion of aid at the hands of Congress, but the civilian employees who were engaged in similar work and who took comparable risks and made similar sacrifices did not receive any consideration whatever from the Congress.

The Senator will recall that President Theodore Roosevelt, speaking to the civilian employees of the Canal in 1906, used these words:

> You are putting your country under an obligation to you, just as a soldier who does his work well in a great war puts the country under an obligation to him. * * * I am weighing my words when I say that you here, who do your work well in bringing to completion this great enterprise, will stand exactly as the soldiers of a few, and only a few, of the most famous armies in all the Nation's stand in history. This is one of the great works of the world. * * * So you men here, in the future, each man of you, will have the right to feel * * * that he has made his country his debtor; that he has done more than his full share in adding renown to the Nation under whose flag this Canal is being built.

From time to time effort has been made to provide a system of retirement benefits for these civilian employees who have never received anything.

Year before last the able Senator from Missouri [Mr. CLARK] was the author of a bill, which passed the Congress, to provide certain retirement benefits for a certain number of people who had been engaged on the Panama Canal construction. The President vetoed that bill, but it was discovered afterward that the

occasion for the veto was the fact that there was an overlapping between the provision made for the proposed beneficiaries and the ordinary civilian benefits which were available to certain classes who were affected by the bill. At one time the Civil Service Commission recommended against this bill, but, since the Congress last had this matter before it, the Civil Service Commission strongly recommends the passage of this bill in the following language which came to the Congress this year:

The Commission believes that like treatment—

Referring to the treatment accorded by the Congress in 1905 to members of the Army and Navy and the Public Health Service—

should be accorded all employees of a particular group. As special benefits have been allowed members of the Army, Navy, and Public Health Service, as well as civilian employees who served during the construction period and who retire under the Canal Zone Retirement Act—

I may interpolate that that refers to those who stayed on at the Canal after the construction was completed—

it would appear that like recognition should be accorded former civilians separated without retirement benefits. The previous adverse recommendation of the Commission regarding this legislation was based mainly on the cost thereof. However, on the basis of additional information, this estimated cost has been greatly reduced, removing any objection from this standpoint.

Mr. President, I believe, therefore, that there has been a change in the attitude of the administrative departments in recent months due to additional information which has come to their attention. Such eminent men as Gen. Robert E. Wood, president of Sears, Roebuck, who was one of the employees there in the Army who received these benefits himself, has repeatedly urged upon the Congress the passage of this bill, saying that these civilian employees who had risked their lives in the construction of the Panama Canal had not been fairly dealt with by our country.

If I can answer any question, I shall endeavor to do so, but, in view of that statement from the Civil Service Commission, the fact that the Committee on Interceanic Canals, of which the Senator from Missouri [Mr. CLARK] is chairman, has passed on this matter two or three different times, and that the Senator from Missouri and I are the authors of this bill, and, considering the more recent action by administrative departments, I hope Senators may feel justified in not making any objection.

The VICE PRESIDENT. The Senator's time under the 5-minute rule has expired.

Mr. ADAMS. Mr. President, it is with a great deal of reluctance that I am forced to continue my objection, especially when I note the authors of the bill and the eminent authorities who are stated to be in favor of it, but I am convinced that it is a thoroughly unsound precedent to establish. I think that the amounts provided are excessive. I do not believe we should go back many years and delve into the services of civilian employees who have long since passed out of employment and put them on the pension rolls. If we are to accord benefits to Panama Canal employees under the provisions of law, then we will probably have to consider the claims of the Boulder Dam employees and soon the employees of the Grand Coulee Dam and those engaged on flood-control work, and finally all other kinds of civilian employees.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. PEPPER. I am sure the Senator does not seriously suggest that analogy, because I know the Senators from the States where those projects were constructed would certainly rebut any presumption that there was yellow fever or other serious health hazards to the employees who were engaged on the construction of those projects, whereas I have here pictures of a whole cemetery full of tombstones marking the last sacrifice of persons who went down to the unhealthy Panama Canal Zone to help build the Panama Canal, which is perhaps the keystone of the safety of this country.

Mr. ADAMS. Mr. President, again expressing my very great reluctance, I shall have to ask to have the bill go over.

The VICE PRESIDENT. The bill will be passed over.

AMENDMENT OF ACT FOR GOVERNMENT OF HAWAII

The Senate proceeded to consider the bill (H. R. 4813) to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, which has been reported from the Committee on Territories and Insular Affairs with an amendment in section 2, page 2, line 25, to strike out "This act shall take effect upon its approval" and insert:

Nothing in this act shall apply to any lands which are now under, or which may hereafter be placed under, the jurisdiction of the Hawaiian Homes Commission.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (S. 1344) to authorize employees of the United States to testify on behalf of the District of Columbia and of employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave was announced as next in order.

Mr. DANAHER. Let the bill go over.

Mr. McCARRAN. Mr. President, I wonder if I may make a brief statement regarding this bill. There was objection to it. If the Senator from Connecticut will kindly withhold his objection, I think, as a member of the Committee on the Judiciary, the Senator had this bill before him, if he recalls it. It is proposed merely for this reason, if the Senator will recall:

It was formerly the custom and the practice that when employees of the District of Columbia or Federal employees were called to testify as witnesses, the time was charged against their vacation time.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. McCARRAN. Yes.

Mr. DANAHER. Let me say to the Senator that I know what the bill does. I am very much in sympathy with its general intendment and objective. I simply desire to offer an amendment to it which will correct what I think is a present evil in the way the language appears.

The amendment which I shall wish to have offered to take care of the matter, and which I shall offer, will require simply that the witnesses be designated by the head of the department in which they are employed, instead of having the bill use such language as "witnesses * * * who are called upon to serve." So I will offer language to correct the point in question and discuss the matter with the Senator from Nevada, and I think we shall have no difficulty whatever with the bill. I am in favor of the bill.

Mr. McCARRAN. Very well.

The VICE PRESIDENT. The bill will be passed over.

SAFEGUARDING OF CONFIDENTIAL NATURE OF RECORDS OF DISTRICT BOARD OF WELFARE

The bill (H. R. 4837) to safeguard the confidential nature of Board of Public Welfare of the District of Columbia case records in all types of relief cases, and for other purposes, was announced as next in order.

Mr. BYRD. Mr. President, will the Senator from Nevada explain the bill?

Mr. McCARRAN. Mr. President, this bill was introduced in accordance with a special request of those in authority. Its purpose is to preserve inviolate the records of those who apply for relief under the special relief law. In other words, if one applies for relief—the blind, or the deaf, or others who are entitled to relief under the relief laws of the District of Columbia—the bill provides that their names shall not be made public, and that no one shall use the files or records except those who are entitled to use them for a special purpose.

Mr. McNARY. Mr. President, does the Senator refer to the General Relief Act?

Mr. McCARRAN. I do.

Mr. McNARY. Such a provision does not exist in the laws of any State, does it?

Mr. McCARRAN. Yes; I think it does.

Mr. McNARY. In how many States, and where?

Mr. McCARRAN. I think in all States such secrecy is especially required. It was not a part of the law of this District, and was omitted from the law of this District. This bill is to amend the law so that such a provision shall apply here, as it does generally in the States.

Mr. BYRD. Why should not the public know that such persons are receiving relief?

Mr. McCARRAN. Simply to try to avoid making their names public, and holding up to ridicule and criticism those who receive relief.

Mr. BYRD. I have no desire to hold anybody up to ridicule, but I think the public and the taxpayers are entitled to know who are receiving relief.

I have not had a chance to examine the bill. I ask the Senator to let it go over until I can consider it.

Mr. McCARRAN. Very well.

The VICE PRESIDENT. The bill will be passed over.

CONSTRUCTION, ETC., OF PETROLEUM PIPE LINES IN THE DISTRICT

The bill (H. R. 4582) to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF ACT PROVIDING AID FOR NEEDY BLIND PERSONS OF THE DISTRICT

The bill (H. R. 4660) to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor", approved August 24, 1935, was considered, ordered to a third reading, read the third time, and passed.

ACCEPTANCE OF GIFTS BY ST. ELIZABETHS HOSPITAL

The Senate proceeded to consider the bill (H. R. 4599) to authorize the Federal Security Administrator to accept gifts for St. Elizabeths Hospital and to provide for the administration of such gifts, which had been reported from the Committee on the District of Columbia with an amendment, at the end of the bill to insert "and that any proceeds from insurance may be used to restore the property insured. Any such property when not required for the improvement or operation of the St. Elizabeths Hospital may be liquidated by the Federal Security Administrator whenever in his judgment the purposes of the gifts will be served thereby."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

PICTURES OF FORMER CHAIRMEN OF FOREIGN RELATIONS COMMITTEE AND PRESIDENTS PRO TEMPORE

The resolution (S. Res. 148) providing for securing, framing, and hanging pictures of former chairmen of the Committee on Foreign Relations and of Presidents pro tempore in the Foreign Relations Committee rooms was announced as next in order.

Mr. McNARY. Mr. President, I do not know that I have any objection to this little appeasement of vanity, but I wonder if it applies only to the Committee on Foreign Relations. There are other committees of the Senate whose responsibilities are quite as great as those of the Foreign Relations Committee and whose achievements probably have been along the same line of success.

Seriously, I do not want to keep from the wall the picture of anyone who desires to have it framed. I may say that there is an old song which we used to sing in college with the theme:

They turned his picture toward the wall.

That may not happen in the case of any of the past chairmen of the Foreign Relations Committee; but why select one committee of all the committees of the Senate, and have the pictures of its chairmen hung on the wall and fail to have the pictures of the chairmen of other committees hung on the wall?

If someone will explain to me the importance of this particular legislation, and the neglect to legislate in that field in the case of other committees, I shall have no objection to the resolution.

Mr. GEORGE. Mr. President, my understanding is that most other committees have such authority.

Mr. McNARY. I have not heard of it.

Mr. GEORGE. Some of them have, at least.

This matter arose because the State of Nevada, and friends within the State of the late chairman of the committee, Senator Key Pittman, wished to present his portrait. He was both chairman of the Foreign Relations Committee and President pro tempore of the Senate. In order that his picture might be accepted and hung on the wall of the committee over which be presided, it was deemed best to secure the likenesses of the other chairmen of the committee who had preceded him, and it was found that a small item of expense would be involved in order to have that done. This resolution provides for an expense not exceeding $250.

Mr. McNARY. Mr. President, no one holds higher in memory's esteem than I do the great work, character, and achievements of the late Senator from Nevada; but I have always understood that if a Senator wanted his picture hung on the wall all he had to do was to present it to the committee, and they would hang it on the wall. I do not know that there should be any legislation to have one's picture framed or hung on the wall. If this is special legislation, I shall object to it; but if it is general legislation, whereby everyone can have his picture hung on the wall, I shall not object.

Mr. GEORGE. The resolution applies to everyone who falls within the class of chairman of that committee and former President pro tempore of the Senate.

Mr. McNARY. The Senator, then, is speaking of a particular class.

I desire to look into this weighty matter before giving my consent to the adoption of the resolution.

The VICE PRESIDENT. Objection being made, the resolution will be passed over.

MONONGAHELA RIVER BRIDGE, ALLEGHENY COUNTY, PA.

The bill (S. 1595) to extend the times for commencing and completing the construction of a bridge across the Monongahela River, between the boroughs of Elizabeth, in Elizabeth Township and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania, was announced as next in order.

The VICE PRESIDENT. This bill is similar to House bill 5122, Calendar No. 674. Without objection, the House bill will be substituted for the Senate bill.

The bill (H. R. 5122) to extend the times for commencing and completing the construction of a bridge across the Monongahela River between the boroughs of Elizabeth in Elizabeth Township and West Elizabeth in Jefferson Township in the county of Allegheny and in the Commonwealth of Pennsylvania, was considered, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, Senate bill 1595 will be indefinitely postponed.

The bill (H. R. 4085) to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa., was considered, ordered to a third reading, read the third time, and passed.

ST. LAWRENCE RIVER BRIDGE, OGDENSBURG, N. Y.

The bill (H. R. 4150) to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

SANTEE RIVER BRIDGE, LENEUDES FERRY, S. C.

The bill (H. R. 4231) granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River at or near Leneudes Ferry, S. C., was considered, ordered to a third reading, read the third time, and passed.

WABASH RIVER BRIDGE, MOUNT VERNON, IND.

The bill (H. R. 4306) to extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind., was considered, ordered to a third reading, read the third time, and passed.

BRIDGE ACROSS TUG FORK OF BIG SANDY RIVER, NOLAN, W. VA.

The bill (H. R. 4315) to legalize the construction by the Big Creek Bridge Co., Consolidated, of a bridge across the Tug Fork of the Big Sandy River at Nolan, W. Va., was considered, ordered to a third reading, read the third time, and passed.

NEW RIVER BRIDGES, BLUFF CITY AND EGGLESTON, VA.

The bill (H. R. 4732) granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia, was considered, ordered to a third reading, read the third time, and passed.

IMPROVEMENT OF NAVIGATION FACILITIES ON SANTEE, CONGAREE, AND COOPER RIVERS, S. C.

The Senate proceeded to consider the bill (S. 1355) to authorize improvement of navigation facilities on the Santee, Congaree, and Cooper Rivers in the counties of Berkeley, Clarendon, Calhoun, Richland, and Orangeburg, S. C., and for other purposes, which had been reported from the Committee on Commerce with amendments.

The first amendment was, on page 1, line 4, after the word "the", to strike out "existing bridges and highways, or the construction of such additional bridges

and highways, across the Santee, Congaree, and Cooper Rivers, and the navigable canals or channels connecting the same in the counties of Berkeley, Clarendon, Calhoun, Richland, and Orangeburg," and insert "Atlantic Coast Line Railroad bridge and the State highway bridge on United States Route No. 52 across the tail-race canal of the Santee-Cooper project."

The amendment was agreed to.

Mr. BAILEY. Mr. President, this bill comes from my committee. I had not fully prepared a report upon it. I think I should say to the Senate that the title words, "A bill to authorize improvement of navigation facilities," and so forth, do not fully state the case. I suggest that the bill go over until the next call of the calendar, in order that the whole matter may be laid before the Senate.

Mr. SMITH. Mr. President, this is the first time my attention has been called to the bill. Is it a House bill?

Mr. BAILEY. No; it is a Senate bill, introduced by former Senator Byrnes, who is now on the Supreme Court.

Mr. SMITH. This is the first time my attention has been called to the bill. I shall be glad to have it go over.

Mr. BAILEY. I wished to inform the Senate of the nature of the bill in order that the Senate may know just what its contents are. I do not think the title of the bill is adequate.

The VICE PRESIDENT. The bill will be passed over.

REORGANIZATION OF FEDERAL PRISON ADMINISTRATION

The Senate proceeded to consider the bill (S. 1698) to amend the act reorganizing the administration of Federal prisons, which had been reported from the Committee on the Judiciary with an amendment at the end of the bill to add "by the juvenile court of the District of Columbia, as well as to those committed by any court of the United States", so as to make the bill read:

Be it enacted, etc., That section 7 of the act entitled "An act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisons; to establish Federal jails, and for other purposes", approved May 14, 1930 (46 Stat. 326, U. S. C., title 18, sec. 753f), be, and it hereby is, amended by adding thereto the following sentence: "The authority conferred upon the Attorney General by this section shall extend to persons committed to the National Training School for Boys, by the juvenile court of the District of Columbia, as well as to those committed by any court of the United States."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FEES FOR BRAND INSPECTION UNDER THE PACKERS' AND STOCKYARDS' ACT

The bill (H. R. 5204) authorizing the charging of fees for brand inspection under the Packers' and Stockyards' Act, 1921, as amended, was announced as next in order.

Mr. LANGER. Mr. President, may we have an explanation of the bill?

Mr. SMITH. Mr. President, there has been a good deal of controversy about the bill since it was introduced. Persons from the State of Texas are very much interested in it. They wanted the bill, if possible, to be recommitted to the committee so that they might be heard. In connection with routine matters handled by the committee, the bill was reported favorably. Several members of cattle organizations have asked that the bill be recommitted to the committee. I do not know anything about the matter of branding cattle and eliminating theft. I suggested to those who came to me that they go to the Senator from Texas [Mr. CONNALLY]. Whether they have done so I do not know. So far as members of the committee are concerned, everyone seemed to be informed about the measure, and it was discussed and favorably reported. Since then there seems to have been wide demand for reconsideration. I wonder if the Senator from Texas will join me in asking that the bill be recommitted to the committee so that the interested parties may have a hearing.

Mr. CONNALLY. Mr. President, if the Senator wishes to request that the bill be recommitted to the Committee, I shall not object, of course.

Mr. SMITH. I told those who came to me that I was not in position to have sufficient knowledge of the subject. They simply asked that the bill be recommitted and that they be given an opportunity to be heard.

Mr. CONNALLY. Of course, I agree with the Senator from South Carolina that since the bill was reported there has arisen a controversy and a contest between certain cattle associations within my State, and I assume among cattle associations in other States. I have just received some telegrams today protesting against the bill, and I want to be fair to the Senate in advising it of that fact. I will state what the bill provides. Under the present law the Secretary of Agriculture has authority to designate an agency within a State, either a State agency such as the State's department of agriculture, or if not a State agency, an association of livestock producers——

Mr. SMITH. With certain qualifications.

Mr. CONNALLY. In the bill there are certain qualifications. That is what I was coming to. Under the old law the Secretary is not restricted as to qualifications, and so on. He can designate the agency, and the agency is permitted to charge a small fee, 5 cents, as I recall, for inspecting cattle in cattle markets, inspecting the brands. That is because in many States a brand is about the only identification of cattle. The purpose is, of course, to prevent theft and to trace cattle, and so on.

In my own State there are two large cattle associations, the Texas Southwestern Cattle Association, which is a very large one, and the Gulf Coast Cattle Association. The bill is so drawn that in the selection of the association or agency the Secretary of Agriculture must consider its financial standing and ability to perform its agreements, its representative character in the industry, and many other things. Of course, the Gulf Coast Cattle Men's Association, which is a smaller association, insists that the standard of qualification will force the selection of the larger organization, and therefore exclude it from any participation in the inspection service, and that the larger association will finance itself out of the fees which would be paid. I, of course, am somewhat embarrassed by the contest between these two organizations.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. I was merely going to suggest that it seems from statements made here that the bill really ought to go back to the committee, and I am willing to assume the responsibility of moving that the bill be recommitted.

Mr. CONNALLY. If the Senator from Kentucky makes such a motion I shall not object to it.

Mr. BARKLEY. If the Senator will yield——

Mr. CONNALLY. I yield.

Mr. BARKLEY. I move that the bill be recommitted to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The question is on the motion of the Senator from Kentucky [Mr. BARKLEY] that the bill be recommitted to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. CONNALLY. Mr. President, I should like to express the hope that the Senator from South Carolina will secure early action on the measure in his committee and give those interested an opportunity to fight the matter out.

Mr. SMITH. I promise that. I had previously promised those who asked me about the matter that if the measure went back to the committee they would be given an opportunity to be heard, if they availed themselves of it.

Mr. CONNALLY. Let me say, in addition, Mr. President, that, of course, the Texas Southwestern Cattle Men's Association is the dominant and the larger organization and is more representative of the cattle industry over the entire State than is any other association, but, of course, the other associations are probably entitled to a hearing before the committee, and if the Senator from South Carolina will expedite consideration and hearing in the committee I think it will tend to clarify the situation.

Mr. SMITH. I do not know a thing about the matter, Mr. President, but we will know about it before we get through with it.

Mr. LANGER. Will the Senator give me notice of the hearing on the matter?

Mr. SMITH. Yes.

Mr. LANGER. I thank the Senator.

BILL PASSED OVER

The bill (S. 1358) to amend section 1 of the act entitled "An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for rehabilitation and for other purposes," approved February 11, 1936, was announced as next in order.

Mr. McNARY. Mr. President, I should like to have an explanation of the measure.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The present occu-

pant of the chair objects and asks that the bill go over.

PROTECTION OF WALRUSES IN ALASKA

The bill (H. R. 1606) for the protection of walruses in the Territory of Alaska was considered, ordered to a third reading, read the third time, and passed.

ADMISSION OF CERTAIN PERSONS TO ST. ELIZABETHS HOSPITAL

The Senate proceeded to consider the bill (H. R. 4498) to provide for the admission to St. Elizabeths Hospital of insane persons belonging to the Foreign Service of the United States, which had been reported from the Committee on the District of Columbia with amendments, on page 1, line 7, after the word "officers", to strike out "or employees"; in the same line, after the words "defined in", to insert "section 2 of"; in line 9, after "U. S. C. 2)", to insert "or who are clerks in the Foreign Service classified as provided in section 1 of the act of February 23, 1931 (46 Stat. 1207; U. S. C. 23 (a)), or who are employees in the Foreign Service and stationed outside the United States"; and on page 2, line 8, after the word "establish" and the period, to insert:

Upon the ascertainment of the legal residence of persons so admitted to the hospital, the superintendent of the hospital shall thereupon transfer such persons to their respective places of residence, and the expenses attendant thereon shall be paid from the appropriation for the support of the hospital.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF DISTRICT OF COLUMBIA TRAFFIC ACT

The Senate proceeded to consider the bill (H. R. 4131) to amend the District of Columbia Traffic Act, as amended, which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and to insert in lieu thereof the following:

That the proviso in subsection (c) of section 6 of the District of Columbia Traffic Act, 1925, as amended, is amended to read as follows: *"Provided,* That hereafter congressional tags shall be issued by the Commissioners under consecutive numbers, one to each Senator and Representative in Congress, one to each of the elective officers of the Senate and the House of Representatives, and one to each officer and employee employed by or assigned to the service of the legislative branch of the Government (not, however, including clerks or assistant clerks to Senators, to Members of the House of Representatives, or to standing or select committees of the Senate or House of Representatives) whose need therefor is certified to by the Secretary of the Senate or the Clerk of the House of Representatives; and such tags shall be for the official use of the persons to whom issued, and, when used by them individually while on official business, shall authorize them to park their automobiles in any available curb space in the District of Columbia, except within fireplug, fire house, loading station, or loading platform limitations; and such tags shall not be assigned to or used by persons other than those to whom they are issued."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONSTRUCTION OF CERTAIN PUBLIC WORKS BY WAR DEPARTMENT IN THE DISTRICT OF COLUMBIA

The bill (H. R. 5146) to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938, was announced as next in order.

Mr. McNARY. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. The Senator from Oregon requests an explanation of the bill, which was reported from the Committee on Military Affairs by the Senator from South Dakota [Mr. GURNEY].

Mr. GURNEY. Mr. President, I am sure that some other member of the committee can better explain the bill than I can. I do not have any detailed information on the subject.

Mr. THOMAS of Utah. Mr. President, the Congress has already provided for a new building for the Army Medical Library and Museum, and the bill merely provides money for the purchase of land, and allows the Secretary of War to proceed under the authority granted therein.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. TAFT. Is any location decided upon or may the Secretary place the building anywhere he chooses in the District of Columbia?

Mr. THOMAS of Utah. I think the location has already been decided upon by the proper authorities, and in order that the building may be properly placed in the proper surroundings additional land is necessary, and an extra appropriation is necessary to buy the land. The location is in close proximity to the Library of Congress and the Folger Library. It will be in this part of the District of Columbia.

Mr. TAFT. In the absence of the chairman of the Committee on Public Buildings and Grounds, I wish to say that bills of this nature, in my opinion, should go to that committee, and always have gone to that committee. I do not believe that each department should have authority to construct such buildings as it may desire without general consideration of the whole building plan of the District of Columbia. I know that the chairman of the Committee on Public Buildings and Grounds, the senior Senator from Connecticut [Mr. MALONEY], feels very strongly that all measures dealing with the construction of public buildings in the District of Columbia should be referred to his committee. That is what the committee is for, principally. It has no other important function.

Mr. THOMAS of Utah. Mr. President, I have no argument with that statement; but I think the Senator from Ohio will find that all the various preliminaries have been gone through with. The bill was referred to the Military Affairs Committee. It has already passed the House of Representatives, and it has been favorably reported by the Military Affairs Committee. All the preliminaries in regard to the building have been decided upon. The plans have been approved. The location has been selected in accordance with the law and in accordance with the scheme which has been operating in the District of Columbia for some time.

Mr. TAFT. Mr. President, I may not object to the bill at all, but I do object to its consideration at this time, until I may have an opportunity to confer with the chairman of the Committee on Public Buildings and Grounds.

The PRESIDING OFFICER. The bill will be passed over.

ARMY MAIL CLERKS AND ASSISTANT ARMY MAIL CLERKS

The bill (S. 1533) authorizing the designation of Army mail clerks and assistant Army mail clerks was announced as next in order.

Mr. THOMAS of Utah. Mr. President, House bill 4769, No. 673 on the calendar, is an identical bill. I suppose the proper parliamentary procedure is to substitute the House bill for the Senate bill and consider the House bill now. If that is done, I wish to offer a simple amendment to the House bill.

The PRESIDING OFFICER. Is there objection to the consideration of House bill 4769 in lieu of Senate bill 1533?

There being no objection, the Senate proceeded to consider the bill (H. R. 4769) authorizing the designation of Army mail clerks and assistant Army mail clerks.

Mr. THOMAS of Utah. Mr. President, in line 3 of the House bill I offer an amendment to strike out the words "United States Army" and insert in lieu thereof the words "Army of the United States."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1533 will be indefinitely postponed.

BILL PASSED OVER

The bill (S. 1772) to authorize Army officers designated by the Secretary of War to take final action on reports of survey and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, destruction of Government property was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

TEMPORARY APPOINTMENTS OF OFFICERS IN THE ARMY

The joint resolution (H. J. Res. 199) to authorize temporary appointments of officers in the Army of the United States was announced as next in order.

Mr. WALSH. Mr. President, I should like to have an explanation of the joint resolution.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). An explanation is called for.

Mr. WALSH. Particularly I should like to call attention to some language which appears to me to be very sweeping. I refer to the following provision:

That during the present emergency temporary appointments as officers in the Army of the United States may be made, under such regulations as the President may prescribe, from among qualified persons without appointing such persons as officers in any particular component of the Army of the United States. All persons so appointed as officers shall be commissioned in the Army of the United States and may be ordered into the active military service of the United States to serve therein for such periods of time as the President may prescribe.

I should like to have an explanation.

Mr. THOMAS of Utah. Mr. President, I think the explanation of the joint resolution is very simple. The rapid expansion of the Army in the present emergency has made it necessary to give to the Secretary of War and the commanding general of the Army powers which have always been given them in wartime. The reason why the appointments should be made in the Army of the United States is merely to protect the various components of the Army of the United States and the regular appointments in the Army. It is not proper to appoint in a temporary capacity in the National Guard, the Regular Army, or the Reserve Corps.

Mr. WALSH. Could the Secretary of War designate any civilian and say, "You have a commission in the Army"?

Mr. THOMAS of Utah. No. Nothing loose like that could be done. The person appointed must meet all the qualifications for appointment in the Army of the United States.

Mr. WALSH. In the Navy commissions are issued and appointments are made, but the appointees must go into some branch of the Navy, such as the Intelligence Corps, the Supply Corps, or some other corps. There is no such thing as a "foot-loose" naval officer, if I may use that expression. As I read the joint resolution, it seems to provide for "foot-loose" Army officers. I do not mean to use that term offensively. It seems to provide for Army officers who have no relationship to any branch, corps, or group in the Army. That is what troubles me about it. I can understand that the Secretary of War ought to have authority to make promotions, but the joint resolution seems to go into the field of giving commissions to civilians who the Secretary of War thinks possess certain qualifications, which may not be the qualifications fixed by the regulations of the Army.

Mr. THOMAS of Utah. I can assure the Senator from Massachusetts that all the safeguards placed around appointments of persons in the Army will be respected. The Army of the United States has been set up by law. It includes all the various components. No one would be appointed a lieutenant or a captain in the Army of the United States without being detailed to a particular component.

Mr. WALSH. Does not the Secretary now have such power? Any young man may apply for a commission and may receive a commission in the intelligence unit, the Supply Corps, the Field Artillery, the aviation unit, or any other unit. It seems to me that the joint resolution would permit a foot-loose commission.

Mr. THOMAS of Utah. Mr. President, it may seem to be foot-loose, but it was not foot-loose in the World War, and the same sort of arrangement worked then. The Senator from Massachusetts assumes that the President or the Secretary of War already has such authority in regard to appointments. We have been informed that such authority does not exist, and that the joint resolution is necessary in order to establish the right to make appointments or to grant commissions in the Army of the United States under the expanding form under which we are now operating, and at the same time not do an injustice to the Regular Army by so greatly enlarging it that we would create a hump, such as was created in the World War, which would interfere with retirements, promotions, and so forth. The appointee would serve during the pleasure of the President and the Secretary of War. He would not take a place in regard to seniority in the Reserve, the National Guard, or the Regular Army; but, of course, in regard to service he would be detailed or attached to some component and would have a definite place in a regiment, division, or branch of the service.

Mr. WALSH. As I understand, the purpose is to give commissions to civilians to serve in the Army but not to be enlisted as a part of the Regular organization and be entitled to promotions and the other advantages which Army officers receive under the general law.

Mr. THOMAS of Utah. That is the purpose.

Mr. DANAHER. Mr. President, I should like to call the attention of the Senator from Massachusetts to the letter which Secretary Stimson wrote and which is incorporated in the report of the committee. I quote:

The enactment of this proposed legislation will enable the War Department to temporarily appoint as officers in the Army of the United States certain specialists whose services are highly desired in connection with particular projects during the present emergency, but whose military knowledge and general qualifications would not justify their retention in a component of the Army of the United States after the emergency has terminated.

So it becomes apparent that the proposed appointees would be civilians, and that they would be specialists, but that they would not be military men. I assume they might be radio commentators or newspaper columnists. I assume that the category might include a young man who ought to accompany some high official on a tour of South America, and who would be given a commission so that he would not be outranked while in that company. I dare say things of that kind must be taken care of under the provisions of some extra special measure such as this.

I understand that at the present time the Reserve Corps has some 85,000 officers who have not yet been called to service. It is plain that it is not military men who are wanted. I do not know what the special services are to be. I do not know why the nominations of candidates for commissions cannot come to the Senate for approval.

In my neighborhood a great many boys are wearing buttons, which the Senator from Utah may not have seen, which read, "We want to be captains, too." How far the thing would be carried under the provisions of the joint resolution I do not know, but I suggest to the Senator from Massachusetts that his questions indicating the need for caution were well directed.

Mr. TAFT. Mr. President, what concerns me about the joint resolution is that it seems to change the whole policy of appointing officers to the United States Army. It is not confined to specialists. If we read further from Secretary Stimson's letter, we find that he says:

It will also enable the War Department to build up, during the emergency, the large corps of officers necessary to properly officer our national-defense forces should the country become involved in war.

That seems to me very clearly to imply a new officers' training school proposal. As I understand, we still have more than 50,000 Reserve officers who have not been called. They spent a great deal of time in qualifying in the R. O. T. C. It seems to me that if the policy of the joint resolution is as has been suggested, it is so important that we ought at least to consider it at some greater length than is possible in connection with the consideration of measures on the calendar at this time.

These officers are appointed without confirmation by the Senate unless they happen to be general officers; and, so far as I can see, once this joint resolution is passed an indefinite number of officers may be appointed in any possible manner, any kind of officers' training schools may be set up, and any policy that we do not even know about may be adopted by the War Department.

I object to consideration of the joint resolution at the present time.

The PRESIDING OFFICER. The joint resolution will be passed over.

RETIREMENT PAY AND HOSPITAL BENEFITS FOR CERTAIN RESERVE OFFICERS

The Senate proceeded to consider the bill (H. R. 3484) to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty, which had been reported from the Committee on Military Affairs with amendments on page 2, line 8, after the word "retirement", to insert "pay"; in line 9, after the word "provisions", to strike out "provided herein," and insert "of the said statute"; and in lines 10 and 11, to strike out "whether disability exists and whether such disability was incurred in line of duty" and insert "of all questions of eligibility for the benefits thereof, including all questions of law and fact relating to such eligibility."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TRAVEL PAY FOR CERTAIN PERSONS DISCHARGED FROM THE ARMY

The Senate proceeded to consider the bill (S. 1782) to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment, which was read, as follows:

Be it enacted, etc., That persons who are hereafter discharged from the Army of the United States or account of fraudulent enlistment may, under such regulations as the Secretary of War shall prescribe, upon discharge, be allowed and paid in those cases in which such persons would otherwise be without funds to meet their immediate needs, a sum not exceeding $10 and be furnished transportation in kind from the place of discharge to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of induction or of last enlistment, except that in the case of a person inducted into the Army under the Selective Training and Service Act of 1940 the cost shall not be greater than to the location of the local board where he first reported for delivery to an induction station, or in the case of a Civilian Conservation Corps enrollee so inducted the cost shall not be greater than to the place where he was selected for enrollment in the Civilian Conservation Corps.

Mr. DANAHER. Mr. President, will the Senator in charge of the bill be kind enough to tell me why on page 2 in lines 7 to 10, inclusive, the provisions of the Army act are extended to Civilian Conservation Corps enrollees?

Mr. THOMAS of Utah. This is a rather humane measure which merely has to do, for example, with a boy who has fraudulently gotten himself into the Army because he has sworn that he is older than he really is, and who subsequently is released. This bill would merely grant him $10 so that he could get home properly, and not be left high and dry in the world. That is all. It grants to the boy who fraudulently gets into the Army the same slight consideration which is given to a man who is released from a jail or a prison so that he will not be entirely penniless.

That is all there is to the bill.

Mr. DANAHER. I thank the Senator from Utah.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PHOTOGRAPHS AND SKETCHES OF MILITARY AND NAVAL OBJECTS

The bill (S. 1707) to prevent the making of photographs and sketches of military or naval reservations, naval vessels, and other naval and military properties, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, I should like to have some explanation of the bill. I can see that great injustice may be done to some casual visitor who, without doing any particular harm, may take a snapshot of an exposed military or naval reservation which has been visited by the public for years, or of a naval vessel. I may be wrong, and I should like to have the bill explained.

Mr. THOMAS of Utah. Mr. President, the purpose of the bill is not to take away the rights of ordinary tourists who want to take pictures in places where the taking of pictures does not matter, but the bill merely seeks to have the commandant at a given post or a given arsenal made responsible for such matters.

Mr. McNARY. I have not read the bill. Does it provide a penalty against one who may take a snapshot of an anchored vessel?

Mr. WALSH. A penalty of a thousand dollars.

Mr. McNARY. Then the penalty does not go to the commandant but to an innocent visitor who may want to take a snapshot so as to be able to take it home to his folks.

I object to the present consideration of the bill.

Mr. THOMAS of Utah. If it is objected to, then no further explanation is necessary, I assume.

Mr. McNARY. I do not want to cut short the Senator from Utah. I am not quite satisfied with the explanation. I have not had an opportunity to read the bill.

Mr. THOMAS of Utah. I am not the sponsor of the bill.

Mr. McNARY. I understand that.

Mr. THOMAS of Utah. I have no objection to it going over; but out of justice to the sponsor of the bill, and because of the fact that it comes here by request, I think it should be stated that the bill grows out of the necessity of giving authority to persons in command of proving grounds, for example, who are not able to control the photographing that has been done at such places, and whose inability to control such photographing or sketching is due to the fact that there is no law to protect them in any action on their part to prevent such photographing. There is a real need for the bill.

Mr. McNARY. That may be. The Senator may have put his finger on the need for some sort of correction. But I assume from the statement made by the able Senator from Massachusetts that a penalty of $1,000 may be assessed against some poor fellow for taking a picture of a naval vessel which perhaps has been anchored at a dock for years.

I do not know; the application of the measure may be too wide. For that reason I object.

The PRESIDING OFFICER. The bill will be passed over.

FILING AND FURNISHING OF COPIES OF CONTRACTS BY DEPARTMENTS OF NAVY, WAR, AND THE INTERIOR

The bill (S. 377) to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes (41 U. S. C., secs. 1, 2, 3 4 4a, 16, 17, 18, and 19) are hereby repealed.

Mr. DANAHER subsequently said: Mr. President, I ask unanimous consent that the committee report made in connection with Senate bill 377, Calendar No. 630, be printed in the RECORD following the action taken by the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report (No. 607) is as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 377) to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes, having considered the same, report favorably thereon, without amendment and with the recommendation that the bill do pass.

The purpose of the bill is to remove the discrimination imposed upon the Departments of the Navy, War, and the Interior by section 3744 of the Revised Statutes as amended. Section 3744 required in effect that the Secretaries of these Departments or any officers under them who are authorized to make contracts, file within 30 days after such contract is made, a copy of the contract, together with all bids, offers, and proposals, in the Returns Office of the General Accounting Office. No other department of the Government is required to take such action.

Sections 3745, 3746, and 3747 of the Revised Statutes merely relate to the procedure under section 3744.

Sections 512, 513, 514, and 515 as amended, of the Revised Statutes, provide for the establishment of the Returns Office and prescribe the duties of the clerk thereof, including the furnishing of copies of returns to persons paying for same.

If section 3744 of the Revised Statutes as amended be repealed, contracts made by the Departments of the Navy War, and the Interior would be filed in the General Accounting Office in the same way as contracts made by other departments of the Government.

The Comptroller General in his annual report for the fiscal year ending June 30, 1931 (pp 21, 22), recommended the repeal of section 3744 of the Revised Statutes and has since indicated his approval of the proposed legislation.

The enactment of the bill would eliminate a needless procedure and duplication of expensive effort, and would serve as a protection against accessibility to public inspection in the case of secret and confidential national-defense contracts.

The bill was introduced at the request of the Navy Department and meets with the approval of the Bureau of the Budget and the Comptroller General of the United States.

The following letters from the Comptroller General are hereby made a part of this report:

GENERAL ACCOUNTING OFFICE,
Washington, March 18, 1941.

Hon. JAMES A. O'LEARY,
Chairman, Committee on Expenditures in the Executive Departments,
House of Representatives.

MY DEAR MR. CHAIRMAN: Further reference is made to your letter of March 11, 1941, acknowledged March 12, requesting an expression of my views with respect to H. R. 3799, Seventy-seventh Congress, which if enacted into law would provide:

"That sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes (41 U. S. C., secs. 1, 2, 3, 4, 4a, 16, 17, 18, and 19) are hereby repealed."

A bill, H. R. 2717, was introduced during the Seventy-sixth Congress to provide for the repeal of sections 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes, and in my letter of November 14, 1940, to you, respecting that bill, I stated:

"* * * If the proposed bill be enacted into law the War, Navy, and Interior Departments will be subject to the same laws with respect to the filing of contracts in the General Accounting Office as are applicable in the case of other departments and establishments, and it is considered that the terms of those laws are sufficiently broad and comprehensive to require the filing of all contract papers that are essential to adequate completion of the contract records. These existing laws have proven sufficiently satisfactory in the case of contracts of these other departments and establishments and no good reason

is perceived why they would not prove sufficient and satisfactory in the case of War, Navy, and Interior Department contracts.

"In addition to the repeal of sections 3744, as amended, 3745, 3746, and 3747, of the Revised Statutes, it is recommended that there be repealed, also, sections 512, 513, 514, and 515, Revised Statutes, as amended by the act of February 4, 1929, 45 Stat. 1147. These latter sections provide for the establishment of a returns office, the filing and indexing of returns, and the furnishing by the clerk of the returns office of copies of such returns to any persons paying therefor at the rate of 5 cents per 100 words. The only copies of contracts to which these latter sections relate are those filed pursuant to section 3744, Revised Statutes, as amended. If sections 3744, as amended, 3745, 3746, and 3747, Revised Statutes, are repealed, the copies and returns therein referred to will no longer be required to be filed in the returns office and, accordingly, the need for a returns office will no longer exist. It is recommended, therefore, that H. R. 2717 be amended to read as follows, and that, as thus amended, it be enacted into law:

"'That sections 512, 513, 514, and 515, as amended by the act of February 4, 1929, and sections 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes (41 U. S. C., secs. 1, 2, 3, 4, 4a, 16, 17, 18, and 19) are hereby repealed.'"

It will be noted that H. R. 3799 upon which you now request my views, constitutes legislation in all respects identical with that which I recommended in said letter for enactment into law.

The proposed legislation would result in no additional cost to the Government; on the contrary, it would eliminate a needless duplication of effort with attending expense. In addition it would serve as a protection against possible accessibility to public inspection of secret and confidential national-defense contracts.

In view of the above it is my opinion that enactment of H. R. 3799 into law is clearly in the public interest.

Sincerely yours,

LINDSAY C. WARREN,
Comptroller General of the United States.

MARCH 21, 1941.

Hon. DAVID I. WALSH,
Chairman, Committee on Naval Affairs, United States Senate.

MY DEAR MR. CHAIRMAN: There has been brought to my attention S. 377, Seventy-seventh Congress, entitled "A bill to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes," pending before your committee.

For the use of your committee in considering S. 377, there is transmitted herewith a copy of my report dated March 18, 1941, to the Honorable JAMES A. O'LEARY, chairman, Committee on Expenditures in the Executive Departments, House of Representatives, on H. R. 3799, Seventy-seventh Congress, the provisions of which are identical with those of said S. 377.

Sincerely yours,

LINDSAY C. WARREN,
Comptroller General of the United States.

Mr. WALSH. Mr. President, the bill is a very simple one. The report explains what the various sections mentioned in the bill are.

MEDALS FOR CERTAIN MEMBERS OF THE PEARY POLAR EXPEDITION

The bill (S. 858) to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–9 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to cause to be made, at a United States mint, silver medals of an appropriate design to be presented, in the name of Congress, to Matthew A. Henson, Capt. Robert A. Bartlett, Ross G. Marvin, Dr. John W. Goodsell, George Borup, and Donald B. MacMillan, in recognition of their efforts and services, as members of the Peary Polar Expedition of 1908–9, in the field of science and for the cause of polar exploration, by aiding in the discovery of the North Pole by Admiral Peary.

SEC. 2. If any of such persons has died, the Secretary of the Navy is authorized to make the award posthumously by presenting such a medal to the widow or other member of the family of such deceased person.

SEC. 3. There is hereby authorized to be appropriated the sum of $500, or so much thereof as may be necessary, for carrying out the provisions of this act.

INCLUSION IN NAVY RATION OF FRUIT JUICES

The bill (S. 1521) to provide that the Navy ration shall include canned or powdered or concentrated fruit juices was announced as next in order.

Mr. DANAHER. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. LANGER. I desire to inquire whether the Army is also included.

The PRESIDING OFFICER. The bill has been passed over. The Senator from Connecticut [Mr. DANAHER] objected to present consideration of the bill.

Mr. LANGER. Very well.

Mr. DANAHER. I will withdraw my objection if the Senator from North Dakota has a comment he wishes to offer.

Mr. LANGER. I wish to find out whether the Army ration includes fruit juices.

Mr. WALSH. I will state that the rations for the Army and the Navy are defined by law. Just what rations can be furnished the Army and the Navy is a matter of law. It is believed, so far as these canned foods are concerned, that the law now permits their use, but not to the percentage—the law being an old law—that might be desirable now that canned fruits are being so widely used.

Mr. LANGER. I wish to say to the Senator from Massachusetts that I am in favor of the bill, but I desire to know why the Army is excluded.

Mr. WALSH. I do not know. I assume that the representatives of the Army will be asking for such a bill if the present law restricts them—I do not know whether it does or not—to the use of a certain percentage of canned fruits and fruit juices.

Mr. LANGER. Would it do any harm to amend the bill so as to include the Army?

Mr. WALSH. I see no objection. Would the Senator from Connecticut be willing?

Mr. LANGER. I should like to know the attitude of the Senator from Connecticut.

Mr. DANAHER. I merely desire to know why we have to legislate in Congress as to how much orange juice a sailor may drink. I do not know anything about the number of vitamins orange juice may contain; and, although it may be so much barreled sunlight, it does not seem to me to be the proper sphere for the Senate to be invading.

I should like to know if there is available anywhere a report by some expert showing that the percentage of orange juice, lime juice, and powdered fruits and concentrates should be increased in order that the Navy men may become better fighters. If they should have such additional ingredients in their diet, and if there is a report on which to act in the matter, I have not been advised concerning it.

Mr. WALSH. I repeat what I said before. The rations for the Navy and the percentage of different food products which can be used are defined by law. The law is an old one, and was enacted before canned fruits and juices became popular and generally in use.

The purpose of this bill is to legalize their use. I will say to the Senator that, in my opinion, the law is not necessary because the Navy now is using fruit juices and will continue to do so. But in view of the fact that there is a general law affecting rations, I think there is no objection to the bill.

Mr. DANAHER. Let me ask the Senator from Massachusetts, Was this bill the result of a request by the Navy Department for such legislation?

Mr. WALSH. I may say to the Senator that my recollection is that the Navy Department did ask for it, and I gave it to the Senator from Florida [Mr. ANDREWS] to introduce because it relates to products from his State.

Mr. DANAHER. I have no objection.

Mr. LANGER. I ask unanimous consent that the bill be amended so that where the word "Navy" appears the words "and Army" will be added, so as to read "Navy and Army."

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Dakota.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The bill was read the third time and passed.

The title was amended so as to read:

A bill to provide that the Navy and Army ration shall include canned or powdered or concentrated fruit juices.

Mr. WALSH. Mr. President, I should like to have the report of the committee printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, the report will be printed in the RECORD.

The report (No. 609) is as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 1521) to provide that the Navy ration shall include canned or powdered or concentrated fruit juices, having considered the same, report it to the Senate without amendment, with the recommendation that the bill do pass.

The enactment of the bill will provide for a greater variety in the Navy ration, particularly during long periods at sea, without any resulting increase in the cost of the ration.

The following comparative cost data are furnished in connection with the consideration of the bill:

Average cost of present fresh-fruit ration	$0.034
Estimated cost of fruit-juice ration	.032
Estimated cost of powdered fruit-juice ration	.025
Estimated cost of concentrated fruit-juice ration	.03

The Navy Department recommends enactment of the bill S. 1521.

The Navy Department has been advised by the Bureau of the Budget that there would be no objection to the submission of this recommendation.

Mr. ANDREWS subsequently said: Mr. President, while I was absent from the Chamber, Senate bill 1521 was passed on the call of the calendar. I understand that an amendment was added to the bill. The bill provides that the Navy ration shall include canned or powdered or concentrated fruit juices.

The bill was introduced at the request of the Navy. I understand that it was amended by adding the word "Army." The bill should be reconsidered, because it should be redrafted if that provision is included in it. I have no request from the Army to put in the provision with respect to powdered or concentrated fruit juices. So I am asking that the vote by which the bill was passed be reconsidered, and that the bill be returned to the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which the bill was passed is reconsidered, and the bill will be returned to the calendar.

CONVEYANCE TO ILLINOIS OF A PORTION OF GREAT LAKES NAVAL TRAINING STATION

The bill (S. 1637) to authorize the conveyance to the State of Illinois, for highway purposes only, of a portion of the Naval Training Station, Great Lakes, Ill., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to convey to the State of Illinois for highway purposes only, upon such terms and conditions as he may prescribe, all right, title, and interest of the United States of America in and to a parcel of land of the Naval Training Station, Great Lakes, Ill., containing two and six hundred and eighty-nine one-thousandths acres, more or less.

SEC. 2. That if any part of the above-described lands herein granted to the State of Illinois shall be used for any other purpose or purposes or shall cease to be maintained by the State of Illinois for the purpose for which granted, such part shall revert to the United States.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

SUBSISTENCE ALLOWANCE FOR AVIATION CADETS

The bill (S. 1677) authorizing subsistence allowance provided for aviation cadets to be paid to messes in manner as prescribed by the act of March 14, 1940 (Public, No. 433, 76th Cong.), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the subsistence allowance provided for aviation cadets in the act of April 15, 1935 (49 Stat. 157; U. S. C., title 34, Supp. V, sec. 843), may be paid to messes in the same manner as prescribed in the act of March 14, 1940 (Public, No. 433, 76th Cong.).

GRANT BY THE NAVY OF CERTAIN LAND TO SAN DIEGO

The bill (S. 1678) to authorize the Secretary of the Navy to grant to the city of San Diego for street purposes a parcel of land situated in the city of San Diego and State of California was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and is hereby, authorized to grant and convey, under such conditions as may be approved by the Secretary of the Navy, to the city of San Diego, State of California, for use as a public street, all right, title, and interest of the United States of America in and to a strip of land containing 5,950 square feet contiguous to Lytton Street between Barnett Avenue and Rosecrans Street, at the United States Naval Training Station, San Diego, Calif.

SEC. 2. That if any part of the above-described lands hereby granted to the city of San Diego shall be used for any other purpose or purposes, or shall cease to be maintained by the city of San Diego for the purpose for which granted, such part shall revert to the United States.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

PAY AND ALLOWANCES FOR CERTAIN OFFICERS AND ENLISTED MEN OF NAVAL RESERVE, MARINE CORPS RESERVE, ETC.

The bill (S. 1701) to provide for pay and allowances and mileage or transportation for certain officers and enlisted men of the Naval Reserve and Marine Corps Reserve and retired officers and enlisted men of the Navy and Marine Corps was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That officers and enlisted men of the Naval Reserve and Marine Corps Reserve and retired officers and enlisted men of the Navy and Marine Corps who were ordered to active duty on or after September 8, 1939, contingent on physical qualification therefor, and who were found physically qualified, and reported for duty under such orders, shall be entitled to active-duty pay and allowances and to transportation or mileage for the time and distances actually required to perform the necessary travel by the shortest usually traveled route from home to place of active duty, via the place of physical examination, and for the time actually required in undergoing the physical examination: *Provided*, That such personnel examined and found not physically qualified for active duty and who returned to the place designated in their orders shall be entitled only to transportation or mileage from home to place of physical examination and return.

SEC. 2. In case of travel heretofore performed by such personnel since September 8, 1939, the Comptroller General of the United States is authorized and directed to allow pay and allowances and transportation or mileage as provided in section 1 of this act.

ADJUSTMENT OF INACTIVE-DUTY PAY OF MEMBERS OF FLEET RESERVE

The bill (H. R. 4338) to provide for adjustment of the inactive-duty pay of certain transferred and retired members of the Fleet Reserve was considered, ordered to a third reading, read the third time, and passed.

RENTAL ALLOWANCES FOR OFFICERS IN CERTAIN CASES

The Senate proceeded to consider the bill (S. 1587) to provide rental allowances for officers without dependents on sea duty when deprived of quarters on board ship, which had been reported from the Committee on Naval Affairs with an amendment, on page 1, after line 2, add section 2, so as to make the bill read:

Be it enacted, etc., That hereafter officers of the Navy and Marine Corps on sea duty, who are deprived of their quarters on board ship due to repairs or other conditions which render them uninhabitable, and in cases where the hire of quarters is not practicable, may be reimbursed for expenses incurred in an amount not exceeding their quarters allowance, under such regulations as the Secretary of the Navy may prescribe.

SEC. 2. This act shall apply to officers of the Coast Guard, subject to the regulations prescribed by the Secretary of the Navy when serving under the Navy, and to regulations prescribed by the Secretary of the Treasury when serving under the Treasury Department.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION WORK FOR THE NAVY

The bill (H. R. 5312) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, my attention was distracted from the calendar for a moment. I should like to have an explanation of this bill.

Mr. WALSH. Mr. President, from time to time, when and after their plans for and studies of the needs of the Navy have been made, the Navy Department presents bills to the Committee on Naval Affairs asking authority to proceed with the construction of certain public works. This is one of several bills dealing with the expansion of public works on the part of the Navy. The items are very numerous and cover a large number of undertakings in places where there are Navy establishments.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WALSH. Yes.

Mr. BARKLEY. I am advised that the Senator from Illinois [Mr. LUCAS] has an amendment to this bill, which is at the desk. He is temporarily absent, and I therefore suggest that the bill be passed over.

Mr. WALSH. It is desirable that action be taken on the bill as soon as possible, but, of course, I am willing to accede to the Senator's request. As the Senator knows, an appropriation bill covering these items is pending.

Let me add further, in reply to the Senator from Oregon, so that the RECORD may show the fact, that the total amount to be authorized is $244,929,800. In addition to projects previously authorized which this bill will permit to be completed, improved, or expanded, the bill covers the following items: Submarine base, Wake Island; naval magazine, Gulf coast area; naval air station, Whidby Island, Wash.; naval air station, Barbers Point, Hawaii; and naval radio station, Cape May, N. J. The list is a long one.

I will say to the Senator that this is only one of many similar bills to be proposed providing for public works which the Navy feels it is necessary to undertake in order to carry out their expansion program.

Mr. McNARY. Mr. President, the bill appears to grant very large and broad authority to the Secretary of the Navy. The explanation of the Senator is very satisfactory. He gives an outline of the construction to be undertaken, but the reading of the title of the bill indicates that we are about to clothe the Secretary of the Navy with carte blanche authority to construct any kind of a building at any place he might desire. He is limited, doubtless, by the record the Senator has placed before us.

Mr. WALSH. There is a break-down of the items and the appropriations for each. Of course, the bill was based upon estimates of the Navy Department. It embraces medical activities, aviation facilities, radio stations, fuel and supply depots, Marine Corps activities, and miscellaneous projects.

Mr. McNARY. I assume the committee had the break-down before it?

Mr. WALSH. Yes.

Mr. McNARY. And that it knows precisely what the Secretary of the Navy is going to do in each instance, and that the bill met with the favor of the committee? Is that correct?

Mr. WALSH. That is correct.

Mr. McNARY. I have no objection.

Mr. WALSH. May we have the amendment, which the Senator from Illinois [Mr. LUCAS] desired to offer, read? It may be acceptable to the committee.

The PRESIDING OFFICER. The Chair understood that this bill was to go over temporarily?

Mr. BARKLEY. Yes.

Mr. WALSH. I suggest that the amendment proposed by the Senator from Illinois [Mr. LUCAS] be stated. It may be acceptable. Would that be agreeable to the Senator from Kentucky?

Mr. BARKLEY. I do not know anything about the amendment.

Mr. WALSH. It might be acceptable.

Mr. BARKLEY. I think it involves an additional amount of $185,000, or some such sum.

Mr. WALSH. I ask that the amendment be read.

The legislative clerk read the amendment intended to be proposed by Mr. LUCAS, as follows:

On page 4, line 9, after the word "including", insert "a chapel", and on page 4, line 10, to strike out the figures "$5,595,000" and insert in lieu thereof "$5,780,000."

Mr. WALSH. I assume that probably there will not be any objection to that amendment if the Navy Department agrees to it; but I think we had better wait until we hear from the Navy Department.

The PRESIDING OFFICER. The bill will be passed over temporarily.

INVESTIGATION OF CHARGES OF CONVOYING AND DESTRUCTION OF GERMAN VESSELS

The resolution (S. Res. 138) authorizing an investigation of charges that American naval vessels are convoying ships or have destroyed German naval vessels, submitted by Mr. WHEELER and reported without recommendation by the Committee on Naval Affairs, was announced as next in order.

Mr. WALSH. Mr. President, when the report of the committee on the resolution was made some days ago there was a discussion as to what was the proper disposition to be made of the resolution. As the Members of the Senate know, the report was printed in the RECORD, and shows the result of a complete investigation of the allegations contained in the resolution. There appears to be nothing more to do about it. Therefore I move that the resolution be indefinitely postponed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

LEIF ERIKSON DAY

The Senate proceeded to consider the joint resolution (S. J. Res. 78) requesting the President to proclaim October 9 as Leif Erikson Day, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 4, after the word "designating", to strike out "October 9 of each year" and insert "October 9, 1941", so as to make the joint resolution read:

Resolved, etc., That the President of the United States is hereby authorized and requested to issue a proclamation designating October 9, 1941, as Leif Erikson Day and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution requesting the President to proclaim October 9, 1941, as Leif Erikson Day."

SUSANNAH SANCHEZ

The bill (S. 1708) for the relief of Susannah Sanchez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Susannah Sanchez, Rio Hato, Republic of Panama, the sum of $1,000 in full satisfaction of her claim against the United States on account of the death of her minor son, Louis Sanchez, on December 17, 1940, as the result of the explosion of a 37 mm. dud shell in the yard of their home in the eastern part of the Gunnery Range, Department Training Center, Rio Hato, Republic of Panama: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SIOUX SKYWAYS, INC.

The Senate proceeded to consider the bill (S. 1363) for the relief of Sioux Skyways, Inc., which had been reported from the Committee on Claims with amendments, on page 1, line 5, after the words "sum of", to strike out "$1,837" and insert "$1,750", and at the end of the bill to add a proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,750 to Sioux Skyways, Inc., of Sioux Falls, S. Dak., in full satisfaction of its claim against the United States for damages sustained to its Luscombe landplane *NC 28609*, growing out of a collision with United States Navy J2F-3 airplane *No. 1571* at the Sioux Falls Municipal Airport, Sioux Falls, S. Dak., on March 13, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUISE HOLCOMBE, GEORGE HOLCOMBE, AND CLIFF EVANS

The Senate proceeded to consider the bill (H. R. 4100) for the relief of the legal guardian of Louise Holcombe, a minor, George Holcombe, and Cliff Evans, which had been reported from the Committee on Claims with amendment, on page 1, line 5, after the words "sums of", to strike out "$575" and insert "$200"; in line 6, after the name "Holcombe", to strike out "a minor; $76.25 to George Holcombe; and $30 to Cliff Evans, all" and insert "a minor, and $36.25 to George Holcombe"; and in line 10, after the word "injuries", to strike out "the value of lost time."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act for the relief of the legal guardian of Louise Holcombe, a minor, and George Holcombe."

GEORGE WELLS AND MAMIE H. WELLS

The bill (S. 1581) for the relief of George Wells and Mamie H. Wells, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Wells, of Plains, Mont., the sum of $750, and to Mamie H. Wells, of Plains, Mont., the sum of $250, in full satisfaction of their respective claims against the United States for compensation for personal injuries sustained by them when the automobile in which they were riding was struck by a Civilian Conservation Corps truck in the Cape Creek tunnel, Oregon, on November 10, 1940: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon

conviction thereof shall be fined in any sum not exceeding $1,000.

VICTOR M. LENZER

The bill (S. 1655) for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Victor M. Lenzer, former special agent, Department of Labor, the sum of $139.79, public funds for which he is accountable, and which were paid by him in good faith to employees of the United States traveling, but not stationed, in foreign countries, for exchange losses, according to his interpretation of the rules then in effect governing such payments.

HERMAN R. ALLEN

The bill (H. R. 1354) for the relief of Herman R. Allen, was considered, ordered to a third reading, read the third time, and passed.

JOHN HENRY HESTER

The Senate proceeded to consider the bill (H. R. 4529) for the relief of John Henry Hester, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of" to strike out "$5,000" and insert "$2,500".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FRANKLIN STENCIL AND DOMONIC STENCIL

The bill (H. R. 191) for the relief of Franklin Stencil and Domonic Stencil, was considered, ordered to a third reading, read the third time, and passed.

EMILY BARLOW

The bill (H. R. 1576) for the relief of Emily Barlow was considered, ordered to a third reading, read the third time, and passed.

WADE H. ERWIN AND BONNIE ERWIN

The bill (H. R. 2010) for the relief of Wade H. Erwin was considered, ordered to a third reading, read the third time, and passed.

IVAN RICHARD WITCHER AND NELLIE WITCHER

The bill (S. 1430) for the relief of Ivan Richard Witcher and Nellie Witcher was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Ivan Richard Witcher and Nellie Witcher, the father and mother, respectively, of William Dale Witcher, a minor, who was killed in an automobile accident which occurred on the Pacific Highway, U. S. No. 99, about 3 miles south of Sutherlin, Oreg., on July 31, 1940, when the truck in which he was riding was struck by a truck owned by the United States and operated by the United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MARY S. GAY

The bill (S. 1479) for the relief of Mary S. Gay was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the provisions of section 38 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, are hereby waived in connection with overpayments aggregating $1,200.01, made to Mary S. Gay, nee Mary M. Sauser, as disability compensation under the said act by reason of an erroneous report made by the United States Veterans' Administration, without her knowledge, in respect to the pay received by her at the time of injury.

JOSEPH V. BRODERICK

The bill (S. 1650) for the relief of Joseph V. Broderick was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General is authorized and directed to allow credit in the account of Joseph V. Broderick, collector of internal revenue for the district of Rhode Island, in the sum of $1,000, representing the value of certain stock-transfer internal-revenue stamps which have been lost by his office.

WALTER N ANDERSON

The Senate proceeded to consider the bill (S. 1428) for the relief of Walter N. Anderson, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "$5,000" and insert "$2,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter M. Anderson, of Reedsport, Oreg., the sum of $2,500, in full settlement of all claims against the United States Government on account of permanent injuries sustained by the said Walter M. Anderson when an automobile occupied by him was struck by a Civilian Conservation Corps truck on the 4th day of August 1936, at a point on the Umpqua River bridge on the Coast Highway near Reedsport, Oreg.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEWIS JONES

The bill (H. R. 2753) for the relief of Lewis Jones was considered, ordered to a third reading, read the third time, and passed.

GILBERT E. JACKSON AND HELEN JACKSON

The Senate proceeded to consider the bill (H. R. 647) for the relief of Gilbert E. Jackson and Helen Jackson, individually and as the natural guardians of Edward Jackson, a minor, which had been reported from the Committee on Claims with an amendment, on page 1, line 7, after the word "to", to strike out "Gilbert E. Jackson and Helen Jackson, as natural guardians", and insert "the legal guardian."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of Gilbert E. Jackson and Helen Jackson, individually, and to the legal guardian of Edwin Jackson, a minor."

JOHN S. SMALL

The bill (H. R. 2182) for the relief of John S. Small was considered, ordered to a third reading, read the third time, and passed.

RAYMOND W. REED AND ROSE REED

The bill (H. R. 2212) for the relief of Raymond W. Reed and Rose Reed was considered, ordered to a third reading, read the third time, and passed.

MARGARET S. HOLTEN

The bill (H. R. 2434) for the relief of Margaret S. Holten was considered, ordered to a third reading, read the third time, and passed.

TONY CIRONE

The bill (H. R. 4045) for the relief of Tony Cirone was considered, ordered to a third reading, read the third time, and passed.

C. D. HENDERSON

The Senate proceeded to consider the bill (S. 904) for the relief of C. D. Henderson, which had been reported from the Committee on Claims with an amendment on page 1, line 6, after the words "sum of", to strike out "$1,000" and insert "$500."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NORMAN CARLIN BROWN, JR.

The bill (H. R. 1352) for the relief of Norman Carlin Brown, Jr., a minor, was considered, ordered to a third reading, read the third time, and passed.

REGINALD H. CARTER, JR.

The Senate proceeded to consider the bill (S. 1695) for the relief of Reginald H. Carter, Jr., which had been reported from the Committee on Claims with amendment, on page 1, line 4, after the word "allow", to insert "under the applicable appropriations for fees of commissioners, United States courts", and in line 10, after the word "to", to strike out "20" and insert "19", so as to make the bill read:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to settle and allow under the

applicable appropriation for fees of commissioners, United States courts the claims of Reginald H. Carter, Jr., United States Commissioner, at New Orleans, La., for fees otherwise properly due for services rendered by him during the periods December 17, 1940, to January 31, 1941, and February 1 to 19, 1941, such claims having been disallowed by the General Accounting Office on settlements of claims numbered 064391 (1) and 064391 (33), dated April 28, 1941, and June 9, 1941, respectively, for the reason that such services were rendered by the said Reginald H. Carter, Jr., between the date his appointment as United States Commissioner expired and the date he was reappointed.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CARR CHINA CO.

The bill (H. R. 2431) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon, the claim of the Carr China Co. was considered, ordered to a third reading, read the third time and passed.

EVA MUELLER

The Senate proceeded to consider the bill (S. 807) for the relief of Eva Mueller, which had been reported from the Committee on Claims with an amendment on page 1, line 6, after the words "sum of," to strike out "$2,076.75," and insert "$591.65"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eva Mueller, of Lincoln, Nebr., the sum of $591.65, in full satisfaction of all claims against the United States for reimbursement of medical, hospital, and other expenses incurred by her or her husband, and for compensation for personal injuries sustained by the said Eva Mueller and her minor daughter Maryln Mueller, as a result of the collision near Gallup, N. Mex., on January 8, 1939, of the car in which they were riding with an Office of Indian Affairs truck operated by Pierce Denetclaw, an employee of such office: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REIMBURSEMENT FOR LOSSES BY FIRE AT PARKER DAM, ARIZ.

The bill (S. 1649) to authorize the payment of certain claims of employees of the Bureau of Reclamation arising out of the loss of tools destroyed by fire at Parker Dam, Ariz., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to pay, out of any moneys appropriated for construction of the Parker Dam power project, Arizona, as compensation to the following employees of the Bureau of Reclamation for loss of their tools in a fire which destroyed the warehouse and shop building maintained by the Bureau of Reclamation at Parker Dam, Ariz., on June 28, 1940: To James E. Barrett, the sum of $150; to John Johnston, the sum of $172.58; to Richard C. Hudson, the sum of $5.90; to Thomas H. Dieu, the sum of $55.12; to Hugh S. Watters, the sum of $257.18; to Nick Latkovich, the sum of $78.53; to Andrew E. Lofstedt, the sum of $83.98; to John W. Stone, the sum of $127.50; to Allen L. Jones, the sum of $158.82; to Tonie L. Ellerkamp, the sum of $251.39; to Arnie A. Nyholm, the sum of $12.68; to John W. Alewine, the sum of $10.95; to Homer B. Coleman, the sum of $56.75; and to Graham Kiehl, the sum of $137.81: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

BILL PASSED OVER

The bill (H. R. 1057) to establish a system of longevity pay for postal employees was announced as next in order.

Mr. BARKLEY. I wish to state that the Senator from Tennessee [Mr. McKELLAR], chairman of the Committee on Post Offices and Post Roads, desires that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

WILDLIFE RESTORATION

The bill (H. R. 587) to extend the provision of the act entitled "An act to provide that the United States shall aid the States in wildlife restoration projects and for other purposes," approved September 2, 1937, was considered, ordered to a third reading, read the third time, and passed.

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 35) proposing an amendment to the Constitution of the United State providing for national representation for the people of the District of Columbia, which had been reported from the Committee on the Judiciary adversely, was announced as next in order.

Mr. McNARY. Mr. President, the able senior Senator from Kansas [Mr. CAPPER] was called from the Chamber. In his absence, he asked that the joint resolution go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

TERMS OF DISTRICT COURT, WESTERN DISTRICT OF TENNESSEE

The bill (S. 1207) to change the times for holding terms of the district court for the eastern division of the western district of Tennessee, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the sentence of section 107 of the Judicial Code, as amended (U. S. C., title 28, sec. 188), which reads: "Terms of the district court for the western division of said district shall be held at Memphis on the first Mondays in April and October; and for the eastern division at Jackson on the fourth Mondays in March and September", be, and the same is hereby, amended to read as follows: "Terms of the district court for the western division of said district shall be held at Memphis on the first Mondays in April and October; and for the eastern division at Jackson on the third Mondays in May and November."

INJURY OR DESTRUCTION OF WAR MATERIAL, ETC.

The bill (H. R. 3752) to amend an act entitled "An act to punish the willful injury or destruction of war material or of war premises or utilities used in connection with war material, and for other purposes, approved April 20, 1918, as amended November 30, 1940," was considered, ordered to a third reading, read the third time, and passed.

HARRY F. BAKER

The bill (S. 1813) for the relief of Harry F. Baker was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of Harry F. Baker, of Rockland, Del., in the sum of $601.19, said amount representing payments made to Harry F. Baker for services rendered as postmaster while also holding an appointment with the Federal Housing Administration in contravention of the dual-compensation statutes.

The PRESIDING OFFICER. That completes the calendar.

DISCRIMINATION AGAINST AMERICAN COTTON BY FEDERAL GOVERNMENT

Mr. EASTLAND. Mr. President, I have always known that there was grave discrimination against the South in the policies of the American Government. However, until I came to Washington in an official capacity I never dreamed of the great discriminations and malicious injustices practiced and attempted to be practiced against the South and southern agriculture by certain high officials of this Government.

I do not today intend to discuss the two great punitive discriminations that have existed for years—the protective tariff, which has siphoned our wealth to the protected States, built up vast fortunes there, left us impoverished, cost us our foreign markets for cotton, and threatens now to destroy the cotton industry in the United States; and the freight-rate inequality, which makes it impossible for the products of southern farms and factories to compete on an even basis with the products of other sections of this Nation. These questions will be discussed on another day. I rise today to discuss the events of grave discrimination of the past 60 days, which are of most serious import to the South.

There has just come to my attention a situation so astounding and so unjust that I can no longer restrain myself. Canadian textile mills during the last 2 months have received large orders from American firms for duck and other heavy military fabrics and are manufacturing these goods for America from Brazilian cotton instead of from American-grown cotton.

The textile mills of the United States are running at their full capacity. Some 2 months ago an agreement was worked out between officials of the American and Canadian Governments whereby the productive capacities of American and

Canadian mills were pooled, so that the combined production of needed products would be greater than if each country tried to meet its own needs. In keeping with this agreement, Canadian mills are receiving large orders that American mills cannot fill; and these Canadian mills are filling orders for heavy cotton goods from American mills with Brazilian cotton. These overflow orders from the United States will insure high mill activity in Canada for a long period of time in the future, and Canadian mills have accumulated a 6-month supply, or 200,000 bales of Brazilian cotton. This cotton is now largely stored in Boston awaiting shipment to Canada. In fact, Canada is expanding its textile industry to fill orders for America, thus increasing the market for Brazilian cotton.

Canadian cotton mills have for many months used large supplies of Brazilian cotton instead of American cotton. This startling information comes to us pridefully from the July issue of the Cotton Situation, an official publication of the Department of Agriculture.

The Senator from Texas [Mr. O'DANIEL] and I have therefore introduced this day a bill which prohibits any money hereafter or heretofore appropriated by the American Congress from being used to purchase or acquire raw cotton or any article containing cotton unless such cotton was grown in the United States, and which further provides that any contract now in existence for the purchase with Federal funds of goods manufactured from foreign-grown cotton is void, and that no money of the United States Government shall be used to pay for the military goods now being manufactured by Canadian mills from Brazilian cotton.

Mr. President, the bill the Senator from Texas and I have introduced does not interfere with the laudable purposes of the Secretary of State in promoting good will among neighbors nor is it an artificial barrier erected for the purpose of controlling trade between friendly nations. The South has been victimized for years through such legislation. A man who has spinach to sell another man does not become a bad neighbor merely because he has an abundance of spinach in his own garden, and for that reason he declines to buy spinach which he does not need.

America needs no Brazilian cotton nor is it in the interest of either the United States or Brazil for the United States to encourage acreage expansion of cotton in Brazil, or anywhere else, when this Government is spending millions to curtail acreage at home. The people of Brazil are a great and intelligent people. They know that enlightened self-interest on the part of both Governments is the greatest agency for the promotion of good will between governments, and they cannot be fooled, flattered, or cajoled by the beacon of a market they cannot hope to hold.

What could be more unjust to a great section of this country than to have American military equipment, which is paid for by the American taxpayers' money, manufactured from Brazilian cotton? In other words, the South, with the greatest cotton surplus in history, is being taxed to purchase Brazilian cotton. The purchase of this Brazilian cotton stimulates the increase in cotton acreage in Brazil. It helps further to increase the surplus of American cotton. It taxes the South to dig her own grave.

Mr. President, the United States is puffing under the great load of surplus cotton. Its farmers are insolvent. The acreage has been so restricted that a cotton grower working from sun to sun cannot from his labor earn a decent living. The South has been described as economic problem No. 1—ill-housed, ill-fed, ill-clothed. It is admittedly bankrupt; and with this concededly fearful condition we find the economic directors of the American Government thinking it is all right for American orders for heavy cotton goods to be filled by goods made from foreign cotton.

Mr. President, one would think that our economic experts, if they really desired American agricultural prosperity, would at least be smart enough to insist that when American orders go out to a foreign country, a supply of American-grown cotton should go along with them.

Exports of American cotton this year were only a little over a million bales, the lowest since the Civil War. If the Government should only insist that American cotton be used by Canadian mills, these pitifully low exports could be increased by 400,000 bales of cotton, or over 33⅓ percent.

Under the lease-lend bill, Mr. President, millions of dollars have been appropriated by the Congress to manufacture and purchase implements of war, and these implements are then being lent or given to Canada and Great Britain. We are piling up a debt of billions of dollars that must be and will be sweated from Americans—from southerners as well as from the American citizenship of every walk of life and every section of this country.

American blood is pledged to defend Canada. We are her protector; we are her benefactor; and it appears that in all justice she should desire to use American products wherever possible instead of discriminating against the products of her savior, her protector, her benefactor, her friend, and her good neighbor.

However, Mr. President, in this instance the Canadians are not to be so strongly condemned as are the officials of our Government who would permit American orders for military fabrics to be filled by fabrics made from foreign cotton which competes with the product of our own citizenship. Since our own officials are bent upon injuring the cotton growers of the South, Congress should take action to see that every article purchased by Federal money is, wherever possible, manufactured from the products of the farms, the mines, and the forests of America.

But, Mr. President, this Brazilian cotton deal is only one of the gross injustices perpetrated against the South by high governmental officials.

Cottonseed is one of the great money crops of the South. Millions of farmers—the poorest of the poor, whose low standard of living is caused solely by the punitive discrimination against the South which has existed since the Civil War, and which low standard of living is a disgrace to and a reflection upon rich and powerful America—depend largely upon their gin rebate or the money from their cottonseed for a living during the fall season of the year. They live largely upon their cottonseed while the crop is being harvested. Cottonseed oil is the principal product of cottonseed. The price of cottonseed oil largely determines the price of cottonseed to the farmer.

What was the condition of the cottonseed market on June 27 of this year? Its principal product, cottonseed oil, had risen from 6 cents to approximately 11½ cents. On this basis, as I remember the figures, cottonseed was worth to the farmer about $60 per ton. This was not inflation. This price would not even afford prosperity to the South. A tenant farmer who picks a bale of cotton a week, after paying his part of the gin charges, would have an income from his cottonseed of only $12 to $14 per week and this for only the few weeks while he was picking cotton. He would have only a fair return for his labor, a return far below that received by the industrial worker. The principal beneficiaries of this price for cottonseed oil were millions of small farmers. We could have had a measure of prosperity in the South. And on that day the Office of Price Administration and Civilian Supply issued a statement with the admitted purpose and with the admitted intent of breaking the cottonseed market and which did put down the price of cottonseed, as I remember the figures, from $10 to $12 a ton. What was that statement as reported in the public press? I read from it, as follows:

> The price of cottonseed oil is receiving the attention of the Office of Price Administration and Civilian Supply, Administrator Leon Henderson stated today.
>
> Since last October crude cottonseed oil at southern mills has risen from about 4.4 cents to 11.5 cents under the influence, it is believed, of a substantial amount of speculative activity. After a check is made on present holdings of cottonseed oil, ceiling action is planned.
>
> "The ceiling," Mr. Henderson stated, "will be far below present prices. It is time that people who are speculating in essential food commodities realize the risk that they are running. It seems hard for a certain group of people to become accustomed to the idea that we do not intend to let prices get out of hand. What looked to them like a profitable ride in commodities is going to turn out to be an expensive disaster. People who have been buying certain fats and oils for speculative purposes must not be surprised when they find it necessary to sell at a price far below levels now obtaining. They have had fair warning.

Mr. President, what Mr. Henderson proposes is to put a ceiling on the price of cottonseed oil far below its present market value. Last year we produced 4,470,613 tons of cottonseed. On this basis this statement of Henderson's cost the South $44,706,130, provided we produce as large a crop this year as last. Leon Henderson, a man who has never lived near cotton, a man totally and wholly ignorant of the value of cottonseed or its products, deliberately issues a statement which costs the southern farmer from $10 to $12 per ton for his cottonseed. It was a contemptible, malicious stab at the

South. It was dictated by ignorance and a wanton disregard for the rights of millions of people who have never received justice from their Government. It was made without an investigation and in total disregard of what it costs to produce a pound of cottonseed.

Sixty dollars per ton for cottonseed was not a fictitious value. This was not inflation. Sixty dollars per ton, with what farmers have to pay for the products they have to buy from Henderson's section of the country, represents only a sound value under present conditions.

However, the most reprehensible feature of this whole thing is that Henderson has no more authority to fix the price of any commodity than has a doodlebug. He knew he did not have such authority. Yet he falsely claimed authority in order maliciously to injure the South. His statements on cottonseed oil and the statements of his office on price ceilings for textiles and cotton have kept down these markets and deprived millions of the tillers of the soil of the very necessities of life.

Southern economy, Mr President, is based upon the purchasing power of southern agriculture. Southern prosperity is based upon the purchasing power of the southern cotton farmer. This irresponsible statement from Henderson's office was evidently dictated by the barons of industry who desire cheap raw materials even at the expense of an insolvent and bankrupt South. It was an attack upon the prosperity and economic well-being of the entire economy of the South. It has caused millions of people to suffer. A man who would maliciously and ignorantly injure a section of the Nation as was done in this case is not the proper person to fix a ceiling on any agricultural product.

COTTON

But, Mr. President, the other discriminations which I have previously mentioned pale into insignificance when compared with the fight that has been made this summer on cotton. Cotton has steadily climbed from about 9 cents per pound to around 16½ cents per pound. It has done this, and it would have gone much higher had it not been for the fight against a price increase made by officials and departments of the Government. On July 18, when New York cotton futures had only reached 15 cents per pound and when spot cotton had reached nothing like a parity price, the Commodity Exchange Administration caused the exchanges to increase the margin requirements to 15 percent of the selling price in an attempt to put down the markets. On July 24 officials of the Department of Agriculture, according to the press, gave out statements that the Government was considering plans to sell in the open market some of its huge loan stocks of cotton to prevent higher prices, and, in addition, the press from day to day carried statements from officials threatening to sell loan cotton if the price went higher. Then, on August 4, there came, unsolicited, from the Secretary of the Treasury, who has nothing to do with the cotton program, the statement that the proposal of southern Senators to freeze the 7,000,000 bales of loan cotton was terrible and wicked. I quote in full his statement as reported in the press:

[From the New York Times of August 5, 1941]

WASHINGTON, August 4.—Secretary Morgenthau declared in a press conference today that a congressional proposal backed by southern Senators to freeze some 7,000,000 bales of loan cotton was "terrible" and "wicked."

"If we do not make it possible to sell this Government-control cotton now when there is a demand, we will be sorry," said the Secretary of the Treasury. "I know something about it. I was chairman of the Cotton Control Board once and considered myself fortunate in being finally able to liquidate the supplies we inherited."

Let me say, Mr. President, that any question related to cotton is a question about which the Secretary of the Treasury has no knowledge whatever. He has always hated the South. He is prejudiced against the South and he has always fought every single cotton program and every other program which would benefit the people of the South.

This attack on cotton is another attempt to crucify the South. Certain persons do not want to see the South on a parity with other sections of the United States. It is an attempt to prevent a material increase in the income of southern farmers.

I quote further from the New York Times article about Mr. Morgenthau's statement:

Mr. Morgenthau suggested that the cotton could be sold without disturbing the market by turning it over to contractors who are working for the Army or Navy.

"The cotton should be kept fluid so that it could be sold when there was a demand," he continued. "They tell me the cotton crop is one of the shortest we have had in years. To freeze it at such a time is wicked.

"If we do it, we certainly won't be able to control prices, and we will have prices going up while the cotton is frozen in the warehouses."

Asked about proposals that the pending price-control legislation should allow parity plus prices for agricultural products, Mr. Morgenthau said he did not think that "farmers should try to squeeze the last dollar out of the present situation any more than any other elements." "I say that as a farmer myself, a dirt farmer, too," he added.

Mr. President, cotton has just reached parity price but has far from reached parity income, because present prices are not nearly high enough to compensate the farmer for the enormous acreage he has been forced to take out of cotton, and here comes the Secretary of the Treasury condemning a bill pending in the Congress which has for its only purpose to hold up the market enough for the cotton grower to eke out an existence, condemning a bill whose sole purpose was to protect the South from the public officials of the Government. These officials were holding this cotton as a club over the market, and by threatening to swamp the market with Government cotton were holding down the price of cotton. Each time a statement was issued about this cotton, the market would decline. This bill which the Secretary condemned was proposed simply to protect the cotton growers of America.

Needless to say, the Secretary of the Treasury is prejudiced against the South and is totally ignorant about all questions relating to cotton and the South. His statement put down the cotton market more than $2 per bale. This was his idea and purpose in making it. He used the power and influence of his high office to injure a great section of his country. This bill did not concern him. The statement was part of a deliberate, wicked attempt to crucify the South and to deprive her of a reasonably prosperous year.

Mr. President, the people of the South have a lower income than the people of any other section of the country. Tables prepared by the Department of Agriculture show the lowest per capita farm income in the United States is in the South. These tables show that the State of Mississippi had a per capita farm income of only $155 in 1939; that Alabama had a per capita farm income of only $121 in 1939, the lowest per capita income in the Union.

Mr. President, I ask to have a table showing gross farm income, by States, in 1939, printed in the RECORD as part of my remarks at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Gross farm income, by States, 1939

State and division	Gross farm income, total	1939,[1] per capita
Northeast division	$1,048,927,000	$397
Maine	63,402,000	332
New Hampshire	26,005,000	321
Vermont	47,128,000	371
Massachusetts	81,113,000	483
Rhode Island	10,779,000	490
Connecticut	58,557,000	396
New York	346,891,000	442
New Jersey	105,848,000	730
Pennsylvania	309,204,000	317
North central division	3,669,928,000	425
Ohio	375,981,000	323
Indiana	309,915,000	360
Illinois	576,772,000	565
Michigan	258,957,000	312
Wisconsin	326,542,000	355
Missouri	321,854,000	283
South Dakota	140,322,000	451
Minnesota	389,662,000	431
Iowa	696,192,000	741
Nebraska	273,731,000	506
East central division	1,033,416,000	160
Delaware	20,922,000	395
Maryland	78,683,000	324
Virginia	171,742,000	164
West Virginia	69,566,000	118
North Carolina	311,205,000	179
Kentucky	197,962,000	142
Tennessee	183,336,000	132
Southern division	2,114,381,000	195
South Carolina	148,027,000	154
Georgia	218,377,000	150
Florida	133,890,000	384
Alabama	171,111,000	121
Mississippi	212,327,000	155
Louisiana	161,680,000	186
Arkansas	197,125,000	167
Oklahoma	225,636,000	230
Texas	646,208,000	284
Western division	1,902,298,000	549
Arizona	62,260,000	546
California	590,558,000	845
Colorado	143,288,000	558
Idaho	101,127,000	503
Kansas	294,308,000	449
Nevada	13,423,000	805
New Mexico	58,512,000	306
North Dakota	145,288,000	440
Oregon	119,423,000	438
Washington	161,960,000	447
Montana	105,398,000	651
Utah	49,873,000	367
Wyoming	56,380,000	567
United States	9,768,970,000	305

[1] Including Government payments.

Bureau of Agricultural Economics, Feb. 10, 1941.

Mr. EASTLAND. Mr. President, it is the purpose of the bill, which has been condemned by the Secretary of the Treasury, to raise the per capita income of southern agriculturists. And then here comes Henderson's assistant, the man who wants to be able to fix some prices, who on August 6 says some "farmers have started talking about 20-cent cotton and 15-cent hogs," and then condemns this idea as inflation.

Needless to say, these statements as part of this unholy campaign have held down the cotton market. At the present time, with an August estimate of the shortest crop in years, cotton does not go up as it ordinarily would, as it would if left alone. It goes down on this "bullish" estimate—and why? Because of this deliberate, intentional, punitive campaign against the South.

Cotton is the only farm commodity which has been "picked on." It is the only farm commodity which has been put down. It is the only commodity on which war has been waged. One dollar wheat in the economic scale of things means 20-cent cotton; yet wheat is above $1 per bushel, and I am glad that it is. But when cotton, which for years has been cheap in comparison with other commodities, attempts to climb to its true value in proportion to other things, and the South sees the sunshine once again, a deliberate war is waged against her by ignorant and irresponsible bureaucrats to push her down again into the morass of cheap cotton, gloom, and insolvency. They cannot say that they were afraid of inflation. The fight on cotton started before it even reached a parity price. Cotton is the only commodity on which a fight has been made.

Mr. President, the prosperity of this country is built upon high commodity prices, and not upon high values of stocks and bonds. When commodity prices are high the great masses are prosperous; and when the masses are prosperous the owners of bonds and stocks are prosperous, and all business prospers. All prosperity is founded upon the purchasing power of the people. Ten million prosperous cotton farmers mean a prosperous America.

The bureaucrats say that high-priced industrial labor means prosperity, and that high-priced manufactured products betokens good business. But cotton at a reasonable price is inflation, and they say, "Let us put cotton down; let us control the price of other basic farm commodities to prevent inflation. But we will not control the wages of industrial labor, for that would destroy prosperity; that would be destruction. Twenty-cent cotton is wicked; 20-cent cotton is a sin." So say the theorists and bureaucrats of Washington.

Control the price of farm products. Price fixing for the farmer. High-priced farm products mean inflation. Mr. President, the cotton grower receives only from 5 to 20 percent of the retail price of manufactured cotton goods. The farmer received only 15 cents for the cotton in a pair of overalls which sells for a dollar.

Here is a table prepared by the Department of Agriculture which shows the percentage of the value of the finished product received by the farmer, the producer of the raw material:

Cotton goods	Farm price	Retail price	Middlemen's percentage
	Cents		
Men's overalls	15	$1.00	85
Men's work pants	9	1.00	91
Men's work shirts	5	.69	93
Men's dress shirts	6	1.00	94
Women's house dresses	7	1.00	93
Women's nightgowns	5	.69	93
Women's stockings	1	.25	95
Girls' school dresses	2	.59	96
Boys' overalls	9	.79	89
Boys' knickers	8	1.19	93
Sheets	9	.79	79
Pillowcases	4	.23	82
Towels	2	.17	88
Denims	5	.19	73

Should the price of cotton go to 25 cents per pound it would not materially increase the prices of manufactured goods. Twenty-cent cotton would not increase them at all.

Therefore, Mr. President, for the reasons I have already outlined, because of the prejudice against my section of the country, and for other reasons, I shall oppose any price-fixing legislation at this time, no matter what safeguards may be thrown around agriculture, and no matter what the bill may contain. I know that agriculture will fare better if economic law is let alone. Of course, no one desires to see inflation which will destroy and make worthless the value of money; but at the present time we are not threatened with inflation. Twenty-cent cotton is not inflation; 30-cent cotton is not inflation; $60 cottonseed is not inflation. This country would fare better if all commodity prices were considerably higher than they are now.

This is the first time since the inception of the farm program that cotton has reached a parity price. The farmer has sold his crop as low as 46 percent of parity. A table prepared by the Department of Agriculture shows the percentage of parity prices the farmer has received for his cotton crop each year from 1932 to June of this year. Cotton has not yet reached parity income. But it has reached a parity price over the opposition of powerful public officials in Washington.

The prices of cotton and agricultural products are not high enough to give the farmer a decent wage. He is entitled to a parity income with the worker in the factory, with the manufacturer of New England, and with workers in every other line of human endeavor. What is parity income to which the farmer is admittedly entitled? Parity income means the value of a normal crop before acreage reduction at the parity price. In other words, before acreage reduction 15,000,000 bales was a normal cotton crop for the South. The cotton growers are entitled to the amount of money that 15,000,000 bales of cotton would bring at the parity price of from 16 to 16½ cents per pound, and not 16½ cents per pound on the present crop of approximately 11,000,000 bales.

The market must go much higher to give parity income. The parity price alone does not compensate the farmer for the acreage that the tariff has caused him to take out of cotton.

Why is not the farmer entitled to the same return for his labor as is the worker in any other section of the country? He has suffered for years. He has made nothing for years. It is unfair not to permit cotton to take its just economic value, which is considerably higher than 20 cents per pound.

Why will I not support price-fixing legislation at this time? What could be more unjust than to empower a man such as Henderson, a citizen of New Jersey, with no knowledge or experience, to put a ceiling on cotton prices and tell southern agriculture what it shall receive for its product. This man has no knowledge of what a fair price is or should be. He would crucify the South. He would enslave the South. His every action bespeaks his intent to treat us unfairly. No law is any better than the man who administers it. No law can protect any individual unless the man charged with administering it will uphold, abide by, and fairly enforce that law.

Mr. Leon Henderson is an intelligent man. He knows that he has no authority to fix prices; yet he falsely claims such authority and deliberately threatens to place a ceiling on cottonseed oil far below the market price. He assumed and falsely claimed authority he knew he did not possess and drove down the price of cottonseed oil and cottonseed $12 a ton. He did this deliberately and intentionally to hurt the cotton-producing South. He knew nothing about what a fair price for cottonseed products should be. He was totally ignorant on the subject.

"By their fruits ye shall know them." Could such a man, Mr. President, be trusted fairly to administer the act in justice to the South? There is an old Anglo-Saxon adage that he who once deceives forfeits the right to speak the truth. This statement applies to bureaucratic blunderers. Any man who falsely assumes authority he knows he does not have and who admits he knows nothing about the value of a commodity, yet deliberately breaks the value of that commodity, cannot be trusted equitably and justly to exercise any power or authority.

Mr. President, the price-fixing bill would not stabilize wages. Wages are the greatest item of expense in the production or manufacture of any article. That item sometimes amounts to 80 or 90 percent of the total cost. There is nothing in the proposed legislation to stabilize labor costs. The farmer receives for his cotton only from 5 to 10 percent of the value of the products manufactured from cotton, while industrial labor receives far more. Certainly prices could not be equitably stabilized merely by fixing a price on the raw material alone, which represents only from 5 to 10 to 20 percent of the total cost of the finished product.

The price of cotton could go up 33⅓ percent without increasing the price of the finished product. Where is the justice in putting a ceiling on cotton prices when labor costs are so large a percentage of the total cost?

If the price of cotton had advanced in the same ratio as the annual wages of textile mill workers since 1935, on July 15, 1941, cotton would have been selling

at 27½ cents per pound instead of about half that figure.

This is the same old plan, Mr. President, which has prevailed since the Civil War. It calls for cheap raw materials and high-priced industrial goods. This is the same thing that has drained from the South her wealth and left her impoverished. A great man—the present President of the United States—once said that the South is "ill-fed, ill-clothed, ill-housed, economic problem No. 1." I know that the President's heart is in the right place. Of course, he cannot personally attend to and supervise all the vast multitude of duties of the executive department of the Government. Franklin Roosevelt is a great President. His heart is in the right place. Our quarrel is not with him but with the assistants who have betrayed the policies of his administration.

I shall always fight injustice. I shall always fight discrimination against the South. I rose today, Mr. President, to speak against the bill pending in the Congress to fix prices, and in support of the bill introduced by the Senator from Texas [Mr. O'DANIEL] and myself, to clothe American soldiers in American cotton and to protest against the discrimination against my people.

We of the South are the purest strain of Anglo-Saxon blood. It was southern brains which founded this Government, and which gave to the world democracy. We of the South do not ask or desire special favors. We demand only that we be treated fairly; that this discrimination cease; that we be not impoverished to enrich other sections of the country; that we sit as partners and on an equal basis at the counsel tables of the Nation; and that as partners and economic equals we take America forward to her great destiny as the leader in a world civilization of justice and economic equality.

CONFIRMATION OF POSTMASTER NOMINATIONS

Mr. BARKLEY. Mr. President, as in executive session, I ask that the Executive Calendar, made up entirely of the nominations of five postmasters, be considered, and that the nominations be confirmed en bloc.

The PRESIDING OFFICER (Mr. BUNKER in the chair). Is there objection? The Chair hears none. Without objection, the nominations of postmasters are confirmed en bloc.

BOARD OF INVESTIGATION AND RESEARCH UNDER TRANSPORTATION ACT OF 1940

Mr. BARKLEY. Mr. President, as in executive session, from the Committee on Interstate Commerce, I report favorably the nominations of Robert E. Webb, of Kentucky; C. E. Childe, of Nebraska; and Nelson Lee Smith, of New Hampshire, to be members of the Board of Investigation and Research for the period of the existence of the Board, as provided in title III, part I, of the Transportation Act of 1940, approved September 18, 1940. I ask unanimous consent for the immediate consideration of the nominations.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and, without objection, the nominations are confirmed.

Mr. BARKLEY. In connection with the nominations, Mr. President, I desire to have printed in the RECORD a telegram sent to the committee from the Public Utilities Commission of Idaho, and also a telegram to the committee from the Senator from Kansas [Mr. REED].

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

BOISE, IDAHO.

Hon. BAILEY STORTZ,
Clerk, Senate Interstate Commerce Committee, Capitol Building, Washington, D. C.:

This commission endorses the appointment of Nelson Lee Smith, Mr. Webb, and C. E. Childe. We ask that this wire be offered the committee in support of ratification by the Senate of their appointment.

PUBLIC UTILITIES COMMISSION, IDAHO,
J. G. BRUCE.

ESTES PARK, COLO, *August 6 1941.*

Hon. ELLISON D. SMITH,
United States Senator, Washington, D. C.:

Regret unable to attend subcommittee to consider nominations Transportation Board to make report on extent subsidies provided from Public Treasury for different forms transportation. Only value such report and only reason provision included in Transportation Act of 1940 is an impartial survey which does justice to every form transportation and gives Congress a dependable basis on which to legislate and the public information to which it is entitled. I have no preference for or prejudice against any qualified person competent to carry out this important task. As I have written Chairman WHEELER, am surprised at nomination of C. E. Childs, Omaha. He is perfectly competent transportation man; really one of the able men in that line; but he is closely allied with Mississippi Valley Association and unless he is prepared to divorce himself entirely from Inland Waterway interests, which are only one factor, and to make impartial study and report, would oppose his confirmation, notwithstanding my high opinion of his ability. He has been traffic adviser and lobbyist for Inland Waterway Interstate and has shown bias and prejudice in hearings before our committee which are of record. Do not know the Kentucky nominee and have no opinion as to his qualifications. Know Smith, of New Hampshire, slightly, and have no objection to him. I am sure that every member of subcommittee will agree to these premises. This is important task and utterly useless unless impartially carried out. I am opposed to any nomination that directly or indirectly represents railroad, highway, or waterway interests. If fully informed, the President has not handled this important question in line with purpose of the law, and I have no hesitation in so stating.

CLYDE M. REED.

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of the nominations acted upon today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of the confirmation of all nominations acted upon today.

AUTHORIZATION FOR COMMITTEES TO REPORT, AND FOR FILING MOTIONS TO SUSPEND THE RULE

Mr. BARKLEY. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session all committees may be authorized to report bills, resolutions, and nominations, and that during the adjournment of the Senate motions to suspend the rule may be filed. I understand that the Appropriations Committee may wish such a motion filed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR ADJOURNMENT TO THURSDAY

Mr. BARKLEY. Mr. President, I ask unanimous consent that when the Senate concludes its business today it adjourn until Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEATH OF REPRESENTATIVE RUTHERFORD, OF PENNSYLVANIA

The PRESIDING OFFICER (Mr. BUNKER in the chair) laid before the Senate the following resolution (H. Res. 293) from the House of Representatives, which was read, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. ALBERT G. RUTHERFORD, a Representative from the State of Pennsylvania.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. DAVIS. Mr. President, I send to the desk a resolution which I ask to have read, and for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 155) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. ALBERT G. RUTHERFORD, late a Representative from the State of Pennsylvania.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Senate communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Under the second resolving clause, the Presiding Officer appointed Mr. DAVIS and Mr. GUFFEY the committee on the part of the Senate to attend the funeral of the deceased Representative.

Mr. DAVIS. Mr. President, as a further remark of respect to the memory of the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 2 o'clock and 54 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until Thursday, August 14, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 11, 1941:

BOARD OF INVESTIGATION AND RESEARCH

TO BE MEMBERS OF THE BOARD OF INVESTIGATION AND RESEARCH FOR THE PERIOD OF THE EXISTENCE OF THE BOARD AS PROVIDED IN TITLE III, PART I, OF THE TRANSPORTATION ACT OF 1940, APPROVED SEPTEMBER 18, 1940

C. E. Childe
Nelson Lee Smith
Robert E. Webb

POSTMASTERS

OKLAHOMA

Robert J. Morrow, Pawhuska.

PENNSYLVANIA

William H. Eckensberger, Cementon.
Vincent J. Koomar, Nesquehoning.
Clair L. Beesecker, Newfoundland.
Robert Montgomery, Turtle Creek.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 11, 1941

The House met at 11 o'clock a. m.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, our Father, who alone art the Author and Disposer of human life, from whom our spirits have come and unto whom they return, with bowed heads and uncovered hearts we come into Thy presence.

We thank Thee for the life of Thy servant who walked and labored with us for a little upon this earth and whom Thou hast called unto Thyself to dwell with Thee in heavenly blessedness. We bless Thee for Thy grace which kindled within his heart a love for Thy name and inspired him to serve his generation according to Thy holy will.

Grant unto the members of the bereaved family the consolations of Thy presence, filling their desolate hearts with that peace which the world cannot give or take away.

We pray that Thou wilt also so teach us to number our days that we may apply our hearts unto wisdom and when our own life's day is done may we have an abundant entrance into Thine eternal kingdom.

Hear us in the name of the Christ who abides with us forever. Amen.

The Journal of the proceedings of Friday, August 8, 1941, was read and approved.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock a. m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I would like to take this opportunity, if I may, to learn the program for tomorrow. I appreciate the need of adjourning today out of respect to our beloved colleague. A great many Members of the House have made plans as to which early disposition of the pending bill would be helpful and for this reason I would like to know the program for tomorrow, inasmuch as we are meeting at 10 o'clock.

Mr. McCORMACK. It is my hope we will proceed immediately to the consideration of the pending bill and it is my personal hope there will be no requests for any 1-minute speeches so we may proceed with the consideration of that measure and dispose of it tomorrow.

Mr. MARTIN of Massachusetts. Of course, that is a matter within the discretion of the Speaker, but I join with the majority leader in that hope.

The SPEAKER. It is a matter within the discretion of the Speaker and it is not the intention of the Speaker to recognize Members tomorrow for 1-minute speeches.

Mr. MARTIN of Massachusetts. That being the case, we can probably conclude the consideration of the pending bill tomorrow.

Mr. HOFFMAN. Reserving the right to object, will there be any opportunity at any time to speak tomorrow after we get through the legislative business?

The SPEAKER. The Chair will recognize Members for that purpose after that time.

Mr. CARLSON. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Kansas.

Mr. CARLSON. May I ask the gentleman from Massachusetts [Mr. McCORMACK] when the conference report on the agricultural bill will be before the House?

Mr. McCORMACK. If the pending bill is disposed of tomorrow, while I cannot speak definitely, there are two conference reports pending, one on the agricultural bill and one on the property requisition bill. While I have no control over the matter because that is within the jurisdiction of the chairmen of the respective committees, I am hopeful that both matters will be called up on Wednesday. I am hopeful if the pending bill is passed tomorrow, there will be a prompt meeting of the conferees on the measure and a report back to the respective branches of the Congress very quickly.

Mr. MICHENER. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. MICHENER. I notice the majority leader says he hopes the conference report on the agricultural bill will be called up soon. I have such respect, and I know the House has also, for the gentleman's "hopes" when hitched up with his position as majority leader, to feel that if the gentleman hopes strongly enough the conference report can be called up any minute. In short, the majority leader is in a position to implement his hopes. Thousands of the farmers in the country are interested in this agriculture conference report, especially because it effects the 49-cent wheat penalty. And may I hope that the majority leader will exercise his benign interest and see to it that the chairman of the Agricultural Committee calls that report up tomorrow? The majority leadership of course controls this matter.

Mr. McCORMACK. The gentleman's hope that the majority leader's hopes will continue will be realized.

Mr. FULMER. Mr. Speaker, if the gentleman will yield, I would like to state briefly for the benefit of the Members of the House that I am very anxious to call up this conference report. Its consideration has been delayed at the request of the Speaker, and, perhaps, the majority leader, until we can get through with the pending bill, but I am anxious to take it up as quickly as possible.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 3537. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. R. 3625. An act to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance of a toll bridge across the Missouri River at or near Washington, Mo.;

H. R. 4052. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.; and

H. R. 4911. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

THE LATE WALTER H. NEWTON

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KNUTSON. Mr. Speaker, it is my melancholy duty to announce to the House the passing of a former colleague and cherished friend, Hon. Walter H. Newton, early yesterday morning at his home in Minneapolis.

Mr. Newton served in this body from 1919 to 1929 with outstanding distinction. As a member of the Committee on Interstate and Foreign Commerce, he gained national recognition as an authority on transportation matters. In 1929, at the beginning of the Hoover administration, he was persuaded to resign from this body and take the position of secretary to the President, which he did reluctantly but as a call to duty. Upon the termination of the Hoover administration Mr. Newton was named by President Roosevelt as a member of the Home Loan Bank Board and later returned to Minneapolis to engage in his chosen profession, the law. Several years ago he was unanimously selected by the district

Federal judges to serve as referee in bankruptcy, a position he held with distinction up to the time of his untimely passing. He leaves a devoted wife, a daughter, and two sons, one of whom is an officer in the United States Navy.

Those of us who served with Walter Newton and were privileged to know him for his real worth join his family in mourning the passing of a loyal husband, a kind father, a great American, and a fine Christian gentleman.

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, I, too, was shocked to hear of the passing of my good friend the Honorable Walter H. Newton, a former Member of this House.

He served for many years with distinction the district which I now have the honor to represent. As secretary to our former President, Herbert Hoover, he gave much of his energy in the interests of America.

Above everything else, Walter Newton was a real American, able, industrious, and unusually loyal to his duties.

In his own community he willingly shared his talents and energies to help make our community and our country a better place in which to live.

He has been called to his reward. The memory of his deeds will inspire all of us who knew him to continue our efforts for America more unselfishly, with more tolerance, and with more devotion to duty.

May I humbly join the many in offering sincere sympathies to his family in his untimely passing?

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, it is with deep regret that I join with my colleagues in expressing my sorrow over the passing of Walter H. Newton, a former colleague from Minnesota and a Member of the House of Representatives for many years. Those of us who knew him intimately loved him for his fine qualities, respected him for his ability, and admired him for his courage of conviction.

Walter Newton's career exemplified the opportunities afforded to every true American. His application to hard work brought him recognition in his home State and in the Nation.

I know that my colleagues in the House will all join with me in an expression of profound sympathy to Mrs. Newton and her family.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, we Members on the Democratic side who served with Walter Newton join his friends on the other side in mourning his untimely passing. I served with him for about 8 or 10 years. We probably voted on opposite sides of as much legislation as any other two men in this body; but I always found him honest, courageous, energetic, and devoted to the public weal.

Too often when men leave this House and pass away, their passing is overlooked. I am glad that Members on the other side have taken this occasion to call to the attention of the House and the country the record of this distinguished man, and I am glad to add my humble tribute to one of the ablest Representatives Minnesota ever sent to this body and one of the most devoted public servants this Nation has ever had.

THE LATE REPRESENTATIVE ALBERT G. RUTHERFORD

Mr. KINZER. Mr. Speaker, mindful and conscious of a deep personal loss, it is my sad duty to announce to the House of Representatives the death of our beloved colleague, Hon. ALBERT G. RUTHERFORD, who passed away yesterday morning at 9:40 at the George Washington Hospital.

A wave of sorrow has swept over the Pennsylvania congressional delegation. We knew of his serious illness, still announcement of his death gave us all a severe shock.

Colonel RUTHERFORD, as we knew him, gave himself unsparingly to the service of his district, his State, and his Nation. He knew his people; he was sympathetic with their wants, he enjoyed and held their confidence, he knew their problems, and he was their friend.

Three times the citizens of the Fifteenth Pennsylvania Congressional District chose Colonel RUTHERFORD to represent them in this body.

His judgment was good, he was untiring in his efforts, and possessed that high degree of integrity that endeared him to all.

His service to his country in war and peace has been the service of a soldier, statesman, and patriot.

Mr. RICH. Mr. Speaker, we are going down the valley one by one, with our faces to the setting of the sun. Twelve Members of our body have passed away since the beginning of this session, and now our colleague and friend from Pennsylvania, ALBERT G. RUTHERFORD, who served in the Fifteenth Congressional District of our Commonwealth, has passed to that Great Beyond. ALBERT RUTHERFORD was a real friend. He was a man who had a desire within his own heart to do that which was best for his own country first. Then he was interested in trying to do those things which would be for the benefit of his State and his district. He knew his people. They trusted him. Their trust was well-founded. He served them in the best manner possible. He was honest, energetic, conscientious in the duties that he had to perform. He was serving his third term, and the people of his district had respect and high regard for him. He will be remembered in the days to come as a servant of his people. We may well emulate his simple, honest frankness, his fairness, and his kindness. I have and I had always a great respect for him, because I knew that he wanted to do just what he believed would be best for all.

Mr. RUTHERFORD was a lieutenant colonel in the Pennsylvania Reserve Militia, and he served his State and country well in the capacity of a soldier. He was a lawyer, well qualified in the law. He was much interested at all times in knowing that the legislation upon which he had to act was properly drawn. He was kind, he was a good husband and father. He was a friend of the Members of Congress and we will miss him. May the good God who guided and directed his life be over his family and friends and constituents, and may we try to serve better in the days to come those things that will lead us into a better understanding of the things that are best for the people of America, and because of the richness and fullness of the life of Colonel RUTHERFORD I know that we will be better guided for future service. Some day we will meet him in that Congress around the great white throne in Heaven, where all is peace and contentment, where sorrows are no more. God be gracious to us all, as He was to our departed colleague.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM. Mr. Speaker, when Abner, son of Ner, was killed, Holy Writ informs us that when the word was brought to King David he said:

> And the King said unto his servants, "Know ye not that there is a prince and a great man fallen this day in Israel?"

This morning as I arrived at my office, a humble charwoman came to my door and weepingly asked me if I knew that Colonel RUTHERFORD was dead. I told her that I did. In a few hours later, in this great Chamber which has resounded to the eloquence of men who have made their mark and imprint upon our Nation's history, we pause for a few minutes to do honor to the memory of this good man.

Colonel RUTHERFORD was one of the first men I met when I came here. I doubt if ever a day went by that he did not come and sit beside me and talk with me and counsel with me. In these moments of affection and reverence he talked of the eternal verities of life. I have always thought of Colonel RUTHERFORD in terms of the psalmist:

> Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful.
>
> But his delight is in the law of the Lord; and in His law doth he meditate day and night.
>
> And he shall be like a tree planted by the rivers of water, that bringeth forth his fruit in his season; his leaf also shall not wither; and whatsoever he doeth shall prosper.

So this good man, who loved his work, who loved his people, who loved his fellow man, has fallen on sleep. Whether it be from the heart of the humble charwoman or whether it be from the hearts of those of us who loved and worked and served with him, the response is the same—that a good man has gone to meet his God.

> Green be the turf above thee,
> Friend of my better days!
> None knew thee but to love thee,
> Nor named thee but to praise.
> Tears fell when thou were dying,
> From eyes unused to weep,
> And long where thou art lying
> Will tears the cold turf steep.
> When hearts, whose truth was proven,
> Like thine, are lain in earth,
> There should a wreath be woven
> To tell the world their worth.

I think James Whitcomb Riley said:

I will not say, I cannot say, that he is dead
He is just away.
With a heery smile and a wave of the hand,
He has wandered into an unknown land,
And left us to dream how very fair it needs must be
Since he lingers there.

Farewell, my friend. Farewell, a great American Farewell, a Christian gentleman.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER Mr Speaker, throughout the northeastern part of the great State of Pennsylvania, in particular and throughout the entire State, there is deep sorrow today; sorrow that comes only with an appreciation and realization that a real man has passed on to his reward.

Colonel RUTHERFORD started his political career as a Democrat, but he found before he had gone very far in that great party that he was in disagreement with some of the principles of the party, and rather than champion a cause that he felt in some particulars was not correct, he left the Democratic Party and became a Republican.

Colonel RUTHERFORD, above all, was a great American. He believed in principles that he felt represented the things that would make us proceed as a great Nation During his service here I came in frequent contact with Colonel RUTHERFORD, and never heard him say an unkind word about any person His devotion to duty, his rugged character, and his fine personality made deep impressions on all who came in contact with him.

I know that during recent weeks he was much disturbed about legislation that we are going to have to act on in a very few hours. Despite the fact that he was confined to his bed, he spent many hours in pondering over the effects of this legislation. Viewing the conscription bill as he did, because of his military career, I know that Colonel RUTHERFORD felt that if anything at all could get him out of bed so that he could come here and express his views he would only be too glad to do it.

Colonel RUTHERFORD was much loved by the farmers of the northeastern part of our State, because of his sympathetic understanding of their problems and his untiring efforts in their behalf. He spent many hours traveling about his district, meeting personally the people, in an endeavor to best represent their interests. He was a sincere gentleman, a courageous statesman, and a brave soldier. His passing has left the State of Pennsylvania with an irreparable loss, and I personally have lost a true friend.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON. Mr. Speaker, our distinguished colleague, the honorable ALBERT G. RUTHERFORD, a Member of this body from Pennsylvania, has departed our midst. We sadly bow our heads in humility before Him who in His judgment called Mr. RUTHERFORD in this time of trial and tribulation for our Nation, in this time when Mr. RUTHERFORD'S steadying hand, clear thinking, and unselfish motives were of great value to his country he loved and for which he died.

His health failing under the stress and strain of continued effort for his country, confronted with the knowledge that by neglecting his vitally important duties here he could probably prolong his life, he, never wavering, chose the performance of the duty entrusted him by the people of the Fifteenth Congressional District in Pennsylvania, and day after day always regular in attendance in committee and the House, forgetting self for the general good, he carried on to the end.

He was a man of definite ideals, a man whose position on public questions was known. He did not vacillate for political expediency, his reasoning power having brought forth a conclusion respecting an issue, he adhered to it. Honored by his Pennsylvania colleagues as their "whip," he performed these additional duties willingly and properly, seemingly always knowing the details of legislation, which he could and would explain to his colleagues.

Our Pennsylvania delegation misses him already, as we consider very important legislation from his Committee on Military Affairs. We will miss him as will this body.

We sympathize sincerely with his family, and can do nothing more than to commend them to God's keeping in their hour of trial.

To those of us who remain come increased duties through Mr. RUTHERFORD'S departure. May we derive through his life and our memory of him increased strength for their performance.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, ABE RUTHERFORD, as we knew him in the city of Scranton, where he was a resident prior to his going to the Fifteenth Congressional District, was a man who was dearly loved. I was very closely associated with him in both a business and political way in those days. When he moved to the Fifteenth Congressional District he immediately captured the hearts of the people in that area.

We Democrats on this side of the aisle join with our Republican friends in paying tribute to a grand character.

The Fifteenth District has lost a grand friend, the State has lost a great legislator, and the Nation suffers likewise. We express our sympathy to his family. At the same time, we know that they will have many happy memories of him.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. KUNKEL].

Mr. KUNKEL. Mr. Speaker, other Members have mentioned various phases in the life of Colonel RUTHERFORD and shown how great was the service which in all stages of his career he rendered his district, his State, and his country. For a moment I want to call the attention of the House to some of the personal contacts I have had with Colonel RUTHERFORD. I came here 3 years ago. At that time Colonel RUTHERFORD was an active Member of the Committee on Military Affairs and also the assistant whip on the Republican side of the House. I had occasion as a new Member to consult with him at various times. His kindly spirit and unfailing willingness to give unstintingly of his time to help others was an outstanding characteristic of his kind and loyal nature. It has helped me greatly, as it has helped others. This influence I shall feel and benefit from as long as I live. It also gave me an opportunity to examine into the wonderful service he was rendering in Congress. I consulted him about matters being considered by the Committee on Military Affairs and he always gave generously of his experience, matured study, and wisdom on those questions. It was rarely that I came to the floor and did not find Colonel RUTHERFORD here before us, ready to help in every way possible. It is my considered judgment, based upon long experience, that Colonel RUTHERFORD'S steadfast devotion to duty hastened the sad event which we mourn today.

In addition to emphasizing the loss that his family, his community, his district, his State, and the country has suffered, I want to take this opportunity to express the very real and personal sense in which his departure touches me.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Speaker, it was with a deep feeling of regret and a sense of great personal loss that I learned of the death of our colleague, Colonel RUTHERFORD. Colonel RUTHERFORD was a member of the Committee on Military Affairs of the House of Representatives and in this committee, as in the House itself, he was regular in his attendance, careful in his consideration of all legislation, coming before the committee, and sympathetic in his attitude toward all questions affecting the Nation.

Colonel RUTHERFORD was able, courageous, and conscientious. In his duties as a Member of the House, and in his attitude toward his district and his State, he was unsurpassed in zeal and industry. He was kind, courteous, and genial in his personal actions and relationships with his colleagues and he will surely be missed in the House and in the Committee on Military Affairs.

In the death of Colonel RUTHERFORD we all know his family has lost a cherished member, his community has lost an exceedingly valuable citizen, the State of Pennsylvania has lost an able Representative, and the United States has lost a patriotic and efficient statesman. He was a soldier, a jurist, and a statesman, a thorough gentleman, and an outstanding American. May he rest in peace.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. HAINES].

Mr. HAINES. Mr. Speaker, I go home each week end because I live nearby. As I drove into Washington this morning I noticed the flag was at half mast. Immediately I began to wonder who could it be. I knew Colonel RUTHERFORD was ill but I had no idea that God was going to call him home so soon.

I join my colleagues, Mr. Speaker, in expressing my feeling of deep personal loss in the passing of this fine gentleman, a man whom I loved and learned to respect through my associations with him here in the House. The colonel was not only a fine gentleman, soldier, and statesman, but he was a man who helped to build this Nation. He was a builder. That recalls to my mind the words of a great American poet, Edgar Guest, who said:

I watched men tearing a building down, a gang of men in a busy town,
With a ho-heave-ho and a lusty yell, they swung a beam and the side wal' fell.
I asked the foreman, "Are these men skilled, the kind of men you would hire if you had to build?"
And he laughed and said, "No, no, indeed; just common labor is all I need.
"Why, I can easily wreck in a day or two what builders have taken a year to do."
I thought to myself as I went my way, which of these deeds have I tried to play?
Am I a builder, a builder who works with care shaping my deeds by the rule and square,
Or am I a wrecker, a wrecker who walks the town content with the labor of tearing town.

Mr. Speaker, our departed colleague was a builder, loved and respected by the membership of this House and by the people he had the honor to represent. We want to be prepared for that day that is sure to come to every one of us. God is going to call all of us home sooner or later and that future home of ours depends entirely upon the type of material we send over yonder.

I want to quote in closing the words that were quoted by Dr. Crowther on a similar occasion not so long ago.

So live, that when thy summons comes to join
The innumerable caravan, which moves
To that mysterious realm, where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry slave at night,
Scourged to his dungeon, but, sustained and soothed
By an unfaltering trust, approach thy grave
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams.

Mr. KINZER. I yield to the gentleman from Pennsylvania [Mr. RODGERS].

Mr. RODGERS of Pennsylvania. Mr. Speaker, once again the black camel of death, in his relentless onward movement, has entered our midst and has knelt at the threshold of the earthly home of one of our colleagues, Col. ALBERT G. RUTHERFORD, and summoned him to go on that long journey to that undiscovered country from whose bourne no traveler ever returns.

It is a difficult and trying task that is imposed upon mortal man to submit without a show of rebellion to the relentless darts of death. It requires something greater and something beyond the human mind to bow in humble submission and to say that "God doeth all things well." It requires a sublime faith and conscientious recognition of that God.

Colonel RUTHERFORD was a friend to all who knew him. Many times I have sought his counsel and advice. His response was willing; his advice was always sound. His place in our delegation and in the Halls of Congress will be difficult to fill. He served well his Nation in his legislative capacity; he served well as a military man; he served well as a patriotic citizen in all his walks of life.

From the voiceless lips of the unresponding dead there comes no word; but from the influence of his life there does come a faith and a knowledge that he did not live in vain.

Among the greatest things in this world next to the radiance that flows from on high is the undying influence of a beautiful life wrapping itself in benediction around the destines of men.

When the body of our martyred President James A. Garfield lay in state, a floral tribute with an inscription from Victoria, the widowed Queen of England, was placed beside the bier. This inscription was fitting to the close of a life such as Garfield's and I can think of nothing more fitting to say with reference to our deceased colleague than to repeat the words of this inspection

Life's race well run;
Life's work well done;
Life's crown well won—
Now comes rest

Mr. KINZER. Mr Speaker, I yield to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, it was with genuine sorrow that I learned of the passing of our friend and colleague, Col. ALBERT RUTHERFORD. Since he came to the Congress, it has been my pleasure to serve with him as a fellow member of the Committee on Public Buildings and Grounds.

He was kind, tolerant, conscientious, genial, friendly. He was a man of splendid ability, yet unobtrusive, interested more in the efficient performance of his duty than in parading in the public press.

It is difficult to understand these partings that tear our hearts, except as we recall that we are citizens of eternity and that in the plan of Providence we are brought to the maturity of our characters and worth-while achievements that we may be prepared to serve in a better and a broader sphere.

Sustained by an unfaltering trust, Colonel RUTHERFORD has gone to his reward. May I in feeble lines of my own convey the message of love and confident hope that I feel our hearts would express to him:

Good-bye, good friend;
In God's good time,
In God's good clime,
We'll meet again.

And in that land,
Where we shall know
No pain or woe,
We'll understand.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Speaker, I hesitate to rise at this time because I realize that there is little, if anything, that I can add to the very fitting and well-deserved tributes that have already been paid to our departed and beloved colleague and friend. However, as a member of the Committee on Military Affairs on which Colonel RUTHERFORD so well and faithfully served, I welcome the opportunity to say a few words about him.

I think no greater tribute can be paid him than to say simply that he was a good man. He was a graduate of the Law School of the University of Pennsylvania. Not only was he an able lawyer but he was a great soldier, having enlisted in the Pennsylvania National Guard in 1904, serving as captain in the Thirteenth Infantry, later as major and inspector of the Third Brigade, then as adjutant general, and finally as lieutenant colonel in the last war. With this rich background of experience and because of his inborn patriotism and undying love for his country, he was naturally a very valuable man to our committee. Discipline he taught and practiced.

Quiet and unassuming, without show or ostentation, he was always attentive to giving serious thought even to the views of the opponents of any piece of pending legislation. It was my good fortune to have visited in his district and to have made speeches there. I can speak personally of the high esteem and genuine affection with which the people of the great Fifteenth Congressional District of the old Keystone State regardless of political affiliations, held this good man.

We who served with him on the committee know that for the past several months, indeed since the beginning of this session of Congress, he has been in failing and in ill health, even attending committee when he was physically unable to be there. The end that came yesterday was not unexpected by us but naturally we are grieved to learn of his passing. Colonel RUTHERFORD died as he lived a good soldier, at his post, and he went as he would have chosen to go—in harness and in the service of the country and the State he loved so well. He has well earned a long rest and surcease from his arduous and exacting duties which he never shirked. Sweet peace upon him and God's blessing upon the loved ones left behind.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Speaker, I, too, want to express my sorrow at the passing of not only a colleague but a good friend. I met him first when he became a member of the Committee on Military Affairs. For about 3 years I knew him as Colonel RUTHERFORD, but for the past 2 years I have known him more or less intimately as "Al."

I sometimes think that we never know very well many Members of the House except those of our own delegation and perhaps a few intimate friends from other States. Outside of our own delegation, perhaps the ones we come to know best are those on our own committees.

It is an old but a true saying that if you want to know a man well go hunting or fishing with him or take a long trip with him. Two years ago my wife and I had the good fortune to be in a party that went to Panama, and from there on around to California. AL RUTHERFORD and his devoted wife were on that trip. They proved themselves to be charming people and delightful shipmates. He and I sat out on the deck many evenings discussing the problems of life as well as the complex problems of the day.

He was as kind and as gentle as a woman. He had a heart of gold. He was a man of strong convictions and willing to express them, whether in the com-

mittee room, on the floor of the House, or on the deck of a steamer; but he always did it with a gentility and a kindness that would commend itself to anybody.

If he had a hobby, it was national defense. He and I have differed at times, but I always respected his judgment and never for one moment questioned his patriotism.

Yes; he was a great soldier; but he was also a great statesman; and, above all, a fine citizen and a Christian gentleman. I shall miss him more than I am able to express.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from New York [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, when I think of Colonel RUTHERFORD I think first of his simplicity, and simplicity, to my mind, in its true sense is one of the finest qualities of man. I think of the last evidences of his simplicity, when he asked members of the Committee on Military Affairs not to call upon him while he was ill, and that no more flowers be sent.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Speaker, it is with a great deal of sorrow that I hear of the passing of my distinguished colleague from Pennsylvania. I had much in common with Colonel RUTHERFORD because the southern part of my district adjoined the northern part of his district, and both my family and I spent many years in his locality. I can vouch for the fact that the people of his area held him in high regard.

I know of no man in Congress who took a greater interest in me personally when I came to this body in the Seventy-sixth Congress than did Colonel RUTHERFORD. He was always ready to lend a helping hand, to give friendly advice, and to do everything he could to make a new and younger Member feel at home.

Colonel RUTHERFORD had the attributes of a great man.

His life was gentle, and the elements
So mixed in him that Nature might stand up
And say to all the world, "This was a man!"

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Mr. Speaker, I should be indeed recreant to my duty and rebellious to my conscience if I did not at this time rise in this place to pay tribute to my departed friend and colleague.

I never knew Colonel RUTHERFORD until he became a Member of this House and was assigned to membership on the House Committee on Military Affairs. I think as chairman of that committee I perhaps have had as much opportunity as any other Member of this body to become intimately acquainted with him and to know and learn the real character of the man about whom we speak today.

A few months after Colonel RUTHERFORD was assigned to my committee it became my duty as chairman of the Committee on Military Affairs to present to him on behalf of that committee a beautiful silver tray, inscribed with the facsimile signatures of each member of that committee. I shall never forget that in the midst of all the levity and fun when the tray was presented to him he was affected so genuinely and so deeply that the tears trickled down his face in appreciation of the gift from his colleagues, and his feeling was expressed more in his face than in his few words of acceptance. He was a great soul.

I can say one thing for Colonel RUTHERFORD, that I doubt that the chairman of any other committee in this House can say about a Member that in the 4½ years he has been a member of that committee, on not one occasion until the time when he went to the hospital was he ever tardy a single minute. When I took my seat and looked on my left and on my right for a quorum I at no time missed the presence of Colonel RUTHERFORD. He was devoted to his work with a zeal possessed by but few Members of this body.

He was a faithful servant of the public, he was a brave and courageous soldier, he was a kindly and congenial companion, and he was a great statesman. His State, his district, and the Nation will miss his services. His family and friends have lost a devoted husband and friend. Your Committee on Military Affairs will find it difficult to fill his seat with another so capable and faithful.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Ohio [Mr BENDER].

Mr. BENDER. Mr Speaker, since I became a Member of this body Colonel RUTHERFORD and I have been members of a group which is composed of Republicans and Democrats of this House, who meet socially on Thursday evenings. I know we have missed him in recent weeks, and I know we shall miss him more as time goes on.

I hesitate to rise here inasmuch as so many other Members have already spoken and paid tribute to Colonel RUTHERFORD, yet I would not forgive myself if I did not rise to say just a word.

I say "amen" to all that has been said about Colonel RUTHERFORD, especially to that which was said by the gentleman from New York [Mr. ANDREWS] when he spoke of his simplicity. Colonel RUTHERFORD not only had simplicity but he had a keen sense of humor. He could see the funny side of things. He was a human being. He had shortcomings like all the rest of us, but he had a creed with it all.

This creed is best expressed in these words:

There are loyal hearts, there are spirits brave.
There are souls that are pure and true.
Then give the world the best you have and
the best will come back to you.

Give truth and your gift will be paid in kind,
And honor will honor meet.
And a smile that is sweet will surely meet a
smile that is just as sweet.
Give love, and love to your life will flow,
A strength in your utmost need.
Have faith and a score of lives will show their
faith in your word and deed.

For life is the mirror of king and slave
'Tis just what we are and do.
Then give to the world the best you have and
the best will come back to you.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. JARRETT].

Mr. JARRETT. Mr. Speaker, in the passing of our colleague, Col. ALBERT G. RUTHERFORD, one has been removed from our midst loyal to duty. He was sincere. The responsibilities of office no doubt hastened his end. As I have stated he was serious and a hard worker. He was a good counselor, always had his feet on the ground. Never much given to oratory, his judgment was the very best. He was not a bitter partisan although he was a very good Republican. I never heard him say an ill word against anybody. He was always congenial and left many stanch friends in this body. He certainly will be missed by his friends, his district, the State of Pennsylvania, and in Congress. Personally, I will miss his personal associations. We extend to his widow and family our deepest sympathy.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. TIBBOTT].

Mr. TIBBOTT. Mr. Speaker, in the passing of ALBERT G. RUTHERFORD, the House has lost one of its best liked and most useful Members. He was a thoughtful, kind, and true friend. No greater character could be found in the House of distinguished characters. From the many conversations I had with him, I know that any question in his mind was settled in fairness and justice to others. The country can ill afford to lose men of his type.

I shall miss him very much.

Mr KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Speaker, the Fifteenth Congressional District of Pennsylvania has lost a devoted public servant with the passing of Representative ALBERT G. RUTHERFORD, of Honesdale. Here was a man who respected the views and opinions of those who honored him by electing him as their Representative in Congress.

Never did any personal ambition close Colonel RUTHERFORD's mind to the right and justice of a plea made by those who always found his door open to men and women in all walks of life.

The resoluteness and strong convictions which distinguished Colonel RUTHERFORD as a soldier, also marked his public and private life and won him the admiration of both friend and foe.

Pennsylvania and the Nation has lost a legislator who was dependable, responsible, and able.

Colonel RUTHERFORD's public life was not marked by ostentation, but the understanding, simplicity, and honesty that were the attributes of his private life were always apparent in his official actions and clearly reflected his fidelity to duty and principle.

Colonel RUTHERFORD championed causes which he believed to be right and could never be found guilty of passive submission to a wrong. This characteristic was always evident in the legislative hall of Congress and in the committees, where he served with distinction and honor. Although we could not detain him here, we can best pay tribute to his memory by emulating the ideal which was always closest to his heart, that being service to his fellow man. His was a work well done, and the final call has taken home the spirit of a soldier and statesman.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Speaker, because of my close personal relationship with, because of the friendship that existed between Colonel RUTHERFORD and myself, I am profoundly touched by these magnificent tributes I have heard here this morning. I should like to refer to the words that are found on the tomb of another great soldier. I am thinking of the words that are on the tomb of "Chinese" Gordon:

Maj. Gen. Charles G. Gordon, who at all times and everywhere gave his strength to the weak, his substance to the poor, and his heart to God

I believe these words might well be the words that we could place upon the tomb in our memory of our departed colleague and friend the Honorable ALBERT G. RUTHERFORD.

Mr. KINZER. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, the high qualities and virtues of our beloved colleague have been so ably and eloquently set forth that I hesitate to speak at this time. I do feel, however, that I must join the Pennsylvania delegation and every Member of the House on both sides of the aisle in a tribute to a fine man, a great soldier, a patriot, and a great American.

It was with keen regret I learned of the death of Colonel RUTHERFORD. I had known him intimately ever since he first came to this House. I knew the splendid family man he was; I knew of his devotion to his congressional work in his own district and his splendid service to the Nation. I knew of his ardent patriotism, his courage and his independence, all virtues which won the admiration and esteem of his associates. AL RUTHERFORD could ill be spared in this great period of national distress, when we need so much men of his rugged character and his fine ability. We pause today in the midst of a busy legislative program to honor a beloved friend and a fine American. Colonel RUTHERFORD has gone, but we will never forget the hours he has been with us. His service to his country and to humanity will be preserved in our precious memories. His life will continue to be an inspiration to us all. Every Member of this House is profoundly affected by the loss of this good and worthy friend and associate.

Mr KINZER. Mr. Speaker, I now yield to the gentleman from Pennsylvania [Mr. WOLFENDEN].

Mr. WOLFENDEN of Pennsylvania. Mr. Speaker, I offer a resolution which I now send to the Clerk's desk and ask for its immediate consideration.

The Clerk read as follows (H. Res. 219):

Resolved, That the House has heard with profound sorrow of the death of Hon. ALBERT G. RUTHERFORD, a Representative from the State of Pennsylvania

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to, and the Chair appointed as a committee to attend the funeral Messrs. WOLFENDEN of Pennsylvania, KINZER, RICH, and WALTER.

ADJOURNMENT

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect, the House do now adjourn.

The motion was agreed to.

Accordingly, at 12 o'clock and 7 minutes p. m., the House adjourned to meet (in accordance with its previous order) tomorrow, Tuesday, August 12, 1941, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

847. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 30, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of Belle Fourche River and tributaries, Wyoming, authorized by the Flood Control Act approved June 22, 1936; to the Committee on Flood Control.

848. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 26, 1941, submitting a report, together with accompanying papers, on reexamination of Alpena Harbor, Mich., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted February 28, 1939, and January 19, 1940; to the Committee on Rivers and Harbors.

849. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers, on reexamination of Big Sand Creek in vicinity of North Carrollton, Miss., requested by resolution of the Committee on Flood Control, House of Representatives, adopted March 25, 1940; to the Committee on Flood Control.

850. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers on a preliminary examination and survey of Miami Kilchis Wilson, Trask, and Tillamook Rivers, Oreg., authorized by the Flood Control Act approved June 22, 1936, and the act approved June 11, 1935; to the Committee on Flood Control.

851. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 19, 1941, submitting a report together with accompanying papers, on reexamination of Dickersons Bay, Gloucester County, Va., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 9, 1939; to the Committee on Rivers and Harbors.

852. A letter from the Secretary of War, transmitting a report of awards made under the authority of Public No. 426, Seventy-sixth Congress; to the Committee on Military Affairs.

853. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill relating to the sale of lands in the Palm Springs or Agua Caliente Indian Reservation, and to the Palm Canyon National Monument; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAINES: Committee on the Post Office and Post Roads. H. R. 3192. A bill to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices; without amendment (Rept. No. 1147). Referred to the Committee of the Whole House on the state of the Union.

Mr. WEAVER: Committee on the Judiciary. H. R. 5270. A bill to amend the act reorganizing the administration of Federal prisons; without amendment (Rept. No. 1148). Referred to the Committee of the Whole House on the state of the Union.

Mr. TOLAN: Committee on the Judiciary. S. 633. An act to amend the Criminal Code in respect to fires on the public domain or Indian lands or on certain lands owned by the United States; with amendment (Rept. No. 1149). Referred to the House Calendar.

Mr. TRAYNOR: Committee on the Territories. H. R. 4904. A bill to authorize transportation of employees of the Alaska Railroad on vessels of the Army transport service; with amendment (Rept. No. 1150). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. S. 1512. An act to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards; without amendment (Rept. No. 1151). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PADDOCK:

H. R. 5546. A bill to exempt admissions to municipal recreational facilities from tax; to the Committee on Ways and Means.

By Mr. PETERSON of Florida:

H. R. 5547. A bill specifying the manner in which imported canned foods or food products shall be marked; to the Committee on Ways and Means.

H. R. 5548. A bill increasing the rate of custom duty on certain fruit peel; to the Committee on Ways and Means.

By Mr. RANKIN of Mississippi:

H. R. 5549. A bill to provide for the creation of conservation authorities, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. WALTER:

H. R. 5550. A bill to prohibit the use of the mails for the solicitation of divorce business; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. SECREST introduced a bill (H. R. 5551) for the relief of John S. McBride, which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII,

1754. Mr. MARTIN J. KENNEDY presented a petition of the Transportation Association of America, opposing the St. Lawrence waterway, which was referred to the Committee on Rivers and Harbors.